

MIAMI BEACH

Neighborhood/Community Affairs Committee Meeting

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

September 25, 2019 - 9:00 AM

Commissioner Micky Steinberg, Chair

Commissioner Michael Góngora, Vice-Chair

Commissioner Joy Malakoff, Member

Commissioner John Elizabeth Alemán, Alternate

Eric Carpenter, Liaison

Christina Baguer, Support Staff

Visit us at www.miamibeachfl.gov for agendas and video streaming of City Commission Committee Meetings.

OLD BUSINESS

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

February 14, 2018 - R9 X

Commissioner Góngora

Police

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

April 11, 2018 - C4 Q

Commissioner Alemán

Property Management

3. **DISCUSSION REGARDING EXPLORING ADDITIONAL AVENUES FOR PUBLIC ENGAGEMENT.**

June 6, 2018 - C4 Q

Commissioner Samuelian

Marketing and Communications

4. **DISCUSSION 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.**

February 13, 2019 - C4 I

Commissioner Góngora

Property Management

5. **DISCUSSION REGARDING THE RECOMMENDED DESIGN CONCEPT PROPOSED IN**

**THE CHASE AVENUE AND 34TH STREET FROM ALTON ROAD TO PRAIRIE AVENUE
PEDESTRIAN AND BICYCLE FEASIBILITY STUDY.**

April 10, 2019 - C4 I

Transportation

**6. DISCUSSION REGARDING ILLEGAL DUMPING ON PRIVATE PROPERTY AND RELATED
CITY FINES.**

May 8, 2019 - R9 H

Commissioner Ricky Arriola

Code Compliance

**7. DISCUSSION REGARDING AN ORDINANCE OF THE MAYOR AND CITY COMMISSION
OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CITY
CODE, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE IV, ENTITLED "NOISE,"
BY AMENDING SECTION 46-152, ENTITLED "NOISES; UNNECESSARY AND EXCESSIVE
PROHIBITED," BY AMENDING THE HOURS PROHIBITING POWER TOOLS AND
LANDSCAPING EQUIPMENT; AND PROVIDING FOR REPEALER, SEVERABILITY,
CODIFICATION, AND AN EFFECTIVE DATE.**

May 8, 2019 - C4 B

Commissioners Mark Samuelian and Michael Gongora

Code Compliance

**8. DISCUSSION FROM THE MAYOR'S 41ST STREET BLUE RIBBON COMMITTEE FIVE (5)
MOTIONS MADE ON MAY 15, 2019.**

July 31, 2019 C4 C

Commissioner Mark Samuelian

Economic Department

**9. DISCUSSION FROM THE MAYOR'S 41ST STREET BLUE RIBBON COMMITTEE
THREE (3) MOTIONS MADE ON JULY 13, 2019.**

September 11, 2019 - C4 F

Commissioner Mark Samuelian

Economic Development

NEW BUSINESS

**10. DISCUSSION REGARDING THE PROCESS FOR AFFORDABLE HOUSING
WAITLIST.**

July 31, 2019 R9 B

Commissioner Michael Gongora

Office of Housing and Community Services

**11. DISCUSSION REGARDING THE ANTI-BULLYING TASKFORCE COMMITTEE AND
THE LGBTQ ADVISORY COMMITTEE ANTI - BULLYING PRACTICES REVIEW
AND RECOMMENDATIONS.**

July 31, 2019 - R9 D

Commissioner Michael Gongora

Police

Status: Items to be submitted via supplemental

12. DISCUSSION REGARDING IGUANA REMEDIATION STRATEGIES WITHIN THE CITY OF

MIAMI BEACH

July 31, 2019 - R9 E

Mayor Dan Gelber and Commissioner Michael Gongora

PROPERTY MANAGEMENT

13. **DISCUSSION REGARDING THE NAMING OF THE NORTH SHORE BANDSHELL.**

September 11, 2019 - C4 G

Tourism and Culture

Status: Deferred pending letter agreement.

14. **DISCUSSION REGARDING AMENDING THE SIDEWALK CAFE ORDINANCE TO REQUIRE THE MASSING OF ALL OUTDOOR FURNITURE AT THE CLOSE OF BUSINESS.**

September 11, 2019 - C4 M

Mayor Dan Gelber and Commissioner Samuelian

Office of the City Manager

Status: Item to be submitted supplemental

15. **DISCUSSION REGARDING AN ORDINANCE AMENDING THE SIDEWALK CAFE CODE OF CONDUCT, AS SET FORTH IN SECTION 82.389(j), TO EXTEND THOSE PROHIBITIONS PERTAINING TO THE SOLICITATION OF PEDESTRIANS ON THE PUBLIC RIGHT OF WAY TO LINCOLN ROAD AND ESPANOLA WAY.**

September 11, 2019 - R5 D

Commissioner Joy Malakoff and Commissioner John Alemán

Office of the City Attorney

Status: Item to be submitted supplemental

DEFERRED ITEMS

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

December 13, 2017 - C4 A

Commissioner Góngora

Transportation

Status: Deferred pending community meeting.

17. **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

Commissioner Góngora

Transportation

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

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

July 25, 2018 - C4 E

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.

19. **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

Commissioner Góngora

Transportation/Legal

Status: Deferred to the October 23, 2019 NCAC Meeting pending discussion at the Transportation, Parking and Bicycle-Pedestrian Facilities Committee.

20. **DISCUSSION REGARDING CLEANLINESS IN MIAMI BEACH.**

January 16, 2019 - C4 S

Commissioner Góngora

Public Works/ Organizational Development

Status: Deferred to the October 23, 2019 NCAC Meeting.

21. **DISCUSSION TO CONSIDER CONCEPTS FOR THE NORTH BEACH NEIGHBORHOOD GREENWAY.**

December 12, 2018 - C4 Q

Transportation

Status: Deferred pending completion of traffic study.

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

February 13, 2019 - C4 M

Commissioner Góngora

Transportation

Status: Deferred pending completion of ridership data assessment and meeting with Belle Isle Trolley Committee.

23. **DISCUSSION REGARDING FINES LEVIED AGAINST PROPERTIES AND A POLICY DECISION AS TO WHEN THE CITY SHOULD MOVE FORWARD WITH FORECLOSURE PROCEEDINGS.**

March 13, 2019 - C4 E

Commissioner Alemán

Code Compliance

Status: Deferred to the October 23, 2019 NCAC meeting.

24. **DISCUSSION REGARDING PEDESTRIAN SAFETY CONCERNS ON ALTON ROAD FROM 10TH STREET TO 16TH STREET.**

May 8, 2019 - C4 A

Commissioner Aleman

Transportation

Status: Deferred to the October 23, 2019 NCAC meeting.

25. **DISCUSSION REGARDING THE INTERSECTION AT 44 STREET AND CHASE AVE AND PRAIRIE AVE AS IT RELATES TO SAFETY AND THE POSSIBILITY OF ADDITIONAL STOP SIGNS.**

May 8, 2019 - C4 D

Commissioner Steinberg

Transportation

Status: Deferred to the October 23, 2019 NCAC meeting.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: September 25, 2019

SUBJECT: **DISCUSSION REGARDING CRIME IN MIAMI BEACH.**

ANALYSIS:

The item “#1 - Crime in Miami Beach” is a recurring item, with different topics covered at each NCAC meeting. During the July 23, 2019 NCAC meeting, Commissioners requested that the Police leadership addresses the following two areas at the September meeting:

1. Homelessness. The Police Department will go over the attached PowerPoint presentation and be ready to discuss content and answer questions.
2. Police Department’s organizational structure under new Chief of Police. The police Department has recently announced the promotion of the following sworn officers:

From	To
Major Paul Acosta	Assistant Chief Paul Acosta
Captain David De La Espriella	Major David De La Espriella
Captain Henry Doce	Major Henry Doce
Lieutenant Eric Garcia	Captain Eric Garcia
Lieutenant Michael George	Captain Michael George
Lieutenant Marlen Rivero	Captain Marlen Rivero
Officer Shantell Mitchell	Sergeant Shantell Mitchell
Officer Alberto Gonzalez	Sergeant Alberto Gonzalez
Officer Andy Descalzo	Sergeant Andy Descalzo
Sergeant Delvin Brown	Lieutenant Delvin Brown
Sergeant Rosa Carvajal	Lieutenant Rosa Carvajal
Sergeant Raymond Diaz	Lieutenant Raymond Diaz

Based on these appointments, and their respective assignments, the new Command Staff is as follows:

Chief of Police Rick Clements	
Deputy Chief Wayne Jones	Operations & Investigations Divisions
Assistant Chief Paul Acosta	Support Services Division
Major David De La Espriella	Operations Division
Major Henry Doce	Investigations Division
Major Samir Guerrero	Support Services Division

Captain Marlen Rivero	Operations Division, Area 1
Captain Ian Robinson	Operations Division, Area 2
Captain Michael George	Operations Division, Area 3
Captain Daniel Morgalo	Operations Division, Area 4
Captain Eric Garcia	Operations Division, Specialized Units
Captain Jovan Campbell	Investigations Division, Criminal Investigations Unit
Captain Mildred Pfrogner	Support Services Division, Community Affairs Unit
Captain Steven Feldman	Support Services Division, Technical Operations Unit
Commander AJ Prieto	Support Services Division, Internal Affairs Unit

Chief Clements also created a new section – Community Affairs – under the Support Services Division to focus more strategically and intentionally on services directly impacting our community, including our Homeless Liaison Unit, our School and Neighborhood Resource Officers, and Park Ranger Liaison Unit and our Civilian Crossing Guards.

These changes, and other adjustments, are reflected in the organizational chart attached. Please note that the reorganization of the Department is still ongoing and the chart attached is therefore only a “work in progress” reflecting changes made so far. More changes will take place in the coming months.

ATTACHMENTS:

Description	Type
📎 Marchman 2019 - PowerPoint	Memo
📎 PD Organizational Chart - Draft	Memo

MIAMI BEACH POLICE DEPARTMENT (MBPD)

The MBPD is a fully accredited law enforcement agency, which is dedicated to pursuing every opportunity and engaging all challenges as part of this organization's on-going quest for excellence.

With the continued growth in the popularity of Miami Beach as a destination of choice for out of town and local visitors alike, the Police Department is tasked with balancing the needs of the residential population with the huge increase in the amount of visitors to the City.

Mission: Prevent crime and enhance public safety.

Vision: We aspire to be a world-class agency, which protects our diverse community and serves as a model for character, innovation and service to meet the challenges of tomorrow.

Values: Professional, Accountable, Honest and Proud.

HOMELESS RESOURCE UNIT



MIAMI BEACH
POLICE

SERGEANT JEROME BERRIAN

OFFICERS

- **YSIDRO LLAMOCA**
- **KEVIN LANTIGUA**
- **YOE MERIDA**
- **LAZARO PAREDES**

HOMELESS LIAISON SPECIALIST

- **BORINQUEN "BO" HALL**



HOMELESS RESOURCE UNIT



MIAMI BEACH
POLICE



When you think of Miami Beach...



MIAMI BEACH
POLICE



What about this...



MIAMI BEACH
POLICE



This...



And this...



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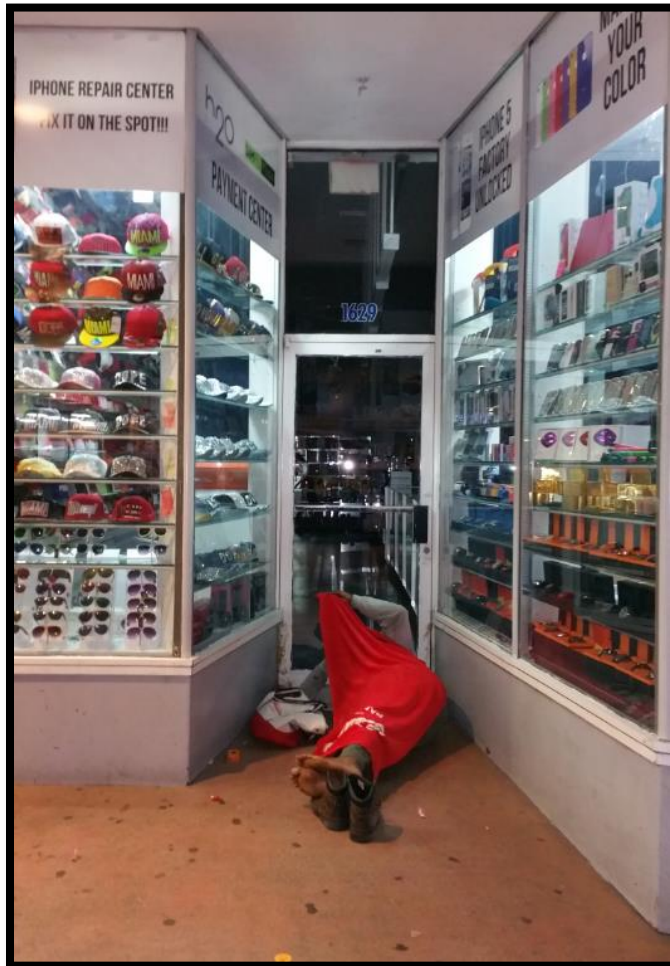


Impact To The Community





Impact To The Community





Impact To The Community



Ocean Drive





Impact To The Community



WASHINGTON AVE

5TH ST & DUNES



Florida Marchman Act



The Hal S. Marchman Alcohol and Other Drug Services Act of 1993, or more commonly referred to as the Marchman act, provides for emergency assistance and temporary detention for individuals requiring substance abuse evaluation and treatment in the state of Florida.

