

MIAMI BEACH

Finance and Citywide Projects Committee Meeting

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

March 13, 2018 - 12:30 PM

Commissioner Ricky Arriola, Chair

Commissioner Mark Samuelian, Vice-Chair

Commissioner Micky Steinberg, Member

Commissioner John Elizabeth Aleman, Alternate

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OLD BUSINESS

1. **DISCUSSION REGARDING SUSTAINABLE FUNDING SOURCES FOR EDUCATIONAL ENHANCEMENTS IN MIAMI BEACH PUBLIC SCHOOLS**
March 1, 2017 - R9 F
Sponsored by Commissioner Alemán
Organizational Development Performance Initiatives
Status: Supplemental updated on 3/9/18.
2. **DISCUSSION ON CITY PRIORITIZATION AND FUNDING TO IMPLEMENT CROSSWALKS AND SIGNALIZATION AT COLLINS AVENUE AT 79TH STREET AND AT 83RD STREET**
December 13, 2017 - C4 S
Sponsored by Commissioner Alemán
Transportation
3. **UPDATE ON ENERGOV PERMITTING SYSTEM**
April 26, 2017 - C7 M
Information Technology
4. **DISCUSSION REGARDING G.O. BOND**
January 17, 2018 - R9 J
Sponsored by Commissioner Arriola
Finance
5. **DISCUSSION REGARDING THE NORTH BEACH TOWN CENTER REDEVELOPMENT PROPOSAL, INVOLVING CITY-OWNED PARKING LOTS, MADE BY NORTH BEACH TOWN CENTER DEVELOPMENT, LLC, AN AFFILIATE OF PACIFIC STAR CAPITAL, LLC**
May 17, 2017 - C4 C
Sponsored by Commissioner Arriola
Tourism, Culture, and Economic Development
Status: Supplemental updated on 3/12/18.
6. **DISCUSSION REGARDING THE ORCHARD PARK NEIGHBORHOOD TEMPORARY PUMPS**
January 17, 2018 - R9 D
Sponsored by Commissioner Alemán
Public Works
7. **DISCUSSION REGARDING THE USE OF TEMPORARY PORTABLE PUMPS AND GENERATORS FOR THE PURPOSE OF MITIGATING FLOODING OF CITY STREETS**

January 17, 2018 - R9 E

Public Works

NEW BUSINESS

8. **DISCUSSION REGARDING THE CREATION OF ANIGHT MANAGER POSITION**
February 14, 2018- C4 T
Office of the City Manager/Police
9. **DISCUSSION REGARDING THE IMPLEMENTATION OF ADDITIONAL PEDESTRIAN SECURITY MEASURES CITYWIDE**
February 14, 2018 - C4 U
Police/Property Management
10. **DISCUSSION ON REQUIRING SUSTAINABILITY STANDARDS SIMILAR TO LEED FOR RETROFITS IN CITY-OWNED PROPERTIES**
February 14, 2018 - C4 W
Environment & Sustainability
11. **DISCUSSION REGARDING MAURICE GIBB MEMORIAL PARK'S BUDGET AND DESIGN SCOPE**
February 14, 2018 - C4 AA
Sponsored by Commissioner Arriola
Capital Improvement Projects
12. **DISCUSSION REGARDING CABLERUNNER AND ITS TECHNOLOGY**
February 14, 2018 - C4 V
Sponsored by Commissioner Alemán
Public Works
13. **DISCUSSION REGARDING A MID-YEAR BUDGET AMENDMENT FOR THE UPCOMING INTERNATIONAL TENNIS FEDERATION (ITF) TOURNAMENT TAKING PLACE AT THE NORTH SHORE PARK TENNIS CENTER**
March 7, 2018 - C4 B
Parks and Recreation
14. **DISCUSSION TO REVIEW STATUS, ISSUES, AND PLANS RELATED TO THE INDIAN CREEK DRIVE FLOODING MITIGATION**
March 7, 2018 - C4 F
Sponsored by Commission Samuelian
Public Works
Status: Supplemental updated on 3/12/18.
15. **DISCUSSION REGARDING THE GARAGE RATE INCREASES APPROVED IN 2015**
March 7, 2018 - C4 E
Parking
16. **DISCUSSION REGARDING THE DEPLOYMENT OF SECURITY GUARDS IN THE CITY**
March 7, 2018 - C4 D
Police
17. **DISCUSSION REGARDING THE COST INVOLVED WITH A STOP-GAP MEASURE PLACING MIAMI BEACH POLICE OFFICERS IN MIAMI BEACH SCHOOLS FROM APRIL 2, 2018 TO THE END OF THE SCHOOL YEAR**
Items discussed at Commission relating to this item- March 7, 2018 - C7 AF, R9 L, R9 R
Sponsored by Mayor Gelber/Commissioner Rosen Gonzalez/Commissioner Samuelian
Police

18. **DISCUSSION REGARDING AN UPDATE ON CITY CONTRACTS AND MUNICIPAL FUNDING TO FEED THE MIAMI BEACH SCHOOLS EDUCATION ENHANCEMENTS 501(C)(3)**
March 7, 2018 - C4 A
Sponsored by Commissioner Alemán
Finance/Procurement

DEFERRED ITEMS

19. **DISCUSS THE RENEGOTIATION OF THE MIAMI BEACH TENNIS MANAGEMENT, LLC AGREEMENT TO PROVIDE PROFESSIONAL TENNIS MANAGEMENT AND OPERATIONS SERVICES AT THE CITY'S FLAMINGO PARK TENNIS CENTER**
March 7, 2018 - C4 C
Parks and Recreation
Status: Deferred to April 20, 2018 FCWPC meeting to provide staff additional time to evaluate options and seek input from the Parks and Recreational Parks Facilities Advisory Board.
20. **DISCUSSION REGARDING THE COMMUNITY PARK (FKA) PAR 3 PROJECT**
January 17, 2018 - C4 B
Capital Improvement Projects
Status: Deferred to the April 20, 2018 FCWPC meeting, pending additional research.
21. **DISCUSSION REGARDING THE 72ND STREET PARKING AND PARK COMPLEX**
January 17, 2018 - C4 D
Sponsored by Commissioner Alemán
Office of Capital Improvement Projects
Status: Deferred to the April 20, 2018, pending completion of feasibility study.
22. **DISCUSSION REGARDING THE FEES CHARGED TO DEVELOPERS TO APPEAR BEFORE THE CITY'S LAND USE BOARDS**
April 26, 2017 - C4 F
Sponsored by Vice-Mayor Alemán
Planning
Status: Deferred to the May 18, 2018 FCWPC meeting, pending consultant's report on fees.
23. **DISCUSSION TO CONSIDER REVISING THE "SPECIAL EVENT REQUIREMENTS AND GUIDELINES", BY AMENDING THE FOLLOWING SECTIONS: "MINIMUM REQUIREMENTS," "EXTERNAL REVIEW PROCEDURE," "BOOKING POLICY," "USE OF PUBLIC PROPERTY," "SPECIAL EVENT FEE SCHEDULE, AND "SPECIAL EVENT CLASS MATRIX", HEREBY PERMITTING AND RESTRICTING FURTHER USES ON PUBLIC PROPERTY AND RECONCILING SPECIAL EVENT FEES TO MATCH RECENT**
October 18, 2017 - C4 F
Tourism, Culture, and Economic Development
Status: Deferred to the June 29, 2018 FCWPC meeting, pending meeting with industry.
24. **DISCUSSION REGARDING SIMPLIFYING THE SIDEWALK CAFÉ APPLICATION PROCESS FOR BUSINESSES IN NORTH BEACH AND WASHINGTON AVENUE**
February 14, 2018 - C4 AE
Sponsored by Commissioner Arriola
Public Works
Status: Deferred to the May 18, 2018 FCWPC meeting, pending additional research.
25. **DISCUSSION REGARDING RECOMMENDATIONS OF THE BLUE RIBBON EMERGENCY RESPONSE COMMITTEE**
February 14, 2018 - R9 J
Sponsored by Vice-Mayor Steinberg
Office of the City Manager
Status: Deferred to the April 20, 2018.

26. **DISCUSSION REGARDING A WATERLESS CAR WASH RFP AT GARAGES**
October 18, 2017 - C4 E
Parking
Status: Deferred to the May 18, 2018 FCWPC meeting to report on success of the pilot program.
27. **DISCUSSION REGARDING THE COSTS RELATED TO HAVING MIAMI BEACH COMMIT TO ENSURING THAT ALL GOVERNMENT BUILDINGS WILL BE POWERED BY 100% RENEWABLE ELECTRICITY**
May 17, 2017 - R9 AB
Sponsored by Commissioner Rosen Gonzalez
Environment & Sustainability/Property Management
Status: Deferred to the April 20, 2018 FCWPC meeting, pending direction from the Sustainability and Resiliency Committee.
28. **DISCUSSION REGARDING THE TRACKING OF TOTAL SHORT TERM RENTAL VIOLATIONS IMPOSED AGAINST PROPERTY OWNERS**
October 31, 2017- C4 A
Sponsored by Commissioner Alemán
Finance/Code Compliance
Status: Deferred to the June 29, 2018 FCWPC meeting, pending report.
29. **DISCUSSION REGARDING FUTURE STORMS' DEBRIS REMOVAL SITE**
Public Works
Status: Deferred to the April 20, 2018 FCWPC meeting, pending additional research.
30. **DISCUSSION REGARDING THE CONTINUED RENTAL OF THE WAREHOUSE CURRENTLY OCCUPIED BY THE SPECTRA TEAM DURING THE CONVENTION CENTER RENOVATION**
February 14, 2018 - C4 N
Property Management
Status: Deferred to the April 20, 2018 FCWPC meeting, pending further research and discussions.

ADDENDUM

31. **DISCUSSION REGARDING POTENTIAL SHORT TERM PUBLIC SAFETY ENHANCEMENTS SUCH AS HIGH-INTENSITY LIGHTING ON COLLINS COURT**
February 14, 2018 - R9 V
Sponsored by Commissioner Samuelian
Police
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MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 13, 2018

SUBJECT: **DISCUSSION REGARDING SUSTAINABLE FUNDING SOURCES FOR
EDUCATIONAL ENHANCEMENTS IN MIAMI BEACH PUBLIC SCHOOLS**

HISTORY:

The purpose of this Letter to Commission (LTC) is to provide enhancement implementation option costs based on the results of the Miami Beach Education Enhancement Prioritization Survey administered between October 11, 2017 and November 13, 2017 to residents with youth in Miami Beach public schools. Staff received direction at the April 26, 2017 Commission meeting to survey members of the community with children in a Miami Beach public school to determine what educational enhancements were needed, and present the findings to the Finance and Citywide Projects Committee (FCWPC) in October 2017 for review. City administration developed and conducted an education enhancement survey in May 2017 to gather input on potential enhancement; this preliminary survey received 374 community responses. Staff met with Miami Beach public school principals and district personnel in July 2017 to identify additional enhancements for inclusion in the follow-up prioritization survey.

BACKGROUND

At the March 1, 2017, Commission meeting, a referral was made to the Finance and Citywide Projects Committee (FCWPC) to examine options that may be available to the City to provide supplemental funding for enhancements and other support for public schools within the City's geographical boundaries. A companion item was also referred to the Neighborhoods/Community Affairs Committee (NCAC), to hold a discussion regarding a governance structure with respect to the manner in which any such supplemental City funds to support public schools should be spent or used. During the March 31, 2017 FCWPC meeting, members recommended the creation of a non-profit charitable 501(c)(3) entity to raise funds for public education within the City. Resolution 2017-30041 on October 18, 2017 was repealed at the February 14, 2018 Commission meeting (Item C7W) to allow for the utilization of One Miami Beach Inc. Not-for-profit 501(C)(3) organization for the public purpose of accepting charitable donations to be used for providing education enhancements to Miami Beach Public Schools.

Staff received direction at the April 26, 2017 Commission meeting to survey members of the community with children in a Miami Beach public school to determine what educational enhancements were needed, and present the findings to the Finance and Citywide Projects Committee (FCWPC). City administration developed and conducted an education enhancement survey in May 2017 to gather input on potential enhancement; this preliminary survey received 374 community responses. Staff met with Miami Beach public school principals and district personnel in July 2017 to identify additional enhancements for inclusion in the follow-up prioritization survey. Between October 11, 2017 and November 13, 2017 administration conducted an Education Enhancement Prioritization Survey as directed. Results from the survey were shared via LTC 562-2017 in November 2017. FCWPC directed staff to review unfunded educational initiatives from the survey and

provided implementation options with associated costs.

EDUCATION ENHANCEMENT PRIORITIZATION SURVEY RESULTS

Overall, the education enhancement prioritization survey received 317 community responses, which represent 391 children from the following schools: Biscayne Elementary (21), North Beach Elementary (79), South Pointe Elementary (26), Treasure Island Elementary (13), Fienberg Fisher K-8 Center (56), Nautilus Middle (39) and Miami Beach Senior High (83).

Some highlights from the education enhancement prioritization survey where all schools rate enhancements as the most important include the following:

- Teacher recruitment/retention – professional development/training for teachers in the International Baccalaureate (IB) program and incentives for teacher recruitment/retention
- Enhanced communication of educational and community events – Miami Beach Student Expo and Miami Beach Parent Program
- Family/Parental Involvement – extracurricular after-school activities, such as: drama/theater, competitions, chorus, robotics, and coding
- Enhanced student health and well-being – behavioral mental health program
- Improved student achievement – International Baccalaureate (IB) program and dual enrollment course offerings
- School safety – the Anti-Defamation League's No Place for Hate program and addition of security guards
- Technology access – free Wi-Fi

EDUCATION COMPACT FUNDING CHART

The below chart provides information on enhancements currently underway, and estimated cost per year. Also included is the estimated partner contribution for each enhancement and the number of youth participating annually. Currently, enhancements are funded from waste hauler public benefit contributions to education at \$90,000 per year, \$10,000 donation from MB Chamber Education Foundation, and for FY18 \$195,000 from parking garage advertisement revenue, all of which reside within the Education Compact special revenue fund. Also, \$129,000 in funding is provided from the general fund in FY18. Parking garage advertisements for FY18 are anticipated to add an additional \$55,000 as initial fund contributions were prorated for nine (9) months. This would alleviate contributions from the GF to \$48,000. Additionally, the Substance Abuse Prevention Program will require a \$3,000 per year expense.

	CMB Annual Budgeted Funding	Partner Annual Estimated Contribution *	Youth Estimated Participation Annually
Voluntary Pre-Kindergarten	\$ 141,000.00	\$ -	40
International Baccalaureate	\$ 50,000.00	\$ 1,000,000.00	4,825
Miami Dade Public School Agendas	\$ 18,000.00	\$ 11,137.40	5,300
Nurse Initiative w/Neighboring Municipalities	\$ 16,000.00	\$ 17,601.00	2,830
Nurse Initiative - Behavioral Health	\$ 54,000.00	\$ 35,400.00	8,300
Miami-Dade College Dual Enrollment Program	\$ 28,000.00	\$ 15,152.00	150
FIU Dual Enrollment	\$ 62,000.00	\$ 33,568.00	387
Common Threads Program	\$ 19,000.00	\$ 12,928.34	359
Substitute Teacher Incentive Program	\$ 3,000.00	\$ -	
Anti-Defamation League- No Place for Hate	\$ 4,000.00	\$ 4,125.00	7,100
Total	\$ 395,000.00	\$ 1,129,911.74	

*Partner annual estimated contributions are based on the following:

- IB – Per MDCPS estimated annual costs include IB coordinator at each of the six schools, IB materials, IB Diploma exam costs, annual fees, etc.

- Agenda partner contribution \$600 North Bay Village, \$5,300 school PTSA, and \$5,300 ad sales
- Nurse Initiative partner contribution \$3,600 Towns of Surfside, Bay Harbor, and Bal Harbor, and \$6,600 North Bay Village
- Behavioral Health partners for mental health \$22,000 Borinquen and \$13,000 Children's Trust
- Miami-Dade College dual enrollment \$15,152 MDCPS contribution for textbooks
- Florida International University dual enrollment \$33,568 MDCPS contribution for textbooks
- Common Threads partnership contribution of \$12,928
- Anti-Defamation League partnership contribution \$4,125

ANALYSIS:

UNFUNDED PROPOSED EDUCATIONAL ENHANCEMENTS OPTIONS

The below chart provides information on enhancements not funded (if applicable), and estimated cost per year for two (2) potential options (if needed).

Education Enhancements Unfunded (as applicable)	Option #1 Projected Cost	Option #2 Projected Cost
Rate my teacher/professor		
Parent Academy-training by City on using Parent Portal		
Independent Evaluation of school programs	\$ 100,000	
Extracurricular after-school activities, such as: drama/theater, competitions, chorus, robotics, coding etc.,	\$ 58,500	\$ 51,600
Tutoring and ACT/SAT/PERT prep materials	\$ 12,500	\$ 76,250
Reading and Math tutors during and after-school	\$ 50,000	\$ 50,000
Elementary Teaching Assistant grades K-1	\$ 218,484	\$ 599,760
Educational guidance and college application assistance	\$ 85,000	\$ 30,800
Reduce counseling teacher student ratios	\$ 205,665	\$ 89,964
Resources for ESE students/programs	\$ 219,484	\$ 599,760
Weekend student tutorial program w/participation incentives and snacks	\$ 82,800	
Training opportunities for school security at public schools in Miami Beach		
Truancy prevention programs		
Provide additional security guards	\$ 171,360	\$ -
Provide internet safety classes	\$ -	\$ 6,000
Technology training at school sites for parents/guardians		
Provide information technology(IT) support to public schools	\$ 104,358	\$ 200,730
Total	\$ 1,308,151	

Detailed explanations for each enhancement above and options are provided below:

- Rate my teacher/professor – no funding needed as program is available and in use
- Parent Academy-training by City on using Parent Portal – MDCPS offers “Technology and the modern family”, as well as training from the State Attorney, Public Defender's Office, and Melissa Institute through MB Parent Academy at no cost. Student curriculum includes Digital Citizen Initiative with two

- lessons per quarter including Common Sense Digital Citizenship and Social Media tips.
- Independent Evaluation of school programs may be completed by consultant pending cooperation from M-DCPS for needed data sets.
 - Extracurricular after-school activities, such as: drama/theater, competitions, chorus, robotics, coding etc..
 - Option #1 includes partnership with school PTSA for hourly coach/instructor for various programs at \$65-\$100 per hour for 14 days per semester for 15 youth per program. Option includes \$1,400 per class with 10 classes in both the Fall and Spring for two (2) Biscayne Elementary and Fienberg Fisher K-8 Center, with an additional \$2,500 administrative cost for classjuggler.com for ease of scheduling and registration. **Total cost \$58,500 per year for two schools for between 600 – 800 youth.**
 - Option #2 includes partnership with external STEM company for three step programs (Robotics, STEM rotation, and Advanced STEM) for \$75 per hour for 20-40 youth per semester for 44 days (2 hours each session) at \$6,600 per school for six schools plus an assistant at \$20 per hour at \$2,000 per school. Total \$8,600 per school for 40 youth at each school for 6 schools. Total cost **\$51,600 for 240 youth.**
 - Tutoring and ACT/SAT/PERT prep materials
 - Option #1 includes partnership with Prep Works for SAT/ACT/PSAT test preparation for 500 students using online support and teacher training to increase utilization at total cost of **\$12,500 per year for 500 youth.**
 - Option #2 includes partnership with Kaplan SAT/ACT test prep with live online sessions for a 25 hour class for up to 50 youth at \$15,250 per session. **Total cost \$76,250 for 5 sessions for 250 youth.**
 - Reading and Math tutors during and after-school
 - Options #1 provides for partnership with local university during critical reading course for 25 college students at a Miami Beach elementary/middle school site at \$10 per hour per student for up to an additional 100 hours per semester (25 youth each semester) each for reading interventions. University professor to supervise. **Total cost \$50,000 for 1,250 youth at five (5) schools.**
 - Option #2 provides for partnership with local college during practicum class for 25 college students to provide reading intervention at elementary/middle school site at \$10 per hour per student for up to an additional 100 hours per semester (25 youth each semester) each for reading interventions. **Total cost \$50,000 for 1,250 youth at five (5) schools.**
 - Elementary Teaching Assistant grades K-1
 - Option #1 includes hourly non-degreed teaching assistants at \$10.20 per hour + 19% fringe (5 hours per days x 180 days = \$10,925 per) for 20 assistants at **\$218,484 for two (2) schools.**
 - Option #2 includes hourly degreed teaching assistants at \$28 per hour + 19% fringe (5 hours per days x 180 days = \$29,988 per) for 20 assistants at **\$599,760 for two (2) schools.**
 - Educational guidance and college application assistance
 - Option #1 includes a partnership with college counselor services outside of school for in-person/skype individual youth sessions up to 4 hours per year per youth afterschool/evenings year-round for 500 high school youth and 4-6 onsite parent/student informational sessions. **Total cost is \$85,000 for 2,000 hours for 500 youth.**
 - Option #2 includes online support for 500 students. **Total cost is \$30,800 (\$10,400 startup) for 500 youth.**
 - Reduce counseling teacher student ratios
 - Option #1 adds a traditional counselor to three schools per year. Cost \$68,555 per counselor per school with fringe. **Total cost for three counselors \$205,665 per year.**
 - Option #2 hires hourly counselors during school hours at \$28 per hour for 5 hours per day plus 19% fringe. **Total cost is \$89,964 for three hourly counselors per year.**
 - Resources for ESE students/programs
 - Option #1 includes hourly non-degreed teaching assistants at \$10.20 per hour + 19% fringe (5 hours per days x 180 days = \$10,925 per) plus \$50 per for paraprofessional exam (\$1,000) for 20 assistants at **\$219,484 for six (6) schools.**
 - Option #2 includes hourly degreed teaching assistants at \$28 per hour + 19% fringe (5 hours per days x 180 days = \$29,988 per) for 20 assistants at **\$599,760 for six (6) schools.**

- Weekend student tutorial program w/participation incentives and snacks provides for hourly MDC honors program students at \$10 per hour for 3 hours per week for 36 weeks plus snacks at \$3,000 per site (\$1,080 per tutor for 10 tutors x 36 days plus snacks). Bus transportation for youth to be determined. **Total cost \$13,800 per school for 6 schools at \$82,800.**
- Truancy prevention programs are provided through MDCPS success programs. City may apply for grant funding (Ex. JAMS) for 75 youth from MBSH in 2018-19 at \$37,000.
- Provide additional security guards provides for hiring of part time security between \$10-\$18 per hour and 19% fringe (\$10,710 per) with projection of 16 positions (8 elementary, 3 Nautilus, 5 Beach High). **Total cost \$171,360.**
- Provide internet safety classes
 - Option #1 provides internet safety through MDCPS at no cost
 - Option #2 provides internet safety through outside provider at \$2,000 for 2 hour class for 1,000 youth per class. **Total cost \$6,000 for three schools.**
- Technology training at school sites for parents/guardians offered at no cost through MDCPS MB Parent Academy
- Provide information technology(IT) support to public schools
 - Option #1 provides for hourly degreed IT support at \$28 per hour plus 19% fringe for 5.8 hours per day for 180 days a year. **Total cost for 3 positions is \$104,358**
 - Option #2 provides for full time IT support at \$28 per hour plus 19% fringe at \$66,910 per position. **Total for 3 positions \$200,730.**

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EDUCATION COMPACT

On January 8, 2008, the City entered into an Education Compact (the “Compact”) with Miami-Dade County Public Schools (M-DCPS). Developed with significant community input, the Compact reflects the desire of the Miami Beach community to support excellence in its schools and an investment in the overall enhancement of education for its residents. The Compact currently addresses and supports the following priority areas:

- Teacher Recruitment/Retention;
- Communication;
- Parental Involvement/Family Support/Youth and Community Engagement;
- Health and Well-Being;
- Student Achievement;
- Safety; and
- Technology.

In Resolution No. 2015-28997, the City Commission directed the Administration to expand the Compact to address the following areas: Early Learning; Extracurricular/Choice Offerings; and Afterschool Programming.

Since then, the City has entered into contracts with M-DCPS and other organizations for the following initiatives: Voluntary Pre-kindergarten (VPK) at Fienberg Fisher K-8 Center and Biscayne Elementary; Dual Enrollment Expansion through partnerships with Florida International University and Miami-Dade College at Miami Beach Senior High School and Nautilus Middle School; and Afterschool Teen Program at Nautilus Middle School.

The City supports excellence in education in the City’s public schools recognizing it is an investment in the overall enhancement of education for residents. Enhanced student achievement includes a seamless curriculum of advanced studies through the International Baccalaureate (IB) Program, from Pre-Kindergarten through twelfth grade. To date, approximately \$936,000 has been expended for application fees, professional development for teachers, and other youth related activities including dual enrollment, Nurse Initiative, Common Threads, and Mental Health Services (not including Voluntary Pre-K), for an additional \$489,000 for the first three years.

CONCLUSION:**NEXT STEPS**

At the request of the FCWPC, administration has obtained cost estimates for those enhancements identified that are not currently underway or not supported by MDCPS MB Parent Academy programming. These estimates include partnership opportunities and the anticipated number of student participants. Additionally, during the February 28, 2018, Commission Retreat, a request to develop a delivery system to integrate enrichment programs into the Miami Beach school feeder pattern; including arts and music, culture, technology, college and vocational school counseling was approved. At the Commission meeting on March 7, 2018, the Mayor and Commission adopted a resolution to place Miami Beach police officers in the six (6) public schools in the City. This information is provided for further discussion and consideration for implementation.

We will continue to support our strategic outcome to achieve K-12 public school excellence through our Education Compact. Dr. Leslie Rosenfeld will be reaching out to each of you to review the results of the survey. If you have any questions, please feel free to contact me.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 13, 2018

SUBJECT: **DISCUSSION ON CITY PRIORITIZATION AND FUNDING TO IMPLEMENT CROSSWALKS AND SIGNALIZATION AT COLLINS AVENUE AT 79TH STREET AND AT 83RD STREET**

HISTORY:

In 2015, the City of Miami Beach became the first City in the State of Florida to formally adopt a new modal prioritization to guide its transportation infrastructure investments. The City's adopted modal prioritization consists of: 1. Pedestrians; 2. Bicycles, Transit, and Freight (depending on the corridor); and 3. Private Vehicles.

Through the Transportation Master Plan process and following the adoption of the Master Plan, the City of Miami Beach Transportation Department has worked closely with the Florida Department of Transportation (FDOT) to identify, study, fund, and implement pedestrian improvements along State Roads within the City of Miami Beach. The City will continue this coordination to ensure a safe and connected pedestrian network.

SRA1A/Collins Avenue is one of the City's major thoroughfares traversing the entire length of the City in a north-south direction. While Collins Avenue provides some facilities for safe pedestrian crossings, the Transportation Department staff has been advocating for some time for FDOT to create safe pedestrian crosswalks and enhance pedestrian safety at multiple locations along the corridor, including at 36th Street, 79th Street, 83rd Street, and 87th Street.

ANALYSIS:

Proposed Traffic Signal at Collins Avenue/79th Street Intersection

In 2016, pursuant to the City's request, FDOT approved the implementation of a signalized crosswalk at Collins Avenue and 79th Street. Since that time, the Transportation Department staff has been working with FDOT to fund this project as part of the FDOT 5-Year Work Program. This project was discussed at the June 28, 2017 FDOT District 6 Scoping Committee meeting. Transportation Department staff attended the meeting to advocate for FDOT to fund the project and expedite the construction of the signalized intersection. Subsequent to the meeting, City staff has continued seeking advancement of the project. As a result of staff's efforts, FDOT is currently designing the project and, as part of its Tentative 5-Year Work Program, FDOT is proposing to advance project construction from Fiscal Year (FY) 2022/23 to FY 2018/19, which will begin on July 1, 2018. The estimated construction cost is approximately \$427,000.

Proposed Enhanced Crosswalks at Collins Avenue/83rd Street and Other Intersections

In 2016, pursuant to the City's request, FDOT approved the installation of enhanced pedestrian crosswalks with

overhead Rapid Rectangular Flashing Beacons at the intersections of Collins Avenue/83rd Street and Collins Avenue/87th Street. These crosswalk projects were also discussed at the June 28, 2017 FDOT District 6 Scoping Committee meeting and received support from the Committee. Typically, when new projects are proposed for funding through the FDOT 5-Year Work Program cycle, the project is initially programmed in the fifth (5th) year of the FDOT's Tentative 5-Year Work Program. If the funding is ultimately approved, the project is included in the FDOT's Adopted 5-Year Work Program.

In order to achieve economies of scale, FDOT staff proposed combining these two projects along with a proposed mid-block crosswalk at the 3600 block of Collins Avenue. All three (3) proposed enhanced crosswalk/Rapid Rectangular Flashing Beacon projects have been incorporated into a single project. The estimated cost of this project, including design and construction, is \$811,132. The projects are currently proposed for design in FY 2018/19 and construction in FY 2022/23 in the FDOT 5-Year Tentative Work Program.

CONCLUSION:

Given that FDOT has advanced the design and construction of the Collins Avenue/79th Street signalized crosswalk, with funding for construction to be available in July 2018, the Administration recommends no further action on this item.

The City will continue to work with FDOT to advance the implementation of the proposed enhanced crosswalks along Collins Avenue at 83rd Street, 87th Street, and the 3600 Block. If FDOT is not amenable to advancing funds and expediting this project through its Work Program cycle, then City staff will pursue funding through the City's FY2018/19 capital budget process, with the condition that FDOT reimburse the City in the year that the state funds become available. If approved through the capital budget process, this financial arrangement will require a Locally Funded Agreement to be executed between the City and FDOT.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 13, 2018

SUBJECT: **UPDATE ON ENERGОВ PERMITTING SYSTEM**

ANALYSIS:

Discussion at Committee.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 13, 2018

SUBJECT: **DISCUSSION REGARDING G.O. BOND**

ANALYSIS:

Discussion at Committee.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 13, 2018

SUBJECT: **DISCUSSION REGARDING THE NORTH BEACH TOWN CENTER REDEVELOPMENT PROPOSAL, INVOLVING CITY-OWNED PARKING LOTS, MADE BY NORTH BEACH TOWN CENTER DEVELOPMENT, LLC, AN AFFILIATE OF PACIFIC STAR CAPITAL, LLC**

HISTORY:

On or about June 7, 2017, the City engaged Tom Blazejack, to prepare an appraisal, as required by Section 82-39 of the City Code, with respect to a proposal submitted by North Beach Town Center Development, LLC's ("Developer") for the City to convey two of its Parking Lots (P80 and P84) in North Beach, in exchange for the Developer's conveyance to the City of a public parking garage unit or structure, which would be constructed as part of the Developer's proposed mixed use project.

Between July, 2017 and December, 2017, the City and the Developer held various meetings to discuss the differences in valuation. As part of the appraisal discussions, the City and the Developer agreed that the results of the November, 2017 referendum regarding the proposed F.A.R. increase in the Town Center districts in North Beach could affect the valuation of the respective parcels. The decision to incorporate the F.A.R. referendum results as part of the appraisal analysis inured to the benefit of the Developer, as the Developer's properties benefited more from the FAR increase than the City's properties.

On December 21, 2017, Blazejack submitted its revised appraisal analysis, based on the increased F.A.R. associated with the November referendum approved by the voters. The analysis reflects, the higher overall value of the City's properties resulted in an **\$800,000** variance between the City properties and Developer properties.

ANALYSIS:

I. Summary of the Proposed Project

1. The City currently owns the five parcels outlined in red on Exhibit "A" which contain 83 surface parking spaces.
2. North Beach Town Center Development, LLC ("Developer") owns the parcels outlined in yellow on Exhibit "A."
3. The portion of the project between Abbott and Byron would consist of two separate structures, consisting of 121,693 SF of retail in four stories and a 484-space parking garage. 384 of the parking spaces would be gated public parking spaces in a separate City-owned parking structure (the "Town Center Garage"), and 100 of the parking spaces would be for the sole use of the ground floor retail tenant on the Developer's property, which is projected to be a grocery store. The Town Center Garage property would also include

approximately 4,362 sq. ft. ground floor restaurant/retail space.

4. The portion of the project between Abbott and Harding would consist of existing office buildings at 42,456 SF, and new a 134-unit residential building with 42,538 SF of ground floor retail uses and a 275-space parking garage, to serve the residential building and office tenants. City's participation in the project between Abbott and Harding would be limited to City's conveyance of the City-owned property located therein.

5. The City would convey its five parcels to Developer, and Developer would convey its parcels outlined in blue on Exhibit "A" to the City, for use for the 384 space Town Center Garage.

6. Developer will be responsible for designing, developing, permitting and constructing the 384-space City-owned Town Center Garage, with the City to reimburse Developer for the costs, based on the [TBD] final negotiated terms, which as of the date of this Committee memorandum remain pending.

7. Once the Developer completes the construction of the Town Center Garage, the City will condominiumize the City-owned parcels (outlined in blue in Exhibit "A"), with the City to own the 384 space Town Center Garage, and the Developer to own the 4,362 sq. ft. ground floor retail space.

