

MIAMI BEACH

Neighborhood/Community Affairs Committee Meeting

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

March 19, 2019 - 2:00 PM

Commissioner Micky Steinberg, Chair

Commissioner Michael Góngora, Vice-Chair

Commissioner Joy Malakoff, Member

Commissioner John Elizabeth Alemán, Alternate

Kathie G. Brooks, Liaison

Gedel Merzius, Support Staff

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OLD BUSINESS

1. **DISCUSSION REGARDING CRIME IN MIAMI BEACH - AN UPDATE ON THE SUPER BOWL LIV**

February 14, 2018 - R9 X

Sponsored by Commissioner Góngora

Police

Status: Supplemental updated on 3/18/19 per the sponsors request.

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

April 11, 20148 - R9 W

Sponsored by Commissioner Góngora

Economic Development

Status: Supplemental updated on March 15, 2019.

3. **DISCUSSION REGARDING UNDERGROUNDING FOR NORTH BAY ROAD AND ALTON ROAD**

May 16, 2018 - R7 O

Sponsored by Commissioner Alemán

Public Works

4. **DISCUSSION REGARDING SAND SIFTING AND BEACH CLEANING AND MAINTENANCE**

June 6, 2018 - C4 T

Sponsored by Commissioner Góngora

Beach Maintenance

5. **DISCUSSION REGARDING REGISTERING AND PROVIDING SPECIAL IDENTIFICATION**

TO ALL RESIDENTS AND EMPLOYEES OF THE CITY OF MIAMI BEACH SO THAT IN THE EVENT OF A HURRICANE, OR OTHER DISASTER, REQUIRING EVACUATION, THERE IS A WAY TO EASILY IDENTIFY RESIDENTS AND EMPLOYEES SO THEY CAN RETURN TO THEIR HOMES AND THEIR JOBS EXPEDITIOUSLY

June 6, 2018 - C4 U

Sponsored by Commissioner Góngora

Emergency Management

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

July 25, 2018 - R9 V

Sponsored by Commissioner Michael Góngora

Transportation/Legal

Status: Supplemental updated on March 15, 2019.

7. DISCUSSION REGARDING THE FITUR LATIN AMERICAN TOURISM FESTIVAL

September 12, 2018 - C4 K

Sponsored by Commissioner Góngora

Tourism and Culture

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

October 17, 2018 - C4 J

Sponsored by Commissioner Arriola

Transportation

9. DISCUSSION REGARDING THE IMPLEMENTATION OF A PEDESTRIAN SCRAMBLE INTERSECTION IN MIAMI BEACH

November 14, 2018 - C7 H

Sponsored by Commissioner Góngora

Transportation

NEW BUSINESS

10. DISCUSSION REGARDING CLEANLINESS IN MIAMI BEACH

January 16, 2019 - C4 S

Sponsored by Commissioner Góngora

Public Works/ Organizational Development

11. DISCUSSION REGARDING THE A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE AT ITS OCTOBER 31, 2018 MEETING RELATING TO "5G" TECHNOLOGY, AND DIRECTING THE CITY ADMINISTRATION TO: (1) AUTHORIZE THE CITY'S INDEPENDENT SEWER SYSTEM EXPERT, HAZEN AND SAWYER, TO PREPARE A RESPONSE TO THE REBUTTAL REPORT BY CABLERUNNER INTERNATIONAL (TO HAZEN AND SAWYER'S APRIL 20, 2018 RECOMMENDATION AGAINST THE USE OF THE CITY'S SEWER SYSTEM TO INSTALL A CABLE NETWORK THROUGHOUT THE CITY); (2) RETAIN A STORMWATER SYSTEM EXPERT TO CONDUCT A STUDY ON THE FEASIBILITY OF USING THE CITY'S STORMWATER SYSTEM TO INSTALL FIBER OPTIC CABLE (AS PROPOSED BY CABLERUNNER), AND AUTHORIZE CABLERUNNER TO PAY THE

COSTS ASSOCIATED WITH SUCH STUDY; (3) RETAIN A CONSULTANT WITH APPROPRIATE EXPERTISE TO EVALUATE THE VARIOUS "5G" TECHNOLOGIES AND TO PROVIDE RECOMMENDATIONS TO THE CITY COMMISSION ON HOW TO QUICKLY AND EFFICIENTLY OBTAIN "5G" INFRASTRUCTURE, AND TO COMPARE THE VARIOUS TECHNOLOGIES, INCLUDING BUT NOT LIMITED TO REVIEWING THE "SMART CITY" PROPOSAL SUBMITTED BY JOHNSON CONTROLS; CONSULT WITH THE CITY'S EXPERT, OUTSIDE COUNSEL ON TELECOMMUNICATIONS REGARDING THE INDUSTRY, THE TECHNOLOGY, AND THE PROPOSAL, INCLUDING A REVIEW OF POSSIBLE STATE PREEMPTION

January 16, 2019 - R7 D

Sponsored by Commissioner Alemán

Public Works

Status: Supplemental updated on March 15, 2019.

12. DISCUSSION ON THE MULTI-YEAR HOLIDAY LIGHTING IMPLEMENTATION STATUS AND 2018 SEASON OUTCOME

January 16, 2019 - R9 P

Sponsored by Commissioner Alemán

Property Management

13. DISCUSSION REGARDING THE JANUARY 22, 2019 COMMITTEE FOR QUALITY EDUCATION IN MIAMI BEACH'S MOTION REGARDING ASSISTANCE FROM THE MAYOR, COMMISSIONERS, AND CITY MANAGER TO URGE FDOT TO INSTALL A WELL IDENTIFIED PEDESTRIAN CROSSING ACROSS 41ST STREET AT NORTH JEFFERSON AVENUE (STARBUCKS AND BURGER KING), ESPECIALLY FOLLOWING A STUDENT WHO WAS HIT AND BADLY INJURED WHILE CROSSING

C4 F, February 13, 2019

Commisioner Góngora

Transportation

Status: Item withdrawn by sponsor

14. DISCUSSION REGARDING THE HISPANIC AFFAIRS COMMITTEE'S MOTION ON RECOGNIZING THE IMPORTANCE OF EFFECTIVELY COMMUNICATING WITH A DIVERSE AUDIENCE; THE HISPANIC AFFAIRS COMMITTEE URGES THE CITY COMMISSION TO ADOPT POLICY REQUIRING THAT ANY PRESS RELEASE AND MEDIA ADVISORY SENT BY THE CITY AND BY ITS PUBLIC SAFETY DEPARTMENTS BE DISSEMINATED IN ENGLISH AND SPANISH

February 13, 2019 - C4 G

Sponsored by Commissioner Góngora

Marketing and Communications

15. DISCUSSION REGARDING THE TRANSPORTATION, PARKING AND BICYCLE-PEDESTRIAN FACILITIES COMMITTEE MOTION CONCERNING ON-STREET TRUCK LOADING

February 13, 2019 - C4 H

Sponsored by Commissioner Samuelian

Parking

16. DISCUSS REGARDING THE MAYOR'S 41 STREET BLUE RIBBON COMMITTEE'S MOTION ABOUT IMPROVING THE LIGHTING ON THE 41ST STREET CORRIDOR, SPECIFICALLY TO ALLOCATE THE 41ST STREET QUALITY OF LIFE FUNDS TOWARDS LIGHTING THE TREES ON THE 41 STREET CORRIDOR

C4 I, February 13, 2019

Commissioner Góngora
Property Management

17. **DISCUSSION REGARDING THE 41ST STREET COMMITTEE MOTION ON REESTABLISHING A POLICE SUB-STATION**

February 13, 2019 - C4 J

Sponsored by Commissioner Samuelian
Police

18. **DISCUSSION REGARDING THE MAYOR'S 41ST STREET BLUE RIBBON COMMITTEE'S MOTION TO PRIORITIZE IMPROVING THE LIGHTING ON THE 41ST STREET CORRIDOR.**

C4 K, February 13, 2019

Commissioner Samuelian
Economic Development

Status: Item withdrawn by sponsor

19. **DISCUSSION ON THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) PROPOSAL TO ENHANCE THE MACARTHUR CAUSEWAY BICYCLE LANES**

February 13, 2019 - C4 L

Transportation

20. **DISCUSSION REGARDING THE LONG WAIT TIMES FOR THE SOUTH BEACH TROLLEYS**

February 13, 2019 - C4 M

Sponsored by Commissioner Góngora
Transportation

21. **DISCUSSION REGARDING NAMING OF NORTH CONVENTION CENTER PARK AS COLLINS CANAL PARK**

February 13, 2019 - R9 G

Tourism and Culture

22. **DISCUSSION REGARDING MIAMI BEACH COMMUNITY DEVELOPMENT CORPORATION AND ITS PRECARIOUS FINANCIAL POSITION**

February 13, 2019 - R9 M

Sponsored by Commissioner Malakoff
Housing and Community Services

DEFERRED ITEMS

23. **DISCUSSION REGARDING THE 23RD STREET AND 63RD STREET COMPLETE STREETS FEASIBILITY STUDIES**

December 13, 2017 - C4 A

Transportation

Status: Deferred pending further analysis to address community concern.

24. **DISCUSSION TO CONSIDER THE INSTALLATION OF THE BEAUTIFUL BARRIERS**

CONCEPT AS SECURITY BARRIERS AROUND THE CITY

April 11, 2018 - C4 Q

Sponsored by Commissioner Alemán

Property Management

Status: Deferred pending implementation of 6-month pilot program.

25. DISCUSSION REGARDING NAMING OF THE MAIN CONVENTION CENTER PARK

May 16, 2018 - C4 AK

Tourism and Culture

Status: Deferred to the April 24, 2019 NCAC meeting pending community response.

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

May 16, 2018 - C4 AO

Sponsored by Commissioner Góngora

Transportation

Status: Deferred pending petition results from St. Patrick Catholic school.

27. DISCUSSION TO EXPLORE ADDITIONAL AVENUES FOR PUBLIC ENGAGEMENT

June 6, 2018 - C4 Q

Sponsored by Commissioner Samuelian

Marketing and Communications

Status: Item to be updated quarterly due April 24, 2019.

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

July 25, 2018 - C4 E

Sponsored by Commissioner Góngora

Office of the City Attorney

Status: Deferred pending recommendations from each department. City attorney to bring back comprehensive multi-department recommendation to NCAC meeting when ready.

29. DISCUSSION REGARDING JIM MORRISON'S LIGHTING OPTION PROPOSAL

October 17, 2018 - C7 O

Property Management

Status: Deferred pending review by the Design Review Board.

30. DISCUSSION TO CONSIDER CONCEPTS FOR THE NORTH BEACH NEIGHBORHOOD GREENWAY

December 12, 2018 - C4 Q

Transportation

Status: Deferred pending traffic study on the one-way portions.

31. DISCUSSION TO CONSIDER A PROPOSAL TO ESTABLISH A MONUMENT (COMMEMORATIVE PLAQUE) AT THE RAINBOW CROSSWALK LOCATED AT 12TH STREET AND OCEAN DRIVE

December 12, 2018 - C4 T

Sponsored by Commissioner Góngora

Parks and Recreation/Office of City Attorney

Status: Deferred pending LGBTQ committee update on language for plaque.

32. **DISCUSSION REGARDING PROHIBITING FISHING AT SEAWALLS**

January 16, 2019 - C4 AL

Sponsored by Commissioner Samuelian

Police/Public Works

Status: Deferred to April 24, 2019 NCAC meeting pending an ordinance draft from Legal department.

33. **DISCUSSION REGARDING THE EFFICACY OF THE MOTORIZED VEHICLE/SCOOTER AMENDMENTS**

January 16, 2019 - C4 R

Sponsored by Commissioner Alemán

Police

Status: Item added to the agenda per the sponsors request.

34. **DISCUSSION REGARDING SPORTS FIELDS CITYWIDE**

February 13, 2019 - C4 W

Parks and Recreation

Status: Item deferred pending additional staff research.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

SUBJECT: **DISCUSSION REGARDING CRIME IN MIAMI BEACH - AN UPDATE ON THE SUPER BOWL LIV**

HISTORY:

On May 24, 2016, the National Football League (NFL) awarded the Super Bowl LIV to South Florida. Unlike most Super Bowl, where all the activities and organizers are centralized in one location, Super Bowl LIV will be and take a collective effort from Miami-Dade, Broward and Palm Beach counties and municipalities. The game will take place on Sunday, February 2, 2020 at the Hard Rock Stadium in Miami Gardens, the Super Bowl Live event will be at Bayfront Park and a similar event on the beach in Broward, and the City of Miami Beach will be home to the NFL Experience.

The NFL Experience, which include the Media Center (5,000 media outlets are expected to provide coverage), the Radio Row, and the NFL Social Media Command Center, is the largest event leading up to the Super Bowl and based on previous years, over 1.2 million visitors are expected to visit the site, located at the Miami Beach Convention Center between January 18 and February 6, 2020. In addition, the Super Bowl Host Committee has discussed potentially hosting the following events on the beachfront areas of Miami Beach: a media event, a VIP event, a potential event in the main Convention Center Park, and a free public beach concert. The City of Miami Beach is pending confirmation from the NFL for these special events.

ANALYSIS:

The Miami-Dade Police Department (MDPD) is leading the organization of law enforcement forces for the Super Bowl LIV. MDPD recently released its organizational chart for this event (see attachment). That chart, which lists the different planning committees and teams, highlights the areas for which MDPD is responsible as well as the areas for which the Miami Beach Police Department (MBPD) will play a significant role. These include:




- Emergency Operations Center
- Intelligence Operations Center (IOC)
- NFL Experience
- Escorts
- Marine Patrol
- Joint Special Operations Center (JSOC)
- Canine
- Dignitary Protection

- Investigations
- Team Liaison
- Department Field Operations
- Visiting Public Safety Officers (VPSO)
- Communications

At this point, the MBPD has developed its own organizational chart, integrating the MDPD areas listed above (see attachment). Deputy Chief Clements is the Event Commander, leading the MBPD Super Bowl team. Major Acosta is the Operations Commander, Major Guerrerro the Specialized Units Commander, and Major Jones the Support and Special Events Commander.

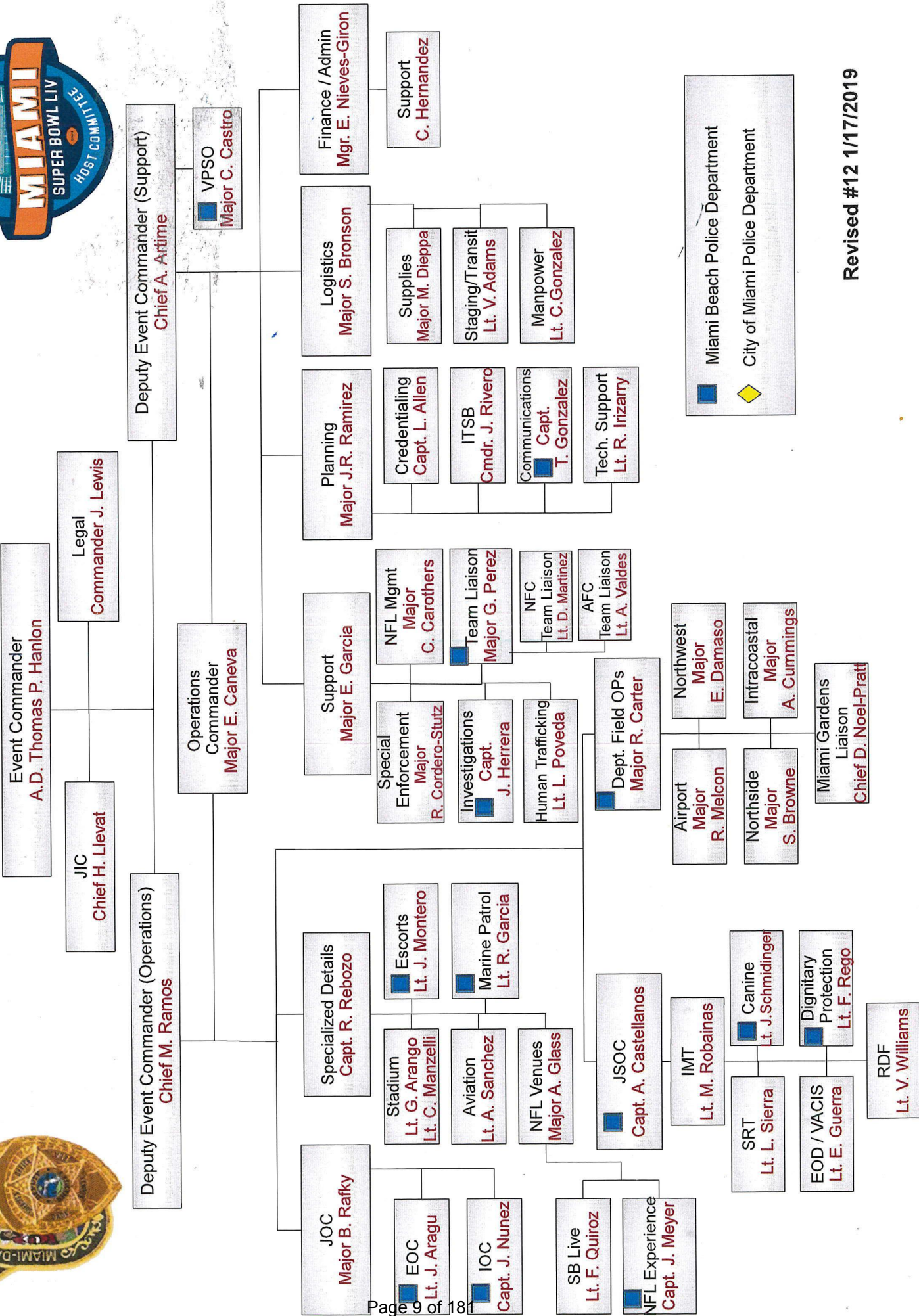
The MDPD meets with members of the Law Enforcement Host Committee on a monthly basis to review and coordinate all the elements involved in this mega-event. The internal committees meet on a regular basis, as needed, to ensure the MBPD is ready for this event.

ATTACHMENTS:

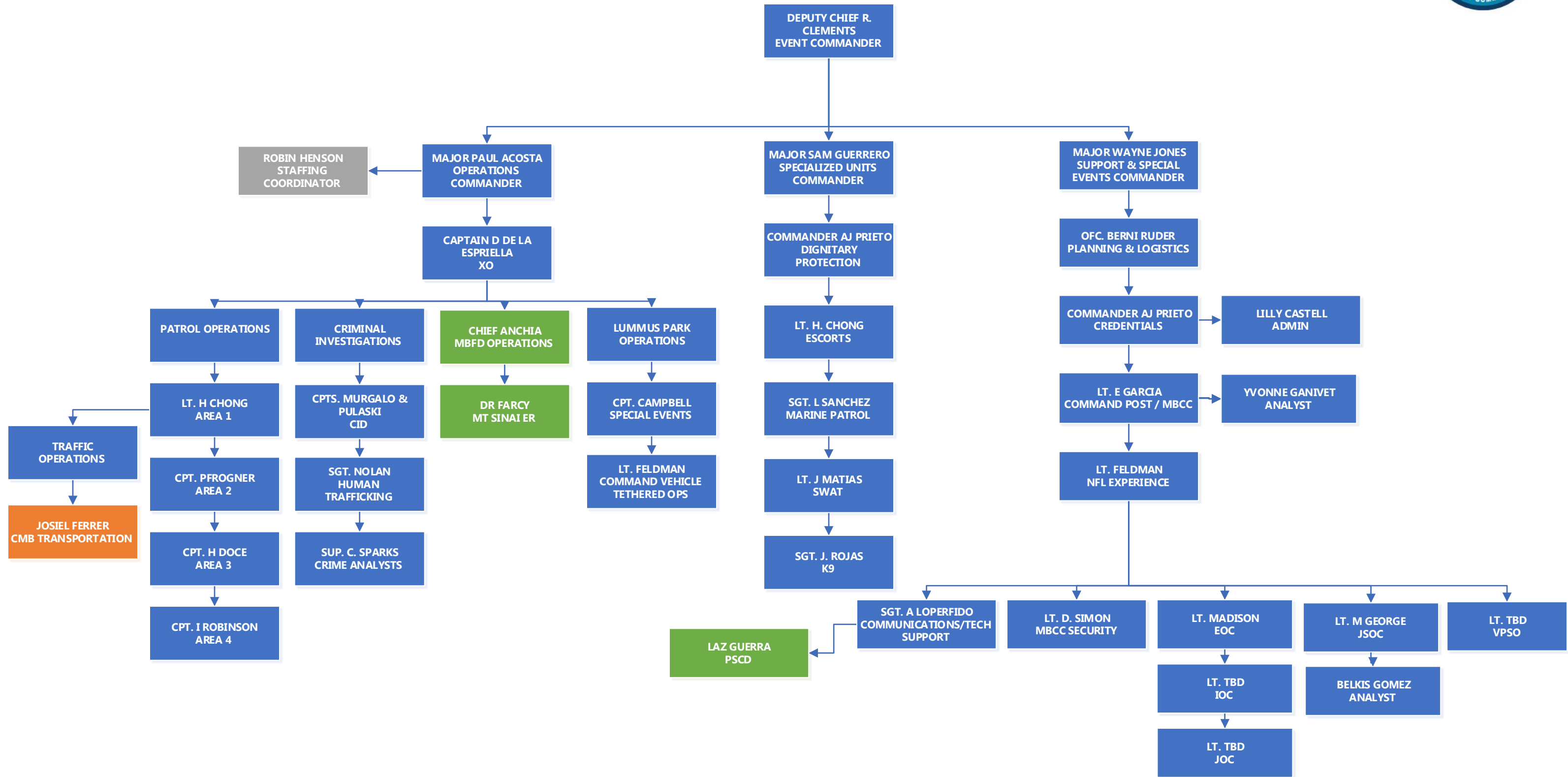
Description	Type
 Miami Dade Police Department - Super Bowl Organization Chart	Other
 Miami Beach Police Department - Super Bowl Organization Chart	Other
 March NCAC Supplemental Email	Other



SB LIV Miami-Dade Police Department Table of Organization



Revised #12 1/17/2019



Please add to my crime item at Neighborhoods Committee on Tuesday

Michael C. Gongora

Shareholder

Board Certified Specialist, Condominium and Planned Development Law

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From: Alex Fernandez <

> Subject: Crime in Miami Beach

>

> Dear Mayor, Commissioners, and Manager:

>

> As you know, I rarely email the full commission in my personal capacity however, the criminal element that has overtaken our City warrants that I contact you as a body. Like countless others, I am at best greatly disheartened when I must think twice before going out for a walk out of consideration to my personal safety. In short, residents don't feel safe, visitors are getting hurt, businesses are severely suffering, and officers are doing the best they possibly can to barely keep minimum order while working an exhausting schedule.

>

> Clearly, the solution to the angry chaos before us is not in how large crowds are handled during this one weekend or during Spring Break. A hard look must be given at how laws are enforced and crime is being handled year-round. As a community, we cannot continue to allow for visitors who break the law in our streets to feel at home in Miami Beach.

>

> I urge you to please reassess our long-term policing strategy. Greater law enforcement measures must be taken to make Miami Beach the destination of last choice for lawless individuals throughout the year. The overwhelming rash of incidents happening right before our eyes is casting a negative shadow that overwhelms the good news and positive things that are occurring in our city every day.

>

> Thank you,

> Alex Fernandez

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

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

HISTORY:

Vacant Storefronts

During the October 26, 2018 FCWPC meeting, the Committee was presented with Design and Architecture High School (DASH) student designs. The recommendation was to ask the students to revise the designs to better reflect the Miami Beach essence, to ask the Communications team to assist with Miami Beach color plate as well as advise the students along with the Planning Department team. The direction was to return with the updated designs to FCWPC and to potentially use these designs citywide.

State of the Washington Avenue Business Improvement District (BID)

The official ballot election to create the Washington Avenue BID concluded on April 20, 2018. The measure received 67 "Yes" votes, "12" No votes, and "5" rejected ballots, therefore the measure passed. The district boundaries run from the north by 17th Street and on the south by 5th Street, and consists of properties abutting Washington Avenue and/or the cross-streets intersecting Washington Avenue.

Following this ballot measure, a public hearing to approve the final assessment roll for the special assessment district, Washington Avenue BID, was held on June 6, 2018. There were no contentions made for this ballot measure.

ANALYSIS:

Addressing Storefront Vacancies

In February 2019, the DASH student storefront cover (and parklet) designs were received by the City. Economic Development, Communications and Planning teams reviewed the 20+ designs with respect to capturing the Miami Beach essence, color plate, ability to place the Miami Beach logo, information about how to contact the landlord, opaque enough for security, and aesthetically pleasing. The final four (4) designs

at attached in Exhibit A for your review.

The 41st Street Committee, during their February 2019 meeting, expressed their approval all four designs as suitable for use on 41st Street but plan to discuss, during their April 2019 meeting as to whether they would like to recommend the utilization of one specific design or more than one to vacant storeowners.

Status of the Washington Avenue Business Improvement District (BID)

City Administration have been actively working with the Washington Avenue BID to discuss next steps for revitalizing the corridor. Members of the BID and Staff put together a RFP to retain a design firm to create an updated Washington Avenue design and vision plan and Zyscovich, Inc. was selected. The scope of work will examine the current street conditions, and provide conceptual structural and curatorial recommendations that address traffic, walkability, lighting, and vibrancy.

The BID has been active and has hired an executive director (Troy Wright), and have starting hosting Washington Avenue corridor walks with Commissioners and various City departments.

The Mayor and City Commission will host a *Washington Ave Workshop* on April 16, 2019 to discuss priorities, potential funding and timelines.

CONCLUSION:

- Vacant Storefront Covers

- The Administration is recommends approval of the four (4) DASH designs for utilization citywide. In addition, the Administration recommends some form of recognition for Eric Hankins, 41st Street Committee member, DASH instructor and catalyst of the student storefront designs and the final four (4) students for their great work, interest and contribution to the beautification of Miami Beach vacant storefronts.

Status of the Washington Avenue Business Improvement District

- The Administration welcomes any agenda recommendations the FCWPC would like to explore during the Washington Avenue Workshop scheduled for April 16, 2019.

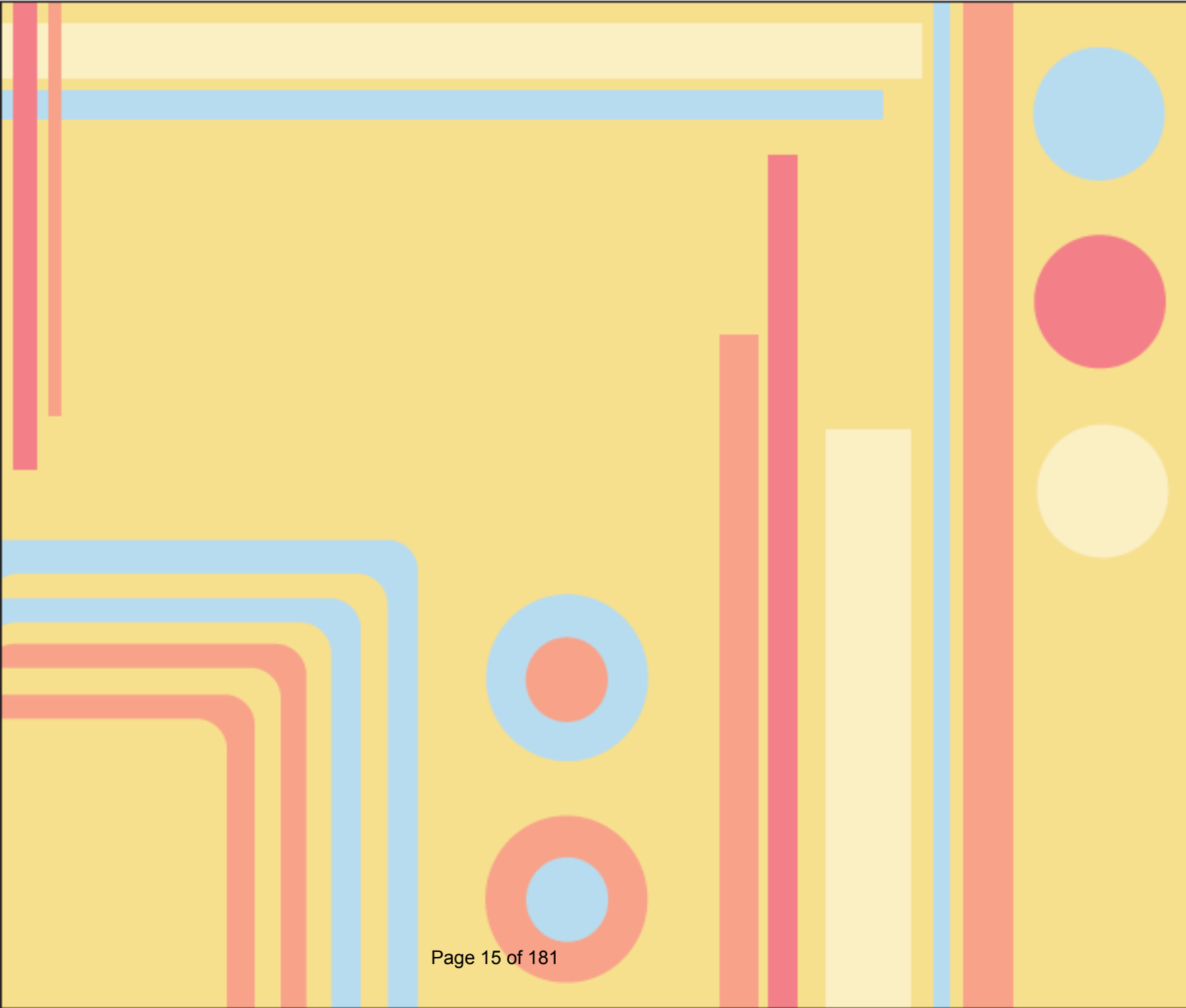
ATTACHMENTS:

Description	Type
□ Exhibit A DASH Storefront Designs	Memo

41ST STREET STOREFRONT DESIGNS

DASH

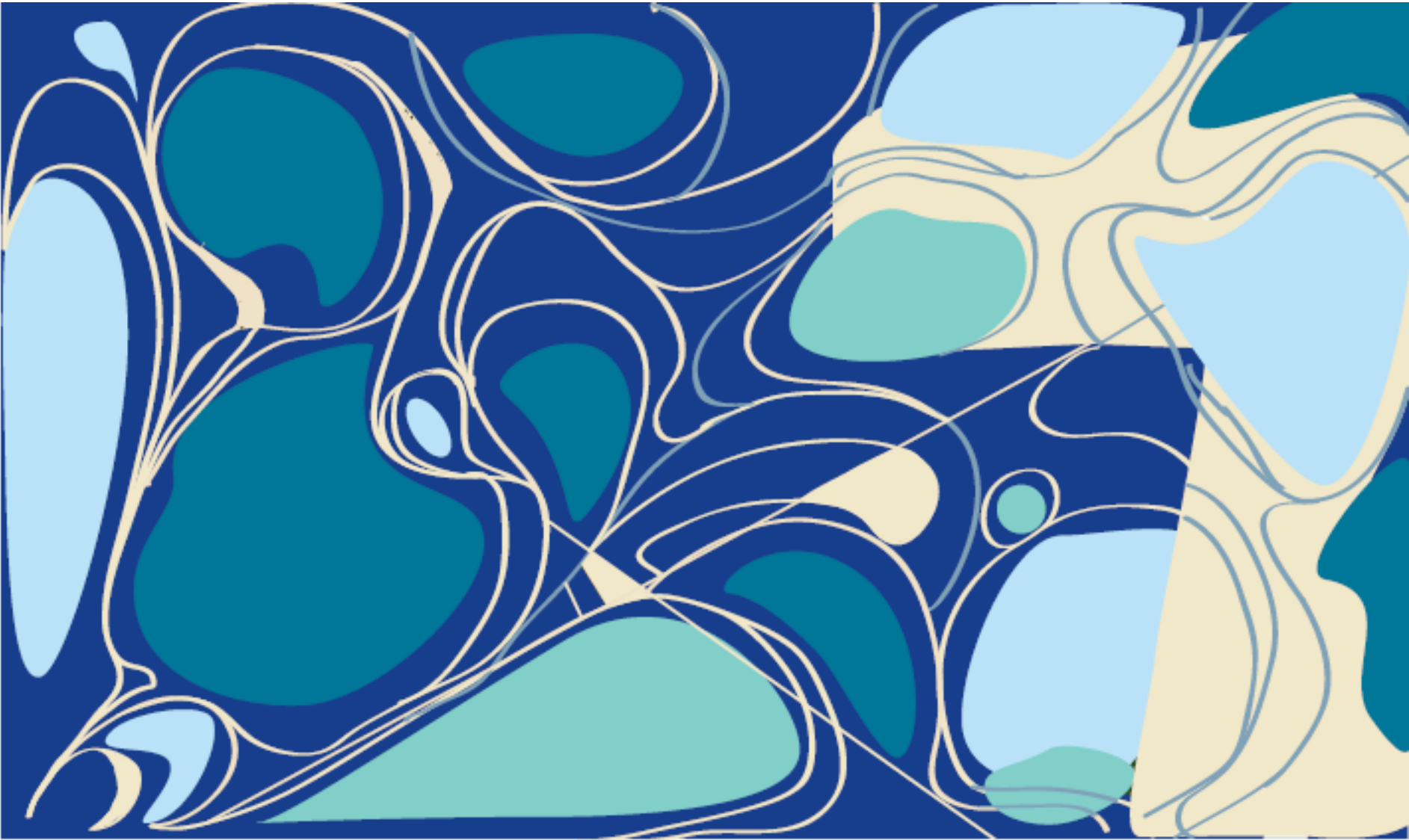
FEBRUARY 2019

















MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

SUBJECT: **DISCUSSION REGARDING UNDERGROUNDING FOR NORTH BAY ROAD
AND ALTON ROAD**

ANALYSIS:

On September 6, 2018, the City mailed a petition form to residents on North Bay Road, between Alton Road and La Gorce Drive/Pine Tree Drive Circle, in order to allow the subject residents to advise the City whether they are in favor of funding the undergrounding of utilities with special assessments. The deadline to mail back these petitions was set for October 8, 2018.

Historically, petitions to create underground utility districts have been circulated and submitted by City residents and/or neighborhood associations. In this case, the City Administration distributed petition forms, on a pilot basis, to residents on North Bay Road, between Alton Road and La Gorce Drive/Pine Tree Drive Circle.

At its September 26, 2018 meeting, the NCAC held a discussion regarding the potential undergrounding of utilities along North Bay Road and how the City Administration might further facilitate the creation of special assessment districts to fund the undergrounding of utilities.

A copy of the City's current policy applicable to the creation of special assessment districts for the underground conversion of overhead utilities was presented for discussion, as well as a request by North Bay Road residents to extend the petition deadline to January 18, 2019.

At the NCAC meeting on January 28, 2019, the Committee reviewed the final tabulation from the petition mailing. 60% of property owners submitted petitions in favor of the district. The next step was to have the City Commission move forward in directing staff to seek a rough estimate from the utility companies. However, it is important to note that prior to getting binding estimates from utility companies, there would be fees associated for studies conducted by FPL to determine the probable cost of the project.

Historically, the property owners or homeowner's associations proposing the creation of such districts have paid for specified costs associated with obtaining cost estimates from the utilities.

Based on the estimates, the amounts would then go on ballots and the home owners would have to vote on whether they agree to such an assessment based on the dollar amount, and whether it would be paid as a lump sum or over the course of a number of years.

The City Clerk's office anticipated the voting would cost an approximate \$16,000 to \$18,000 and require an English and Spanish advertisement. Public Works, in anticipation to this project, prepared a draft initial study area with anticipated project limits for the upper North Bay Road Neighborhood. The preliminary cost estimate from FPL is \$3.1 million.

A motion was made by the NCAC Committee to proceed with the next steps for creating a district and obtaining the binding estimates for the utilities. Public Works staff is currently in discussions with the neighborhood associations to determine the following steps required for the undergrounding of overhead utilities in the Upper La Gorce neighborhood:

- 1- Discuss project boundaries for the Upper La Gorce Neighborhood.
- 2- Prepare a map for the review and approval of project limits
- 3- Submit the revised project limits map to FPL for a quote to perform the necessary design for the service and provide a non-binding cost estimate.
- 4- Report the cost and seek direction of who will be responsible for paying the fees.

The estimated time frame for the above tasks is approximately 60 days.

ATTACHMENTS:

Description	Type
FPL initial estimate	Other



February 18, 2019

Mr. Jose Rivas, P.E.
Civil Engineer III
Public Works Dep.
Engineering Division
1700 Convention Center Drive
Miami Beach, FL 33139

**Re: City of Miami Beach
Electric Facilities Conversion – Ballpark Estimate
La Gorce Neighborhood
WR # 8659452**

Dear Mr. Rivas, P.E.:

FPL welcomes the opportunity to assist you in examining the feasibility of converting from overhead electric distribution facilities to an underground system at the following location:

La Gorce Neighborhood , in Miami Beach, Florida.