Marchman Act



A person meets the criteria for involuntary admission if there is good faith reason to believe the person is substance abuse impaired and, because of such impairment:

- Has **lost the power of self-control** with respect to substance use
AND EITHER
- Has inflicted, or threatened or attempted to inflict, or unless admitted is likely to inflict, **physical harm on himself/herself or another**
OR
- Is in need of substance abuse services and, by reason of substance abuse impairment, his/her judgment has been so impaired that the person is **incapable of appreciating his/her need for such services and of making a rational decision** in regard thereto; however, mere refusal to receive such services does not constitute evidence of lack of judgment with respect to his/her need for such services.

For information on involuntary commitment laws in the United States.

<http://www.namsdl.org/IssuesandEvents/NEW%20Involuntary%20Commitment%20for%20Individuals%20with%20a%20Substance%20Use%20Disorder%20or%20Alcoholism%20August%202016%2009092016.pdf>

Individuals are Selected by the Following Criteria:



MIAMI BEACH
POLICE

No Support System

Are chronically homeless and likely to die on our streets because of their addiction to substances

Are an extreme strain on public safety resources (i.e. police/fire/code)

Have a history of Marchman Acts and/or Baker Acts & Arrests

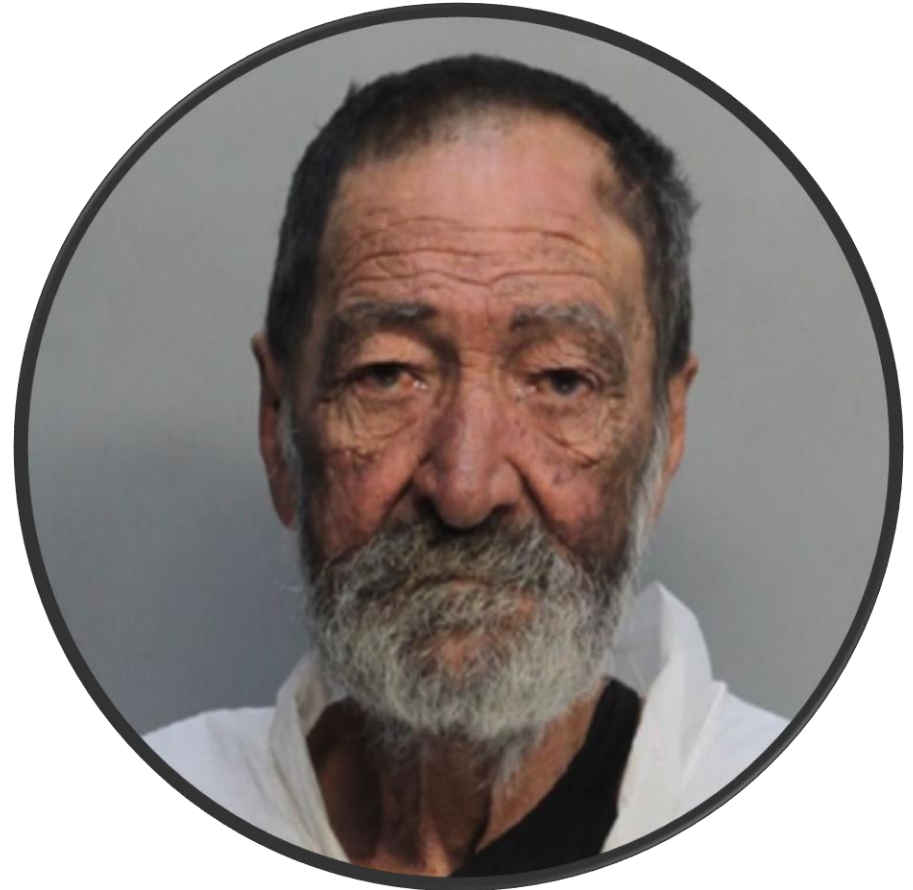


MBPD HRO INTERNAL PROCESS

1. Creation of Individual's Case File
 - Client photo and information
 - Degradation photos
 - Criminal history printout
 - Marchman Act/Baker Act & Substance related arrests
 - Court/Provider related documents
2. File Petition for Treatment with courts/Court preceding
3. Contact Thriving Mind in reference to treatment bed
4. Continued engagement until treatment bed becomes available
5. Client is transported to treatment facility
6. Weekly follow-ups/case staffing on clients' progress
7. Area officers are made aware of the clients transitioning into treatment
8. Monthly meetings at police headquarters with Thriving Mind, area police commanders/City's Homeless Outreach Team
9. Client "graduates" and is replaced with a new client

CASE EXAMPLE: PEDRO

EXTENSIVE CRIMINAL PAST
52 ARRESTS: Possession of
alcohol,
Trespassing, Panhandling,
Disorderly Intoxication,
Disorderly Conduct, Drinking
in Public, Urinating in Public
5 MARCHMAN ACTS
2 BAKER ACTS
CHRONIC MEDICAL
CONDITIONS



CASE EXAMPLE: PEDRO (CONT.)



2009



2012



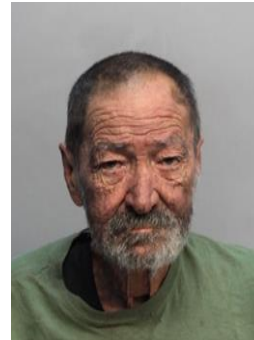
2013



2014



2015

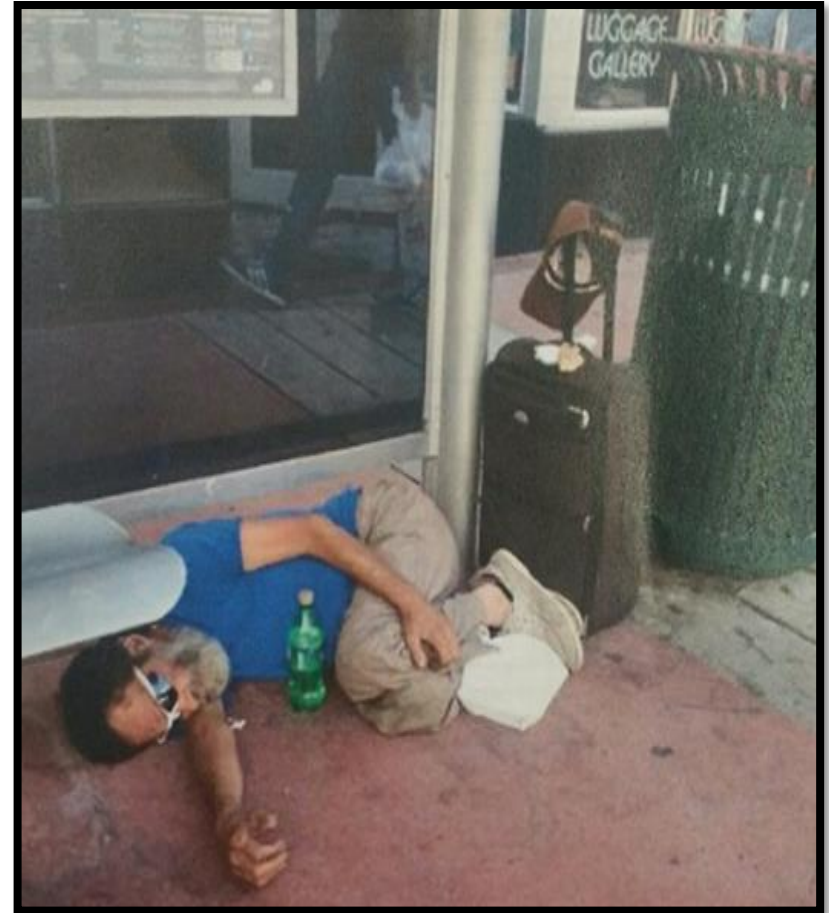


2016

CASE EXAMPLE: PEDRO (CONT.)



MIAMI BEACH
POLICE



CASE EXAMPLE: PEDRO (CONT.)



MIAMI BEACH
POLICE





TREATMENT TIMELINE: PEDRO

8/2016
Thriving Mind receives information on Pedro from MBPD

8/2016
Pedro is admitted to ICU

11/14/16
Pedro is ready for discharge from the hospital. Thriving Mind places Pedro on residential substance abuse waitlist

11/22/16
Thriving Mind secures shelter bed. MBPD transports to shelter, so that Pedro can await placement for residential treatment bed.

11/28/16
Pedro is admitted into residential substance abuse treatment program.

4/28/17
Pedro successfully completes residential substance abuse treatment program. He is placed in an emergency shelter bed, until an apartment is secured for him.

7/4/17
Pedro is moved in to his own apartment.

1/2018
Pedro has an accident (fall) that resulted in hip surgery. While hospitalized, his apartment is broken into and burglarized. He gets evicted by his landlord.

2/2018
Discharged from the hospital to homelessness and is placed back into a shelter bed.

5/14/18
A new apartment is found for Pedro, he signs his lease and receives his keys.

CASE EXAMPLE: PEDRO (CONT.) A NEW BEGINNING...





CASE EXAMPLE: KENNETH

EXTENSIVE CRIMINAL PAST
27 ARRESTS: Trespassing,
Public Intoxication,
Disorderly Conduct,
Resisting Officer w/o
Violence, Urinating in Public,
Robbery, Possession,
Drinking in Public
9 MARCHMAN ACTS
3 BAKER ACTS
CHRONIC MEDICAL
CONDITIONS





TREATMENT TIMELINE: KENNETH (CONT.)



2009



2011



2012



2016



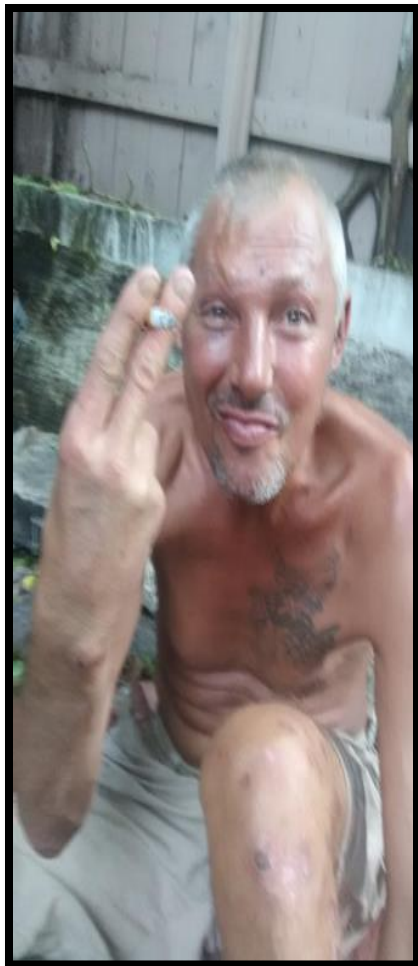
2016



2017



CASE EXAMPLE: KENNETH (CON'T)





TREATMENT TIMELINE: KENNETH

3/30/17

Thriving Mind receives information on Kenneth from MBPD

4/21/17

Kenneth is given a bed at a residential substance abuse. individual was transported to the program by MBPD, but later eloped.

4/26/17

MBPD finds Kenneth and transports him back to the program.

5/18/17

First appointment with Carrfour Supportive Housing.

6/6/17

Kenneth is accepted into Carrfour's housing.

7/7/17

Discharged from residential treatment and moved into independent apartment.



CASE EXAMPLE: KENNETH (CON'T) A NEW BEGINNING...