II. Direction Provided by the Finance Committee, and the Developer's Response

At the February 23, 2018 Finance Committee, the Committee reviewed the Developer's proposed term sheet, and among other comments, provided the feedback to the Developer with respect to the main open issues. A summary of the Finance Committee direction, and the Developer's updated proposed March 7, 2018 term sheet and draft development agreement, are highlighted in the table below:

FEBRUARY 23, 2018 FINANCE COMMITTEE DIRECTION	DEVELOPER'S RESPONSE AND ADMINISTRATION'S COMMENTS
The Committee noted that the \$40,000 per space costs for construction of the City garage were high , and indicated the Developer could do better.	Developer's pricing remains at \$40,000 per space. NOTE: The Developer's proposed \$40,000 per space is <u>only</u> for construction. In the draft development agreement, the Developer proposes for the City to separately pay all design costs (which would generally be 6-10% of hard costs). By way of comparison, the City's final costs for design <u>and</u> construction of the Collins Park Garage (which include expensive exterior features), was approximately \$34,000 per space.
The Committee unanimously disfavored the proposal, in perpetuity, for two hour free parking for the benefit of Developer's retail customers. The Committee expressed concern with the high likelihood of annual operating losses at this garage, if 2 hour free parking is included, especially given the experience at the Alton & 5 th Garage, which incurs losses even after factoring the significant annual payment	Developer has maintained its proposal for two hour free-parking, <i>in perpetuity</i>, for the benefit of its retail customers (in exchange for a one-time payment of \$700,000). Developer's new proposal expands on the 2 hour free parking concept, and calls for two hour free parking for the general public (and not just the developer's retail customers), for

<p>(approximately \$400,000) the City receives from that developer for the 2 hour free parking at that garage.</p> <p>The Committee expressed a willingness to consider 2 hour free parking for a limited term of years (and specifically indicated two years).</p>	<p>the first three years. In exchange for this expanded 2 hour free parking rights, Developer has offered to cover the City's operating losses for the first three years (subject to significant caveats, such as if the losses are due to "City mismanagement" or "other factors," none of which Developer has specified.</p> <p>NOTE: Under Developer's proposal, after the first three years, City is solely responsible for all operating losses at the garage, in perpetuity.</p> <p>Importantly, based on the 2014 Walker Parking Study, as 72 percent of week day parking stays, and 80 of weekend parking stays, are 2 hours or less, the City should reasonably anticipate that the loss of revenue associated with 2 hour free parking will result in significant annual losses at the Garage.</p>
<p>The Committee unanimously disfavored the waiver of required concurrency fees, which the City has never done for a brick and mortar project.</p>	<p>Developer has not requested waiver of concurrency in its recent proposal.</p>
<p>The Committee (and subsequently, the City Commission, at its February 28, 2018 Retreat), requested that the Administration provide options in terms of number of spaces for both this garage, and the proposed 72nd Street Parking Garage (located within a few blocks of the Developer's proposed project).</p>	<p>In the developer's most recent proposal, the Developer has increased the number of spaces from 371 to 384 City spaces.</p> <p>NOTE: The Administration's analysis is underway. The number of spaces remains a concern, when considering the proposed 384 spaces in conjunction with the proposed parking garage at 72nd Street, which is being programmed for 500 spaces (for a net additional 182 spaces beyond the existing parking lot).</p>

March 7, 2018, as part of a discussion of the Finance Committee report on the consent agenda, the City Commission referred the Developer's proposal to the Planning Board at its April 17, 2018 meeting, as Section 1.03(b) of the City Charter requires 4/7 approval of the Planning Board for the transaction. The intent is for the term sheet to be finalized prior to the Planning Board's April 17, 2018 meeting; if not finalized, the matter will be opened and renewed.

City's Proposed Term Sheet, Consistent with Finance Committee's Feb. 23, 2018 Direction

March 9, 2018, consistent with the direction provided at the February 23, 2018 Finance Committee meeting, the City transmitted the City's proposed term sheet to the Developer, a copy of which is attached hereto as Exhibit "B". Subject to any additional direction the Finance Committee may provide, the City's term sheet covers the points identified in the developer's March 7, 2018 term sheet, as well as the material terms the City proposes be included in a draft development agreement.

reference purposes, the Developer’s March 7, 2018 term sheet is attached as Exhibit “D”.

The Administration’s Prior Analysis Regarding Main Open Issues.

In case of reference, the Administration’s February 23, 2018 Committee Memorandum is attached hereto as Exhibit (without attachments, as the term sheet has been updated). The Committee Memorandum includes the Administration’s analysis regarding the policy matters at issue for this project, such as with respect to the two-hour free parking, the concern for the number of spaces and the potential for underutilization of parking at this garage, the Engineering Department’s continued concerns regarding Developer’s proposed loading, the necessary legislative changes required for the project, and the necessary capital budget appropriation required for the project.

CONCLUSION:

Specifically, for the reasons set forth in the February 23, 2018 Committee memorandum, the Administration remains concerned with, and does not recommend, free parking rights in perpetuity. The Administration is also concerned with the high costs for design and construction, and with the potential for underutilization of the garage, in view of declining parking demand trends. Finally, as outlined in the February 23, 2018 Committee Memorandum, funding has not been appropriated for this garage, nor has funding been appropriated for the construction of the Street Garage Project. Given recent constraints in the Parking Fund, funding for both garages will be a challenge.

ATTACHMENTS:

Description		Type
<input type="checkbox"/> Exhibit A- Parcel Map		Memo
<input type="checkbox"/> Exhibit B - City's March 9, 2018 Term Sheet		Memo
<input type="checkbox"/> Exhibit C - February 23, 2018 FCWPC Memo (without attachments)		Memo
<input type="checkbox"/> Exhibit D - Developer's March 7, 2018 Term Sheet		Memo
<input type="checkbox"/> Additional Memorandum		Memo
<input type="checkbox"/> 71st Street Properties Term Sheet and City Comments		Other

Exhibit A



March 9, 2018 City Draft

City's Proposed Term Sheet and Comments
71st Street Town Center Development

A. The Project

1. The City currently owns the five parcels outlined in red on Exhibit "A" which contain 83 surface parking spaces.

2. North Beach Town Center Development, LLC ("Developer") owns the parcels outlined in yellow on Exhibit "A."

3. The portion of the project between Abbott and Byron would consist of two separate structures, consisting of 121,693 SF of retail in four stories and a 484-space parking garage.¹ 384 of the parking spaces would be gated public parking spaces in a separate City-owned parking structure (the "Town Center Garage")², and 100 of the parking spaces would be for the sole use of the ground floor retail tenant on the Developer's property, which is projected to be a grocery store.³ The Town Center Garage property would also include approximately 4,362 sq. ft. ground floor restaurant/retail space.

4. The portion of the project between Abbott and Harding would consist of existing office buildings at 42,456 SF, and new a 134-unit residential building with 42,538 SF of ground floor retail uses and a 275-space parking garage, to serve the residential building and office tenants. City's participation in the project between Abbott and Harding would be limited to City's conveyance of the City-owned property located therein.

5. The City would convey its five parcels to Developer, and Developer would convey its parcels outlined in blue on Exhibit "A" to the City, for use for the 384 space Town Center Garage.

6. Developer will be responsible for designing, developing, permitting and constructing the 384-space City-owned Town Center Garage, with the City to reimburse Developer as provided in Section B.2 below.

7. Once the Developer completes the construction of the Town Center Garage, the City will condominiumize the City-owned parcels (outlined in blue in Exhibit "A"), with the City to own the 384 space Town Center Garage, and the Developer to own the 4,362 sq. ft. ground floor retail space.

¹ **Note re the two separate building structures:** As the two structures are separate, City needs to better understand how City's garage spaces and Developer's 100 spaces are connected, as it appears there is a zero lot line between the City and Developer buildings. Parties need to address allocation of costs for overall maintenance, structural repairs.

² **Note re: proposed number of spaces:** Per the City Commission direction provided at the February 28, 2018 Retreat, the Administration is evaluating the feasibility of 384 spaces, in conjunction with the anticipated parking for the 72nd Street garage.

³ **Note re: access to Developer's 100 spaces:** City uses gate/ticket control system for parking garages (not meters). It is unclear how Developer proposes for the City's gate control system to work, to distinguish between the customers of the City's Town Center Garage, and the first floor grocery customers using the Developer's 100 spaces. Need to ensure that Developer's 100 spaces are operationally kept separate from the City's garage, i.e. all operations, maintenance, etc., including ensuring that grocery carts are maintained within the Developer's 100 spaces only.

B. Financial Terms

1. **Developer's Payments to the City.** In consideration for the various benefits the Developer will receive as part of the transaction, the Developer will pay the City a total purchase price of **\$2,374,680**, consisting of the following:

a. \$800,000, consisting of the difference in the appraisal values between the City's parcels and the parcels the Developer will convey to the City (City's properties are appraised at \$800,000 higher than Developer's parcels).

b. \$351,240, in payment for Developer's easement rights to portions of the Town Center Garage, in perpetuity, generally consisting of 5 loading spaces and 2 trash compactors located within City's garage (the "Easement Area"). (The loading and trash area is 2,927 SF, which valued at \$120/SF, is \$351,240).

c. \$523,440, at the [appraised] value of \$120/SF, for Developer's purchase of the 4,362 square foot retail/restaurant space on the ground floor of the Town Center Garage. **[City is currently confirming with its appraiser]**

d. \$700,000, for the City to provide, **for a period of two years only**, two-hour free parking rights at the Town Center Garage, through a ticket validation system, for the benefit of Developer's retail tenants in the Developer's adjacent property between Abbott and Byron only (the "Retail Tenants").⁴ Developer to pay for the costs associated with procuring and implementing the validation system for the Developer's Retail Tenants.

e. Developer to pay the City 1.5% of construction costs for the Town Center Garage (approximately \$222,000), as required by the Art in Public Places Ordinance, set forth in Section 82-587 of the City Code.

f. Once the Town Center Garage is in operation and open to the general public, the Developer shall pay the City of the operating losses, if any, at the Town Center Garage, for the two year period where the two hour free parking is provided for the Developer's Retail Tenants.⁵

g. In addition to covering the expenses in Section B.1.f above, Developer to pay all common area maintenance ("CAM") costs for the Easement Area (5 loading spaces and 2 trash compactor spaces) through an Easement Agreement. Developer to also pay for all CAM charges associated with Developer's ownership of the ground floor retail condominium unit.

⁴ In response to the Finance Committee's concern regarding free parking rights for Developer's tenants in perpetuity, Developer's updated draft agreement continues to propose free two hour parking for Developer's tenants, in perpetuity; and now also includes free 2 hour parking for the general public (and not just tenants) for the first three years, with the Developer paying for operating losses (subject to certain limitations and unspecified exceptions).

⁵ **Note re operating losses to be covered by Developer:** City to provide a pro forma identifying City's line items relating to the operation of the Town Center Garage, in order to avoid any dispute as to what will be included in City's operating costs. Developer's proposal is only "to the extent such losses are [directly due] . . . to the two hour free parking, and not to City mismanagement or other [unspecified] factors." Based on Developer's open-ended language, and the caveat for unspecified factors, the City could reasonably anticipate disputes regarding payment of operating losses.

March 9, 2018 City Draft

h. Developer to pay all of City's outside attorneys' fees and transaction costs, as referenced more fully in Section E.5 below.

i. Developer to provide an additional public benefit (monetary contribution) to the City. Developer to propose additional public benefit for the City Commission's consideration.

2. **City's Payments to the Developer.**

a. The City will pay Developer for the design, permitting and construction of the Town Center Garage, with a construction cost cap in the not-to-exceed amount of \$34,000 per space.⁶ Net of the payments due from the Developer under Section B.1 above (which amount to \$6,184 per space), **City to pay the Developer the not-to-exceed amount of \$10,681,000** (or \$27,816 per space) to design, permit and construct the Town Center Garage (the "City Costs").

b. The City will reimburse Developer for the City Costs, based on the progress of construction work completed for the Town Center Garage. The City shall not be responsible for the disbursement of any sums in excess of the City Costs, except for City-requested change orders, or if not requested, change orders approved by the City Commission. Should the Developer's actual total construction costs be less than the \$34,000 per space charge to the City (excluding the payments due from the Developer), the City Costs shall be reduced proportionately, and City shall only pay for the actual costs for construction.

c. Developer to separately identify the schedule of values and the costs incurred for the Town Center Garage, and shall track all City Costs separately from the schedule of values or costs incurred for other portions of the Developer's project. The City Costs shall not include the costs to design, permit and construct the ground floor retail/restaurant unit (such costs shall be the sole responsibility of the Developer).

C. **Design and Construction of the Town Center Garage.**

1. The Developer and the City will work cooperatively to seek approval of the design and development of the Town Center Garage. The Developer will be responsible for submitting any required applications for development approvals, and for securing any and all final, non-appealable development approvals and permits.

2. The City shall have review over, and final approval of, the design and construction plans and specifications for the Town Center Garage to ensure that the Improvements are designed to meet the City's needs and standards. The City shall require a copy of all actual cost estimates, plans, and construction related contracts prior to and during construction.

3. The Town Center Garage will be designed in a way that the garage can be converted to other uses if parking demand declines in the future. Developer's \$40,000 per parking space charges include the costs associated with the City's design criteria for accomplishing a potential future conversion.⁷

⁶ **The Developer has proposed that the City pay \$40,000 per space, not including the costs of design, to be paid for separately by the City.** The Administration proposes a design and construction cost of \$34,000 per space, in line with the City's most recent design and construction costs for the Collins Park Garage. The City would then use the proceeds from the sale (\$6,187 per space) to offset the \$34,000 per space parking costs.

⁷ If City Commission agrees to any free parking in perpetuity, City needs a mechanism to release the covenant regarding free parking that is more flexible than the Developer's proposal, which locks the City in to the free parking covenant for a minimum period of 40 years. In addition, as Developer's proposal requires the City to, in

4. The Developer shall deliver, for the City's review and approval, an estimated budget for the total cost (i.e. hard and soft costs) of the Town Center Garage, which budget shall be based upon the City-approved design and construction plans and specifications. In no event shall the City be responsible for costs in excess of the City Costs, nor shall the City have any obligation to pay any amounts in excess of the City Costs. At its sole option and discretion, the City may retain a consultant (i.e. such as a professional cost estimator) to verify the Developer's total estimated cost, with the cost of the consultant to be paid for by the Developer. Developer shall provide copies of all actual costs and invoices.

5. The Developer shall enter into a separate, stand-alone fixed sum or Guaranteed Maximum Price agreement with an architect and a contractor (General Contractor or Design/Builder) to construct the Town Center Garage. The Developer shall select the General Contractor pursuant to a competitive procurement process which will be developed, initiated, and overseen by the Developer; provided, however, that the City shall have the right to approve the recommended General Contractor, which approval shall not be unreasonably withheld, conditioned, or delayed. The City shall also have the right to review and approve the contract with the selected General Contractor prior to such Contract being executed between the Developer and General Contractor.

6. The Developer shall provide, and shall cause its General Contractor to also provide, warranties, indemnities, and insurance in favor of the City. Prior to commencement of construction, the Developer shall cause the General Contractor to furnish City with a performance bond and payment bond, in a form acceptable to the City Attorney, and naming the City and the Developer as co-obligees. Developer and construction contractor shall ensure no liens are filed on City's property. The construction contract must be assignable to the City (i.e., in the event the Developer defaults), and City shall be a third party beneficiary to the construction contract.

7. The Developer shall develop a plan for construction staging in order to minimize disruptions to the area in the vicinity of the Town Center Garage. Such plan shall be subject to the City's prior approval, which shall not be unreasonably withheld, conditioned or delayed.

D. The Operation of the Town Center Garage.

1. The City will operate the Town Center Garage as a municipal parking garage. City to have a validation system for customers of retail tenants on Developer's property for two-hour free parking for the first 2 years. Developer to pay for the costs of implementing the validation system for the benefit of its tenants.

2. The City will make available to North Beach residents monthly parking permits for the Town Center Garage, in the same manner as provided for residents in other City parking garages.

3. The Developer will also provide 100 parking spaces on its own property between Abbott and Byron, at its own expense, for the tenant on the first floor, and such spaces will not be included as part of the City's Town Center Garage. City shall have no responsibility for the costs of operating, maintaining, insuring, or making repairs to any of the Developer's 100 parking spaces located on Developer-owned property.⁸

perpetuity, separately provide access to the Developer's 100 parking spaces through the Town Center Garage, City's ability to repurpose will be inherently limited under the Developer's current proposal.

⁸ As noted above, need to understand how parking validation system will work for Developer's grocer customers, if these will not be customers of the City's Town Center Garage. Need to ensure structures are separate and that City will not incur any operational/maintenance costs for the 100 spaces.

4. The Developer's Easement Agreement (for the 5 loading spaces and 2 dumpsters) will allow for (i) cost allocation, (ii) cross access for grocery store-related vehicles to utilize the Town Center Garage parking garage ramp and second floor drive aisles of the Town Center Garage, in order to access the 100-space parking garage on the Developer's property, (iii) cross access for Developer's retail tenants to utilize the loading spaces and trash compactors located in the Town Center Garage, among other things.⁹

E. Other Terms.

1. The Closing for the exchange of properties shall take place within 60 days following the satisfaction of the following conditions: (i) the City Commission's adoption of all necessary amendments to the City's Comp Plan and Land Development Regulations required for the Project; (ii) the City Commission's appropriation for the City Costs to be paid to the Developer; (iii) issuance of all final, non-appealable development approvals for the Developer's Project; (iv) evidence of Developer equity and financing commitments sufficient to complete the Developer's overall project; and (v) an opinion of the City's Parking Bond rate consultant, as required by the bond covenants in the City's Parking Bond Resolution, that the transaction will not have a material adverse effect on the net revenues of the Parking System.

2. At Closing, Developer to pay the City (i) the \$800,000 for the difference in the appraised value of the land, as set forth in Section B.1 above, (ii) the contribution for Art in Public Places, as required by the City Code; and (iii) the additional public benefit/monetary contribution referenced in Section B.1.i above. The payments from Developer in subsections (b) through (d) will be applied as credits against the amounts the City is otherwise obligated to pay the Developer for the design and construction of the Town Center Garage, as set forth more fully below in Section 2.

3. The Development Agreement shall include permitted uses/prohibited uses for the Developer project, along with provisions regarding a quality tenant mix.

4. Prior to the completion of the Project, any transfer of the property by the Developer (except a transfer to a related company) shall require approval by the City Commission.

5. Developer reaffirms its commitment, pursuant to the Reimbursement Agreement dated on or about February 18, 2018, to pay for the City's transaction costs, including outside counsel, for the Project.

6. The Developer shall obtain the full building permit for the Town Center Garage within ___ months following the execution of the Development Agreement. Final completion of the Town Center Garage shall occur within ___ months following execution of the Development Agreement. **To date, the Developer has not proposed any time periods for completion.**

⁹ **Planning has identified concerns regarding the Developer's proposed loading, and the requirement to internalize loading. Internal pathways/throughways may not be workable and may be contrary to Planning Board criteria.** In addition, as City's property will be governed by a Declaration of Condominium, and Developer will own the ground floor retail, the parties should address whether, in lieu of an Easement Agreement for the loading spaces/trash compactors, this Easement Area should be a separately owned condominium unit, to ensure City is not subsidizing the operations of the Developer's adjacent retail tenants.

Exhibit A



COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: February 23, 2018

SUBJECT: A DISCUSSION REGARDING THE NORTH BEACH TOWN CENTER REDEVELOPMENT PROPOSAL

HISTORY

On or about June 7, 2017, the City engaged Tom Blazejack, to prepare an appraisal, as required by Section 82-39 of the City Code, with respect to a proposal submitted by North Beach Town Center Development, LLC's ("Developer") for the City to convey two of its Parking Lots (P80 and P84) in North Beach, in exchange for the Developer's conveyance to the City of a public parking garage unit or structure, which would be constructed as part of the Developer's proposed mixed use project.

Between July, 2017 and December, 2017, the City and the Developer held various meetings to discuss the differences in valuation. As part of the appraisal discussions, the City and the Developer agreed that the results of the November, 2017 referendum regarding the proposed F.A.R. increase in the Town Center districts in North Beach could affect the valuation of the respective parcels. The decision to incorporate the F.A.R. referendum results as part of the appraisal analysis inured to the benefit of the Developer, as the Developer's properties benefited more from the FAR increase than the City's properties.

On December 21, 2017, Blazejack submitted its revised appraisal analysis, based on the increased F.A.R. associated with the November referendum approved by the voters, attached hereto as **Attachment "A."** As the analysis reflects, the higher overall value of City's properties resulted in an **\$800,000** variance between the City properties and Developer properties ("Appraisal Variance").

Developer's Initial Proposal (Subsequently Withdrawn)

On January 5, 2018, the Developer submitted a proposed Development Agreement ("DA") which, as noted more fully below, the Developer has recently

withdrawn. As proposed in the DA, the City would convey to Developer Lot P80 and P84, without any current consideration or payment to City at the time of the conveyance. The City would pay the Developer \$25,000 per parking space, for the Developer to design and construct a 247 space municipal parking garage with ground floor retail. The project would be condominiumized, with the City owning the public garage portion and the Developer owning the ground floor retail. As proposed in the DA, the City would also provide, in perpetuity, 2 hour free parking at the 247 space City garage, for the benefit of the Developer's retail tenants.

On January 18, 2018, the City submitted a proposed Reimbursement and Indemnity Agreement to the Developer, to provide for the Developer to cover the City's outside counsel and other due diligence review costs relating to the transaction (including the cost of the Blazejack appraisal, which the Developer has paid for). On January 31, 2018, the Developer executed the City's Reimbursement Agreement.

On February 13, 2018, the City provided its initial comments to the proposed DA. In the City's comments, one of the City's main concerns involved the proposed legal structure and timing for the conveyance of the City's properties, as the proposed structure created the risk that, in the event of a Developer default or bankruptcy prior to completion of the project, the City would have conveyed title to its properties without compensation. In its comments, the City also proposed an alternative to the Developer's proposal for 2 hour free parking. Free 2 hour parking will significantly reduce the revenues for the City garage, and would likely result in annual operating losses at this garage, in perpetuity, with such losses to be borne by the City.

Recently, on February 14, 2018, Developer submitted a new proposal, with significant program changes and a new proposed structure and financial terms.

Revised Project Summary / Term Sheet

On February 16, 2018, the Developer submitted a new proposed term sheet outlining the revised deal structure, a copy of which is attached as **Attachment "B"** ("Term Sheet").

The Developer's proposed project is as follows:

- The project between **Abbott and Byron** consists of 2 separate structures, consisting of 126,869 SF of retail in four stories, and a parking garage with a total of 471 parking spaces, as follows:
 - 371 of the parking spaces to be municipal parking spaces in a separate parking structure, on parcels owned by the City (the "Town Center Garage");

- 100 of the parking spaces are for the sole use of the retail tenants as part of Developer's retail building.
- Approximately 3,200 sq. ft. for ground floor retail (to be owned by the City);
- Developer and the City to share an entrance to the Town Center Garage, and provide developer with dumpsters and loading dock spaces; Developer to be responsibility for proportionate share of common area/easement area expenses.
- The project between **Abbott and Harding** consists of existing office buildings at 42,456 SF; a new 134-unit residential building with 42,538 SF of ground floor retail uses; and a separate 275 space parking garage that will serve the residential building and office tenants only.

The Developer's revised term sheet, in its most basic terms, provides:

- City to convey the P80 Lot and P84 Lot to Developer as outlined in red in Attachment "B"; , and Developer to convey to City the parcels outlined in blue in Attachment "B";
- City to receive upfront payment of \$800,000 at the time of conveyance (representing the appraisal variance between the City and Developer properties);
- City to pay Developer approximately **\$12,514,000** to design and construct the 371 space Town Center Garage, consisting of a construction cost cap of \$33,730, net of the following credits to the City:
 - Contribution of \$387,000 for 3225 sq. ft. retail space (at \$120 per sq. ft.);
 - Contribution of \$439,200 for garage/loading dock easement rights (at \$120 per sq. ft.);
 - Contribution of \$700,000 for the 2 hour free parking validation for retail tenants.
 - [Note: when factoring in the upfront payment to the City of \$800,000 to the above contributions, the Developer's total contribution is \$2,326,200, representing \$6,270 per public parking space.]
- Developer proposes that City waive concurrency fees for the retail spaces on Developer's property (estimated at approximately \$733,000).
- Customers of Developer's retail tenants in the adjacent building between Abbott & Byron (and not office tenants, retail or residential tenants in the

building between Abbott & Harding), to receive two hour free parking through a validation system;

- The portion of the project consisting of the City's Town Center Garage would include one shared entrance, for use by City customers and the users of the 100 parking spaces in the Developer's adjacent building. Developer and City to execute an Easement Agreement, to provide Developer with garage access, along with 5 loading spaces and 2 trash compactor spaces;
- City to operate the Town Center Garage; Easement Agreement to provide for Developer to pay its proportionate share of CAM costs.

ANALYSIS

1. Increased Size of the Project.

The initial proposal contemplated a 247 space parking garage. The new proposal increases the size of the garage to 371 parking spaces.

As a general matter, adding parking garage inventory in North Beach (whether it's a 247 space garage, as previously proposed, or a larger garage) may potentially align well with the City's policy goals, if funding can be identified and prioritized over other competing policy goals of the City Commission.

There is a possibility that a 371 space garage may ultimately be underutilized, in view of the current parking rate policy in North Beach. Currently, the City does not charge for parking after 6:00 p.m. in any on-street parking or parking lot in North Beach (as the rationale for the policy was to facilitate parking for residents in the evenings).

Unless there is a change in policy with respect to the City's parking charges after 6:00 p.m. in North Beach, the availability of free parking after 6:00 p.m. is a factor that may weigh against a 371 space parking garage and in favor of a smaller garage, as customers may elect to use free parking spaces instead of the Town Center Garage. Further, as discussed more fully below, the potential for reduced revenues at this facility, and the likelihood of annual operating losses, is compounded when considering the proposed 2 hour free parking for retail tenants, discussed further below.

In the new proposal, the Developer proposes that, with the exception of a 3,200 sq. ft. ground floor retail component, the entire project and available height be used for the 371 parking spaces. Finally, as the City Commission previously indicated an interest in exploring workforce housing options for parking projects in North Beach, the Administration requests direction or confirmation as to the proposed program scope for the project (i.e., to exclude any workforce housing as part of the project).

2. The \$12,514,000 Funding Appropriation Required for the Project.

The increased size of the project will significantly increase the required City funding for design and construction of the Town Center Garage. In the prior iterations of the transaction, 247 parking spaces, at \$25,000 per space, the City would pay the Developer approximately \$6,175,000 for design and construction costs of the Town Center Garage.

With the new proposal, for 371 spaces at approximately \$33,730 per space, the City Commission would need to identify approximately **\$12,514,000** to fund the Town Center Garage. As there is currently no capital budget appropriation for this project, a funding plan will need to be identified and in place prior to executing a Development Agreement.

Based on the reduced parking demand the Parking System has experienced in the last several years, and the City Commission's prior decisions to utilize a portion of the Parking System surplus fund balances for contributions to the General Fund and transportation (after satisfying all Parking Revenue Bond covenant requirements), the identification of full funding for this Project may prove challenging and may require reprioritizing previously appropriated capital projects, depleting Parking System surplus fund balances, and reducing (or eliminating) planned contributions to the General Fund or transportation. As of September 30, 2017, the preliminary Parking System fund balance is \$28,238,170 (of which \$9,068,000 is committed in FY 2017/18 for the General Fund and transportation, \$11,361,541 was appropriated for Parking capital projects, and \$861,000 was appropriated for the Parking FY 2017/18 operating budget; leaving an available balance of \$6,947,629). Use of the \$6.9 million available balance would leave no funding for the General Fund or Transportation in FY 2018/19 and no funding for future Parking capital needs.

In addition, as of September 30, 2017, the estimated available balance in North Beach Parking Impact Fees is \$2,837,053, of which \$300,000 were appropriated

for 72nd Street Parking Garage design, leaving a balance of \$2,837,053 available for appropriation.

Funding for this garage will likely require release of funds from some other previously appropriated Parking capital project.

3. Two (2) Hour Free Parking for Retail Tenants.

The new Term Sheet proposes that the Developer would pay the City \$700,000 for 2 hour free parking validations for its adjacent retail tenants (in the building between Abbott & Byron), in perpetuity, with the payment to be received as a credit against amounts otherwise due to the Developer for design/construction of the Town Center Garage.

The Developer submits that the free parking provision is critical for the Developer to secure retail tenants. A similar “free parking” model was undertaken once before at the 5th and Alton Parking Garage (“Alton Garage”).

The Alton Garage is the only parking garage with 2 hour free parking and has had challenges with operating losses since inception. Calendar year 2017 operated at a loss and both Fiscal Year 2017/18 and Calendar Year 2018 are projected to have operating losses as well.

Importantly, as part of the Alton Garage transaction, in exchange for the 2 hour free parking for that project, the developer for that project agreed to an annual contribution of \$313,500, subject to a 2.5% increase each year for inflation (hence the \$394,738 retail contribution for FY16/17, as noted in the Income Statement).

In FY 16/17, the Alton Garage generated an operating loss of \$166,000, even after taking into account the annual Developer retail contribution in the amount of \$394,738 (which is not proposed for the Town Center Garage project) and valet rental payments of \$376,220 (which the Administration believes would be unlikely to be realized at the Town Center Garage for some time).

Without the annual Developer contribution and the valet revenues, the annual operating loss at the Alton Garage in FY16/17 would have been **\$936,000**. Further, the FY16/17 operating losses at the Alton Garage were mitigated by the \$389,000 in parking revenues from transient users. As the Alton Garage is located in a more densely developed area of the City, and in a highly prominent

location at a main entrance to the City, the Administration believes that transient rental revenues at the Alton Garage could be higher than would be realistically achieved at the Town Center Garage (particularly given the current parking rate policy in North Beach after 6:00 p.m.).

If a free parking option is included at the Town Center Garage, the City should realistically expect significant annual operating losses at the Town Center Garage, especially if there is no annual contribution from the Developer, similar to the annual contribution at the Alton Garage.

Developer's Offer of One-Time Credit of \$700,000 for Free Parking in Perpetuity

The Developer has proposed a one-time \$700,000 payment to the City for the 2 hour free parking rights for Developer's retail tenants, in perpetuity. This proposal is considerably lower than the contribution the City receives for 2 hour free parking at the Alton Garage. By way of comparison, since 2010, the City has received over \$2.4 million for the free parking component at the Alton Garage (and will continue to receive in excess of \$400,000 per year going forward).

In addition, the Developer's proposed \$700,000 would be applied as a credit against the City's construction/capital costs, as opposed to a payment to offset annual operating impacts.

If the City Commission desires to provide 2 hour free parking for retail tenants of the Developer's project, the City and Developer should discuss further options with respect to compensation to the City.

The Administration would much prefer, and recommends, a model similar to that utilized for the Sunset Harbour Garage, as discussed further below. The Sunset Harbour Garage is a successful public/private project that has allowed for significant retail and restaurant activation in the Sunset Harbour area, and has served the neighborhood's general parking needs, without having to provide any free parking whatsoever to retail tenants. The FY16/17 net income for the Sunset Harbour Garage is \$383,148, all of which is used to further support the City's Parking System, and a portion of which is used to support the General Fund and transportation.

Based on the concern for annual operating losses at the Town Center Garage, the Administration's recommendation is that a free parking component at the Town Center Garage **not** be included as part of the transaction. Instead, the recommendation is to provide for public parking at the standard (below market)

parking garage rates of \$1 per hour. The City's current rates are well below market, and are more than sufficient to support retail and restaurant development.

4. City Commission's Policy in Favor of Design Criteria For Future Conversion of Public Parking Garages for Other Uses (i.e., Workforce Housing).

The Developer has agreed, as part of its proposed pricing to the City for the design and construction of the Town Center Garage, to incorporate the City's design criteria to permit new parking garage structures to be converted to other uses if parking demand declines in the future. However, if the City Commission grants rights to 2 hour free parking validation in perpetuity, the City and the Developer will need to develop a structure that would release the City of the perpetual free parking covenant (i.e., in an amount proportionate to the underutilization of the Town Center Garage, if any), to permit the City to convert parking floors for other uses such as workforce housing, if demand for parking continues to decline in the future. The Developer has indicated it is open to discussing potential options further.

5. Developer's Request for Waiver of Concurrency Fees for its Retail Spaces.

The Developer has requested that the City Commission waive concurrency fees for the retail space on Developer's property, which for this project will approximately \$733,000 (roughly equal to the Developer's proposed one-time \$700,000 payment to the City for 2 hour free parking in perpetuity). The proposed waiver requires a Comprehensive Plan amendment; 30 day agency comment period; and an amendment to the City's Land Development Regulations. To date, the City Commission has only waived concurrency fees for sidewalk cafés, which are considered a temporary use as sidewalk cafes are approved through revocable permits. The City **has not** waived concurrency fees for any "brick and mortar" project.

6. Loading Area Layout

Based on the Planning Department's initial review, the Developer's proposed loading area, with all vehicles backing in/out from Byron Avenue, is in contravention of City Code requirements and may prove problematic. The Administration will need to work with the Developer to determine an acceptable approach which may result in changes to the square footage and the associated Developer contribution, etc.

7. Pending Legislative Changes Required for the Developer's Project

The proposed project will require a number of legislative changes, including as follows:

- Comp Plan amendment and LDR amendment to implement the F.A.R. increase to 3.5;
- Comp Plan amendment and LDR amendment to rezone GU properties;
- Comp Plan amendment and rezoning, if Developer requires rezoning of the Developer's properties to TC-1 (Developer to specify if Developer is proposing any new uses or height increases);
- Ordinance to increase the height for the City parking garage to 75 feet; and
- Comp Plan amendment and LDR amendment to waive concurrency.