As per your request, the non-binding "ballpark" estimate to complete this conversion is \$3,100,000. This estimate is provided strictly to assist you in preliminary decision making and it does not include the conversion of the existing streetlight system. It is not an offer from FPL to perform the requested conversion and should not be construed or used as such for detailed planning purposes. This represents an "order of magnitude" figure based on previous FPL experience and reflects the CIAC payment that the City would ultimately need to make to FPL if the conversion were performed at this point in time utilizing standard underground equipment. It is our experience that conversions in developed areas are the most complex and challenging types of construction. As such, this estimate likely will not precisely represent the Town's ultimate actual cost to convert, but can assist the City in preliminary decision-making.

FPL estimates include only estimated charges to be paid by the City to FPL. The costs of the following items are not included with the estimate and are the responsibility of the City /residents. These potential costs should be included in future planning of the project:

- Site restoration (sod, landscaping, pavement, sidewalks, etc.)
- Rearrangement of customer electric service entrances (requires electrician) from overhead to underground. Also, additional customer expense if local inspecting authorities require customer wiring to be brought to current codes.
- Trenching/backfilling for service laterals.
- Removal and undergrounding of other utilities (e.g. telecom, CATV, etc.)
- Acquiring, describing, securing and recording of easements for underground facilities. In underground systems, major components formerly attached to poles must now occupy "at grade" appurtenances, e.g., ground level pad mounted transformers and switch cabinets. Facilities of an underground distribution system will not be placed in road right-of-way, with the exception of cables required for crossings. (See special note below)

Note: Obtaining easements is typically the most difficult aspect of the conversion process; the time required to secure the easements may even exceed the 180 day binding estimate timeframe. FPL strongly suggests that all easements required for the conversion be described and secured prior to requesting the detailed cost estimate. Further, in some instances, the underground distribution system may be placed within the road right-of-way with the proper agreement.

In 2007, the Public Service Commission approved FPL's 25% Governmental Adjustment Factor (G.A.F.) waiver for local government sponsored projects. In order to be eligible for the G.A.F. waiver a project must meet a series of criteria (see Attachment). Based on the preliminary information you provided for the proposed conversion area, this request does qualify for the G.A.F. waiver. The ballpark estimate provided above does not include this G.A.F. waiver.

After reviewing the "ballpark" estimate, if you decide to move forward with the conversion project, you may request a detailed and "binding" estimate. Due to the complexity and time required to estimate such a conversion, a non-refundable engineering deposit is required prior to beginning the estimating process, as set forth in the Florida Administrative Code 25-6.115. For this conversion project the amount of the required engineering deposit is \$23,070.00. If you decide to proceed with the work contained in the estimate, the amount of this deposit would be applied toward the estimated amount owed to FPL for the conversion. The work must commence within 180 days of the date the binding estimate is provided.

The request for the binding estimate must be in writing, and must describe in detail the facilities to be converted. Binding estimates are valid for 180 days, and would be subject to change in the event of a work scope change. Should actual FPL costs exceed the binding estimate amount, the customer may be responsible for those additional costs up to a maximum of 10% of the binding estimate amount. Payment of customer costs, easements (with opinion of title and recorded), agreements from other utilities/pole licensees, and execution of a Conversion Agreement would be required before commencement of construction.

If you have any questions or wish to consider a binding cost estimate, please call me at 305-377-6108.

Sincerely,

Joel R Garcia

Joel Garcia
Engineering Leader
Power Delivery
Florida Power & Light Company

Attachments

Cc: Mr. Tom Allain – FPL
Mr. Roger Mendoza – FPL
Mr. John Lehr – FPL

Legend

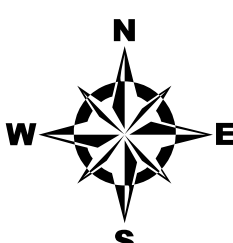
Study Area



Biscayne Bay

Indian Creek

Surprise Lake



1 in = 258 ft

0 300 600 Feet

**La Gorce Neighborhood
Subdivision
City of Miami Beach
Study Area
Overall Map**

Thursday, January 31, 2019

M:\SCMB\GIS\Projects\15_BeachfrontConcessions\ArcMap\Upper_North_Bay_Proposed_Pipe24x36All-01-31-2019.mxd
M:\SCMB\TEMP\La Gorce Drainage\Upper_North_Bay_Proposed_Pipe24x36All.pdf

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

SUBJECT: **DISCUSSION REGARDING SAND SIFTING AND BEACH CLEANING AND MAINTENANCE**

KEY INTENDED OUTCOME:

Improve Cleanliness, City Beaches

HISTORY:

On June 6, 2018, a referral was made by the full Commission to the Neighborhood/Community Affairs Committee to Discuss Sand Sifting, Beach Cleaning, and Maintenance.

On July 18, 2018, at the Neighborhood/Community Affairs Committee (NCAC) meeting, sand sifting and the frequency at which it is performed was discussed extensively. Alejandro Quintas, a representative of Neat Sand, advised the committee that in a meeting with city staff he proposed three recommendations regarding beach maintenance. The first is to stop offering government resources to do the sand sifting after special events. Neat Sand is listed as a vendor with the Special Event Department to handle sand sifting after each event which is required for beach event permits. Miami Beach and Miami Dade County offer the same services. Mr. Quintas represented that Neat Sand has proven that they can provide a very good service post event. The second recommendation was to have the city provide a location close to the beach for equipment storage to make the maintenance of the beach more effective. He informed the Committee that having the equipment far away makes it difficult to perform maintenance on the beach. The third recommendation was that the City request and enforce that every concession provide sand sifting on a regular basis by modifying/amending the rules and regulations on beachfront concessions to keep the area clean. He believed that by doing so, it would allow Miami Dade County to increase the sand sifting maintenance in other areas close to the shoreline.

At the end of this July 18, 2018, NCAC Meeting the following direction was given;

1. Staff was directed to flesh out the rules and regulations regarding concessions on the beach as it pertains to sand sifting including what it entails, whether staff recommends it or not, and the cost to implement it.
2. Staff was also directed to find out about the money that was allocated for the additional sand sifting that was not awarded and if it would be going back out or how that money could be used to improve the beaches.
3. Send a resolution to Miami Dade County telling them about the seaweed problem on Miami Beach problem and request funding for seaweed clean up.

In September 2018, the item was deferred.

On October 31, 2018, this item was again discussed. The following information was provided in response to the direction given by the committee at the July 18, 2018 meeting;

1. Staff had been directed to flesh out the rules and regulations regarding concessions on the beach as it pertains to sand sifting including what it entails, whether staff recommends it or not, and the cost to implement it.
 - a. All concession operations regardless of their locations on the beach are required to pick up litter and trash within their workable areas at the beginning of their daily operations, throughout the day, and upon the conclusion of their operations. Only those concession operators in the public beachfront concession areas, those located where the upland property is city owned, are required to provide sifting within their operating areas. According to the Public Beachfront Concession Agreement, Section 10.1.1, this required sifting may be performed by either mechanical or manual means. All concessions located outside of the Public Beachfront are required to perform continuous litter collection but not sifting throughout their operating hours.
 - b. It is suggested and would be beneficial for the entire beach if all beachfront concessions were required to sift their workable areas throughout the day using hand held tools such as rakes and nets. These have proven to be very effective in the collection of cigarette butts, bottle caps, eating utensils, and a variety of small bits of trash and litter.
 - c. The cost for this to the concession operator would be negligible while the benefit would be noticeable.
2. Staff was also directed to determine if money was allocated for additional sand sifting that was not awarded.
 - a. Neither the City nor the County allocated funding for additional sand sifting.
3. It was also suggested that the City send a resolution to Miami Dade County telling them about the seaweed problem on Miami Beach and request funding for seaweed clean up.
 - a. Miami Dade County Parks, Recreation and Open Spaces Department, Beach Operations Division has submitted enhancements for additional beach sifting equipment and seaweed removal in its F/Y 2019-2020 budget.
 - b. The City Manager and team members met with Miami Dade County Commissioners Eileen Higgins and Sally Heyman to request their support for the enhancements to the Miami Dade County Beach Maintenance budget for FY 2020 that would allow for additional sifting and seaweed removal.

At the end of the October 31, 2018, NCAC Meeting, staff was directed to;

- 1 Return with a report on a specific direction with recommendations and options on how the City can improve beach cleanliness specifically as it relates

1. Return from a report on specific erosion and recommendations and options on how the City can improve beach cleanliness, specifically as it relates to sand sifting behind the hotels.
2. Staff was directed to meet with Mr. Quintas prior to the NCAC meeting to consider his concerns about being a City vendor.

In attempting to develop a plan for additional sifting on our beaches, including behind hotels we requested proposals from Beach Raker and Neet Sand. Neet Sand did not respond.

To date we have evaluated current beach cleaning efforts along our beach and looked for potential opportunities for enhanced services, including identifying opportunities and costs for retaining a private firm to assist with beach cleaning efforts and the strong possibility of enhanced services coming from Miami Dade County with the support of their County Commission.

NEW INFORMATION

Boucher Brothers Management LLC. also submitted an unsolicited proposal for providing beach sifting services that would cost nothing for public beach front properties and provide a percentage of revenues generated for services provided to hotels.

All equipment inventories, responses and informal non-binding proposals which were submitted are attached.

ANALYSIS:

PERFORMANCE HISTORY AND PROPOSALS

Qualification	Miami Dade County	Beach Raker	Neet Sand
Prior work experience in beach sifting, and other beach related maintenance services.	Miami Dade County Beach Operations grooms, maintains, and cleans the 14.5 miles of beach, dune, and shoreline from Government Cut to Golden Beach. The municipalities included in the operation are: City of Miami Beach, Surfside, Bal Harbour, Miami-Dade County-Haulover, Sunny Isles Beach, and Golden Beach. This unit operates bulldozers, tractors, Load-n-Pack trash collectors, beach sifters, small and large trucks, scooters and a variety of grounds maintenance tools to perform their duties. This operation has existed for over 40 years.	Beach Raker was founded in 1979 and has grown to be the largest provider of environmental beach cleaning services in Florida. Our services include, but are not limited to, seaweed management, beach grooming, sand sifting, sand excavation, sand dune management, turtle nest monitoring and garbage removal. Beach Raker currently services 8 municipal contracts daily and 4 additional municipal contracts on an emergency basis. Our longest contract is nearly 40 years old. All 12 municipal clients have utilized Beach Raker extensively to combat the evasive Sargassum seaweed South Florida experienced in 2018. Beach Raker has never been replaced/terminated by any of their municipal clients. Beach Raker has over 250 additional commercial and residential accounts to include 100% of Sunny Isles, Golden Beach, Hillsboro Mile and the Galt Ocean Mile.	Three Requests with no response. Two via e-mail one verbal in person.
Current work under contract or agreement; name of City, Municipality, or entity and for how long has it existed.	<p><u>Manual trash collection</u> takes place daily on Miami Beach, Surfside, Bal Harbour, Haulover Beach, Sunny Isles and Golden Beach. <u>Mechanical trash collection</u> takes place daily on Miami Beach, Surfside, Haulover Beach, Haulover Park and Sunny Isles.</p> <p><u>Beach sifting</u> is performed on all of the above mentioned sections of beach to remove stones, broken glass, bottle caps, cigarette butts, plastic eating utensils, straws, plastic cups and bottles. Beach Sifting is typically performed 5 days per week. Miami Beach and Surfside are scheduled to be sifted 8 to 12 times annually, while Bal Harbour, Haulover, and Sunny Isles are scheduled to be sifted 4 times annually. Sifting is performed on the more heavily populated and more frequently used sections of Miami Beach during holidays and special events totaling to over 40 services annually in a given section of beach.</p>	<ol style="list-style-type: none"> 1. Client: City of Dania Beach Project/Duration: 2012 to Present 2. Client: Town of Lauderdale-by-the-Sea Project/Duration: 1986 to Present 3. Client: Village of Key Biscayne Project/Duration: 2014 to Present 4. Client: City of Pompano Beach Project/Duration: 1979 to Present 5. Client: City of Marathon Project/Duration: 2013 to Present 6. Client: Bal Harbour Village Project/Duration: 2014 to Present 7. Client: Jacksonville Beach Project/Duration: Contract awarded 2018 for minimum 3-year term. 8. Client: City of Venice Beach Project/Duration: Contract awarded in 2018. 9. Client: City of Ft. Lauderdale Project/Duration: Support Services. 10. Client: City of Hollywood Project/Duration: Support Services. 11. Client: City of Deerfield Beach 	

Project/Duration: Support Services.
 12. Client: City of Miami Beach
 Project/Duration: Support Services

In order to provide the City's ask of sifting all of Miami Beach

weekly, What are your needs?

Three sifters with tractors and operators. Estimated cost of \$750,000 + fuel, lubricants, and maintenance.

One sifter with tractor and operator plus one Cherrington self-propelled sifter 5 days/week, 52 weeks/year to provide for the once weekly sifting of all Miami Beach. Plus a third sifter with tractor and operator to provide twelve days of service upon request based on needs. Annual estimate \$250,000

EQUIPMENT INVENTORY SPECIFIC TO BEACH MAINTENANCE

EQUIPMENT	QUANTITY AND AGE	MIAMI DADE	BEACH RAKER
TRACTORS	TOTAL	8	19
	2 YRS. OR LESS	2	6
	3 TO 4 YRS.	1	7
	5 TO 6 YRS.	0	3
	7 TO 8 YRS.	0	3
	9 + YRS.	5	0
SIFTERS	TOTAL	3	16
	3 YRS. OR LESS	0	1
	4 TO 6 YRS.	0	0
	7 TO 9 YRS.	2	5
	10 TO 12 YRS.	0	6
	13 TO 15 YRS.	1	4
LOAD N PACK	TOTAL	8	0
	2 YRS. OR LESS	0	
	3 TO 4 YRS.	3	
	5 TO 6 YRS.	2	
	7 TO 8 YRS.	2	
	9 + YRS.	1	

Boucher Brothers Management Beach Sifting Proposal

A beach sifting proposal has also been received from Boucher Brothers Management. In addition to their hourly raking, pick sticking, and sifting with nets at each of their contracted concession locations they have offered to add mechanical beach sifting on a weekly to a maximum of bi-weekly basis for a fee. A percentage of this fee would be passed on to the City as are revenues currently produced by active concession operations.

Each of their contracted concession properties would receive this service. In addition, these same sifting services would be offered to beachfront properties who are contracted with other concession managers. A percentage of all revenues received as a result of these services would also be shared with the city under similar terms.

In addition, all City beaches which are located adjacent to city property such as South Point Beach, Marjorie Stoneman Douglas, Lummus Park, Collins Park and all beaches lying eastward of City property through North Beach Oceanside Park will be sifted on the same schedule at no cost to the city.

CONCLUSION:

It is in the opinion of the Administration that Section 10.1.1 of the Boucher Brothers Miami Beach LLC, Public Beachfront Concession Agreement, which requires routine and periodic sifting adjacent to the concessions, be incorporated into all beachfront concession agreements. This requirement would include scheduled, hourly beach surface cleaning of all trash, litter, and debris using sifting nets, pickers, and rakes as appropriate for the trash, litter, and debris being collected for disposal.

Consistent with the Public Beachfront Concession Agreement, Section 10.1.1, the areas subject to this requirement shall be those within fifty feet of the concession operating area, the concession storage shed area, all concession buffer zones, under and around any adjacent Life Guard Tower, and any food and/or beverage dispensing facility operating under an agreement with the same upland property as the concessionaire. The cost for this practice to the upland property and the concession operator would be negligible while the benefit would be immense.

In the event mechanical sifting of any section of Miami Beach is recommended, required, or undertaken by either the City or any individual or group of upland properties that the selection of the provider of that service be made at the discretion of the City administration and in accordance with established procurement rules.

It would be in the best interest of the City to consider a provider of beach sifting and maintenance services to supplement the work of the county in the high use areas and behind hotels.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

SUBJECT: **DISCUSSION REGARDING REGISTERING AND PROVIDING SPECIAL IDENTIFICATION TO ALL RESIDENTS AND EMPLOYEES OF THE CITY OF MIAMI BEACH SO THAT IN THE EVENT OF A HURRICANE, OR OTHER DISASTER, REQUIRING EVACUATION, THERE IS A WAY TO EASILY IDENTIFY RESIDENTS AND EMPLOYEES SO THEY CAN RETURN TO THEIR HOMES AND THEIR JOBS EXPEDITIOUSLY**

KEY INTENDED OUTCOME:

Enhance Public Safety and Emergency Preparedness

HISTORY:

BACKGROUND:

As part of the City's Comprehensive Emergency Management Plan (CEMP), originally compiled in 2007, a Re-entry Annex had been developed and written by emergency management staff and then recomposed by the Department of Emergency Management (DEM) as a Standard Operating Procedure (SOP). This plan was designed to establish a procedure facilitating re-entry of response and recovery personnel, government officials, critical healthcare staff, businesses, property owners, media and others in order to speed the recovery of the City and its economy following a citywide evacuation.

Although the stated purpose of the document was to "provide uniform guidance to law enforcement who direct access and to ensure safe re-entry for all entering the City after an emergency event," the plan was not reviewed nor adopted by the departments tasked with carrying out the procedures. When the time came to implement the program following Hurricane Irma, the task proved to be unmanageable and inconsistently enforced, and information was not sufficiently communicated to the public.

NEIGHBORHOODS AND COMMUNITY AFFAIRS COMMITTEE DIRECTION:

At the July 18, 2018 meeting of the Neighborhoods meeting, a discussion was held regarding registering and providing special identification to all residents and employees of the city of Miami Beach so that in the event of a hurricane, or other disaster requiring evacuation, there is a way to easily identify residents and employees so they can return to their homes and their jobs expeditiously. This discussion was sponsored by Committee Chair Kristen Rosen Gonzalez and was addressed by Chief Juan Mestas, who was serving as interim director of the Department of Emergency Management.

DEM was directed to develop a program, utilizing vehicle decals to identify permitted entrants for re-entry.

The department was asked to bring back information to the next Neighborhoods meeting. As this meeting would not be held until September, 2018, DEM moved forward as quickly as possible to follow through and report via LTC during the August recess.

Emergency Management had begun to re-address the concept of re-entry procedures following Hurricane Irma, but the discussion at Neighborhoods was the impetus to accelerate the process. On July 23, the Department convened a meeting with other departments and community representatives. In attendance at the meeting were the Police and Fire Chiefs and members of their staff, representatives from Transportation, Marketing & Communications, Parking, and Finance. DEM also invited representatives from the public to provide important feedback in the conversation. This included executives from Mount Sinai Medical Center, the Greater Miami Convention and Visitors Bureau, and the Greater Miami and the Beaches Hotel Association. Adrian Gonzalez of David's Café and the Miami Beach CERT leader Jeff Gordon were also part of the discussion, providing the perspective of businesses and residents.

The consensus at the meeting was to establish a phased plan that would include operating procedures, distribution of tier-identified decals, and a communications plan.

PROGRESS:

The partnering departments have researched similar programs in coastal cities of comparable size and population, prepared a preliminary cost analysis and re-written a draft of the re-entry plan. DEM now seeks review of the decal program and guidance from the Committee for next steps.

Input received from the various departments who are involved in the implementation includes:

- Police – overall enforcement, feasibility of plan execution, roadblock coordination
- Fire – safety concerns
- Transportation – coordination with regulatory agencies and traffic flow into the City
- Finance – administration of decal program (fee collection, distribution)
- Communications & Marketing – development of messaging

ANALYSIS:

COST ANALYSIS:

Based on a purchase of 90,000 decals (1,000 for first responders, 1,000 for other emergency responders, hotel and condominium emergency response personnel and 88,000 for residents and businesses) the overall cost for production is approximately \$6,500 for regular decals and up to \$35,000 for reflective decals including the option of printed instructions on the decal backing. This cost does not include the staff time or other administrative costs such as postage and mailing material or advertising. This information is expected to be finalized by the Finance and Marketing & Communications Departments and included in the report to be presented at the Neighborhoods meeting in September. Other cities have charged a processing fee and this can be investigated further in the interest of offsetting costs.

CONCLUSION:

Although a program like this is difficult to execute smoothly, the public safety departments involved in the planning have concluded that the issuance of decals to represent the various tiers or levels of allowed re-entry is a relatively effective procedure to assist in the enforcement of this plan. This does not appear to be cost-prohibitive, but may require additional staffing.

Participation and compliance with this program must be supplemented by clear communication. One of the

major complaints from the public and those tasked with restricting entry after the storm was that there was conflicting information which led to some confusion about when to and who could re-enter the City. DEM and Communications have been working together to ensure a smoother outflow of information in emergencies, including the implementation of our new MBALERT system. In addition, DEM has conducted an emergency management orientation for Commissioners and their aides, which included guidance about the most efficient flow of information. Elected officials are often the best and most trusted source of information, and their assistance in providing consistent and accurate information helps public safety officials keep our community safe and secure before, during and after disaster.

ATTACHMENTS:

Description	Type
 Re- Entry Program LTC 2018-08-01	Memo

MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC#

LETTER TO COMMISSION

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: August 1, 2018

SUBJECT: **Citywide Re-entry Program**

PURPOSE:

The purpose of this LTC is to advise you of progress on the development of a re-entry program that serves all City departments, residents, businesses and visitors. This program addresses the coordination of the safe and orderly return to Miami Beach following an event that would require evacuation.

BACKGROUND:

As part of the City's Comprehensive Emergency Management Plan (CEMP), originally compiled in 2007, a Re-entry Annex had been developed and written by emergency management staff and then recomposed by the Department of Emergency Management (DEM) as a Standard Operating Procedure (SOP). This plan was designed to establish a procedure facilitating re-entry of response and recovery personnel, government officials, critical healthcare staff, businesses, property owners, media and others in order to speed the recovery of the City and its economy.

Although the stated purpose of the document was to "provide uniform guidance to law enforcement who direct access ... and to ensure safe re-entry for all entering the City after and emergency event," the plan was not reviewed nor adopted by the departments tasked with carrying out the procedures. When the time came to implement the program following Hurricane Irma, the task proved to be unmanageable and inconsistently enforced, and information was not sufficiently communicated to the public.

NEIGHBORHOODS AND COMMUNITY AFFAIRS COMMITTEE DIRECTION:

At the July 18 meeting of the Neighborhoods meeting, a discussion was held regarding registering and providing special identification to all residents and employees of the city of Miami Beach so that in the event of a hurricane, or other disaster requiring evacuation, there is a way to easily identify residents and employees so they can return to their homes and their jobs expeditiously. This discussion was sponsored by Committee Chair Kristen Rosen Gonzalez and was addressed by Chief Juan Mestas, who is serving as interim director of the Department of Emergency Management.

DEM was directed to develop a program, utilizing vehicle decals to identify permitted entrants for re-entry. The department was asked to bring back information to the next Neighborhoods meeting. As this meeting would not be held until September, and the timing for this program is crucial (already mid-hurricane season), DEM moved forward as quickly as possible to follow through and report via LTC during the August recess.

Emergency Management had begun to re-address the concept of re-entry procedures following Hurricane Irma, but the discussion at Neighborhoods was the impetus to accelerate the process. On July 23, the Department convened meeting with other departments and community

representatives. In attendance at the meeting were the Police and Fire Chiefs and members of their staff, representatives from Transportation, Marketing & Communications, Parking, and Finance. DEM also invited representatives from the public who they felt would provide important feedback in the conversation. This included executives from Mount Sinai Medical Center, the Greater Miami Convention and Visitors Bureau, and the Greater Miami and the Beaches Hotel Association. Adrian Gonzalez of David's Café and the Miami Beach CERT leader Jeff Gordon were also part of the discussion, providing the perspective of businesses and residents.

The consensus at the meeting was to establish a phased plan that would include operating procedures, distribution of tier-identified decals, and a communications plan.

PROGRESS:

The Department of Emergency Management has researched similar programs in coastal cities of comparable size and population, prepared a preliminary cost analysis and re-written a draft of the re-entry plan. At the September Neighborhoods meeting, the plan will be presented in whatever stage of completion it is in at the time, in order for the Committee to provide guidance for its ratification.

The plan must be reviewed by and input must be received from the various departments who are involved in the implementation.

- Police – overall enforcement, feasibility of plan execution, roadblock coordination
- Fire – safety concerns
- Transportation – coordination with regulatory agencies and traffic flow into the City
- Finance – administration of decal program (fee collection, distribution)
- Communications & Marketing – development of messaging

COST ANALYSIS:

DEM inquired with companies that our Parking Department had used in the past for parking decals about cost. Based on a purchase of 90,000 decals (1,000 for first responders, 1,000 for other emergency responders, hotel and condominium emergency response personnel and 88,000 for residents and businesses) the overall cost for production is approximately \$6,500 for regular decals and up to \$35,000 for reflective decals including the option of printed instructions on the decal backing. This cost does not include the staff time or other administrative costs such as postage and mailing material or advertising. This information is expected to be finalized by the Finance and Marketing & Communications Departments and included in the report to be presented at the Neighborhoods meeting in September. Other cities have charged a processing fee and this can be investigated further in the interest of offsetting costs.

CONCLUSION:

Although a program like this is difficult to execute smoothly, the public safety departments involved in the planning have concluded that the issuance of decals to represent the various tiers or levels of allowed re-entry is the best procedure to assist in the enforcement of this plan. This does not appear to be cost-prohibitive, but may require additional staffing.

Participation and compliance with this program must be supplemented by clear communication. One of the major complaints from the public and those tasked with restricting entry after the storm was that there was conflicting information which led to some confusion about when to and who could re-enter the City. DEM and Communications have been working together to ensure a smoother outflow of information in emergencies, including the implementation of our new MBALERT system. In addition, DEM has conducted an emergency management orientation for Commissioners and their aides, which included guidance about the most efficient flow of information. Elected officials are often the best and most trusted source of information, and your assistance in providing consistent and accurate information helps public safety officials keep our community safe and secure before, during and after disaster.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

SUBJECT: **DISCUSSION REGARDING THE INTEREST OF THE COMMISSION IN
OPERATING ELECTRIC SCOOTERS AT ALL AND THE POSSIBILITY OF A
FUTURE PILOT PROGRAM**

KEY INTENDED OUTCOME:

Ensure Comprehensive Mobility Addressing All Modes Throughout The City

HISTORY:

In the last few years, the popularity and use of electric scooters in the U.S. has grown and more people are using electric scooters, where legally permitted and allowed, as a more convenient means of active transportation that can provide first mile/last mile connectivity to/from transit stations/stops and an alternative to walking or biking for short-range trips.

The City Attorney's Office has determined that the utilization of these electric scooters upon roadway(s) and other public property (which includes bicycle lanes and pathways), is legally prohibited in Florida. Florida law mandates that these type of motor vehicles must be properly registered with the Florida Department of Highway Safety and Motor Vehicles, and have the corresponding license plate displayed (which must match the registration) for the lawful operation upon the public roadways. In that regard, an individual would not be legally authorized to operate these devices upon the City's governmental property, and must only operate these devices upon private property pursuant to Section 316.1995 of the Florida Statutes. Equally important, the City would not have the legal authority to permit the operation of electric scooters upon the streets or roadways based upon the prohibits set forth in Florida law.

The City is granted limited authority to regulate the use of these devices pursuant to Section 316.008 of the Florida Statutes, which expressly identifies the limited scope and nature under which the City may permit those location(s) for the operation of these devices within the City's territorial jurisdiction. Specifically, the Mayor and City Commission would be required to enact an ordinance that would explicitly authorize the operation of motorized scooters upon sidewalk(s) and sidewalk areas.

ANALYSIS:

The cities of Coral Gables and Miami are the only two municipalities in Miami-Dade County that are currently engaged in pilot programs for electric scooter rental and operation in the public rights-of-way. The scope and status of their respective pilot programs are described below.

City of Coral Gables

Coral Gables became the first city in Florida to allow electric scooters to operate on its sidewalks. Coral Gables has been engaged in a e-scooter pilot program at no cost to the City with two (2) vendors simultaneously - Spin (which began its pilot in August 2018) and Bird (which began its pilot in October 2018). Spin is providing both electric scooters and electric-assisted bicycle as part of its pilot program, while Bird is only providing electric scooter rentals at this time. The cost to the user to rent an electric scooter from either Spin or Bird is \$1.00 to unlock the e-scooter and \$0.15 per minute until the e-scooter is locked. Electric scooters in Coral Gables are not allowed on travel lanes or bike lanes and can only be operated on sidewalks, except on Miracle Mile and Giralda Plaza, where they are prohibited due to high pedestrian activity. Scooters are deployed daily by each vendor at about 7AM and collected at about 8PM. Coral Gables has requested that users park e-scooters at or near a bike rack and on the edge of sidewalks clear of pedestrians' path.

Based on recent conversations with Coral Gables staff, the number of complaints and accidents involving electric scooters has been minimal in comparison to their usage. For example, Bird currently has 73 electric scooters deployed in Coral Gables, primarily in the vicinity of the University of Miami campus and Douglas Metrorail station, and a total of 19,833 trips have been registered on its electric scooters since the launch of the pilot program (to end of January). The average trip length on a Bird electric scooter was about 1.15 miles and no reported accidents as of end of January. Spin deployed 79 electric scooters in Coral Gables, primarily in the Central Business District, and has registered a total of 19,906 trips on its electric scooters since the launch of the pilot program (to end of January). The average trip length on a Spin electric scooter was about 0.93 miles. Spin reported five accidents and no injuries as of end of January 2019.

Since the inception of the pilot programs, City of Coral Gables staff has advised that it has received few complaints from its residents and businesses with regard to electric scooters blocking the sidewalks or pedestrian pathways, speeding on the sidewalks, or being dumped on private property.

Based on the results, Coral Gables considers both pilot programs to be successful and has extended the pilot programs with both vendors until Spring when it plans to issue a competitive solicitation for a vendor to provide the services for the City on a long-term basis. Coral Gables staff has recommended that only one vendor be selected to operate in the City and that a cap be placed on the number of electric scooters allowed to operate in the City. The ongoing pilot programs will help determine the maximum number of e-scooters that could be deployed and sustained in the City.

Attachment A includes the City of Coral Gables Ordinance on Electric Scooters and Attachment B includes the Memorandum of Understanding (MOU) between the City of Coral Gables and Spin.

City of Miami

City of Miami is initiating a six (6) month pilot program for electric scooter rentals within City Commission District 2, which includes Wynwood, Midtown, Downtown, Brickell, and Coconut Grove. City of Miami recently issued a competitive solicitation for the pilot program and received applications from six (6) qualified vendors. As part of the application process, each vendor was required to remit to the City a non-refundable licensing fee of \$50,000 intended to offset the City's cost of police, parking, and code enforcement within the pilot program area. Any excess funds from the licensing fee would be used to fund sidewalk and street improvements within the pilot program area. Further, each vendor participating in the pilot program is required to remit to the City a fee of \$1.00 per scooter per day. The fee will be used to fund street and

sidewalk improvements within the pilot program area. City of Miami plans on engaging all six (6) qualified vendors and deploying its 6-month pilot program within the next couple of months.

The City of Miami has adopted an ordinance for the e-scooter pilot program and potential long-term implementation, which, among other things, establishes rules and regulations for riding, operating, and parking e-scooters on streets and sidewalks; provides for insurance and indemnification; and establishes penalties and fines (Attachment C).

E-Scooter Concerns/Issues - Other Cities

Attachment D (Current “Micromobility” Safety and Complaints) provided by Citibike references a variety of safety issues and complaints experienced with e-scooters in other cities around the nation over the last year. The cities include: San Francisco, CA; San Diego, CA; Tempe, AZ; Cleveland, OH; St. Louis, MI; Washington D.C.; Fort Lauderdale, FL.; and Orlando, FL. There are a variety of safety issues and related complaints that raise serious concerns with allowing this mobility option.

Local Authority To Regulate E-Scooters

The Administration is aware of a couple of legislative bills which have been filed in the Florida House and Senate that, if approved, would pre-empt and limit cities' authority to regulate certain aspects of micromobility devices, including dockless electric bicycles and electric scooters, and grant certain regulatory powers to the State. The Administration is monitoring both bills closely and working with the City Attorney's Office and the City's lobbying team in Tallahassee given the outcome may have a significant impact on Miami Beach. Updates on the status of both bills will be provided via LTC or at upcoming City Commission meetings once the Legislative session begins.

CONCLUSION:

The Administration continues to have concerns regarding issues related to sidewalk clutter and illegal placement and dumping of dockless devices. Given the high level of pedestrian activity on many sidewalks in Miami Beach, at a minimum the Administration would not recommend authorizing the use of these devices in high pedestrian areas such as South Beach, along beachwalks and baywalks, along the Collins Avenue corridor in Middle Beach (condo corridor), or along the Harding/Abbott/Indian Creek corridors in North Beach.

Additionally, given the status of the pilot program in the City of Miami, the Administration recommends taking no action on this item at this time and waiting on the results of the City of Miami pilot as well as on the outcome of the bills that have been filed in the Florida House and Senate. In the meanwhile, the Administration will work with its state lobbying team to advocate for local authority in terms of continuing to have the ability to regulate electric scooter operation in Miami Beach.

ATTACHMENTS:

Description	Type
□ A - City of Coral Gables Draft Electric Scooter Ordinance	Memo
□ B - MOU Between Coral Gables and Spin	Memo
□ C - City of Miami Electric Scooter Ordinance	Memo

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2019-__

AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, AMENDING CHAPTER 74 -TRAFFIC AND VEHICLES, ARTICLE IV-BICYCLES, SKATEBOARDS, SCOOTERS, SHARED MOBILITY DEVICES, AND OTHER SIMILAR DEVICES OF THE CITY OF CORAL GABLES CODE TO INCLUDE ADDITIONAL DEFINITIONS, REQUIREMENTS FOR OPERATION OF SHARED MOBILITY DEVICES PROGRAMS, AND ADDITIONAL PROVISIONS REGARDING OPERATION OF SHARED MOBILITY DEVICES; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, in the Summer of 2018 shared mobility devices, including motorized scooters, began appearing in the City of Coral Gables; and

WHEREAS, on July 10, 2018 the City Commission adopted Ordinance 2018-23 requiring that any operator displaying, offering or making shared mobility devices (including motorized scooters) for rent in the City have a valid memorandum of understanding with the City prior to operating; and

WHEREAS, the City has currently executed Memorandum of Understanding, and various amendments to those memorandum, with two motorized scooter operators, Bird and Spin; and

WHEREAS, the executed Memorandum of Understanding contain extensive requirements and detailed policies that the City has required the two current operators to adhere to; and

WHEREAS, as previously mentioned when the City passed Ordinance 2018-23, and during subsequent updates to the City Commission, the City has now proposed a comprehensive ordinance codifying those requirements that the City has placed in its Memorandum of Understanding, as well as clarifying additional requirements for and prohibitions regarding the operation of shared mobility device programs in the City;

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. That the foregoing “**WHEREAS**” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. Chapter 74 “Traffic and Vehicles” Article IV. “Bicycles, Skateboards, Scooters, Shared Mobility Devices, and Other Similar Devices” of the Official Code of the City of Coral Gables is hereby amended in Attachment A, with deletions are indicated by ~~strike through~~ and insertions indicated by underline.

SECTION 4. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 6. It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made part of the City of Coral Gables Code of Ordinances; and that the sections of this “ordinance” may be changed to “section”, “article”, or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 7. If the Official Code of the City of Coral Gables Tables of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 8. This Ordinance shall become effective immediately upon adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2019.

APPROVED:

RAUL VALDES-FAULI
MAYOR

ATTEST:

BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS
CITY ATTORNEY



Interdepartmental Cover Sheet

Department and Date of Origin: Public Works /

8/2/18

Title of Document: Pilot MOU Agreement between SPIN and the City of Coral Gables.

Executive Summary: The City's intent for authorizing the pilot of a personal mobility share program is to ensure public safety, provide affordable transportation options to all residents, reduce traffic congestion and minimize negative impacts on the public right-of-way. The vehicles will be electric kick-scooters that will possess GPS, cell and/or Bluetooth connectivity, dockless and a self-locking technology to allow users to lock/unlock with an app and tracking for operations and maintenance.

Requested Action: Please sign (1) original agreement and Routing Form.

Commission Authorization (i.e. Resolution number, Ordinance number): N/A

Route to: See attached Contract Routing Form.

Contract Routing Form

CONTRACT: Pilot Mou Agreement w / SPIN
ELECTRIC SCOOTERS

CITY OF CORAL GABLES
RECEIVED BY THE
OFFICE OF THE CITY CLERK

2018 AUG -3 PM 4: 53



Route for Review and Approval (Signature and Date):

1. Procurement Officer: [Signature] Date: 8/1/18
2. Department Director: [Signature] Date: 8/1/18
3. Risk Management: [Signature] Date: 8/2/18
4. Management & Budget: [Signature] on behalf of K.K. Date: 8/2/18
5. Finance Director: [Signature] for D.C. Date: 8/3/18
6. City Attorney: Cristina M. Dwyer Date: 8/3/18
7. Asst. City Manager: [Signature] Date: 8/3/18
8. City Manager: [Signature] Date: 8/3/18
9. City Clerk: Deputy [Signature] Date: 8/3/2018

Please contact the Procurement Division at extension 5102 if you have any questions about this contract.