CASE EXAMPLE: KENNETH (CON'T)



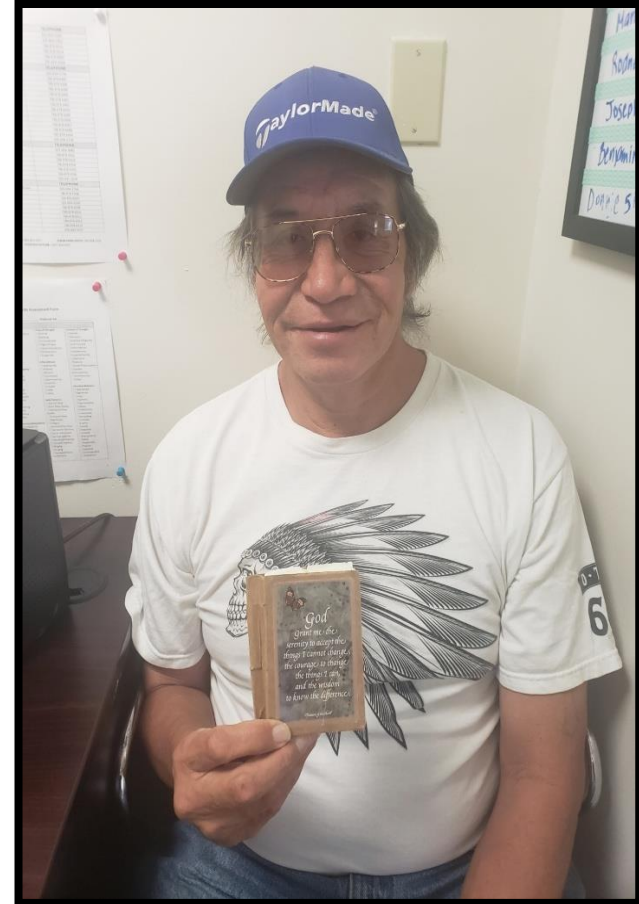
Go

BEFORE AND AFTER: ALFREDO

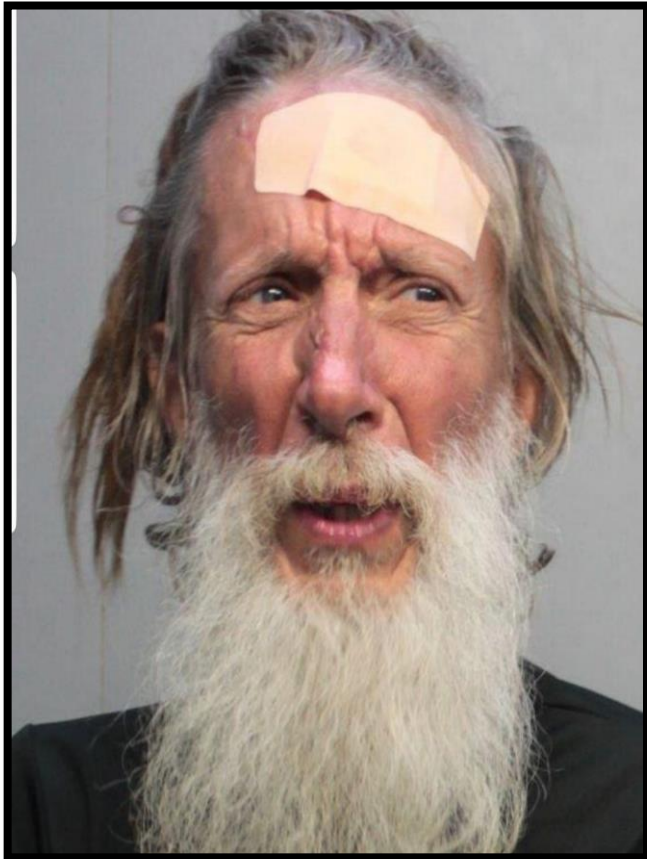




BEFORE AND AFTER: JOSEPH



BEFORE AND AFTER: PAUL



CHALLENGES



MIAMI BEACH
POLICE

Lack of Resources

- Officers don't want to work with the homeless
- No housing available upon discharge
- Lack of shelter beds
- Length of residential treatment waitlist
- Chronic medical conditions
- Fair Market Rent \$1066, SSI payment is \$771

Social Engagement

- Poor Engagement = Elopement from treatment
- Elopement could result in jail petition
- Lack of meaningful activities (employment) leads to relapse

Data Sharing

- Limited data sharing with private facilities impairs our ability to fully assess an individuals' needs.
- Lack of jail release notification means that individual returns to the streets and process starts all over again.



RESOLUTIONS

Lack of Resources

- MBPD held interviews for open position until the right candidate was found
- Thriving Mind begins housing search immediately
- Thriving Mind contracts with Camillus House for shelter beds
- SOAR process for those not linked to benefits
- Use of blended funding to assist with housing

Social Engagement

- Use of Peer Services instrumental in engagement
- MBPD visits the individual while in treatment to provide additional support and encouragement
- Thriving Mind's Housing Peer facilitates WRAP groups
- Use of drop in centers and clubhouses
- Weekly HRO staffings and monthly meetings

Data Sharing

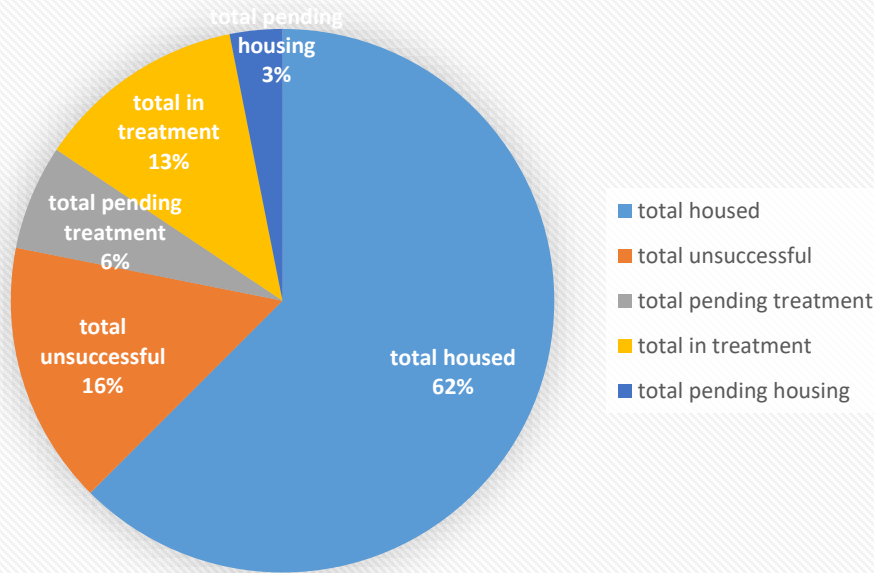
- Thriving Mind drafted a data sharing agreement with private facilities
- Thriving Mind has met with Dept. Of Corrections to assist with discharge planning
- Thriving Mind has held quarterly meetings with private hospitals to inform them of this project and Care Coordination services

PATH AND MBPD

- Projects for Assistance in Transition from Homelessness (PATH) funds services for people with serious mental illness (SMI) experiencing homelessness.
- Miami-Dade County has one PATH Team at New Horizon's Community Mental Health Center.
- PATH Team:
 - Team of 4 individuals that are outreach/case managers
 - 1 Housing Navigator
 - 1 PATH Program Manager
 - 1 SOAR Specialist
 - 1 Part-time Therapist
- PATH activities include:
 - Outreach
 - Case Management
 - SOAR
 - Housing assistance
 - Coordinated outreach with Law Enforcement and Continuum of Care (CoC)

OUTCOMES

Chart Title



There is a clear cost savings of approximately **\$238,944.48** to the community by linking these individuals to treatment and housing services. The Miami Beach residents/business owners have notified MBPD's HRO Unit to applaud their efforts as they have noticed a marked difference in the amount of homeless individuals in the streets. There is an increased awareness of this program's efforts within the treatment community that has led to increased collaboration to serve these individuals.

- 32 individuals have participated in the program, 4 are females
- 2 individuals are deceased
- 2 individuals are currently incarcerated, 1 due to felony crime
- 62 % (20) have successfully completed treatment and have been housed
 - Housing includes PSH, ALF, $\frac{3}{4}$ way house, Residential level IV and relocation
- 16 % (4) are in treatment and (1) has completed treatment and is pending housing
- 79% of all participants are no longer on the streets

PATH AND MBPD



MIAMI BEACH
POLICE





LESSONS LEARNED

- Establish relationships and communication early in the process;
- Having dedicated Homeless Resource Officers is vital to the success of the program;
- Relapse is part of recovery. Individuals will likely engage in this process multiple times;
- Private facilities should be informed of this process to allow for the coordination of care for the individuals and MOU creation for data sharing;
- Begin the search for housing options early in the process as safe and affordable housing is difficult to access;
- Individuals are likely to elope from facilities unless they are ready to fully commit to treatment, engagement is key;
- Place individuals onto the Substance Abuse Residential Treatment waitlist as soon as the Marchman Act order is in place;
- Coordination with providers and stakeholders (police, hospitals, crisis unit, courts, jails, treatment providers) is key to treatment planning and success;
- The importance of the use of Peers in Recovery;
- Buy-in from administration is vital to getting any program off the ground and for ensuring long-term viability;
- Monthly case staffing have been crucial in treatment planning and provision;
- Establishing aftercare supports upon discharge from residential treatment leads to a smoother transition into independent living.

RECOGNITIONS



South Florida Behavioral Health Network and its community partner, the Miami Beach Police Department, were honored in early November with the 2018 Homeless Trust "Changemaker Award" for the team's overwhelming dedication to those in our community who find themselves homeless.



NBC 6 features MBPD and Thriving Mind's TEAM UP project to help the homeless.

[MBPD Tackles Homeless Problem](#)

Partners

- Mt. Sinai Hospital
- Jackson Crisis Mental Health
- Miami Beach Homeless Outreach Team
- Miami Beach Park Rangers
- Thriving Mind South Florida (Formally SFBHN)
- Banyan Health
- 11th Judicial Circuit of Florida

Partnerships



THRIVING MIND
SOUTH FLORIDA

A network of exceptional providers.



Volunteers
of America®

FLORIDA



FLORIDA DEPARTMENT
OF CHILDREN AND FAMILIES

MYFLFAMILIES.COM



BANYAN
HEALTH SYSTEMS



MIAMI-DADE COUNTY
HOMELESS TRUST



Contacts



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Officer Lazaro Paredes

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lazaroparedes@miamibeachfl.gov

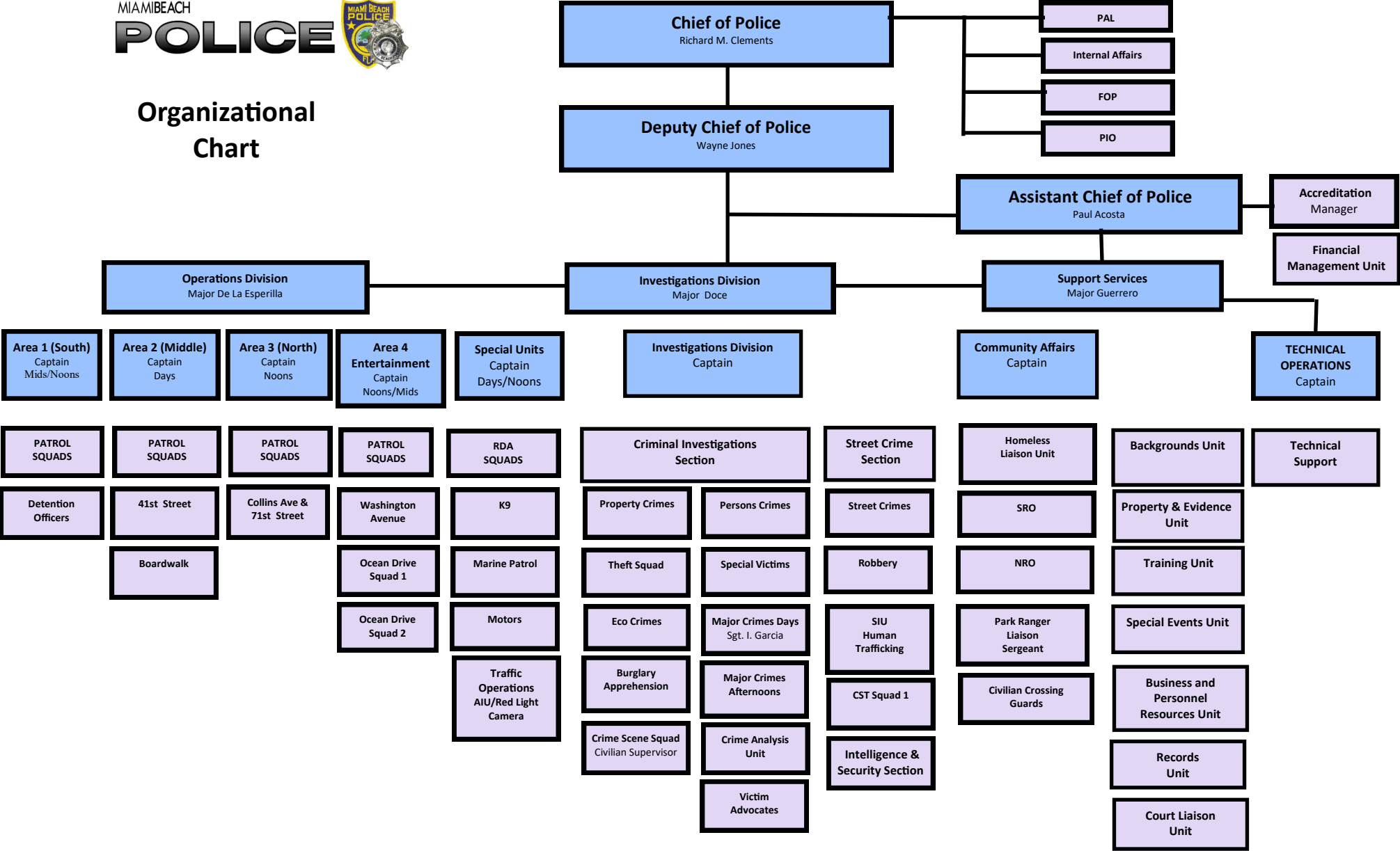
Boriquen “Bo” Hall

305-673-7776 ext. 26350

borinquenhall@miamibeachfl.gov



Organizational Chart



MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: September 25, 2019

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

HISTORY:

ANALYSIS:

On April 11th, 2018 the City Commission requested a referral to the Neighborhood/Community Affairs Committee (NCAC) to consider the installation of Beautiful Barriers as a pilot to beautify the security barriers as deemed necessary citywide. The implementation was to take place at existing jersey barriers placed strategically for the safety of our residents and visitors. The Beautiful Barriers concept would provide an attractive, durable and low maintenance solution in line with a world class city.