In addition to the foregoing, as the transaction involves a sale of City-owned property, pursuant to Section 1.03(b)(4) of the City Charter, and Section 82-37 of the City Code, the transaction will require approval by a 4/7ths vote of the Planning Board, and a 6/7ths vote of the City Commission. The Development Agreement will require approval of the City Commission following two readings/public hearings.

8. Parking System Bond Covenants

Once the financial terms are finalized, the City will request its Parking System rate consultant (the Walker Consultants) provide an opinion, as required pursuant to the City's Parking Master Bond Resolution, that the proposed disposition will not have a material adverse effect on the Net Revenues of the Parking System.

CONCLUSION

Direction from the Finance Committee and the City Commission on the foregoing items is requested, to assist the parties in finalizing terms.

Attachments:

- A Blazejack Appraisal Summary
- B Developer's February 16, 2018 Term Sheet

JLM/KGB/ES/MMM

Term Sheet - 71st Street Town Center Development

A. The Project

1. The City currently owns the five parcels outlined in red on Exhibit "A" which contain 83 surface parking spaces.
2. North Beach Town Center Development, LLC ("Developer") owns the parcels outlined in yellow on Exhibit "A."
3. The project between Abbott and Byron consists of two separate structures, consisting of 121,693 SF of retail in four stories and a 484-space parking garage. 384 of the parking spaces are metered public parking spaces in a separate City-owned parking structure and 100 of the parking spaces are for the sole use of the ground floor retail tenant on the Developer's property, which is projected to be a grocery store. The project between Abbott and Harding consists of existing office buildings at 42,456 SF, and new a 134-unit residential building with 42,538 SF of ground floor retail uses and a 275-space parking garage that will serve the residential building and office tenants.
4. City to convey its five parcels to Developer and Developer to convey its parcels outlined in blue on Exhibit "A" to the City for use as a parking garage with up to 384 spaces.
5. The number of public parking spaces is up to 384 because the community and City have consistently wanted more parking in the North Beach Town Center. By providing more parking in this location, the City can potentially reduce the size of the planned parking garage on 72 Street and/or utilize the 72 Street property as a multi-modal facility.

B. Terms

1. The Developer will contribute \$2,374,680 towards the Project, which will be realized as a subsidy/contribution towards the construction cost of the 384-space City-owned parking garage (see #2 below). The four components of the Developer's total contribution of \$2,374,680 are:
 - a. Based on the agreed upon appraisals of the properties the City-owned properties are appraised at a higher value by an amount of \$800,000.
 - b. Developer to build a 4,362 SF retail/restaurant space on the ground floor of the City-owned property and the Developer will own the retail/restaurant space. Developer will cover the cost of the ground floor retail/restaurant space, which at the agreed upon appraised value of \$120/SF equals \$523,440.
 - c. There will be five loading spaces and two trash compactor spaces on the City-owned property that are required by zoning regulations for use by the Developer retail tenants. The loading and trash area is 2,927 SF, which valued at \$120/SF is \$351,240.
 - d. Customers of the Developer's retail tenants in the adjacent building will get two hours of free parking in the City-owned parking garage through a validation system and the two-hour free parking for such tenants will be in place in perpetuity. The Developer will also provide 100 parking spaces on its own property at its own expense for the tenant on the first floor. The Developer believes that providing two hours of free parking to the general public for an initial period of time would also be beneficial to the growth and economic development of the North Beach Town Center. Therefore, the Developer proposes that the public be allowed to also have two hours of free parking in the City-owned garage for three years beginning from the completion and opening of the garage and the Developer agrees to cover the operating losses, if any, for the City-owned garage for the first three years,

until the area matures economically and such growth would result in operating gains for the City. The Developer estimates the value of the two-hour free parking for its customers in perpetuity is \$700,000.

2. Developer will build the 384-space City-owned parking garage. The City will pay for the construction of the parking garage with a per-space construction cost cap of \$33,816. The Developer's contribution of \$2,374,680 equals a \$6,184 per space subsidy towards the cost of constructing the 384-space City-owned parking garage.
3. The City will fund its portion of the design/construction costs. The City will reimburse Developer per a schedule based on draws (as typical with construction projects). The City's budget is defined as \$33,816 per space.
4. The City will operate the parking garage. Developer to have validation system for customers of retail tenants on Developer's property for two-hour free parking. Developer to pay its proportionate share of CAM costs of the City-owned parking garage through a Reciprocal Easement Agreement (REA).
5. The REA will allow for (i) cost allocation, (ii) cross access for grocery store-related vehicles to utilize parking garage ramp and second floor drive aisles of City-owned garage in order to access the 100-space parking garage on the Developer's property, (iii) cross access for Developer's retail tenants to utilize the loading spaces and trash compactors located in the City-owned parking garage, among other things.
6. The City-owned parking garage will be designed in a way that the garage can be converted to other uses if parking demand declines in the future.
7. Upon the closing and exchange of properties between the City and Developer, Developer would pay the City \$800,000 for the difference in the appraised value of the land and also post a performance and payment bond to assure the completion of the construction. As the construction of the City-owned parking garage is completed the money would be reimbursed and the bond would be released.
8. Prior to the completion of the Project, any transfer of the property by the Developer (except a transfer to a related company) shall require approval by the City Commission.

Exhibit A



COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee Members

FROM: Jimmy L. Morales, City Manager



DATE: March 13, 2018

SUBJECT: **DISCUSSION REGARDING THE NORTH BEACH TOWN CENTER REDEVELOPMENT PROPOSAL, INVOLVING CITY-OWNED PARKING LOTS, MADE BY NORTH BEACH TOWN CENTER DEVELOPMENT, LLC, AN AFFILIATE OF PACIFIC STAR CAPITAL, LLC**

As explained more fully in the Committee Memorandum, in response to the Developer's March 7, 2018 term sheet, the City transmitted to the Developer its proposed term sheet on Friday, March 9, 2018.

On Friday, March 9, 2018, at 5:25 p.m., the Developer submitted its proposed revisions and comments.

On Monday, March 12, 2018, the City and the Developer held a conference call to discuss the Developer's most recent proposed terms. Subsequently, late afternoon on March 12, 2018, the Developer again updated his proposed term sheet, a copy of which is attached hereto as Exhibit "A." Although the Developer's most recent draft does not fully reflect all of the terms discussed with the Administration on March 12th, the Administration submits the attached draft to the Committee for its review in the interest of time, and will continue to work with the Developer to finalize the term sheet in the next few weeks.

With respect to the main policy issue of the Developer's proposed 2 hour free parking, the Administration submits that if the City Commission is amenable to 2 hour free parking for a limited term of years, then **at a minimum**, the Developer should be responsible for the operating losses at the garage for the corresponding period of time, plus payment to the City for the annual net revenue currently generated from the City parking lots. The City would provide the Developer its pro forma for the anticipated operating costs at the garage, and Developer's obligation to pay for operating losses would be based on City's current operating standards and the customary and reasonable operating costs associated therewith. The Developer indicated it would be amenable to the foregoing concept, provided the Developer does not have to make the upfront \$700,000 payment for 2 hour free parking. The Administration recommends an upfront payment be maintained (in addition to the foregoing annual contribution from the Developer). With respect to the proposed fifteen year period, the Administration requests direction from the Committee on this important policy consideration.

In addition, the Developer has scheduled a meeting with the Planning Department, which has identified concerns and inconsistencies with the City Code regarding the Developer's proposed loading area facing Byron Avenue. In this regard, Chapter 130 of the City Code requires all loading to be internalized. In order to address this Code requirement, as well as the Design Review and Conditional Use Permit Criteria, internal pathways/throughways, and internalization of all loading docks will be required and may not be workable based upon the initial first floor plan provided by the applicant.

Although this transaction is proceeding on an extremely expedited basis, and the terms are rapidly evolving, the main issues continue to be those highlighted in the Committee Memorandum.

Attachment

JLM

City's Proposed Term Sheet and Comments
71st Street Town Center Development

A. The Project

1. The City currently owns the five parcels outlined in red on Exhibit "A" which contain 83 surface parking spaces.
2. North Beach Town Center Development, LLC ("Developer") owns the parcels outlined in yellow on Exhibit "A."
3. The portion of the project between Abbott and Byron would consist of two separate structures, consisting of 121,693 SF of retail in four stories and a 484-space parking garage.¹ 384 of the parking spaces would be gated public parking spaces in a separate City-owned parking structure (the "Town Center Garage")², and 100 of the parking spaces would be for the sole use of the ground floor retail tenant on the Developer's property, which is projected to be a grocery store.³ The Town Center Garage property would also include approximately 4,362 sq. ft. ground floor restaurant/retail space.
4. The portion of the project between Abbott and Harding would consist of existing office buildings at 42,456 SF, and new a 134-unit residential building with 42,538 SF of ground floor retail uses and a 275-space parking garage, to serve the residential building and office tenants. City's participation in the project between Abbott and Harding would be limited to City's conveyance of the City-owned property located therein.
5. The City would convey its five parcels to Developer, and Developer would convey its parcels outlined in blue on Exhibit "A" to the City, for use for the 384 space Town Center Garage.
6. Developer will be responsible for designing, developing, permitting and constructing the 384-space City-owned Town Center Garage, with the City to reimburse Developer as provided in Section B.2 below.

¹ **Note re the two separate building structures:** As the two structures are separate, City needs to better understand how City's garage spaces and Developer's 100 spaces are connected, as it appears there is a zero lot line between the City and Developer buildings. Parties need to address allocation of costs for overall maintenance, structural repairs. YES, ZERO LOT LINE AND 2 SEPARATE STRUCTURES. BUILDINGS TIE IN. EACH PARTY TO HANDLE ITS OWN BUILDING MAINTENANCE AND STRUCTURE. DEVELOPER TO REIMBURSE FOR OPERATING EXPENSES/CAM FOR ITS CONDO AREAS PER CONDO DOCUMENT.

² **Note re: proposed number of spaces:** Per the City Commission direction provided at the February 28, 2018 Retreat, the Administration is evaluating the feasibility of 384 spaces, in conjunction with the anticipated parking for the 72nd Street garage. TERM SHEET SHOULD READ FOR UP TO 384 SPACES IN CASE OF A NEED TO REDUCE SUCH FIGURE.

³ **Note re: access to Developer's 100 spaces:** City uses gate/ticket control system for parking garages (not meters). It is unclear how Developer proposes for the City's gate control system to work, to distinguish between the customers of the City's Town Center Garage, and the first floor grocery customers using the Developer's 100 spaces. Need to ensure that Developer's 100 spaces are operationally kept separate from the City's garage, i.e. all operations, maintenance, etc., including ensuring that grocery carts are maintained within the Developer's 100 spaces only. CARTS WILL BE MAINTAINED IN DEVELOPERS BUILDING GIVEN CART LOCK SYSTEM AND CARTS WOULD NOT MAKE IT TO CITY LOT. DEVELOPER WILL PROVIDE A SECOND GATE FOR ITS PARKING AND GROCERY SHOPPERS. EACH PARTY WOULD MAINTAIN THEIR OWN BUILDING.

7. Once the Developer completes the construction of the Town Center Garage, the City will condominiumize the City-owned parcels (outlined in blue in Exhibit "A"), with the City to own the 384 space Town Center Garage, and the Developer to own the 4,362 sq. ft. ground floor retail space.

B. Financial Terms

1. **Developer's Payments to the City.** In consideration for the various benefits the Developer will receive as part of the transaction, the Developer will pay the City a total purchase price of **\$2,374,680**, consisting of the following:

a. \$800,000, consisting of the difference in the appraisal values between the City's parcels and the parcels the Developer will convey to the City (City's properties are appraised at \$800,000 higher than Developer's parcels).

b. \$351,240, in payment for Developer's easement rights to portions of the Town Center Garage, in perpetuity, generally consisting of 5 loading spaces and 2 trash compactors located within City's garage (the "Easement Area"). (The loading and trash area is 2,927 SF, which valued at \$120/SF, is \$351,240).

c. \$523,440, at the [appraised] value of \$120/SF, for Developer's purchase of the 4,362 square foot retail/restaurant space on the ground floor of the Town Center Garage.

d. ~~\$700,000~~, for the City to provide, **for a period of ~~two~~-fifteen years only**, two-hour free parking rights at the Town Center Garage, through a ticket validation system, for the benefit of Developer's retail tenants in the Developer's adjacent property between Abbott and Byron only (the "Retail Tenants").⁴ Developer to pay for the costs associated with procuring and implementing the validation system for the Developer's Retail Tenants. —Once the Town Center Garage is in operation and open to the general public, the Developer shall pay the City of the operating losses, if any, at the Town Center Garage, for the fifteen year period.

e. Developer to pay the City 1.5% of construction costs for the Town Center Garage (approximately \$222,000), as required by the Art in Public Places Ordinance, set forth in Section 82-587 of the City Code. Such Funds to be used for the City Parking Garage and adjoining building art for public viewing.

f. Once the Town Center Garage is in operation and open to the general public, the Developer shall pay the City of the operating losses, if any, at the Town Center Garage, for the ~~two~~**fifteen** year period where the two hour free parking is provided for the Developer's Retail Tenants.⁵

⁴ ~~In response to the Finance Committee's concern regarding free parking rights for Developer's tenants in perpetuity, Developer's updated draft agreement continues to propose free two hour parking for Developer's tenants, in perpetuity; and now also includes free 2 hour parking for the general public (and not just tenants) for the first three years, with the Developer paying for operating losses (subject to certain limitations and unspecified exceptions).~~

⁵ **Note re operating losses to be covered by Developer:** City to provide a pro forma identifying City's line items relating to the operation of the Town Center Garage, in order to avoid any dispute as to what will be included in City's operating costs. Developer's proposal is only "to the extent such losses are [directly due] . . . to the two hour free parking, and not to City mismanagement or other [unspecified] factors." City will operate the garage upon mutually agreed upon standards based on the City's current parking garage operational standards.~~Based on~~

g. In addition to covering the expenses in Section B.1.f above, Developer to pay all common area maintenance ("CAM") costs for the Easement Area (5 loading spaces and 2 trash compactor spaces) through an Easement Agreement. Developer to also pay for all CAM charges associated with Developer's ownership of the ground floor retail condominium unit.

h. Developer to pay all of City's outside attorneys' fees and transaction costs, as referenced more fully in Section E.5 below.

~~i. Developer to provide an additional public benefit (monetary contribution) to the City. Developer to propose additional public benefit for the City Commission's consideration.~~

2. **City's Payments to the Developer.**

a. The City will pay Developer for the design, permitting and construction of the Town Center Garage, with a construction cost cap in the not-to-exceed amount of \$34,000 per space.⁶ Net of the payments due from the Developer under Section B.1 above (which amount to \$6,184 per space), **City to pay the Developer the not-to-exceed amount of \$10,681,000** (or \$27,816 per space) to design, permit and construct the Town Center Garage (the "City Costs").

b. The City will reimburse Developer for the City Costs, based on the progress of construction work completed for the Town Center Garage. The City shall not be responsible for the disbursement of any sums in excess of the City Costs, except for City-requested change orders, or if not requested, change orders approved by the City Commission. Should the Developer's actual total construction costs be less than the \$34,000 per space charge to the City (excluding the payments due from the Developer), the City Costs shall be reduced proportionately, and City shall only pay for the actual costs for construction.

c. Developer to separately identify the schedule of values and the costs incurred for the Town Center Garage, and shall track all City Costs separately from the schedule of values or costs incurred for other portions of the Developer's project. The City Costs shall not include the costs to design, permit and construct the ground floor retail/restaurant unit (such costs shall be the sole responsibility of the Developer).

C. **Design and Construction of the Town Center Garage.**

1. The Developer and the City will work cooperatively to seek approval of the design and development of the Town Center Garage. The Developer will be responsible for submitting any required applications for development approvals, and for securing any and all final, non-appealable development approvals and permits.

2. The City shall have review over, and final approval of, the design and construction plans and specifications for the Town Center Garage to ensure that the Improvements are designed to meet the City's needs and standards. The City shall require a copy of all actual cost estimates, plans, and construction related contracts prior to and during construction.

~~Developer's open-ended language, and the caveat for unspecified factors, the City could reasonably anticipate disputes regarding payment of operating losses.~~

⁶ ~~The Developer has proposed that the City pay \$40,000 per space, not including the costs of design, to be paid for separately by the City.~~ The Administration proposes a design and construction cost of \$34,000 per space, in line with the City's most recent design and construction costs for the Collins Park Garage. The City would then use the proceeds from the sale (\$6,187 per space) to offset the \$34,000 per space parking costs.

3. The Town Center Garage will be designed in a way that the garage can be converted to other uses if parking demand declines in the future. Developer's ~~\$40,000 per parking space~~ charges include the costs associated with the City's design criteria for accomplishing a potential future conversion.⁷

4. The Developer shall deliver, for the City's review and approval, an estimated budget for the total cost (i.e. hard and soft costs) of the Town Center Garage, which budget shall be based upon the City-approved design and construction plans and specifications. In no event shall the City be responsible for costs in excess of the City Costs, nor shall the City have any obligation to pay any amounts in excess of the City Costs. At its sole option and discretion, the City may retain a consultant (i.e. such as a professional cost estimator) to verify the Developer's total estimated cost, with the cost of the consultant to be paid for by the Developer. Developer shall provide copies of all actual costs and invoices.

5. The Developer shall enter into a separate, stand-alone fixed sum or Guaranteed Maximum Price agreement with an architect and a contractor (General Contractor or Design/Builder) to construct the Town Center Garage. The Developer shall select the General Contractor pursuant to a competitive procurement process which will be developed, initiated, and overseen by the Developer; provided, however, that the Developer shall choose the General Contractor from a list of contractors provided by the City meeting mutually acceptable criteria. City shall have the right to approve the recommended General Contractor, which approval shall not be unreasonably withheld, conditioned, or delayed. The City shall also have the right to review and approve the contract with the selected General Contractor prior to such Contract being executed between the Developer and General Contractor.

6. The Developer shall provide, and shall cause its General Contractor to also provide, warranties, indemnities, and insurance in favor of the City. Prior to commencement of construction, the Developer shall cause the General Contractor to furnish City with a performance bond and payment bond, in a form acceptable to the City Attorney, and naming the City and the Developer as co-obligees. Developer and construction contractor shall ensure no liens are filed on City's property. The construction contract must be assignable to the City (i.e., in the event the Developer defaults), and City shall be a third party beneficiary to the construction contract.

7. The Developer shall develop a plan for construction staging in order to minimize disruptions to the area in the vicinity of the Town Center Garage. Such plan shall be subject to the City's prior approval, which shall not be unreasonably withheld, conditioned or delayed.

D. The Operation of the Town Center Garage.

1. The City will operate the Town Center Garage as a municipal parking garage. City to have a validation system for customers of retail tenants on Developer's property for two-hour free parking for the first 2 years. Developer to pay for the costs of implementing the validation system for the benefit of its tenants.

⁷ ~~If City Commission agrees to any free parking in perpetuity, City needs a mechanism to release the covenant regarding free parking that is more flexible than the Developer's proposal, which locks the City in to the free parking covenant for a minimum period of 40 years. In addition, as Developer's proposal requires the City to, in perpetuity, separately provide access to the Developer's 100 parking spaces through the Town Center Garage, City's ability to repurpose will be inherently limited under the Developer's current proposal. [NOT AN ISSUE, RAMP AND ACCESS EASEMENT FEEDS 2ND FLOOR PARKING AND EASY TO WORK AROUND.]~~

2. The City will make available to North Beach residents monthly parking permits for the Town Center Garage, in the same manner as provided for residents in other City parking garages.

3. The Developer will also provide 100 parking spaces on its own property between Abbott and Byron, at its own expense, for the tenant on the first floor, and such spaces will not be included as part of the City's Town Center Garage. City shall have no responsibility for the costs of operating, maintaining, insuring, or making repairs to any of the Developer's 100 parking spaces located on Developer-owned property.⁸

4. The Developer's Easement Agreement (for the 5 loading spaces and 2 dumpsters) will allow for (i) cost allocation, (ii) cross access for grocery store-related vehicles to utilize the Town Center Garage parking garage ramp and second floor drive aisles of the Town Center Garage, in order to access the 100-space parking garage on the Developer's property, (iii) cross access for Developer's retail tenants to utilize the loading spaces and trash compactors located in the Town Center Garage, among other things.⁹

E. Other Terms.

1. The Closing for the exchange of properties shall take place within ~~60~~ 30 days following the satisfaction of the following conditions: (i) the City Commission's adoption of all necessary amendments to the City's Comp Plan and Land Development Regulations required for the Project; (ii) the City Commission's appropriation for the City Costs to be paid to the Developer; (iii) issuance of all final, non-appealable development approvals for the Developer's Project; (iv) evidence of Developer equity and financing commitments sufficient to complete the Developer's overall project; and (v) an opinion of the City's Parking Bond rate consultant, as required by the bond covenants in the City's Parking Bond Resolution, that the transaction will not have a material adverse effect on the net revenues of the Parking System.

2. At Closing, Developer to pay the City (i) the \$800,000 for the difference in the appraised value of the land, as set forth in Section B.1 above, and (ii) the contribution for Art in Public Places, as required by the City Code; ~~and (iii) the additional public benefit/monetary contribution referenced in Section B.1.i above.~~ The payments from Developer in subsections (b) through (d) will be applied as credits against the amounts the City is otherwise obligated to pay the Developer for the design and construction of the Town Center Garage, as set forth more fully below in Section 2.

3. The Development Agreement shall include permitted uses/prohibited uses for the Developer project, along with provisions regarding a quality tenant mix.

4. Prior to the completion of the Project, any transfer of the property by the Developer (except a transfer to a related company) shall require approval by the City Commission.

⁸ As noted above, need to understand how parking validation system will work for Developer's grocer customers, if these will not be customers of the City's Town Center Garage. Need to ensure structures are separate and that City will not incur any operational/maintenance costs for the 100 spaces. [ADD SECOND GATE]

⁹ **Planning has identified concerns regarding the Developer's proposed loading, and the requirement to internalize loading. Internal pathways/throughways may not be workable and may be contrary to Planning Board criteria.** In addition, as City's property will be governed by a Declaration of Condominium, and Developer will own the ground floor retail, the parties should address whether, in lieu of an Easement Agreement for the loading spaces/trash compactors, this Easement Area should be a separately owned condominium unit, to ensure City is not subsidizing the operations of the Developer's adjacent retail tenants. [SHOULD KEEP AS EASEMENT AND DEVELOPER TO MAINTAIN AS DESCRIBED IN THIS TERM SHEET]

5. Developer reaffirms its commitment, pursuant to the Reimbursement Agreement dated on or about February 18, 2018, to pay for the City's transaction costs, including outside counsel, for the Project.

6. The Developer shall obtain the full building permit for the Town Center Garage within 24 months following the execution of the Development Agreement, subject to tolling in the event of litigation and/or force majeure. Final completion of the Town Center Garage shall occur within 24 months following issuance of full building permits. ~~To date, the Developer has not proposed any time periods for completion.~~

Exhibit A



MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 13, 2018

SUBJECT: **DISCUSSION REGARDING THE ORCHARD PARK NEIGHBORHOOD
TEMPORARY PUMPS**

ANALYSIS:

The Orchard Park neighborhood, which includes 44th Street and Post Avenue intersection, suffers from a flawed drainage system installed in 2011. The stormwater drainage inlets are as low as 1.04 NAVD and are designed to drain into a “French Drain” (exfiltration trench). The geology and hydrology of our barrier island coupled with the increasing level of the ground water which mirrors that of Biscayne Bay have resulted in the ineffectiveness of this system. It is common during the spring and fall “King Tides” for the tidal elevation to exceed these local elevations. During these tides, and especially when it rains during higher tides, water pools in the street impeding safe passage.

ANALYSIS

During recent “King Tides” the City installed temporary pumps to help reduce the flooding risk. The cost of temporary pumps is significant and has been limited to high risk times. The primary pump that proved beneficial was located in Muss Park which was under construction at the time. Muss Park is now open for usage by the public and temporary pumps and discharge hoses will inconvenience those planned recreational activities there.

Interim measures are planned for the upcoming spring high tides. A “back flow” prevention device, or one way flow control device, is to be installed on the outfall of the main drainage pipe that leads from 44th Street into the adjacent canal. This device allows water to drain to the canal when the tides are lower than the street and stop the canal from flowing into the stormwater draining system at times when the tides are higher than the discharge elevation. Temporary pumps are currently planned for usage during these times to remove stormwater collected from rain events.

More permanent measures are being evaluated and considered to mitigate against sea level rise for this neighborhood. The City’s engineering team is working to evaluate the needs based on the recent direction to consider ten (10) year storm events versus the five (5) year storm event previously used planning criteria previously used. Once pumping capacities and piping sizing requirements are determined the process of determining the appropriate location of permanent pumps will follow. Additionally, it is expected that other recommendations will be made and considered to aid the mitigation such as raising the street elevation.

ATTACHMENTS:

Description		Type
	email attachments	Other

Coley, Roy

From: Jeffrey Gale <jeffgalelaw@me.com>
Sent: Thursday, January 25, 2018 11:48 PM
To: Coley, Roy
Cc: Morales, Jimmy; Aleman, John; Carpenter, Eric; ICE (Kelly Gale); Mowry, Bruce; Payne, Stanley; Gershon Fink; Soto, Luis; Samuelian, Mark; Arriola, Ricky; De La Torre, Rodolfo; Bain, Tiffany; dan@gelberformayor.com; Steinberg, Micky; Sara Botach
Subject: 44th Street (Orchard Park)

Thank you.

Jeff Gale
Jeffrey P. Gale, P.A.
9999 NE 2nd Avenue, Suite 304
Miami Shores, FL 33138
Personal Injury/Workers' Compensation/
Property Insurance Claims (Residential & Commercial)
Tel. (305) 758-4900
Cell: (305) 904-5637
Fax: (305) 758-4949
Email: jeffgalelaw@bellsouth.net
Website: www.jeffgalelaw.com

Sent from my iPhone

On Jan 25, 2018, at 9:49 AM, Coley, Roy <RoyColey@miamibeachfl.gov> wrote:

Mr. Gale,

You are correct; lining the French Drain will prevent rainwater from draining into the soil. When the tides are high, the French Drain does not work very well, and when the tides are low the rainwater drains to the canal much better. Therefore it may be better to have the pipe lining versus having the tide water inundate the French Drain at high tides. This is a matter under consideration to determine the best possible solution.

The back flow prevention device could be better described as a one way flow control device. This device allows water to drain to the canal when the tides are lower than the street and stop the canal from flowing into the stormwater draining system at times when the tides are higher than the system. The vulnerability will remain when tides are high and it rains significantly.

Again, you are correct in your position that the ideal solution includes a permanent pumping system. Our team has been tasked to further evaluate that possibility to possibly expedite the design and installation. I will keep you informed as information comes available.

Best Regards,

Roy Coley, MBA
Assistant Department Director/Infrastructure Director
PUBLIC WORKS DEPARTMENT
MIAMI BEACH
1700 Convention Center Drive, Miami Beach, FL 33139
Tel: 305.673.7380 www.miamibeachfl.gov

From: Jeffrey Gale [<mailto:jeffgalelaw@me.com>]
Sent: Tuesday, January 23, 2018 11:06 PM
To: Coley, Roy
Cc: Morales, Jimmy; Aleman, John; Carpenter, Eric; ICE (Kelly Gale); Mowry, Bruce; Payne, Stanley; Gershon Fink; Soto, Luis; Samuelian, Mark; Arriola, Ricky; De La Torre, Rodolfo; Bain, Tiffany; dan@gelberformayor.com; Steinberg, Micky; Sara Botach
Subject: Re: 44th Street — Jan 3, 2018

Dear Mr. Coley,

Won't lining the French Drain prevent rainwater from draining into the soil? And a back flow prevention device won't prevent rainfall flooding. Both may help with the King Tide, but neither addresses the rain flooding and may even make it worse.

I'm afraid that the only solution for rain flooding is a pump system, which also helps with the King Tide.

The ideal would be all of the above (with the pump system being a permanent station) and elevated streets.

Yours truly,

Jeff Gale
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Website: www.jeffgalelaw.com

Sent from my iPhone

On Jan 16, 2018, at 2:23 PM, Coley, Roy <RoyColey@miamibeachfl.gov> wrote:

Mr. Gale,
We do have a proposal for a backflow prevention device proposed to be located near the seawall inside the outfall pipe. The proposal is being considered by the City's engineers along with the possibility of installing some type of lining in the French Drain, which is an equal source of water during high tides. At this time, a decision has not been finalized on how we will proceed.

Best Regards,

Roy Coley, MBA

Assistant Department Director/Infrastructure Director
PUBLIC WORKS DEPARTMENT

MIAMIBEACH

1700 Convention Center Drive, Miami Beach, FL 33139
Tel: 305.673.7380 www.miamibeachfl.gov

From: Jeffrey Gale [<mailto:jeffgalelaw@me.com>]

Sent: Monday, January 15, 2018 6:12 PM

To: Coley, Roy

Cc: Morales, Jimmy; Aleman, John; Carpenter, Eric; Coley, Roy; ICE (Kelly Gale); Mowry, Bruce; Payne, Stanley; Gershon Fink; Soto, Luis; Samuelian, Mark; Arriola, Ricky; De La Torre, Rodolfo; Bain, Tiffany; dan@gelberformayor.com; Steinberg, Micky; Steinberg, Micky; Sara Botach

Subject: Re: 44th Street — Jan 3, 2018

Dear Mr. Coley:

While preparing for the 1/17/2018 City Commission Meeting, I came across your 11/28/2017 email (pasted below) referencing a strategy to provide additional relief and talks with a contractor to implement same.

I did not hear anything further from you on this and am hoping you can share the information in advance of the meeting.

"Mr. Gale,

Thank you for your emails, as always the pictures are helpful. In short to answer your question concerning short term solutions, I am pleased to report to you that our team has developed a strategy to provide additional relief. We have met with a contractor and are waiting for a proposal from them for the improvements. I expect to have the proposal from them this week and then will be in a position to share what could be expected. Until then our stormwater operators will continue to operate the temporary pump(s) and provide the type of service you experienced earlier this morning.

Best Regards,

Roy Coley, MBA

Assistant Department Director/Infrastructure Director

PUBLIC WORKS DEPARTMENT

MIAMIBEACH

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Tel: 305.673.7380 www.miamibeachfl.gov<blocked::BLOCKED::http://www.miamibeachfl.gov/>

Yours truly,

Jeff Gale

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Website: www.jeffgalelaw.com

Coley, Roy

From: Morales, Jimmy
Sent: Wednesday, January 24, 2018 1:25 PM
To: Aleman, John; Coley, Roy; Mowry, Bruce; Carpenter, Eric
Subject: RE: 44th Street — Jan 3, 2018

Categories: Red Category

As per the discussion at Commission last week, this is one of the communities we are looking at to possibly expedite. Eric, I assume we would need to come back to Commission to modify the master plan?

From: Aleman, John
Sent: Wednesday, January 24, 2018 12:45 PM
To: Coley, Roy <RoyColey@miamibeachfl.gov>; Mowry, Bruce <BruceMowry@miamibeachfl.gov>; Carpenter, Eric <EricCarpenter@miamibeachfl.gov>
Cc: Morales, Jimmy <JimmyMorales@miamibeachfl.gov>
Subject: RE: 44th Street — Jan 3, 2018

Gentlemen,

I would really like to see you all hash out a plan for the earliest date we can put in a permanent pump here. Can that be done?

MIAMI BEACH

Commissioner John Elizabeth Alemán

OFFICE OF MAYOR AND COMMISSION

1700 Convention Center Drive, Miami Beach, FL 33139

Tel: 305-673-7102 / Fax: 305-673-7096 / www.miamibeachfl.gov

From: Jeffrey Gale [<mailto:jeffgalelaw@me.com>]

Sent: Tuesday, January 23, 2018 11:06 PM

To: Coley, Roy

Cc: Morales, Jimmy; Aleman, John; Carpenter, Eric; ICE (Kelly Gale); Mowry, Bruce; Payne, Stanley; Gershon Fink; Soto, Luis; Samuelian, Mark; Arriola, Ricky; De La Torre, Rodolfo; Bain, Tiffany; dan@gelberformayor.com; Steinberg, Micky; Sara Botach

Subject: Re: 44th Street — Jan 3, 2018

Dear Mr. Coley,

Won't lining the French Drain prevent rainwater from draining into the soil? And a back flow prevention device won't prevent rainfall flooding. Both may help with the King Tide, but neither addresses the rain flooding and may even make it worse.

I'm afraid that the only solution for rain flooding is a pump system, which also helps with the King Tide.

The ideal would be all of the above (with the pump system being a permanent station) and elevated streets.

Yours truly,

Jeff Gale
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Website: www.jeffgalelaw.com

Sent from my iPhone

On Jan 16, 2018, at 2:23 PM, Coley, Roy <RoyColey@miamibeachfl.gov> wrote:

Mr. Gale,

We do have a proposal for a backflow prevention device proposed to be located near the seawall inside the outfall pipe. The proposal is being considered by the City's engineers along with the possibility of installing some type of lining in the French Drain, which is an equal source of water during high tides. At this time, a decision has not been finalized on how we will proceed.