City of Coral Gables, FL

Finance Department / Procurement Division
2800 SW 72nd Avenue – Miami, FL 33155
Page 47 of 181

MEMORANDUM OF UNDERSTANDING

Personal Mobility Vehicles Pilot Program

This Services Agreement ("Agreement") for Personal Mobility Vehicles is made this 3rd day of August 2018, by and between the City of Coral Gables, a municipal corporation ("City") and Skinny Labs Inc. dba Spin ("Spin"). City and Spin are each individually referred to as a "Party," and collectively, the "Parties."

Recitals

1. City seeks to provide safe and affordable multimodal transportation options to all residents, reduce traffic congestion, and maximize carbon-free mobility.
2. Personal mobility share services are a component to help the City achieve their transportation goals, and the City desires to make personal mobility share services available to residents and those who work in the City.
3. Spin proposes to operate a personal mobility share program within the City, without the need for any physical stations or docks.
4. Spin will abide by relevant City ordinances and rules to efficiently and effectively provide personal mobility share services.
5. Spin possesses GPS, cell and/or Bluetooth connectivity, and self-locking technology in its dockless personal mobility products such that its vehicles may be locked and unlocked by users with an app and tracked to provide for operations and maintenance.
6. For purposes of this agreement personal mobility vehicles used as part of a personal mobility share service shall refer solely to electric kick-scooters.
7. The City's intent for authorizing a pilot is to ensure public safety and minimize negative impacts on the public right of way, as well as to analyze data in a controlled setting to inform the City on a future RFP process.

In consideration of the mutual covenants and representations set forth in this Agreement, City and Spin hereby agree to launch a pilot personal mobility share program in the City as follows:

Agreement

1. Pilot Term. Pursuant to the terms of this Agreement, the City hereby gives Spin an exclusive revocable and non-transferrable license to utilize the City Right of Way in order to provide personal mobility share services within the City. For purposes of this Agreement, the term Right of Way ("ROW") refers to sidewalks, roads, and other pathways owned and maintained by the City. City hereby grants Spin the right to operate a pilot personal mobility share program for an initial pilot period from execution of this agreement through August 28, 2018. Upon conclusion of the initial pilot period, Spin shall return to the City Commission to present user data regarding the initial pilot period, and may seek extensions to the pilot program, pending City Commission approval.

2. License to Use City Right of Way. City authorizes Spin a license to use the public Right of Way solely for the purposes of maintaining and offering its personal mobility vehicle fleet within the City. Authority to utilize the City Right of Way for this fleet is dependent on compliance with all terms of this Agreement. This authorization is not a lease or an easement, and it is not intended and shall not be construed to transfer any real property interest in City property. A party that deploys or operates personal mobility vehicles in the City without Commission approval and without a signed agreement with the City will be penalized in accordance with relevant City Code provisions and any applicable RFP specifications.
3. Permitted Use. Spin customers may use the public Right of Way solely for parking of personal mobility vehicles owned and maintained by Spin for use in this pilot program. Spin shall not place or attach any personal property, fixtures, or structures to City Right of Way without the prior written consent of City or private property owners.
 - a. Spin's operations within the City, shall, at a minimum: a) not adversely affect City Right of Way or the City's streets or sidewalks; b) not adversely affect the property rights of any third parties; c) not inhibit pedestrian movement within the public way or along other property or rights-of-way owned or controlled by the City; and d) not create conditions which are a threat to public safety and security e) not impede ADA required accessibility on all City rights of way.
 - b. Upon termination of this Agreement by either party, Spin shall, at its sole cost and expense, remove its property from the Right of Way.
4. Personal Mobility Vehicle Parking. Spin personal mobility vehicles may be parked in a legal manner in Right of Ways including public sidewalks by individuals participating in the personal mobility share program. Vehicles parked on private property will be allowed at the discretion of the private property owner. Spin will actively manage the vehicle fleet to ensure orderly parking and the free and unobstructed use of the Right of Way in consultation with the City's Public Works Director. The City, at its own discretion, may choose to support the personal mobility sharing program with the installation of additional parking racks, painted parking spots, and/or recommended parking spots without racks or painting. The City will work with Spin to identify authorized parking and deployment locations throughout the term of this agreement.
5. Condition of City Right of Way.
 - a. City makes the public right of way available to Spin in an "as is" condition. City makes no representations or warranties concerning the condition of the public way or its suitability for use by Spin or its customers, and it assumes no duty to warn either Spin or its customers concerning conditions that exist now or may arise in the future.
 - b. City assumes no liability for loss or damage to Spin's personal mobility vehicles or other property. Spin agrees that City is not responsible for providing security at any location where Spin's vehicles are stored or located, and Spin hereby waives any claim against City in the event Spin's vehicles or other property are lost, stolen, or damaged.

- c. The City will notify Spin at support@spin.pm, through Spin's customer service app portal listed in Exhibit A, or through another agreed upon mechanism, for any personal mobility vehicle that is found to be adversely affecting the City Right of Way. Spin shall be responsible to correct improperly parked personal mobility vehicle within the timeframes listed in "Exhibit A."
8. Maintenance and Care of Portion of City Right of Way. Spin expressly agrees to repair, replace, or otherwise restore any part or item of real or personal property that is damaged, lost, or destroyed as a result of the Spin's use of City Right of Way. Should Spin fail to repair, replace, or otherwise restore such real or personal property, Spin expressly agrees to pay City's costs in making such repairs, replacements, or restorations.
9. Operations and Maintenance. Spin will operate in the City no more than the maximum number of personal mobility vehicles that is specified in "Exhibit A," unless amended. Spin shall be responsible to maintain the Personal Mobility Fleet as set forth in "Exhibit A." Spin shall be solely responsible for all maintenance and service costs in order to maintain the Personal Mobility Fleet and associated maintenance to minimum level of service and reporting outlined in "Exhibit A."
10. Indemnification. To the fullest extent permitted by laws and regulations, Spin shall defend, indemnify, and hold harmless the City, its elected and appointed officials, attorneys, administrators, consultants, agents, and employees from and against all claims, damages, losses, and expenses direct, indirect, or consequential (including but not limited to fees and charges of attorneys and other professionals and court and arbitration costs) arising out of or resulting from this pilot program, including but not limited to:
 - a) Any occurrence upon, at, or from City Right of Way or occasioned wholly or in part by the entry, use, or presence upon City Right of Way by Spin or by anyone making use of City Right of Way at the invitation or sufferance of Spin,.
 - (b) Use of Spin's personal mobility vehicles by any individual, regardless of whether such use was with or without the permission of Spin, including claims by users of the vehicles or third parties

and caused in whole or in part by either (i) any willful, intentional, reckless, or negligent act or omission of Spin, any subconsultant, or any person or organization directly or indirectly employed by any of them to perform or furnish any of the work or anyone for whose acts any of them may be liable, regardless of whether or not it is caused in part by a party indemnified hereunder and regardless of the negligence of any such indemnified party, or (ii) any willful, intentional, reckless, or negligent act or omission of any individual or entity not a party to this agreement, or (iii) any negligent act or omission of the City or the City's officers, agents, or employees. The parties expressly agree that this provision shall be construed broadly, and Spin's obligations to pay for the City's legal defense hereunder shall arise and be fully enforceable when Spin (or any subconsultant or any person or organization directly or indirectly employed by Professional) is alleged to have acted willfully, intentionally, recklessly, or negligently in the performance of the work required under this Agreement. This provision shall survive termination of the Agreement.

In any and all claims against the City or any of its elected or appointed officials, consultants, agents, or employees by any employee of Spin, any subconsultant, any person or organization directly or indirectly employed by any of them to perform or furnish any of the work or anyone for whose acts any of them may be liable, the indemnification obligation under the above paragraph shall not be limited in any way by any limitation on the amount or type of damages, compensation, or benefits payable by or for Spinl or any such subconsultant or other person or organization under workers' or workman's compensation acts, disability benefit acts, or other employee benefit acts. Moreover, nothing in this Indemnification and Hold Harmless provision shall be considered to increase or otherwise waive any limits of liability, or to waive any immunity, established by Florida Statutes, case law, or any other source of law.

11. Insurance. Prior to beginning and continuing throughout the term of this Agreement, Spin, at sole cost and expense, shall furnish the City with certificates of insurance evidencing that it has obtained and maintains insurance in the following amounts:
- a. Workers' Compensation that satisfies the minimum statutory limits.
 - b. Commercial General Liability and Right of Way Damage Insurance in an amount not less than ONE MILLION DOLLARS (\$1,000,000) combined single limit per occurrence, TWO MILLION DOLLARS (\$2,000,000) annual aggregate, for bodily injury, property damage, products, completed operations, and contractual liability coverage.
 - c. Comprehensive automobile insurance in an amount not less than ONE MILLION DOLLARS (\$1,000,000) per occurrence for bodily injury and property damage including coverage for owned and non-owned vehicles.

All insurance policies, except workers compensation, shall be written on a per occurrence basis and shall name the City Indemnitees as additional insureds on a primary and non-contributory basis while any City insurance shall be secondary and in excess to Spin's insurance. All policies, including workers compensation, shall include a waiver of subrogation in favor of the City of Coral Gables. If Spin's insurance policy includes a self-insured retention that must be paid by a named insured as a precondition of the insurer's liability, or which has the effect of providing that payments of the self-insured retention by others, including additional insureds or insurers do not serve to satisfy the self-insured retention, such provisions must be modified by special endorsement so as to not apply to the additional insured coverage required by this agreement so as to not prevent any of the parties to this agreement from satisfying or paying the self-insured retention required to be paid as a precondition to the insurer's liability. Additionally, the certificates of insurance must note whether the policy does or does not include any self-insured retention and also must disclose the deductible. The City's Risk Manager may waive or modify any of the insurance requirements of this section.

12. Sovereign Immunity. Spin acknowledges that the Florida Doctrine of Sovereign Immunity bars all claims by Spin against the City other than claims arising out of this Agreement. Specifically, Spin acknowledges that it cannot and will not assert any claims against the City, unless the claim is based upon a breach by the City of this Agreement.

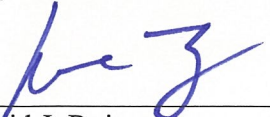
Spin acknowledges that this Agreement in no way estops or affects the City's exercise of its regulatory authority. In addition, the City retains the full extent of its sovereign immunity in relation to the exercise of its regulatory authority. Spin acknowledges that it has no right and will not make claim based upon any of the following:

- a. Claims based upon any alleged breach by the City of implied warranties or representations not specifically set forth in this Agreement, as the parties stipulate that there are no such implied warranties or representations of the City. All obligations of the City are only as set forth in this Agreement;
 - b. Claims based upon negligence or any tort arising out of this Agreement;
 - c. Claims upon alleged acts or inaction by the City, its commissioners, attorneys, administrators, consultants, agents, or any City employee;
 - d. Claims based upon an alleged waiver of any of the terms of this Agreement unless such waiver is in writing and signed by an authorized representative for the City and Spin
13. Compliance with Law. Spin, at its own cost and expense, shall comply with all statutes, ordinances, regulations, and requirements of all governmental entities applicable to its operation of its personal mobility share program. If any license, permit, or other governmental authorization is required for Spin's lawful use or occupancy of City Right of Way or any portion thereof, Spin shall procure and maintain such license, permit, and/or governmental authorization throughout the term of this Agreement. City shall reasonably cooperate with Spin, at no additional cost to City, such that Spin can properly comply with this Section and be allowed to use City Right of Way as specified in Section _____, above.
14. Required Reports. Spin shall provide reports to the City concerning utilization of its personal mobility vehicles and route usage not less than monthly.. The format and type of data contained in the reports will be determined by the City, in coordination with Spin, as long as such information contains no personally identifiable information and is anonymized. Any and all documents, records, disks, or other information shall become the property of the City for its use and/or distribution as may be deemed appropriate by the City.
15. No Joint Venture. Nothing herein contained shall be in any way construed as expressing or implying that the parties hereto have joined together in any joint venture or liability company or in any manner have agreed to or are contemplating the sharing of profits and losses among themselves in relation to any matter relating to this Agreement.
16. Term. This Agreement shall commence on [08/03/2018], (the "Commencement Date") and shall continue per the terms in Section 1, unless earlier terminated pursuant to Section 17, below.
17. Termination. This Agreement may be terminated prior to the expiration date set forth in Section 1, above, upon the occurrence of the following conditions:
Upon delivery of written notice from City to Spin, or vice versa, terminating this agreement for any reason, or for no reason, by giving at least fifteen (15) days' notice of such termination.
Upon the effective date of termination of this Agreement, Spin shall remove all vehicles covered in this agreement from the City and restore all City Right of Way to the condition of the City Right of Way at the Commencement Date of this Agreement.

18. Amendment. This Agreement may be amended by mutual agreement of the parties. An amendment to the maximum number of vehicles allowed can be made by mutual agreement via email with the City Manager, or the City Manager's designee. Any other amendments shall only be effective if incorporated in written amendments to this agreement and executed by duly authorized representatives of the parties.
19. Notice. Any notice, request, instruction or other document required or permitted to be given hereunder by either party hereto to the other shall be in writing, and delivered personally, or sent by certified or registered mail, postage prepaid, return receipt requested, to the address set forth for such party at the bottom of this Agreement. Any notice so given shall be deemed received when personally delivered or three (3) business days after mailing. Any party may change the address to which notices are to be sent by giving notice of such change of address to the other party in the manner herein provided for giving notice. Notice as to the City of Coral Gables shall be to:
- City Manager
City of Coral Gables
405 Biltmore Way
Coral Gables, FL 33134
- cc: City Attorney
- Notice as to the Spin shall be to:
- Spin
188 King St., #203
San Francisco, CA 94107
20. Applicable Law and Venue. The laws of the State of Florida shall govern this Agreement. Any and all legal action necessary to enforce the Agreement will be held in Miami-Dade County, and the Agreement will be interpreted according to the laws of Florida.
21. Counterparts. This agreement may be executed simultaneously or in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement.
22. Public Records. Records subject to the provisions of Public Record Law, Florida Statutes Chapter 119, shall be kept and maintained in accordance with such Statute. Spin acknowledges that records and books, not subject to exemption under Chapter 119, may be disclosed and/or produced to third parties by the City in accordance with requests submitted under Chapter 119 or court orders without penalty or reprisal to the City for such disclosure and/or production. Spin also agrees to assert, in good faith, any relevant exemptions provided for under Chapter 119 for records in its possession on behalf of the City. Furthermore, Spin agrees to comply with the provisions outlined in Section 119.0701 of the Florida Statutes, the requirements of which are incorporated herein.


Executed the day and year first above written, by the parties as follows:

Approved as to Insurance:



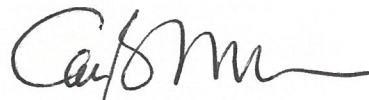
David J. Ruiz
Risk Management Division

Department Head




Eduardo Santamaria, P.E.
Director, Public Works

AS TO CITY:

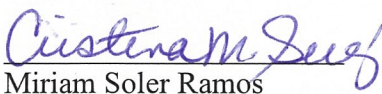


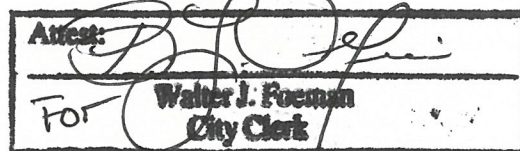
Catherine Swanson-Rivenbark
City Manager



Peter Iglesias
Assistant City Manager

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


for Miriam Soler Ramos
City Attorney




ATTEST:




Corporate Secretary

Print Name: Derrick Ko, CEO
(SEAL)
(OR)

WITNESSES (2):



Print Name: Brian No



Print Name: Euwyn Poon, President

IF SPIN HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO SPIN'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT 305-460-5210, cityclerk@coralgables.com, 405 Biltmore Way, First Floor, Coral Gables, FL 33134.

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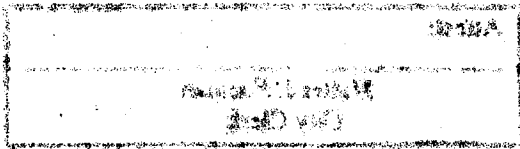


Exhibit A

Spin Operations and Maintenance Plan Personal Mobility Vehicle Pilot Program City of Coral Gables

FLEET SIZE

Spin will deploy an initial fleet of up to 75 personal mobility vehicles (for purposes of this agreement this shall only include electric kick-scooters over the course of the pilot). The vehicles will initially be deployed with an emphasis on transit stations, commercial areas, and denser residential areas, or other locations identified in conjunction with the City's Public Works Department, to help guide distribution based on user demand and usage trends. Spin may not operate more than 75 personal mobility vehicles in the City at one time.

PLACEMENT PLAN

Spin plans to initially deploy up to 75 personal mobility vehicles at key transit stations, commercial zones, and denser residential areas, where Spin vehicles may help address "last mile" transportation issues.

Initial deployment by Spin will be vetted by the Public Works Department staff and adjusted as deemed necessary by staff.

Spin's nimble and flexible operations can adjust vehicle deployment and distribution based on user demand and usage data. The City will be able to request deployment of vehicles at a particular location. Rebalancing/relocation requests are a priority and should be handled by Spin in a timely manner. Poorly placed vehicles and excessive numbers of vehicles in one staging location reflect poorly on the city and on Spin.

Furthermore, Spin will work with transit agencies and other relevant entities to determine areas at transit stations where Spin vehicles can be placed, as well as work with companies in the City to locate Spin distribution points, in addition to locating Spin vehicles on public right of ways.

Spin's ground operations team will place Spin vehicles in a neat fashion on wide sidewalks, at or near racks and corrals, and any other locations designated or suggested by the City. Spin will ensure that personal mobility vehicles are not obstructing pedestrian or motor vehicle traffic when they are deployed, and that ADA required paths of travel are available at all times. Spin will work with the Public Works Department to develop best practices for placement on City sidewalks and right of ways, and to develop a map of locations throughout the City suitable for placement, parking, and deployment. The City may veto any placement, parking, or deployment location at any time for any reason.

USER EDUCATION

Spin is responsible for all user education regarding their personal mobility vehicles, including education regarding all relevant statutes, ordinances, and regulations. Spin believes that the most effective, consistent, and efficient method of providing important notices and educating users is through Spin's app. Any Spin user may utilize the app, helping to ensure important information

is seen and acknowledged (as opposed to stickers or physical signs that may be unseen or become damaged or lost).

New Spin users will receive informational pop-ups when they use Spin's app to take a ride for the first time. The pop-ups will require the new users to affirmatively dismiss the pop-ups in order to proceed. The informational pop-ups will include: a) reminders about applicable laws; and b) instructions on how to park responsibly.

The City may request at any time that users be limited to those users who have a valid Driver's License scanned and verified by Spin within the app. Users should be limited to those sixteen years (16) of age and older.

Users should be instructed (via Spin's mobile app, printed instructions, and website) to not obstruct pedestrian paths when parking the scooters. Users should also be instructed to park scooters upright, and be instructed not to park scooters mid-block on Miracle Mile, or anywhere on Giralda Plaza.

Users should also be instructed to obey all traffic laws when riding in traffic, and obey all other official City-posted signs within the City.

RIDING

- Vehicles shall not be ridden on the sidewalk on Miracle Mile
- Vehicles shall not be ridden through Giralda Plaza
- Users shall dismount when riding through crowded sidewalks filled with pedestrians

CUSTOMER SUPPORT

Spin is solely responsible for all customer support for their personal mobility vehicles and any and all direct or indirect customer support needs related to use of their personal mobility vehicles. Spin will provide easy mechanisms through which users and the public can contact Spin to ask questions, report Spin vehicles that are damaged or obstructing the public right of way, or otherwise. Spin's app has a "Help" button on the user interface that enables users to report any issues. Users and members of the public can also contact Spin's customer support via email (support@spin.pm), phone, and social media for any issues or to make a relocation request. For additional details, please see <https://help.spin.pm>. The City will be provided a 24/7 contact for City support.

The City should be provided copies of all complaints received by Spin involving Spin vehicle and pedestrian/automobile conflicts. These complaints shall be provided to the City within 24 hours of receipt by Spin. These complaints will be used to inform future staging changes, infrastructure improvements, and policy changes. Additionally, the City should be copied on all written injury complaints/reports involving Spin's vehicles. The complaints should be provided to the City within 24 hours of receipt by Spin.

GROUND OPERATIONS

Spin's ground operations staff are hired locally and help ensure the safety, accessibility, and

responsible placement of Spin vehicles. Spin shall provide the City with 24- 7 contact information for Spin's ground operations. The exact number of locally hired staff will depend on the fleet size in operation. The ground operations staff perform two primary functions:

- Maintenance
 - Every vehicle is inspected for safety before deployment, with a recorded history of inspections and repairs.
 - All repairs and staff training are done by experienced mechanics.
 - Tune ups can be performed on the spot by the local operations team, who are equipped with the necessary tools.
 - Repairs are performed at the warehouse by mechanics.
 - All vehicles are inspected, at a minimum, for cleanliness, damage, and safe and reliable operation.
- Fleet Management
 - Deploy vehicles in accordance with local parking and road rules, and shall not obstruct vehicular or pedestrian traffic when deploying or picking up vehicles.
 - Visually survey streets and sidewalks and reposition any obstructing vehicles.
 - Respond to and retrieve vehicles that have been marked for repair, relocation, or cleaning.
 - Rebalance/redistribute scooters based on usage patterns and based on any City request or requirements.
 - Work with contractors to pick up vehicles at the end of each day to charge overnight.

Repair requests are a priority and should be handled by Spin in a timely manner. Broken or damaged vehicles reflect poorly on the City and Spin.

PLACEMENT OF VEHICLES

- Vehicles will be neatly placed by Spin staff on wide sidewalks (minimum 6' width) and at or near public racks and corrals.
- Vehicles will be neatly placed such that they do not obstruct the public right of way, vehicles shall leave ADA required paths of travel at all deployment locations
- Spin will work with City of Coral Gables staff to determine authorized placement, deployment, and parking locations throughout the City.
- Spin vehicles shall not be staged mid-block on Miracle Mile, only at intersections.
- Vehicles shall not be staged mid-block within Giralda Plaza, staging locations should be located on the ends of Giralda Plaza, near existing bike racks.
- Vehicles should not be staged on the sidewalk on Ponce De Leon Blvd, three (3) blocks north or south of Miracle Mile.
- City can request removal of vehicles in certain areas, and request that Spin cease deployment of vehicles in certain areas upon request of City.
- In the event a hurricane watch for the Coral Gables area is issued, or upon request of the City Manager or the Manager's designee, Spin shall pick up all vehicles located within the City within twelve (12) hours of the issuance of the watch or notification by the City.

RELOCATION REQUESTS

- Spin users and the general public can report vehicles 24/7 via the website, app, email, phone, or social media.
- Spin will dispatch a ground operations member within three hours between the hours of 9am-6pm on weekdays to deal with vehicles reported as obstructing the public right of way.
- Requests received after normal business hours, weekends, and/or holidays will be handled as soon as practicable the following day. Spin shall provide the City with a 24-7 point of contact.
- City reserves the right to impound those improperly parked or deployed vehicles that create a nuisance or a life safety issue at the discretion of the City Manager or designee, In order to retrieve any impounded vehicle Spin must demonstrate proper proof of ownership and pay a \$50 impoundment fee per device, reflecting the City's enforcement, investigation, storage, and impound costs in accordance with Emergency Ordinance passed on July 10, 2018.

MAINTENANCE AND SAFETY

Every Spin vehicle shall be inspected for safety, with a recorded inspection history, at least once per month. Vehicles requiring charging are picked up by our local operations team as a part of its daily responsibilities or are brought in by a member of our charger network.

Spin's local operations team shall be trained by professional mechanics and inspect the following:

- Handlebars
- Brakes
- Brake levers
- Grips
- Tires
- Bell
- Wheel lock
- Exposed wires
- Rear fender
- Wheels
- Rear red light
- Front white light

Once a vehicle has been repaired and/or cleaned, it will go through a quality assurance check before being processed for redeployment back into the field.

REPORTING

Spin will provide, at a minimum, monthly reports to the City with aggregate usage data including:

- Number of users in the system
- Number of trips generated for the month

- Heat maps of usage trip showing top pick-up spots and drop-off spots

User route data

- Average trip length and trip time
- Number and nature of complaints logged by Spin electric scooter users and the general public.

Spin will also provide additional data and information, at the request of the City, to assist with City oversight and transportation planning and to inform the City's potential future RFP process for personal mobility share services.



AGENDA ITEM COVER PAGE

File ID: #4465

Ordinance

Second Reading

Sponsored by: Francis Suarez, Mayor, Ken Russell, Vice Chair

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 8 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), ENTITLED "BICYCLES, SKATEBOARDS, SCOOTERS, AND OTHER SIMILAR DEVICES," TO INCLUDE SECTIONS 8-1 TO SECTION 8-7 IN A NEWLY RENUMBERED ARTICLE I, ENTITLED "GENERALLY," MORE PARTICULARLY BY AMENDING SECTION 8-5, ENTITLED "PARENTS AND GUARDIANS NOT TO PERMIT VIOLATIONS OF CHAPTER," TO ADD A SAFE DRIVING REQUIREMENT, ESTABLISHING A NEW ARTICLE II, ENTITLED "MOTORIZED SCOOTERS," ESTABLISHING A SIX (6) MONTH PILOT PROGRAM FOR MOTORIZED SCOOTERS WITHIN COMMISSION DISTRICT 2; PROVIDING RULES AND REGULATIONS FOR THE OPERATION OF MOTORIZED SCOOTER SHARING SYSTEMS WITHIN THE CITY OF MIAMI ("CITY"), SPECIFICALLY PROVIDING FOR APPLICABILITY, POLICY STATEMENT, DEFINITIONS, PURPOSE, SCOPE, PROCEDURES, MINIMUM FLEET SIZE, ADJUSTMENTS OF FLEET SIZE, OPERATING REGULATIONS, PARKING, OPERATIONS DATA SHARING, INFRASTRUCTURE FUNDING, AND MINIMUM LICENSE REQUIREMENTS (INCLUDING A NON-REFUNDABLE LICENSING FEE, A MOTORIZED SCOOTER FEE, INDEMNIFICATION, INSURANCE AND BONDING), CODE ENFORCEMENT, REMOVAL OF SCOOTERS, AND OTHER REMEDIES, RESPECTIVELY; PROVIDING FOR COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS; PROVIDING FOR A REGULATORY FEE ; PROVIDING FOR A RESERVATION OF RIGHTS TO ISSUE A REQUEST FOR PROPOSALS (RFP) OR SIMILAR DOCUMENT; PROVIDING FOR A RESERVATION OF RIGHTS TO ESTABLISH NO SCOOTERS ZONE(S); PROVIDING A SUNSET PROVISION OF APRIL 30, 2019; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.



City of Miami

Legislation

Ordinance

File Number: 4465

Final Action Date:

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 8 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), ENTITLED "BICYCLES, SKATEBOARDS, SCOOTERS, AND OTHER SIMILAR DEVICES," TO INCLUDE SECTIONS 8-1 TO SECTION 8-7 IN A NEWLY RENUMBERED ARTICLE I, ENTITLED "GENERALLY," MORE PARTICULARLY BY AMENDING SECTION 8-5, ENTITLED "PARENTS AND GUARDIANS NOT TO PERMIT VIOLATIONS OF CHAPTER," TO ADD A SAFE DRIVING REQUIREMENT, ESTABLISHING A NEW ARTICLE II, ENTITLED "MOTORIZED SCOOTERS," ESTABLISHING A SIX (6) MONTH PILOT PROGRAM FOR MOTORIZED SCOOTERS WITHIN COMMISSION DISTRICT 2; PROVIDING RULES AND REGULATIONS FOR THE OPERATION OF MOTORIZED SCOOTER SHARING SYSTEMS WITHIN THE CITY OF MIAMI ("CITY"), SPECIFICALLY PROVIDING FOR APPLICABILITY, POLICY STATEMENT, DEFINITIONS, PURPOSE, SCOPE, PROCEDURES, MINIMUM FLEET SIZE, ADJUSTMENTS OF FLEET SIZE, OPERATING REGULATIONS, PARKING, OPERATIONS DATA SHARING, INFRASTRUCTURE FUNDING, AND MINIMUM LICENSE REQUIREMENTS (INCLUDING A NON-REFUNDABLE LICENSING FEE, A MOTORIZED SCOOTER FEE, INDEMNIFICATION, INSURANCE AND BONDING), CODE ENFORCEMENT, REMOVAL OF SCOOTERS, AND OTHER REMEDIES, RESPECTIVELY; PROVIDING FOR COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS; PROVIDING FOR A REGULATORY FEE ; PROVIDING FOR A RESERVATION OF RIGHTS TO ISSUE A REQUEST FOR PROPOSALS (RFP) OR SIMILAR DOCUMENT; PROVIDING FOR A RESERVATION OF RIGHTS TO ESTABLISH NO SCOOTERS ZONE(S); PROVIDING A SUNSET PROVISION OF APRIL 30, 2019; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, there have been a profusion of motorized scooters operating without any true regulations, permits or approvals in the City of Miami ("City"); and

WHEREAS, the regulated and permitted operation of motorized scooters is recognized as an alternative and efficient means of personal transportation; and

WHEREAS, it is in the City's best interest to regulate such operations of motorized scooters in a uniform and reasonable manner protect and enhance the quality of life for city's residents and the public health, safety, and general welfare; and

WHEREAS, Section 316.008, Florida Statutes, entitled "Powers of local authorities" provides that a county or municipality may enact an ordinance to permit, control or regulate the operation of vehicles, golf carts, mopeds, motorized scooters, and electric personal assistive mobility devices with certain limitations; and

WHEREAS, pursuant to Section 316.2128, Florida Statutes, the operation of motorized scooters **may not be operated on sidewalks** unless authorized by an ordinance enacted pursuant to Sections 316.008(7)(a) or 316.212(8); and

WHEREAS, the City Commission may create legislative pilot programs within the City for a limited period of time not to exceed one (1) year, this pilot program will be a six (6) month period, which may be reinstated for one (1) additional year; and

WHEREAS this pilot program is limited to the area of the City identified and known as City Commission District 2;

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

Section 1. The recitals and findings contained in the Preamble to this Ordinance are adopted by reference and incorporated as if fully set forth in this Section.

Section 2. Chapter 8 of the Code of the City of Miami, Florida, as amended ("City Code"), is further amended in the following particulars:¹

"CHAPTER 8

BICYCLES, SKATEBOARDS, SCOOTERS AND OTHER SIMILAR DEVICES

ARTICLE I – GENERALLY

* * * *

Sec. 8-5. - Parents and guardians not to permit violations of chapter; safe driving.

No parent of any minor child and no guardian of any minor ward shall authorize or knowingly permit any such minor child or ward to violate any of the provisions of this chapter.

All Operators of Motorized Scooters as referenced in this Chapter shall abide by applicable laws, ordinances, and regulations governing their operation. Motorized Scooters will be operated in a safe and prudent manner and shall be operated defensively to avoid bicyclists, pedestrians, and any items, such as bus benches or trash receptacles, in the Sidewalk Furniture Zone.

* * * *

ARTICLE II - MOTORIZED SCOOTERS

Sec. 8-8. Applicability, Policy Statement and Purpose.

This Article is supplemental to the general laws of the State of Florida, including Chapter 316, Florida Statutes, entitled "State Uniform Traffic Control." All definitions from Section 316.003, Florida Statutes, are incorporated herein by reference, including the definition of "Motorized Scooter." This Article shall apply to any and all Motorized Scooters and Motorized Scooter Services operating within the corporate limits of the City of Miami ("City"), as permitted. This Article is intended to govern the operation of Motorized Scooters and Motorized Scooter Services within the City to ensure that they are consistent with the safety and well-being of all bicyclists, pedestrians, and other users of the public rights-of-way. This Article shall not apply to any sidewalk/sidewalk area funded by the Federal Government except as expressly allowed by United States Department of Transportation Secretary or as expressly allowed by 23 United States Code Section 217(h). The Pilot Program under this Article shall apply to the area of the

¹ Words and/or figures stricken through shall be deleted. Underscored words and/or figures shall be added. The remaining provisions are now in effect and remain unchanged. Asterisks indicate omitted and unchanged material.

City within City Commission District 2. Motorized Scooters are not authorized by the Pilot Program under this Article in any area of the City other than City Commission District 2.

Sec. 8-9. Definitions.

As used in this Article the following definitions apply:

Application Programming Interface Key. The term "Application Programming Interface Key" ("API Key") shall mean a code passed in by computer programs calling an application programming interface ("API") to identify the calling program, its developer, or its user to the web site.

Bike Lane. The term "Bike Lane" shall mean a part of the road which is intended to be used in part by people riding bicycles.

Bike Path. The Term "Bike Path" shall mean a bikeway separated from motorized traffic and dedicated to cycling or shared with pedestrians or other users.

License. The term "License" shall mean the document by which a privilege is granted by the City to authorize a person to operate a Motorized Scooter Service within its corporate limits. Any License issued in accordance with this Article shall be nonexclusive.

Motorized Scooter(s). The term "Motorized Scooter(s)" shall have the meaning ascribed to it in Section 316.003, Florida Statutes, as amended. Motorized Scooter(s) are further defined as a device, with an electric motor, designed to transport only one person, exclusively or in combination with the application of human power, which cannot attain a speed of more than fifteen (15) miles per hour without the application of human power on a level surface.

Motorized Scooter Service. The term "Motorized Scooter Service" shall mean a system in which Motorized Scooters are made available for shared use to individuals on a short-term basis for a price or fee.

Operator. The term "Operator" shall mean an individual or company that has been issued a License pursuant to this Article and/or pursuant to any appropriate procurement process, if approved by the City Commission, as may be later determined by the City Commission to be applicable, as outlined in Chapter 18 of this Code.

Rebalance. The term "Rebalance" shall mean moving Motorized Scooters from an area of low demand to an area of high demand.

Sidewalk. The term "Sidewalk" means that portion of the public right-of-way between the back of curb lines or the lateral lines of a non-driving lane separated by curb and the adjacent property lines, where a three-foot minimum clearance is available to pedestrians and intended for public use. There may also be a median strip or road verge (a strip of vegetation, grass or bushes or trees or a combination of these) either between the sidewalk and the roadway or between the sidewalk and the adjacent property line (also described as Right of Way line or Building Baseline).

Sidewalk Area. The term "Sidewalk Area" includes Bike Lanes and Bike Path, as well as the sidewalk width perpendicular to the road times the sidewalk length along and parallel to the road.

Transit Facility. The term "Transit Facility" means a facility providing accommodations by public, private, or nonprofit entities for the conveyance of persons from one place to another by means of a transportation system, including but not limited to: bus terminal, railroad station, freight terminal, airport, helistop or seaport.

Sec. 8-10. Rules and Regulations.

- a. The City Manager, or his or her designee, may administratively issue, promulgate and establish additional rules and regulations, consistent with this Article and applicable state and federal laws, as determined to affect the policy of this Article. All additional rules and regulations shall be made available on the City's website.
- b. Pilot Program: The City hereby establishes a six (6) month pilot program (the "Pilot Term") for the operation of temporary Pilot Program Licenses within the boundaries of Commission District 2.

1. Operators shall have a maximum initial fleet of one hundred (100) Motorized Scooters. Each Operator will deploy no more than fifty (50) Motorized Scooters during the first two weeks of the Pilot Program.
2. The City shall allow Operators to increase their fleet size on a monthly basis by a maximum of 25 percent (25%) if Operator's usage data demonstrates that their fleet provides on average more than three (3) rides per Motorized Scooter per day. The increase in vehicles on the street shall not exceed the amount required to keep usage rates at or above three (3) rides per Motorized Scooter per day. The City may also require Operators to reduce their fleet size on a monthly basis by 25 percent (25%) if Operator's usage data demonstrates that their fleet provides on average less than two (2) rides per Motorized Scooter per day.
3. Notwithstanding Subsection (2), the City retains the right to require Operators to reduce their fleet size or cease operations in the event that Operators repeatedly fail to timely rebalance or remove vehicles blocking the right of way or provide timely responses to complaints received by the City.
4. During the duration of the Pilot Program, Operators shall designate two (2) Fleet Coordinators who will be responsible for fielding complaints, addressing technical difficulties, coordinating the rebalancing and removal of scooters parked illegally, and providing public education.
5. On or before the expiration of this Pilot Program, the City Manager or his designee shall report to the City Commission on the status of the Pilot Program. Following the City Manager's report, the City Commission will consider the City's options relative to the Pilot Program including: discontinuing, reinstating, or expanding the Pilot Program, authorizing the City Manager to issue a competitive solicitation for a more permanent Motorized Scooter License program, or such other measures as determined to be in the City's best interests .