On June 6th, 2018 at the Neighborhood/Community Affairs Committee (NCAC) the installation of the Beautiful Barriers pilot program was discussed and approved for a total amount of \$8,000.00 (Exhibit A). Upon further consideration, it was decided that the best location for the Beautiful Barriers prototype would be at the intersection of Lincoln Lane South & Euclid Avenue (Exhibit B). The pilot was installed on March 25th, 2019.

Since the installation of the prototype, the Property Management Department has conducted inspections to assess the condition and durability of the product. The prototype has maintained its form and appearance with no visible blemishes while responding well to weather, pedestrian and vehicular traffic exposure.

Based on the proposal provided from Brad Bonessi (the Contractor) on May 7, 2019, costs associated with the expansion and maintenance of Beautiful Barriers are listed below:

Number of Boxwood Covers	Amount per Boxwood Cover	Total Price
Vendor Installed 60	\$3,215.00	\$192,900.00

Optional Street Signage:

Recommended Type of Letters	Amount per Signage
Polished Aluminum	\$1,450.00

CONCLUSION:

The implementation of the Beautiful Barriers prototype has been a successful pilot program that demonstrated the ability to merge physical protection and safety for pedestrians in an aesthetically pleasing manner where jersey barriers are used. At current, the Administration does not recommend any further installation of Beautiful Barriers citywide. If future opportunities become available Administration will have them on the vendor list and proceed with procurement process.

ATTACHMENTS:

Description	Type
 Exhibits A&B	Other

Exhibit "A"



Exhibit "B"



MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: September 25, 2019

SUBJECT: **DISCUSSION REGARDING EXPLORING ADDITIONAL AVENUES FOR
PUBLIC ENGAGEMENT.**

ANALYSIS:

Discussion at Committee.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: September 25, 2019

SUBJECT: **DISCUSSION 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.**

HISTORY:

On January 25, 2019, the Mayor's 41st Street Blue Ribbon Committee passed a motion to prioritize improving the lighting on the 41st Street Corridor, specifically to allocate the quality of life funds towards lighting the trees on the 41st street corridor.

On February 13, 2019, the Mayor and City Commission referred to the Neighborhood/Community Affairs Committee to discuss the Mayor's 41 Street Blue Ribbon Committee's motion about improving the lighting on the 41st street corridor, specially to allocate the quality of life funds towards lighting the trees on the 41st street corridor.

ANALYSIS:

On April 11, 2019, the Property Management Department presented lighting options to the Mayor's 41st Street Blue Ribbon Committee (the "Committee"). The options reviewed included Light 365 to be installed by Artistic Holiday Lighting (the "Contractor") and rope lighting to be installed by R&D Electric, Inc. These are registered vendors with the City of Miami Beach currently holding contracts awarded for electrical services and decorations.

The Committee discussed the options presented, including the long-term commitment for Light 365, as it holds a 5 year warranty versus the maintenance cost associated with traditional rope lighting.

On May 11, 2019, at the Mayor's 41st Street Blue Ribbon Committee meeting, the Property Management Department, summarized the key points given during the April 11, 2019 meeting, the following points were made:

Light 365

5 year warranty
No maintenance cost

Total cost for 251 Palms: \$ 675,000.00

R&D Electric Rope Lights

Yearly replacement
Monthly maintenance

Total cost for 251 Palms (yearly): \$ 154,510.00

The Committee discarded the R&D rope lighting option and decided to pursue a pilot program with Artistic Holiday for Light 365.

On July 23, 2019, the Mayor's 41st Street Blue Ribbon Committee passed a motion to install Light 365 at every other palm from Prairie Avenue to Royal Palm Avenue. The lighting would be installed as a temporary pilot program with temporary electrical connections in order to assess the brightness and quality of the lights. This pilot program was to be installed in good faith and at no cost to the City under the condition the Committee move forward with the permanent installation. If the Committee decided to go with another option, the City would be responsible for a \$15,000 labor and installation fee.

On August 16, 2019, the 11 palms were wrapped with Light 365 completing the pilot installation.

On September 12, 2019, the Mayor's 41st Street Blue Ribbon Committee met to discuss the installation the pilot. The Committee felt some modifications were needed in order to properly evaluate the installation. We are currently working with the Contractor to remediate these issues.

CONCLUSION:

The Administration continues to work with the Mayor's 41st Street Blue Ribbon Committee.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: September 25, 2019

SUBJECT: **DISCUSSION REGARDING THE RECOMMENDED DESIGN CONCEPT PROPOSED IN THE CHASE AVENUE AND 34TH STREET FROM ALTON ROAD TO PRAIRIE AVENUE PEDESTRIAN AND BICYCLE FEASIBILITY STUDY.**

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.

The Chase Avenue and 34th Street Shared-Use Path is a Priority 1 project in the TMP, located on the north side of the Miami Beach Golf Club between Alton Road and Prairie Avenue. Shared-use paths serve both pedestrians and bicycles and are commonly found along parks and golf courses, separated from the adjacent roadway. Ultimately, this project will connect to a series of paths around the Miami Beach Golf Club.

Key dates include:

August 10, 2018 – Notice To Proceed issued

August 23 to August 25, 2018 – Traffic data collection

August 31, 2018 – Interdepartmental kick-off meeting

September 19, 2018 – Meeting with Parks and Recreation and Miami Beach Golf Club

September 26, 2018 – Field review meeting

October 16, 2018 – Public Meeting #1 (combined with the Alton Road Shared-Use Path project)

- Key comments: minimize hardscape, buffer homes and path users from golf balls, keep the view of the golf course, and incorporate traffic calming.

December 18, 2018 – Public Meeting #2 (combined with Alton Road Shared-Use Path project)

- Key comments: additional time was needed to incorporate traffic calming and gain community consensus regarding the preferred design alternative, and the Alton Road Shared-Use Path concept was supported.

February 19, 2019 – Public Meeting #3 (combined with Alton Road Shared-Use Path project)

- Key comments: community members supported the proposed traffic calming measures and a 10' wide shared-use path, with the condition that it narrow to 8'

adjacent to the single-family residence at 3186 Prairie Avenue. The community also reiterated support for the Alton Road shared-use path and its continuation north to the intersection of 43rd Street and Alton Road.

ANALYSIS

The proposed concept plan consists of a new shared-use path along both Chase Avenue and 34th Street for bicyclists and pedestrians that provides connectivity between the proposed Alton Road shared-use path to the south and the existing green bicycle lanes on Prairie Avenue to the east, traffic calming improvements, and bicycle safety improvements at the intersection of Alton Road/Chase Avenue/North Bay Road (Attachment 1). Below is a description of each project component.

Shared Use-Path Design

As shown in Attachment 2 and detailed below, the proposed shared-use path addresses the following constructability challenges and community concerns:

- Hardscapes are minimized by the proposed ten foot width
- Homeowner concerns are addressed by narrowing to eight feet wide adjacent to 3186 Prairie Avenue
- Utility and light pole relocation are avoided by meandering the path
- Drainage relocation is avoided by building the path over the inlets
- Drainage is enhanced by using porous shared use path pavement and installing bioswales
- Miami Beach Golf Club encroachment is minimized to eight feet along Chase Avenue, except next to the light poles where encroachment is a maximum of 18', and 0-1' along 34 Street
- Miami Beach Golf Club player experience is enhanced by new landscaping and 300' of reconstructed golf cart path
- No net tree loss is proposed
- Tree relocation is proposed for 127 of 215 existing trees along Chase Avenue and 17 existing trees along 34th Street
- Enhanced, new landscaping is proposed which can be designed to block stray golf balls
- A two foot painted buffer on the north and south sides of Chase Avenue and 34th Street will visually reduce the effective width of the roadway from a driver's perspective

Traffic Calming Improvements

Speeding and cut-through traffic in the neighborhood has been a concern of the community for some time. A traffic calming study for the Central Bayshore neighborhood was approved by the Bayshore Homeowner's Association and subsequently by City Commission on February 17, 2017. The 2017/18 Capital Budget and G.O. Bond Program both fund traffic calming improvements in this community. At the October 16, 2018 public meeting for the Chase Avenue and 34th Street Shared-Use Path project, residents raised concerns with speeding and cut-through traffic. Speed data was collected and indicated that the 85th percentile speed along Chase Avenue is approximately 34 MPH. This is four miles per hour above the posted speed limit. As a result, the City will be adding two speed tables along Chase Avenue between Alton Road and 34th Street as part of the G.O. Bond funded Central Bayshore Traffic Calming Project which is currently in design.

Alton Road and North Bay Road Intersection Improvements

From the onset of the study, concepts from the Alton Road and North Bay Road Intersection Bicycle Improvements Study (a TMP Priority 1 Project) were incorporated into the Chase Avenue and 34th Street design concepts.

Recommendations from this study improve safety for bicycles and pedestrians, and accommodate a new southbound left-turn movement by bicyclists. This would promote continuity for southbound bicyclists connecting to the proposed Chase Avenue and 34th Street shared-use path. This also promotes continuity for northbound bicyclists using the existing (and future enhanced) Alton Road bike lanes on the east side of Alton Road.

The community supported the proposed intersection design, which includes:

- Maintaining the existing pedestrian crosswalks on the north and west legs of the intersection
- Installing new pedestrian crosswalks on the south and east legs of the intersection
- Installing new bicycle crossing markings for the east, south, and west legs of the intersection
- No bike lane would be required on the north leg of the intersection, as the connecting facility to the east is on the south side of Chase Avenue
- Installing camera detection technology for bicycles and vehicles
- Creating pedestrian phases at the new crosswalks

Implementation and Funding

The City anticipates implementing both Chase Avenue and 34th Street Shared-Use Path and Bayshore Neighborhood Traffic Calming projects concurrently, given that both projects are fully-funded in the 2018 G.O. Bond Program Tranche 1.

The preliminary cost estimate for design and construction of the proposed Chase Avenue and 34th Street shared-use path is \$590,000. The project is included in the 2018 G.O. Bond Program (Project # 43 - Protected Bicycle Lanes and Shared Bike/Pedestrian Paths).

The preliminary cost estimate for design and construction of the proposed traffic calming improvements is \$400,000. The project is included in the 2018 G.O. Bond Program (Project # 42 - Pedestrian Neighborhood Traffic Calming and Pedestrian Friendly Streets).

The estimated cost of the Alton Road and North Bay Road intersection improvements is approximately \$362,000. Given that the proposed intersection improvements would be located within FDOT right-of-way, the City will work with FDOT to include these improvements in the future FDOT Alton Road Project from N. Michigan Avenue to 43rd Street.

Update for the September 25, 2019 NCAC Meeting

This item was deferred at the May 20, 2019 and June 19, 2019 NCAC meetings due to concerns from a couple of community members. Since that time, staff has been meeting regularly with the two property owners to address their specific concerns, including the proposed landscape barriers, the number of speed tables on Chase Avenue, the proposed traffic circle at the intersection of Chase Avenue and 34th Street, and the location of proposed traffic circles in the Central Bayshore traffic calming plan. As a result of several meetings and frequent

communication between city staff and the two property owners on their concerns, following is staff's proposed path forward:

- 1) As requested by the two property owners, the City will consider an additional traffic circulation concept for the intersection of Chase Avenue and 34th Street during the design phase;
- 2) As requested by the two property owners, the City will eliminate the proposed landscaped trellis structures along Chase Avenue and 34th Street due to concerns with homeless activity;
- 3) The City will retain the two proposed speed tables along Chase Avenue between Alton Road and 34th Street, as the additional speed table requested by the two property owners was evaluated by staff and found to not meet minimum spacing requirements;
- 4) As requested by the two property owners, the City will evaluate a traffic circle at the intersection of 34th Street and Prairie Avenue;
- 5) As requested by the two property owners, the City will also evaluate a temporary traffic circle at the intersection of Sheridan Avenue and 34th Street as a demonstration project while a permanent traffic circle is in design and permitting phase.