Best Regards,

Roy Coley, MBA
Assistant Department Director/Infrastructure Director
PUBLIC WORKS DEPARTMENT
MIAMI BEACH
1700 Convention Center Drive, Miami Beach, FL 33139
Tel: 305.673.7380 www.miamibeachfl.gov

From: Jeffrey Gale [<mailto:jeffgalelaw@me.com>]

Sent: Monday, January 15, 2018 6:12 PM

To: Coley, Roy

Cc: Morales, Jimmy; Aleman, John; Carpenter, Eric; Coley, Roy; ICE (Kelly Gale); Mowry, Bruce; Payne, Stanley; Gershon Fink; Soto, Luis; Samuelian, Mark; Arriola, Ricky; De La Torre, Rodolfo; Bain, Tiffany; dan@gelberformayor.com; Steinberg, Micky; Steinberg, Micky; Sara Botach

Subject: Re: 44th Street — Jan 3, 2018

Dear Mr. Coley:

While preparing for the 1/17/2018 City Commission Meeting, I came across your 11/28/2017 email (pasted below) referencing a strategy to provide additional relief and talks with a contractor to implement same.

I did not hear anything further from you on this and am hoping you can share the information in advance of the meeting.

"Mr. Gale,

Thank you for your emails, as always the pictures are helpful. In short to answer your question concerning short term solutions, I am pleased to report to you that our team has developed a

strategy to provide additional relief. We have met with a contractor and are waiting for a proposal from them for the improvements. I expect to have the proposal from them this week and then will be in a position to share what could be expected. Until then our stormwater operators will continue to operate the temporary pump(s) and provide the type of service you experienced earlier this morning.

Best Regards,

Roy Coley, MBA

Assistant Department Director/Infrastructure Director

PUBLIC WORKS DEPARTMENT

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1700 Convention Center Drive, Miami Beach, FL 33139

Tel: 305.673.7380 www.miamibeachfl.gov<blocked::BLOCKED::http://www.miamibeachfl.gov

/

Yours truly,

Jeff Gale

Jeffrey P. Gale, P.A.

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Website: www.jeffgalelaw.com

Coley, Roy

From: Jeffrey Gale <jeffgalelaw@me.com>
Sent: Friday, January 05, 2018 1:57 PM
To: Coley, Roy
Cc: Payne, Stanley; Morales, Jimmy; Aleman, John; Carpenter, Eric; ICE (Kelly Gale); Mowry, Bruce; Soto, Luis; Gershon Fink; Sara Botach; Dan Gelber; De La Torre, Rodolfo; Bain, Tiffany; Samuelian, Mark; Arriola, Ricky; Steinberg, Micky; Gelber, Dan; Gongora, Michael
Subject: Re: 44th Street & Post Avenue (Jan. 2, 2018)

*conscientious

Jeff Gale
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Website: www.jeffgalelaw.com

Sent from my iPhone

On Jan 5, 2018, at 1:06 PM, Jeffrey Gale <jeffgalelaw@me.com> wrote:

Dear Mr. Coley,

Thank you kindly for your conscience and informative response. After reading your explanation, I fully agree that Mr. Payne was not being rude. My apologies for suggesting otherwise.

We the residents of 44th Street are greatly appreciative of having competent and attentive civil servants addressing our issues. We also appreciate the cost concerns associated with the temporary pumps and would fully agree with your assessment if the predictable high tides were the only issue. As you have explained, high tide flooding alone is manageable. Unfortunately, the primary threat to property and property values is RAIN-related flash flooding. This, of course, is not nearly as predictable or as manageable as the tides. It is an ever present danger that, in the short term, can only be managed by temporary pumps.

Yours truly,

Jeff Gale
4360 Royal Palm Avenue
MB

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Website: www.jeffgalelaw.com

Sent from my iPhone

On Jan 5, 2018, at 12:36 PM, Coley, Roy <RoyColey@miamibeachfl.gov> wrote:

Mr. Gale,

I sincerely apologize for you feeling like Mr. Payne questioned the veracity of your photographs; I assure you it was not his intent. Mr. Payne reports to me, and I am able to verify his character is far above reproach, or intent to insult you in any way. The misunderstanding is likely a nomenclature issue. In your email to us all on January 2, 2018, you stated "it is backed-up sewer water." Mr. Payne interpreted your statement as sanitary sewer, or domestic sewerage, verses stormwater, or tidal waters, as we normally term what you saw. The intent of Mr. Payne's statement was to verify that there was no domestic sewerage overflowing, and the stormwater system was not experiencing any blockage.

In response to your request to have long term and short term solutions I will share with you my recommendations. Recognizing, as I have previously described to you and for the benefit of others copied on this email, your neighborhood suffers from a failed drainage system installed in 2011. The stormwater drainage inlets are as low as 1.04 NAVD and are designed to drain into a "French Drain" (exfiltration trench). The geology and hydrology of our barrier island doomed this design from the very start, and in my opinion was a complete waste of significant resources. As a State of Florida licensed water and wastewater operator, I can attest that no drainage system will work in Miami Beach when the tidal elevations exceed your inlet elevations unless a design engineer takes that into account and sets future street elevations and pumping capacity to better manage the water. I recommend that your neighborhood's drainage system be redesigned from the 2011 failed design and programmed into the stormwater master plan improvements as soon as practical.

I further recommend that temporary portable pumps be used only when risk of damage to property or safety is high. The cost of temporary portable pumps is not sustainable with the City's current revenue stream from stormwater fees, and in my opinion not a responsible use of resources. Just to note, recently the City spent about \$130,000 monthly on temporary generators and pumping operations. The king tides come for about two (2) months in the spring and about three (3) months in the fall. During king tides, I recommend using temporary pumps in the City's most vulnerable locations only. During other times of the year, NOAA's tidal

prediction's suggests that such risk is too low to just justify the unfunded expenditure.

I hope my explanation further clarified your concerns.

Best Regards,

Roy Coley, MBA

Assistant Department Director/Infrastructure Director
PUBLIC WORKS DEPARTMENT

MIAMI BEACH

1700 Convention Center Drive, Miami Beach, FL 33139
Tel: 305.673.7380 www.miamibeachfl.gov

From: Jeffrey Gale [<mailto:jeffgalelaw@me.com>]

Sent: Thursday, January 04, 2018 7:35 PM

To: Payne, Stanley

Cc: Morales, Jimmy; Aleman, John; Carpenter, Eric; Coley, Roy; ICE (Kelly Gale); Mowry, Bruce; Soto, Luis; Gershon Fink; Sara Botach; Dan Gelber; De La Torre, Rodolfo; Bain, Tiffany; Samuelian, Mark; Arriola, Ricky; Steinberg, Micky; Gelber, Dan; Gongora, Michael

Subject: Re: 44th Street & Post Avenue (Jan. 2, 2018)

Dear Mr. Payne:

On Tuesday, January 2, 2018, I sent the group a photograph taken at 10:00 a.m. showing backed up water. You responded by sending me two photographs taken by your crew at 11:46 a.m., along with comments I interpreted as questioning the veracity of when my photograph was taken. Not only, in my view, were those comments out of line, but your response otherwise failed to address any of the longstanding flood related issues. (If not to challenge my photograph, what was the point of your response? Were you suggesting that my concerns are overblown?)

On Wednesday, I sent the group two photographs taken that morning showing even greater flooding than the day before. Neither you nor anyone else responded (just as nobody, as far as I know, bothered to respond to Sara Botach's Tuesday email)

While I appreciate the financial costs associated with addressing the problem, it is a fundamental infrastructure issue that must be made a priority for Miami Beach to be a world class city. The quality of a city is judged from the bottom up, not from the top down. Flooded streets are not a good thing.

Jeff Gale
4360 Royal Palm Avenue
Miami Beach, FL

Jeffrey P. Gale, P.A.
9999 NE 2nd Avenue, Suite 304
Miami Shores, FL 33138

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Website: www.jeffgalelaw.com

Sent from my iPhone

On Jan 2, 2018, at 12:38 PM, Jeffrey Gale <jeffgalelaw@me.com> wrote:

A bullet dodged. High tide today was at 8:09 a.m. The city's photos were taken closer to low tide (2:19 p.m.) than high tide. Nevertheless, a peak into the drain would have shown the water level to be just below the drain grill.

Water backing up is not acceptable, and photos showing that the water has receded do not comfort me. Moreover, high tide or low tide, if it rains hard today or any day, for that matter, there will be street flooding. This is the bigger point.

We know that the area is low lying. We know that something long term needs to be done and we know that the short term solution of temporary pumps works.

Catastrophe can strike at any moment. With the backed up water, today could have been that moment. Backed-up water + heavy rain = catastrophe.

44th Street needs a life preserver now. Throw the damn thing already!

Yours truly,

Jeff Gale
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Website: www.jeffgalelaw.com

Sent from my iPhone

On Jan 2, 2018, at 11:58 AM, Payne, Stanley
<StanleyPayne@miamibeachfl.gov> wrote:

We had a team member go by and check this location.
As you can see in the pictures, the area is dry. There is
no backed-up sewer water at this location

<image001.jpg> <image002.jpg>

MIAMIBEACH

Stanley Payne Storm Water Superintendent
PUBLIC WORKS DEPARTMENT
1700 Convention Center Drive, Miami Beach, FL 33139
Tel: 305-673-7000 x2343 / Fax: 305-673-7028 /
www.miamibeachfl.gov

From: Jeffrey Gale [<mailto:jeffgalelaw@me.com>]
Sent: Tuesday, January 02, 2018 11:11 AM
To: Morales, Jimmy; Aleman, John; Carpenter, Eric;
Coley, Roy; ICE (Kelly Gale); Mowry, Bruce; Payne,
Stanley; Soto, Luis; Gershon Fink; Sara Botach
Cc: Dan Gelber; De La Torre, Rodolfo; Bain, Tiffany;
Samuelian, Mark; Arriola, Ricky; Steinberg, Micky
Subject: 44th Street & Post Avenue (Jan. 2, 2018)

This photograph was taken at 10 a.m. today. In case
you don't know the subject of the photo, IT IS
BACKED-UP SEWER WATER!

This happens to be unrelated to rain, with only light
drizzles before the photo was taken. It is now a little
after 11 a.m., and I am sitting in my office in Miami
Shores worried about home and property (cars)
damage as heavier rains move in with the
approaching cold front.

What is going to be done to alleviate and remedy
this acute problem and when?

Happy New Year.

Jeff Gale

<image003.jpg>

Jeff Gale
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Sent from my iPhone

Coley, Roy

From: Jeffrey Gale <jeffgalelaw@me.com>
Sent: Friday, December 15, 2017 2:30 PM
To: Coley, Roy
Cc: Aleman, John; Carpenter, Eric; Morales, Jimmy; Soto, Luis; ICE (Kelly Gale); Sara Botach; Gershon Fink
Subject: Re: 44th Street & Royal Palm

Dear Mr. Coley,

Thank you for the informative and on-point response. I hope you are right about there being an adequate differential between our street and the bay for drainage. Unfortunately, from years of contrary events I am not getting my hopes up. I will keep you posted of both positive and negative events.

One reason for our acute rain drainage problem is the result of water from the higher surrounding areas naturally flowing to the low point. This quickly overwhelms the existing system. The only relief we've ever seen has come from the temporary pumps.

Other MB neighborhoods have gotten permanent pumps. Orchard Park has patiently waited its turn. We should be up soon.

P.S. Mr. Soto was very pleasant and helpful to me yesterday.

Yours truly,

Jeff Gale
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Website: www.jeffgalelaw.com

Sent from my iPhone

On Dec 15, 2017, at 10:42 AM, Coley, Roy <RoyColey@miamibeachfl.gov> wrote:

Mr. Gale,

Your frustration is understood, I can only imagine how inconvenient it is to have a drainage system that was completed in 2011 to be failing. Just to recapitulate; in summary the issue is your stormwater drains are at an elevation of between 1.04 NAVD and 1.63 NAVD, are designed to drain into a "French Drain" (exfiltration trench), and into the bay by gravity. Regretfully the French Drain does not work as intended due to sea level rise, and is actually artesian at times

with ground water flowing in reverse, and coming into the streets from the system. When the tidal elevations exceed the levels of your drain inlets ground water flows upwards, into the streets, and any rainfall does not have adequate drainage to prevent pooling of water in the streets.

During King Tide season when the tidal elevations exceeded your stormwater system heights the city installed a plug into the pipe going to the bay to prevent the bay water from backing up into the street. With the plug installed the rainwater had nowhere to go except to the French Drain that was not draining. To remove the rain water the city located temporary diesel powered pumps upstream from the plugged pipe to pump rain water into the bay. The diesel powered temporary pumps were a good solution for the short term although they had to operate 24 hours a day in order to provide relief from unexpected rains.

King Tide season has passed, and the tidal elevations remain low enough to allow gravity drainage from your street. The city's stormwater operators removed the plug from the pipe to the bay allowing gravity to drain the area. I have attached a graphic of the tide level predictions by NOAA. You can see the tides are expected to be a maximum of .2 NAVD for the near future. This provides adequate differential between your streets and the bay for drainage.

The city this week has been removing from all over the community rented temporary equipment. The tidal conditions make this a reasonable action considering flooding is much less likely, and the cost of the rented equipment is considerable. Just as a point of information the city has been spending more than \$100,000 monthly on rental fees plus additional labor, and fuel cost for operations.

Best Regards,

Roy Coley, MBA

Assistant Department Director/Infrastructure Director
PUBLIC WORKS DEPARTMENT

MIAMIBEACH

1700 Convention Center Drive, Miami Beach, FL 33139
Tel: 305.673.7380 www.miamibeachfl.gov

From: Jeffrey Gale [<mailto:jeffgalelaw@me.com>]

Sent: Thursday, December 14, 2017 8:45 PM

To: Coley, Roy

Cc: Aleman, John; Carpenter, Eric; Morales, Jimmy; Soto, Luis; ICE (Kelly Gale)

Subject: Re: 44th Street & Royal Palm

P.S. I mistakenly said that I was annoyed. I'm actually angry. It's outrageous that the city would remove a proven remedy and leave its taxpaying homeowners exposed to harm. Not good.

Jeff Gale

Jeffrey P. Gale, P.A.

9999 NE 2nd Avenue, Suite 304

Miami Shores, FL 33138

Personal Injury/Workers Compensation/Property Insurance

Claims (Residential & Commercial)

Tel. (305) 758-4900

Cell: (305) 904-5637
Fax: (305) 758-4949
Email: jeffgalelaw@bellsouth.net
Website: www.jeffgalelaw.com

Sent from my iPhone

On Dec 14, 2017, at 8:29 PM, Jeffrey Gale <jeffgalelaw@me.com> wrote:

Kindly accept my apologies for the tone of this email, but I am annoyed. Driving past Muss Park this evening on my way home from work and seeing an empty space where the two pumps had been working tirelessly and effectively until yesterday, has gotten under my craw. In essence, the city has made the unilateral decision to leave 44th Street defenseless from rain events.

I have explained and documented for more than 10 years the rainstorm-related flooding issues on 44th Street. While the King Tide presents its own unique set of issues, the rain-related flooding is the ever-present and more threatening issue.

Not only did the temporary pumps limit the worst effects of the King Tide, they provided nearly instantaneous relief from flash flooding. I witnessed this with pleasure with my own eyes some three weeks ago during a heavy downpour. Although the street flooded — which only takes 15 minutes during a normal heavy rain — all of a sudden the water began to rush down the drains, and within 15-20 minutes the flooding was gone. This is the first time I had seen this happen in our 24 years in our home. Typically, it would have taken 2-3 hours for the level to recede, from up to 24-36 inches of sitting water, and had the rain continued, our homes and cars would have been threatened. I informed all of you of this event, with relief, shortly after it happened.

It is therefore inexplicable and upsetting that the city would remove the pumps. We understand that bigger remedies are in the works, but those plans do not address the immediate problem. Downpours, which will come, threaten to destroy our homes and our property, not to mention the health hazard of standing filthy water. It is shameful and below the standards of a city that touts itself as being world class.

I beseech you to get the temporary pumps back in place ASAP. Frankly, given resident concerns and the well documented history of problems, it is outrageous that the city removed them in the first place!

Yours truly,

Jeff Gale
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Miami Shores, FL 33138
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Website: www.jeffgalelaw.com

Sent from my iPhone

<Tide Predictions 12.15.17,12.21.17.PNG>

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 13, 2018

SUBJECT: **DISCUSSION REGARDING THE USE OF TEMPORARY PORTABLE PUMPS AND GENERATORS FOR THE PURPOSE OF MITIGATING FLOODING OF CITY STREETS**

ANALYSIS:

Discussion at Committee.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 13, 2018

SUBJECT: DISCUSSION REGARDING THE CREATION OF A NIGHT MANAGER POSITION

HISTORY:

Administration has requested a referral to the Finance and Citywide Projects Committee in order to discuss the City Manager's proposal to create a Night Manager position. This is a concept that has been successfully implemented in a number of major cities in the United States and elsewhere around the world. The role of the Night Manager is to coordinate the comprehensive delivery of government services during the overnight hours. He/she will respond to major issues, evaluate troublesome conditions, resolve difficult problems and coordinate emergency response to crises. While the Night Manager will be a police captain, his/her portfolio will include the authority to act on behalf of the City Manager to coordinate and direct all city services during the overnight hours. Miami Beach is a city that never sleeps. The Night Manager will be the liaison to the City's major customers who operate after midnight, including clubs, restaurants, hotels and other entities that comprise the entertainment/tourist industry that drives our city's economy. He/she will also be a point of contact and overnight problem solver for our residents and receive direction in this regard from the Manager. The hours of the Night Manager will vary depending upon the Manager's needs, but he/she will typically work Thursday through Sunday, evenings through to 5 A.M the following morning. He/she will regularly be available during business hours on Wednesdays for Commission meetings and follow up with Department Directors and staff. If approved, this will require an amendment of the FY 2017/18 Operating Budget.

ATTACHMENTS:

Description	Type
□ C4T	Memo

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Jimmy L. Morales, City Manager
DATE: February 14, 2018

SUBJECT: REFERRAL TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE TO
DISCUSS THE CREATION OF A NIGHT MANAGER POSITION.

RECOMMENDATION

Commission referral to the Finance and Citywide Projects Committee for direction regarding the creation of a Night Manager position.

ANALYSIS

Administration has requested a referral to the Finance and Citywide Projects Committee in order to discuss the City Manager's proposal to create a Night Manager position. This is a concept that has been successfully implemented in a number of major cities in the United States and elsewhere around the world. The role of the Night Manager is to coordinate the comprehensive delivery of government services during the overnight hours. He/she will respond to major issues, evaluate troublesome conditions, resolve difficult problems and coordinate emergency response to crises. While the Night Manager will be a police captain, his/her portfolio will include the authority to act on behalf of the City Manager to coordinate and direct all city services during the overnight hours. Miami Beach is a city that never sleeps. The Night Manager will be the liaison to the City's major customers who operate after midnight, including clubs, restaurants, hotels and other entities that comprise the entertainment/tourist industry that drives our city's economy. He/she will also be a point of contact and overnight problem solver for our residents and receive direction in this regard from the Manager. The hours of the Night Manager will vary depending upon the Manager's needs, but he/she will typically work Thursday through Sunday, evenings through to 5 A.M the following morning. He/she will regularly be available during business hours on Wednesdays for Commission meetings and follow up with Department Directors and staff. If approved, this will require an amendment of the FY 2017/18 Operating Budget.

Legislative Tracking

Office of the City Manager/Police

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 13, 2018

SUBJECT: **DISCUSSION REGARDING THE IMPLEMENTATION OF ADDITIONAL PEDESTRIAN SECURITY MEASURES CITYWIDE**

HISTORY:

Commission referral to the Finance and Citywide Projects Committee for direction regarding the implementation of temporary vehicle obstructions on Lincoln Road, the purchase of movable vehicle barriers for major events Citywide, and the implementation of permanent barrier protection for Soundscape Park and South Pointe Park.

ANALYSIS:

The Police Department and Property Management have evaluated the needs to complete a protective umbrella around the Lincoln Road pedestrian mall, from Alton Road to Washington Ave. These additional security measures, beyond the concrete barriers already in place on Alton Road, Washington Ave and Euclid Ave, will be a combination of aesthetically pleasing fixed vehicle obstructions and removable vehicle obstructions. The removable obstructions are necessary to allow emergency vehicles, particularly Fire Department apparatus, onto all portions of Lincoln Road when necessary. This proposal also includes the purchase of 16 movable vehicle barriers that will be deployed by the Police Department throughout the city for temporary scene protection at major events. The estimated cost of these security measures, which are needed immediately, is \$800,000.

The Police Department and Property Management have also determined that additional aesthetically pleasing permanent barrier protection is needed for Sound Scape Park and South Pointe Park. The total cost of these additional barriers is approximately \$300,000.

The implementation of these added security measures will require an amendment to the FY 2017/18 Capital Budget.

ATTACHMENTS:

Description	Type
□ C4U	Memo

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Jimmy L. Morales, City Manager
DATE: February 14, 2018

SUBJECT: REFERRAL TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE TO
DISCUSS THE IMPLEMENTATION OF ADDITIONAL PEDESTRIAN SECURITY
MEASURES CITYWIDE.

RECOMMENDATION

Commission referral to the Finance and Citywide Projects Committee for direction regarding the implementation of temporary vehicle obstructions on Lincoln Road, the purchase of movable vehicle barriers for major events Citywide, and the implementation of permanent barrier protection for Soundscape Park and South Pointe Park.

ANALYSIS

Administration has requested a referral to the Finance and Citywide Projects Committee in order to discuss the implementation of additional and temporary vehicle obstructions on Lincoln Road. The Police Department and Property Management have evaluated the needs to complete a protective umbrella around the Lincoln Road pedestrian mall, from Alton Road to Washington Ave. These additional security measures will be a combination of aesthetically pleasing fixed vehicle obstructions and removable vehicle obstructions. The removable obstructions are necessary to allow access for emergency vehicles onto all portions of Lincoln Road, when necessary. This request also includes the purchase of movable vehicle barriers that will be deployed by the Police Department throughout the city for temporary scene protection at major events. It has also been determined that additional aesthetically pleasing permanent barrier protection is needed for Soundscape Park and South Pointe Park. The implementation of these added security measures will require an amendment to the FY 2017/18 Capital Budget.

Legislative Tracking

Police/Procurement

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 13, 2018

SUBJECT: **DISCUSSION ON REQUIRING SUSTAINABILITY STANDARDS SIMILAR TO
LEED FOR RETROFITS IN CITY-OWNED PROPERTIES**

ATTACHMENTS:

Description	Type
☐ LEED Building Memo	Memo
☐ Attachment A_sensors	Other
☐ Attachment B_Ultra-low flow fixture retrofit	Other
☐ Attachment C_Submetering	Other

MIAMI BEACH

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

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee

FROM: Jimmy L. Morales, City Manager

DATE: February 23, 2018

SUBJECT: **DISCUSSION ON REQUIRING SUSTAINABILITY STANDARDS SIMILAR TO LEED FOR RETROFITS IN CITY-OWNED PROPERTIES**

On January 10, 2018, the Sustainability and Resiliency Committee (SRC) held a discussion on requiring sustainability standards similar to Leadership in Energy and Environment Design (LEED) for retrofits in city-owned properties. After discussing which set of items would be highly beneficial and feasible, the SRC referred the item with a favorable recommendation to the Finance and Citywide Projects Committee (FCWP). The referral was intended to assist with allocating funds to purchase and install ultra-low flow plumbing fixtures and occupancy sensors for City Hall. Staff was directed to track data on how these measures would reduce water and energy consumption and to compare the results with other city properties.

On January 17, 2018, the Mayor and City Commission referred the SRC discussion to the FCWP.

BACKGROUND

The City of Miami Beach has supported numerous policies and initiatives with ambitious goals to reduce greenhouse gas emissions and transition to renewable energy. On October 14, 2015, the city adopted a Resolution to join the Global Covenant of Mayors (formerly the Compact of Mayors) and pledged to reduce greenhouse gas (GHG) emissions. On May 17, 2017, the city joined the Sierra Club's "Ready for 100%" campaign to become a 100% renewable city. Then, on June 7, 2017, a Resolution was adopted upholding the city's commitment to the goals and standards set forth in the Paris Climate Agreement.

Due to physical space constraints, high costs related to solar energy and Renewable Energy Credits (RECs), and the lack of utility-supplied renewable energy provided by Florida and Power Light (FPL), the initial focus of the city's efforts should be in reducing energy consumption. Energy conservation decreases energy demand, which can then lower the cost of solar installations required to cover electricity demand. In addition, the consumption of grid-supplied electricity in buildings represented almost 70% of the city-wide greenhouse gas emissions in 2015.

Renovations, retrofits and refurbishment of existing buildings represent an opportunity to enhance the performance of building assets for their ongoing life. Often retrofits involve modifications to existing buildings that may improve energy efficiency, decrease energy demand and emissions associated to the built environment. Tracking energy performance is fundamental to correlate cost and consumption information and improve energy management challenges, which can assist the city to lower emissions and save money.

ANALYSIS

At this time, we do not have the capability to track the energy and water savings from retrofitting with occupancy sensors and ultra-low flow plumbing fixtures. However, based on the manufactures specifications, energy savings could reach up to 50% of the current energy consumption per fixture. The initial cost will be about \$10,600 for occupancy sensors (Attachment A), based on 30 sensors per floor in City Hall (total of 120 sensors) and \$31,650 for the ultra-low flow plumbing fixtures, based on 33 water closets ad 12 urinals at City Hall (Attachment B).

It should be noted, that it is necessary to have the specific data related to building energy consumption in order to track and monitor energy efficiency programs. After compiling and analyzing the energy data for municipal buildings, staff noticed one meter was connected to several buildings, making it impossible to track the energy consumption of each building. Each meter is connected to one utility account. When there is more than one building feeding from one meter, unless sub-meters are installed, it is not possible to identify how much each building is individually consuming. Submeters will allow the city to monitor consumption of each building and provide recommendations for specific energy efficient upgrades.

The first step is to develop a platform to track energy consumption and efficiency measurements. In order to do this, submeters will need to be installed for each building. It will cost about \$65K to install submeters at each municipal building (Attachment C). Additionally, the city has an open competitive bid for an energy management software which will assist to track, analyze, report and manage use, as well as identifying savings and issues, such as bill anomalies and changes in usage.

By establishing this platform with submeters and the energy management software, the city will be able to organize, monitor and manage its energy data, as well as identify inefficient buildings that are in need of retrofits and, most importantly, benchmark buildings that are being retrofitted.

CONCLUSION

The following is presented to the members of the Finance and Citywide Projects Committee for discussion and direction to allocate funds for potential retrofits and sub-meters.

ATTACHMENTS

ATTACHMENT A- Quote for occupancy sensors

ATTACHMENT B- Quote for ultra-low flow plumbing fixtures

ATTACHMENT C- Quote for submeters

SMT/ESW/FCT

\\miamibeach.gov\files\WORK\ALL\1) EMPLOYEE
WHEATON\FINANCE\LEED_Buildings_Memo_2_5_18.docx

FOLDERS\BETSY

	material			removal of old light, installation of new light, hook up power /tie to ceiling grid	total
	cost	plus tax	plus 10% profit		
F&I 2'x4' <u>standard flat panel</u> LED lay in fixture. Removal & Disposal of existing light included in unit price.	\$ 85.10	\$ 91.06	\$ 100.16	\$ 65.00	\$ 165.16
F&I 2'x4' <u>standard flat panel with battery back up</u> LED lay in fixture. Removal & Disposal of existing light included in unit price.	\$ 349.99	\$ 374.49	\$ 411.94	\$ 65.00	\$ 476.94
F&I 2'x4' <u>DECORATIVE</u> LED lay in fixture. Removal & Disposal of existing light included in unit price.	\$ 128.00	\$ 136.96	\$ 150.66	\$ 65.00	\$ 215.66
F&I 2'x4' <u>DECORATIVE with battery back up</u> LED lay in fixture. Removal & Disposal of existing light included in unit price.	\$ 398.00	\$ 425.86	\$ 468.45	\$ 65.00	\$ 533.45
F&I 2'x2' <u>standard flat panel</u> LED lay in fixture. Removal & Disposal of existing light included in unit price.	\$ 82.24	\$ 88.00	\$ 96.80	\$ 65.00	\$ 161.80
F&I 2'x2' <u>standard flat panel with battery back up</u> LED lay in fixture. Removal & Disposal of existing light included in unit price.	\$ 314.00	\$ 335.98	\$ 369.58	\$ 65.00	\$ 434.58
F&I 2'x2' <u>DECORATIVE</u> LED lay in fixture. Removal & Disposal of existing light included in unit price.	\$ 104.00	\$ 111.28	\$ 122.41	\$ 65.00	\$ 187.41
F&I 2'x2' <u>DECORATIVE with battery back up</u> LED lay in fixture. Removal & Disposal of existing light included in unit price.	\$ 361.00	\$ 386.27	\$ 424.90	\$ 65.00	\$ 489.90
F&I occupancy sensor (wall mounted)	\$ 36.80	\$ 39.38	\$ 43.31	\$ 45.00	\$ 88.31



ELECTRICAL ENGINEERS
ELECTRICAL CONTRACTORS

7447 NW 48 Street
Miami, Florida 33166
Phone: (305) 403-7841
Fax: (305) 403-7842
www.RDElectricInc.com

PROJECT: LED LAY IN REPLACEMENT PROJECT
VARIOUS LOCATIONS

EC13001534
1/4/2017

item	Description	Unit	Qty	Unit Price	Total
2'x4'	F&I 2'x4' <u>standard flat panel</u> LED lay in fixture. Removal & Disposal of existing light included in unit price.	EA	1	\$ 165.16	\$ 165.16
2'x4'	F&I 2'x4' <u>standard flat panel with battery back up</u> LED lay in fixture. Removal & Disposal of existing light included in unit price.	EA	1	\$ 476.94	\$ 476.94
2'x4'	F&I 2'x4' <u>DECORATIVE</u> LED lay in fixture. Removal & Disposal of existing light included in unit price.	EA	1	\$ 215.66	\$ 215.66
2'x4'	F&I 2'x4' <u>DECORATIVE with battery back up</u> LED lay in fixture. Removal & Disposal of existing light included in unit price.	EA	1	\$ 533.45	\$ 533.45
2'x2'	F&I 2'x2' <u>standard flat panel</u> LED lay in fixture. Removal & Disposal of existing light included in unit price.	EA	1	\$ 161.80	\$ 161.80
2'x2'	F&I 2'x2' <u>standard flat panel with battery back up</u> LED lay in fixture. Removal & Disposal of existing light included in unit price.	EA	1	\$ 434.58	\$ 434.58
2'x2'	F&I 2'x2' <u>DECORATIVE</u> LED lay in fixture. Removal & Disposal of existing light included in unit price.	EA	1	\$ 187.41	\$ 187.41
2'x2'	F&I 2'x2' <u>DECORATIVE with battery back up</u> LED lay in fixture. Removal & Disposal of existing light included in unit price.	EA	1	\$ 489.90	\$ 489.90
switch	F&I occupancy sensor (wall mounted)	EA	1	\$ 88.31	\$ 88.31

WE SHALL NOT PROVIDE:

ENGINEERING DRAWINGS
DATA WIRING

NOTE:

LS-LUMP SUM EA-EACH

Rafael Echarri

PROPOSAL #

111610



ISLAND PLUMBING

PO BOX 490984
Key Biscayne, FL 33149
Phone: (305) 361-2929
CFC-057486 / CFC-044147

DATE

1/8/2018

REP

GP

PROPOSAL

BILL TO

CITY OF MIAMI BEACH
1833 BAY ROAD
MIAMI BEACH, FL. 33139

JOB ADDRESS

CITY OF MIAMI BEACH
1833 BAY ROAD
MIAMI BEACH, FL 33139

DESCRIPTION

QTY

COST

TOTAL

FIXTURES INSTALLATION

- WE WILL REMOVE AND INSTALL NEW WATER CLOSET COMMERCIAL GRADE AS PER REQUEST. (AMERICAN STANDARD 1.28 GPF)

- WE WILL REMOVE AND INSTALL WALL MOUNT COMMERCIAL GRADE URINAL AS PER REQUEST. (AMERICAN STANDARD .125 GPF)

- WE WILL SUPPLY FLUSHOMETER VALVES FOR NEW FIXTURES.

LABOR AND MISC. MATERIALS (PER FIXTURE)

Red = Water Closets

Blue = Urinals

450.00

450.00

A/S 3043.001.002 WHT MADERA RH (\$119.95)

A/S 2234.001.020 WHT MADERA 15" (\$98.75)

A/S 6581.015.020 WHT MAYBROOK UR (\$147.41)

SLOAN 3072609 URINAL VLV GEM-2 186-0.5 (\$110.25) + Installation and Misc. Materials = \$707.66 ea

SLOAN 3070026 W/C GEM-2 111-1.28 (\$110.25)

A/S 5901.100.020 WHT W/C SEAT (\$20.29)

NOTES:

+ Installation and Misc. Materials = \$700.49 ea

- PLANS AND PERMIT NOT INCLUDED.

- ANY UNFORESEEN WORK TO BE ESTIMATED ACCORDANGLY.

Authorization To Perform Work: Customer authorizes and permits Island Plumbing Co. to perform service, repairs, alterations, and all ancillary work and supply all ancillary materials to perform and complete the work described herein. Customer agrees to timely pay for said work and materials and that the Customer has received, agrees to, and shall be bond by the Terms and Conditions contained on the front and back side of this Agreement. Customer further acknowledges that Island Plumbing Co. Has commenced its work at the same time set forth below. Additional travel charges may apply as set forth herein.