Sec. 8-11. Application for Pilot Program License

- a. A person may not operate, or cause or permit the operation of, a Motorized Scooter Service for the duration of the Pilot Program without first having obtained a valid Pilot Program License issued under this Article.
- b. A person desiring to obtain a License shall make a written application in a form prescribed by the City Manager, or his or her designee, with the applicant being the person who will own, control, or operate the proposed Motorized Scooter Service.
- c. An applicant shall file with the City a verified application statement that, at a minimum, contains the following:

- i. The address of the applicant's operations center within the City, and the address of the applicant's corporate headquarters, if different from the address of the operations center;
 - ii. A witnessed signature of the applicant;
 - iii. Documentary evidence from an insurance company indicating that such insurance company has bound itself to provide the applicant with the insurance required by the Article;
 - iv. Documentary evidence from a bonding or insurance company or a bank indicating that the bonding or insurance company or bank has bound itself to provide the applicant with the payment and performance bond or irrevocable letter of credit required by this Article;
 - v. Documentary evidence indicating that the applicant has applied for and received a current Certificate of Use, Business Tax Receipt, Occupational License, and similar permits and approvals, as applicable;
 - vi. An agreement to indemnify the City, in a form acceptable to the City ;
 - vii. The name of the person designated to receive any and all notices sent by the City to the Operator, including their mailing address, telephone number, and e-mail address; and
 - viii. The name of the person designated to Rebalance, remove, and/or relocate Motorized Scooter(s), including their mailing address, telephone number, and e-mail address.
- d. The application shall be accompanied by a non-refundable licensing fee of \$50,000, which shall be used to offset any costs to the City and/or the Department of Off-Street Parking, also referred to as the Miami Parking Authority ("MPA") related to enforcement of this Section. Any excess licensing fees shall be designated for sidewalk and/or street improvements within the Pilot Program Area.
- e. A Pilot Program License shall expire six (6) months from the date it is issued.
- f. In the event that the Pilot Program is reinstated by vote of the City Commission, Pilot Program License(s) may be renewed following the same process set forth in this Section.
- g. The City Manager, or his or her designee, reserves the right to cancel any License, if there is a violation of the Article, violations involving public health, safety or general welfare, failure to maintain the required insurance or bonding or otherwise comply with this Article, or for other good and sufficient cause as determined by the City Manager in his or her sole discretion.

Sec. 8-12. Motorized Scooter Fee.

In addition to the non-refundable licensing fee set forth in Section 8-11, Operators shall remit to the City a Motorized Scooter Fee in an amount equivalent to one dollar (\$1.00) per Motorized Scooter per day. The Motorized Scooter Fee shall be calculated monthly based on usage data. During the duration of the Pilot Program, this Motorized Scooter Fee shall be designated for sidewalk and/or street improvements within Pilot Program Area.

Sec. 8-13. Motorized Scooter Parking.

- a. Motorized Scooters must be parked on a Sidewalk or other hard surface, beside a bicycle rack, or at a city-owned location. Motorized Scooters may only be parked on private property with the permission of the property owner.
- b. Motorized Scooters may not be parked at bicycle docking stations located on City and/or MPA property with an existing franchise agreement.

- c. Motorized Scooters must be upright while parked.
- d. Motorized Scooters may not be parked in a manner that would impede normal and reasonable pedestrian access on a Sidewalk or in any manner that would reduce the minimum clear width of a Sidewalk to less than 3 feet.
- e. Motorized Scooters may not be parked in a manner that would impede vehicular traffic.
- f. Motorized Scooters may not be parked in a manner that would impose a threat to public safety or security.
- g. Motorized Scooters may not be parked on a block where the Sidewalk is at any point less than 6 feet in width, or on a block that does not have Sidewalks.
- h. Motorized Scooters may not be parked in a visibility triangle as defined in Section 54-1 of this Code, measured in accordance with Section 3.8.4 of Miami 21 Code, the Zoning Ordinance of the City of Miami, Florida, as amended.
- i. Motorized Scooters must be parked in a manner that is compliant with the applicable provisions of the Americans with Disabilities Act of 1990.
- j. Motorized Scooters may not be parked in a way that blocks:
 - i. Fire hydrants call boxes or other emergency facilities;
 - ii. Transit Facilities;
 - iii. Loading spaces or zones;
 - iv. Passenger loading spaces or zones, or valet parking service areas;
 - v. Railroad tracks or crossings;
 - vi. Disabled or prohibited parking zones;
 - vii. Street furniture that requires pedestrian access (for example, benches, parking pay stations, or bicycle/news racks);
 - viii. Window Displays;
 - ix. Building entryways; or
 - x. Vehicular driveways.
- k. Motorized Scooters that are parked in an incorrect manner must be re-parked, removed and/or relocated by an Operator within thirty (30) minutes of receiving notification from the City.
- l. The City or the MPA may identify designated Motorized Scooter parking zones in order to guide riders to preferred parking zones and assist with the orderly parking of Motorized Vehicles throughout the City.

Sec. 8-14. Operations

- a. No one under the age of 18 shall operate a Motorized Scooter.
- b. Operators shall comply with all applicable rules, regulations, and laws, including any additional rules and regulations promulgated by the City Manager, or his or her designee.
Persons operating Motorized Scooters shall be subject to all rules, regulations, and laws, including any additional rules and regulations promulgated by the City Manager, or his or her designee, applicable to an Operator, except those which, by their very nature, can have no application. The City Manager may consider the following factors in promulgating the rules: The National Association of City Transportation Officials recommendations inclusive of: cities should require Licensees to come to agreement with the city on procedures and protocols for:
 - extreme weather (e.g. blizzards, hurricanes, floods)
 - emergencies (e.g. earthquakes, fires, etc.)
 - special events (e.g. marathons, events, parades, film shoots, etc.)
 - maintenance (e.g. debris and trash removal) for small vehicle parking zones.Operators shall at all times maintain a staffed operations center within the City;

- c. Operators shall maintain a twenty-four (24) hour customer service phone number prominently posted on each Motorized Scooter for customers and citizens to report safety concerns, make complaints, ask questions, or request that a Motorized Scooter(s) be relocated.
- d. Operators shall provide the City with the contact information for someone who can Rebalance, remove, and/or relocate Motorized Scooter(s). The Operator shall Rebalance, remove, and/or relocate a Motorized Scooter(s) within thirty (30) minutes of receiving notification from the City. An Operator shall notify the City within 24 hours of a change in contact information.
- e. Any Motorized Scooter that is removed due to maintenance or safety issues shall be repaired before being returned to service.
- f. The City and/or MPA may, without prior notice to the Operator, remove any Motorized Scooter(s) that is/are visibly damaged or non-functional, or blocking the public right of way, or located outside the Pilot Program Area, and take it to a MPA or other City facility for storage, at the sole expense of an Operator. The City and/or MPA shall charge a fee of not to exceed \$25.00 per scooter for removal and storage. The City and/or the MPA shall invoice the Operator for the cost of removal and storage. Any Motorized Scooter that remains unclaimed with the City and/or MPA for five (5) days is subject to sale pursuant to the procedures for abandoned or lost property set forth in Section 705.103, Florida Statutes, or by any other method allowed by the laws of the State of Florida or the City.
- g. Motorized Scooters must be well maintained and in good operating condition.
- h. Motorized Scooters must be of a high quality and sturdily built to withstand the effects of weather and constant use for a period of no less than five (5) years.
- i. Motorized Scooters must be rebalanced on a daily basis.
- j. Motorized Scooters shall not display any third-party advertising.
- k. Each Motorized Scooter shall be equipped with active global positioning system (GPS) technology.
- l. Each Motorized Scooter shall display the name of the Operator, (and if it can be accommodated the local business address) along with a unique identification number.
- m. Operators shall educate persons operating Motorized Scooters regarding the rules, regulations and laws applicable to riding, operating, and parking a Motorized Scooter. An Operator's mobile application must provide information notifying a user that:
 - i. Motorized Scooters may be operated on streets or sidewalks in a manner similar to bicycles;
 - ii. Motorized Scooters are to be operated at a person's own risk, and that no representation is being made by the City as to the condition of any Sidewalk or Sidewalk Area;
 - iii. Motorized Scooters shall at all times yield to pedestrians and shall give an audible signal before overtaking and passing such pedestrian;
 - iv. The use of helmets while operating a Motor Scooter is strongly encouraged; and
- n. Operators will implement marketing and targeted community outreach plans, at their own expense, and to the satisfaction of the City, to promote the use of Motorized Scooters, particularly in low-income communities, and provide education regarding the rules, regulations and laws applicable to riding, operating, and parking a Motorized Scooter, as well as safe, prudent, defensive, and courteous operation.
- o. Operators shall work with local businesses or other organizations to promote the use of helmets by persons operating Motorized Scooters through partnerships, promotional credits, and other incentives.
- p. Operators shall not place or attach any fixtures, structures, or personal property, other than a Motorized Scooter, in the public right-of-way without the written permission of the

City Manager or his or her designee. Permission to place any items in the public right-of-way must be incorporated into the License.

- q. If the City incurs a cost in addressing or abating any violation of this Article, or incurs any cost of repair or maintenance of any public property resulting from the use of Motorized Scooters, the Operator shall reimburse the City for the full cost within thirty (30) days of receiving written notification from the City.

Sec. 8-15. Data Sharing

- a. Operators shall cooperate with the City in the collection and analysis of aggregated data concerning its operations.
Operators shall provide the City with real-time information on all Motorized Scooters operating within its boundaries through a documented API. Operators shall provide the City Manager, or his or her designee, with the procedure and credentials to authenticate to the API.
- b. Operators shall publish to the API (1) the point location, and (2) identification number for each Motorized Scooter. The City shall be permitted to display real-time data provided via the API and may publish real-time Motorized Scooter availability data to the public.
- c. Operators shall publish to the API (1) the point location, and (2) identification number for each Motorized Scooter. The City shall be permitted to display real-time data provided via the API and may publish real-time Motorized Scooter availability data to the public.
- d. Operators shall also provide the following anonymized data for each trip record through the API

<u>Field Name</u>	<u>Format</u>	<u>Description</u>
<u>Company Name</u>	<u>[Company Name]</u>	<u>N/A</u>
<u>Trip Record Number</u>	<u>XXX0001, XXX0002, XXX0003, ...</u>	<u>3-Letter Company Acronym + Consecutive Trip Number</u>
<u>Trip Duration</u>	<u>MM:SS</u>	<u>N/A</u>
<u>Trip Distance</u>	<u>Feet</u>	<u>N/A</u>
<u>Start Date</u>	<u>MM/DD/YYYY</u>	<u>N/A</u>
<u>Start Time</u>	<u>HH:MM:SS (00:00:00 –</u>	<u>N/A</u>
<u>End Date</u>	<u>MM/DD/YYYY</u>	<u>N/A</u>
<u>End Time</u>	<u>HH:MM:SS (00:00:00 –</u>	<u>N/A</u>
<u>Start Location</u>	<u>XY or Lat/Lon Coordinates</u> <u>XY or Lat/Lon Coordinates</u>	<u>N/A</u>
<u>End Location</u>	<u>XY or Lat/Lon Coordinates</u>	<u>N/A</u>
<u>Identification Number</u>	<u>xxxx1, xxxx2, ...</u>	<u>Unique Identification for Every Motorized Scooter</u>

Route: Licensee will create a GeoJSON Feature Collection where every observed point in the route, plus a time stamp, should be included. The route must include at least two (2) points, a start point and end point. Additionally, it must include all possible GPS samples collected by a provider.

Standard Cost: The cost, in cents that it would cost to perform that trip in the standard operation of the System.

Actual Cost: The actual cost in cents paid by the user for the trip.

Sec. 8-16. Insurance Requirements

- a. An Operator shall procure and keep in full force and effect no less than the insurance coverage required by this Section through a policy or policies written by an insurance

company or companies authorized to do business in Florida, who are rated A- (V) or better per A.M. Best's Key Rating Guide.

- b. The insured provisions of the policy or policies must list the City, the MPA, their officers and employees as additional insureds, and the coverage provisions must provide coverage for any loss or damage that may arise to any person or property by reason of the operation of a Motorized Scooter.
- c. An Operator shall maintain the following insurance coverages:
 - i. Commercial general liability with limits of \$2,000,000 per occurrence, \$5,000,000 policy aggregate affording coverage for claims resulting from bodily injury (including death) and property damage. The policy shall be written on a primary and noncontributory basis, and should insure against premises and operations, personal injury, and contingent and contractual exposures.
 - ii. Automobile/Motorcycle liability affording coverage on all motor vehicles/scooters used in connection with the operations or activities contemplated under this Article. The Operator should furnish the City with a policy affording coverage on all owned autos and scooters, including coverage for hired and non-owned auto exposures, with a combined single limit for bodily injury (including death) and property damage of \$2,000,000 per accident.
 - iii. Workers Compensation subject to the statutory limits of the State of Florida.
 - iv. The City retains the right to require additional insurance coverage in connection with the activities performed by the Operator under this Article as may be determined by the City Risk Management Director, considering the size of the fleet and other liability insurance related factors.
 - v. Failure to maintain required insurance coverage is cause for immediate cancellation of the License by the City Manager or his or her designee.
- d. Any insurance policy required by this Section must be on file with the Risk Management Department, in a form acceptable to the City Manager, or his or her designee, prior to the issuance of a License under this Article.
- e. Insurance required under this Section must include a cancelation provision in which the insurance company is required to notify both the Operator and City Manager, or his or her designee, in writing not fewer than thirty (30) days before cancelling any insurance policy or before making a reduction in coverage. An Operator, upon receiving said notice, shall file with the Risk Management Department, in a form acceptable to the City Manager, or his or her designee, any and all replacement insurance policies prior to the cancelation or reduction of the same.
- f. An Operator may not be self-insured.

Sec. 8-17. Performance Bond or Irrevocable Letter of Credit.

- a. An Operator shall submit to the Risk Management Department a payment and performance bond, in a format as prescribed in Section 255.05, Florida Statutes, and in a form acceptable to the City Manager, or his or her designee, prior to the issuance of a License under this Article.
- b. Alternatively, an Operator may post an irrevocable letter of credit issued by a bank authorized to transact business in Florida.
- c. The payment and performance bond or irrevocable letter of credit shall be in the sum of \$50,000.00, and must list the Operator as principal and be payable to the City.
- d. The payment and performance bond or irrevocable letter of credit must remain in effect for the duration of the License.

- e. Cancellation of the payment and performance bond or irrevocable letter of credit does not release the Operator from the obligation to meet all requirements of this Article and License. If the payment and performance bond or irrevocable letter of credit is cancelled, the License shall be suspended on the date of cancelation and the Operator shall immediately cease operations until the Operator provides the City Manager, or his or her designee, with a payment and performance bond or irrevocable letter of credit that meets the requirements of this Section.

Sec. 8-18. Indemnification.

Operators shall indemnify, defend, and hold harmless the City, the MPA, jointly and severally, and their respective officers, employees, agents and instrumentalities from any and all liability, losses or damages, including any and all attorneys' fees and costs of defense, which the City and its officers, employees, agents and instrumentalities may incur as a result of claims, demands, suits, causes of actions or proceedings of any kind or nature including, but not limited to, personal injury or wrongful death, property loss or damage, the conditions and features on all Sidewalks and Sidewalk Areas, or other areas within the City on which a Motorized Scooter is operated, to the extent arising out of or in any way connected with the operation of the Motorized Scooter Service or use of a Motorized Scooter. Operators shall pay all claims and losses in connection therewith and shall investigate and defend all claims, suits or actions of any kind or nature in the name of the City, where applicable, including administrative, trial, and appellate proceedings, and shall pay all costs, judgments, and attorneys' fees which may issue thereon. Operators shall expressly understand and agree that any insurance protection required by this Article, or otherwise provided or secured by an Operator, shall in no way limit the responsibility to indemnify, defend and hold harmless the City, the MPA, or their officers, employees, agents and instrumentalities as required by this Section. The obligation to indemnify, defend, and hold harmless will survive the revocation, cancellation, or expiration of a License. The Operators will acknowledge on the License Application Form, which will include this Indemnification in substantially the language provided by this Section, that the granting of the License is, in part, conditioned on the granting of this Indemnification which is knowingly and voluntarily given by the Operators.

Sec. 8-19. The Motorized Scooter Pilot program will automatically terminate on April 30, 2019 or six (6) months from the effective date this Ordinance, whichever occurs last.


* * * *

Section 3. If any section, part of a section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 4. This Ordinance shall become effective thirty (30) days after final reading and adoption thereof.²

² This Ordinance shall become effective as specified herein unless vetoed by the Mayor within ten (10) days from the date it was passed and adopted. If the Mayor vetoes this Ordinance, it shall become effective immediately upon override of the veto by the City Commission or upon the effective date stated herein, whichever is later.

APPROVED AS TO FORM AND CORRECTNESS:

A handwritten signature in blue ink, appearing to read "Victoria Méndez", written over a horizontal line.

Victoria Méndez, City Attorney

10/1/2018

CURRENT MICROMOBILITY SAFETY ISSUES AND PUBLIC IMPACT



FEBRUARY 2019

Title/Topic: **Cities wising up to disruptive dockless transportation tech: 'Why should they use our public right of way to become billionaires?'** (Geekwire)

- "They're contributing to congestion, they're using public facilities, streets, curbs everything else, and we get nothing for it. We want to incur a fee on rides."
- "The legal hook we have to regulate these is either traffic safety or public safety," Bradway said. "That's all we've got."
- "The key takeaway from the discussion: cities are getting savvier, looking ahead more strategically and acting faster when it comes to the companies building businesses on their streets."

<https://www.geekwire.com/2019/cities-wising-disruptive-transportation-tech-use-public-right-way-become-billionaires/>

Title/Topic: **City of San Diego sees Sharp increase in scooter-related citations in 2018** (ABC 10News)

- "San Diego Police gave out nearly 3,200 electric scooter-related citations in 2018, a dramatic increase over previous years. 2018 marked the first full year of operation for numbers dockless bike companies, including Lime and Bird. "
- "10News obtained records compiled by the San Diego Police Department with revealing information about the proliferation of the scooters. The most commonly ticketed infraction was riding without a helmet, which induced more than 2,300 citations. "
- "The increase in citations coincides with an increase of injuries in scooter-related accidents. "Scooter injuries are very common," Sharp Rees-Stealy Urgent Care Doctor Shahed Samadi told 10News. "I see them on a daily basis."

<https://www.10news.com/news/local-news/san-diego-news/sharp-increase-in-scooter-related-citations-in-2018>

Title/Topic: **1,545 cases of emergency rooms visits, deaths, head injuries and hospitalizations in 2018 from dockless scooter injuries - 23 Hospitals surveyed by Consumer Reports responding** (Consumer Reports/Business Insider)

- "An investigation by Consumer Reports has revealed that there have been at least 1,545 accidents in the US involving electric scooters over the past year. A large concern has been safety. "
- "Lime and Bird both emphasize safety on their websites, and advise riders to wear helmets — which are not provided with the scooters themselves. At the same, Bird was also a major proponent of a California law, passed in September 2018, which removed the legal requirement for scooter riders to wear helmets. "
- "As no national data on scooter crashes currently exists, CR sent requests for information off to medical facilities. 60 facilities responded, of which 23 were able to provide information. They reported treating 1,545 patients for scooter-related injuries over the past year. "
- "The other 37 hospitals were unable to provide CR with information either because they don't track scooter injuries, lack the capability to do so, or they had no reports of injuries on file."

<https://www.businessinsider.com/minimum-of-1500-us-e-scooter-injuries-in-2018-2019-2>

Title/Topic: **1,000 Lime e-scooters removed from streets because of violations** (NBC Austin)

- "As of Monday, 1,000 fewer e-scooters will be on the streets of Austin. The city ordered Lime to remove 20 percent of its fleet for 30 days."
- "Austin said Lime had too many scooters in the downtown area on five different times between Nov. 14 and Nov. 20. Part of the city code prohibits it from having more than 500 scooters in that area because it can be a safety issue. "
- "As many as 624 units more than their authorized allowance were documented," Austin Transportation Department Director Rob Spillar wrote in a memo. He added that Lime was told it had too many scooters, but didn't do anything about it."

<https://www.kxan.com/news/local/austin/1-000-lime-e-scooters-removed-from-streets-because-of-violation/1627224871>

Title/Topic: **Reports of Lime scooters catching fire leads to company pulling them off the streets (CBS)**

- “Concerns over safety forced Lime, the company who produces Limebikes, to pull some of its electric scooters off the street. There are reports that some are catching on fire.”
- “Lime says batteries made by the company behind the Segway scooters can smolder, and in some cases, catch fire.”

<https://wsbt.com/news/local/reports-of-lime-scooters-catching-fire-leads-to-company-pulling-them-off-the-streets>

Title/Topic: **Lime is Recalling Scooters Because They Might Fall Apart Mid-Use**

- “The electric scooter fiasco has been, uh, quite the entertaining one to watch. Whether it be Lime, Bird, or any of the other e-scooter situations that have resulted in mass annoyance, banning, and destruction, there have been plenty of storylines to follow. Now, there’s a new one. Namely, Lime scooters might be falling apart under their users.”
- “Lime is recalling a specific model from each of its cities because the damn things could collapse right underneath you. And yes, for the record, that’s the same exact Lime whose scooters are already prone to battery fires. Yikes!”

<https://jalopnik.com/lime-is-recalling-scooters-because-they-might-fall-apar-1830394408>

Title/Topic: **Fort Lauderdale boy killed riding an electric scooter during first month of scooter operations in the city**

- Paramedics said the boy was riding a Lime electric scooter. Last month, several electric scooters companies began offering services in Fort Lauderdale.

<https://www.local10.com/news/local/fort-lauderdale/boy-riding-electric-scooter-critically-injured-in-hit-and-run-crash>

Title/Topic: **Injuries are the untold part of the scooter trend, doctors and victims say (San Francisco Chronicle)**

- “Injuries are the part of the electric scooter story that hasn’t yet been fully told. No one has an official count, but doctors in many cities are sharing anecdotes about people being sideswiped, brakes failing and riders colliding with cars or hitting pedestrians when they illegally scoot on sidewalks. As the incidents pile up, companies and lawmakers are fiercely debating who should be held liable.”
- “The accident trend emerged almost as soon as the motorized scooters dropped onto city streets this spring, said Christopher Colwell, chief of emergency medicine at San Francisco General Hospital. Riders have come in with wounds ranging from broken wrists to potentially fatal cranial bleeding after smashups with cars, he said. Working the night shift on a recent Friday, Colwell saw three injured e-scooter riders. Two had concussions. None had worn a helmet.”
- “The crash happened in a split second, when a Lime scooter zipped down a busy sidewalk in Oakland’s Uptown neighborhood and slammed into 2-year-old Carter Sarmiento. He went hurtling backward, landing on the cement near Valley Street and Grand Avenue. “We were just walking out of the lobby of our apartment building, and we didn’t think to look both ways, crossing the sidewalk,” Sarmiento said.”

https://www.sfchronicle.com/bayarea/article/Injuries-are-the-untold-part-of-the-scooter-13219335.php?utm_source=email&utm_medium=email&utm_content=newsletter&utm_campaign=sfc_morningreport

Title/Topic: **Lime scooters retreat from Tempe AZ after city enacts ordinances to protect public and monetize public ROW usage by private companies (USA Today/AZ Central)**

- “The Tempe City Council unanimously approved last month new licensing fees and staging regulations that, among other requirements, would require companies operating in the city to pay an annual right-of-way use license fee of \$7,888 in addition to paying \$1.06 per scooter or bike per day to stage the vehicles in the right-of-way.”

- “The agreement also included an indemnity clause that freed Tempe from any liability related to an accident or injury even if the city was found to be negligent. Tempe said while it's unfortunate Lime felt the regulations forced the company out, the city believes the requirements are appropriate for the continued operation of shared vehicles in the city. “
- "The city does believe the insurance, fees and other requirements are fair and necessary to ensure the scooter companies operate in a way that ensures community safety and equal access," the city said in an emailed statement.
- **“An indemnity provision in Tempe’s license states that riding a scooter is “inherently hazardous.” If the companies were to sign off on the agreement, the companies would be required to admit riding a scooter is dangerous, causing them to be held strictly liable for any injuries.”**
- “The companies would also have to agree to fully indemnify the city against any and all claims that may be made against Tempe as a result of an accident, even if the city is found to be negligent. That means if there was an accident and the city was partially at fault because it didn’t maintain safe sidewalk or road conditions, the city would not be held liable, Allen said. The responsibility would lay solely on the scooter companies, she said.”
- “Lime is pulling its electric scooters and dockless bicycles from Tempe after the city approved new regulations the company felt were too stringent. The scooters and bikes will be removed Tuesday, a company spokeswoman confirmed.”

<https://www.azcentral.com/story/news/local/tempe/2019/02/11/lime-pulls-electric-scooters-tempe-citing-fees-liability-burden/2842707002/>

Title/Topic: **To avoid scooter hell, Orlando needs to learn from other cities (Orlando Sentinel)**

- “In scooter hell, terrified pedestrians pin themselves against buildings to avoid being run down by uncaring millennial hordes, like a scene from a Mad Max movie but without the noisy engines.”
- “When they’re done, riders carelessly discard their scooters in doorways and on sidewalks, mindless of the hazards they’re creating. That doesn’t mean scooters should be a fait accompli in Orlando. They’ve been a disaster in other places.”
- “Fort Lauderdale embraced them in November, with several companies setting up shop. But the city is suffering from serious buyer’s remorse and might ban them from beaches ahead of college students’ annual spring break pilgrimage. Next week, officials are expected to debate whether to get rid of the scooters altogether. Residents complain of scooters weaving through pedestrians and riders leaving the two-wheelers scattered about.”
- “They appear on the urban landscape as mysteriously as crop circles on farms, leaving cities to deal with the consequences. Most city sidewalks are designed with pedestrians in mind. People walk at about 2 or 3 mph. Electric scooters typically operate at up to 15 mph. The two are not compatible. Orlando also needs to minimize clutter.”
- “The city’s bike-sharing agreement with Lime gives the company two hours to remove a bicycle that’s creating a safety hazard. Same should go for scooters. And two hours seems overly generous.”

<https://www.orlandosentinel.com/opinion/editorials/os-op-electric-scooters-orlando-problems-20190201-story.html>

Title/Topic: **City of Little Rock to end deal with Lime scooters citing lack of attention to safety by the company (Arkansas Online)**

- “Little Rock city leaders are planning to end the city's relationship with scooter company Lime, citing "disappointment" with the company's handling of rider safety since the dockless devices arrived less than a month ago, according to a letter obtained by the Democrat-Gazette on Wednesday.”
- “The City has been disappointed in Lime's lack of attention to the safety of its riders and pedestrians," read the letter, which was signed by Mayor Frank Scott Jr., city board members and other city officials.”
- “The letter sent to the CEO of Neutron Holdings, Inc., which operates Lime scooters, said the city plans to end its agreement with the company on May 15, 2019, and "forego the pursuit of a superseding contract". The scooters were introduced as part of a six-month trial arranged by previous Mayor Mark Stodola. “

<https://www.arkansasonline.com/news/2019/jan/30/little-rock-end-deal-lime-scooters-leaders-cite-sa/>

Title/Topic: **Lime scooter rider died in Washington DC, marking second fatality this month (TechCrunch)**

- “a Lime rider was killed today by an SUV while tooling around Washington D.C.’s DuPont neighborhood. The local fire department shared video of the rescue, which shows that the victim, an adult male, had to be pulled from the undercarriage of the vehicle.”
- “It’s the second known fatality for the company following a death earlier this month in Dallas, when a 24-year-old Texas man fell off the scooter he was riding and died from blunt force injuries to his head.”
- “On the one hand, the developments, while unfortunate, can hardly come as a surprise to anyone given how vulnerable riders or e-scooters are.”

<https://techcrunch.com/2018/09/21/a-lime-scooter-rider-died-this-morning-in-washington-d-c-marking-the-second-fatality-this-month/>

Title/Topic: **Woman dies riding electric scooter in Cleveland**

- “A 21-year-old woman died late Saturday after she was hit by a car while riding an electric scooter in downtown Cleveland.”
- “The crash happened about 10 p.m. on East 9th Street near St. Clair Avenue, Cleveland police spokeswoman Sgt. Jennifer Ciaccia said. A Chevy Cruz driven by a 19-year-old man was driving south on East 9th Street when he struck the woman on the scooter from behind.”
- “The woman was thrown from the scooter and fell onto the road, Ciaccia said. She was taken to MetroHealth, where she died.”

https://www.cleveland.com/metro/index.ssf/2018/08/woman_riding_electric_scooter.html

Title/Topic: **Man dies after apparent electric scooter accident (Washington Post)**

- “Victim — identified as Jacoby Stoneking — was riding an electric scooter on his way home after work when he fell and injured his foot. Kenneth Moore, the friend, told the station that a frustrated Stoneking called him and asked him to order him a Lyft, which Moore did. When the Lyft driver arrived, he would later tell police, he found Stoneking unresponsive, prompting him to alert authorities around 4 a.m. Saturday.”
- “Responding officers observed scrapes and bruising to the injured person’s hands and lower extremities,” police said in a statement, noting that officers “found a Lime Scooter that was broken in half up against the curb” ...medical experts say that hitting one’s head at those speeds is more than enough to cause brain damage or death.”
- “An electric scooter is pretty much a moped, just a little slower,” said Sam Torbati, medical director of the Ruth and Harry Roman Emergency Department at Cedars-Sinai in Los Angeles. “People seem to feel safe since it looks like a recreational tool, but it comes with potential for serious injury.”
- “Any most of the people I see on these scooters are not wearing protective gear, such as helmets or knee pads,” he added.

https://www.washingtonpost.com/technology/2018/09/04/police-man-dies-after-apparent-electric-scooter-accident/?utm_term=.bef3bcfb4481

Title/Topic: **George Mason University declares “No Scooter” zone**

- “Ever since Bird became the first company to bring the dockless scooters to Arlington this June, the county’s sidewalks and yards have increasingly been littered with the vehicles.”
- “The new program bans riders from using the scooters on sidewalks and trails, and will also require any company to move an improperly parked vehicle within one hour of receiving a complaint”

<https://www.arlnow.com/2018/10/02/gmu-declares-a-no-scooter-zone-at-its-virginia-square-campus/>

Title/Topic: **Lime fighting back against Seattle's resistance to scooters, uses crowdsourcing and prewritten templates for potential patrons to complain publicly and criticize city’s decision to ban scooters**

- "'I've talked to a lot of mayors around the country who have the scooters, a number of them are trying to back away because there are a significant number of injuries that happen on the scooters and the cities are potentially liable for those injuries,'" Mayor Durkan said."

<http://mynorthwest.com/1134905/seattle-scooter-lime-email-campaign/>

Title/Topic: **Electric scooters need to toughen up — and stay out of lakes — if they are going to survive 2019, Assessing the long-term survivability of the latest transportation fad** (Verge)

- "In September 2017, a company called "Bird Rides" dumped several hundred electric scooters on the streets of Santa Monica, California, kicking off the scooter-sharing trend in the US. Fourteen months later, people are vandalizing those scooters and dumping them into lakes, and investors are losing interest."
- "The explosive growth of dockless scooters and their contentious reputation was the surprise transportation story of the year. But as they head into year two, investors are losing interest while the business is growing increasingly expensive to operate, according to reports in The Wall Street Journal and The Information."
- "Vandalism and depreciation costs are also taking their toll as scooter companies struggle to get their newer, more rugged models on the streets. The Information got a hold of Bird's pitch book in October, and while the numbers may be a little out of date, they suggest the companies are struggling to turn a profit."
- "A more systemic problem is the daily wear and tear associated with heavy fleet use of scooters. According to The Information, Bird said its electric scooters tend to last one to two months before they need to be replaced. Lime's scooters have a similar lifespan. That makes the scooter startups' efforts to build a more rugged version with longer battery life more urgent."

<https://www.theverge.com/2018/12/16/18141418/scooter-vandalism-rugged-bird-lime-spin-acton>

Title/Topic: **Lime scooter rider dead after crashing into tree in St. Louis** (Fox News)

- The rider struck a tree while riding the scooter and was taken to an area hospital. Officers told News 4 that no vehicles were involved in the accident. Authorities said the man died from his injuries.

https://www.fox5vegas.com/lime-scooter-rider-dead-after-crashing-into-tree-in-north/article_17373aed-6d70-510b-8398-cd6f8f6bc58e.html

Title/Topic: **Harrisonburg VA city attorney addresses motorized scooter concerns**

- "The complaints are coming in pretty quickly," said Harrisonburg Councilman George Hirschmann. "Riding on sidewalks, blocking sidewalks, going against the traffic flow, not wearing helmets, too many people on the scooters. I mean, it's a big thing."
- "Hirschmann said at a council meeting Tuesday night that the scooters were "getting out of hand."
- "In response to the concerns, Harrisonburg City Attorney Chris Brown says he will present ordinances to council next month to regulate the usage of scooters."

<https://www.whsv.com/content/news/City-Attorney-addresses-motorized-scooter-concerns--501474771.html>

Title/Topic: **Denver's e-scooters could be banished to bike lanes**

- "City leaders want to change where scooters can scoot around in Denver. "

- “It is primarily a safety issue to get them off the sidewalks. You have to rethink your rules. Some of the old rules don’t work well,” says Councilwoman Mary Beth Susman.

<https://www.9news.com/video/news/local/denvers-e-scooters-could-be-banished-to-bike-lanes/73-8362415>

Title/Topic: **As electric scooter use increases, so do trips to the ER** (Salt Lake Tribune)

- “They have been pouring into emergency rooms around the nation all summer, their bodies bearing a blend of injuries that doctors normally associate with victims of car wrecks — **broken noses, wrists and shoulders, facial lacerations and fractures, as well as the kind of blunt head trauma that can leave brains permanently damaged.**”
- “When doctors began asking patients to explain their injuries, many were **surprised to learn that the surge of broken body parts stemmed from the latest urban transportation trend: shared electric scooters.**”
- “In Santa Monica, California — where one of the biggest electric-scooter companies is based — the city’s fire department has responded to 34 serious accidents involving the devices this summer. The director of an emergency department there said his team treated 18 patients who were seriously injured in electric-scooter accidents during the final two weeks of July. And in San Francisco, the **doctor who runs the emergency room at a major hospital said he is seeing as many as 10 severe injuries a week.**”
- **"Injuries are coming in fast and furious," said Michael Sise, chief of medical staff at Scripps Mercy Hospital in San Diego,** noting that his team saw four severe scooter injuries last week. "It's just a matter of time before someone is killed. I'm absolutely certain of it."
- “The Washington Post interviewed emergency-room physicians in seven cities, including Austin, Atlanta and Nashville, with **doctors in each place reporting a spike in severe accidents after the devices launched on their streets.** No national data on scooter injuries exist yet.”
- “A growing number of critics — including doctors, former riders, scooter mechanics and personal injury lawyers — say **the devices may look like toys but inflict the same degree of harm as any other motorized vehicle on the road, only without having to comply with safety regulations.** These critics add that some electric-scooter **fleets are poorly maintained by a loose-knit flock of amateur mechanics, making them prone to dangerous mechanical failures.**”
- **Scooter companies are “also lobbying against legislation in California that would require users to wear helmets.”**
- “Once injured, many **riders might discover from the vehicles' user agreements that they cannot file lawsuits because of clauses requiring that disputes be resolved by arbitration.**”
- “Some **former mechanics and riders say a core problem is that the companies are doing a poor job of maintaining the scooters.**”
- “Posts on Craigslist feature dozens of ads for scooter mechanics. Though some job ads ask for previous electronic repair experience, others, like those posted by Bird, say **applicants need only a vehicle and a smartphone to qualify for a position.**”
- “Fahin Kamrany, a former Bird mechanic in Santa Monica who plans to sue the company, says mechanics are pressured to repair at least three scooters a night or risk being fired, even when **spare parts from China are in short supply.** Text messages between Kamrany and a Bird supervisor that she provided to The Post appear to **show delays and difficulties in ordering and acquiring spare parts for broken scooters.**”
- “The 57-year-old [scooter mechanic] says she was performing a required diagnostic test when she fell off a scooter with defective brakes, sustaining a severe head injury, a broken clavicle and \$15,000 worth of medical bills.”