Based on the above outcome of the meetings with the two property owners, the Administration believes that the community concerns have been addressed. More community meetings will be held during the design development phase of the project.

CONCLUSION:

The Administration recommends that the NCAC approve the following:

- 1) The proposed concept plan recommended in the Chase Avenue and 34th Street from Alton Road to Prairie Avenue Pedestrian and Bicycle Feasibility Study, excluding the landscaped trellis structures;
- 2) The proposed pedestrian and bicycle improvements at the Alton Road and North Bay Road intersection;
- 3) Additional traffic calming requested by members of the community:
 - a. Evaluating two traffic circulation concepts for the intersection of Chase Avenue and 34th Street during the design phase of the project;
 - b. Evaluating a traffic circle at the intersection of 34th Street and Prairie Avenue;
 - c. Evaluating a temporary traffic circle at the intersection of 34th Street and Sheridan Avenue as a demonstration project while a permanent traffic circle is designed and permitted.

Should the NCAC and City Commission approve the above recommendation, the Administration will advance the Chase Avenue and 34th Street shared-use path project to the design and permitting phase using existing G.O. Bond Tranche 1 funds programmed for this project.

Applicable Area

Middle Beach

Is this a Resident Right to Know item?

No

Does this item utilize G.O. Bond Funds?

Yes

Strategic Connection

Mobility - Improve the walking and biking experience.

ATTACHMENTS:

Description		Type
	Attachment 1	Memo
	Attachment 2	Memo



Alton Road / Chase Avenue Intersection

Concept 3

Chase Avenue/34th Street Shared Use Path



Proposed Traffic Calming



Proposed Traffic Calming

Traffic Circle @ Chase/34th



Two Speed Tables – Chase Avenue



Proposed Chase Avenue Landscape Palette



Royal Palm



Cabbage Palm



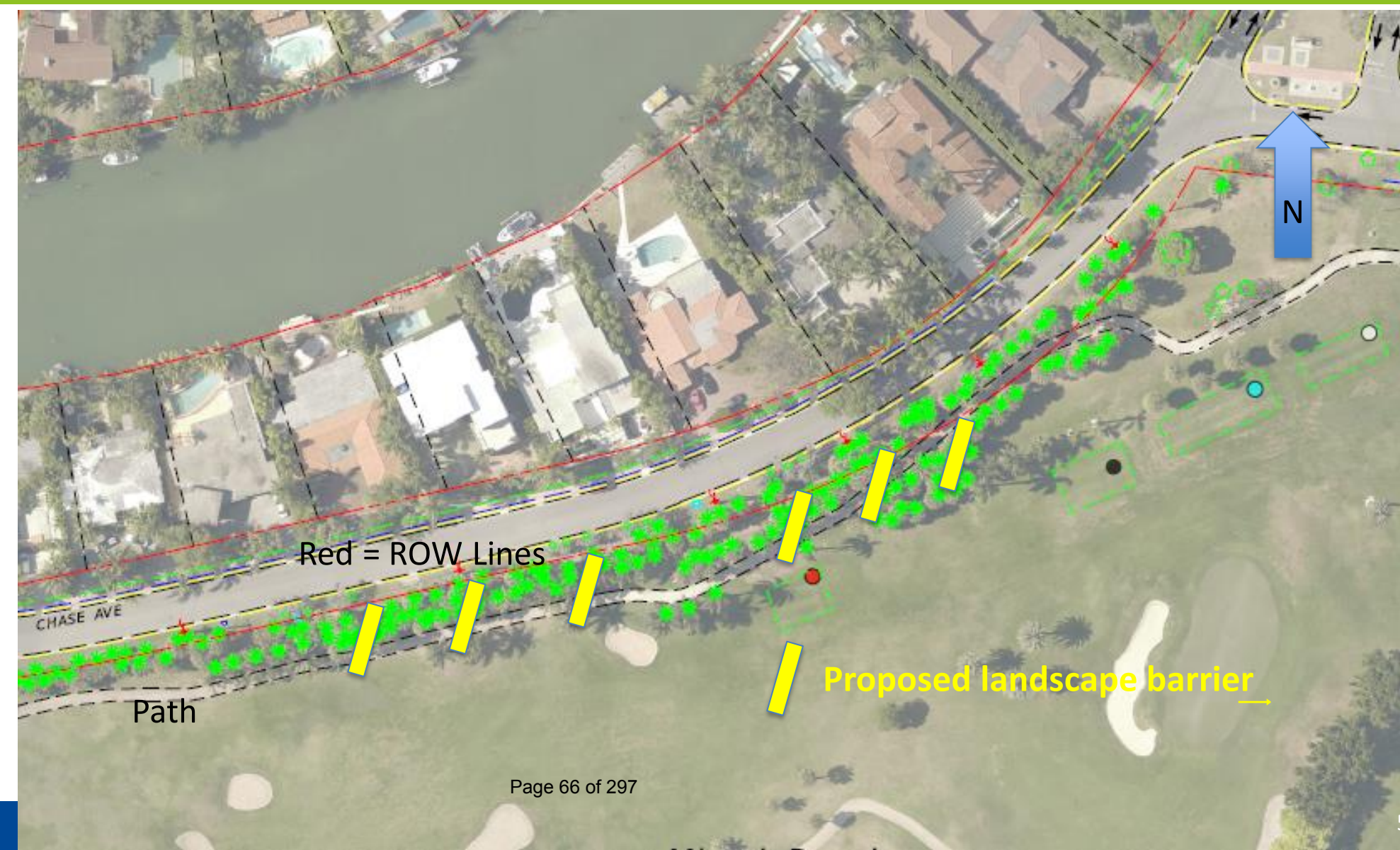
Seagrape



Thatched Palm

Proposed Landscape Barriers

Strategically located landscape barriers, to minimize impact of stray golf balls.



Proposed Landscape Barriers

Examples



Proposed Landscape Barriers

Examples



Page 68 of 297



Existing 34 Street Plant Palette

Live Oaks to Remain



Potential 34 Street Plant Palette



Royal Poinciana

Bougainvillea



Sustainability & Sea Level Rise

Potential Mitigation

Porous Asphalt/Concrete



Bioswales



MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: September 25, 2019

SUBJECT: **DISCUSSION REGARDING ILLEGAL DUMPING ON PRIVATE PROPERTY
AND RELATED CITY FINES.**

ANALYSIS:

Discussion at Committee.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: September 25, 2019

SUBJECT: **DISCUSSION REGARDING AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CITY CODE, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE IV, ENTITLED "NOISE," BY AMENDING SECTION 46-152, ENTITLED "NOISES; UNNECESSARY AND EXCESSIVE PROHIBITED," BY AMENDING THE HOURS PROHIBITING POWER TOOLS AND LANDSCAPING EQUIPMENT; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

ANALYSIS

A referral was origiannly made to the Neighborhood/Community Affairs Committee (NCAC) at the May 8, 2019 Commission Meeting to discuss the allowable morning hours on weekends and legal holidays for the use of power tools, maintenance equipment and leaf blowers.

The item was discussed at the June 19, 2019 meeting of the NCAC where the committee agreed that residential quality of life is important, and the noise generated by this type of equipment is at times similar to that of construction work in its noise level. As such, the committee directed Administration to amend Section 46-152(k) so that the allowable hours on Saturdays, Sundays and legal holidays for the use of power tools and landscaping equipment shall match the hours allowed for construction on those days.

The Committee requested an effective date of January 1, 2020 for this amendment to allow for public education and outreach to residents and commercial landscape companies.

At the July 31, 2019 Commission Meeting the item was discussed and adopted on First Reading with an amendment to modify morning hours to 10:00 a.m., leaving the hours in the evening until 8:00 p.m.

Additionally, the item was referred back to the NCAC to be discussed further prior to Second Reading scheduled for October 16, 2019. Specifically, items to be discussed include the impact on single-family homeowners and carving out language in the single-family home area on weekends so those residents can mow their own lawns.

Applicable Area

Citywide

Is this a Resident Right to Know item?

Yes

Does this item utilize G.O. Bond Funds?

No

ATTACHMENTS:

Description

 Commission After-Action R5I (07/31/2019)

Type

Memo

5:31:38:00 p.m.

5:48:40 p.m.

R5 I AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CITY CODE, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE IV, ENTITLED "NOISE," BY AMENDING SECTION 46-152, ENTITLED "NOISES; UNNECESSARY AND EXCESSIVE PROHIBITED," BY AMENDING THE HOURS PROHIBITING POWER TOOLS AND LANDSCAPING EQUIPMENT; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

First Reading

Code Compliance

Commissioners Mark Samuelian & Michael Góngora

Deferred from July 17, 2019 - R5 S

ACTION: Ordinance adopted on First Reading as amended. Title of the Ordinance read into the record. Motion made to adopt the Ordinance on First Reading, as amended, by Commissioner Góngora; seconded by Commissioner Samuelian; Ballot vote: 6-1; Opposed; Commissioner Malakoff. Second Reading Public Hearing scheduled for October 16, 2019. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **Hernan Cardeno to handle.**

AMENDMENT:

- Modify morning hours to 10:00 a.m., leaving the hours in the evening until 8:00 p.m.

REFERRAL:

September 25, 2019 Neighborhood/Community Affairs Committee between First and Second reading. **Eric Carpenter to place on the Committee agenda. Hernan Cardeno to handle. Topics of Discussion at the Neighborhood/Community Affairs Committee, include:**

- Discuss impact in single-family homeowners; and
- Discuss carving out language in the single-family home area on weekends. at least they can mow their own lawns

Commissioner Samuelian stated that this came out of discussion at the Neighborhood/Community Affairs Committee and all it does is take the hours for the use of power tools, maintenance equipment, and leaf blowers and puts it in line for the hours of construction.

Commissioner Alemán asked for an exclusion. This item has much to do with condominium dwellers; no one who lives in a single-family home and maintains their own lawn would want to do this. This Ordinance would force homeowners to work on their lawns from 10:00 a.m. to 4:00 p.m., which is the hottest part of the day. She suggested exempting single-family home neighborhoods on the weekends and keeping it from 8:00 a.m. to 8:00 p.m. on the weekends, because between the hot weather and the inability of being able to afford landscape services, it is inhumane to do the work in the middle of the day.

Commissioner Góngora hates leaf blowers and would like to eventually ban them. During his tenure in the City Commission, he passed three restrictions and he would like to make it as strict as possible. Commissioner Alemán raised a good point about single-family homes, but to him the morning hours are the more important rather than evening reductions. He receives complaints from people that state this equipment wakes them up, and on the weekends, they want the opportunity to sleep in without these noises from the machines; he suggested moving the time to 10:00 a.m. rather than reducing the evening hours.

Discussion held.

Commissioner Malakoff agreed with Commissioner Alemán and added that this is not enforceable. The City Commission should not pass laws that cannot be enforced; especially in single-family home neighborhoods this should not be enforced.

Mayor Gelber explained that this came out of the Neighborhood/Community Affairs Committee and asked if there is a will to pass the Ordinance on First Reading and then reach a compromise by Second Reading.

Discussion held.

Commissioner Góngora agreed that single-family homes want to work later in the evening and do not want to end the work at 4:00 p.m. What this Ordinance does is basically shift the hours from 8:00 a.m. to 10:00 a.m., but it moves four hours from 8:00 p.m. to 4:00 p.m. He is happy with the morning hours.

Commissioner Góngora moved the item with the modification to change the start time on weekends and holiday mornings to 10:00 a.m. and leave it until 8:00 p.m.; seconded by Commissioner Samuelian as amended.

Commissioner Steinberg, for clarification, explained that someone who lives in a single-family home reached out to her about this concern, and there is a distinction between the loud leaf blowers and someone using their lawnmower. She will support the item as amended between First and Second Reading, but wants to understand this better as well as the impact. She suggested tweaking those weekend hours or carve out language in the single-family home area on weekends so that at least they can mow their own lawn.

Discussion continued.

Commissioner Alemán reiterated that she has no problem in the multifamily area, but it is different in the single-family area. She cannot support the Ordinance unless it is 8:00 a.m. to 8:00 p.m., in the single-family home neighborhoods. Most of this is related to condominium owners. Single family homeowners must get up in the morning early to do this type of work. If the Commission only allow single-family homeowners to work on their lawns in the afternoon, then they must plan the entire day around it and it limits the activities they can do during the day. She asked for a single-family home zoning exclusion and she will be happy to vote for it.