X

SIGNATURE

TOTAL

\$450.00



ELECTRICAL ENGINEERS
ELECTRICAL CONTRACTORS

7447 NW 48 Street
Miami, Florida 33166
Phone: (305) 403-7841
Fax: (305) 403-7842
www.RDElectricInc.com

PROJECT: Electrical Submeters
Miami Beach, FI


EC13001534
2/2/2018

item	Description	Unit	Qty	Unit Price	Total
1	Furnish and Install electrical submeter.	LABOR (HR)	8	\$ 45.00	\$ 360.00
		MATL (LS)	1	\$ 480.00	\$ 480.00
		MARKUP 10%	1	10%	\$ 48.00
				TOTAL	\$ 888.00

NOTES:

EKM-Omnimeter Pulse UL v.4 Spec Sheet



- Nominal Voltage Ranges:
120V, 2-wire, Single-phase, One Line and Neutral
120/208 to 240V, 3-wire, Single-phase, 2 Lines and Neutral
120V, 3-wire, 3-phase, 3 Lines, No Neutral
120/208 to 240V, 4-wire, 3-phase, 3 Lines and Neutral
- Range of allowable environmental conditions: Pollution Degree 2, Measurement Category III, Altitude rating 2000 meters max. Maximum Temperature Range: -30 Deg. C to 70 Deg. C. Tamper Detection Class 1.
- The equipment is protected throughout by double insulation as indicated by this symbol: 
- Accuracy Class 0.5
- Rated Frequency: 50Hz/60Hz
- Red LED on the meter face flashes 800 times/kWh. 1 flash = 1.25Wh.
- Received California Type Approval for revenue grade metering
- Certified to meet ANSI C12.1 and C12.20 standards
- UL and cUL Listed

Safety Precautions:

- Meter should be installed by a qualified electrician.
- Turn off all power supplying the equipment before performing any wiring. Use a properly rated volt meter to confirm power is off.
- Use of this device inconsistent with this manual can cause permanent damage to the unit and/or serious harm to the operator.

Tools/Materials List:

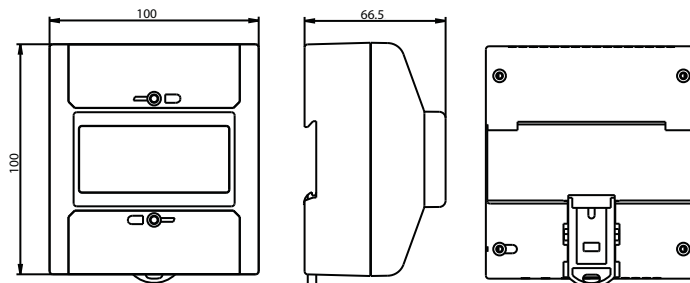
- Volt meter
- Small standard screwdriver
- Wire stripper
- DIN-Rail
- 16-22 AWG UL rated stranded copper wire
- UL Approved Current Transformer(s). See (Fig 7)
- UL rated inline fuse holder with maximum 1Amp UL Listed fuse
- UL Listed Type 4 Enclosure (with appropriately rated conduit and fittings) is required if meter will be installed outdoors

Installation Instructions

For All Systems:

1. Disconnect or switch power off before attempting to install, connect, disconnect or service the meter or the external current transformers (CTs). ALL POWER MUST BE DISCONNECTED!
2. Mount the meter using 35mm DIN Rail in a protected indoor location. If installing outdoors, a UL Listed Type 4 Enclosure is required.
3. IMPORTANT: Distinguish and then identify the Neutral and the Line(s) ('hot' wire(s), usually black or red). Label the Neutral and then, depending on your electrical system, assign labels as described below.

4. Meter installation shall include a disconnect, and labels to indicate:
 - a. In the case of the meter being installed on a circuit panel which has a Main Breaker, that this Main Breaker is the disconnect device for the meter.
 - b. In the case of the meter being installed on a circuit panel which DOES NOT have a Main Breaker, the location of the Main Breaker for that panel.
5. Tightening torque of terminals:
All terminals: 4.4 in-lb. (0.5 Nm)

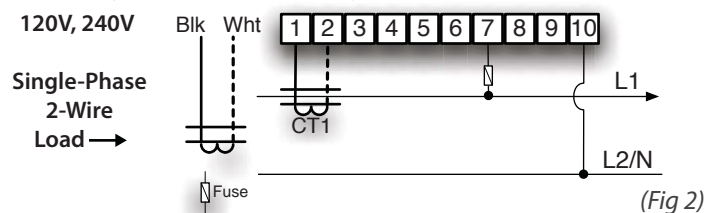


Load current	Power factor COSθ	Basic error %	
		Class 0.5	Class 1
0.05Ib	1.0	±1.0	±1.5
0.1Ib~Imax	1.0	±0.5	±1.0
0.1Ib	0.5(L)	±1.0	±1.5
	0.8(C)	±1.0	±1.5
0.2Ib~Imax	0.5(L)	±0.5	±1.0
	0.8(C)	±0.5	±1.0

(Fig 1)

120V, 2-Wire, Single Phase:

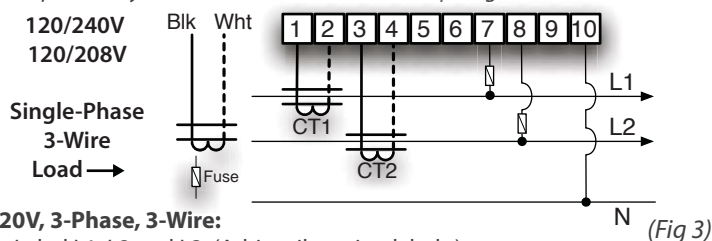
1. Label Line 1 as L1.
2. Fit CT1 around L1. Make sure the arrow is facing towards the load (in the direction of flow). (Fig 2)
3. Black CT wire connects to Port 1 on the Omnimeter. White CT wire connects to Port 2. (Fig 2)
4. With split core CTs, close the CT around the wire to be measured and press firmly until you feel and hear it click to indicate full closure. The buttons should be fully out. Use a zip tie to ensure the CTs remain securely closed.
5. To power the meter and get a voltage reference: Use a maximum 1.0 Amp inline fuse on L1. Connect one fuse holder pigtail to the breaker, lug or an appropriate line-tap device, and connect the other pigtail to 16-22 AWG UL rated stranded copper wire for connection to the meter.
6. L1 connects to Port 7 on the Omnimeter, Neutral to Port 10. (Fig 2)
7. Once the meter is properly mounted to the DIN Rail or enclosure and all wiring is completed, with terminal block covers installed, power can be turned back on.
8. Meter will then begin cycling through meter values. For details go to: http://documents.ekmmetering.com/EKM_Metering_LCD_Display_Value_Reading.pdf
9. A video of proper install of a 120V system can be found here: <http://www.youtube.com/watch?v=ky9sgr1LTMk>



(Fig 2)

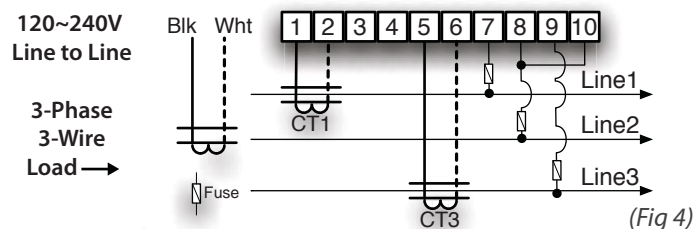
120/240V, 120/208V, Single Phase, 3-Wire:

1. Label L1 and L2. (Arbitrarily assign labels.)
2. You will be using 2 CTs for this install. Label them CT1 and CT2.
3. Fit CT1 around L1. Make sure the arrow is facing towards the load.
4. Fit CT2 around L2.
5. CT1: Black wire connects to Port 1. White wire connects to Port 2. (Fig3)
6. CT2: Black wire connects to Port 3. White wire connects to Port 4. (Fig3)
7. With split core CTs, close the CT around the wire to be measured and press firmly until you feel and hear it click to indicate full closure. The buttons should be fully out. Use a zip tie to ensure the CTs remain securely closed.
8. To power the meter and get a voltage reference: Use a maximum 1 Amp inline fuse on L1 and L2. Connect one fuse holder pigtail to the breaker, lug or an appropriate line-tap device, connect the other pigtail to 16-22 AWG UL rated stranded copper wire.
9. Tap into L1 at the breaker panel, with small stranded copper wire. This L1 tap connects to Port 7 on the Omnimeter. (Fig 3)
10. Tap into L2 at the breaker panel with small stranded copper wire. This L2 tap connects to Port 8 on the Omnimeter. (Fig 3)
11. Neutral connects to Port 10.
12. Once the meter is properly mounted to the DIN Rail or enclosure and all wiring is completed, with terminal block covers installed, power can be turned back on.
13. Meter will then begin cycling through meter values. For details go to: http://documents.ekmmetering.com/EKM_Metering_LCD_Display_Value_Reading.pdf
14. A video of a proper install of a 120V/240V system can be found here: <http://www.youtube.com/watch?v=TFxsMpQQg>



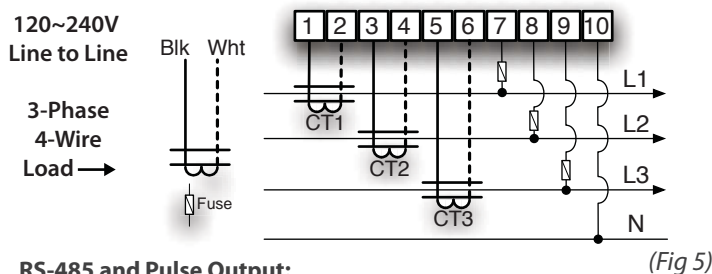
120V, 3-Phase, 3-Wire:

1. Label L1, L2 and L3. (Arbitrarily assign labels.)
2. You will be using 2 CTs for this install. Label them CT1 and CT3.
3. Fit CT1 around L1. Make sure the arrow is facing towards the load.
4. Fit CT3 around L3.
5. CT1: Black wire connects to Port 1. White wire connects to Port 2. (Fig4)
6. CT3: Black wire connects to Port 5. White wire connects to Port 6. (Fig4)
7. With split core CTs, close the CT around the wire to be measured and press firmly until you feel and hear it click to indicate full closure. The buttons should be fully out. Use a zip tie to ensure the CTs remain securely closed.
8. To protect the meter, use a max 1 Amp inline fuse on each line.
9. To power the meter and get a voltage reference: Tap into L1 at the breaker panel. Connect one fuse holder pigtail to the breaker, lug or an appropriate line-tap device, and connect the other pigtail to 16-22 AWG UL rated stranded copper wire for connection to the meter. This L1 tap connects to Port 7 on the Omnimeter. Tap into L2 and L3 and repeat the connection process. L2 tap connects to Port 8. Be sure to add a jumper to Port 10. (Fig 4) L3 tap connects to Port 9.
10. Once the meter is properly mounted to the DIN Rail or enclosure and all wiring is completed, with terminal block covers installed, power can be turned back on.
11. Meter will then begin cycling through meter values. For details go to: http://documents.ekmmetering.com/EKM_Metering_LCD_Display_Value_Reading.pdf
12. A video of a proper 120V-208V, 3-Wire, 3-Phase system can be found here: <http://www.youtube.com/watch?NR=1&v=upNgFNV6EDM>



120V-240V, 3-Phase, 4-Wire:

1. Label L1, L2 and L3. (Arbitrarily assign labels.)
2. You will be using 3 CTs for this install. Label them CT1, CT2 and CT3.
3. Fit CT1 around L1. Make sure the arrow is facing towards the load (in the direction of flow).
4. Fit CT2 around L2.
5. Fit CT3 around L3.
6. Black wire from CT1 connects to Port 1 on the Omnimeter. White wire from CT1 connects to Port 2. (Fig 5)
7. Black wire from CT2 connects to Port 3 on the Omnimeter. White wire from CT2 connects to Port 4. (Fig 5)
8. Black wire from CT3 connects to Port 5 on the Omnimeter. White wire from CT3 connects to Port 6. (Fig 5)
9. With split core CTs, close the CT around the wire to be measured and press firmly until you feel and hear it click to indicate full closure. The buttons should be fully out. Use a zip tie to ensure the CTs remain securely closed.
10. Use a max 1.0 Amp inline fuse on each line to protect the meter.
11. To power the meter and get a voltage reference: Tap into L1 at the breaker panel. Connect one fuse holder pigtail to the breaker, lug or an appropriate line-tap device, and connect the other pigtail to 16-22 AWG UL rated stranded copper wire for connection to the meter. L1 connects to Port 7. Tap into L2 and L3 and repeat the connection process. L2 connects to Port 8. L3 connects to Port 9. Neutral connects to Port 10. (Fig 5)
12. Once the meter is properly mounted to the DIN Rail or enclosure and all wiring is completed, with terminal block covers installed, power can be turned back on.
13. Meter will then begin cycling through meter values. For details go to: http://documents.ekmmetering.com/EKM_Metering_LCD_Display_Value_Reading.pdf
14. A video of proper install of a 120V-208V, 3-Phase, 4-Wire system can be found here: <http://www.youtube.com/watch?v=DeKiZddR0K8>



RS-485 and Pulse Output:

- Terminal 20 (A) connects to RS-485+ or T+ on the RS-485 network. Terminal 21 (B) connects to RS-485- or T-. Terminal 22 (G) is used for the RS-485 network (signal) ground if needed. Observe proper RS-485 network topology. Twisted pair wiring is recommended. Shielded twisted pair may be beneficial in electrically noisy environments or for very long runs. RS-485 supports up to 256 devices on up to 4000 feet wire. Terminating resistors may be beneficial.
- Terminals 16 and 17 are for pulse output. Pulse rate: 800 Impulse/kWh. Polarity sensitive. Maximum 27VDC, 27mA.
- Red LED on the meter face flashes 800 times/kWh. 1 flash = 1.25Wh.

Pulse Output:

Like all of our meters, the Omnimeter Pulse UL v.4 has a Pulse Output. The Pulse Output 1 pulses at a rate of 800 pulses per kilowatt hour when set to 200 amp current transformers. This is the same rate that the red LED flashes on the meter face – 800 times/kWh. It also has a Settable Pulse Output (S02). The Programmable Pulse output can be set in software to pulse anywhere from 1 pulse per kWh to 800 pulses per kWh (limits are dependent on CT ratio). These are unpowered electronic dry contact pulses that can be counted by standard electronic pulse counters. Pulse counters can be located up to 200 feet away from the Omnimeter Pulse UL v.4. Connect Pulse Counter to port 16 and port 14 (ground) for the Fixed Pulse Output (this pulses at the same rate as the red pulse output LED on the face of the meter) or port 15 and port 14 (ground) for the Settable Pulse Output. Pulse Width 90ms, Polarity Sensitive, max 27VDC, max 27mA.

CT Ratio	Impulse Constant	Settable impulse constant range
100/26.6	1600	1600, 800, 400, 320, 200, 160, 100, 80, 64, 50, 40, 32, 25, 20, 16, 10, 8, 5, 4, 2, 1
200/26.6	800	800, 400, 200, 160, 100, 80, 50, 40, 32, 25, 20, 16, 10, 8, 5, 4, 2, 1
400/26.6	400	400, 200, 100, 80, 50, 40, 25, 20, 16, 10, 8, 5, 4, 2, 1
800/26.6	200	200, 100, 50, 40, 25, 20, 10, 8, 5, 4, 2, 1
1000/26.6	160	160, 80, 40, 32, 20, 16, 10, 8, 5, 4, 2, 1
2000/26.6	80	80, 40, 20, 16, 10, 8, 5, 4, 2, 1
4000/26.6	40	40, 20, 10, 8, 5, 4, 2, 1
5000/26.6	32	32, 16, 8, 4, 2, 1

(Fig 6)

Pulse Input:

The Omnimeter Pulse UL v.4 can also count the pulses from up to 3 different pulse output devices. These could be pulses from our Pulse Output Water and Gas Meters or from any other unpowered dry contact pulse output device. Pulse Input ratios can be set in software from 1 to 9999 pulses per increment. The state of the 3 Inputs can also be polled in software, the Omnimeter Pulse UL v.4 will return a High or Low state for each pin in real-time (use this for sensing switch states, open or closed doors, etc). Connect Pulse Generator or Switching Sensor to each of the 3 Pulse Inputs. Connect all grounds to port 14 and each of up to 3 Pulse Generators to ports 11, 12, or 13.

Relay Control:

The Omnimeter Pulse UL v.4 comes with 2 controllable relay outputs. These can be controlled via software. You can set the outputs to be high or low to drive an external relay. The outputs are both 50 mA at 12 volts DC. Control lights, motors, etc by controlling relays. The Relay Control Outputs can also be set to go on or off from 1 to 9999 seconds. The realtime state of the outputs can also be polled via software, such as our EKM Dash. The outputs can also be used to power an external device (Wireless 485Bee Module, sensors, etc). Connect 12VDC (50mA max) relays, LED indicators, or buzzers to port 17 (ground) and port 19 for Output1 or port 17 (ground) and port 18 for Output2.

Working Principle:

When the meter is working, the energy consumed by the user is transformed into voltage and current signals, which are sampled by sample circuits. A pulse signal is then produced by a specialized IC. The Pulse signal is directly proportional to power consumption. The MCU records and stores the corresponding energy use. The LCD screen displays the energy use. Recorded information and data can be transferred using the RS485 interface.

Transport and Handling:

The meter should be handled with care, as there are precision components inside that could break and/or cause faulty readings should the meter become damaged. The process of transportation, handling, and installation should be done according to the transportation and storage rule of GB/T15464-1995. Keep the meter in the original packaging when stored. The storage temperature range should be 0–40°C. The relative humidity should be ≤85%. There should be no toxic chemicals present and no corrosive substances or gases in the air. The meters should be stacked on a platform no more than ten units high.

Warranty:

Within ten years from the date of sale, and on the condition that the user abide by the specifications and installation instructions listed here, and the sealing is kept completely intact. If the meter does not correspond with the rule of the enterprise standard, the meter shall be repaired free or replaced.

UL Approved Current Transformers			
Part Number	Type	Inside Diameter	Max Amperage
EKM BCT-013-200	Solid Core	13mm	200A
EKM BCT-015-200	Solid Core	15mm	200A
EKM BCT-025-200	Solid Core	25mm	200A
EKM BCT-025-400	Solid Core	25mm	400A
EKM SCT-013-200	Split Core	13mm	200A
EKM SCT-023-400	Split Core	23mm	400A
EKM SCT-032-400	Split Core	32mm	400A

(Fig 7)

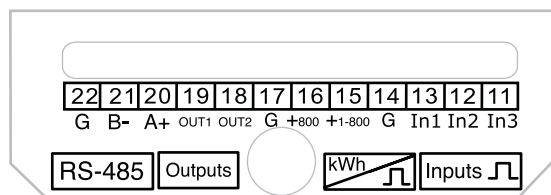
Data:

The LCD display shows 42 pieces of data. Every five seconds the LCD screen will display a new piece of data. The meter also provides max demand(kW) data and the demand period can be set to one of three intervals: 15minutes, 30 minutes, or 60 minutes. The max demand can be reset to zero in software over RS485. The meter has four time-of-use tariffs(T1, T2, T3, T4) to calculate the power during different time periods, and it can set up to four time periods per day, and specify the number of the tariff for that period(from T1 to T4). The meter time can be set using the RS485 interface. By design the main kWh registers 01 and 02 cannot be reset, though registers 39 and 40 can be reset. The meter will go at least 30 years without power and still keep its kWh readings. In other words, the memory will not be erased if there is no power. See Fig 8 below for a list of all 42 data values.

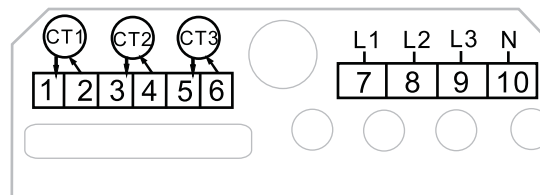
#	LCD Display Data	#	LCD Display Data	#	LCD Display Data
01	Total kWh	15	Cos θ L3	29	Pulse Count 1
02	Reverse kWh	16	T1 kWh (Time of Use 1)	30	Pulse Count 2
03	Volts L1 (Line 1)	17	T2 kWh	31	Pulse Count 3
04	Volts L2	18	T3 kWh	32	kWh on L1 (Line 1)
05	Volts L3	19	T4 kWh	33	Reverse kWh on L1
06	Amps L1	20	Reverse T1 kWh	34	kWh on L2
07	Amps L2	21	Reverse T2 kWh	35	Reverse kWh on L2
08	Amps L3	22	Reverse T3 kWh	36	kWh on L3
09	Watts L1	23	Reverse T4 kWh	37	Reverse kWh on L3
10	Watts L2	24	VARs L1 (Reactive)	38	Total KVARh (Reactive Total kWh)
11	Watts L3	25	VARs L2	39	Resettable kWh
12	Watts Total	26	VARs L3	40	Resettable Reverse kWh
13	Cos θ L1 (Power Factor)	27	VARs Total	41	3 Inputs High/Low
14	Cos θ L2	28	Frequency (Hz)	42	Maximum Demand

(Fig 8)

Terminal Block Layout:



(Fig 9)



(Fig 10)

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 13, 2018

SUBJECT: **DISCUSSION REGARDING MAURICE GIBB MEMORIAL PARK’S BUDGET AND DESIGN SCOPE**

HISTORY:
Discussion at Committee.

ATTACHMENTS:

Description		Type
□	February 14, 2018 C4AA Commission Memo	Memo

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner Ricky Arriola
DATE: February 14, 2018

SUBJECT: REFERRAL TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE TO DISCUSS MAURICE GIBB MEMORIAL PARK'S BUDGET AND DESIGN SCOPE.

ANALYSIS

Please place this referral item on the February 14, 2018 City Commission agenda.

The City of Miami Beach contracted Coastal Systems International, Inc (Coastal Systems) to conduct architectural and engineering design services for Maurice Gibb Memorial Park. I ask the Finance and Citywide Projects Committee to discuss the following items and determine if the project's budget and scope of work should be amended before Coastal Systems continues design work.

1. Evaluate the condition of the existing restroom facilities and propose improvements that could include renovation of the existing facilities, expansion, or construction of a new facility. The challenge is that the existing restrooms are part of the marine patrol building. If a renovation or expansion is considered it could trigger significant upgrades to the whole structure to meet current building code requirements.
2. Determine the need to add a fire patrol station at Maurice Gibb Memorial Park to provide efficient public safety services in South Beach. The current fire patrol boat is in North Beach, which can cause response times to emergency calls in the south end of the City to be longer than desired.
3. Add recreational greenspace to Maurice Gibb Memorial Park for the community's enjoyment by eliminating the on-site surface parking lot. A parking analysis should be conducted to determine: (a) if there is enough parking supply at the Sunset Harbour garage to merit the elimination of the 43 parking spaces (Exhibit A) and (b) financial impact, if any, to the City's Parking Enterprise Fund and related parking revenue bonds.
4. Collaborate with Art in Public Places (AiPP) to conduct a search for an artist or firm that can design an iconic children's playground that pays tribute to the life and art of Maurice Gibb.

Legislative Tracking

Commissioner Ricky Arriola

ATTACHMENTS:

Description

- ▢ Exhibit A - Sunset Harbour Garage Occupancy

G10 Sunset Harbor Garage

<u>Contract</u>	<u>Maximum Occupancy</u>
<u>Date</u>	<u>Per Day</u>
06/02/17	78
06/03/17	48
06/04/17	32
06/05/17	70
06/06/17	61
06/07/17	69
06/08/17	78
06/09/17	70
06/10/17	43
06/11/17	30
06/12/17	75
06/13/17	73
06/14/17	75
06/15/17	67
06/16/17	72
06/17/17	39
06/18/17	27
06/19/17	60
06/20/17	60
06/21/17	59
06/22/17	62
06/23/17	79
06/24/17	48
06/25/17	39
06/26/17	76
06/27/17	87
06/28/17	82
06/29/17	80
06/30/17	88
07/01/17	61

G10 Sunset Harbor Garage**Contract**

<u>Date</u>	<u>Maximum Occupancy</u> <u>Per Day</u>
07/02/17	43
07/03/17	67
07/04/17	45
07/05/17	84
07/06/17	97
07/07/17	92
07/08/17	51
07/09/17	48
07/10/17	89
07/11/17	93
07/12/17	84
07/13/17	76
07/14/17	64
07/15/17	23
07/16/17	10
07/17/17	68
07/18/17	65
07/19/17	52
07/20/17	53
07/21/17	102
07/22/17	63
07/23/17	51
07/24/17	100
07/25/17	94
07/26/17	90
07/27/17	87
07/28/17	78
07/29/17	37
07/30/17	33
07/31/17	80

G10 Sunset Harbor Garage**Contract**

<u>Date</u>	<u>Maximum Occupancy</u> <u>Per Day</u>
08/01/17	72
08/02/17	91
08/03/17	75
08/04/17	75
08/05/17	49
08/06/17	32
08/07/17	92
08/08/17	93
08/09/17	83
08/10/17	85
08/11/17	82
08/12/17	34
08/13/17	28
08/14/17	85
08/15/17	76
08/16/17	74
08/17/17	84
08/18/17	86
08/19/17	40
08/20/17	33
08/21/17	89
08/22/17	80
08/23/17	85
08/24/17	82
08/25/17	91
08/26/17	52
08/27/17	43
08/28/17	99
08/29/17	103
08/30/17	105

G10 Sunset Harbor Garage

<u>Contract</u>	<u>Maximum Occupancy</u>
<u>Date</u>	<u>Per Day</u>
08/31/17	106
09/01/17	105
09/02/17	49
09/03/17	48
09/04/17	42
09/05/17	96
09/06/17	86
09/07/17	82
09/08/17	82
09/09/17	82
09/10/17	82
09/11/17	82
09/12/17	82
09/13/17	86
09/14/17	85
09/15/17	86
09/16/17	84
09/17/17	84
09/18/17	89
09/19/17	143
09/20/17	109
09/21/17	105
09/22/17	94
09/23/17	52
09/24/17	45
09/25/17	83
09/26/17	92
09/27/17	83
09/28/17	69
09/29/17	99

G10 Sunset Harbor Garage**Contract**

<u>Date</u>	<u>Maximum Occupancy</u> <u>Per Day</u>
09/30/17	35
10/01/17	26
10/02/17	80
10/03/17	77
10/04/17	60
10/05/17	47
10/06/17	88
10/07/17	50
10/08/17	41
10/09/17	97
10/10/17	98
10/11/17	94
10/12/17	90
10/13/17	90
10/14/17	41
10/15/17	30
10/16/17	80
10/17/17	93
10/18/17	90
10/19/17	84
10/20/17	84
10/21/17	44
10/22/17	34
10/23/17	88
10/24/17	82
10/25/17	100
10/26/17	80
10/27/17	84
10/28/17	36
10/29/17	29

G10 Sunset Harbor Garage

<i>Contract</i>	<u>Maximum Occupancy</u>
<u>Date</u>	<u>Per Day</u>
10/30/17	84
10/31/17	78
11/01/17	82
11/02/17	82
11/03/17	69
11/04/17	33
11/05/17	20
11/06/17	79
11/07/17	88
11/08/17	83
11/09/17	81
11/10/17	54
11/11/17	29
11/12/17	20
11/13/17	71
11/14/17	81
11/15/17	82
11/16/17	75
11/17/17	77
11/18/17	31
11/19/17	29
11/20/17	82
11/21/17	87
11/22/17	78
11/23/17	13
11/24/17	45
11/25/17	37
11/26/17	33
11/27/17	94
11/28/17	85

G10 Sunset Harbor Garage**Contract**

<u>Date</u>	<u>Maximum Occupancy</u> <u>Per Day</u>
11/29/17	85
11/30/17	77
12/01/17	86
12/02/17	30
12/03/17	25
12/04/17	89
12/05/17	83
12/06/17	54
12/07/17	57
12/08/17	79
12/09/17	35
12/10/17	26
12/11/17	74
12/12/17	79
12/13/17	71
12/14/17	74
12/15/17	91
12/16/17	42
12/17/17	29
12/18/17	87
12/19/17	91
12/20/17	88
12/21/17	77
12/22/17	76
12/23/17	30
12/24/17	23
12/25/17	17
12/26/17	55
12/27/17	64
12/28/17	55

G10 Sunset Harbor Garage**Contract**

<u>Date</u>	<u>Maximum Occupancy Per Day</u>
12/29/17	67
12/30/17	36
12/31/17	30
01/01/18	29
01/02/18	70
01/03/18	86
01/04/18	86
01/05/18	73
01/06/18	31
01/07/18	31
01/08/18	76
01/09/18	80
01/10/18	82
01/11/18	87
01/12/18	73
01/13/18	31
01/14/18	31
01/15/18	50
01/16/18	80
01/17/18	91
01/18/18	95
01/19/18	92
01/20/18	35
01/21/18	34
01/22/18	89

Short-Term

<u>Date</u>	<u>Maximum Occupancy Per Day</u>
06/02/17	155
06/03/17	191

G10 Sunset Harbor Garage**Short-Term**

<u>Date</u>	<u>Maximum Occupancy</u> <u>Per Day</u>
06/04/17	159
06/05/17	150
06/06/17	160
06/07/17	168
06/08/17	179
06/09/17	173
06/10/17	186
06/11/17	165
06/12/17	170
06/13/17	160
06/14/17	153
06/15/17	161
06/16/17	178
06/17/17	208
06/18/17	174
06/19/17	163
06/20/17	188
06/21/17	181
06/22/17	191
06/23/17	141
06/24/17	161
06/25/17	165
06/26/17	124
06/27/17	149
06/28/17	155
06/29/17	144
06/30/17	164
07/01/17	181
07/02/17	166
07/03/17	158

G10 Sunset Harbor Garage**Short-Term**

<u>Date</u>	<u>Maximum Occupancy</u> <u>Per Day</u>
07/04/17	162
07/05/17	144
07/06/17	192
07/07/17	170
07/08/17	225
07/09/17	210
07/10/17	182
07/11/17	197
07/12/17	203
07/13/17	259
07/14/17	238
07/15/17	229
07/16/17	228
07/17/17	190
07/18/17	228
07/19/17	230
07/20/17	218
07/21/17	190
07/22/17	205
07/23/17	195
07/24/17	170
07/25/17	191
07/26/17	193
07/27/17	191
07/28/17	193
07/29/17	215
07/30/17	185
07/31/17	194
08/01/17	188
08/02/17	186

G10 Sunset Harbor Garage**Short-Term**

<u>Date</u>	<u>Maximum Occupancy</u> <u>Per Day</u>
08/03/17	240
08/04/17	182
08/05/17	191
08/06/17	169
08/07/17	185
08/08/17	173
08/09/17	198
08/10/17	207
08/11/17	207
08/12/17	216
08/13/17	191
08/14/17	179
08/15/17	192
08/16/17	204
08/17/17	198
08/18/17	199
08/19/17	212
08/20/17	194
08/21/17	179
08/22/17	211
08/23/17	204
08/24/17	218
08/25/17	188
08/26/17	215
08/27/17	187
08/28/17	151
08/29/17	168
08/30/17	181
08/31/17	199
09/01/17	182

G10 Sunset Harbor Garage**Short-Term**

<u>Date</u>	<u>Maximum Occupancy</u> <u>Per Day</u>
09/02/17	202
09/03/17	153
09/04/17	175
09/05/17	169
09/06/17	204
09/07/17	204
09/08/17	204
09/09/17	204
09/10/17	204
09/11/17	204
09/12/17	204
09/13/17	244
09/14/17	218
09/15/17	222
09/16/17	199
09/17/17	180
09/18/17	170
09/19/17	122
09/20/17	162
09/21/17	190
09/22/17	188
09/23/17	236
09/24/17	209
09/25/17	189
09/26/17	252
09/27/17	216
09/28/17	207
09/29/17	223
09/30/17	221
10/01/17	223

G10 Sunset Harbor Garage**Short-Term**

<u>Date</u>	<u>Maximum Occupancy</u> <u>Per Day</u>
10/02/17	219
10/03/17	266
10/04/17	226
10/05/17	223
10/06/17	189
10/07/17	208
10/08/17	182
10/09/17	186
10/10/17	185
10/11/17	192
10/12/17	227
10/13/17	213
10/14/17	227
10/15/17	247
10/16/17	177
10/17/17	233
10/18/17	189
10/19/17	213
10/20/17	201
10/21/17	201
10/22/17	185
10/23/17	182
10/24/17	205
10/25/17	186
10/26/17	181
10/27/17	199
10/28/17	209
10/29/17	190
10/30/17	194
10/31/17	172

G10 Sunset Harbor Garage**Short-Term**

<u>Date</u>	<u>Maximum Occupancy</u> <u>Per Day</u>
11/01/17	196
11/02/17	206
11/03/17	218
11/04/17	228
11/05/17	230
11/06/17	196
11/07/17	222
11/08/17	226
11/09/17	240
11/10/17	224
11/11/17	223
11/12/17	203
11/13/17	196
11/14/17	202
11/15/17	191
11/16/17	220
11/17/17	199
11/18/17	208
11/19/17	211
11/20/17	181
11/21/17	216
11/22/17	182
11/23/17	152
11/24/17	176
11/25/17	187
11/26/17	180
11/27/17	176
11/28/17	196
11/29/17	177
11/30/17	198