- "I encountered **many scooters that had bad brakes or a sticky accelerator**," she said in an interview. **"If you pressed the accelerator, it would become stuck in that position, and you'd be unable to stop the scooter from racing forward at full speed."**
- "At his Santa Monica emergency room, Wally Ghurabi — director of the Nethercutt Emergency Center at UCLA Medical Center... blames the scooters — left all over the city to be rented by anybody with a smartphone — for **giving customers a false sense of security.**"
- "When I see people using the scooters, they're smiling and having fun," said **Ghurabi, whose team treated the 18 patients seriously injured in electric-scooter accidents during the final two weeks of July.** **"But if you lose control and get ejected into the air at 15 miles per hour and land on your head in the street, that's enough force to kill you — and almost nobody on these scooters is wearing a helmet."**
- "When it comes to scooters, the manufacturer's guidelines say the devices should not be left out overnight, but often, in Santa Monica, "they're left on parkways, hit by sprinklers and saltwater and subject to tremendous abuse by the public," said Catherine Lerer, **a Santa Monica personal injury lawyer who has received around 100 calls from people injured by scooters in recent months.**"
- "One of those who may join the wave of lawsuits against the scooter companies is John Montgomery. The 47-year-old says he had been riding his Bird for only a few blocks in July when **the accelerator became stuck in place as he approached a Los Angeles intersection, causing the scooter to "buck forward" and launch his body past the handle bars.**"
- "Montgomery awoke to the sight of a stranger standing over him and calling an ambulance. He **had landed on his face, he said, breaking his jaw in two places and causing blood to pour from his ears.** **"They took me to the emergency room crying and screaming," he said. "I had never been in so much pain in my life."** Montgomery, who plans to sue Bird, spent nearly a week in the hospital. He remains on painkillers and continues to consume meals through a straw."
- **"These companies are just getting these scooters out there as fast as they can, but they're not servicing them and checking them for safety,"** he said. "I honestly don't think they give a damn if I lived or died." He hasn't heard from Bird but recently noticed that the company charged him for the period of time he lay on the street, bloodied and unconscious."

<https://www.sltrib.com/news/nation-world/2018/09/07/electric-scooter-use/>

Title/Topic: **Miscellaneous Electric Scooter Accidents & Deaths (Ranker)**

- Child pedestrian (7-year old boy) hit by rider of Lime scooter – suffers 8 broken/loose teeth and lip lacerations (Santa Monica)
- Man Suffers Broken Bones And Lung Collapse Following A Scooter Accident - Six broken ribs, a broken clavicle, a broken scapula, and a collapsed lung (San Diego)
- Broken Lime scooter stem causes one man more than \$9,000 in dental bills - While riding a Lime scooter, a 25 year old male suffered an expensive injury. As he was riding on a downhill slope, the handlebar stem of the scooter collapsed. He hit his face on the pavement, leading to a broken tooth and dental bills of \$9,300 (Westwood, CA)
- Ineffective Scooter Brakes Lead to a Broken Ankle Treated with Plates And Screws- a 32 year old man was riding a Bird scooter, he applied the brakes when he saw an upcoming bump in the road. Rather than stopping the vehicle, the brakes simply slowed its momentum, causing the rider to crash. The scooter ran over his right ankle. The rider had two plates and 21 screws inserted into his injured leg. (San Diego)

- Woman Collided With A Brick Wall After Being Thrown Off Her Scooter - A 26 year old woman was riding a Bird scooter on the sidewalk of Beverly Boulevard. After seeing a seven-inch offset on the sidewalk in front of her, she applied the scooter's brakes. This proved ineffective, however, as the vehicle barely reduced its speed. When she collided with the defect, not only was she thrown off the scooter, her face was slammed against a nearby brick wall. She temporarily lost consciousness in the incident and later sought treatment for numerous injuries. (Los Angeles)
- 30-year old woman riding Bird scooter hits another Bird scooter rider that fell in the bike lane – suffers torn ACL and torn meniscus in her knee (Santa Monica)
- Bird Mechanic required staples in her scalp after her scooter's brakes failed – suffers head injury, scalp lacerations, fractured clavicle, and cervical strain (Santa Monica)
- Bird Mechanic/Charger was flung off a scooter during testing and required surgery - The scooter's brakes were nonfunctional and the employee was launched off the scooter, which resulted in substantial injuries. He needed surgery to have a plate and eight screws inserted into his leg. Suffers fracture dislocation of left ankle and tibia and fibula fractures in left leg. (Southern CA)
- Scooter rider collided with car and needed emergency treatment – suffers traumatic brain injury; scooter riders' physical vulnerability and the lack of proper education about the integration of scooters into traffic also contributes to these accidents. (Atlanta)

<https://www.ranker.com/list/worst-electric-scooter-accidents-and-deaths/sarah-blumert>

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

SUBJECT: **DISCUSSION REGARDING THE FITUR LATIN AMERICAN TOURISM FESTIVAL**

KEY INTENDED OUTCOME:

Enhance Cultural and Recreational Activities

HISTORY:

Organized by IFEMA from 17 to 21 January at Feria de Madrid, FITUR 2018 is adding a new monographic section FITUR Festivals, organized in collaboration with Spain Live Music, the Spanish Music Tourism Association.

According to the SGAE, almost 22 million people attended music events this year. This has led promoters, organizers and tourist companies to increasingly work together to provide the best shows, services and experiences for millions of travelers from around the world, and FITUR Festivals seeks to provide a stage for giving them the tools that will help them boost this growing tourist niche.

FITUR Festivals wants to combine the industry's professional offerings with the offers available to the general public. The international outreach of FITUR 2018 planned to provide a showcase in which festival organizers, promoters, destinations, the industry's supplier and ancillary companies, specialized travel agencies, ticketing companies and festival sponsors, among others, can display their offerings and create business.

FITUR wants to provide an exhibition area integrating an auditorium for live presentations and round tables - feature demonstrations by exhibitors and a chillout zones for networking.

ANALYSIS:

Other Latin America countries have expressed interest in hosting the show i.e. Mexico, Peru and Chile in Miami Beach. Fitur believes that Greater Miami & the Beaches to be a much more attractive destination in which to hold the annual event given everything the destination has to offer including:

- A newly renovated/reimagined convention center with a headquarter hotel as well as large citywide hotel inventory

- Extensive airlift from domestic, Latin American, Canadian and European cities
- Opportunity to increase the number of buyers from Latin America as well as attracting domestic and Canadian buyers which they currently don't receive many

A major consideration for them is the support, namely financial from the host country or city would offer IFEMA to host the Latin America edition.

Representative of Fitur have mentioned in visiting Miami in the Q1 of 2019 to tour facilities and continue a conversation.

On February 20, 2019 FITUR did a tour of the Miami Beach Convention Center, where the producers thought the space could work for their needs.

In an email dated March 7, 2019, Jaime de la Figuera, Director of International Expansion for IFEMA / FITUR, stated that "the process and evaluation of Fitur Miami will require some time before any decision is made."

It was noted that considering the timeframe discussed for 2020, they felt it would be too rushed, and that 2021 would be a more realistic option for them. FITUR / IFEMA will review their conclusions and come back to the City of Miami Beach, GMCVB, and MBCC once they have more information confirmed on their end.

CONCLUSION:

The administration recommends that we continue to work with FITUR / IFEMA to source suitable dates, but that this item be removed from the agenda, until a confirmed date and concrete financial package has been delivered.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

SUBJECT: **DISCUSSION REGARDING ESTABLISHING A PILOT PROGRAM FOR
DOCKED ELECTRIC ASSISTED BICYCLE SHARING SERVICES**

KEY INTENDED OUTCOME:

Ensure Comprehensive Mobility Addressing All Modes Throughout The City

HISTORY:

Since 2011, the City has provided its residents and visitors with a bicycle sharing service through a contract with Citibike. As part of this contract, Citibike provides approximately 1,000 bicycles which can be rented at any of its 100 stations or "docks" strategically and conveniently located throughout the City. The contract also provides revenue to the City through a revenue sharing agreement with Citibike. For Fiscal Year 2017/18, for example, the total amount of revenue provided to the City through the revenue share agreement with Citibike was approximately \$574,000. The contract is set to expire in 2023 and the Citibike's sponsorship agreement with Citibank is set to expire in June 2019. Citibike is currently working to secure a sponsorship contract extension and estimates should be secured within 90 days. The City's contract with Citibike currently provides for deployment of standard human-powered bicycles which require the user to pedal.

In the last few years, however, the popularity and use of electric-assisted bicycles in the U.S. has grown and more people are using electric-assisted bikes as a more convenient means of active transportation. While no cities in Miami-Dade County are currently providing an electric-assisted docked bicycle sharing services, the County has recently executed a contract with "Ride On", a provider of electric-assisted docked bicycle sharing services. The contract between Miami-Dade County and Ride On allows for the provision of electric-assisted bicycles on County-owned facilities (such as transit stations, courts, libraries, etc.) and County rights-of-way. While there are only a couple of County-owned facilities in Miami Beach, there are a few roadways in the City which are under the jurisdiction of Miami-Dade County (i.e., Venetian Causeway, Dade Boulevard, Pine Tree Drive, La Gorce Drive, and 23rd Street). Thus, pursuant to the County's contract with Ride-On, electric-assisted bicycles can be deployed by Ride-On within the rights-of-way of the aforementioned streets in the City on an immediate basis.

ANALYSIS:

City staff met with representatives of Ride On to discuss the vendor's interest in a pilot program in the City including not only County streets but also other streets under the City's and FDOT's jurisdiction. At the meeting, City staff advised Ride On that further discussions with the Administration, City Commission, and Citibike would be required to gauge interest and determine the feasibility of an electric-assisted docked bicycle sharing pilot, whether as a stand-alone initiative or in partnership with Citibike.

Subsequently, City staff reached out to Citibike to gauge their interest in a joint electric bicycle pilot initiative. Citibike has expressed a willingness to launch an electric bike pilot, or a different type of bike share system, using its existing Citibike docking stations. Citibike stated that it has been conducting research on electric bikes over the past year and expressed an interest in pursuing this initiative in the cities of Miami and Miami Beach (areas where they already have a contract for bike sharing programs) at a scope, scale, and speed of deployment that is mutually agreeable with the cities' desire. It is worth noting that an advantage of utilizing Citibike's existing docking stations for a pilot is that it would minimize or avoid the addition of new stations and potentially other infrastructure in the City's right-of-way. Per Citibike, initial deployment could be achieved in fewer than six (6) months depending on the scope of the City's electric bike pilot. Citibike also expressed some concerns and issues/risks related to a joint pilot program with another vendor and the implications it could potentially have on Citibank's sponsorship of the Citibike program in Miami Beach, and, consequently, on revenue sharing with Miami Beach. For example, per Citibike's agreement with Citibank, all bikes operated by Citibike in the Miami/Miami Beach area are contractually required to have the Citi branding and colors. At the November 30, 2018 Neighborhood/Community Affairs Committee (NCAC) meeting, the Committee discussed this item and requested that the Administration explore the potential of deploying a pilot program, possibly as a partnership between Citibike and Ride On, and to research the potential use of the existing bike lanes in the City. The item was also referred to the Transportation, Parking, Bicycle/Pedestrian Facilities Committee (TPBPFC).

The item was discussed at the December 10, 2018 TPBPFC meeting; however, no formal action was taken by the Committee.

UPDATE SINCE THE NOVEMBER 30, 2018 NCAC MEETING

With regard to the use of on-street bike lanes, the City Attorney's Office has researched this issue and opined that as long as a bicycle meets the definition and statutory requirements established by State law (F.S. 316.003(4)) and City Code (Chapter 70), it can be legally operated on existing on-street bike lanes and vehicular travel lanes.

F.S. 316.003(4) defines a bicycle as follows: "Every vehicle propelled solely by human power, and every motorized bicycle propelled by a combination of human power and an electric helper motor capable of propelling the vehicle at a speed of not more than 20 miles per hour on level ground upon which any person may ride, having two tandem wheels, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels. The term does not include such a vehicle with a seat height of no more than 25 inches from the ground when the seat is adjusted to its highest position or a scooter or similar device. A person under the age of 16 may not operate or ride upon a motorized bicycle."

Chapter 70 of the City Code defines a motorized bicycle as a bicycle that must have both functional pedalassist and power/electric-assist. City Code also establishes a maximum operating speed of 20 MPH for electric bicycles. Per Section 70-66 of the City Code, "Motorized bicycle means a bicycle propelled by a combination of human power and an electric helper motor capable of propelling the vehicle at a speed of not more than 20 miles per hour on level ground, having two tandem wheels, and including any device generally recognized as a motorized bicycle though equipped with two front or two rear wheels. The term does not include such a vehicle with a seat height of no more than 25 inches from the ground when the seat is adjusted to its highest position or a scooter or similar device."

A fully electric bicycle (i.e. without pedal-assist) does not meet the definitions and requirements in City Code and Florida Statutes, and, therefore, cannot be legally operated on bike lanes, sidewalks, or on vehicular travel lanes as they cannot be licensed/tagged by the State.

On February 11, 2019, the TPBPFC discussed this item and passed the following motion: "The TPBPFC recommends that the City enter into conversations with the existing company the City has for bicycle sharing (Citibike), as they have provided good service throughout their contract with the City." This motion was transmitted to the Mayor and City Commission via LTC # 084-2019.

Procurement Options

Pursuant to the NCAC's request, Procurement Department staff has reviewed the current contract between Ride On and Miami-Dade County and determined that the contract does not allow for a "piggyback" and is therefore not available for use by the City.

Other options for consideration by the Administration and City Commission to procure electric assisted/docked bicycle sharing services as a pilot program include:

Option 1 - Waive competitive bidding requirements to procure a pilot with Ride On.

While City staff understands the benefit in having a single vendor providing docked electric-assist bike sharing services countywide, the Administration does not recommend waiving competitive bidding in order to procure Ride On for these services given that other electric-assisted bicycle vendors have also reached out to City staff recently to express an interest in providing these services.

Option 2 - Amend the City's contract with Citibike (no bid waiver required).

The City's current contract with Citibike includes a provision for additional services, which would not require a bid waiver and could include providing electric-assisted bicycles as part of the current bicycle sharing program. It is worth noting that exercising this provision is advantageous to the City as it would allow Citibike to continue utilizing their existing docking stations in the City and minimize or eliminate the need to install additional docking stations and impact additional on-street parking spaces.

Option 3 - Issue a competitive solicitation for procurement of a docked electric-assisted bicycle sharing program as a pilot program.

If this option is selected and a vendor other than Citibike is selected, implementation will likely require the installation of additional infrastructure, including docking stations, since the existing Citibike docking stations are designed to only accommodate Citibike bicycles. The installation of additional docking stations will likely necessitate removal of existing on-street parking spaces or result in impacts to sidewalks.

Potential Local Pre-emption

It is worth noting that the Administration has been made aware of bills which have been filed in the Florida House and Senate that, if approved, would pre-empt and limit cities' authority to regulate certain aspects of micromobility devices, including dockless electric bicycles and electric scooters, and grant certain regulatory powers to the State. The Administration is monitoring both bills closely and working with the City Attorney's Office and the City's lobbying team in Tallahassee. Updates on the status of both bills will be provided via LTC or at upcoming City Commission meetings once the Legislative session begins.

CONCLUSION:

The City is moving towards becoming a more bicycle-friendly city through the implementation of various bicycle facilities and enhancements recommended in the Adopted 2016 Transportation Master Plan and Bicycle-Pedestrian Master Plan. Both master plans as well as the City's Adopted Modal Hierarchy, prioritize bicycles as a mode of transportation for residents and visitors, particularly in terms of providing efficient first mile/last mile connections.

Electric-assisted bicycles could serve as a more convenient means of bicycle transportation for users as compared to the standard pedal-power bicycles currently provided by Citibike, the current provider of bicycle sharing services for both City of Miami Beach and City of Miami.

Given the provision for additional services that exists in the current contract between the City and Citibike, coupled with the benefit that exercising this provision to allow Citibike to utilize their existing docking stations in the City to provide electric-assisted bicycles as part of their bicycle sharing services and thereby reduce or eliminate the need to impact additional on-street parking spaces or sidewalks (which would be required if the services were to be provided by another vendor), the Administration believes that Option 2 is in the best interest of the City. In summary, Option 2 proposes to amend the current contract with Citibike to allow for the desired docked/electric-assisted bicycle sharing services on a pilot basis.

If the NCAC concurs with this recommendation, the Administration will work with Citibike to determine approach, scope, method, and timeline to initiate a docked/electric-assisted bicycle sharing pilot program in the City.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

SUBJECT: **DISCUSSION REGARDING THE IMPLEMENTATION OF A PEDESTRIAN SCRAMBLE INTERSECTION IN MIAMI BEACH**

KEY INTENDED OUTCOME:

Ensure Comprehensive Mobility Addressing All Modes Throughout The City

HISTORY:

In 2015, Miami Beach became the first City in the State of Florida and one of the first cities in the Country to formally adopt a modal hierarchy specifically prioritizing pedestrians. Since the adoption of the modal hierarchy, City staff has been working on the prioritization and implementation of projects to improve pedestrian safety and connectivity. Ongoing pedestrian priority projects in the City include Pedestrian Priority Zones, enhanced pedestrian crosswalks, exclusive pedestrian phases at signalized intersections, and LED-illuminated crosswalks at mid-block locations.

Exclusive Pedestrian Phases and Pedestrian Scramble Operations are treatments utilized at intersections with high pedestrian usage. When either one of these two treatments is in place at an intersection, all vehicles traveling on all legs of the intersection are stopped on red and pedestrians are allowed to cross in all directions. In the case of Pedestrian Scramble Operations, pedestrians are also allowed to cross diagonally. Exclusive pedestrian timing has been shown to reduce pedestrian crashes by 50 percent in locations with heavy pedestrian volumes and low vehicle speeds and volumes.

Although there are no pedestrian scramble intersections currently in operation in Miami-Dade County, there are various intersections in Miami Beach where exclusive pedestrian phases are in operation. In addition, most intersections adjacent to a school in the City are equipped with exclusive pedestrian phases during school drop-off and pick-up times. In order to balance both pedestrian and vehicular demands, some signalized intersections in the City operate as dual mode, providing exclusive pedestrian phases only during certain hours of the day (when most needed) and normal pedestrian phasing at all other times.

Unlike exclusive pedestrian phases, pedestrian scramble operations have to be in effect 24 hours a day, regardless of whether there are pedestrians crossing the intersection or not. Federal standards in

the Manual on Uniform Traffic Control Devices (MUTCD) specify that crosswalks at signalized intersections must be equipped with pedestrian signals. Given that a pedestrian scramble intersection allows for pedestrians to cross diagonally, the scramble feature must be in effect at all times. While this feature is intended to enhance pedestrian safety, it is worth noting that pedestrian scramble operations will adversely impact vehicular traffic flow more than exclusive pedestrian phase operation given that the crossing distance is diagonal and longer, and, hence, the pedestrian crossing time needs to be longer (i.e. more red time for vehicles).

While the County's recently adopted Complete Streets Handbook provides for pedestrian scramble operations to enhance pedestrian safety at intersections, no specific warrant analysis currently exists to evaluate the need for exclusive pedestrian phases or pedestrian scramble operations, thus, candidate intersections need to be studied and presented to the Miami-Dade County Department of Transportation and Public Works (DTPW) or the Florida Department of Transportation (FDOT), as applicable, for review and approval. While no formal opinion has been submitted by the County, City staff has had conversations with DTPW staff and operational concerns on the County's part would need to be further discussed and mitigated. In addition, the County has concerns with added maintenance as a result of the additional pedestrian signals and crosswalk striping.

As part of the Meridian Avenue Bicycle/Pedestrian Study, the City's consultant recommended the implementation of a scramble crossing at the intersection of Meridian Avenue and 17th Street. The results of this analysis and process for implementation were discussed at the October 17, 2018 Neighborhood/Community Affairs Committee (NCAC) meeting. At the meeting, the members of the NCAC directed staff to explore the implementation of a scramble crossing at the intersection of Meridian Avenue and 17th Street.

This item was subsequently discussed at the November 11, 2018 City Commission meeting. At the meeting, Commissioners expressed concerns with the chosen intersection, directed staff to reach out to the County to obtain further information on scramble crossings, and referred the item to NCAC for staff to present other intersections to consider for the implementation of scramble intersections.

ANALYSIS:

Following the City Commission's direction, City staff has reached out to DTPW for a formal opinion on the scramble crossings at certain intersections in Miami Beach. County staff has expressed some concerns with operations and maintenance; however, City staff believes that the nature of the concerns can be addressed through feasibility studies and proper design of the candidate intersections.

Consistent with the City Commission's direction, staff has explored other intersections in the City that have high pedestrian activity and currently have exclusive pedestrian phases all-day or during certain times of the day. The following intersections meet these characteristics:

- Lincoln Road and Collins Avenue
- Lincoln Road and Washington Avenue
- Lincoln Road and Alton Road
- 5th Street and Collins Avenue

While the above intersections have high pedestrian activity, in order to determine the feasibility of

scramble crossings at each of these intersections, staff would need to review geometric conditions, operational characteristics, and potential impacts. While the analyses would be performed in-house, the cost to have a consultant collect the traffic data would be approximately \$10,000. This funding has been identified in the Transportation Department's FY 2018/19 Operating Budget.. The analysis is anticipated to take approximately 60 to 90 days to complete..

CONCLUSION:

This item is presented to the NCAC for discussion and direction.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

SUBJECT: DISCUSSION REGARDING CLEANLINESS IN MIAMI BEACH

HISTORY:

During the January 29, 2019 Commission Retreat, the Mayor and Commission discussed opportunities to improve and beautify the City. The discussion sought to develop strategies that enhanced the perception of cleanliness.

ANALYSIS:

To enhance cleanliness and beautification strategies, departments must first identify and assess areas of concern, such as streets, sidewalks and waterways. As tools are developed to provide staff with the metrics needed to support their strategies, the Administration's goal is to not only quickly address issues, but to enhance services and improve perceptions.

Launched in 2014, the City's Egov mobile application allows users the opportunity to notify the City of ongoing concerns, especially those pertaining to cleanliness. Since its inception, users have created over of 47,000 requests. Of these requests, 18 percent were to address some form of cleanliness. Examples include but are not limited to, illegal dumping, graffiti, right-of-way maintenance concerns and public property maintenance issues.

Recently the City Manager implemented NEET (North End Enhancement Team), initiated in January 2019 to combat the problems that have plagued North Beach such as illegal dumping, cleanliness, etc. Since the formation, seven (7) deployments have been conducted with resources from Police, Code Compliance, Sanitation, Greenspace, Property Management and Parks. Areas in North Beach from 63rd Street to 82nd Terrace have been the focus of NEET. The core of NEET has in addition focused on the Business Districts on Collins from 69th Street North, 71st Street and Normandy Drive. Trash Receptacles have been replaced, curbs repainted, tree pits mulched, graffiti removed, and signage issues addressed. Areas where dumping has been a problem have been addressed. Additional work referrals have also been made to Public Works, Parks and Transportation on related issues.

The Department of Public Works has been working with the Parking Department to identify a couple of areas that parking restrictions can be put in place for a few hours on a routine basis to permit street sweeping of entire blocks. This work has traditionally been done by hand crews using brooms and blowers. The initiative has the potential of providing a better level of service, decreasing the usage of blowers and the noise and dust associated with blowers, and the ability to perform other services along the corridor at the same time without

the need for further disruption (i.e. roadway repair, tree trimming, etc.). The targeted areas for this transition will be in the multifamily neighborhoods and an abutting commercial corridor. Areas in Flamingo and North Beach are being considered. By performing select pilot areas as a proving ground, it is envisioned that a citywide implementation could be achieved.

Successful street sweeping programs in other cities have an enforcement component. Signage will be posted identifying the hours of parking restrictions (i.e. No Parking on the 1st and 3rd Tuesday from 9 am to Noon). Therefore, it should be noted that in order to properly deploy this initiative, there may be circumstances where residents' vehicles may be cited and towed away in order to make way for the intended street sweeping to be completed. Clearly, proper signage and notification is necessary, including the advanced issuance of warnings. However, despite well intended and best efforts, it is anticipated that some level of parking enforcement, including towing, may likely take place.

There are also enhancements being made to this year's response to spring break. The deployment of light towers on the beach and the assignment of beach cleaning tasks to both Sanitation and Parks and Recreation evening crews has resulted in a much cleaner beach. Staff from these departments utilize the light towers to collect trash and litter each evening after the bulk of the beach goers have departed. They typically leave behind a great deal of litter on the water's edge and on the face of the beach. The staff from both departments collect this litter preventing it from being swept into the ocean or from remaining overnight until the arrival of the county beach cleaning crews.

The Parks Department has implemented the following measures in furtherance of the City's cleanliness improvement initiatives:

- Established dedicated maintenance crews for areas with high visitor volume, specifically, Lummus, South Pointe and North Beach Oceanside Parks;
- Enhanced janitorial porter services at public restrooms, expanding hours of coverage into nights and weekends;
- Provided dedicated, per restroom, janitorial porter services at public restrooms during high impact periods (special events, holidays, spring break, etc.);
- Designated a staff member to manage, inspect and enforce the janitorial contract;
- Added Landscape Inspectors to monitor and enforce contractor compliance with the City's ground maintenance and cleanliness standards;
- Enhanced maintenance staffing during high impact periods, to ensure continuous litter control and cleaning services are performed;
- Established dedicated weekly or biweekly pressure washing rotations for all parks;
- Established procedure for park rangers to include maintenance and cleanliness inspections as part of their daily routines.

Similarly, Beach Maintenance has and continues to:

- Relocate the rope and post fencing from within the dune to the eastern edge of the dune, along the entire 7.5 miles of Miami Beach. Straightening and installing new posts as needed in all beach access paths. As well as installing new rope and post fencing on the west side of the dune in all areas where it is missing.
- Maintaining daily, the condition of the boardwalk, all ramps and stairways leading to and exiting from the boardwalk in a safe and hazard free condition.
- Install all beachfront signage as required with the most notable of these recently being the "No Bikes Permitted" signs on the boardwalk.
- Removed very old and deteriorating beach access wooden bridges at 64th and 73rd Streets, with additional locations scheduled for the future.
- Repair, maintain, and upkeep all Life Guard Towers in Miami Beach.
- Remove all graffiti on Beachwalk, boardwalk, Life Guard towers, and beachfront signage.
- Currently working on a resolution to require all Food and Beverage service on the beach to use 100%

reusable wares for this service in order to reduce the amount of garbage created by this service.

- Currently working with Miami Dade County and private beach maintenance companies to improve the care and grooming of all of Miami Beach.

CONCLUSION:

Opportunities for an enhanced beautification and cleanliness strategy is consistently being evaluated. Staff seeks, through firsthand observations and feedback from the community, to identify tools and techniques that allow for an improved level of service.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

SUBJECT: **DISCUSSION REGARDING THE A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE AT ITS OCTOBER 31, 2018 MEETING RELATING TO "5G" TECHNOLOGY, AND DIRECTING THE CITY ADMINISTRATION TO: (1) AUTHORIZE THE CITY'S INDEPENDENT SEWER SYSTEM EXPERT, HAZEN AND SAWYER, TO PREPARE A RESPONSE TO THE REBUTTAL REPORT BY CABLERUNNER INTERNATIONAL (TO HAZEN AND SAWYER'S APRIL 20, 2018 RECOMMENDATION AGAINST THE USE OF THE CITY'S SEWER SYSTEM TO INSTALL A CABLE NETWORK THROUGHOUT THE CITY); (2) RETAIN A STORMWATER SYSTEM EXPERT TO CONDUCT A STUDY ON THE FEASIBILITY OF USING THE CITY'S STORMWATER SYSTEM TO INSTALL FIBER OPTIC CABLE (AS PROPOSED BY CABLERUNNER), AND AUTHORIZE CABLERUNNER TO PAY THE COSTS ASSOCIATED WITH SUCH STUDY; (3) RETAIN A CONSULTANT WITH APPROPRIATE EXPERTISE TO EVALUATE THE VARIOUS "5G" TECHNOLOGIES AND TO PROVIDE RECOMMENDATIONS TO THE CITY COMMISSION ON HOW TO QUICKLY AND EFFICIENTLY OBTAIN "5G" INFRASTRUCTURE, AND TO COMPARE THE VARIOUS TECHNOLOGIES, INCLUDING BUT NOT LIMITED TO REVIEWING THE "SMART CITY" PROPOSAL SUBMITTED BY JOHNSON CONTROLS; CONSULT WITH THE CITY'S EXPERT, OUTSIDE COUNSEL ON TELECOMMUNICATIONS REGARDING THE INDUSTRY, THE TECHNOLOGY, AND THE PROPOSAL, INCLUDING A REVIEW OF POSSIBLE STATE PREEMPTION**

ANALYSIS:

CableRunner International (CableRunner) is a company based in Vienna, Austria that offers a mechanism to install fiber optic conduits within gravity sanitary sewer systems, benefiting from the connectivity and proximity to homes.

CableRunner believes that stormwater systems can also be utilized for CableRunner's technology. CableRunner has issued an unsolicited proposal to the City to utilize either the City's sanitary sewer system or the City's stormwater system as conduits for fiber optic cables in order

to provide “5G” technology rapidly and efficiently throughout the City.

On February 14, 2018, the Mayor and City Commission referred the unsolicited proposal from CableRunner to the City’s Finance and Citywide Projects Committee (FCWPC) for review. The FCWPC issued a recommendation to the City Commission that the City hire an expert to review the unsolicited proposal.

In March 2018, the Mayor and City Commission directed that the City hire an expert to review the unsolicited proposal, and to opine whether it would be appropriate to utilize the City’s sewer system for said purpose.

On or about April 20, 2018, the City’s sewer system experts, Hazen and Sawyer, performed an evaluation of CableRunner’s technology and considered local conditions in Miami Beach to determine the suitability of installing an in-sewer fiber optic network, and recommended against utilizing the sewer system.

There was a discussion during the October 31, 2018 Neighborhoods Community Affairs Committee (NCAC) meeting relating to the CableRunner proposal. CableRunner requested that the City authorize Hazen and Sawyer to respond to CableRunner’s rebuttal to Hazen’s April 20, 2018 report. Pursuant to the discussion, the NCAC Committee made four recommendations relating to the unsolicited proposal and “5G” technology, requesting that the Mayor and City Commission:

- (1) Authorize the City’s independent sewer system expert, Hazen and Sawyer, to respond to the rebuttal report by CableRunner to Hazen and Sawyer’s April 20, 2018 negative recommendation against the use of the City’s sewer system for running cable through the City;
- (2) Authorize the Administration to hire a stormwater system expert to conduct a study to determine whether the City’s stormwater system would be a good fit for the running of cable through the City’s stormwater system, and for CableRunner to pay the cost for said expert;
- (3) Have the Administration hire an expert with appropriate expertise to evaluate the various “5G” technologies. The Expert would provide direction to the Mayor and City Commission as to what is the best option in quickly and efficiently obtaining “5G” infrastructure, and for the expert to compare the various technologies, including but not limited to reviewing the “smart city” proposal pending with Johnson Controls; and
- (4) Have the Administration reach out to the City’s expert, outside counsel on telecommunications for assistance on technical aspects relating to the industry, the technology and to review for preemption concerns.

A Resolution accepting the recommendation of the NCAC Committee at its October 31, 2018 meeting was placed for approval on the January 16, 2019 City Commission. An initial motion was made to withdraw this item. Later in the meeting, a motion was made by Commissioners Gongora and Aleman to refer this item back to the NCAC to refine its title and clarify its purpose.

CONCLUSION:

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

ATTACHMENTS:

Description	Type
☐ Resolution from January 16, 2019	Resolution
☐ CableRunner USA - Miami Beach 3-1-19	Memo

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE AT ITS OCTOBER 31, 2018 MEETING RELATING TO "5G" TECHNOLOGY, AND DIRECTING THE CITY ADMINISTRATION TO: (1) AUTHORIZE THE CITY'S INDEPENDENT SEWER SYSTEM EXPERT, HAZEN AND SAWYER, TO PREPARE A RESPONSE TO THE REBUTTAL REPORT BY CABLERUNNER INTERNATIONAL {TO HAZEN AND SAWYER'S APRIL 20, 2018 RECOMMENDATION AGAINST THE USE OF THE CITY'S SEWER SYSTEM TO INSTALL A CABLE NETWORK THROUGHOUT THE CITY); (2) RETAIN A STORMWATER SYSTEM EXPERT TO CONDUCT A STUDY ON THE FEASIBILITY OF USING THE CITY'S STORMWATER SYSTEM TO INSTALL FIBER OPTIC CABLE (AS PROPOSED BY CABLERUNNER), AND AUTHORIZE CABLERUNNER TO PAY THE COSTS ASSOCIATED WITH SUCH STUDY; (3) RETAIN A CONSULTANT WITH APPROPRIATE EXPERTISE TO EVALUATE THE VARIOUS "5G" TECHNOLOGIES AND TO PROVIDE RECOMMENDATIONS TO THE CITY COMMISSION ON HOW TO QUICKLY AND EFFICIENTLY OBTAIN "5G" INFRASTRUCTURE, AND TO COMPARE THE VARIOUS TECHNOLOGIES, INCLUDING BUT NOT LIMITED TO REVIEWING THE "SMART CITY" PROPOSAL SUBMITTED BY JOHNSON CONTROLS; AND (4) CONSULT WITH THE CITY'S EXPERT, OUTSIDE COUNSEL ON TELECOMMUNICATIONS REGARDING THE INDUSTRY, THE TECHNOLOGY, AND THE PROPOSAL, INCLUDING A REVIEW OF POSSIBLE STATE PREEMPTION.

WHEREAS, CableRunner International (CableRunner) is a company based in Vienna, Austria that offers a mechanism to install fiber optic conduits within gravity-based sanitary sewer systems, benefiting from the connectivity and proximity to homes; and

WHEREAS, CableRunner believes that stormwater systems can also be utilized for CableRunner's technology; and

WHEREAS, CableRunner has issued an unsolicited proposal to the City to utilize either the City's sanitary sewer system or the City's stormwater system to install fiber optic cables in order to provide "5G" technology rapidly and efficiently through the City; and

WHEREAS, on February 14, 2018, the Mayor and City Commission referred the unsolicited proposal from CableRunner to the Finance and Citywide Projects Committee (Finance Committee) for review; and

WHEREAS, the Finance Committee issued a recommendation to the City Commission that the City hire an expert to review the unsolicited proposal; and

WHEREAS, in March 2018, the Mayor and City Commission directed that the Administration retain a consultant to review the unsolicited proposal, and to opine whether it would be appropriate to utilize the City's sewer system for said purpose; and

WHEREAS, on or about April 20, 2018, the City's sewer system experts, Hazen and Sawyer, performed an evaluation of CableRunner's technology and considered local conditions in Miami Beach to determine the suitability of installing an in-sewer fiber optic network, and recommended against utilizing the sewer system; and

WHEREAS, CableRunner would like to meet with Hazen and Sawyer and requests that the City authorize Hazen and Sawyer to respond to CableRunner's rebuttal to Hazen and Sawyer's April 20, 2018 report; and

WHEREAS, a discussion was held during the October 31, 2018 Neighborhood/Community Affairs Committee (NCAC) meeting relating to the CableRunner proposal; and

WHEREAS, pursuant to the discussion, the NCAC made four recommendations to the Mayor and City Commission relating to the unsolicited proposal and relating to "5G" technology, requesting that the Mayor and City Commission:

- (1) Authorize the City's independent sewer system expert, Hazen and Sawyer, to prepare a response to the rebuttal report by CableRunner International (to Hazen and Sawyer's April 20, 2018 recommendation against the use of the City's sewer system to install a cable network throughout the City);
- (2) Retain a stormwater system expert to conduct a study on the feasibility of using the City's stormwater system to install fiber optic cable (as proposed by CableRunner), and authorize CableRunner to pay the costs associated with such study;
- (3) Retain a consultant with appropriate expertise to evaluate the various "5G" technologies and to provide recommendations to the City Commission on how to quickly and efficiently obtain "5G" infrastructure, and to compare the various technologies, including but not limited to reviewing the "Smart City" proposal submitted by Johnson Controls; and
- (4) Consult with the City's expert, outside counsel on telecommunications regarding the industry, the technology, and the proposal, including a review of possible state preemption.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby accept the recommendation of the Neighborhood/Community Affairs Committee at its October 31, 2018 meeting relating to "5G" technology and, direct the City Administration to: (1) authorize the City's independent sewer system expert, Hazen and Sawyer, to prepare a response to the rebuttal report by CableRunner International (to Hazen and Sawyer's April 20, 2018 recommendation against the use of the City's sewer system to install a cable network throughout the City); (2) retain a stormwater system expert to conduct a study on the feasibility of using the City's stormwater system to install fiber optic cable (as proposed by CableRunner), and authorize CableRunner to pay the costs associated with such study; (3) retain a consultant with appropriate expertise to evaluate the various "5G" technologies and to provide recommendations to the City Commission on how to quickly and efficiently obtain "5G" infrastructure, and to compare the various technologies, including but not limited to reviewing the "Smart City" proposal submitted by Johnson Controls; and (4) consult with the City's expert, outside counsel on telecommunications regarding the industry, the technology, and the proposal, including a review of possible state preemption.

PASSED and ADOPTED this _____ day of _____, 2019.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney

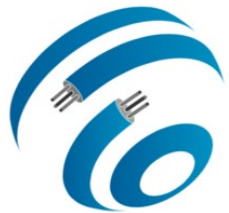
12/19/18

Date



CableRunner USA

The Fiber Optic Infrastructure Company



The only **complete**
and **flexible** solution
for fiber optic
networks in urban
areas worldwide.