Motion made to adopt the Ordinance on First Reading, as amended to modify the start time to 10:00 a.m., by Commissioner Góngora; seconded by Commissioner Samuelian; Ballot vote: 6-1; Opposed; Commissioner Malakoff.

Commissioner Steinberg clarified that the two amendments were the evening hours for First Reading which were extended, and secondly to allow single-family homeowners to be able to mow their lawn.

Chief Deputy City Attorney Boksner clarified that there was a motion made by Commissioner Góngora that was seconded by Commissioner Samuelian which only included modifying the start time to 10:00 a.m., and that is the motion they have now on the floor; no other amendment has been made.

Commissioner Góngora suggested passing this and sending back to the Neighborhood/Community Affairs Committee between First and Second Reading and take all concerns into consideration and find a way to make it happen.

Commissioner Samuelian agreed.

Rafael E. Granado, City Clerk, clarified that the next Neighborhood/Community Affairs Committee meeting is on September 25th, which means that Second Reading would have to occur on October 16, 2019.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: September 25, 2019

SUBJECT: **DISCUSSION FROM THE MAYOR'S 41ST STREET BLUE RIBBON COMMITTEE FIVE (5) MOTIONS MADE ON MAY 15, 2019.**

HISTORY:

ANALYSIS

Referral to the September 25, 2019 Neighborhood/Community Affairs Committee (NCAC) to consider the following unanimous motions made by the Mayor's Blue Ribbon 41st Street Committee at their May 15, 2019 meeting (LTC 323-2019):

1) MOTION: To defer the stage II of the Alta Gehl Study.

At the May 15, 2019 41st street committee meeting, Bernard Zyscovich discussed with the committee on creating a master plan that includes 40th, 41st and 42nd street corridors, rather than a master plan specific to the 41st street corridor. The project area is primarily 41st street from Alton Road to Collins Avenue with consideration of 40th and 42nd street as a district.

With the approval of the Neighborhood Community Affairs Committee and City Commission, the administration plans to select a consultant from its pool of consultants to meet with the city departments to translate the Alta-Gehl vision plan into a master project action schedule that prioritizes projects, cost, start and end dates in a cohesive and logical manner. The master plan will set the basis for the following: land use, transportation, mobility, enhanced streetscapes and redevelopment of city-owned lots.

2) MOTION: To defer the RFP for the development of the City-owned parking within 41st Corridor.

Motions 1 & 2 were driven by the 41st Street committee's desire to include 40th, 41st, and 42nd street as part of a district-wide master plan.

3) MOTION: To start with a temporary Street Farmer's/Produce and Artisanal Market program, through special events.

The Farmers Market is set to commence every Sunday starting November 3, 2019, 9 a.m. to 1

p.m. as a 3-month pilot project using a pop up special event permit. The location will be on the southwest corner of 41st Street and Tree Drive .

4) MOTION: To follow up with landscape lighting proposal along 41st Street to allow the potential lighting companies to demonstrate their products as part of the review before a contract is awarded.

The 41st Street committee requested staff to seek lighting companies for a pilot lighting activation to assess potential lighting options on the 41st street corridor on a permanent basis. On August 12, 2019 tree lights were installed at 41st Street and Pine Tree Drive.

5) MOTION: To have a representative from the Blue-Ribbon committee participate on the RFP selection committee and provide guidance on how the bid should be formatted and presented for the lighting signage on the Julia Tuttle bridge.

Lighting on the Welcome to Miami Beach sign on the Julia Tuttle Bridge will no longer be pursued.

LTC of motions made is attached.

Applicable Area

Middle Beach

Is this a Resident Right to Know item?

Yes

Does this item utilize G.O. Bond Funds?

No

ATTACHMENTS:

Description	Type
<input type="checkbox"/> 41st street Five (5) Motions	Memo

MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC # **323-2019**

LETTER TO COMMISSION

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: June 4, 2019

SUBJECT: Mayor's 41st Street Blue Ribbon Committee Motions

The purpose of this Letter to Commission (LTC) is to inform the Commission on the status of four motions that were recommended at the March 14, 2019 Mayor's 41st Street Blue Ribbon Committee (Blue-Ribbon) meeting that was subsequently sponsored by Commissioner Samuelian and referred to the Finance and Citywide Projects Committee (FCWPC) at the April 10, 2019 by the Commission. The four referred motions were withdrawn at the May 15th Blue Ribbon meeting as stated below:

1. To contract with Alta/Gehl to start Phase II of the 41st Street Urban Design Vision Plan (Vision Plan).
2. To recommend the City issue a request for proposals (RFP's") for City owned parking lots within the 41st Street corridor.
3. To recommend the City issue a request for proposals for a 41st Street Farmer's/Produce and Artisanal market.
4. To request to extend the Committee tenure for one year and to request to meet monthly or as needed. The extension request was approved by Mayor's office.

Five (5) subsequent motions were passed at the May 15, 2019 Blue-Ribbon meeting as follows:

Members present: Seth Gadinsky (Chair), Betty Behar, Michael Burnstine, Francisco Diez-Rivas, Jerri Hertzberg Bassuk, Robin Jacobs (Vice Chair), Yechiel Ciment, Eric Hankins, Jeremy Wachtel, Marcella Novela.

Members absent: None

- 1) **MOTION:** To defer the stage II of the Alta Gehl Study.
Motion entertained by: Seth Gadinsky (Chair)
Motion made by: Yechiel Ciment
Motion seconded by: Jerri Hertzberg Bassuk

- 2) MOTION:** To defer the RFP for the development of the City-owned parking within the 41st Corridor.

Motions 1 & 2 were driven by the Blue Ribbon's desire to examine 40th, 41st, and 42nd street as a complete 41st Street district-wide corridor plan. They would like to apply the vision, plan, Alta/Gehl produced across the 41st Street district corridor as a basis for creating a district-wide master plan that may include zoning and land-use changes.

- 3) MOTION:** To start with a temporary Street Farmer's/Produce and Artisanal market program, through special events.

Motion entertained by: Seth Gadinsky (Chair)

Motion made by: Yechiel Ciment

Motion seconded by: Jeremy Wachtel

In order to activate the surrounding residential neighborhood, the Blue-Ribbon committee originally requested an RFP for the 42nd/Royal Palm Ave parking lot be activated as a farmer's market. Economic Development concurs with the use and recommends pursuing a pilot program in 2019 to determine the feasibility of an artisanal or farmers market concept. The Committee agreed; hence making the new motion.

- 4) MOTION:** To follow up with landscape lighting proposal along 41st Street to allow the potential lighting companies to demonstrate their products as part of the review before a contract is awarded.

Motion entertained by: Seth Gadinsky (Chair)

Motion made by: Yechiel Ciment

Motion seconded by: Robin Jacobs

The Blue-Ribbon committee requested staff to seek lighting companies for a pilot lighting activation to assess potential options on the 41st street corridor.

- 5) MOTION:** To have a representative from the Blue-Ribbon committee participate on the RFP selection committee and provide guidance on how the bid should be formatted and presented for the lighting signage on the Julia Tuttle bridge.

Motion entertained by: Seth Gadinsky (Chair)

Motion made by: Yechiel Ciment

Motion seconded by: Jerri Hertzberg Bassuk

Cc: Adrian Morales, Property Management Director
Tom Mooney, Planning Director

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: September 25, 2019

SUBJECT: **DISCUSSION FROM THE MAYOR'S 41ST STREET BLUE RIBBON COMMITTEE
THREE (3) MOTIONS MADE ON JULY 13, 2019.**

HISTORY:

THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE SHOULD REVIEW THE FOLLOWING MOTIONS PASSED UNANIMOUSLY BY THE MAYOR'S 41ST STREET BLUE RIBBON COMMITTEE:

1) MOTION: To support a waiver of the alcohol restriction as it relates to the distance separation requirement for the 41st Street district establishing that alcohol sales for such places of business can't begin to sell alcohol until after 5 PM in and around the 41st Street District.

At the June 13, 2019 41st street committee meeting, Thomas Mooney discussed the distance separation requirement to the committee which are typically for alcoholic beverage establishments and 300 feet from a house of worship or school. The commission asked the administration to make up a list of what are common variances and draft a modification of the codes. One suggestion that came about was to create special districts for certain areas for the city that were within 300 ft of house of worship and schools so that way certain establishments would not need to seek special variances. Thomas Mooney stated that there could be some modifications towards the provision to establish the set time for alcohol.

Recommendation

The Planning Department plans will go directly to the City Commission on October 16, 2019 for first reading. As part of the Commission memo for first reading an attachment will include the recommendation of the 41st street committee.

2) MOTION: To recommend Bernard Zyscovich be hired to create a master plan for 40th, 41st and 42nd Street as one district to enhance economic growth, mobility of the corridor, and determining if zoning changes should be made.

At the May 15, 2019 41st street committee meeting, Bernard Zyscovich advised the committee on creating a district wide master plan that includes 40th, 41st and 42nd streets, as opposed to a

plan just for the 41st street corridor. The project area is primarily 41st street from Alton Road to Collins Avenue with consideration of 40th and 42nd streets to compliment the vision and other project options.

Recommendation

With the approval of the Neighborhood Community Affairs Committee and City Commission, the administration plans to select a consultant from its pool of consultants to meet with the city departments to translate the Alta Gehl vision plan into a master project action schedule that prioritizes projects, cost, start and end dates in a cohesive and logical manner. The plan will set the basis for the following; land use, transportation, mobility, streetscape enhancements and redevelopment of city owned lots.

3) MOTION: To use 365 Lighting to implement lights on every third palm tree, on both sides between Prairie Avenue and Royal Palm Drive, with signage that explains the lighting pilot program to community members of 41st Street.

The Mayor's Blue Ribbon 41st street committee has made the issue of implementing lights along the corridor of 41st street as a top priority. At the June 13, 2019 41st street committee meeting the property management department discussed lighting options for the corridor.

Recommendation

Staff from property management presented a proposal from 365 Lighting. The proposal states that lighting for 64 palms will cost approximately \$172,000 will be coming out of the 41st street quality of life funds which is based on installation and yearly maintenance expenses. After researching the best practices from other municipalities who have implemented this feature the committee decided that a pilot project would give community members an opportunity to view the quality of the lighting so the committee can make a decision on permanent lighting along the corridor. On August 12, 2019, year around pilot tree lighting was installed along several streets along the 41st street corridor.

Applicable Area

Middle Beach

Is this a Resident Right to Know item?

Yes

Does this item utilize G.O. Bond Funds?

No

ATTACHMENTS:

Description	Type
📎 July 41st street motions	Memo

MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC # **422-2019**

LETTER TO COMMISSION

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: July 26, 2019

SUBJECT: Mayor's 41st Street Blue Ribbon Committee Motions

The purpose of this Letter to the Commission ("LTC") is to inform the Commission of motions passed by the Mayor's Blue Ribbon 41st Street Committee during their June 13, 2019, meeting.

Members present: Seth Gadinsky (Chair), Betty Behar, Francisco Diez-Rivas, Jerri Hertzberg Bassuk, Robin Jacobs (Vice Chair), Yechiel Ciment, Eric Hankins, Jeremy Wachtel.

Member absent: Michael Burnstine, Marcella Novella

- 1) MOTION: To support a waiver of the alcohol restriction as it relates to the distance separation requirement for the 41st street district establishing that alcohol sales for such places of business can't begin to sell alcohol until after 5 PM in and around the 41st Street District.**

Motion made by: Yechiel Ciment

Motion seconded by: Betty Behar

Motion passed: 6-0

Member absent: Michael Burnstine, Marcella Novella

- 2) MOTION: To recommend Bernard Zyscovich be hired to create a master plan for 40th, 41st and 42nd Street as one district to enhance economic growth, mobility of the corridor, and determining if zoning changes should be made.**

Motion made by: Francisco Diez - Rivas

Motion seconded by: Jerri Herzberg Bassuk

Motion passed: 6-0

Member absent: Michael Burnstine, Marcella Novella

- 3) MOTION: To use 365 Lighting to implement lights on every third palm tree, on both sides between Prairie Avenue and Royal Palm Drive, with signage that explains the lighting pilot program to community members of 41st street.**

Motion made by: Betty Behar

Motion seconded by: Jerri Herzberg Bassuk

Motion passed: 6-0

Member absent: Michael Burnstine, Marcella Novella

cc: ST/BM/LR/GM

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: September 25, 2019

SUBJECT: **DISCUSSION REGARDING THE PROCESS FOR AFFORDABLE HOUSING WAITLIST.**

HISTORY:

The Mayor and Commissioner referred this item to the Neighborhood/Community Affairs Committee at its July 31, 2019 meeting.