G10 Sunset Harbor Garage**Short-Term**

<u>Date</u>	<u>Maximum Occupancy</u> <u>Per Day</u>
12/01/17	193
12/02/17	223
12/03/17	198
12/04/17	177
12/05/17	201
12/06/17	205
12/07/17	220
12/08/17	213
12/09/17	229
12/10/17	218
12/11/17	197
12/12/17	201
12/13/17	181
12/14/17	140
12/15/17	186
12/16/17	208
12/17/17	178
12/18/17	176
12/19/17	204
12/20/17	217
12/21/17	215
12/22/17	210
12/23/17	205
12/24/17	190
12/25/17	135
12/26/17	189
12/27/17	223
12/28/17	226
12/29/17	211
12/30/17	221

G10 Sunset Harbor Garage

Short-Term

<u>Date</u>	<u>Maximum Occupancy</u> <u>Per Day</u>
12/31/17	243
01/01/18	193
01/02/18	220
01/03/18	221
01/04/18	258
01/05/18	225
01/06/18	236
01/07/18	221
01/08/18	214
01/09/18	212
01/10/18	198
01/11/18	201
01/12/18	217
01/13/18	244
01/14/18	225
01/15/18	236
01/16/18	207
01/17/18	214
01/18/18	238
01/19/18	229
01/20/18	242
01/21/18	249
01/22/18	224

Total

<u>Date</u>	<u>Maximum Occupancy</u> <u>Per Day</u>
06/02/17	230
06/03/17	237
06/04/17	191
06/05/17	207

G10 Sunset Harbor Garage

<i>Total</i>	
<u>Date</u>	<u>Maximum Occupancy</u> <u>Per Day</u>
06/06/17	216
06/07/17	222
06/08/17	232
06/09/17	239
06/10/17	228
06/11/17	192
06/12/17	235
06/13/17	210
06/14/17	222
06/15/17	210
06/16/17	248
06/17/17	247
06/18/17	201
06/19/17	220
06/20/17	219
06/21/17	219
06/22/17	217
06/23/17	213
06/24/17	207
06/25/17	202
06/26/17	180
06/27/17	201
06/28/17	203
06/29/17	208
06/30/17	235
07/01/17	242
07/02/17	208
07/03/17	209
07/04/17	203
07/05/17	200

G10 Sunset Harbor Garage

<i>Total</i>	
<u>Date</u>	<u>Maximum Occupancy</u> <u>Per Day</u>
07/06/17	242
07/07/17	251
07/08/17	274
07/09/17	258
07/10/17	258
07/11/17	253
07/12/17	249
07/13/17	275
07/14/17	292
07/15/17	247
07/16/17	237
07/17/17	241
07/18/17	252
07/19/17	251
07/20/17	264
07/21/17	292
07/22/17	261
07/23/17	246
07/24/17	256
07/25/17	260
07/26/17	251
07/27/17	274
07/28/17	267
07/29/17	245
07/30/17	216
07/31/17	241
08/01/17	250
08/02/17	260
08/03/17	274
08/04/17	253

G10 Sunset Harbor Garage

<i>Total</i>	
<u>Date</u>	<u>Maximum Occupancy</u> <u>Per Day</u>
08/05/17	236
08/06/17	200
08/07/17	239
08/08/17	225
08/09/17	235
08/10/17	240
08/11/17	253
08/12/17	242
08/13/17	218
08/14/17	238
08/15/17	236
08/16/17	251
08/17/17	264
08/18/17	248
08/19/17	246
08/20/17	226
08/21/17	248
08/22/17	259
08/23/17	286
08/24/17	267
08/25/17	269
08/26/17	267
08/27/17	226
08/28/17	247
08/29/17	264
08/30/17	278
08/31/17	267
09/01/17	262
09/02/17	251
09/03/17	199

G10 Sunset Harbor Garage

<i>Total</i>	
<u>Date</u>	<u>Maximum Occupancy</u> <u>Per Day</u>
09/04/17	212
09/05/17	234
09/06/17	288
09/07/17	286
09/08/17	286
09/09/17	286
09/10/17	286
09/11/17	286
09/12/17	286
09/13/17	330
09/14/17	303
09/15/17	304
09/16/17	283
09/17/17	264
09/18/17	258
09/19/17	256
09/20/17	251
09/21/17	254
09/22/17	270
09/23/17	281
09/24/17	253
09/25/17	246
09/26/17	271
09/27/17	258
09/28/17	260
09/29/17	270
09/30/17	250
10/01/17	245
10/02/17	249
10/03/17	276

G10 Sunset Harbor Garage

<i>Total</i>	
<u>Date</u>	<u>Maximum Occupancy</u> <u>Per Day</u>
10/04/17	270
10/05/17	258
10/06/17	243
10/07/17	256
10/08/17	220
10/09/17	265
10/10/17	246
10/11/17	249
10/12/17	259
10/13/17	269
10/14/17	265
10/15/17	275
10/16/17	234
10/17/17	290
10/18/17	245
10/19/17	252
10/20/17	266
10/21/17	237
10/22/17	216
10/23/17	243
10/24/17	254
10/25/17	267
10/26/17	250
10/27/17	270
10/28/17	245
10/29/17	218
10/30/17	237
10/31/17	248
11/01/17	243
11/02/17	276

G10 Sunset Harbor Garage

<i>Total</i>	
<u>Date</u>	<u>Maximum Occupancy</u> <u>Per Day</u>
11/03/17	265
11/04/17	253
11/05/17	249
11/06/17	263
11/07/17	293
11/08/17	276
11/09/17	292
11/10/17	271
11/11/17	246
11/12/17	222
11/13/17	246
11/14/17	260
11/15/17	265
11/16/17	267
11/17/17	248
11/18/17	235
11/19/17	237
11/20/17	239
11/21/17	268
11/22/17	240
11/23/17	165
11/24/17	202
11/25/17	216
11/26/17	210
11/27/17	260
11/28/17	271
11/29/17	243
11/30/17	267
12/01/17	270
12/02/17	251

G10 Sunset Harbor Garage

<i>Total</i>	
<u>Date</u>	<u>Maximum Occupancy</u> <u>Per Day</u>
12/03/17	223
12/04/17	261
12/05/17	284
12/06/17	256
12/07/17	263
12/08/17	286
12/09/17	261
12/10/17	234
12/11/17	257
12/12/17	271
12/13/17	251
12/14/17	204
12/15/17	274
12/16/17	250
12/17/17	206
12/18/17	262
12/19/17	286
12/20/17	254
12/21/17	271
12/22/17	283
12/23/17	231
12/24/17	209
12/25/17	144
12/26/17	218
12/27/17	247
12/28/17	261
12/29/17	258
12/30/17	253
12/31/17	273
01/01/18	218

G10 Sunset Harbor Garage

<i>Total</i>	
<u>Date</u>	<u>Maximum Occupancy</u> <u>Per Day</u>
01/02/18	253
01/03/18	266
01/04/18	289
01/05/18	266
01/06/18	263
01/07/18	249
01/08/18	255
01/09/18	272
01/10/18	258
01/11/18	280
01/12/18	282
01/13/18	272
01/14/18	255
01/15/18	273
01/16/18	274
01/17/18	284
01/18/18	294
01/19/18	320
01/20/18	273
01/21/18	280
01/22/18	251

Maximum Occupancy Reached Overall: 330

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 13, 2018

SUBJECT: **DISCUSSION REGARDING CABLERUNNER AND ITS TECHNOLOGY**

ANALYSIS:

Multinet Cablerunner LLC (Cablerunner), is a company that specializes in building fiber optic networks without trenching by using existing infrastructure like sewer systems or storm water drains to install fiber networks, allowing for faster installation of fiber networks with competitive cost advantages compared to conventional deployment systems.

At the February 14, 2018 meeting, the City Commission approved a referral to the Finance and Citywide Projects Committee to discuss Cablerunner and its technology. Additionally, to have City staff carry out a comprehensive assessment of its technology and its implementation in the City of Miami Beach, specifically.

CONCLUSION:

The following is presented to the members of the Committee for discussion and further direction.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 13, 2018

SUBJECT: **DISCUSSION REGARDING A MID-YEAR BUDGET AMENDMENT FOR THE UPCOMING INTERNATIONAL TENNIS FEDERATION (ITF) TOURNAMENT TAKING PLACE AT THE NORTH SHORE PARK TENNIS CENTER**

HISTORY:

At the March 7, 2018 Commission Meeting, a discussion item regarding a mid-year budget amendment for the upcoming International Tennis Federation (ITF) tournament taking place at the North Shore Park Tennis Center was referred to the Finance and Citywide Projects Committee ("FCWP").

ANALYSIS:

The International Tennis Federation (ITF) is scheduled to host an international tennis tournament in the City of Miami Beach in October/November 2018. The event will take place at both North Shore Park Tennis Center and Flamingo Park Tennis Center. The planned restroom project at North Shore Park will not be completed in time for this event. In order to provide the requested restroom facilities requested the Parks and Recreation Department will rent a restroom trailer with porter service. Although the event takes place next fiscal year the department must open a purchase order and reserve the unit months in advance. This is an unbudgeted item and is in need of a budget amendment to provide the necessary funds to procure.

Item	Budget
Restroom Trailer with Porter Service (ITF)	\$24,000
Total Budget Request	\$24,000

CONCLUSION:

Discussion and direction on a mid-year budget amendment for the upcoming International Tennis Federation (ITF) Tournament taking place at the North Shore Park Tennis Center.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 13, 2018

SUBJECT: **DISCUSSION TO REVIEW STATUS, ISSUES, AND PLANS RELATED TO THE INDIAN CREEK DRIVE FLOODING MITIGATION**

HISTORY:

The purpose of this memo is to provide an update on the Indian Creek Drive Flooding Mitigation Project.

On September 30, 2016, the City of Miami Beach in partnership with the Florida Department of Transportation (FDOT) entered into a Department Funded Agreement (DFA) to perform drainage improvements and raise Indian Creek Drive 26th Street to 41st Street for an estimated total project amount of \$25.5 Million with FDOT participation of \$20 Million and City \$5.5 Million.

The project was broken down into two phases: Phase 1, which is currently underway, includes the construction of the major storm water system along Indian Creek Drive between 25th Street and 32nd Street. It also includes a portion of the road reconstruction related to the drainage. Phase 2, which is in the process of being procured as a lowest competitive bid project, will include the remainder of the drainage system not constructed in Phase 1 and the complete road reconstruction.

ANALYSIS:

Status:

Phase 1: construction is anticipated to end by the second week of April 2018.

Phase 2: Final plans are in the process of being finalized and approved by FDOT. Advertisement to procure a contractor will follow and the anticipated award for Phase 2 will be in September 2018. Construction will start after notice to proceed is issued sometime in October 2018.

Seawall Construction: The seawall replacement along Indian Creek has its own separate phasing from the Indian Creek drainage and roadway phasing. Approximately 2,700 feet of seawall has been constructed. Portions of the constructed seawall are under review by permitting agencies. On December 18, 2017, representatives from the City of Miami Beach, Miami-Dade County, the South Florida Water Management District, the U.S. Army Corps of Engineers, and Shoreline Foundation Inc. participated in an interagency field meeting to review the Indian Creek Drive Seawall Replacement project. At the meeting, the representatives walked the work area, reviewed the activities, and identified activities that require corrective action. The City has already taken several corrective actions and is actively working with all three agencies to determine if any additional non-compliance items exist, as well as a path forward for bringing the project fully into compliance.

Easement and Quit Claim Deed Acquisitions: The City is currently working on the Quit Claim Deed and

easement acquisitions of privately owned lots located along the west side of Indian Creek from 25th street to 41st street. There is a total of 25 properties. We acquired easements or quit claim deeds for 17 properties. The City is currently finalizing easements for 4 properties and the remainder 4 properties the City is considering the use a special assessment district to allow construction of the seawall.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 13, 2018

SUBJECT: **DISCUSSION REGARDING THE GARAGE RATE INCREASES APPROVED IN 2015**

HISTORY:

On September 30, 2015, the City Commission approved Ordinance No. 2015-3966 amending several parking rates (see attached).

ANALYSIS:

Below are the rates currently in effect.

Parking Meter Rates

- South Beach Parking Zone
on-street rates \$4.00 hourly
off-street rates \$2.00 hourly
- East Middle Beach Parking Zone
on-street rates \$3.00 hourly
off-street rates \$2.00 hourly
- West Middle Beach Parking Zone
on-street rates \$1.00 hourly
off-street rates \$1.00 hourly
- North Beach Parking Zone
on-street rates \$1.00 hourly
off-street rates \$1.00 hourly

It is important to note that the hourly parking meter rate increases did not apply to Miami Beach residents. Miami Beach residents enjoy a reduced hourly parking meter rate of \$1.00/hour citywide, through Parkmobile (payment mobile application).

Metered Parking Space Rentals

- Valet ramp space rental \$31.50 per day
- Construction space rental \$25.00 per day
- Special Event space rental \$25.00 per day
- Film/Print space rental \$10.00 per day

Residential Parking Virtual Visitor Permits

- \$3.00 per day

However, the approved rate increases at the garages has not taken effect since we did not yet have a mechanism to provide the discounted rate for residents.

We have now completed the transition of the gated parking equipment (SkiData) in nine (9) of ten (10) garages which includes payment acceptance via Parkmobile (mobile app). Therefore, we can now extend the resident parking rate discount currently available at metered parking at our garages as well.

The remaining facility to transition is the 5th & Alton Garage where parking rates are governed by the developer pursuant to the development agreement and therefore not governed by city ordinance.

CONCLUSION:

In summary, the approved increase to the garage rates would increase the first four (4) hours from \$1/hour to \$2/hour, which is the current rate at our parking lots.

The increase to garage parking rates is recommended due to the following:

1. Parking garage hourly rates should be consistent with the metered parking lot rate of \$2.00 per hour to achieve parity for all off-street parking facilities and this increase would achieve parity.
2. Parking utilization and related revenues are trending down. The garage hourly rate increase is projected to increase revenues by \$2,670,000 which would offset this down trend.
3. There are several initiatives funded by the Parking Enterprise Fund, including: transfer to the Transportation Department to fund trolley operations; and transfer to the general fund to offset a millage increase.

We are ready to proceed with the rate increase and are seeking direction as to effective date.

ATTACHMENTS:

Description	Type
□ Ordinance No. 2015-3966	Ordinance

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 106, ENTITLED "TRAFFIC AND VEHICLES," BY AMENDING ARTICLE II, ENTITLED "METERED PARKING," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 106-55, ENTITLED "PARKING RATES, FEES, AND PENALTIES;" BY AMENDING PARKING METER RATES AND TIME LIMITS; MUNICIPAL PARKING GARAGE AND PREFERRED PARKING LOT RATES AND PENALTIES; REGULATIONS REGARDING A FACILITY SPECIFIC MONTHLY PARKING PERMIT PROGRAM, RESERVED/RESTRICTED COMMERCIAL ON-STREET PERMIT PARKING, AND VALET STORAGE SPACES; AND AMENDING THE REGULATIONS AND FEES FOR METERED PARKING SPACE RENTAL AND PARKING SPACE REMOVAL; AMENDING THE REGULATIONS REGARDING THE RESIDENTIAL PARKING PROGRAM; AMENDING THE EXCEPTIONS TO SECTION 106-55 TO PROVIDE FOR A MOBILE PHONE PAYMENT SERVICE AND ELIMINATING THE SMART CARD PROGRAM; AND ESTABLISHING A RESIDENTIAL PARKING VISITOR PERMIT; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, parking meter rates are established by Ordinance by the Mayor and City Commission and as an enterprise fund; and

WHEREAS, the City's Parking System needs to keep pace with escalating costs in order to: (1) operate the system efficiently and maintain service levels, and (2) fund capital projects including enhancements and expansion of the Parking System; and

WHEREAS, the Mayor and City Commission have identified traffic congestion throughout the City as a priority issue and various initiatives are underway, including: (1) an Intelligent Transportation System (ITS), a Parking Management System (PMS), and a Light Rail and trolley/bus network; and (2) systems to modify parking behavior by managing parking demand through parking fees and other financial incentives; and

WHEREAS, excess revenues that remain in the Parking Fund at the end of the fiscal year can be utilized for any legal purpose, including transportation related initiatives; and

WHEREAS, the proposed parking rate increases in the various categories contained herein will: (1) fund transportation related initiatives and (2) modify parking behavior supply and demand and related financial incentives; and

WHEREAS, the Mayor and City Commission wish to continue to allow Miami Beach residents to receive a discounted hourly parking rate of \$1.00 at metered parking spaces

and parking garage spaces, via the City's pay by mobile phone program.

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

SECTION 1. That Chapter 106, "Traffic and Vehicles," Article II, "Metered Parking," Division 1, "Generally," Section 106-55, "Parking Rate Fees, and Penalties," of the Code of the City of Miami Beach, Florida, is hereby amended as follows and additional sections that are not amended are provided for reference purposes:

CHAPTER 106

TRAFFIC AND VEHICLES

* * *

Article II. Metered Parking

Division I. Generally

* * *

Sec. 106-55. Parking rates, fees, and penalties; exceptions.

(a) Parking meter rates and time limits.

- (1) South Beach Parking Zone: All metered parking south of 23rd Street (Dade Boulevard), from Ocean Drive to the westernmost parking lane of Alton Road, between South Pointe Park and 17th Street; and from 17th Street to 21st Street (Sunset Harbour Drive) from Alton Road to the westernmost parking areas along Purdy Avenue and to Biscayne Bay shall be at the rate of ~~\$1.50 per hour effective October 1, 2010,~~ and ~~\$1.75~~ \$3.00 \$4.00 per hour for on-street and \$2.00 per hour for off-street effective ~~October 1, 2011~~ October 10, 2015. All metered parking in the South Beach Parking Zone shall be enforced from 9:00 a.m. until 3:00 a.m., seven days per week.
- (2) East Middle Beach Zone: All metered parking from 23rd Street to 44th Street; and from Collins Avenue to Indian Creek, shall be at the rate of \$3.00 per hour for on-street and \$2.00 per hour off-street. All metered parking in this area shall be enforced from 9:00 a.m. until 3:00 a.m., seven days per week, effective October 10, 2015.

- (3) West Middle Beach Zone: All metered parking north of 23rd Street and south of 63rd Street; with the exception of the areas referenced in Sec. 106-55 (a)(2) entitled "East Middle Beach Zone"; shall be at the rate of \$1.00 per hour for off-street and on-street metered parking in the commercial corridors of 41st Street, 71st Street and Normandy Drive. All metered parking north of 23rd Street shall be enforced from 8:00 a.m. until 6:00 p.m., seven days per week.
- (4) North Beach Zone: All metered parking north of 63rd Street shall be at the rate of \$1.00 per hour for off-street and on-street metered parking. All metered parking shall be enforced from 8:00 a.m. until 6:00 p.m., seven days per week.

(b) *Municipal parking garage and Preferred Parking Lot rates and penalties.*

- (1) *7th Street Garage:*
- a. Transient rates: \$2.00 per hour and any portion thereof up to 4 hours; \$1.00 per hour or any portion thereof from the 4th hour up to 15 hours, and a maximum daily rate of \$20.00 for any time exceeding 15 hours up to 24 hours (applicable sales tax is included in the hourly and maximum rate).
 - b. Lost ticket charge: Parkers who cannot produce a parking entry ticket will be charged the maximum daily rate of \$20.00.
 - c. Monthly parking: ~~\$75.00~~ \$100.00 per month, per permit, plus applicable sales tax.
 - d. Weekend/event flat rate: \$15.00 per vehicle Friday, Saturday and Sunday from 8:00 p.m. to 5:00 a.m.
- (2) *12th Street Garage:*
- a. Transient rates: \$2.00 per hour and any portion thereof up to 4 hours; \$1.00 per hour or any portion thereof from the 4th hour up to 15 hours, and a maximum daily rate of \$20.00 for any time exceeding 15 hours up to 24 hours (applicable sales tax is included in the hourly and maximum rate).
 - b. Lost ticket charge: Parkers who cannot produce a parking entry ticket will be charged the maximum daily rate of \$20.00.
 - c. Monthly parking: ~~\$70.00~~ \$100.00 per month, per permit, plus applicable sales tax.
 - d. Weekend/event flat rate: \$15.00 per vehicle Friday, Saturday and Sunday from 8:00 p.m. to 5:00 a.m.
- (3) *13th Street Garage:*
- a. Transient rates: \$2.00 per hour and any portion thereof up to 4 hours; \$1.00 per hour or any portion thereof from the 4th hour up to 15 hours; and a maximum daily rate of \$20.00 for any

time exceeding 15 hours up to 24 hours (applicable sales tax is included in the hourly and maximum rate).

- b. Lost ticket charge: Parkers who cannot produce a parking entry ticket will be charged the maximum daily rate of \$20.00.
- c. Monthly parking: ~~\$70.00~~ \$100.00 per month, per permit, plus applicable sales tax.
- d. Weekend/event flat rate: \$15.00 per vehicle Friday, Saturday and Sunday from 8:00 p.m. to 5:00 a.m.

(4) 16th Street Garage:

a. Transient Rate:

0 to 1	\$2.00
1 to 2	4.00
2 to 3	6.00
3 to 6	10.00
6 to 24	20.00

- b. Lost ticket charge: Parkers who cannot produce a parking entry ticket will be charged the maximum daily rate of \$20.00.
- c. Monthly parking: \$100.00 per month, per permit, plus applicable sales tax.
- d. Weekend/event flat rate: \$15.00 per vehicle Friday, Saturday and Sunday from 8:00 p.m. to 5:00 a.m.

(5) 17th Street Garage:

a. Transient rates:

0—1 hour	\$1.00	<u>\$2.00</u>
1—2 hours	2.00	<u>4.00</u>
2—3 hours	3.00	<u>6.00</u>
3—4 hours	4.00	<u>8.00</u>
4—5 hours	5.00	<u>9.00</u>
5—6 hours	6.00	<u>10.00</u>
6—7 hours	8.00	<u>11.00</u>
7—8 hours	10.00	<u>12.00</u>
8—15 hours		15.00
15—24 hours		20.00

- b. Lost ticket charge: Parkers who cannot produce a parking entry ticket will be charged the maximum daily rate of \$20.00.
- c. Monthly parking: ~~\$70.00~~ \$100.00 per month, per permit, plus applicable sales tax.
- d. Event flat rate: \$15.00 per vehicle.
- e. Employee Value Coupon-Lincoln Road (EVC-LR): \$8.00 daily (17th Street Garage only).

(6) City Hall Garage

a. Transient rates:

0—1 hour	<u>\$2.00</u>
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1—2 hours	4.00
2—3 hours	6.00
3—4 hours	8.00
4—5 hours	9.00
5—6 hours	10.00
6—7 hours	11.00
7—8 hours	12.00
8—15 hours	15.00
15—24 hours	20.00

- b. Lost ticket charge: Parkers who cannot produce a parking entry ticket will be charged the maximum daily rate of \$20.00.
- c. Monthly parking: \$100.00 per month, per permit, plus applicable sales tax.
- d. Event flat rate: \$15.00 per vehicle.

(7) Pennsylvania Avenue Garage:

a. Transient rates:	
0—1 hour	\$2.00
1—2 hours	4.00
2—3 hours	6.00
3—4 hours	8.00
4—5 hours	9.00
5—6 hours	10.00
6—7 hours	11.00
7—8 hours	12.00
8—15 hours	15.00
15—24 hours	20.00

- b. Lost ticket charge: Parkers who cannot produce a parking entry ticket will be charged the maximum daily rate of \$20.00.
- c. Monthly parking: \$100.00 per month, per permit, plus applicable sales tax.
- d. Event flat rate: \$15.00 per vehicle.

(8) Sunset Harbor Garage:

a. Transient rates:	
0—1 hour	\$2.00
1—2 hours	4.00
2—3 hours	6.00
3—4 hours	8.00
4—5 hours	9.00
5—6 hours	10.00
6—7 hours	11.00
7—8 hours	12.00
8—15 hours	15.00
15—24 hours	20.00

- b. Lost ticket charge: Parkers who cannot produce a parking entry ticket will be charged the maximum daily rate of \$20.00.
- c. Monthly parking: \$100.00 per month, per permit, plus applicable sales tax.
- d. Event flat rate: \$15.00 per vehicle.

(9) *42nd Street Garage:*

- a. Transient rates: \$1.00 per hour or any portion thereof up to eight hours; with an \$8.00 maximum per 24-hour period (applicable sales tax is included in the hourly and maximum rate).
- b. Lost ticket charge: Parkers who cannot produce a parking entry ticket will be charged the maximum daily rate of \$8.00.
- c. Monthly parking: \$70.00 per month, per permit, plus applicable sales tax.

~~(6)~~(10) Preferred Parking Lot (18th Street and Meridian Avenue):

- a. Fifteen dollars flat rate per vehicle.
- b. For food and beverage social events at the Miami Beach Convention Center (MBCC), \$10.00 flat rate per vehicle. Food and beverage social events at MBCC shall meet the following criteria:
 - 1. Be booked solely as a food and beverage function to include, but not be limited to, at least one of the following:
 - i. Breakfast;
 - ii. Lunch/brunch;
 - iii. Dinner; and/or
 - iv. Reception.
 - 2. Excludes exhibits; separate meetings held outside of the primary location; and cannot be associated with a convention, trade show, public show, and/or corporate meeting.
 - 3. Produce (at the client's sole expense) an approved parking coupon that is sent either by the food and beverage concessionaire or the MBCC management company, via mail, to all confirmed attendees prior to the day of the event. A copy must be presented to the city's parking department for approval within five business days of a fully executed agreement for the event.
 - 4. MBCC in-house food and beverage concessionaire must provide, in writing, to the city's parking department, within five business days of an executed agreement for the event, the following information:
 - i. Name of event;

- ii. Date of event;
 - iii. Approximate attendance;
 - iv. MBCC food and beverage contract information;
and
 - v. Client's name and mobile telephone number.
5. The approved coupon can only be used the day of the event. The coupon can only be used in the Preferred Parking Lot. Only the original coupon (not a copy) will be presented and accepted by the parking lot attendant. If these rules are not followed, the guest will pay the full parking rate.
 6. Coupons must include the date of the event, the name of the event, and be sequentially numbered.

(c) Facility specific monthly parking permit program.

- (1) Facility specific monthly parking is available on a first-come first-served, space available basis.
 - a. Municipal parking lots: Facility specific monthly parking in surface lots is available on a first-come first-served, space available basis. The monthly permit rate is \$70.00, plus applicable sales tax, and is issued by the parking department's permit liaison at the offices of the parking department. All monthly parkers are required to renew their monthly parking in advance, no later than the 5th of each month. If payment is not received by the 5th of the month, then the permit is rendered invalid. Monthly facility specific permit parking can be purchased for up to 3 12 months at a time. At no time shall such permit parking be sold for a period of greater than 3 12 months, unless by action of the mayor and city commission.
 - b. Municipal parking garages: Facility specific monthly parking in municipal parking garages available on a first-come first-served, space available basis. Permits are issued by the parking department's permit liaison at the offices of the parking department. There is a \$10.00 deposit required for each access card (permit) issued. Lost access cards will be replaced at a fee of \$25.00 per access card. All monthly parkers are required to renew their monthly parking in advance, no later than the 25th of each month. If payment is not received by the 25th of the month, then the access card (permit) is electronically rendered invalid. Monthly facility specific permit parking can be purchased for up to 3 12 months at a time. At no time shall such permit parking be sold for a period of greater than 3 12 months, unless by action of the mayor and city commission.

- c. On-street areas: Area specific on-street monthly parking is available on a first-come first-served, space available basis. Permits are issued by the parking department's permit liaison at the offices of the parking department. The parking director shall oversee and develop these special on-street monthly permit areas as deemed necessary, where off-street parking facilities are not available to accommodate monthly parkers. All monthly parkers are required to renew and pay for their monthly parking in advance, no later than the 25th of each month. If payment is not received by the 25th of the month, then the permit is rendered invalid. Monthly on-street area specific permit parking can be purchased for up to 3 12 months at a time. At no time shall such permit parking be sold for a period of greater than 3 12 months, unless by action of the mayor and city commission.

(d) *Special realtor permits.* Parking placard permits are available to realtors licensed in the city, at a rate of \$5.00 per permit placard, per month, plus applicable sales tax. Placards may be purchased by realtors presenting a real estate license with a city address. This special realtor permit allows Miami Beach realtors to park in restricted residential zones throughout the city, during the days and hours of restriction for a maximum of two hours per location. The placard permit is not valid at parking meters (on-street or off-street) and is not valid at any attended municipal parking lot or municipal parking garage.

(e) *Reserved/restricted commercial on-street permit parking.* Reserved/restricted commercial on-street permit parking is permitted for the production industry only. Requests for said areas are handled by the parking director on a case by case, space available basis. No reserved/restricted on-street permit area shall be created from a metered parking space. Said reserved/restricted on-street permit parking shall be installed to accommodate broadcast/satellite and production vehicles. The monthly fee for the reserved/restricted on-street spaces are calculated as follows: \$75.00 per linear 20 feet of reserved space, per month; payable on a quarterly basis only. Reserved/restricted commercial on-street permit parking permittees are required to renew their parking permit quarterly in advance, no later than the 25th of the month preceding the next quarterly billing period. If payment is not received, then the permit and restricted area is rendered invalid. Permit parking may be purchased for up to 3 12 months at a time. At no time shall such permit parking be sold for a period of greater than 3 12 months unless by action of the mayor and city commission. Signage shall be paid by the permittee at the rate of \$30.00 per sign installed. Replacement signs shall be installed at the same rate.

(f) *Valet storage spaces.* The city may provide on an as-needed basis, the ability for a valet service company to rent public parking spaces to accommodate valet parking storage for special events. The parking director shall weigh the impact of each request on the parking area and its users, and shall determine both the ability to lease spaces, and the number of spaces that may be leased for the special event. The fee per space is ~~\$14.00~~ \$46.75 \$31.50 per day, payable in advance at least 48 hours or two (2) business days,

whichever is greater in advance. The daily rate includes applicable sales tax. No additional public parking space rentals for valet storage shall be allowed unless by action of the mayor and city commission.

(g) Metered parking space rentals.

- (1) Administrative fees: The parking department shall charge an administrative service fee for all space rental requests. The fee schedule is as follows:
 - a. \$20.00 administrative fee assessed for any space rental of five spaces or less.
 - b. \$25.00 administrative fee assessed for any space rental of from six to 10 spaces.
 - c. \$30.00 administrative fee assessed for any space rental of 11 spaces or more.
- (2) Valet ramp space rentals: The city may provide on an as-needed basis, the ability for a valet service company to rent public parking spaces for the purpose of creating a valet ramp for the expeditious unloading and loading of passengers. The parking director shall determine the number and location of said spaces, and will provide, if possible, spaces adjacent to the business served by the valet service. A copy the valet occupational license for the location to be served, a notarized letter of authorization from the business owner and a certificate of insurance covering the valet service location must be presented to the parking department when submitting for the first space rental request. Effective October 10, 2015, the fee per space is \$17.00 ~~\$46.75~~ \$25.00 per day; effective April 10, 2016, the fee per space is \$31.50 per day, payable two weeks in advance for regular users, and at least 48 hours or two (2) business days, whichever is greater, in advance for special events. Rented spaces shall state, "No Parking/Tow Away" and shall be strictly enforced.
- (3) Construction space rentals: Space rentals for construction purposes shall only be restricted between the hours of 6:00 a.m. and 6:00 p.m., Monday through Friday. Space rental shall end on Friday evenings at 6:00 p.m. to allow for additional parking opportunities for the public on the weekends. Construction space rentals shall state, "No Parking 6am-6pm/Tow Away." A copy of a valid, city issued building permit must accompany each application for space rental. The fee per space is ~~\$5.00 ~~\$46.75~~ \$25.00~~ per day. Rentals associated with construction projects with valid city issued building permits on or before September 30, 2015 shall be \$5.00 per day for the first five spaces, and \$10.00 per day for each additional space in excess of five spaces through and including April 10, 2016; effective April 11, 2016, the fee per space rental shall be \$25.00, for the first five spaces, and \$10.00 per

per day for each additional space over five. If the construction needs include the weekend, then space rental shall remain; however, the charge for the weekend spaces shall be \$10.00 per space per day, no matter the number of rented spaces. Only essential vehicles shall be parked at rented spaces. No construction crew parking is allowed at spaces rented for construction. Construction rented spaces are payable two weeks in advance. If the rental is to be greater than a two-week period; then payment shall be due one month in advance. Construction rented spaces can be purchased for up to 3 12 months at a time. At no time shall such permit parking be sold for a period of greater than 3 12 months unless by action of the mayor and city commission.

- (4) Production and film space rental: The city may provide on an as-needed basis, rented spaces to accommodate production and film needs. A copy of a valid, city issued production/film permit must accompany each application for space rental. The fee per space is \$10.00 per day, payable in advance at least 48 hours or two (2) business days, whichever is greater in advance. Only essential vehicles shall be allowed to park at rented spaces, arrangements for crew parking on a first-come, first-served basis can be arranged with the parking department. Rented spaces for production and film use shall state, "No Parking/Tow Away," and shall be strictly enforced.
- (5) Special events space rental: The city may provide on an as-needed basis, parking space rental to accommodate special events. A copy of a valid, city-issued special event permit must accompany each application for space rental. The fee per space is ~~\$10.00~~ \$46.75 \$25.00 per day, payable in advance at least 48 hours or two (2) business days, whichever is greater in advance. The fee per space for non-for-profit organizations is \$10 per day, payable in advance at least 48 hours or two (2) business days, whichever is greater. Rentals associated with special events applications received on or before September 30, 2015 shall be at \$10 through and including April 10, 2016; effective April 11, 2016, the fee per space rental shall be \$25.00. Only essential vehicles shall be allowed to park at rented spaces arrangements for event staff parking on a first-come, first-served basis can be arranged with the parking department. Rented spaces shall state, "No Parking/Tow Away", and shall be strictly enforced.