FIBER TODAY

- ▶ What does the City use fiber for today?
 - *Wide Area Network (WAN) connectivity between core sites, remote sites and its datacenter.*
 - *Redundancy between network Points of Presence (POP) and all other WAN connectivity are provided via leased fiber and MPLS services from telecommunication providers.*
 - *These services are used to connect City owned, or supported, sites and provide access to critical City systems as well as access to internet resources.*

- ▶ Who does the City currently obtain fiber from and at what annual cost?
 - *AT&T - WAN services for 25 City owned sites; approximately \$178,000.*
 - *Comcast - WAN services for 10 City managed parking garages to support SkiData management and access control system; approximately \$265,000.*
 - *Hotwire Communications - Dedicated Internet Access (DIA) to 13 City owned or managed sites; approximately \$65,000.*
 - **TOTAL ANNUAL COSTS FOR LEASING FIBER APPROXIMATELY \$500,000**

FIBER TOMORROW

- ▶ What are City's future fiber needs?
 - *In the next 5 years, the City expects its ongoing smart city and public safety video initiatives to change its fiber needs.*

- ▶ How is City going to meet its future fiber needs and at what cost?
 - *Lease more fiber from 3rd parties at unknown cost.*
 - *3rd parties will have to lay more fiber to meet future needs.*
 - *Laying fiber will require trenching or directional boring.*

HOW CAN CABLERUNNER HELP?

- ▶ Lay fiber in existing underground infrastructure allowing for a rapid installation and minimal disruption to on-street traffic, residents, and businesses. **No trenching or directional boring.**
- ▶ Give City fiber strands at no cost so it can own and operate its own fiber network
- ▶ How can City benefit from owning its own fiber network?
 - Control
 - No Cost to City
 - Significantly reduce costs
 - Positive cash flow from partnering with Cablerunner
 - Supervisory Control and Data Acquisition (SCADA)

Smart Cities - Smart Applications

SECONDARY CONSIDERATIONS

- ▶ IOT Sensors and Applications
- ▶ Traffic Cameras (Fiber Connected?)
- ▶ Small Cell - Fiber Benefit
- ▶ 5G Proliferation
- ▶ Autonomous Vehicles
- ▶ Municipal Network (Cost Advantage)
- ▶ Smart City Value (Amazon, Google)

Connecting Smart Cities and Places with Unlikely Spaces.



Thank you

Chad Rasmussen, President & CEO

Office: 919.752.7008 | Mobile: 703.201.7006

Email: chad@cablerunner-usa.com | Website: cablerunner-usa.com

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

SUBJECT: **DISCUSSION ON THE MULTI-YEAR HOLIDAY LIGHTING
IMPLEMENTATION STATUS AND 2018 SEASON OUTCOME**

HISTORY:

ANALYSIS:

Discussion at Committee.

CONCLUSION:

ATTACHMENTS:

Description	Type
□ 2018 vs. 2019 Holiday Decor	Other



2019 Proposed
Holiday Enhanced Lighting
MIAMI BEACH

South Pointe Park

Holiday Lighting Design



NO DECOR WAS INSTALLED IN
THIS LOCATION FOR **2018**

Alton South of 5th

Holiday Lighting Design



Ocean Drive (View 01)

Holiday Lighting Design



Ocean Drive (View 02)

Holiday Lighting Design



2019



2018



2018

Ocean Drive (View 03)

Holiday Lighting Design



2018



2019 (Option 1)



2018



2019 (Option 2)

Collins Park

Holiday Lighting Design

NO DECOR WAS INSTALLED IN
THIS LOCATION FOR **2018**

2018



2019 (Collins East)



2019 (Collins West)

Lincoln Road

Holiday Lighting Design



2018



Page 115 of 181

2018



2019



2019

16th Street

Holiday Lighting Design



NO DECOR WAS INSTALLED IN
THIS LOCATION FOR **2018**

Fire Station 2/ Sunset Harbour Garage

Holiday Lighting Design

NO DECOR WAS INSTALLED IN
THIS LOCATION FOR **2018**

2018



2018



2019



2019

Normandy Fountain

Holiday Lighting Design



2019



2018

73rd Ocean Terrace

Holiday Lighting Design



2018 Decor to Remain

Holiday Lighting Design



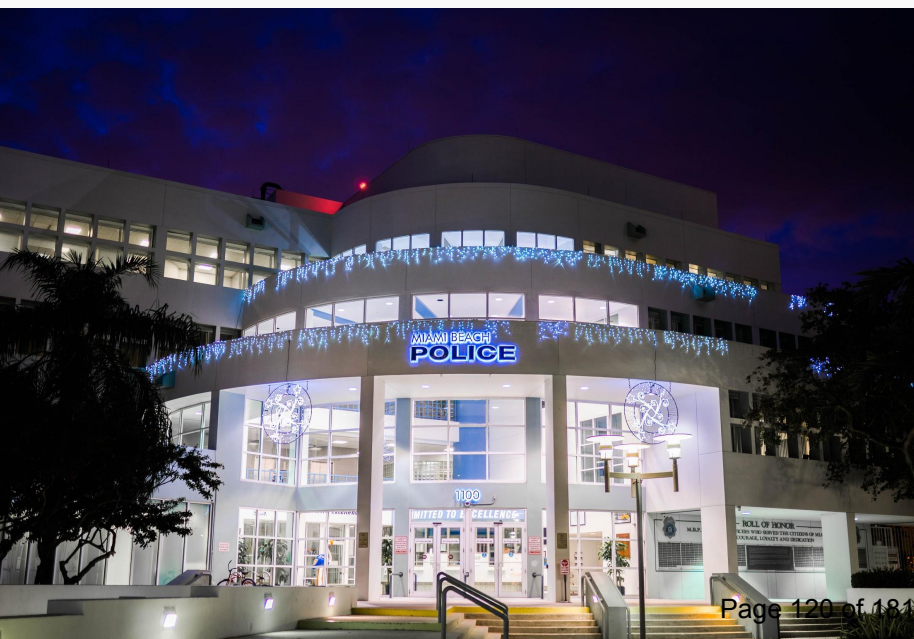
Espanola Way



41st Street



North Shore Park



Miami Beach Police Department



Julia Tuttle Welcome Sign



Anchor Garage

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

SUBJECT: **DISCUSSION REGARDING THE HISPANIC AFFAIRS COMMITTEE'S MOTION ON RECOGNIZING THE IMPORTANCE OF EFFECTIVELY COMMUNICATING WITH A DIVERSE AUDIENCE; THE HISPANIC AFFAIRS COMMITTEE URGES THE CITY COMMISSION TO ADOPT POLICY REQUIRING THAT ANY PRESS RELEASE AND MEDIA ADVISORY SENT BY THE CITY AND BY ITS PUBLIC SAFETY DEPARTMENTS BE DISSEMINATED IN ENGLISH AND SPANISH**

ANALYSIS:

Discussion at Committee.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

SUBJECT: DISCUSSION REGARDING THE TRANSPORTATION, PARKING AND BICYCLE-PEDESTRIAN FACILITIES COMMITTEE MOTION CONCERNING ON-STREET TRUCK LOADING

HISTORY:

On February 13, 2019, the Mayor and Commission approved the referral of the subject item (C4H) to Neighborhoods and Community Affairs Committee (NCAC).

ANALYSIS:

The Transportation, Parking and Bicycle-Pedestrian Facilities Committee (TPBPFC) requested information regarding on-street truck loading and assessment of current system and development of a citywide plan.

Concurrently, the Miami Beach Chamber of Commerce has also expressed concerns from their membership related to enforcement of FLZ violations through Right-of-Way (ROW) violations. Additionally, there were concerns expressed with the issuance of moving violations by the Police Department as this may impact the driver's CDL (commercial driver's license).

Recommendations:

The following initiatives are recommended to address the Chamber of Commerce and trucking industry concerns:

1. Adjustments to Freight Loading Zones (FLZ) based on review of "hot spots" where ROW (Right-of-Way) violations have been issued due to insufficient capacity for freight loading.
2. Further adjustments in FLZ size/capacity and days/hours based on utilization surveys. Please note we have already received feedback from the trucking industry regarding high demand areas in need of expanded FLZ locations. Of course, this may include FLZ reductions in underutilized areas.
3. Transition issuance of ROW violations from company/purveyor to vehicle/driver. This will place responsibility (and accountability) to the driver/vehicle as opposed to the company/purveyor. Moreover, this would address the industry's concerns with the rapid escalation of the ROW fines as violations would be disbursed among a broader number of incidents as opposed to the more obtuse approach with the company/purveyor.

For informational purposes, the Police Department advises that violations issued for lane obstruction is a non-moving violation and has no bearing on the driver's CDL. Moving violations are only issued when another traffic infraction is observed by the officer.

The aforementioned recommendations are at varying levels of progress and are anticipated to be completed/deployed by April 30, 2019.

Right-of-Way (ROW) Fine Schedule:

The ROW fine schedule is:

1st Violation - \$1,000
2nd Violation - \$5,000
3rd Violation - \$10,000.

The aforementioned fine schedule for ROW violations is aggressive. This was approved by a former City Commission to achieve compliance. The ROW violation fine schedule is ordained by the City Commission and would require an ordinance amendment to revise it. Please note that the potential reduction of these fines may have an adverse impact on traffic congestion by way of increased travel lane obstructions.

TPBPFC - Request

The Parking and Transportation Departments will provide the TPBPFC with detailed information regarding the City's Freight Loading Zone Program.

CONCLUSION:

The Administration recommends the implementation of the aforementioned initiatives and will provide the TPBPFC with an assessment and updated citywide plan for FLZs.

ATTACHMENTS:

Description	Type
□ TPBPFC 1/8/19 Motions	Memo

MIAMIBEACH

OFFICE OF THE CITY MANAGER

NO. LTC # **011-2019**

LETTER TO COMMISSION

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: January 9, 2019

SUBJECT: **TPBPF Committee Motions**



The purpose of this Letter to Commission is to provide you with correspondence received from the Transportation, Parking & Bicycle-Pedestrian Facilities Committee.

JLM/KGB/SF 

C: Kathie G. Brooks, Assistant City Manager
Mark Taxis, Assistant City Manager
Eric Carpenter, Assistant City Manager
Susanne Torriente, Assistant City Manager
Saul Frances, Parking Director
Monica Beltran, Assistant Parking Director
Jose Gonzalez, Transportation Director

Transportation, Parking & Bicycle-Pedestrian Facilities Committee

Alfred Feola, Chairman
Ray Breslin, Vice-Chair

Members:

Leif Bertrand
Marc Edelstein
Cindy Esquivel
Anamarie Ferreira de Melo
Robert Lansburgh
JP Morgan
Madeleine Romanello
Deborah Ruggiero
Kathaleen Smarsh
Richard Streim

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Transportation, Parking & Bicycle-Pedestrian Facilities Committee

DATE: January 8, 2019

SUBJECT: Motions

Members Present: Al Feola; Ray Breslin; Cindy Esquivel; Robert Lansburgh; Marc Edelstein; JP Morgan; Leif Bertrand; Richard Streim; Anamarie Ferreira de Melo; Deborah Ruggiero; and Kathaleen Smarsh

Members Absent: Madeleine Romanello

Dear Honorable Mayor and City Commission:

The Transportation, Parking and Bicycle-Pedestrian Facilities Committee (TPBPFC) met on Monday, December 10th and unanimously passed the below motions:

The Committee asks for the Parking and Transportation Departments to inform the Committee of assessing the current system and developing a citywide plan to manage the supply, operation, and demand of on-street truck loading and unloading while prioritizing the pedestrian's safety and experience.

When discussing the Alton Road/Chase Ave/34th ST Shared –Use Path Proposed Concept, the Committee asks that this project (from Alton to Prairie) be done without hedges.

As an advisory Committee, we would greatly appreciate your consideration on these motions.

Sincerely,

Transportation, Parking & Bicycle-Pedestrian Facilities Committee

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

SUBJECT: **DISCUSS REGARDING THE MAYOR'S 41 STREET BLUE RIBBON COMMITTEE'S MOTION ABOUT IMPROVING THE LIGHTING ON THE 41ST STREET CORRIDOR, SPECIFICALLY TO ALLOCATE THE 41ST STREET QUALITY OF LIFE FUNDS TOWARDS LIGHTING THE TREES ON THE 41 STREET CORRIDOR**

ANALYSIS:

Item to be discussed at committee

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

SUBJECT: **DISCUSSION REGARDING THE 41ST STREET COMMITTEE MOTION ON
REESTABLISHING A POLICE SUB-STATION**

HISTORY:

Verbal update during meeting.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

SUBJECT: **DISCUSSION REGARDING THE MAYOR'S 41ST STREET BLUE RIBBON COMMITTEE'S MOTION TO PRIORITIZE IMPROVING THE LIGHTING ON THE 41ST STREET CORRIDOR.**

HISTORY:

ANALYSIS:

Item withdrawn by the sponsor of the item

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

SUBJECT: **DISCUSSION ON THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) PROPOSAL TO ENHANCE THE MACARTHUR CAUSEWAY BICYCLE LANES**

HISTORY:

The adopted 2016 Miami Beach Transportation Master Plan (TMP) was built on a mode share goal and modal prioritization strategy adopted by Resolution No. 2015-29083 on July 8, 2015, which places pedestrians first; transit, bicycles, and freight second; and private automobiles third. Projects in the Transportation Master Plan are intended to move Miami Beach towards this mode share vision by increasing pedestrian, bicycle, and transit travel and becoming a less car-centric City.

In the TMP, transit priority corridors were suggested to provide exclusive right-of-way (dedicated lanes) for transit service. The resulting reliable, connected, and continuous transit network will help move toward achieving the City's 2035 multi-modal vision. These dedicated transit lanes provide both economic and operational benefits:

- Exclusive transit lanes allow for the implementation of bus rapid transit systems. Bus rapid transit combines stops/stations, vehicles, services, and Intelligent Transportation System (ITS) elements into an integrated, branded transit system.
- Buses have higher occupancies than automobiles, and as more people use the transit service, vehicular congestion will be reduced.
- Transit riders will benefit from travel time savings and reduced personal travel expenses.

Miami-Dade County has plans for enhanced transit service on the MacArthur Causeway. The Miami-Dade County Adopted Strategic Miami Area Rapid Transit (SMART) Plan consists of six (6) Rapid Transit Corridors and nine (9) Bus Express Rapid Transit (BERT) routes to improve mass transit connectivity throughout Miami-Dade County. The Beach Corridor premium transit project (rail) and the Beach Express South BERT project are proposed for the MacArthur Causeway. BERT service consists of enhanced, branded buses operating limited stop service on shoulders or dedicated transit lanes, where feasible, to reduce travel time and help ensure service schedule reliability.

The Miami Beach City Commission adopted Resolution No. 2018-30180 on February 14, 2018 (Attachment 1) supporting the efforts of the Miami-Dade Transportation Planning Organization (TPO) to develop a transit network throughout the County pursuant to the SMART Plan, and urging the TPO to additionally consider the Julia Tuttle Causeway as the Beach Corridor connecting Downtown Miami and the City of Miami

Beach. Pursuant to this City Commission Resolution, Miami-Dade has added the Julia Tuttle Causeway as a potential Beach Corridor alternative in the recently initiated Beach Corridor Tier 2 Study, which is expected to take approximately two (2) years to complete.

Additionally, on May 16, 2018, the City Commission authorized the City to jointly apply with the County to the Miami-Dade TPO's Smart Demonstration Program for the Beach Express North BERT demonstration service using the shoulders of the Julia Tuttle Causeway. On June 21, 2018, the TPO awarded grant funds in the amount of \$1,720,000 annually for three (3) years to the City of Miami Beach for a three (3) year Beach Express North BERT demonstration project, via TPO Resolution #18-29. Unfortunately, based on subsequent discussions with the Florida Department of Transportation (FDOT), FDOT denied the use of the outside shoulders of the Julia Tuttle Causeway for the Beach Express North BERT demonstration service due to the impacts to the existing bike lanes, among other concerns. FDOT recommended that the Beach Express North BERT demonstration service operate on the inside shoulder in lieu of the outside shoulder. As a result, the Beach Express North BERT demonstration service is currently expected to be implemented in 2022 after FDOT completes the necessary infrastructure work to the inside shoulder of the Julia Tuttle Causeway.

On February 27, 2018, the Florida Department of Transportation (FDOT) presented to the Miami-Dade County Bicycle and Pedestrian Advisory Committee (BPAC) regarding the proposed SR AIA/MacArthur Causeway Bicycle Facility Improvements Project (Attachment 2). The presentation included details on FDOT's plan to enhance the existing bicycle lanes on the MacArthur Causeway. The project proposes to implement a 7' wide bicycle lane (including a 3' buffer using white chevron striping wherever possible). Additionally, the FDOT project proposes to paint only the bicycle/vehicular conflict points along the bike lane in green to enhance the conspicuity of these conflict areas. The budget for the FDOT bicycle lane enhancement project is \$489,000, and the project is fully funded with 60% plans anticipated to be completed in early 2019. FDOT anticipates completing the implementation of the proposed enhanced bike lanes on the outside shoulders of the MacArthur Causeway this year.

At the February 13, 2019 City Commission meeting, this item was referred to the Neighborhood/Community Affairs Committee for discussion.

ANALYSIS:

The City's Transportation Department staff met with FDOT District Six staff on January 7, 2019 to express its concerns with FDOT's proposed bicycle lane improvements on the outside shoulders of the MacArthur Causeway. Specifically, the Administration expressed concerns with the impact that the proposed enhanced bike lanes could have on the feasibility of operating the County's proposed Beach Express South BERT service on the outside shoulders of the MacArthur Causeway. Previous studies conducted by the City have identified constraints on the MacArthur Causeway outside shoulders, including existing drainage structures and right-of-way constraints. These issues could have a significant impact on the co-existence of future bus-on-shoulder BERT service and bicycle lane operations and, thus, should be evaluated in further detail.

It is additionally worth noting that FDOT has commenced construction of the I-395/SR 836/I-95 ("Signature Bridge") Project. It is a \$802 million project undertaken as a partnership between FDOT and the Miami-Dade Expressway Authority (MDX). Construction is expected to be completed in the fall of 2023. As part of the Maintenance of Traffic (MOT) plan for this project, the existing ramps connecting I-95 and I-395 will be reduced from two (2) lanes to one (1) lane for approximately 18 months. While the project is not located within Miami Beach city limits, the multi-year construction and lane reductions will have a significant impact on accessibility between Miami Beach and the mainland for our residents, work force, and visitors. As such, the City has requested that FDOT consider providing immediate bus-on-shoulder service along

both the MacArthur Causeway and Julia Tuttle Causeway as a traffic mitigation measure, given that traffic on both causeways will be severely impacted by this major reconstruction project.

Given the recent challenges that the City and County have encountered with implementing the Beach Express North BERT demonstration service on the shoulders of the Julia Tuttle Causeway on an expedited timeframe due to the existing bike lanes on the outside shoulders, all project partners (FDOT, County, and City) are in agreement that bicycle lanes can have a significant impact on the feasibility, location, and timing of implementation of bus-on-shoulder operations.

At the January 7th meeting between FDOT and City staff, given City staff's concerns with FDOT's proposed enhancements to the bike lanes on the MacArthur Causeway shoulders and its implications on bus-on-shoulder operation, FDOT suggested that the City provide formal direction on whether it wishes that FDOT move forward or suspend the implementation of the proposed enhanced bike lanes on the MacArthur Causeway outside shoulders.

CONCLUSION:

The Administration has concerns with the potential impact that an enhanced bicycle lane can have on the feasibility of future bus-on-shoulder operation along the MacArthur Causeway.

Accordingly, the Administration recommends that:

- 1) FDOT suspend the implementation of the proposed enhanced bike lanes on the MacArthur Causeway outside shoulders;
- 2) FDOT evaluate the potential impact that an enhanced bicycle lane can have on the feasibility of future bus-on-shoulder operation along the MacArthur Causeway for the Beach Express South BERT service.
- 3) Miami-Dade County evaluate the potential impact that an enhanced bicycle lane can have on the feasibility of the future Beach Corridor Transit Connection operation along the MacArthur Causeway; and
- 4) FDOT and Miami-Dade County provide Miami Beach with the results of their analysis to determine how to best proceed.

ATTACHMENTS:

Description	Type
□ Attachment 1: Miami Beach Resolution # 2018-30180	Resolution
□ Attachment 2: 2-27-18 Bicycle and Pedestrian Advisory Committee Presentation	Other

RESOLUTION NO. 2018-30180

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING THE EFFORTS OF THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION (TPO) TO DEVELOP A TRANSIT NETWORK THROUGHOUT THE COUNTY IN A STRATEGIC MIAMI AREA RAPID TRANSIT (“SMART”) PLAN, AND URGING THE TPO TO ADDITIONALLY CONSIDER THE JULIA TUTTLE CAUSEWAY AS THE BEACH CORRIDOR CONNECTING DOWNTOWN MIAMI AND THE CITY OF MIAMI BEACH.

WHEREAS, on February 16, 2016, the Governing Board of the Miami-Dade Transportation Organization (TPO) unanimously adopted Resolution No. 06-16 which set the advancement of rapid transit corridors and transit supportive projects as the highest priority for Miami-Dade County (“County”); and

WHEREAS, on April 21, 2016, the TPO’s Governing Board unanimously adopted Resolution No. 26-16 endorsing the Strategic Miami Area Rapid Transit (“SMART”) Plan; and

WHEREAS, the goal of the SMART Plan is to improve mobility choices within the County by implementing six (6) priority rapid transit corridors, as well as eight (8) complimentary express bus routes which, upon full implementation, are anticipated to improve transportation mobility; to provide a world-class transit system that will support economic growth, global competitiveness, and future population growth; to improve access to tourist destinations and recreational areas; and, to improve air quality and reduced energy consumption due to fewer vehicles on roadways, among other benefits; and

WHEREAS, currently, the SMART Plan identifies the MacArthur Causeway as the route for the Beach Corridor connecting Downtown/Midtown Miami to the City of Miami Beach (“City”); and

WHEREAS, however, the MPO should reconsider the Beach Corridor route and additionally consider the Julia Tuttle Causeway as a potential connecting solution for the transit corridor between the City of Miami and the City of Miami Beach for a variety of reasons; and

WHEREAS, in particular, further consideration should be afforded to the Julia Tuttle Causeway because it connects two of the City’s largest employers, Mount Sinai Hospital and the Fontainebleau Hotel, to the mainland; the proximity of the Julia Tuttle Causeway to Miami International Airport; the Julia Tuttle Causeway is a shorter route than the MacArthur Causeway and would likely be less costly to construct and maintain; the Julia Tuttle Causeway may have more traffic congestion today than when the County’s original studies were performed and, thus, the benefits of rapid transit would be more beneficial if this route were utilized; the impacts on the historic areas in South Beach would be less impacted by a more northerly route to and from the City; and, the distance differential between the Miami Beach Convention Center and the Julia Tuttle Causeway, as opposed to the MacArthur Causeway, is negligible; and

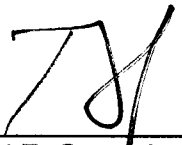
WHEREAS, the Planning & Project Development Phase for all six (6) SMART Corridors is anticipated to be complete during 2018; therefore, time is of the essence for reconsideration of the Julia Tuttle Causeway as the Beach Corridor route; and

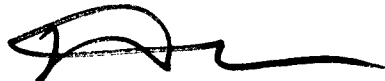
WHEREAS, Bus Express Rapid Transit (BERT) data should be used in order to inform TPO, in its decision making process, as to which Causeway, the Julia Tuttle or MacArthur, should be selected for the rapid transit route.

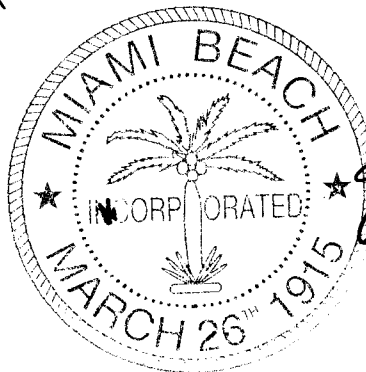
NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby support the efforts of the Miami-Dade Transportation Planning Organization to develop a transit network throughout the County in a Strategic Miami Area Rapid Transit Plan, and urge the TPO to reconsider the Julia Tuttle Causeway as the Beach Corridor connecting downtown Miami and the City of Miami Beach.

PASSED and ADOPTED this 14th day of February, 2018.

ATTEST:


3/30/18
Rafael E. Granado, City Clerk


Dan Gelber, Mayor



APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION


City Attorney

3/26/18
Date

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Raul J. Aguila, City Attorney
DATE: February 14, 2018

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING THE EFFORTS OF THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION (TPO) TO DEVELOP A TRANSIT NETWORK THROUGHOUT THE COUNTY IN A STRATEGIC MIAMI AREA RAPID TRANSIT ("SMART") PLAN, AND URGING THE TPO TO RECONSIDER THE JULIA TUTTLE CAUSEWAY AS THE BEACH CORRIDOR CONNECTING DOWNTOWN MIAMI AND THE CITY OF MIAMI BEACH.

RECOMMENDATION

Pursuant to the request of Vice-Mayor John Elizabeth Aleman, the above-referenced Resolution is submitted for consideration by the Mayor and City Commission at the February 14, 2018 City Commission meeting.

Legislative Tracking

Office of the City Attorney

Sponsor

Vice-Mayor John Elizabeth Aleman

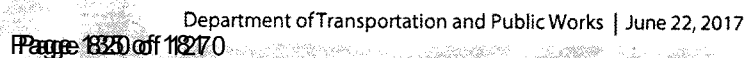
ATTACHMENTS:

Description

- ▢ Resolution
- ▢ SMART Plan







MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov
Office of the City Clerk
Tel: 305--673-7411

March 30, 2018

Honorable Mayor Carlos A. Gimenez
Stephen P. Clark Center
111 N.W. 1st Street
Miami, FL 33128

Dear Honorable Mayor Gimenez,

Attached please find a copy of City of Miami Beach Resolution No. 2018-30180:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING THE EFFORTS OF THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION (TPO) TO DEVELOP A TRANSIT NETWORK THROUGHOUT THE COUNTY IN A STRATEGIC MIAMI AREA RAPID TRANSIT ("SMART") PLAN, AND URGING THE TPO TO RECONSIDER THE JULIA TUTTLE CAUSEWAY AS THE BEACH CORRIDOR CONNECTING DOWNTOWN MIAMI AND THE CITY OF MIAMI BEACH.

This Resolution was unanimously passed and adopted by the Mayor and City Commission of the City of Miami Beach on February 14, 2018.

Respectfully,



Rafael E. Granado
City Clerk

c: Commissioner John Elizabeth Alemán

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov
Office of the City Clerk
Tel: 305--673-7411

March 30, 2018

Deputy Mayor Alina T. Hudak
Stephen P. Clark Center
111 N.W. 1st Street 29th Floor
Miami, FL 33128

Dear Deputy Mayor Hudak,

Attached please find a copy of City of Miami Beach Resolution No. 2018-30180:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING THE EFFORTS OF THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION (TPO) TO DEVELOP A TRANSIT NETWORK THROUGHOUT THE COUNTY IN A STRATEGIC MIAMI AREA RAPID TRANSIT ("SMART") PLAN, AND URGING THE TPO TO RECONSIDER THE JULIA TUTTLE CAUSEWAY AS THE BEACH CORRIDOR CONNECTING DOWNTOWN MIAMI AND THE CITY OF MIAMI BEACH.

This Resolution was unanimously passed and adopted by the Mayor and City Commission of the City of Miami Beach on February 14, 2018.

Respectfully,



Rafael E. Granado
City Clerk

c: Commissioner John Elizabeth Alemán

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov
Office of the City Clerk
Tel: 305--673-7411

March 30, 2018

Commissioner Barbara J. Jordan
Stephen P. Clark Center
111 N.W. 1st Street, Suite 220
Miami, FL 33128

Dear Commissioner Jordan,

Attached please find a copy of City of Miami Beach Resolution No. 2018-30180:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING THE EFFORTS OF THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION (TPO) TO DEVELOP A TRANSIT NETWORK THROUGHOUT THE COUNTY IN A STRATEGIC MIAMI AREA RAPID TRANSIT ("SMART") PLAN, AND URGING THE TPO TO RECONSIDER THE JULIA TUTTLE CAUSEWAY AS THE BEACH CORRIDOR CONNECTING DOWNTOWN MIAMI AND THE CITY OF MIAMI BEACH.

This Resolution was unanimously passed and adopted by the Mayor and City Commission of the City of Miami Beach on February 14, 2018.

Respectfully,



Rafael E. Granado
City Clerk

c: Commissioner John Elizabeth Alemán

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov
Office of the City Clerk
Tel: 305--673-7411

March 30, 2018

Commissioner Jean Monestime
Stephen P. Clark Center
111 N.W. 1st Street, Suite 220
Miami, FL 33128

Dear Commissioner Monestime,

Attached please find a copy of City of Miami Beach Resolution No. 2018-30180:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING THE EFFORTS OF THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION (TPO) TO DEVELOP A TRANSIT NETWORK THROUGHOUT THE COUNTY IN A STRATEGIC MIAMI AREA RAPID TRANSIT ("SMART") PLAN, AND URGING THE TPO TO RECONSIDER THE JULIA TUTTLE CAUSEWAY AS THE BEACH CORRIDOR CONNECTING DOWNTOWN MIAMI AND THE CITY OF MIAMI BEACH.

This Resolution was unanimously passed and adopted by the Mayor and City Commission of the City of Miami Beach on February 14, 2018.

Respectfully,



Rafael E. Granado
City Clerk

c: Commissioner John Elizabeth Alemán

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov
Office of the City Clerk
Tel: 305--673-7411

March 30, 2018

Vice-Chair Audrey Edmonson
Stephen P. Clark Center
111 N.W. 1st Street, Suite 220
Miami, FL 33128

Dear Vice-Chair Edmonson,

Attached please find a copy of City of Miami Beach Resolution No. 2018-30180:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING THE EFFORTS OF THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION (TPO) TO DEVELOP A TRANSIT NETWORK THROUGHOUT THE COUNTY IN A STRATEGIC MIAMI AREA RAPID TRANSIT ("SMART") PLAN, AND URGING THE TPO TO RECONSIDER THE JULIA TUTTLE CAUSEWAY AS THE BEACH CORRIDOR CONNECTING DOWNTOWN MIAMI AND THE CITY OF MIAMI BEACH.

This Resolution was unanimously passed and adopted by the Mayor and City Commission of the City of Miami Beach on February 14, 2018.

Respectfully,



Rafael E. Granado
City Clerk

c: Commissioner John Elizabeth Alemán

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov
Office of the City Clerk
Tel: 305--673-7411

March 30, 2018

Commissioner Sally A. Heyman
Stephen P. Clark Center
111 N.W. 1st Street, Suite 220
Miami, FL 33128

Dear Commissioner Heyman,

Attached please find a copy of City of Miami Beach Resolution No. 2018-30180:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING THE EFFORTS OF THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION (TPO) TO DEVELOP A TRANSIT NETWORK THROUGHOUT THE COUNTY IN A STRATEGIC MIAMI AREA RAPID TRANSIT ("SMART") PLAN, AND URGING THE TPO TO RECONSIDER THE JULIA TUTTLE CAUSEWAY AS THE BEACH CORRIDOR CONNECTING DOWNTOWN MIAMI AND THE CITY OF MIAMI BEACH.

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Respectfully,



Rafael E. Granado
City Clerk

c: Commissioner John Elizabeth Alemán

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov
Office of the City Clerk
Tel: 305--673-7411

March 30, 2018

Commissioner Bruno A. Barreiro
Stephen P. Clark Center
111 N.W. 1st Street, Suite 220
Miami, FL 33128

Dear Commissioner Barreiro,

Attached please find a copy of City of Miami Beach Resolution No. 2018-30180:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING THE EFFORTS OF THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION (TPO) TO DEVELOP A TRANSIT NETWORK THROUGHOUT THE COUNTY IN A STRATEGIC MIAMI AREA RAPID TRANSIT ("SMART") PLAN, AND URGING THE TPO TO RECONSIDER THE JULIA TUTTLE CAUSEWAY AS THE BEACH CORRIDOR CONNECTING DOWNTOWN MIAMI AND THE CITY OF MIAMI BEACH.

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Respectfully,



Rafael E. Granado
City Clerk

c: Commissioner John Elizabeth Alemán

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov
Office of the City Clerk
Tel: 305--673-7411

March 30, 2018

Commissioner Rebeca Sosa
Stephen P. Clark Center
111 N.W. 1st Street, Suite 220
Miami, FL 33128

Dear Commissioner Sosa,

Attached please find a copy of City of Miami Beach Resolution No. 2018-30180:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING THE EFFORTS OF THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION (TPO) TO DEVELOP A TRANSIT NETWORK THROUGHOUT THE COUNTY IN A STRATEGIC MIAMI AREA RAPID TRANSIT ("SMART") PLAN, AND URGING THE TPO TO RECONSIDER THE JULIA TUTTLE CAUSEWAY AS THE BEACH CORRIDOR CONNECTING DOWNTOWN MIAMI AND THE CITY OF MIAMI BEACH.

This Resolution was unanimously passed and adopted by the Mayor and City Commission of the City of Miami Beach on February 14, 2018.

Respectfully,



Rafael E. Granado
City Clerk

c: Commissioner John Elizabeth Alemán

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov
Office of the City Clerk
Tel: 305--673-7411

March 30, 2018

Commissioner Xavier L. Suarez
Stephen P. Clark Center
111 N.W. 1st Street, Suite 220
Miami, FL 33128

Dear Commissioner Suarez,

Attached please find a copy of City of Miami Beach Resolution No. 2018-30180:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING THE EFFORTS OF THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION (TPO) TO DEVELOP A TRANSIT NETWORK THROUGHOUT THE COUNTY IN A STRATEGIC MIAMI AREA RAPID TRANSIT ("SMART") PLAN, AND URGING THE TPO TO RECONSIDER THE JULIA TUTTLE CAUSEWAY AS THE BEACH CORRIDOR CONNECTING DOWNTOWN MIAMI AND THE CITY OF MIAMI BEACH.

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Respectfully,



Rafael E. Granado
City Clerk

c: Commissioner John Elizabeth Alemán

MIAMI BEACH

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Office of the City Clerk
Tel: 305--673-7411

March 30, 2018

Commissioner Daniella Levine Cava
Stephen P. Clark Center
111 N.W. 1st Street, Suite 220
Miami, FL 33128

Dear Commissioner Cava,

Attached please find a copy of City of Miami Beach Resolution No. 2018-30180:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING THE EFFORTS OF THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION (TPO) TO DEVELOP A TRANSIT NETWORK THROUGHOUT THE COUNTY IN A STRATEGIC MIAMI AREA RAPID TRANSIT ("SMART") PLAN, AND URGING THE TPO TO RECONSIDER THE JULIA TUTTLE CAUSEWAY AS THE BEACH CORRIDOR CONNECTING DOWNTOWN MIAMI AND THE CITY OF MIAMI BEACH.

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Respectfully,



Rafael E. Granado
City Clerk

c: Commissioner John Elizabeth Alemán

MIAMI BEACH

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Office of the City Clerk
Tel: 305--673-7411

March 30, 2018

Commissioner Dennis C. Moss
Stephen P. Clark Center
111 N.W. 1st Street, Suite 320
Miami, FL 33128

Dear Commissioner Moss,

Attached please find a copy of City of Miami Beach Resolution No. 2018-30180:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING THE EFFORTS OF THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION (TPO) TO DEVELOP A TRANSIT NETWORK THROUGHOUT THE COUNTY IN A STRATEGIC MIAMI AREA RAPID TRANSIT ("SMART") PLAN, AND URGING THE TPO TO RECONSIDER THE JULIA TUTTLE CAUSEWAY AS THE BEACH CORRIDOR CONNECTING DOWNTOWN MIAMI AND THE CITY OF MIAMI BEACH.

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Respectfully,



Rafael E. Granado
City Clerk

c: Commissioner John Elizabeth Alemán

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov
Office of the City Clerk
Tel: 305--673-7411

March 30, 2018

Commissioner Javier D. Souto
Stephen P. Clark Center
111 N.W. 1st Street, Suite 320
Miami, FL 33128

Dear Commissioner Souto,

Attached please find a copy of City of Miami Beach Resolution No. 2018-30180:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING THE EFFORTS OF THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION (TPO) TO DEVELOP A TRANSIT NETWORK THROUGHOUT THE COUNTY IN A STRATEGIC MIAMI AREA RAPID TRANSIT ("SMART") PLAN, AND URGING THE TPO TO RECONSIDER THE JULIA TUTTLE CAUSEWAY AS THE BEACH CORRIDOR CONNECTING DOWNTOWN MIAMI AND THE CITY OF MIAMI BEACH.