The City of Miami Beach administers 89 affordable housing units at five housing properties:

- Neptune Apartments
- The Lottie
- Madeleine Village Apartments
- London House Apartments
- Biscayne Beach Apartments

These properties were acquired and rehabilitated with federal funds – including HOME Investment Partnership (HOME) and Community Development Block Grant (CDBG) funds – that establish the maximum income that can be earned by building tenants as well as the maximum threshold that could be charged as rents. These maximum rent amounts are known as fair market rents and are established by the U.S. Department of Housing and Urban Development (HUD). Fair Market Rents tend to be lower than market rents and are, therefore, attractive to low- and moderate-income households seeking affordable housing.

The affordability of subsidized units generates broad community interest when the housing waitlist is opened. HOME rents can be considerably lower than fair market rents, as illustrated below:

Rent Category	Efficiency/Studio	1-Bedroom	2-Bedroom	3-Bedroom
Low HOME	\$741	\$794	\$953	\$1,101
High HOME	\$944	\$1,013	\$1,217	\$1,398
Fair Market Rent	\$951	\$1,147	\$1,454	\$1,934

The city, has worked diligently to keep rents at its affordable housing properties as low as possible and is currently charging rents lower than allowed by HUD:

Rent Category	Efficiency/Studio	1-Bedroom	2-Bedroom	3-Bedroom
City Charged	\$581 - 739	\$606 - 842	\$754 - 1,017	\$851 – 1,207
Fair Market Rent	\$951	\$1,147	\$1,454	\$1,934
Difference	\$212 - 370	\$305 - 541	\$383 - 700	\$727 – 1,083

Please note that those properties assisted with Neighborhood Stabilization Program (NSP) funds, were required to maintain 25% of their units as low HOME rents, which are about 22% less than HUD's high HOME rents.

It is worth stressing that the city's affordable housing program is not comparable to the Section 8/Housing Choice Voucher Program or public housing programs which limit the tenants' rent contribution to a percentage of their household income. The city's rents are determined by the size of the unit and not the income of its occupant.

ANALYSIS

The city is required to maintain a waitlist as a means of ensuring the orderly and compliant administration of its affordable housing portfolio. Placement on the waitlist does not indicate that an applicant is eligible for tenancy. A final determination of eligibility is made when the applicant is selected for interview when a unit becomes available. Prospective tenants of the city's affordable housing properties must meet the following criteria:

- Meet HUD's requirement for citizenship or immigration status;
- Meet HUD's established household income limits;
- Provide documentation of Social Security numbers for all household members;
- Provide documentation validating the identity of each adult and emancipated minor in the household;
- Meet the Applicant Selection Criteria (including household size for unit available); and
- Other requirements as promulgated by HUD.

Since the inauguration of its affordable housing program in 2015, the City of Miami Beach has utilized an online application process followed by a randomized lottery to select names for inclusion in its affordable housing waitlist. The randomized drawing, held after the official close of the application period, is conducted by the Information Technology Department at a public meeting held in Commission Chambers. The results of the drawing are posted online so that applicants can immediately confirm their place in the drawing.

As in prior years, the city only accepted 1,000 names for addition to its waitlist. This year, 12,670 applications were received. While most applicants were from Miami-Dade County, the city received applications from throughout the United States, Caribbean and South America. As a reminder, the city must comply with fair housing rules and cannot discriminate in its application process.

The online application, which enabled equitable access to persons regardless of geography, income, or household age or size, collected only sufficient information so as to identify the applicant. The process was designed to minimize applicant effort while maximizing applicant access.

In support of the application process, the city sent advance notice of the waitlist opening to its network of providers and published an advertisement in *The Miami Herald* announcing that the waitlist would be open July 1– 5, 2019. City staff was made available to assist those residents without internet access and those uncomfortable with the online process. In addition to city staff, County Commissioner Eileen Higgins' district office staff was also made available to assist constituents with applying. The vast majority of people assisted in the office had actually successfully applied online independently but wanted to know if they were accepted for housing.

Attachment 1 is a screenshot of the actual online application used this year. Once the applicant submitted their application, he/she received a confirmation message as outlined in attachment 2.

In addition, applicants received a confirmation email (see attachment 3) which confirmed the success of the application as well as issued a confirmation number which served as the applicant's identification number for the public lottery.

CONCLUSION:

The online application process enabled almost 13,000 people to apply ensuring equitable access and minimizing resources needed to apply. The subsequent public lottery provided applicants the opportunity to witness the drawing in person and access results online 48 hours later.

The administration will continue to explore ways to improve the application process and welcomes suggestions that furthers this goal.

Applicable Area

Not Applicable

Is this a Resident Right to Know item?

No

Does this item utilize G.O. Bond Funds?

No

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Online application sample	Memo
<input type="checkbox"/> Application-Confirmation Message Sample	Memo
<input type="checkbox"/> Application-Email Confirmation	Memo

Attachment: 1

Below is a screenshot of the actual online application used this year:

MIAMIBEACH

On-Line Application

* Enter the address where you currently live:

Ex: 1700 Convention Center Drive, Miami Beach, FL 33139

Apt Number:

Apartment number

* Full Name:

First and last name

* SSN Last 4 digits:

0000

* Date of Birth:

mm / dd / yyyy

* # of people in Household:

Number of people living with you

* Email Address:

YourEmail@example.com.

* Confirm Email:

YourEmail@example.com.

* Phone Number:

305-555-5555

* Housing Type:

Studio Apartment

Are you Disabled?:

Yes ☐ No ☒

* Annual Household Income:

Enter your yearly income

I Acknowledge the monthly rent amount of \$739.00 ☐

I Agree to the Terms and Conditions ☐

Clear

Submit Application

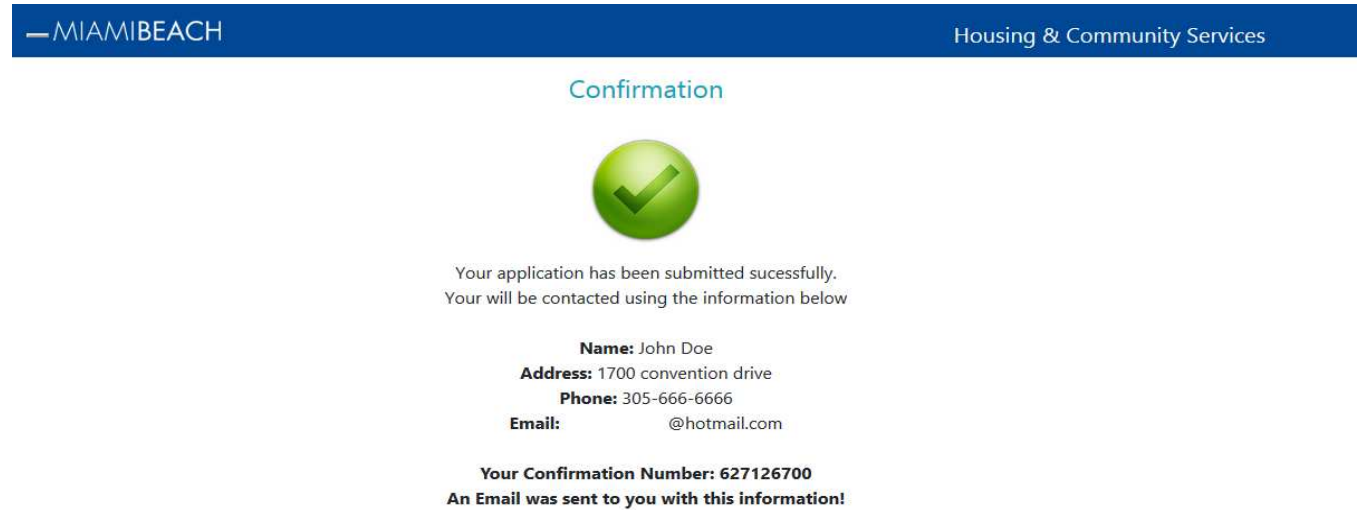
The application requests applicants':

- name
- address
- date of birth
- partial Social Security number
- household size
- email address
- telephone contact
- disability status
- annual income

The application took typically less than two minutes to complete.

Attachement 2:

Once the applicant submitted their application, he/she received a confirmation message that looked like this:



Attachment 3:

In addition, applicants received a confirmation email which confirmed the success of the application as well as issued a confirmation number which served as the applicant's identification number for the public lottery. The confirmation email looked like this:

Confirmation Email for Housing Application - 2019



City of Miami Beach <DoNotReply@miamibeachfl.gov>

Tue 8/13/2019 11:18 AM

You

City of Miami Beach

You Have Successfully Submitted your On-Line Housing Application.
Please keep this information as a reference of your registration.

Applicant Name: John Doe
Your Confirmation Number is: 627126700
Contact Phone Number: 305-666-6666
Current Address: 1700 convention drive

Please do not reply to this email. This account is not being monitored.

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: September 25, 2019

SUBJECT: **DISCUSSION REGARDING THE ANTI-BULLYING TASKFORCE COMMITTEE
AND THE LGBTQ ADVISORY COOMMITTEE ANTI - BULLYING PRACTICES
REVIEW AND RECOMMENDATIONS.**

ANALYSIS

Discussion at committee

Applicable Area

Citywide

Is this a Resident Right to Know item?

Yes

Does this item utilize G.O. Bond Funds?

No

ATTACHMENTS:

Description	Type
❑ Anti Bullying Task Force Recommendations	Memo
❑ Anti Bullying Policy Template	Memo
❑ Exhibit A Parks and Recreation	Memo
❑ Exhibit B Prohibition Discrimination and Harassment	Memo
❑ Exhibit C TC RENTAL	Memo
❑ Exhibit D Social Media	Memo
❑ Exhibit E Gymnastics program instruction	Memo
❑ Exhibit F Sponsorships, Donations and Advertising Procedures	Memo

City of Miami Beach Anti-Bullying Task Force Committee

Recommendations

Overview

We have identified and evaluated current City of Miami Beach policies and documents and are providing a variety of recommendations. There are also various situations where bullying can occur within the City of Miami Beach, which are not currently addressed, and we have recommended areas of improvement with implementation of additional policies.

Where bullying can occur:

- Individuals utilizing City of Miami Beach services or facilities both adults and youth
- Third party organizations and or individuals permitting city spaces
- Third party vendors of the City of Miami Beach i.e contractors
- Employees of the City of Miami Beach with other employees
- Between the employees of the City of Miami Beach and/or residents/visitors providing or requesting services
- Businesses and organizations that are licensed within the City of Miami Beach

Key findings:

- Bullying definition should be extended to include adults
- Bullying can be a one-time or repeated occurrence
- There is no central public repository online or otherwise available to view existing policies and procedures
- Existing policies are primarily focused towards City of Miami Beach employees and are limited, inconsistent or non-existent
 - Existing policies are only available on City of Miami Beach intranet and there is no public facing repository
- There is no existing City of Miami Beach employee manual

Recommendations to Existing City of Miami Beach Policies and Documents

- Amend Parks and Recreation Department's "Anti-Bullying Policy" and "Anti-Bullying Behavior Agreement"
 - Refer to "Exhibit A" for recommended changes to documents
- Use amended Parks and Recreation Department's "Anti-Bullying Policy" and "Anti-Bullying Behavior Agreement" (Exhibit A) as a template for creation of policies for use in other departments
- Bullying shall be incorporated in the definition of harassment in all City of Miami Beach policies.

- Amend HR.16.04 “Prohibited Discrimination and Harassment” (Exhibit B) to include bullying as a prohibited activity.
 - Insert “bullying” after “harassment” in paragraph 3, line 1.
 - Insert “bullying” in definition of “Harassment”
 - Insert “bullying” on page 3, Item 1 under “Procedure” after the word “harassment”.
- Amend TC.18.01 “Rental Fee Waiver” (Exhibit C) should be amended to include a requirement of the organization or individual applying for the fee waiver to have an anti-bullying policy and include the ability for the city to revoke an organization or individual’s ability to apply for a fee waiver if found to have engaged in bullying.
- Amend CO.19.01 “Citywide Procedure for Social Media” (Exhibit D) to include anti-bullying.
 - Insert at the end of the paragraph on page 2 “Respect your audience”: “The City of Miami Beach has a zero-tolerance policy on cyber-bullying, the use of technology to threaten, hurt, single out, embarrass, spread rumors, and/or reveal secrets about others.”
 - Insert on page 3 as the fourth bullet under “City employees may not publish information on City social media that includes”: “Any form of cyberbullying.”
 - Possibly insert on page 4 as the fifth bullet under “Moderation of Third-Party Content”: “can be construed as cyberbullying”.
- Amend 2019-047-WG “Request for Qualifications (RFQ)” (Exhibit E) document to be amended to including anti-bullying policy agreement using amended Parks and Recreation Document as template.
- Amend CO.19.02 “Sponsorships, Donations and Advertising Procedure” (Exhibit F)
 - Insert under “Advertising” as B.8.: “Any advertising that contains messages that are threatening, harassing or discriminatory”.