(h) *Parking space removal.*

- (1) Temporary parking meter removal: The city may provide for the temporary removal of parking meters to accommodate construction and other limited needs. The fee for the removal of any post shall be

\$50.00 per space. The cost for reinstallation of the post shall be \$50.00 per space. Space removal and replacement shall be paid to the parking department in advance at a rate of \$100.00 per space. Additionally, the applicable bagged space rental rate shall be assessed on a per space, per day basis, payable in advance, until such time as the parking post is reinstalled.

- (2) Private requests for permanent parking space or loading zone removal prohibited: Private requests for permanent parking space or loading zone removal shall only be allowed for the purpose of creating access to an off-street parking facility or other vehicular access to the property. Private requests for the permanent removal of a parking space or loading zone for any other reason shall be prohibited. When permitted, the fee for the private permanent removal of a parking space or loading zone shall be the same rate as the fee in lieu of required parking, or \$4035,000.00 per space, whichever is greater, except that single family uses seeking to provide access to off-street parking shall be exempt from paying this fee for the removal of one space.

(i) *Temporary residential guest parking placard permits/scratch tags.* Temporary residential guest permits, allowing for guest parking in the restricted residential zones and metered zones is available to bonafide guests of a resident of the restricted residential parking zones. Permits must be purchased by a restricted residential zone resident. Temporary guest permits are only valid in the residential zone of the resident purchasing the guest permit, and are not valid at any parking meter, municipal parking lot or garage. Documentation established by the City of Miami Beach Parking Department will be required as proof of residency.

(j) *Hotel hang tag program.* A daily 24-hour small hotel hang tag program is made available by the parking department through eligible hotels at a fee of \$10.00 per hang tag, per day. A small hotel is defined as a hotel consisting of less than 150 guest rooms, and does not provide a hotel valet parking service for its guests. The hotel hang tag is day, month and year specific. The hang tag is sold by the hotel to the guest for a fee of \$10.00 per day. The hotel is responsible for proper issuance of the hang tag to include: hole punching the appropriate day, month and year and charging no more than \$10.00 to the hotel guest for the hang tag. At no time may the hotel add any surcharge or additional charge to the hotel hang tag fee. The hotel hang tag is valid from 12:00 noon on the day of issuance (the hole punched date) until 12:00 noon the following day. The parking director shall establish the parking areas of the hotel hang tag program.

(k) *Restricted and non-restricted residential parking program.* There are seven restricted residential parking zones. These zones are created to protect the quality of life of the city's residents in areas where residential parking is severely impacted by competing uses. The zones are as follows:

- (1) Zone 1 South Pointe
- (2) Zone 2 Flamingo Park
- (3) Zone 3 Michigan/Lenox
- (4) Zone 4 Museum District
- (5) Zone 5 Art Deco District
- (6) Zone 6 Indian Creek/Collins Avenue
- (7) Zone 8 Bonita Drive.

(l) *Exceptions.*

- (1) *Flat parking rate.* A flat parking rate for nonresidents and for residents of the city (photo identification required) may be established during the city's annual budget process, as recommended by the city manager and approved by the city commission, at certain attended municipal garages and surface lots which have been identified by the city manager to be in the best interest of the community's health, safety, and welfare.
- (2) *Parking incentive program.* The city manager is authorized to designate "resident parking days" (evenings 6:00 p.m. to 12:00 midnight) for city residents (proof of residency required) at all attended garages and lots and residential decal holders at on-street meters and/or off-street metered facilities and identify an incentive to be combined with specific initiatives sponsored and/or promoted by the city to stimulate local businesses during off-peak periods.
- ~~(3) *Smart card program/commercial smart card resale program; distribution of residential smart card program.*~~
 - ~~a. *Smart card dispensing/replenishing stations.* The parking department is authorized to place smart card dispensing/replenishing stations at participating commercially licensed establishments within the city for the sale/replenishing of smart cards. Commercial establishments must consent to smart card sales/replenishing rules and regulations. Commercial establishments are only entitled to profit share via the resale program. Commercial establishments participating in the sales/replenishing program are not entitled to any proceeds or discounts.~~
 - ~~b. *Residential smart card program.* A discount of ten percent may be authorized by the city manager to all city residents (proof of residency required as established by the City of Miami Beach Parking Department) to be purchased at the parking department and through the Internet, when available.~~
- (3) *Mobile phone payment service. In-car meter program innovative electronic parking system that makes the payment of parking fees*

~~more convenient for the users. The "in-car meter" is a light-weight, credit card sized personal parking meter that can be used for the payment of parking fees in areas with or without existing parking meters or pay and display machines. Resident discounts are available through this program for metered parking in the South Beach Parking Zone. The parking meter rate increase in the South Beach Parking Zone from \$1.00/hour to \$1.25/hour shall not take effect until the implementation of this program. This service affords Miami Beach residents, with proof of residency, a discounted hourly rate of \$1.00 at on-street meters and off-street meters.~~

(m) ~~Reserved.*~~ *Residential Parking Visitor Permit.* The fee for each Daily Restricted Residential Parking Visitor Permit is \$3.00 and shall be valid for a 24 hour period.

(n) *Smartway vehicles incentive.* The Smartway program will use the state ILEV list; EPA (Environmental Protection Agency) "Smartway" designation; and allow all street legal electric vehicles to qualify for participation in the program. Incentives to be offered to qualified and registered vehicle owners include:

- (1) Monthly parking permit holders for all facilities will be afforded a 50-percent discount on the monthly rate.
- (2) Residential permit holder in all designated zones shall receive a 50-percent savings on either their annual or semi-annual residential permit.
- (3) Five hundred city-wide parking decals, honored at metered spaces only, shall be available only to state-registered Smartway vehicles; vehicles receiving an EPA (Environmental Protection Agency) "Smartway" designation; and all street legal electric vehicles on a first-come, first-served basis. The cost of the Smartway city-wide decal is \$100.00 per year.
- (4) Two percent of the parking spaces at the 42nd Street Municipal Parking garage may be designated as "Smartway Vehicle Parking Only" for use by recognized Smartway vehicles. One percent of the parking spaces at the 7th Street garage and 13th Street garage may be designated as "Smartway Vehicle Parking Only" for use by recognized Smartway vehicles. Notwithstanding the preceding sentence, the city manager or his designee, who shall be the city's parking director, reserves the right, in his reasonable business judgment and discretion, to temporarily suspend the aforesaid "Smartway Vehicle Parking Only" during special events in order to ensure maximum utilization of all parking spaces.

(o) *Resident scooter and motorcycle permits.* Annual scooter and motorcycle parking permits are available for a fee of \$100.00 per scooter or motorcycle for Miami Beach residents who are registered with the State of Florida as the scooter or motorcycle owner. The permit will be honored at all designated scooter and motorcycle municipal metered parking spaces.

(p) *Freight loading zone (FLZ) permit.* An FLZ permit will allow the use of freight loading zones by permitted commercial motor vehicles. Qualifying commercial motor vehicles must register and purchase an annual permit. The permit fee for each vehicle is \$364.00 annually or \$182.00 semi-annually. A permittee that operates a fleet of over ten vehicles may purchase up to five vehicle permits for \$1,500.00 annually or \$750.00 semi-annually. One of every five non-transferable permits shall authorize the permittee to purchase a transferable permit. Permits are transferable to other qualifying commercial motor vehicles, as described in herein, and shall expire annually. The permit must be in good standing and the commercial motor vehicle must be actively engaged in loading activities when stopping, standing, or parked in a freight loading zone. Freight loading locations, regulations, including maximum time limits, and permitted days/hours shall be determined by the city manager or his designee.

(q) *Alley loading (AL) permit.* An AL permit will allow for the use of alleys by permitted vehicles. Qualifying vehicles must register and purchase an annual permit. The permit fee for each vehicle is \$182.00, annually or \$91.00 semi-annually. A permittee that operates a fleet of over ten vehicles may purchase up to five vehicle permits for \$750.00, annually or \$375.00, semi-annually. One of every five non-transferable permits shall authorize the permittee to purchase a transferable permit. Permits are transferable to other qualifying vehicles, as described herein, and shall expire on annually. The permit must be in good standing, prominently displayed, and the vehicle must be actively engaged in loading activities when stopping, standing, or parked in an alley. Alley regulations, including maximum time limits and permitted days/hours shall be determined by the city manager or his designee.

SECTION 2. 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 Code of the City of Miami Beach, Florida. 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 3. REPEALER.

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

SECTION 4. SEVERABILITY.

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

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect ten (10) days following adoption.

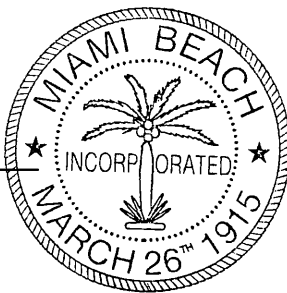
PASSED AND ADOPTED this 30 day of September, 2015.

ATTEST:



Rafael E. Granado, City Clerk

10/1/15





Philip Levine, Mayor

Underline denotes new language

~~Strike through~~ denotes deletions

Double underline denotes new language after First Reading

~~Double strike through~~ denotes deletions after First Reading

(Sponsored by Commissioner Deede Weithorn)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

9/22/15

Date

Condensed Title:

An Ordinance amending the Code of the City of Miami Beach, by amending Chapter 106, entitled "Traffic and Vehicles," by amending Article II, entitled "Metered Parking," by amending Division 1, entitled "Generally," by amending Section 106-55, entitled "Parking Rates, Fees, and Penalties;" by amending Parking Meter Rates and Time Limits; Municipal Parking Garage and Preferred Parking Lot Rates and Penalties; Regulations Regarding a Facility Specific Monthly Parking Permit Program, Reserved/Restricted Commercial On-Street Permit Parking, and Valet Storage Spaces; and amending the regulations and fees for Metered Parking Space Rental and Parking Space Removal; amending the Regulations Regarding the Residential Parking Program; amending the Exceptions to Section 106-55 to provide for a Mobile Phone Payment Service and eliminating the Smart Card Program; and establishing a Residential Parking Visitor Permit; providing for codification, repealer, severability, and an effective date. [Sponsored by: Commissioner Weithorn]

Key Intended Outcome Supported:

Commission a Comprehensive Mobility Plan Which Gives Priority Recommendations (From Non-Vehicular to Vehicular and Including Parking).

Supporting Data (Surveys, Environmental Scan, etc.): 74% of residents and 72% of businesses rate the availability of parking across the City as too little or much too little. Availability of parking was one of the changes residents identified to Make Miami Beach better to live, work or play.

Item Summary/Recommendation:

The Mayor and Commission have identified traffic congestion throughout the City as a priority issue. At their direction, the Administration is pursuing a multi-pronged approach to address traffic congestion. It is important to note that discounted hourly parking meter rates shall continue for Miami Beach residents.

On September 10, 2015, the Mayor and Commission held the first reading of this proposed ordinance and directed the Administration to include the following amendments:

-Valet parking space rentals shall increase from \$17 to \$25 daily, per space, immediately, with an increase to \$31.50 in six (6) months. The fee shall be revisited in the next budget cycle.

-Construction and special events permits space rentals shall increase from \$10 to \$25 daily, per space; however, the current rate shall be locked in if they are permitted for the next six months.

-Any special events application submitted prior to September 30, 2015, will be locked in at \$10 daily, per space, for the next six (6) months; otherwise, it will increase to \$25 daily, per space, excluding non-profit entities.

-The rate for on-street metered parking in South Beach (South of 23rd Street) to increase from the proposed \$3 to \$4 per hour.

The Administration recommends the City Commission take the following actions: 1) by separate motion, accept the recommendation of the Finance and Citywide Projects Committee (FCWPC) on July 1, 2015; and 2) approve the attached Ordinance at Second Reading Final Public Hearing.

Advisory Board Recommendation:

On July 1, 2015, the Finance and Citywide Projects Committee (FCWPC) endorsed the proposed parking rate amendments to the City Code, resulting in the proposed parking rate increases in the attached Ordinance.

Financial Information:

Source of Funds:		Amount	Account
	1		
	2		
OBPI	Total		

Financial Impact Summary: Cumulatively, the aforementioned parking rate increases are estimated to have the potential to yield an additional \$22.6 million, annually, representing \$112.9 million over five (5) years assuming no increase in utilization. As described, these increased revenues would be utilized to fund the more immediate transportation initiatives and the bonding capacity for the Parking Enterprise Fund is estimated at \$140 million to fund parking garage expansion projects. It is important to note that additional rate increases may be needed in the future to fund other projects, including the proposed light rail/modern street car project.

City Clerk's Office Legislative Tracking:

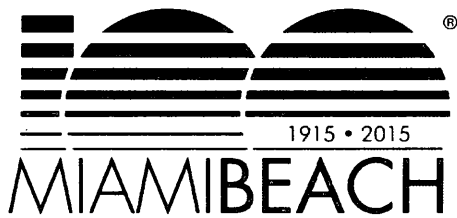
Saul Frances, extension 6483

Sign-Offs:

Department Director	Assistant City Manager	City Manager
SF 	KGB  JW	JLM 

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

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: September 30, 2015

SECOND READING FINAL PUBLIC HEARING

SUBJECT: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 106, ENTITLED "TRAFFIC AND VEHICLES," BY AMENDING ARTICLE II, ENTITLED "METERED PARKING," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 106-55, ENTITLED "PARKING RATES, FEES, AND PENALTIES;" BY AMENDING PARKING METER RATES AND TIME LIMITS; MUNICIPAL PARKING GARAGE AND PREFERRED PARKING LOT RATES AND PENALTIES; REGULATIONS REGARDING A FACILITY SPECIFIC MONTHLY PARKING PERMIT PROGRAM, RESERVED/RESTRICTED COMMERCIAL ON-STREET PERMIT PARKING, AND VALET STORAGE SPACES; AND AMENDING THE REGULATIONS AND FEES FOR METERED PARKING SPACE RENTAL AND PARKING SPACE REMOVAL; AMENDING THE REGULATIONS REGARDING THE RESIDENTIAL PARKING PROGRAM; AMENDING THE EXCEPTIONS TO SECTION 106-55 TO PROVIDE FOR A MOBILE PHONE PAYMENT SERVICE AND ELIMINATING THE SMART CARD PROGRAM; AND ESTABLISHING A RESIDENTIAL PARKING VISITOR PERMIT; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.**

ADMINISTRATION RECOMMENDATION

The Administration recommends the City Commission take the following actions: 1) accept the recommendation of the Finance and Citywide Projects Committee (FCWPC) on July 1, 2015; accept the proposed amendments at First Reading held on September 10, 2015; and 3) approve the attached Ordinance at Second Reading Final Public Hearing.

First Reading – September 10, 2015

On September 10, 2015, the Mayor and Commission held the first reading of this proposed ordinance and directed the Administration to include the following amendments:

Valet Parking Space Rentals:

Valet parking space rentals shall increase from \$17 to \$25 daily, per space, immediately, with an increase to \$31.50 in six (6) months. The fee shall be revisited in the next budget cycle.

Construction and Permitted Events Space Rentals:

Construction and special events permits space rentals shall increase from \$10 to \$25 daily, per space; however, the current rate shall be locked in if they are permitted for the next six months.

Special Events:

Any special events application submitted prior to September 30, 2015, will be locked in at \$10 daily, per space, for the next six (6) months; otherwise, it will increase to \$25 daily, per space, excluding non-profit entities.

South Beach On-Street Parking:

The rate for on-street metered parking in South Beach (South of 23rd Street) to increase from the proposed \$3 to \$4 per hour. Parking between 23rd Street to 44th Street should remain at \$3 per hour.

The following is a revised summary of projected revenues reflecting the amendments approved at First Reading.

	Current	Proposed	Annual Revenue (Inc)
Parking Meter Hourly Rates:			
South Beach On-Street Meters	\$1.75	\$4.00*	\$12,799,000.00
South Beach Off-Street Meters	\$1.75	\$2.00	\$678,000.00
Collins Ave/Indian Creek 23rd - 44th Streets - On-Street Meters	\$1.00	\$3.00	\$1,628,000.00
Collins Ave/Indian Creek 23rd - 44th Streets - Off-Street Meters	\$1.00	\$2.00	\$236,000.00
Sub-total:			\$15,341,000.00
Parking Meter Hours of Operation:			
Collins Ave/Indian Creek 23rd - 44th Streets - On/Off- Street Meters	8a-6p	9a-3a	\$2,331,000.00
Sub-total:			\$2,331,000.00
Municipal Parking Garages:			
Each of first four hours:	\$1.00	\$2.00	\$3,281,000.00
Monthly Rate:	\$70.00	\$100.00	\$597,000.00
Sub-total:			\$3,878,000.00

Parking Spaces Daily Rentals:			
Valet Parking*:	\$17.00	Initial 6 Months - \$25.00 After 6 Months - \$31.50	\$540,000.00
Construction*:	\$10.00	\$25.00 Existing Building Permit Holders will maintain current rate for 6 months	\$157,000.00
Special Event*:	\$10.00	\$25.00 Existing Special Events Applications will maintain current rate for 6 months. (Non-for-Profit organizations will maintain current rate).	\$39,000.00
Sub-total:			\$736,000.00

Residential Daily Visitor Parking:			
	\$1.00	\$3.00	\$295,000.00
Sub-total:			\$295,000.00

GRAND TOTAL	\$22,581,000.00
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* Amendments approved on 9/10/2015 at First Hearing.

COMMISSION COMMITTEE RECOMMENDATIONS

On July 1, 2015, the Finance and Citywide Projects Committee (FCWPC) endorsed the proposed parking rate amendments to the City Code, resulting in the proposed parking rate increases below.

ANALYSIS

The Mayor and Commission have identified traffic congestion throughout the City as a priority issue. At their direction, the Administration is pursuing a multi-pronged approach to address traffic congestion. The following is a listing of projects underway, each at varying levels of progress and estimated funding needs for each. Parking rate increases are proposed in various categories to: (1) fund the initiatives identified below and (2) modify driver behavior to better manage parking demand through financial incentives. Please note future parking rate increases may be needed to fund other medium to long range initiatives, such as light rail.

TRANSPORTATION INITIATIVES:

Intelligent Transportation System (ITS) and Parking Management System

The Administration is currently pursuing a real-time traffic management system to monitor traffic flow and throughput as well as monitor parking availability and demand on a real-time basis.

The City of Miami Beach is one of the economic engines in the State. The thriving service industry and the Miami Beach Convention Center contributed to a reported 6,142,600 overnight visitors in 2013. In addition, recent figures indicate that although resident population in Miami Beach is 90,588, average daily population comprised of commuters and visitors is 205,915. A highly urbanized barrier island with only four connections to the main land, the City's causeways and arterials frequently operate at failing levels of service. Given the limited capacity of the roadway network, the City Commission has approved the implementation of an ITS and Parking Management System as an additional effort to help manage traffic congestion, parking availability, and improve traffic flow along major arteries.

The ITS and Parking Management System Project will consist of the following components:

- 18 C.C.T.V. cameras for video monitoring of traffic conditions and incidents.
- 32 Travel Time Data Collectors to allow engineers to review traffic conditions and implement changes prior to reaching saturated conditions.
- 15 small scale Interactive Digital Message Signs to advise drivers of traffic and parking conditions within Arterial Roadways.
- 2 large scale Interactive Digital Message Signs on 2 Causeways to advise drivers of traffic and parking conditions.
- Implement parking detection systems at 8 garages, 35 surface parking lots, and 2 corridors to record real-time parking conditions.
- 60 Electronic Signs to relay real-time parking availability information
- Upgrading Parking Department's Mobile Application to reflect real-time parking availability information.
- A Transportation Management Center located within City Limits to integrate the operations of the ITS and Parking Management system and serve as the data and information clearinghouse.
- Adaptive Traffic Signal Control (optional component of the project) would be for 93 intersections along the following major corridors:
 - o Alton Road: 5th Street to 43rd Street
 - o 5th Street: Alton Road to Collins Avenue
 - o 41st Street: Alton Road to Collins Avenue
 - o MacArthur Causeway: Star Island to Alton Road
 - o Collins Avenue: 23rd Street to 44th Street
 - o Indian Creek Drive: 23rd Street to 41st Street
 - o Washington Avenue: 5th Street to Dade Boulevard
 - o 63rd Street: Collins Avenue and Indian Creek
 - o 69th Street: Collins Avenue to Abbott Avenue
 - o Indian Creek Drive: 63rd Street to 71st Street
 - o Abbott Avenue/Harding Avenue: City Limits to Indian Creek Drive
 - o Collins Avenue: 63rd Street to City Limits
 - o 71st Street : Indian Creek Drive to Collins Avenue

Status

The City of Miami Beach is working closely with the Florida Department of Transportation (FDOT) District VI staff and Miami-Dade County staff on this project. Both agencies have participated in coordination meetings and provided valuable input on project planning, design, phasing, and operational aspects of the project. The City will continue to work with FDOT and County staff during each phase to ensure close coordination of the City's ITS project with the State's and County's signal infrastructure system.

The ITS and Parking Management System project has a duration of 24 months and is anticipated for completion by the end of 2017. The total cost of the project is estimated at \$14,556,590. The City is providing a local match of \$4,556,590 which has been budgeted in the current fiscal year. The City's annual operating and maintenance costs for the ITS and Parking Management System have been estimated at approximately \$2 million.

The City has recently applied for a \$10 Million grant under the U.S. Department of Transportation (USDOT) Transportation Improvements Generating Economic Recovery (TIGER) VII federal discretionary grant program. We anticipate receiving notification from USDOT as to whether or not the ITS and Parking Management System project is awarded federal funding in the fall of this year.

Currently, the Administration is in the process of selecting a Program Manager who will serve as owner's representative and be responsible for developing the specifications for a Design, Build, Operate, and Maintain (DBOM) contract for the ITS and Parking Management System project.

Transit/Trolley System

The Administration is currently identifying additional funding and resources needed to develop and implement a citywide interconnected trolley system as part of the Fiscal Year (FY) 2015/16 budget process. The proposed citywide system would consist of trolley routes in North, Middle, and South Beach, including the existing North Beach Loop, the proposed Middle Beach Loop, a Collins Link, and a South Beach Loop that would complement the current South Beach Local service. The total funding for this comprehensive trolley system, including the cost of the existing South Beach Local service funded by the City (one-third of the total annual cost of operation and maintenance), is estimated at \$11.05 million annually (see table below). Funding is proposed to be augmented by approximately \$2.33 million of People's Transportation Plan (PTP) funds from Miami-Dade County currently allocated to capital projects and an increase of the contribution from surplus parking funds from \$1.3 million to approximately \$3.0 million. The table below lists the estimated annual operating expenditures for each of the trolley loops.

Estimated Annual Operating Expenditures	
North Beach Loop	\$1,800,000
South Beach Loop	\$2,400,000
Middle Beach Loop	\$3,100,000
Collins Link	\$2,000,000
South Beach Local	\$1,300,000
Other (Tracking Equipment, Inktel Call Center Services, Special Event Service, Miscellaneous)	\$419,000
Total	\$11,019,000

Proposed Sources	
Quality of Life Transportation Funds	\$5,700,000
People's Transportation Plan (PTP) Funds	\$3,900,000
Parking Surplus Funds	\$3,400,000
Total	\$13,000,000

The citywide interconnected trolley system has been included as part of the FY 2015/16 proposed budget with current funding, given the lead time necessary for the manufacturing and delivery of new low-floor trolley vehicles.

Light Rail/Modern Streetcar

The City has been working in partnership with the Miami-Dade Metropolitan Planning Organization (MPO), the Florida Department of Transportation (FDOT), Miami-Dade Transit (MDT), and the City of Miami as part of the ongoing Beach Corridor Transit Connection Study (formerly known as the Baylink Corridor Study). The study commenced in October 2013 and focuses on re-evaluating the Locally Preferred Alternative resulting from the 2004 Baylink Corridor Study which proposed a light rail transit/modern streetcar connection between Miami Beach and Downtown Miami via the MacArthur Causeway. A Technical Advisory Committee (TAC) comprised of staff from various municipal and transportation agencies and a Policy Executive Committee (PEC) comprised of elected officials from Miami-Dade County, City of Miami, and City of Miami Beach have been established to assist the study team in making key milestone decisions through the study process. Both the TAC and the PEC have endorsed the project moving forward and delivered through a Public-Private Partnership (P3).

In order to connect Miami Beach and Downtown Miami via light rail transit, the current Beach Corridor Transit Connection study reaffirmed the MacArthur Causeway as the preferred corridor to link the two cities. Due to the inherent environmental and engineering challenges associated with implementing the portion of the route alignment along the MacArthur Causeway, the study consultant expects that the level of environmental documentation and coordination with the federal government that will be necessary as part of the National Environmental Policy Act (NEPA) process will be substantial, lengthy, and require an Environmental Impact Statement (EIS) to be conducted. The NEPA phase alone is projected to cost approximately \$10 million with each local participating agency contributing a portion of the cost. The City of Miami Beach share is estimated at \$417,000.

Based on the project schedule presented to the TAC and PEC by the consultant team, it is anticipated that the NEPA documents, design, and construction phases are estimated to take 6 to 9 years. It is our understanding that this NEPA process is a pre-requisite to be eligible for up to 50% federal funds for capital and up to 25% state funds for capital (i.e., 50% federal/ 25% state/ 25% local contribution). However, due to the very competitive nature of the federal discretionary grant process for funding these types of projects, the local (City's) match would need to be higher than 25% of the capital costs.

At this time, the preferred route alignment to connect Miami Beach and Downtown Miami has been identified as the Direct Connect alternative and consists of bi-directional service along the MacArthur Causeway, 5th Street, and Washington Avenue. A future phase proposes service along Collins Avenue, 41st Street, and the Julia Tuttle Causeway to connect to Midtown Miami. The South Beach portion of the Direct Connect route alignment represents approximately \$149M (28% of the total \$532 million capital cost of the total Miami

to Miami Beach project), excluding the cost of a maintenance yard. If this ratio is used as an estimate of operating costs, the portion of operating costs for the Direct Connect alignment on South Beach would be approximately \$7 million annually (28% of \$22 million annual operating costs payments which would be required for the entire project under a P3 scenario).

Thus, assuming the City wishes to proceed on an accelerated basis without federal funds, the Administration estimates that the total annual availability payments for the portion of the Direct Connect alignment in South Beach would be approximately \$12 million - \$17 million per year, depending on the level of availability of state funds (including capital and operating cost). The cost of a rail yard on Miami Beach could increase these payments to between \$17 million and \$25 million, contingent upon the level of capital subsidy from the State.



Short Term Express Bus Service (EBS)

In an effort to expedite cross-bay mass transit connectivity, the Administration is studying the feasibility of implementing express bus service connecting Miami Beach and Downtown Miami on a 1 – 2 year timeframe. Several alternatives are currently being considered. One of the route alignment alternatives includes bi-directional EBS across the MacArthur Causeway, 5th Street, and Washington Avenue (similar to the light rail/modern streetcar alignment described above). The use of the shoulders along the Causeway as well as dedicated lanes along 5th Street and Washington Avenue corridors is being evaluated in order to ensure reliable and efficient express bus service. The capital cost of the short-term express bus service is estimated between \$12 million and \$20 million, depending on the number of articulated buses required which is predicated on the route alignment selected and frequency of service (ranging from 5-minute headways to 10-minute headways). It is anticipated that the proposed express bus service would cost approximately \$5.3 million annually to operate based on a fleet of 19 articulated buses operating at a frequency of 5 – 7.5 minute headways during peak periods for 19 hours per day/7 days per week. City staff is currently having discussions with both FDOT and MDT staff in terms of cost-sharing opportunities for the capital and operating expenditures associated with providing this express bus service. Additionally, it is important to note that only a portion of the proposed

Express Bus Service (i.e., the route alignment along the MacArthur Causeway to Downtown Miami) would be implemented if a light rail transit/modern streetcar system is implemented in South Beach. Under this service scenario, annual operating costs for the EBS would be approximately \$3.5 million.



PARKING INITIATIVES:

Freight Loading Zone Program (FLZ)

FLZs are regulated parking zones strategically located for large vehicles (10,000 lbs.+) to conduct deliveries. Coupled with strict enforcement of obstruction of travel lanes by Police and enforcement of loading areas by the Parking Department, these zones have greatly reduced congestion.

Parking Management System (PMS)

A component of the aforementioned ITS initiative, PMS will provide real time parking space monitoring and parking availability. Real time parking availability is then communicated to motorists via electronic message signs at strategic locations throughout the city.

Valet Parking Amendments to the City Code

Currently, valet parking operations on the City's right-of-way contribute to traffic congestion and other abuses of city property and resident quality of life. Amendments to the City Code to strengthen regulation and enforcement provisions were approved by the Mayor and City Commission on September 2, 2015.

Development of existing municipal metered parking lots to multi-level parking structures

The following sites have been identified for potential development either through joint venture partnerships or as standalone City projects:

Washington Avenue Master Plan

As an outcome of both the Washington Avenue Master Plan and the Transportation Workshop held on March 18, 2015, staff was charged with finding alternatives to replace on-street parking with off-street parking. As a result, three potential sites have been identified that could replace some or all of the on-street parking between 5th and 17th Streets.

Municipal Parking Lot No. P16 (1262 Collins Ave)

P16 is located at southwest corner of the intersection of 13th Street and Collins Avenue, opposite of Municipal Parking Garage No. 3 (G3). This lot was recently renovated and was completed on May 13, 2015. A parking garage similar in size to Municipal Parking Garage No. 3 (G3), located at the northeast corner of the intersection of 13th Street and Collins Avenue, could be constructed. Furthermore, based on current construction costs it is estimated that the construction of an eight-story parking garage with approximately 405 spaces will cost approximately \$12.7M, which represents approximately \$31K per space.



Municipal Parking Lot No. P13 (1020 Washington Ave)

P13 is located in the northwest corner of the intersection of 10th Street and Washington Avenue. The parking lot abuts an alleyway (Drexel Court) to the west and holds a total of 37 parking spaces, including two disabled parking spaces. Renovations to this lot were completed in 2013. A five-story parking garage could be constructed in this location. It is estimated that the parking garage could hold up to 140 parking spaces. Estimated construction costs for this parking garage is \$5.2M, or approximately \$37K per space.



Municipal Parking Garage No. 2 (G2) (1100 Washington Ave)

This is a multi-level parking garage that serves the police headquarters and its visitors. The parking structure is divided into two areas, the police headquarters' parking and the visitors' parking. These two parking sections are not connected. Based on design and construction parameters, it is possible that one or two additional parking levels could be incorporated to the visitors' parking area that could replicate the uppermost level of this section of the parking garage. The additional levels could potentially represent an increase of 100 parking spaces at an estimated \$1.5M or \$15K per space.



The chart below illustrates a potential net increase of 558 off-street parking spaces along the Washington Avenue corridor and estimated costs. The 779 proposed spaces exceed the existing 577 on and off-street parking spaces in the area. Additionally, other sites in the area have been identified as potential public-private partnership opportunities that may further increase off-street parking inventory.

Washington Avenue Municipal Parking Facilities	Existing Spaces	Proposed Spaces*	Net Increase	Cost p/Space*	Total*
Garage No. 2	134	234	100	\$14,720	\$1,472,000
P16 Collins/13th Street	50	405	355	\$31,335	\$12,690,675
P13 Washington/10th Street	37	140	103	\$37,321	\$5,224,940
Total	221	779	558		\$19,387,615
* Estimated.					

The City has approximately \$10M in Fee of Lieu of Parking funds for the South Beach area; however, if all three (3) projects were funded an additional \$10M would be needed. Further, the City Commission endorsed the Washington Avenue Master Plan recommendation to issue an RFLI (Request for Letters of Interest) for parking garage(s) along Washington Avenue, and the City has been approached by at least one (1) interested property owner.

Middle Beach Needs

Several areas throughout mid-beach have been determined to be operating at high utilization rates, indicating additional parking needs, and some areas we have already referred for discussion at NCAC (Neighborhoods and Community Affairs Committee)

- Municipal Parking Lot No. P55, located on Collins Avenue and 27th Street;
- Municipal Parking Lot No. P71, located on Collins Avenue and 46th Street; and
- Municipal Parking Lot No. P63, located on 42nd Street and Royal Palm Avenue

North Beach Blue Ribbon Panel

Several areas in North Beach have been identified to be operating at high utilization rates, indicating additional parking needs. It has been a longstanding goal to develop a parking garage in North Beach. Several sites have been identified, including standalone city projects and potential joint venture developments. Additionally, residents have expressed a need for additional parking in their neighborhoods. While there are no commercial or recreational uses displacing parking in these neighborhoods, the sheer volume of vehicles per household is increasing demand.

FUNDING NEED SUMMARY

The following is a summary of funding needs for all projects identified above, including ITS operational cost, availability amounts for light rail/modern streetcar, garage construction and operational cost for South, Middle, and North Beach.

Project	Capital	Operating
Intelligent Transportation System (ITS) & Parking Management (PMS)	\$14.5M (Includes current local match of \$4.5M)	\$2M
Transit/Trolley System		\$11.8M
Light Rail/Modern Streetcar		\$17M to \$25M (contingent upon the level of capital subsidy from the State)
Short Term Express Bus Service (EBS) - Connection to Light Rail/Modern Streetcar	\$12M to \$20M	\$5.3M
Washington Avenue Master Plan (779 spaces)	\$19.3M	\$779K
Middle Beach (800 spaces)	\$26.4M	\$800K
North Beach (850 spaces)	\$28M	\$850K
Grand Total:	\$100.2M - \$108.2M	\$38.5M - \$46.5M

PARKING ENTERPRISE FUND

The available fund balance in the Parking Fund, as of September 30, 2014, was \$26M (net of two months of required reserves). Each year, the City budgets an amount to be used to fund future renewal and replacement projects in the fund. In addition, the Parking Fund is an enterprise fund with revenues pledged to debt service payments. However, surplus funds (revenues in excess of expenditures) from prior years may be used for other City purposes.