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Respectfully,



Rafael E. Granado
City Clerk

c: Commissioner John Elizabeth Alemán

MIAMI BEACH

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Office of the City Clerk
Tel: 305--673-7411

March 30, 2018

Commissioner Joe A. Martinez
Stephen P. Clark Center
111 N.W. 1st Street, Suite 320
Miami, FL 33128

Dear Commissioner Martinez,

Attached please find a copy of City of Miami Beach Resolution No. 2018-30180:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING THE EFFORTS OF THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION (TPO) TO DEVELOP A TRANSIT NETWORK THROUGHOUT THE COUNTY IN A STRATEGIC MIAMI AREA RAPID TRANSIT ("SMART") PLAN, AND URGING THE TPO TO RECONSIDER THE JULIA TUTTLE CAUSEWAY AS THE BEACH CORRIDOR CONNECTING DOWNTOWN MIAMI AND THE CITY OF MIAMI BEACH.

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Respectfully,



Rafael E. Granado
City Clerk

c: Commissioner John Elizabeth Alemán

MIAMI BEACH

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Office of the City Clerk
Tel: 305--673-7411

March 30, 2018

Commissioner Jose "Pepe" Diaz
Stephen P. Clark Center
111 N.W. 1st Street, Suite 320
Miami, FL 33128

Dear Commissioner Diaz,

Attached please find a copy of City of Miami Beach Resolution No. 2018-30180:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING THE EFFORTS OF THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION (TPO) TO DEVELOP A TRANSIT NETWORK THROUGHOUT THE COUNTY IN A STRATEGIC MIAMI AREA RAPID TRANSIT ("SMART") PLAN, AND URGING THE TPO TO RECONSIDER THE JULIA TUTTLE CAUSEWAY AS THE BEACH CORRIDOR CONNECTING DOWNTOWN MIAMI AND THE CITY OF MIAMI BEACH.

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Respectfully,



Rafael E. Granado
City Clerk

c: Commissioner John Elizabeth Alemán

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov
Office of the City Clerk
Tel: 305--673-7411

March 30, 2018

Chairman Esteban Bovo, Jr.
Stephen P. Clark Center
111 N.W. 1st Street, Suite 320
Miami, FL 33128

Dear Chairman Bovo, Jr.,

Attached please find a copy of City of Miami Beach Resolution No. 2018-30180:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING THE EFFORTS OF THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION (TPO) TO DEVELOP A TRANSIT NETWORK THROUGHOUT THE COUNTY IN A STRATEGIC MIAMI AREA RAPID TRANSIT ("SMART") PLAN, AND URGING THE TPO TO RECONSIDER THE JULIA TUTTLE CAUSEWAY AS THE BEACH CORRIDOR CONNECTING DOWNTOWN MIAMI AND THE CITY OF MIAMI BEACH.

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Respectfully,



Rafael E. Granado
City Clerk

c: Commissioner John Elizabeth Alemán

MIAMI BEACH

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Office of the City Clerk
Tel: 305--673-7411

March 30, 2018

Miami-Dade TPO Executive Director Aileen Bouclé
Stephen P. Clark Center
111 NW 1st Street, Suite 920
Miami, FL 33128

Dear Miami-Dade TPO Executive Director Bouclé,

Attached please find a copy of City of Miami Beach Resolution No. 2018-30180:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING THE EFFORTS OF THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION (TPO) TO DEVELOP A TRANSIT NETWORK THROUGHOUT THE COUNTY IN A STRATEGIC MIAMI AREA RAPID TRANSIT ("SMART") PLAN, AND URGING THE TPO TO RECONSIDER THE JULIA TUTTLE CAUSEWAY AS THE BEACH CORRIDOR CONNECTING DOWNTOWN MIAMI AND THE CITY OF MIAMI BEACH.

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Respectfully,



Rafael E. Granado
City Clerk

c: Commissioner John Elizabeth Alemán



Florida Department of
TRANSPORTATION

Attachment 2: 2-27-18 Bicycle and
Pedestrian Advisory Committee Presentation

SR-A1A / MacArthur Causeway Bicycle Facility Improvements

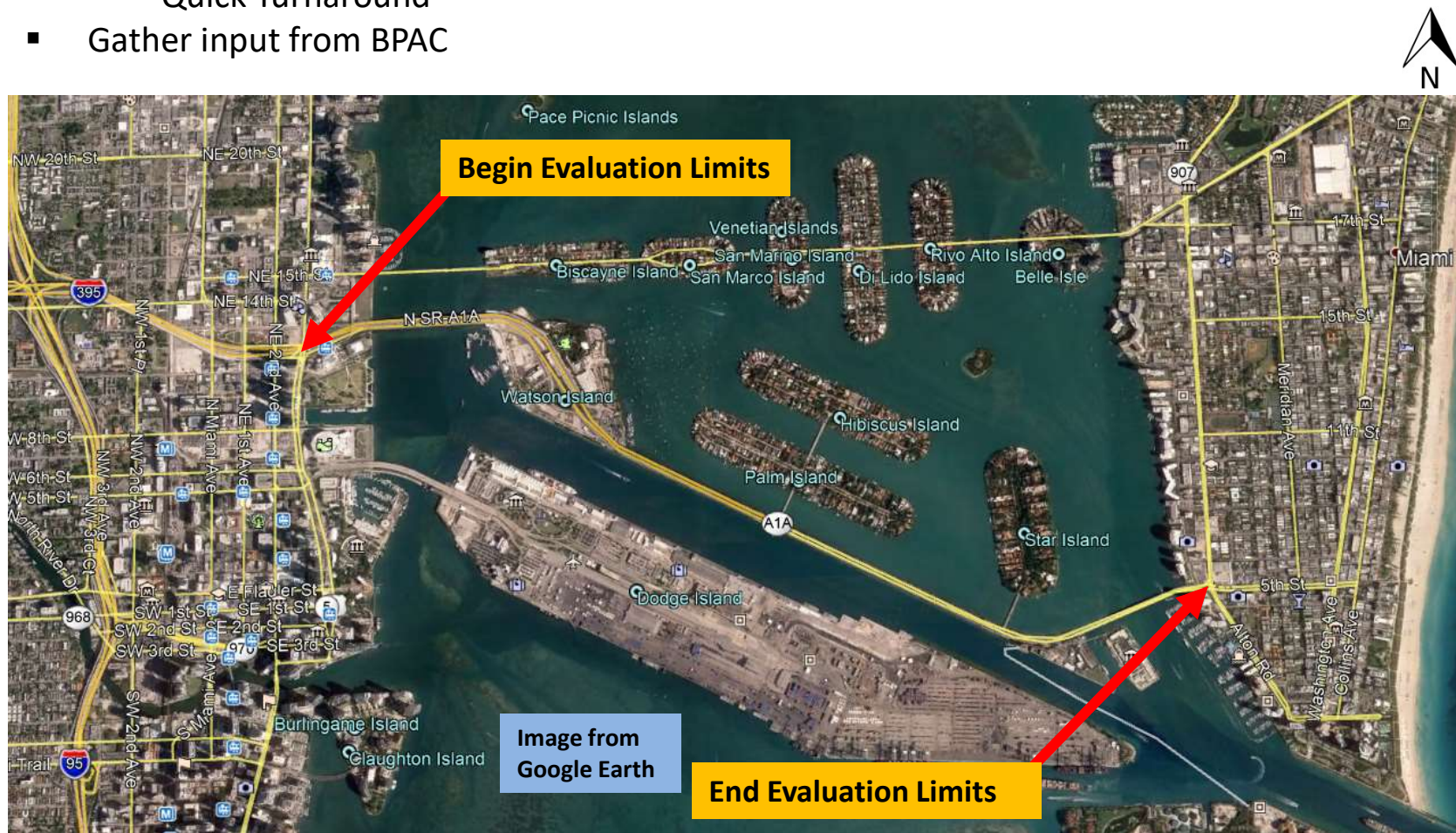
FDOT District 6

Presentation for
Bicycle Pedestrian Advisory Committee (BPAC)

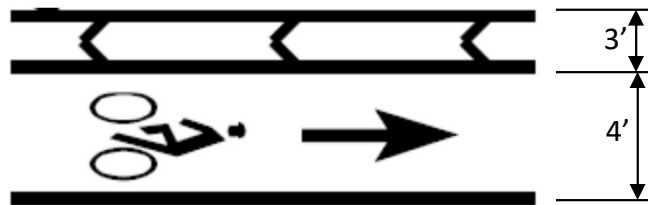
February 27, 2018

Introduction - Purpose

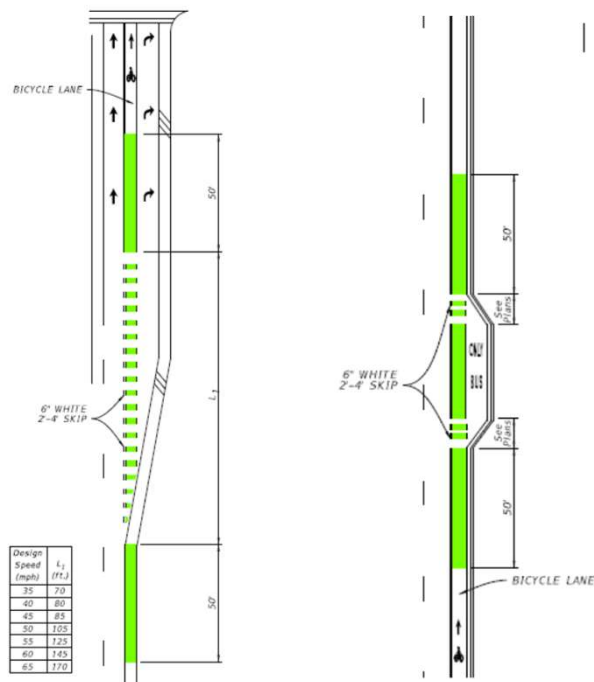
- Present proposed bicycle facility safety enhancement improvements that can be implemented with:
 - Minimum Impacts
 - Quick Turnaround
- Gather input from BPAC



Introduction – Standard Design Improvements



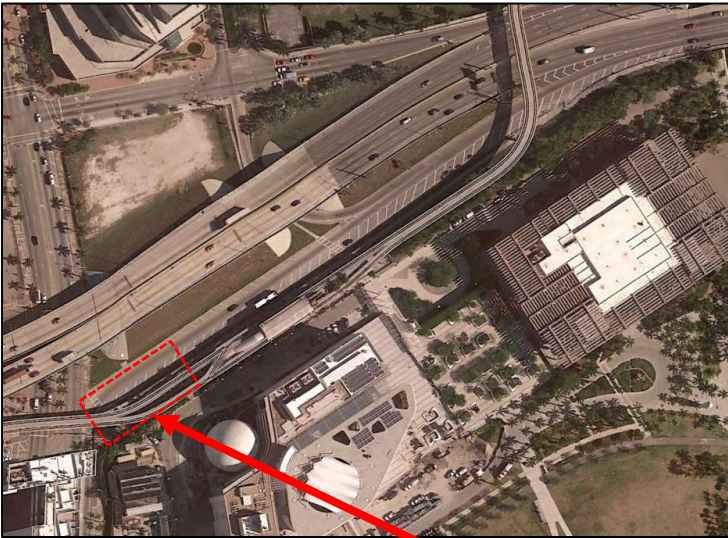
Propose to Implement the standard bicycle facility typical section of 7' wide buffered bicycle lane (3' buffered width with white chevron striping spaced a 30' c/c) wherever possible.



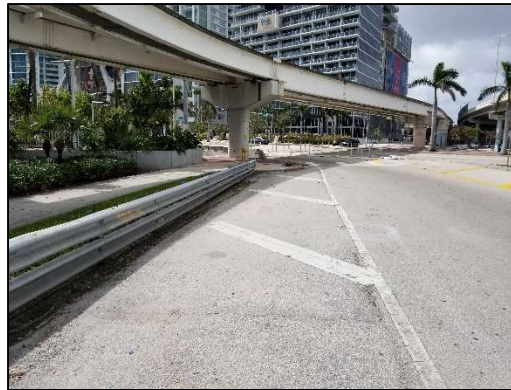
Propose to implement Green-colored bicycle lanes to enhance the conspicuity of bicycle/vehicular conflict areas. (i.e. Bicycle lane crossing a vehicular right turn lane and Bicycle Lane adjacent to dedicated bus bay)



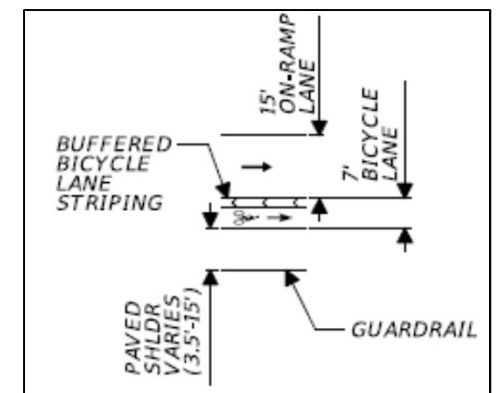
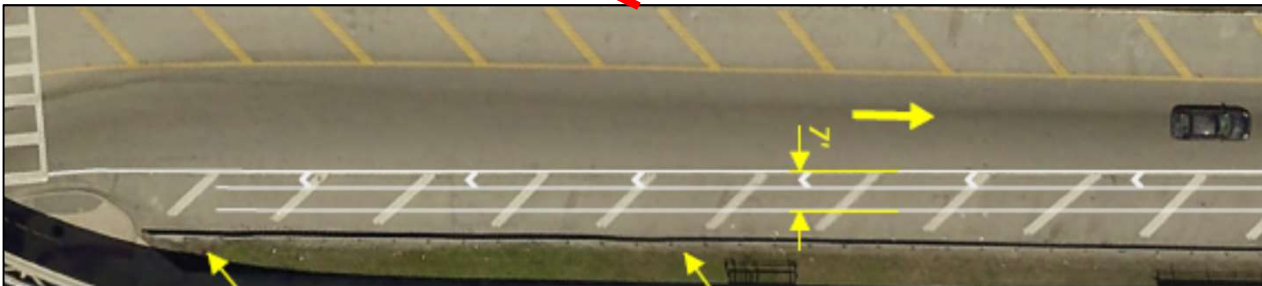
Termini - Eastbound



- Existing Conditions at the On-ramp from SR-5/Biscayne Boulevard



- Proposed Conditions at the On-ramp from SR-5/Biscayne Boulevard

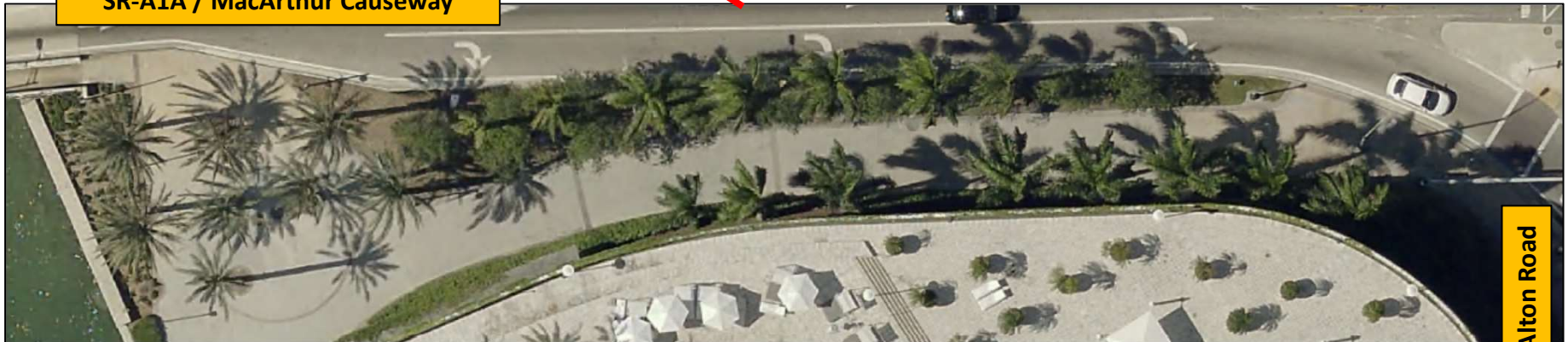


Termini - Eastbound

- Existing Conditions at the Alton Road Intersection (To Remain)



SR-A1A / MacArthur Causeway



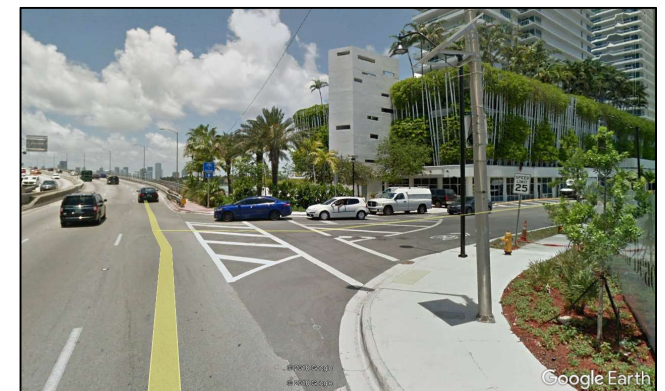
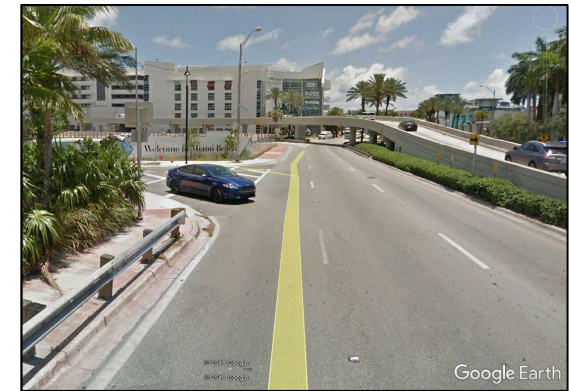
Alton Road



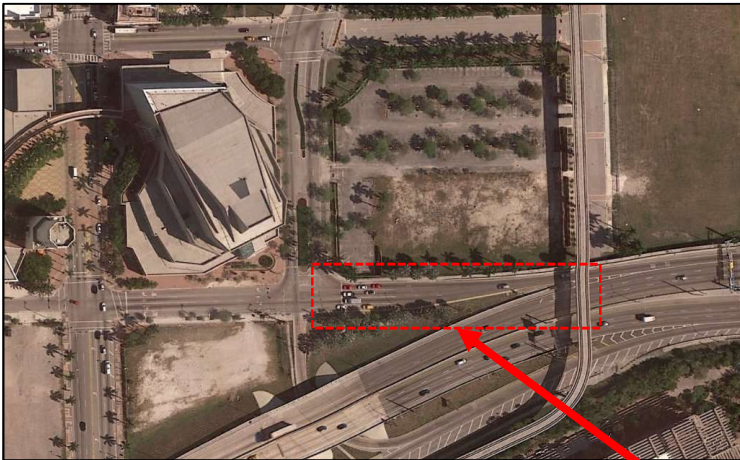
Florida Department of Transportation

Termini - Westbound

- Existing Conditions at the West Avenue Intersection (To Remain)



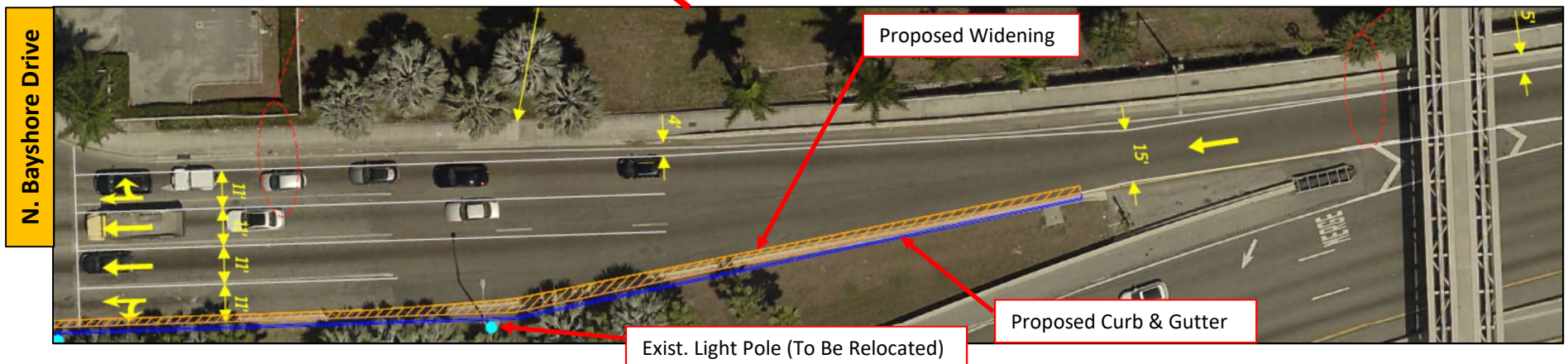
Termini - Westbound



- Existing Conditions at the Off-ramp to North Bayshore Drive



- Proposed Conditions at the Off-ramp to North Bayshore Drive



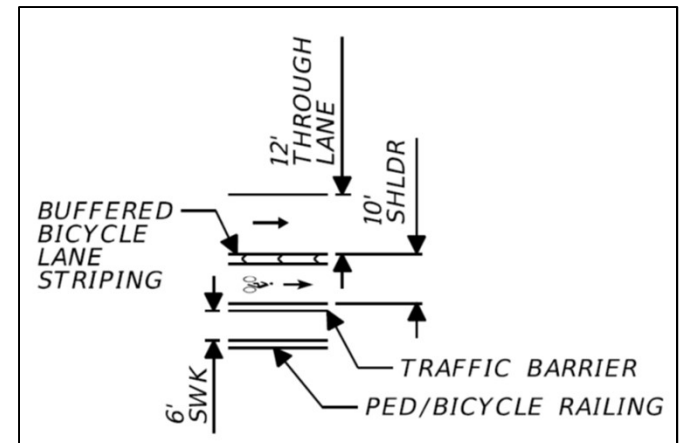
Florida Department of Transportation

Bridges

- Existing Conditions along Westernmost Bridges

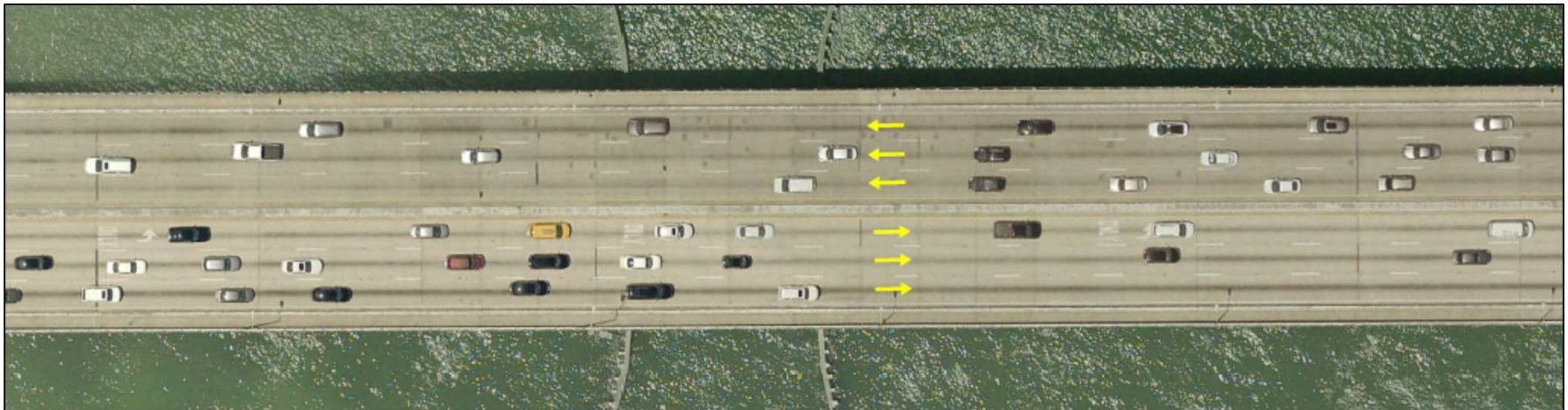


- Proposed Conditions along Westernmost Bridges



Bridges

- Existing Conditions along Easternmost Bridge (To Remain)

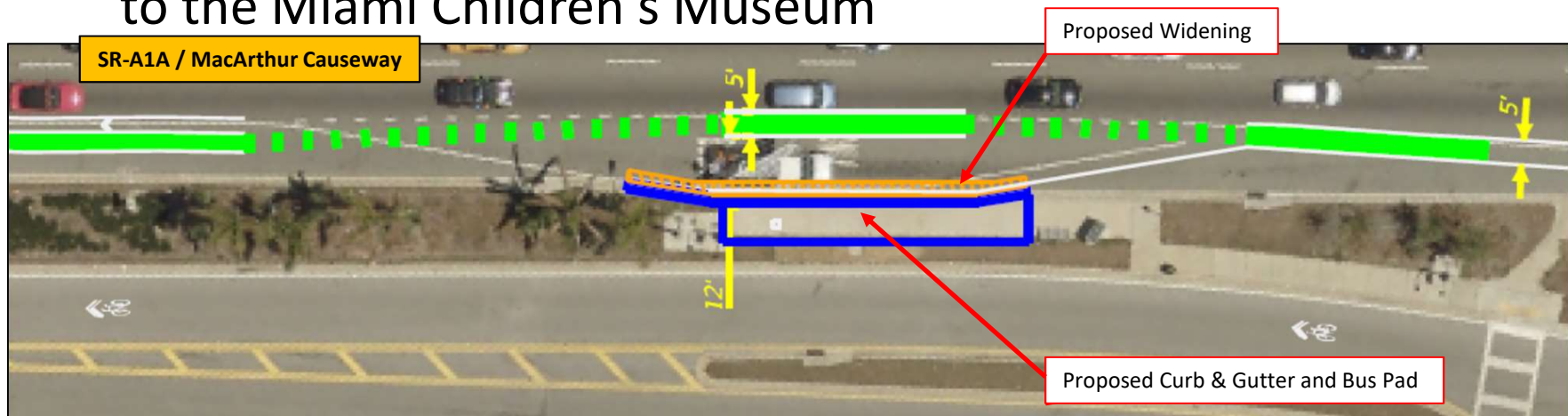


Watson Island

- Existing Conditions at the Eastbound Bus Bay located next to the Miami Children's Museum



- Proposed Conditions at the Eastbound Bus Bay located next to the Miami Children's Museum

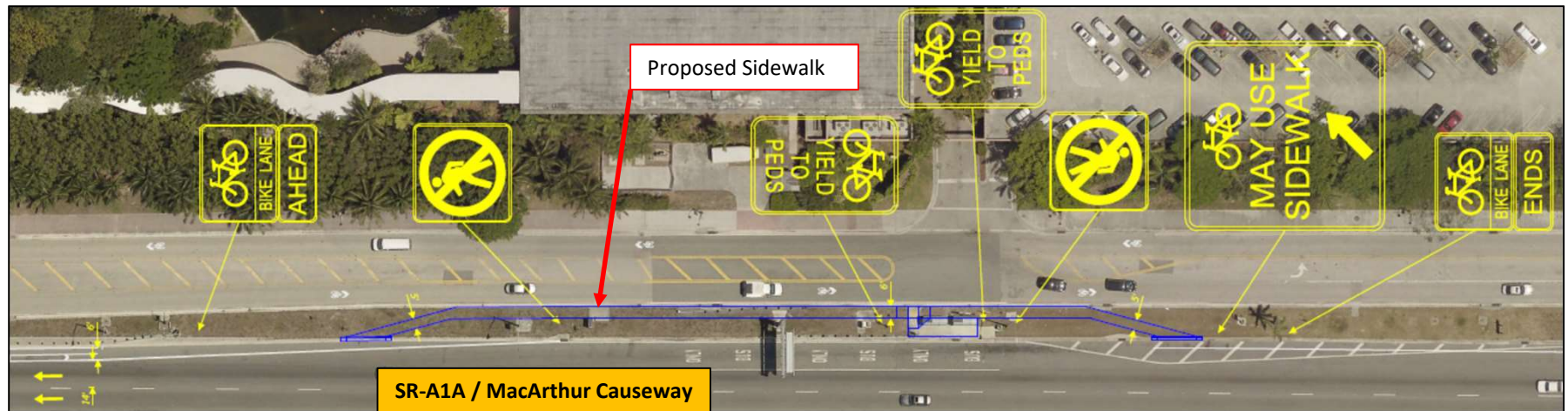


Watson Island

- Existing Conditions at the Westbound Bus Bay located next to Jungle Island



- Proposed Conditions at the Westbound Bus Bay located next to Jungle Island



Watson Island

- Traffic Islands

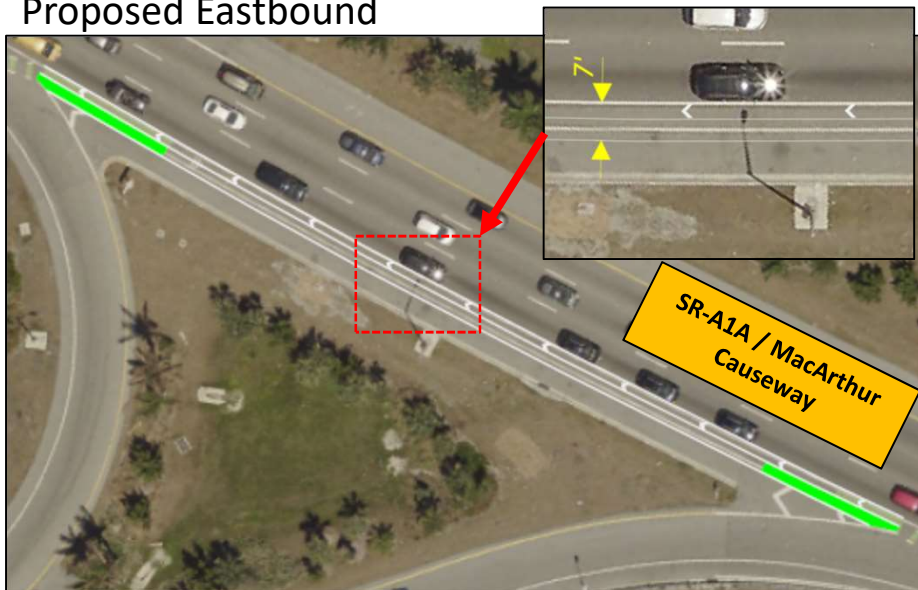
Existing Eastbound



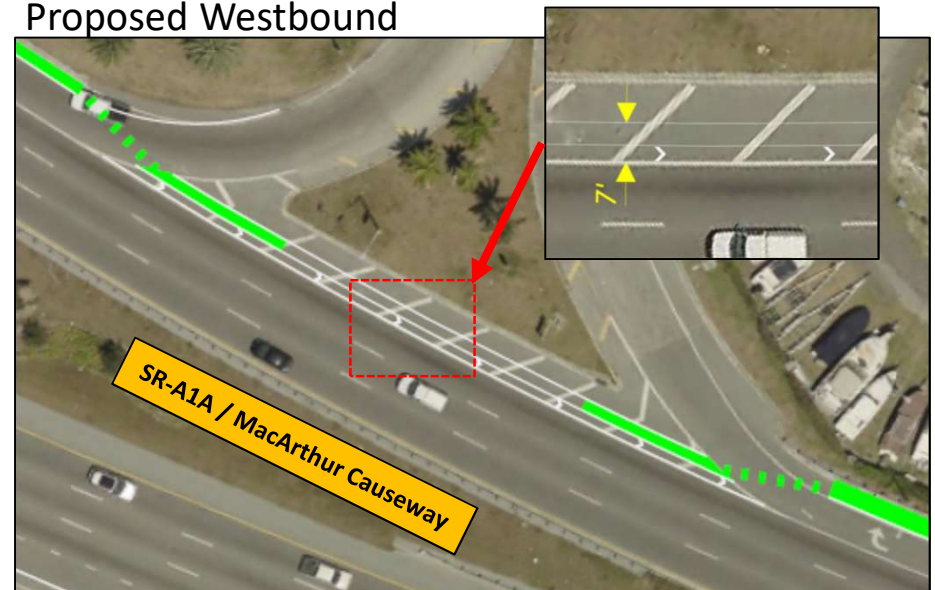
Existing Westbound



Proposed Eastbound



Proposed Westbound



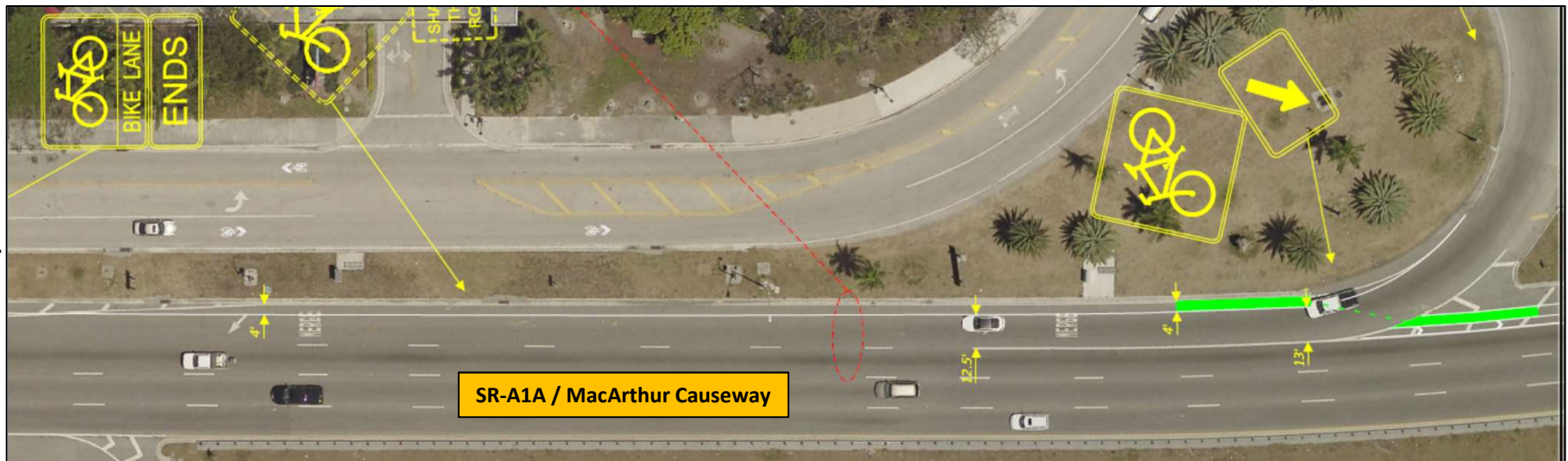
Watson Island

- Westbound Bicycle Facility Continuation along the Causeway Acceleration Lane

Existing



Proposed



Causeway Segment Typical Section

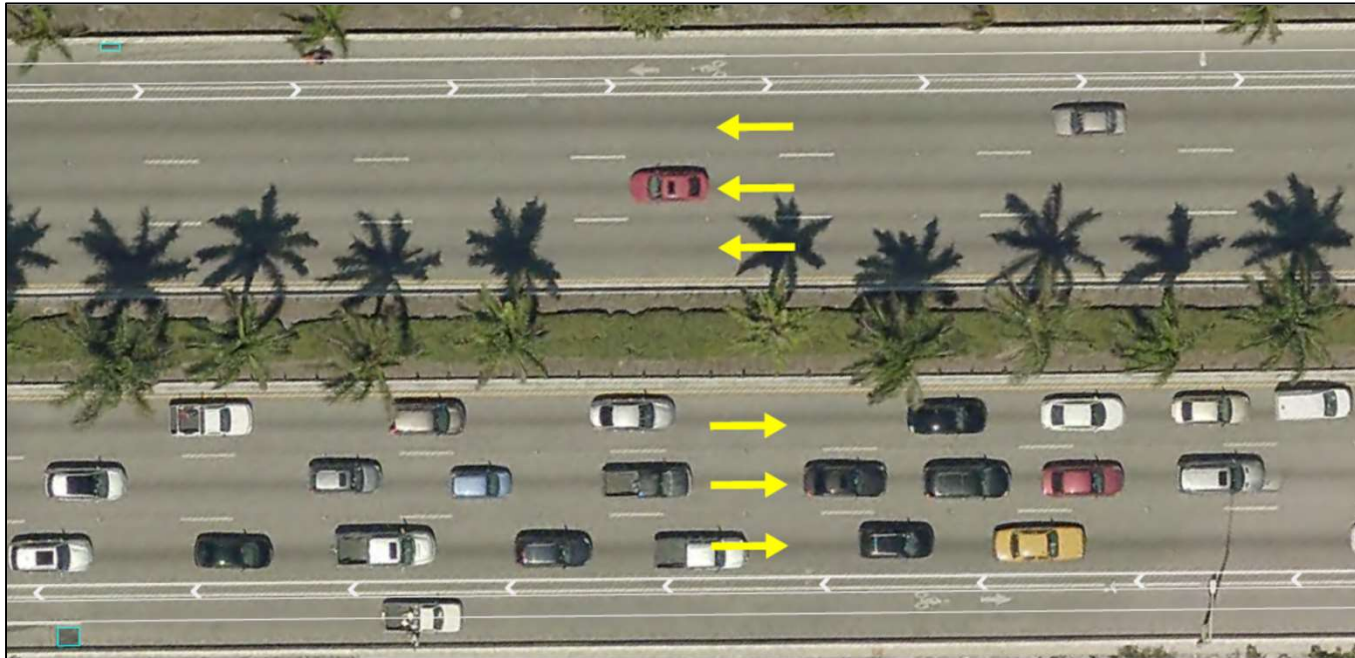
Existing Eastbound



Existing Westbound

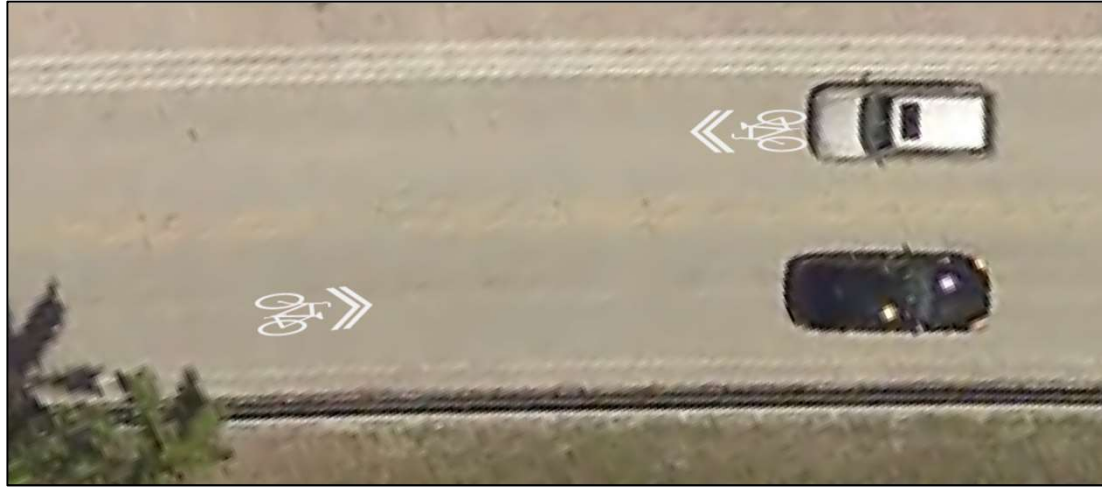


Proposed Eastbound/Westbound

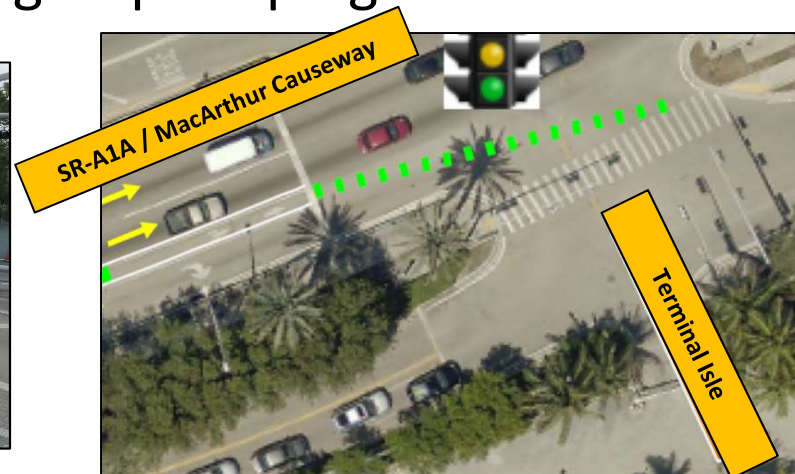


Additional Improvements

- Watson Island Access Road



- Green Pavement Marking Skip Striping Transition



Additional Improvements

- Upgraded Designated Right Turn Lane Tapers



Preliminary Schedule and Cost Estimate

- Production Schedule
 - Program Project in July 2018
 - Design to start on Late 2018
- Cost for implementation of improvements is estimated at \$489,000.00

**SAFETY
DOESN'T
HAPPEN BY
ACCIDENT.**





www.AlertTodayFlorida.com

**WHEN DRIVING, WALKING,
OR BICYCLING...
PAY ATTENTION.
READ THE SIGNS.
LEARN THE RULES.**

AVOID DISTRACTIONS.   

 **STOP BEFORE TURNING RIGHT ON RED.**

 **USE THE SIDEWALK AND CROSSWALKS.**

 **BICYCLE PREDICTABLY, WITH TRAFFIC.**

Funded by the Florida Department of Transportation



Thank You!

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

SUBJECT: DISCUSSION REGARDING THE LONG WAIT TIMES FOR THE SOUTH BEACH TROLLEYS

KEY INTENDED OUTCOME:

Ensure Comprehensive Mobility Addressing All Modes Throughout The City

HISTORY:

The South Beach Loop trolley service was soft-launched on November 1, 2017 with a limited number of six (6) low-floor vehicles in service out of a full fleet of 10. Full service implementation commenced on November 20, 2017, with all 10 low-floor vehicles in service. During the soft-launch period, staff conducted observations and received feedback from passengers and the South Beach community. As a result of community feedback, staff determined that changes to the South Beach trolley service plan were warranted. The proposed changes were discussed with the South of Fifth Neighborhood Association (SOFNA) at its meeting on November 15, 2017 and with Rebecca Towers residents on November 17, 2017. Both groups responded favorably to the proposed changes.

On Monday, November 20, 2017, the South Beach Trolley was modified to consist of (3) distinct loops: 1) "Loop A" operating in a clockwise direction; 2) "Loop B" operating in a counter-clockwise direction; and 3) "Via 10 Street Loop" operating in a "figure 8" configuration to serve the Flamingo Park neighborhood and provide a direct east-west connection between Alton Road and Washington Avenue - via a temporary detour on 10th Street while 11th Street was in construction. The portions of the South Beach Trolley route serving the Sunset Harbour and Belle Isle neighborhoods remained the same. The frequency of service along the bi-directional loops (Loop A and Loop B) was approximately 15 minutes while the frequency of service along "Via 10 Street Loop" was approximately 40 minutes. This modification was transmitted via LTC No. 557-2017.

At the December 13, 2017 City Commission meeting, the City Commission referred an item entitled "Discussion of the current routes and conditions of the Miami Beach Trolley, as well as accessibility for seniors and handicapped persons" to the Neighborhood/Community Affairs Committee (NCAC).

At the December 20, 2017 NCAC meeting, the NCAC discussed the item and recommended extending the South Beach Trolley route to serve the Collins Park neighborhood. While no motion was made, the NCAC supported the extension of the South Beach Trolley to Collins Park by acclamation.

On January 17, 2018, the City Commission discussed the NCAC recommendation and directed the Administration to extend the South Beach Loops A and B to the Collins Park neighborhood, while keeping the "Via 10 Street Loop" as-is. As a result of this route extension, the average service frequency of Loops A and B has increased to 20 minutes as compared to 15 minutes prior to the Collins Park extension, while average service frequency of "Via 10 Street Loop" remained the same at approximately 40 minutes. This route modification and revised frequency of service was transmitted via LTC No. 030-2018.

At its January 24, 2018 meeting, the NCAC discussed the routes and conditions of the Miami Beach trolleys, as well as accessibility for seniors and handicapped persons. At that time, the NCAC referred to the Transportation, Parking and Bicycle/Pedestrian Facilities Committee (TPBPFC) a discussion on the current trolley routes, with specific emphasis on whether the Belle Isle extension should be continued. The NCAC also requested that the Belle Isle Neighborhood Association is provided advanced notice for the TPBPFC meeting. Additionally, the Committee discussed "Via 10 Street Loop" and requested a ridership breakdown of all three (3) trolley loops operating in South Beach.

On March 7, 2018, the City Commission adopted Resolution #2018-30218 accepting the recommendations from January 24, 2018 NCAC meeting regarding the South Beach Trolley route, vehicle comfort and accessibility.

Pursuant to January 24, 2018 NCAC direction, the Belle Isle Neighborhood Association was provided advanced notification for the March 12, 2018 TPBPFC meeting. At the meeting, and in the presence of multiple residents from Belle Isle, the TPBPFC discussed the current trolley routes, with specific emphasis on whether the Belle Isle extension should be continued. After discussion, TPBPFC made the following motion: "The TPBPFC asks that the Belle Isle Route be kept and work on a route that works best with emphasis on quality of service and keeping headways down."

The Belle Isle extension was also discussed during the TPBPFC meeting on June 11, 2018. At the meeting, the TPBPFC made the following motion: "Due to the low ridership to Belle Isle, the TPBPFC asks the City to look into proceeding with eliminating Route A and B, keeping the "Via 10 Street Loop" to Belle Isle." However, the Belle Isle HOA was not notified in advance of this second discussion at TPBPFC as this subsequent discussion was not included in the agenda or anticipated.

At its October 17, 2018 meeting, the City Commission discussed Belle Isle extension and directed the Administration to maintain service as-is.

On January 30, 2019, at their public meeting, the South of Fifth Neighborhood Association (SOFNA) passed the following resolution: "A resolution asking the City of Miami Beach to make the changes necessary to route design or equipment to provide the same targeted frequency of service to residents South of Fifth as is currently provided in other parts of the City. The membership requested that the city make every effort to reduce the currently designated 20-minute intervals to 15 minutes for our south of Fifth route since the South Beach route is the one most heavily used by residents and visitors. Reducing the intervals would also align our area with the 15-minute intervals designated for other trolley routes in the City. We therefore urge you to explore any and all solutions to reduce the interval time south of Fifth to best serve our residents and visitors."

On February 11, 2019, TPBPFC discussed South Beach trolley service frequency in the presence of multiple residents from Belle Isle, however, no motion was made.

While the City Commission initially approved a route alignment along 11 Street ("Via 11 Street Loop"), since its commencement in November 2017, the "Via 11 Street Loop" operated as "Via 10 Street Loop" along a temporary detour on 10 Street given that 11 Street was under construction. As of February

21, 2019, upon completion of the 11 Street Project, the temporary “Via 10 Street Loop” was replaced by the “Via 11 Street Loop” and three (3) new trolley stops were established to serve 11 Street - at Pennsylvania Avenue, Jefferson Avenue, and Lenox Avenue.

ANALYSIS:

OVERALL SOUTH BEACH TROLLEY ALIGNMENT, SERVICE FREQUENCY, AND RIDERSHIP

The South Beach Trolley service operates three (3) loops: “Loop A” (Clockwise) with four (4) vehicles in operation; “Loop B” (Counter Clockwise) with four (4) vehicles in operation; and “Via 11 Street Loop” with two (2) vehicles in operation (Attachment A depicts a map of the current South Beach Trolley route).

Based on an evaluation of service frequency (i.e. headways) from April 2018 to February 2019, the average service frequency achieved over this period for each of the loops is as follows: 19.8 minutes for “Loop A”, 20.5 minutes for “Loop B”, and 43.4 minutes for the “Via 11 Street Loop”. The average service frequency goal is 20 minutes for Loops A and B and 40 minutes for “Via 11 Street Loop”. Thus, Loops A and B are currently meeting the average service frequency goal of 20 minutes and “Via 11 Street Loop” is only 3 minutes short of its goal.

On-time performance, defined by contract as being no more than 5 minutes late at a stop, is currently at 83% for Loop A, and 75% for Loop B. The most recent trolley contract amendment approved by City Commission in January 2019 establishes on-time performance goals of 85% for all trolley loops; thus, this is an area in need of improvement. Performance penalties are established in the contract for not meeting the minimum on-time performance goals.

The average daily ridership of the South Beach Trolley Loops for calendar year 2018 was 4,762 passengers with the following distribution per loop:

- “Loop A”: approximately 2,025 passengers per day
- “Loop B”: approximately 1,975 passengers per day
- “Via 10 Street Loop”: approximately 762 passengers per day

COLLINS PARK EXTENSION

Collins Park neighborhood is currently served by Loops A and B. The average daily ridership combined for the seven (7) stops along the Collins Park extension for calendar year 2018 was 285 boardings and 280 alightings.

VIA 10 STREET LOOP

For calendar year 2018, the average daily ridership combined for the three (3) stops along 10 Street between Washington Avenue and Alton Road was 56 boardings and 110 alightings. As mentioned above, this loop was replaced by the “Via 11 Street Loop” with new stops on 11 Street in February 2019.

BELLE ISLE EXTENSION

Belle Isle is currently served by all three (3) South Beach Trolley loops and one (1) stop. The total number of times that all 3 trolley loops combined visit the Belle Isle stop is approximately 124 times per day - a much higher frequency of service than any other stop along the South Beach Loops. From January 1, 2018 to December 31, 2018, the average daily ridership at the Belle Isle stop was only nine (9) boardings and six (6) alightings per day, meaning that for over 90% of all trolley visits to the Belle Isle stop, no passengers were boarding or disembarking. Staff has observed a recent drop in 2018 ridership in comparison to previous years when the South Beach Local served this stop. The ridership decrease may be associated in part with a private development construction project taking place on North Island Avenue, however, it is important to note that ridership at the Belle Isle stop has historically been very low since inception of the South Beach

Local in 2005 (i.e. fewer than 33 average daily boardings).

OPTIONS TO CONSIDER:

In an effort to reduce the wait times and improve the reliability of the South Beach Trolley service, the Administration has evaluated the following three (3) options for consideration by the City Commission.

Option 1: Eliminate the Belle Isle Extension

Given the low ridership at the Belle Isle stop, Loops A and B could terminate at the Sunset Harbour Publix (see Attachment B). This modification would improve headways along Loops A and B from approximately 20 minutes to approximately 17 minute frequency of service. The "Via 11 Street" Loop would continue serving Belle Isle at approximately 40 minute service frequency. Given the low ridership at Belle Isle, it is anticipated that the "Via 11 Street Loop" would provide adequate service, with approximately 24 visits per day to the Belle Isle stop. Belle Isle residents would be able to use the Trolley Tracker Mobile Application to see when the next trolley would be arriving at the Belle Isle stop, in real-time, and plan their trips accordingly.

Additionally, the Belle Isle residents could potentially be served by a free on-demand transit service that the City is currently pursuing on a pilot basis. The app-based on-demand service would provide first mile/last mile connectivity to transit stops.

This option would not have any fiscal impact.

Option 2: Eliminate the "Via 11 Street Loop" and Reassign Trolleys to Loops A and B

If the "Via 11 Street Loop" is eliminated, the two (2) trolley vehicles currently assigned to the route would be reassigned to Loops A and B. This would result in reduced average headways from 20 minutes to approximately 16 minutes. Should the City Commission wish to pursue this option, there would be no east-west connection through the Flamingo Park neighborhood and Flamingo Park would not be directly served. To access the park utilizing Jefferson Avenue/11 Street entrance, passengers would need to walk from the closest trolley stops at Alton Road/11 Street (approximately 1,300 feet) or at Washington Avenue/11 Street (approximately 1,700 feet).

It is worth noting that since the "Via 10 Street Loop" was replaced by the "Via 11 Street Loop" in February 2019, ridership figures, including boardings or alightings, are not yet available for the new route alignment and stops on 11 Street.

This option would not have any fiscal impact.

Option 3: Add Trolleys to Reduce Wait Times While Keeping Current Routes As-Is

Should the City Commission wish to reduce headways for Loops A and B, while keeping the "Via 11 Street Loop" and Belle Isle service as-is, two (2) additional trolley vehicles would be required (one for "Loop A" and one for "Loop B") in order to improve average service headways from 20 minutes to 16 minutes for both loops.

The fiscal impact associated with this service enhancement is estimated to be approximately \$1.1 million annually, assuming used low-floor trolleys are acquired. Given that less than 3.5 years are remaining on the current trolley contract, there would be insufficient time for the contractor to amortize the cost of acquiring two (2) new low-floor trolley vehicles at the current hourly operating rate in the

contract. Thus, purchasing two (2) new low-floor trolleys would result in a higher hourly operating cost to the City for those vehicles for the duration of the remaining 3.5 year term of the current contract with the trolley operator.

It is important to note that City's trolley service is funded by a combination of People's Transportation Plan (PTP) surtax from the County, Resort Tax Quality of Life - Transportation Funds, and Parking Surplus Revenues. Currently, the Transportation Department's operating budget is fully utilizing the allocation of PTP and Resort Tax Quality of Life - Transportation Funds. Further, as parking demand has been declining, so have Parking Surplus Revenues, limiting the availability of these funds for additional allocations. As such, it is likely that transfers from the General Fund would be required, if available, for any enhancements to the trolley service.

CONCLUSION:

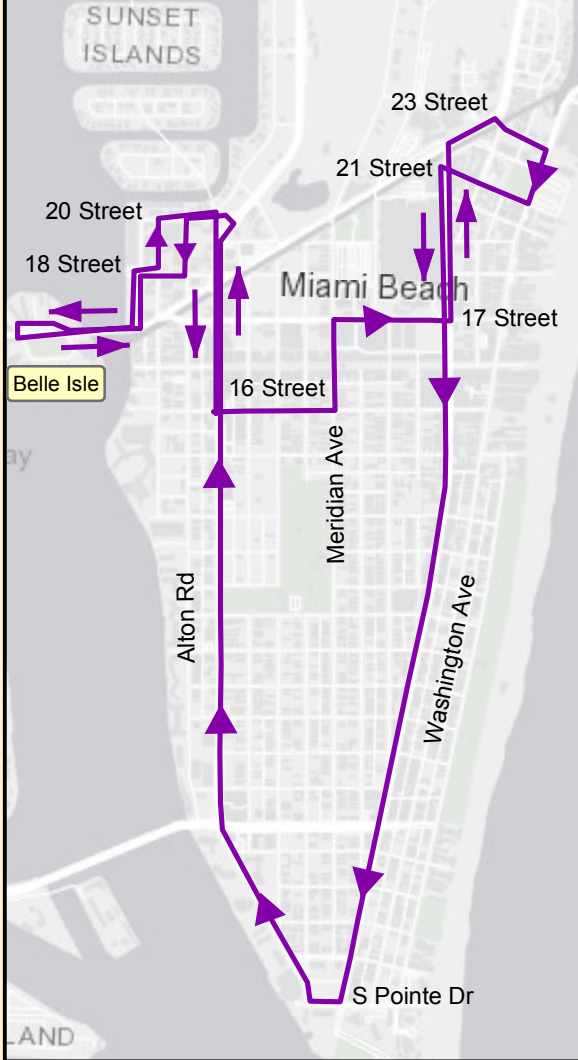
Given the low ridership at the Belle Isle stop, both currently and historically, the Administration recommends eliminating South Beach Loops A and B extension to Belle Isle and serving Belle Isle via the "Via 11 Street Loop" only. As mentioned above, trolley service to Belle Isle could be supplemented by a free on-demand transit service, once such service is implemented.

The Transportation Department would continue to monitor usage at the Belle Isle stop and provide updates via Letters to Commission as needed.

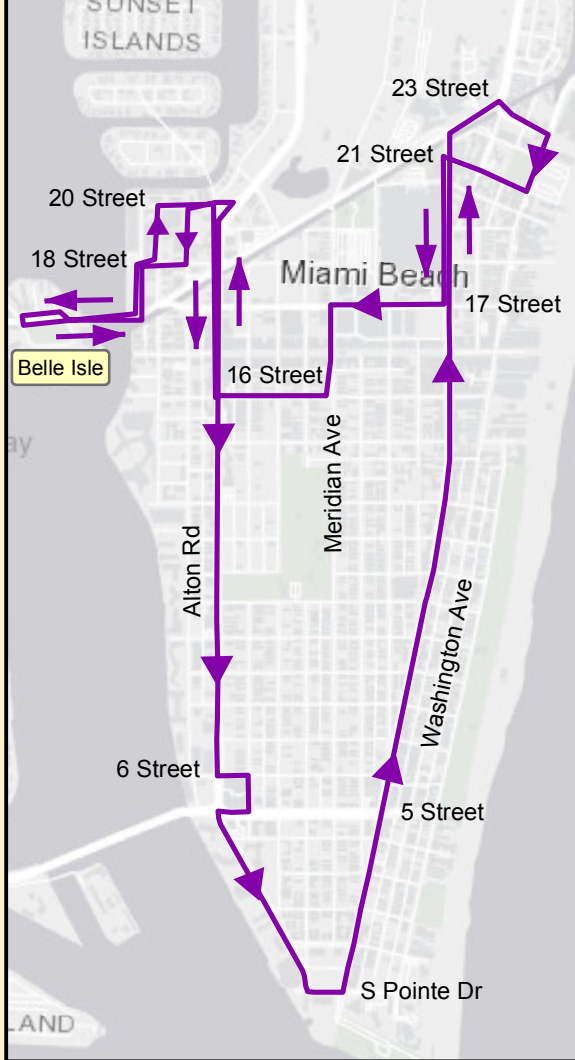
ATTACHMENTS:

Description	Type
□ Attachment A: Current South Beach Trolley Route	Memo
□ Attachment B: Proposed South Beach Trolley Route Changes	Memo

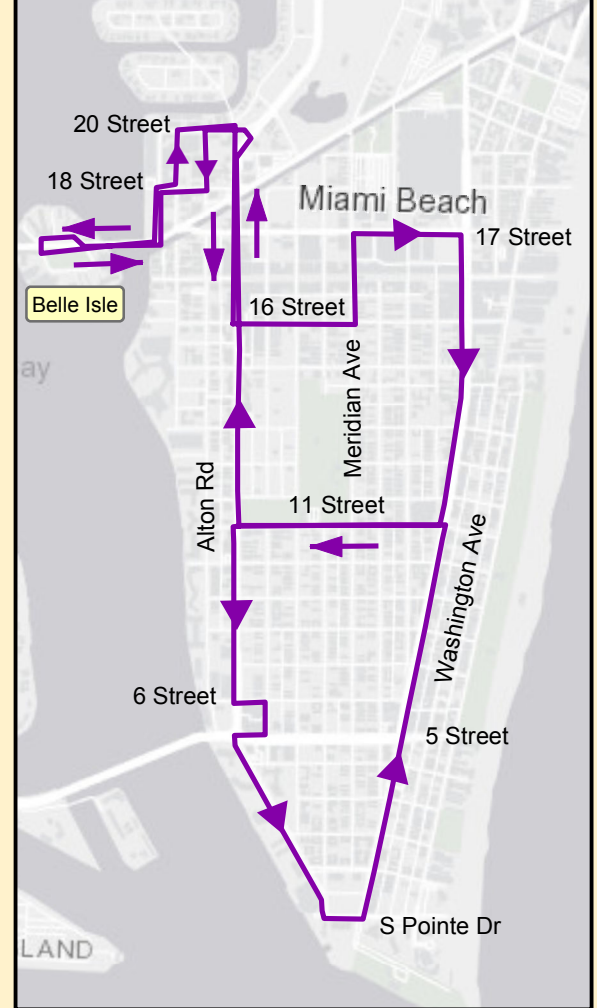
South Beach Loop A



South Beach Loop B

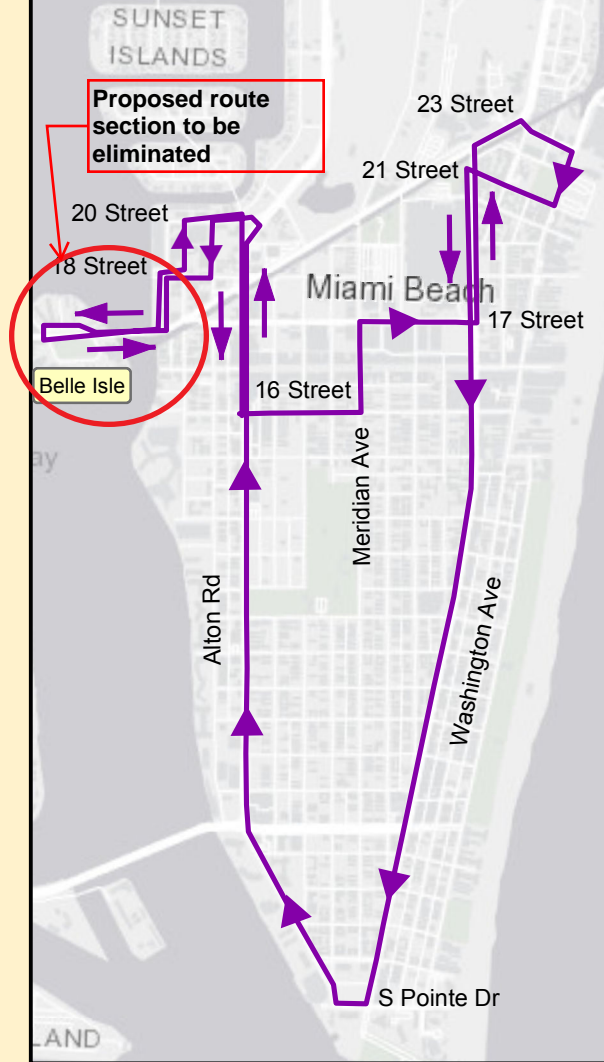


South Beach Loop via 11 Street

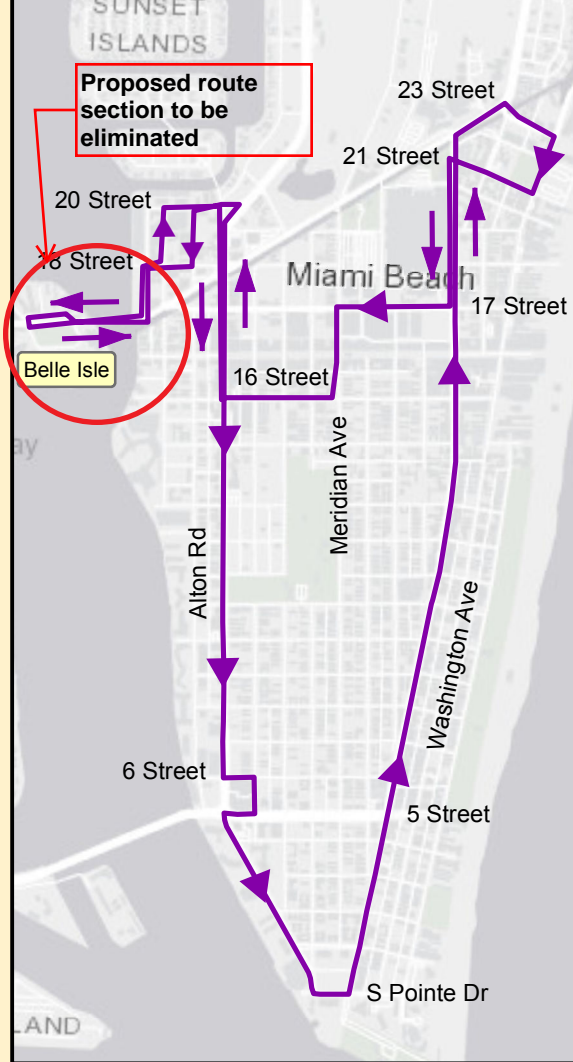


Attachment A - Current South Beach Trolley Route

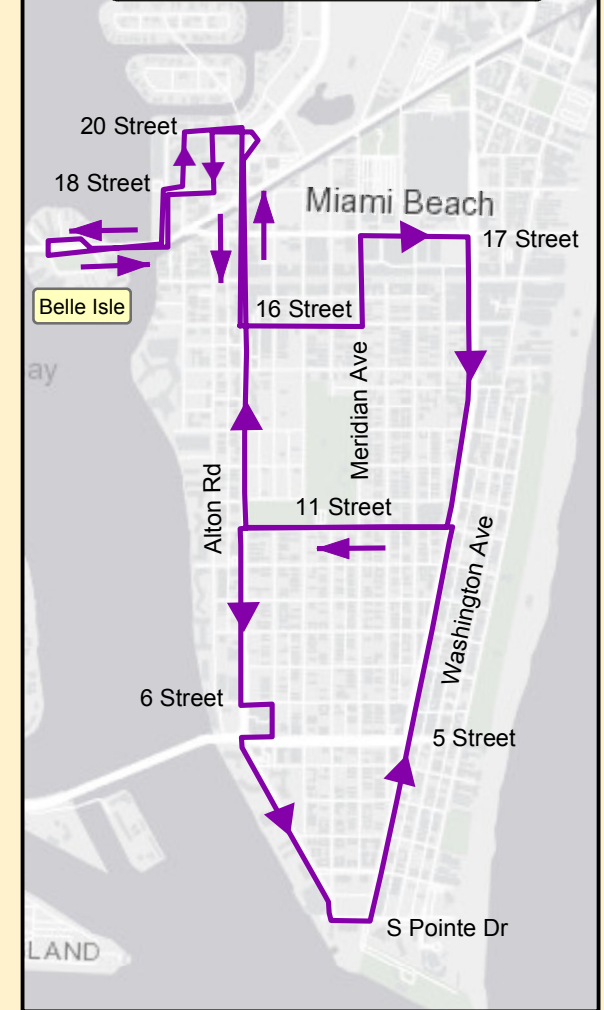
South Beach Loop A



South Beach Loop B



South Beach Loop Via 11 Street



Attachment B- Proposed South Beach Trolley Route Changes

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

SUBJECT: **DISCUSSION REGARDING NAMING OF NORTH CONVENTION CENTER PARK AS COLLINS CANAL PARK**

KEY INTENDED OUTCOME:

Enhance Cultural and Recreational Activities

HISTORY:

As the renovation of the Miami Beach Convention Center nears completion, there is an opportunity to name the new neighboring park north of the Convention Center to reflect the spirit the new convention center.

Greater Miami Convention and Visitors Bureau (GMCVB) and City staff collaborated on the following suggested names for the north convention center park:

1. Clubhouse Park
2. Great Ficus Park
3. North Convention Center Park

Early in 2018, the **Neighborhood/Community Affairs Committee (NCAC)** recommended the names be reviewed by the Women's Committee, who later suggested that it be heard by the Parks & Recreational Facilities Advisory Board (PRFAB), and suggested that staff develop additional recommendations.

In October 2018, the **Convention Center Advisory Board (CCAB)** motioned that West 8 (landscape architects) be asked to identify the featured plants being installed in the Miami Beach Convention parks and further, that the **Parks and Recreation Board** consider the names of these plants as potential names for the North Park renaming. — Mahogany trees and Spidering Fig tree.

On Tuesday, December 11th, 2018 the PRFB took a tour of the parks and recommended the name Convention Center Waterway Park. The PRFB also suggested the City get input from the immediate neighborhood and the AiPP Board — however, the review of parks names is not within the charge of AiPP. During the December 14, 2018 NCAC meeting, staff was asked to research additional names and provide a presentation on potential names.

Staff reached out to West 8, the park designers who recommended the following options for the North Convention Center Park:

- ArtScape Park
- Canal Park For The Arts

- Collins Canal Park
- Canopy Park
- Mahogany Park

Staff worked with the City Attorney's office to ensure the naming of the parks is consistent with City Code including the naming of an exterior portion of a public facility or a park (as opposed to the naming of interior portions/rooms in a facility, or interior portions of a park). Under City Code, there is a referendum requirement unless the facility or park is to be "named or renamed solely for the name of the City, the geographic area or physical location of the facility and/or the street or portion of the street where the facility is located, the function of the facility, or the current name of the facility."

At the January 28, 2019 **NCAC** meeting, the committee recommended Carl Fisher Park.

Subsequent to the January 28, 2019 **NCAC** meeting, the City Attorney's Office advised the Administration that the name Carl Fisher Park will require a referendum.

During the February 6, 2019 **NCAC** meeting, the committee revisited the naming of the North Convention Center Park as Carl Fisher Park, knowing the naming would require a referendum. Thereafter, **NCAC** discussed the previous provided names and recommended Collins Canal Park as the name for the North Convention Center Park, after legal confirmed the name recommendation would not require a referendum.

The City Code requires that a proposed name be submitted in writing to the **NCAC**, and for the **NCAC** to consider, review and transmit its recommendation to the City Commission.

ANALYSIS:

The Collins Canal runs along the side of the North Convention Center Park and was constructed by John Collins in 1912. He built it to transport avocados and mangos from his farm to barges and ships in Biscayne Bay. Today, Collins Canal is a beautiful waterway that is used mainly for recreational purposes.

On February 13, 2019 at the Mayor and City Commission meeting, the motion was made by Commissioner Malakoff, to approve and accept the **NCAC** referral of naming the North Convention Center Park as "Collins Canal Park", and seconded by Commissioner Aleman by a voice vote of 7-0. The motion was referred unanimously to the **NCAC** for review, consideration, and final recommendation.

CONCLUSION:

The Administration recommends that the **NCAC** confirm the naming of the North Convention Center Park as Collins Canal Park.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

SUBJECT: **DISCUSSION REGARDING MIAMI BEACH COMMUNITY DEVELOPMENT CORPORATION AND ITS PRECARIOUS FINANCIAL POSITION**

KEY INTENDED OUTCOME:

Ensure Workforce Housing For Key Industry Workers Is Available In Suitable Locations

HISTORY:

At its February 13, 2019 meeting, the Mayor and Commission held a discussion regarding the financial condition of Miami Beach Community Development Corporation (MBCDC). This conversation provided an opportunity to obtain updated information regarding the steps being taken by MBCDC to address the condition of its affordable housing portfolio as well as its financial condition in light of management changes and compliance concerns with both Miami-Dade County and the City. The Mayor and Commission made a referral to the Neighborhoods Community Affairs Committee (NCAC) for further discussion, address the conditions of the properties, and obtain additional information from the County.

ANALYSIS:

As conveyed earlier this year via LTC 159- 2018, MBCDC has been operating at a recurring annual deficit exceeding \$ 100,000. For the past several months, Miami-Dade County has been meeting with MBCDC staff and board members to address the agency's dire financial situation. On April 27, 2018, the County sent MBCDC correspondence notifying the agency of the County's intent to foreclose on the Crespi Park Apartments as a result of MBCDC's default of its funding agreement.

The County's most recent efforts to work with MBCDC resolve its precarious financial position dates back to 2015 when MBCDC requested permission to sell several affordable units at the Knightsbridge Condominium located at 7133 Bay Drive. These units were acquired as scattered site affordable housing with City and County funds. MBCDC had advised that it intended to sell these units and use the proceeds of the sales to stabilize its housing portfolio and strengthen the agency's financial position and ability to pay debt service on its remaining properties. According to the County, it has been unable to determine how the estimated \$ 350,000 from these sales was used.

The issues with the Crespi Park Apartments took shape in July 2017. MBCDC was advised by the City and Miami-Dade County's Department of Public Housing and Community Development that it was violating the property's

restrictive covenants by converting the property to market rate housing and by failing to notify the County of its intentions to violate the property's restrictive covenant.

In correspondence dated August 1, 2018, Michael Liu, Director of Miami- Dade County's Department of Public Housing and Community Development, notified MBCDC's legal counsel that MBCDC's failure to present a satisfactory corrective action plan to stabilize the agency and its housing portfolio would leave the County with "no other option than to continue to pursue the County's right to the assignment of leases and rents of both the Crespi (Park Apartments) and the Madison properties." The Madison Apartments is a 17- unit affordable housing property located at 259 Washington Avenue.

On October 4, 2018, NBC6 aired a story featuring the deteriorated and deplorable physical conditions at the Crespi Park Apartments. The report stated that units experienced fallen ceilings, a compromised roof, mold and insect infestations. The story further quoted a building tenant who stated building conditions had been poor since Hurricane Irma but has been deteriorating further since then. Photos from the report are attached.

On October 9, 2018, City staff met with representatives from MBCDC including its Board Chair, Monica Matteo-Salinas; Ahmed Martin, the agency's new Executive Director; and several members of its legal counsel. Staff expressed concern that the agency's operating missteps and current financial position jeopardized its entire portfolio. In response, MBCDC's representatives stated that efforts were underway to settle outstanding issues with the County, improve conditions at its properties and reposition its financial standing.

MBCDC has been working with the County to finalize the transfer of the Madison Apartments to the County. The agency contracted with Royal American Property Management (Royal American) to assume property management services at its properties and reduced its staff saving \$25,000 per month in operating costs. MBCDC closed on the sale of the Seymour Building, its corporate offices, on March 6, 2019. MBCDC sold the property for \$2.1 million. After closing costs and the satisfaction of loans, MBCDC netted about \$1.2 million from this sale that will be used to address outstanding property conditions and reposition the agency's financial condition.

The City and County have been conducting periodic property inspections to ensure that MBCDC addresses property concerns and adheres to housing quality standards required by the U.S. Department of Housing and Urban Development (HUD). As of this writing, the life safety concerns identified via property inspections conducted by the City and County have been addressed but several items, including the replacement of the ADA chairlift at the Villa Matti which has not been operational since July 2018, remain to be addressed. MBCDC and Royal American have advised that they are addressing issues as resources allow. Both the County and City are conducting bi-weekly property condition updates.

Throughout MBCDC's challenges, the City and County have been collaborating to ensure monitoring of MBCDC with an emphasis on protecting its residents and preserving its affordable housing portfolio. This has included enhanced monitoring of the properties as well as providing support and assisting MBCDC in navigating the municipal issues identified at each property including facilitating interventions with the Finance and Building Departments.

CONCLUSION:

The Administration is seeking direction on this item.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: March 19, 2019

SUBJECT: **DISCUSSION REGARDING THE EFFICACY OF THE MOTORIZED
VEHICLE/SCOOTER AMENDMENTS**

ANALYSIS:

Discussion at Committee.