Currently, these surplus funds are used to fund transportation expenses as well as supplement General Fund Revenues. Detailed projections of parking cash flows are being developed as part of the bonds needed for the Convention Center project; however, the chart below provides a rough projection of funds over the next five years assuming existing rates and moderate growth.

Given the estimates below, a positive Parking Fund available balance will not be sustainable under the existing rate structures. There will not be enough available balance to fund the projected FY 2015/16 proposed expenditures.

Parking Available Fund Balance- Without Rate Increases						
	FY15	FY16	FY17	FY18	FY19	FY20
Available fund balance in the Parking Fund as of September 30, 2014	22,825,573	12,532,573	(2,200,427)	(23,137,837)	(35,002,829)	(48,318,811)
Fund Balance Set Aside for R&R	3,228,000	6,258,000	6,883,000	6,883,000	6,883,000	6,883,000
Available Fund Balance	26,053,573	18,790,573	4,682,573	(16,254,837)	(28,119,829)	(41,435,811)
Transfer to Transportation	(1,311,000)	(3,426,000)	(3,426,000)	(3,426,000)	(3,426,000)	(3,426,000)
Transfer to General Fund	(8,400,000)	(8,400,000)	(8,400,000)	(8,400,000)	(8,400,000)	(8,400,000)
R&R/Capital Needs	(5,314,000)	(3,972,000)	(11,492,000)	(1,000,000)	(1,000,000)	(15,500,000)
Net Available Balance	11,028,573	2,992,573	(18,635,427)	(29,080,837)	(40,945,829)	(68,761,811)
Annual Revenues	52,430,000	56,085,000	56,085,000	56,085,000	56,085,000	56,085,000
Annual Operating Expenses	(41,237,000)	(45,747,000)	(47,119,410)	(48,532,992)	(49,988,982)	(51,488,652)
Debt Service*	(3,431,000)	(8,648,000)	(6,585,000)	(6,591,000)	(6,586,000)	(6,586,000)
Set Aside for R&R	(6,258,000)	(6,883,000)	(6,883,000)	(6,883,000)	(6,883,000)	(6,883,000)
Net Surplus	1,504,000	(5,193,000)	(4,502,410)	(5,921,992)	(7,372,982)	(8,872,652)
Projected Available Year End Fund Balance	12,532,573	(2,200,427)	(23,137,837)	(35,002,829)	(48,318,811)	(77,634,463)
* Includes \$5.27 million debt service in FY16 related to the Parking Related Convention Center Renovation, which consists of principal, interest and issuance costs. Subsequent years include principal and interest only.						

Note: This table has been updated from the first reading to conform to the Parking Fund's FY16 proposed budget and to reflect the latest debt issuance cost estimates. The overall impact of these two changes is approximately \$1.5 million per year, primarily due to increased debt service costs.

Funding

A recurring revenue stream is necessary to sustain annually recurring expenses related to the aforementioned transportation initiatives as well as to enhance the Parking Enterprise Fund bonding capacity to fund the aforementioned garage expansion projects.

The Mayor and Commission has given general direction to the Administration to recommend strategies, including but not limited to increases in parking rates. A parking rate increase will provide the following benefits:

1. **Driver Behavior Modification:** Studies have shown that up to 30% of traffic congestion is attributed to drivers seeking parking opportunities (“circling the block” further congestion is caused by pulling in and out of lanes of travel – Source: Federal Highway Administration). Currently, metered on-street and off-street parking rates are \$1.75 per hour and enforced 9:00 AM to 3:00AM (18 hours), seven days a week. Garage rates are for the most part \$1.00 per hour, with a maximum daily rate of \$20.00 (see appendices for detail of proposed parking rates at each municipal parking garage, except during special events).

Current parking rates are too low to effectively alter driver behavior. At the March 18, 2015, Transportation Workshop, it was recommended that on-street parking rates should be sufficiently higher than off-street parking rates to incentivize drivers to park off-street. The goal is to reduce on-street parking demand. This can be accomplished by increasing parking rates. Hence, only those drivers willing to pay a “premium” will use on-street parking and all others will seek other parking or mobility alternatives (garages, transit, bicycle, pedestrian). A key component of achieving this goal is arriving at the EPR (Effective Parking Rate) for on and off-street parking. EPR is defined as the optimum on-street and off-street parking rates and the price buffer between the two rates that “effectively” changes driver behavior. There may be some adjustments to either or both on and off-street rates to achieve EPR. If approved in concept, the Administration recommends some latitude be incorporated in the City Code amendment to allow for such adjustments.

Please note parking fine schedules are set by Miami-Dade County and the State of Florida. Overtime parking and other related fine schedules must be at appropriate levels in order to be effective and achieve compliance. Currently, an overtime parking violation is \$18.00. Parking user fees in the region, including Miami Beach, are comparable, and in some cases, higher than an overtime parking fine. This increases traffic congestion by perpetuating low risk/high reward user parking behavior.

2. **Parking Revenue Bonds - Bonding Capacity:** Currently, the City’s bond rating is “Aa2” and Parking Bonds have an “A” rating. Increasing parking rates will in turn increase the City’s parking revenue stream resulting in increased bonding capacity. Additional bonding capacity is needed in order to fund the list of transportation and parking capital projects identified earlier.
3. **Equity in Space Rental Pricing and Residential Visitor Permits –** Parking space rentals are available for valet parking, construction, special events, and film & print. Currently, daily space rental rates are \$17 for valet (ramp) and \$10 for all other categories and Residential Parking Visitor Permits are \$1.00 per day.

In addition, it is important to note that municipal parking rates are substantially lower than private sector or market rates. This has perpetuated an artificial demand for municipal public parking as drivers “cruise” for on-street parking spaces (30% of traffic congestion attributed to on-street parking); queuing at municipal parking garages seeking a \$1.00 hourly rate versus a much higher hourly rates or flat rates at privately owned/operated parking garages; and lengthy waiting lists (12 to 18 months) for monthly parking at municipal garages. A recent parking rate survey of 13 privately owned/operated garages and surface

parking lots in the South Beach entertainment districts revealed an average hourly rate of \$5.00; maximum daily rate of \$30.00; and monthly rate of \$187.00, as compared to \$1.00, \$20.00, and \$70.00, respectively, at municipal garages.

Parking Rates – Proposed Increases:

In response to the funding needs and issues discussed above, a number of rates have been identified for potential increases.

- Increasing rates for South Beach on-street parking with lower increases for off-street (parking garages and lots). Conceptually, on-street hourly parking meter rates are proposed at \$3.00 with metered parking lots and garages at \$2.00, hourly.

These increases were projected to generate an additional \$7.8 million per year. With the amendment adopted on first reading increasing the rate to \$4.00 for on-street south of 23rd Street, the additional revenue would increase by \$5.7 million to \$13.5 million.

- Restructure rates and hours of enforcement for Collins Avenue/Indian Creek between 23rd Street and 44th Streets to be consistent with rates and hours in South Beach, as the intensity in activity in this area has changed to be more similar to South Beach levels.
- Increase space rental rates for three of the four space rental categories (no change for film/print space rentals incentives) The City Code provides for a special event space rental fee of \$0.25 per square foot. The dimension of a parking space is 187 square feet, equating to \$46.75, per space. Therefore, a daily space rental rate of \$46.75 is proposed.

These increases were projected to generate an additional \$2.9 million per year. With the amendment adopted on first reading, the revenue would decrease by \$2.2 million to \$736,000.

- Residential Parking Virtual Visitor Permits are currently \$1.00 per day. Products and services that are undervalued are prone to abuses. Increasing the value of virtual visitor permits diminishes opportunities for potential abuse. An increase to \$3.00 per day equates to \$295,370.

The impact of potential increases are summarized below taking into account a 20% elasticity adjustment for on-street parking (i.e. decrease in demand due to price increases) and a 25% elasticity adjustment for space rentals. Additional detail is attached.

It is important to note hourly parking meter rate increases would not necessarily be applicable to Miami Beach residents. Currently, Miami Beach residents enjoy a reduced hourly parking meter rate of \$1.00, instead of \$1.75, in South Beach, through Parkmobile (payment mobile application). This represents a 43% discount. Moreover, Parkmobile waives its user fees for Miami Beach residents. This discounted parking rate and waiver of Parkmobile user fees shall continue for Miami Beach residents.

	Current	Proposed	Annual Revenue (Inc)
Parking Meter Hourly Rates:			
South Beach On-Street Meters	\$1.75	\$4.00*	\$12,799,000.00
South Beach Off-Street Meters	\$1.75	\$2.00	\$678,000.00
Collins Ave/Indian Creek 23rd - 44th Streets - On-Street Meters	\$1.00	\$3.00	\$1,628,000.00
Collins Ave/Indian Creek 23rd - 44th Streets - Off-Street Meters	\$1.00	\$2.00	\$236,000.00
Sub-total:			\$15,341,000.00

Parking Meter Hours of Operation:			
Collins Ave/Indian Creek 23rd - 44th Streets - On/Off-Street Meters	8a-6p	9a-3a	\$2,331,000.00
Sub-total:			\$2,331,000.00

Municipal Parking Garages:			
Each of first four hours:	\$1.00	\$2.00	\$3,281,000.00
Monthly Rate:	\$70.00	\$100.00	\$597,000.00
Sub-total:			\$3,878,000.00

Parking Spaces Daily Rentals:			
Valet Parking*:	\$17.00	<i>Initial 6 Months - \$25.00 After 6 Months - \$31.50</i>	\$540,000.00
Construction*:	\$10.00	\$25.00 <i>Existing Building Permit Holders will maintain current rate for 6 months</i>	\$157,000.00
Special Event*:	\$10.00	\$25.00 <i>Existing Special Events Applications will maintain current rate for 6 months. (Non-for-Profit organizations will maintain current rate).</i>	\$39,000.00
Sub-total:			\$736,000.00

Residential Daily Visitor Parking:			
	\$1.00	\$3.00	\$295,000.00
Sub-total:			\$295,000.00

GRAND TOTAL			\$22,581,000.00
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* Amendments approved on 9/10/2015 at First Hearing.

FY16 Parking Rate Increases by Fund:				
Fund		Original Proposed Increases	Proposed Increase Amendments	Total
Parking Enterprise	480	17,901,000	3,598,000	21,499,000
7th Street Garage	142	476,000	0	476,000
5th & Alton Garage	484	89,000	0	89,000
Anchor Garage	463	269,000	0	269,000
Penn Garage	466	248,000	0	248,000
		18,983,000	3,598,000.00	22,581,000.00
Footnotes:				
Original Proposed Increase pursuant to Finance Committee Memo dated 07/01/2015				
Amended Increases pursuant to 1st Budget Hearing on 09/10/2015				

Five (5) Year Fiscal Impact

Cumulatively, the aforementioned parking rate increases are estimated to have the potential to yield an additional \$22.6 million, annually, representing \$112.9 million over five (5) years assuming no increase in utilization. As described, these increased revenues would be utilized to fund the more immediate transportation initiatives and the bonding capacity for the Parking Enterprise Fund is estimated at \$140 million to fund parking garage expansion projects. It is important to note that additional rate increases may be needed in the future to fund other projects, including light rail. If all potential rate increases identified above are implemented, the resulting impacts are shown in the table below prior to addressing the projects identified in the funding needs summary referenced above.

Parking Available Fund Balance- With Rate Increases						
	FY15	FY16	FY17	FY18	FY19	FY20
Available fund balance in the Parking Fund as of September 30, 2014	22,825,573	12,532,573	19,298,573	19,860,163	29,494,171	37,677,189
Fund Balance Set Aside for R&R	3,228,000	6,258,000	6,883,000	6,883,000	6,883,000	6,883,000
Available Fund Balance	26,053,573	18,790,573	26,181,573	26,743,163	36,377,171	44,560,189
Transfer to Transportation	(1,311,000)	(3,426,000)	(3,426,000)	(3,426,000)	(3,426,000)	(3,426,000)
Transfer to General Fund	(8,400,000)	(8,400,000)	(8,400,000)	(8,400,000)	(8,400,000)	(8,400,000)
R&R/Capital Needs	(5,314,000)	(3,972,000)	(11,492,000)	(1,000,000)	(1,000,000)	(15,500,000)
Net Available Balance	11,028,573	2,992,573	2,863,573	13,917,163	23,551,171	17,234,189
Annual Revenues	52,430,000	77,584,000	77,584,000	77,584,000	77,584,000	77,584,000
Annual Operating Expenses	(41,237,000)	(45,747,000)	(47,119,410)	(48,532,992)	(49,988,982)	(51,488,652)
Debt Service*	(3,431,000)	(8,648,000)	(6,585,000)	(6,591,000)	(6,586,000)	(6,586,000)
Set Aside for R&R	(6,258,000)	(6,883,000)	(6,883,000)	(6,883,000)	(6,883,000)	(6,883,000)
Net Surplus	1,504,000	16,306,000	16,996,590	15,577,008	14,126,018	12,626,348
Projected Available Year End Fund Balance	12,532,573	19,298,573	19,860,163	29,494,171	37,677,189	29,860,537
* Includes \$5.27 million debt service in FY16 related to the Parking Related Convention Center Renovation, which consists of principal, interest and issuance costs. Subsequent years include principal and interest only.						

The increased revenue is a result of the amendment adopted on first reading increasing the rate to \$4.00 for on-street south of 23rd Street; off-set by the decrease revenue resulting from the amendments to the space rental fees.

CONCLUSION

The Administration recommends the City Commission take the following actions: 1) by separate motion accept the recommendation of the Finance and Citywide Projects Committee (FCWPC) on July 1, 2015; and 2) approve the attached Ordinance at Second Reading Final Public Hearing.


JLM/KGB/SF

T:\AGENDA\2015\September\PARKING\ParkingRateIncreasesSecondReadingSept302015.mem.doc

MIAMI BEACH

CITY OF MIAMI BEACH NOTICE OF PUBLIC HEARINGS SEPTEMBER 30, 2015

NOTICE IS HEREBY given that the following public hearings will be held by the Mayor and City Commissioners of the City of Miami Beach, Florida, in the Commission Chambers, Third Floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **September 30, 2015**, at the times listed, or as soon thereafter as the matter can be heard:

5:01 p.m.
A Resolution Adopting: 1) The Final Ad Valorem Millage Of 5.7092 Mills For General Operating Purposes, Which Is Twelve And Nine-Tenths Percent (12.9%) More Than The "Rolled-Back" Rate Of 5.0584 Mills; And 2) The Debt Service Millage Rate Of 0.2031 Mills. *Inquiries may be directed to the Office of Budget & Performance Improvement at 305.673.7510.*

5:01 p.m.
A Resolution Adopting Final Budgets For The General, G.O. Debt Service, RDA Ad Valorem Taxes, Enterprise, Internal Service Funds, and Special Revenue Funds For Fiscal Year 2016/17. *Inquiries may be directed to the Office of Budget & Performance Improvement at 305.673.7510.*

5:02 p.m.
A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Final Ad Valorem Millage Rate Of 1.0093 Mills For Fiscal Year (FY) 2015/16 For The Normandy Shores Local Government District, Which Is One And Four-Tenths Percent (1.4%) More Than The "Rolled-Back" Rate Of 0.9956 Mills. *Inquiries may be directed to the Office of Budget & Performance Improvement at 305.673.7510.*

5:02 p.m.
A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Final Operating Budget For Fiscal Year (FY) 2015/16. *Inquiries may be directed to the Office of Budget & Performance Improvement at 305.673.7510.*

5:03 p.m.
A Resolution Adopting The Final Capital Improvement Plan For Fiscal Years (FY) 2015/16-2019/20 And Adopting The City Of Miami Beach Final Capital Budget For FY 2015/16. *Inquiries may be directed to the Office of Budget & Performance Improvement at 305.673.7510.*

5:04 p.m.
An Ordinance Amending Ordinance No. 1605, The Unclassified Employees Salary Ordinance Of The City Of Miami Beach, Florida, As Follows: Providing For The Classifications In Group VII, Comprised Of At-Will Employees Commonly Referred To As "Unclassified Employees"; Revising The Pay Range For The City Manager And The City Attorney To Reflect The 3 Percent Cost Of Living Adjustment That Went Into Effect October 1, 2014; Adjusting The Pay Range For The Assistant Director-Public Works, Auditor, Tax Auditor, Senior Auditor, Assistant Internal Auditor, Asset Manager, Assistant Director-Human Resources, Construction Manager, Management And Budget Analyst, Agenda Coordinator, Transportation Manager And Financial Analyst; Establishing The Following Newly Created Classifications: Assistant To The City Attorney, CAO Paralegal Specialist, Beach Maintenance Director, Administrative Officer-City Manager's Office, Administrative Officer-Planning Department, Assistant Emergency Management Director, Capital Projects Director For The Convention Center District, Assistant Director-Parking Services Compliance, Employee Benefits Manager, Fire Administrative Services Manager, Greenspace Division Director, Fire Inspection Supervisor, Fire Communications Manager, Procurement Contracting Analyst, Streets And Street Lighting Superintendent, Parks And Recreation Projects Coordinator, Parks And Recreation Project Supervisor, Clerk Of Boards, Emergency Management Technician, Police Accreditation Manager, Grants Management Specialist, Rapid Response Team And Excellence Program Assessor; Reclassifying From Development Coordinator To Marketing, Tourism And Development Manager; Grants Manager To Stormwater Superintendent, Parks Surveyor To City Surveyor Manager, Chief Protection Analyst To Fire Protection Analyst Section Manager, From Streets, Lighting And Stormwater Superintendent To Stormwater Superintendent, Parks Superintendent To Greenspace Superintendent, From Procurement Coordinator To Procurement Contracting Officers I And II, Senior Procurement Specialist To Procurement Contracting Officer III And From Leasing Specialist To Real Estate Asset Specialist; Deleting The Following Obsolete Classifications: Affirmative Action Officer, Assistant Director-Neighborhood Services, Development And MBTV Director, Structural Engineer, Employment Supervisor, Historic Preservation Coordinator, PCSU Administrator, Quality Assurance Manager, Quality Assurance Officer, Quality Assurance Coordinator, Senior Business Manager, Housing Manager, Neighborhood Services Projects Administrator, Project Planner/Designer, Public Safety Communications Unit Director, Senior Code Compliance Administrator, Implementation Services Manager, Special Events Liaison, Police Public Information Officer, Elder Affairs Coordinator, Grants Manager, Development Coordinator And Grants Specialist, Requiring That The City Commission Be Informed Whenever An Unclassified Employee Is Hired At An Annual Salary Of \$75,000 Or More; And Providing For Repealer, Severability, And An Effective Date. *Inquiries may be directed to the Human Resources Department at 305.673.7524.*

5:05 p.m.
An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 106, Entitled "Traffic And Vehicles," By Amending Article II, Entitled "Metered Parking," By Amending Division 1, Entitled "Generally," By Amending Section 106-55, Entitled "Parking Rates, Fees, And Penalties," By Amending Parking Meter Rates And Time Limits; Municipal Parking Garage And Preferred Parking Lot Rates And Penalties; Regulations Regarding A Facility, Specific Monthly Parking Permit Program, Reserved/Restricted Commercial On-Street Permit Parking, And Valet Storage Spaces; And Amending The Regulations And Fees For Metered Parking Space Rental And Parking Space Removal; Amending The Regulations Regarding The Residential Parking Program; Amending The Exceptions To Section 106-55 To Provide For A Mobile Phone Payment Service And Eliminating The Smart Card Program; And Establishing A Residential Parking Visitor Permit; Providing For Codification, Repealer, Severability, And An Effective Date. *Inquiries may be directed to the Parking Department at 305.673.7505.*

5:06 p.m.
An Ordinance Amending Appendix A, Entitled "Fee Schedule," To Chapter 110 Of The Miami Beach City Code, Entitled "Utilities," Article IV, Entitled "Fees, Charges, Rates And Billing Procedure," Division 2, Entitled "Rates, Fees And Charges," Section 110-166, Entitled "Schedule Of Water Rates And Tapping Charges," And Section 110-168, Entitled "Sanitary Sewer Service Charge," To Increase The Rate For Water Service Charges In Excess Of The Minimum Service Charge; And To Increase The Sanitary Sewer Service Charge By The Same Percentage Enacted By Miami-Dade Water And Sewer Department (WASD) Pursuant To Section 110-168; Providing For Codification, Repealer, Severability, And An Effective Date. *Inquiries may be directed to the Public Works Department at 305.673.7080.*

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. Copies of these items are available for public inspection during normal business hours in the Office of the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting, or any item herein, may be continued, and under such circumstances, additional legal notice need not be provided.

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in alternate format, sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceedings, call 305.604.2489 and select 1 for English or 2 for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

Rafael E. Granado, City Clerk
City of Miami Beach

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 13, 2018

SUBJECT: **DISCUSSION REGARDING THE DEPLOYMENT OF SECURITY GUARDS IN THE CITY**

ATTACHMENTS:

Description		Type
	Commission Memorandum C4 D	Memo

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Jimmy L. Morales, City Manager
DATE: March 7, 2018

SUBJECT: REFERRAL TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE TO
DISCUSS THE DEPLOYMENT OF SECURITY GUARDS IN THE CITY.

RECOMMENDATION

Refer to Finance and Citywide Projects Committee for discussion.

ANALYSIS

In February, the management of the Security Guard Program was transferred from the Office of Emergency Management to the Police Department. Further discussion concerning the deployment of security guard positions and the impact on the department's budget is necessary.

Legislative Tracking

Police

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 13, 2018

SUBJECT: **DISCUSSION REGARDING THE COST INVOLVED WITH A STOP-GAP MEASURE PLACING MIAMI BEACH POLICE OFFICERS IN MIAMI BEACH SCHOOLS FROM APRIL 2, 2018 TO THE END OF THE SCHOOL YEAR**

HISTORY:

Following the Parkland tragedy, the following three items relating to school safety measures were on the agenda for the March 7, 2018 Commission Meeting:

1. C7 AF “A resolution of the Mayor and City Commission of the City of Miami Beach, Florida, authorizing the City Manager, City Attorney, and the city’s Chief of Police to meet with and enter into negotiations with representatives of the school board of Miami-Dade County for the purpose of entering into an agreement to authorize the presence of a Miami Beach police officer in every public school throughout the city of Miami Beach, and to authorize Miami Beach police officers to take appropriate law enforcement actions while on public school property, consistent with the terms of such agreement.”
2. R9 L “Discuss School Board Police Radio Frequency” (Rosen Gonzalez)
3. R9 R “Discuss School Safety Efforts” (Samuelian)

C7 AF was approved. R9 L and R9 R were discussed together and resulted in two resolutions: one related to the police radios, one related to several school safety aspects, including a stop-gap measure to place Miami Beach police officers in Miami Beach schools as soon as logistically possible and until the end of the school year, thus leaving time for City and Miami-Dade County Public Schools (MDCPS) leaders to develop a Memorandum of Understanding (MOU) addressing all concerns.

Chief Oates and City Manager Morales explained that hiring and training new officers is a lengthy process and that the only way to place police officers in schools rapidly is through overtime. The Mayor and City Commission referred this discussion to the Finance and Citywide Projects Committee (FCWPC), asking for a budget to be developed and ready for consideration at the March 21 City Commission Meeting.

If the overtime plan is approved, it will require an amendment of the FY 2017/18 Operating Budget.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 13, 2018

SUBJECT: **DISCUSSION REGARDING AN UPDATE ON CITY CONTRACTS AND MUNICIPAL FUNDING TO FEED THE MIAMI BEACH SCHOOLS EDUCATION ENHANCEMENTS 501(C)(3)**

ANALYSIS:

At its March 7, 2018 City Commission meeting, Agenda Item C4A was approved for a referral to the Finance and City-Wide Projects Committee (the “Committee”) for an update on City contracts and municipal funding to support the Miami Beach Public Schools educational enhancements 501(C)(3) (the “educational non-profit”).

With regard to the City contracts that can be used to financially support the educational non-profit, the Administration is providing a report (See Attachment A) of revenue generating contracts that can be considered for this purpose, either at the time of renewal or as a part of a replacement solicitation when the current contract expires.

With regard to municipal funding, the current Educational Initiatives total \$398,000, of which \$350,000 is covered in the Education Compact Fund by a \$100,000 contribution from Waste Hauler contracts and \$250,000 contribution from the Parking Garage Advertising contract, leaving \$48,000 funded by the General Fund.

CONCLUSION:

The Administration is seeking further guidance from the Committee on this matter.

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Attachment A	Other

Revenue Contracts

Contract	Description	Vendor	Subtype	Original Term	Expires
44-10/11	VENDING MACHINE CONCESSIONS	(48168) BETTOLI TRADING CORP	REVENUE	04/30/2017	04/30/2018
13-095-01	TENNIS MANAGEMENT AND OPERATIONS	(51194) MIAMI BEACH TENNIS MANAGEMENT LLC	REVENUE	05/31/2017	05/31/2018
14-059-01	CONVENTION CENTER MANAGEMENT	(43957) GLOBAL SPECTRUM LP	REVENUE	09/30/2016	09/30/2018
14-392-01	GOLF COURSE MANAGEMENT	(51526) PROFESSIONAL COURSE MANAGEMENT II L	REVENUE	09/30/2016	09/30/2018
15-030-01	GOLF COURSE CONCESSION AGREEMENT	(51526) PROFESSIONAL COURSE MANAGEMENT II L	REVENUE	09/30/2016	09/30/2018
15-030-02	CONCESSIONS AGREEMENT FOR NORMANDY SHORE GOLF CLUB	(51526) PROFESSIONAL COURSE MANAGEMENT II L	SERVICES	09/30/2016	09/30/2018
16-034-01	FIRE/POLICE FALSE ALARM BILLING SYSTEMS	(430) PM AM CORPORATION	REVENUE	10/25/2018	10/25/2018
15-205-01	MNGMT & OPERATION OF PUBLIC BEACHFRONT CONCES	(900) BOUCHER BROTHERS MIAMI BEACH 21 & 4	REVENUE	12/31/2017	12/31/2018
15-178-01	INSTALLATION OPERATIONS MAINTENANCE ATMS CITYWIDE	(36) COMMUNITEL INC	REVENUE	05/16/2019	05/16/2019
13-178-01	FRANCHISE WASTE RESIDENTIAL & COMMERCIAL	(2985) WASTE MANAGEMENT INC OF FLA.	REVENUE	09/30/2019	09/30/2019
13-178-02	COMMERCIAL&RESIDENTIAL WASTE COLLECTION & DISPOSAL	(589) PROGRESSIVE WASTE SOLUTIONS OF FL I	REVENUE	09/30/2019	09/30/2019
13-178-03	FRANCHISE WASTE RESIDENTIAL & COMMERCIAL	(51752) SOUTHERN WASTE SYSTEMS, LLC	REVENUE	09/30/2019	09/30/2019
13-317-02	MGMT & OPER. OF STREET MARKETS NORMANDY	(14830) THE MARKET COMPANY INC	REVENUE	09/30/2017	09/30/2019
13-317-03	MANAGEMENT AND OPERATION OF LINCOLN ROAD MARKET	(790) PRODUCTIONS SUD INC	REVENUE	09/30/2017	09/30/2019
13-317-04	MGMT & OPER. OF THE SOUTH OF 5TH STREET MARKET	(14830) THE MARKET COMPANY INC	REVENUE	09/30/2017	09/30/2019
14-215-1R	BAND SHELL MANAGEMENT SERVICES	(12285) THE RHYTHM FOUNDATION, INC.	REVENUE	09/30/2016	09/30/2019
13-059-01	FOOD AND BEVERAGE SERVICES MBCC	(12252) CENTERPLATE	REVENUE	06/30/2016	09/30/2020
17-081-01	CITY MUNICIPAL PARKING GARAGE ADVERTISING SERVICE	(1192) ALCHEMY MIAMI BEACH LLC	REVENUE	10/23/2020	10/23/2020
17-097-01	CITY EMPLOYEE HEALTHY CAFE	(1195) TASTE BAKERY MB CITY LLC	REVENUE	10/31/2020	10/31/2020
15-29008	CONCESSION LOCATED IN SOUTH POINTE PARK	(49782) BLISSBERRY LLC	REVENUE	11/30/2020	11/30/2020
15-177-01	SELF SERVICE ELECTRICAL VEHICAL CHARGING STATION F	(446) BLINK NETWORK LLC	REVENUE	11/01/2021	11/01/2021
A-22-00/01	CONCESSIONS - VARIOUS LOCATIONS	(39724) BOUCHER BROTHERS MIAMI BEACH LLC	REVENUE	11/04/2016	11/04/2021
CMO-01-11	COCA-COLA BOTTLING AGREEMENT	(822) COCA COLA BEVERAGES FLORIDA LLC	REVENUE	12/31/2021	12/31/2021
44-07/08	SELF-SERVICE BICYCLE RENTAL PROGRAM	(45562) DECO BIKE LLC	REVENUE	09/30/2023	09/30/2023
107-99/00	CONSTRUCT OPERATE & MAINTAIN BUS SHELTER STRUCTURE	(15268) CLEAR CHANNEL OUTDOOR INC	REVENUE	10/31/2011	Month to Month
1-02-08/09	RED LIGHT VIOLATION CAMERA ENFORCEMENT	(45454) CONDUENT STATE & LOCAL SOLUTIONS IN	REVENUE	09/22/2014	Month to Month

Revenue Contracts

3/8/2018

Contract	Description	Vendor	Original Term	Expires
<u>44-10/11</u>	VENDING MACHINE CONCESSIONS	(48168) BETTOLI TRADING CORP	04/30/2017	04/30/2018
<u>13-095-01</u>	TENNIS MANAGEMENT AND OPERATIONS	(51194) MIAMI BEACH TENNIS MANAGEMENT LLC	05/31/2017	05/31/2018
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<u>14-392-01</u>	GOLF COURSE MANAGEMENT	(51526) PROFESSIONAL COURSE MANAGEMENT II L	09/30/2016	09/30/2018
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<u>15-205-01</u>	MNGMENT & OPERATION OF PUBLIC BEACHFRONT CONCES	(900) BOUCHER BROTHERS MIAMI BEACH 21 & 4	12/31/2017	12/31/2018
<u>15-178-01</u>	INSTALLATION OPERATIONS MAINTENANCE ATMS CITYWIDE	(36) COMMUNITEL INC	05/16/2019	05/16/2019
<u>13-178-01</u>	FRANCHISE WASTE RESIDENTIAL & COMMERCIAL	(2985) WASTE MANAGEMENT INC OF FLA.	09/30/2019	09/30/2019
<u>13-178-02</u>	COMMERCIAL&RESIDENTIAL WASTE COLLECTION & DISPOSAL	(589) PROGRESSIVE WASTE SOLUTIONS OF FL I	09/30/2019	09/30/2019
<u>13-178-03</u>	FRANCHISE WASTE RESIDENTIAL & COMMERCIAL	(51752) SOUTHERN WASTE SYSTEMS, LLC	09/30/2019	09/30/2019
<u>13-317-02</u>	MGMT & OPER. OF STREET MARKETS NORMANDY	(14830) THE MARKET COMPANY INC	09/30/2017	09/30/2019
<u>13-317-03</u>	MANAGEMENT AND OPERATION OF LINCOLN ROAD MARKET	(790) PRODUCTIONS SUD INC	09/30/2017	09/30/2019
<u>13-317-04</u>	MGMT & OPER. OF THE SOUTH OF 5TH STREET MARKET	(14830) THE MARKET COMPANY INC	09/30/2017	09/30/2019
<u>14-215-LR</u>	BAND SHELL MANAGEMENT SERVICES	(12285) THE RHYTHM FOUNDATION, INC.	09/30/2016	09/30/2019
<u>13-059-01</u>	FOOD AND BEVERAGE SERVICES MBCC	(12252) CENTERPLATE	06/30/2016	09/30/2020
<u>17-081-01</u>	CITY MUNICIPAL PARKING GARAGE ADVERTISING SERVICE	(1192) ALCHEMY MIAMI BEACH LLC	10/23/2020	10/23/2020
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<u>CMO-01-11</u>	COCA-COLA BOTTLING AGREEMENT	(822) COCA COLA BEVERAGES FLORIDA LLC	12/31/2021	12/31/2021
<u>44-07/08</u>	SELF-SERVICE BICYCLE RENTAL PROGRAM	(45562) DECO BIKE LLC	09/30/2023	09/30/2023
<u>107-99/00</u>	CONSTRUCT OPERATE & MAINTAIN BUS SHELTER STRUCTURE	(15288) CLEAR CHANNEL OUTDOOR INC	10/31/2011	Month to Month
<u>1-02-08/09</u>	RED LIGHT VIOLATION CAMERA ENFORCEMENT	(45454) CONDUENT STATE & LOCAL SOLUTIONS IN	09/22/2014	Month to Month

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 13, 2018

SUBJECT: **DISCUSSION REGARDING POTENTIAL SHORT TERM PUBLIC SAFETY
ENHANCEMENTS SUCH AS HIGH-INTENSITY LIGHTING ON COLLINS COURT**

ANALYSIS:

Discussion at Committee.