Recommendations for Implementation of new Anti-Bullying Policies

- Require each City of Miami Beach Department to use anti-bullying template (Exhibit A) to implement anti-bullying policy
- Individuals or corporations with business licenses to operate within the city of Miami Beach:
 - Required to implement and/or display anti-bullying policy to maintain business license
 - Implement a penalty structure, i.e. fines, denial of participation in resolution waivers, or other considerations
 - Included in business license application process or renewal
- Third Parties such as vendors, individuals or organizations renting, permitting or otherwise utilizing City of Miami Beach property:
 - Required to implement and/or display anti-bullying policy to utilize City of Miami Beach property.

- Implement a penalty structure, i.e. fines, denial of participation in facility rentals, or other considerations
- Included in agreement/contract/permit application (Exhibit A)
- Organizations and individuals applying for special event permits:
 - Required to implement an anti-bullying policy to apply for a special event permit
 - Implement a penalty structure, i.e. fines, denial of special event applications, or other considerations
 - Included in agreement/contract/permit application
- Organizations or individuals with leases with the City of Miami Beach:
 - Required to have an anti-bullying policy to have a lease agreement with the City of Miami Beach
 - Implement a penalty structure, i.e. fines, denial of lease applications, or other considerations
 - Included in agreement/contract/lease
- Organizations or individuals applying for a fee waiver:
 - Required to implement an anti-bullying policy to apply for a special event permit
 - Implement a penalty structure, i.e. fines, denial of fee waiver applications, or other considerations
 - Included in agreement/contract/waiver
- Businesses that maintain a special zone variance exception for operation:
 - Required to implement an anti-bullying policy to maintain zoning variance exception.
 - Implement a penalty structure, i.e. fines, removal of zoning variance, or other considerations
 - Included in zoning variance resolution/agreement

Cases and Enforcement

- Anti-Bullying Task Force transition to a creation of Grievance Committee under the supervision of Inspector General's office to review alleged cases of bullying and provide recommendations to the city following investigation
- Repeated offenses need to be defined
- Once policies are adopted create a standard operating procedures (SOP) document to properly identify accusations of bullying in a fair way with specific detail on how and where to report and reporting options

Additional Recommendations

- Creation of a City of Miami Beach Employee manual with specific detail on how and where to report bullying and reporting options and resources
- Include Anti-Bullying statement in the Safe Place program
- Continue to support No Place for Hate and consider increasing support

- Utilize City of Kindness program to recognize individuals and or organizations that stand up against bullying
- Creation of an outward facing webpage on the City of Miami Beach to display all policies and procedures regardless of department specifically Anti-Bullying.
 - Examples:
 - City of Sacramento
 - City of San Francisco

ANTI-BULLYING POLICY TEMPLATE

The City of Miami Beach is committed to a safe environment, free from harassment, intimidation or bullying, for all of our employees in the [CITY DEPARTMENT NAME] and residents utilizing [DEPARTMENT NAME's service] regardless of race, color, ethnicity, religion, disability, age, gender identity or sexual orientation. We are working very hard in making all Miami Beach Departments a Bully Free Zone. The City of Miami Beach enforces a zero-tolerance policy on bullying of any form. We encourage our patrons and participants to report any type of bullying they may experience, hear or see occurring in our Recreation facilities.

What is Bullying?

Bullying can be best defined as the intentional abuse, harassment and/or intimidation of others. Bullying can emotionally, socially, mentally or physically harm child or adult. It is always an intentional act. The person who bullies wants to harm the victim; it is no accident. Bullying is typically characterized by repeat occurrences but it can be a single incident.

Types of Bullying:

Bullying ranges from simple one-on-one bullying to more severe bullying in which the bully recruits others that join in the bullying activities. Bullying can take many forms including: slurs, rumors, jokes, innuendo's, demeaning comments, drawing cartoons, pranks, gestures, physical attacks, threats, social media posts or other written, oral or physical actions.

- Verbal Bullying can include but is not limited to: teasing, name calling, inappropriate comments, taunting and threatening to cause harm.
- Social Bullying involves hurting someone's reputation or relationships, leaving someone out on purpose, telling other children not to be friends with someone, spreading rumors about someone, embarrassing someone in public.
- Physical Bullying involves hurting a person's body or possessions. Physical bullying includes: hitting, kicking, pinching, spitting, tripping, pushing, hair pulling, mean or rude hand gestures, damage to someone's property, theft.
- Cyber or Electronic Bullying involves using technology to threaten, hurt, single out, embarrass, spread rumors, and/or reveal secrets about others. Cyber bullying can be done through phone calls, text messages, pictures/video clips, email, instant messaging, chat rooms, websites, social media platforms and gaming.

ANTI-BULLYING POLICY

The Miami Beach Parks and Recreation is committed to a safe and fun filled environment, free from harassment, intimidation or bullying, for all of our participants and staff regardless of race, color, ethnicity, religion, disability, age, gender identity or sexual orientation. We are working very hard in making all Miami Beach facilities a Bully Free Zone. The City of Miami Beach enforces a zero tolerance policy on bullying of any form. We encourage our patrons and participants to report any type of bullying they may experience, hear or see occurring in our Recreation facilities.

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ANTI-BULLYING BEHAVIOR AGREEMENT

It is the goal of the City of Miami Beach Parks and Recreation Department to make all their facilities a "Bully Free Zone. " In order to do that we must work together in helping to make all participants regardless of race,

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodations to review any document or participate in any city-sponsored proceeding, please contact 305-604-2489 (voice) or 305-673-7218 (TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Services).

color, ethnicity, religion, disability, age gender identity or sexual orientation feel safe and confident to speak up when confronted by a bully or when they witness another being bullied. This agreement is not intended to prohibit the expression of one's feelings or thoughts, but instead to prevent their expression from rising to the level of harassment, intimidation, or bullying.

Please take a moment to review the following agreement with your child. Signing the bottom of this agreement signifies that both you and your child agrees to the City of Miami Beach Parks and Recreation Department's anti-bullying policy. This form must be returned to your child's Recreation site.

- I will try my best to keep a positive attitude and to treat others with respect.
- I will help create an environment that is safe and welcoming for all of us.
- I understand that any of my actions that results in the abuse, harassment, or intimidation of others will be considered bullying.

Verbal bullying can include but is not limited to: teasing, name calling, inappropriate comments, taunting and threatening to cause harm.

Social bullying involves hurting someone's reputation or relationships, leaving someone out on purpose, telling other children not to be friends with someone, spreading rumors about someone, embarrassing someone in public.

Physical bullying involves hurting a person's body or possessions. This includes: hitting, kicking, pinching, spitting, tripping, pushing, hair pulling, mean or rude hand gestures, damage to someone's property, theft.

Cyber or electronic bullying involves using technology and the internet to threaten, hurt, single out, embarrass, spread rumors, and/or reveal secrets about others. Cyber bullying can involve varying forms of technology: social media platforms, mobile phone calls, text messages, pictures/video clips, email, instant messaging, chat rooms, websites, gaming.

- I will use appropriate and respectful language and understand that the use of deliberate negative, hurtful, or profane language will not be accepted.
- I will be respectful of the property and personal space of others.
- I will not possess any illegal drugs, alcohol or weapons of any kind while participating in Miami Beach Parks and Recreation programs or activities.

By signing below, I am stating that I have read and agree to abide by all policies stated above. Any child suspected of bullying will be disciplined on an individual basis. Depending on the severity of the bullying disciplinary action may include time out, loss of privileges including field trips, suspension and/or expulsion. Refunds will not be issued for any participant who is suspended or expelled.

I certify that I have discussed all the above policies with my child.

Print Parent/Guardian Name

Parent/Guardian Signature

Date

Print Child's Name

Signature (Juniors, Pre-Teens & Teens only)

Date

BULLY FREE PLEDGE

Take the Pledge:

- I promise to never bully anyone.
- I promise to not take part in any actions that purposely hurt another person.
- I promise to speak up when I see bullying.
- I will reach out to others who are bullied.
- I will be a friend whenever I see bullying.
- I will join with friends and stand up to bullying.



MIAMI BEACH CITYWIDE PROCEDURE	DATE ISSUED: DECEMBER 2017 DATE UPDATED:	Page: 1 Of: 4	SEQUENCE NUMBER: HR.16.04
	SUBJECT: PROHIBITED DISCRIMINATION AND HARASSMENT		
	RESPONSIBLE DEPARTMENT: HUMAN RESOURCES		

PURPOSE

It is the intent of the City of Miami Beach to ensure a workplace for its employees that is free of any type of discrimination or harassment based on actual or perceived race, color, sex, age, national origin, disability, religion, genetic information, marital status, political affiliation, sexual orientation, gender identity, or familial status. The City complies with Title VII of the Civil Rights Act of 1964 as amended (1991), Title I of the American with Disabilities Act of 1990 as amended (2009), as well as other applicable federal, state, and county laws and regulations prohibiting discrimination and harassment.

Decisions and practices based on an individual's protected status (e.g., race, color, sex or the other categories listed above) that unlawfully affect employment and/or the compensation, terms, conditions or privileges of an individual's employment or potential employment with the City are prohibited by this administrative procedure. This includes unlawful employment decisions, actions, policies or practices regarding job advertisements, recruitment, applications, testing, hiring, job referrals, work assignments, promotions, pay and benefits, working conditions, performance evaluations, transfers, discipline, discharge, constructive discharge, dress code, employment references, reasonable accommodations for disability or for religion, training and apprenticeship opportunities, and any other terms and conditions of employment.

The City of Miami Beach soundly protects its employees from discrimination, harassment, **bullying**, or intimidation of any kind by any supervisor, co-worker, vendor, client, customer, or volunteer. The City expects its employees to display tolerance and inclusion when interacting with people different from themselves. The City will investigate any claims of violation of these principles thoroughly, fairly, and without reprisal. **Discrimination and harassment are considered misconduct and are unacceptable behavior that will not be tolerated. Violations of this administrative procedure will be a cause for disciplinary action up to and including termination.**

DEFINITIONS

Harassment:

All employees are entitled to perform their work in an environment free from illegal harassment, either overt or covert, regardless of race, color, sex, age, national origin, disability, religion, genetic information, marital status, political affiliation, sexual orientation, gender identity, or familial status. Any conduct that has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment based on any of the above-mentioned protected criteria is prohibited. Forms of harassment may include, but are not limited to, **bullying**, the use of vulgar language, abusive acts or language, hostility, physical aggression, intimidation, or unequal treatment. Further, no person shall be subjected to any derogatory remarks, epithets, jokes, slurs, cartoons, drawings, symbols, pictures, photographs, publications, internet websites, videos, emails, text messages, demeaning gestures or language relating to above listed protected characteristics.

MIAMI BEACH CITYWIDE PROCEDURE	DATE ISSUED: DECEMBER 2017 DATE UPDATED:	Page: 2 Of: 4	SEQUENCE NUMBER: HR.16.04
	SUBJECT: PROHIBITED DISCRIMINATION AND HARASSMENT		
	RESPONSIBLE DEPARTMENT: HUMAN RESOURCES		

Sexual Harassment:

No employee, either male or female, shall be subjected to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical. The federal government has created guidelines which define sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to the conduct is either an explicit or implicit term or condition of employment; (2) submission to or rejection of the conduct is used as a basis for an employment decision affecting the person rejecting or submitting to the conduct; or (3) the conduct has the purpose or effect of sufficiently interfering with an affected person's work performance or creating an intimidating, hostile, or offensive work environment.

Specifically, it is a violation of this administration procedure for any employee to sexually harass another employee by making acceptance of unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature a condition of an employee's continued employment; making submission to or rejection of such conduct the basis for employment decisions affecting the employee; or creating an intimidating, hostile or offensive environment by such conduct. Examples of inappropriate conduct include: remarks of a sexually suggestive nature, sexual innuendo, propositions, offensive jokes, staring, ogling, leering, whistling, unnecessary touching, patting, hugging, brushing against a person's body or blocking normal movement. These are merely examples of inappropriate conduct; it is not an all-inclusive list.

Applicants/employees with disabilities:

Discrimination against a person based on the person's actual or perceived disability, record of disability or relationship with a person with a disability will not be tolerated by the City. The City will take appropriate action to provide reasonable accommodations to qualified employees and applicants with known disabilities, unless providing such accommodations creates an undue hardship. Employees with disabilities have a responsibility to inform the Human Resources Department regarding their requests for reasonable accommodations to improve their access to employment opportunities.

All questions, comments or complaints regarding access of qualified individuals with disabilities to the application process or employment, or alleged discrimination in employment, based upon a qualified applicant's or employee's disability or relationship or association with a person with a disability should be directed to the Human Resources Director.

MIAMI BEACH CITYWIDE PROCEDURE	DATE ISSUED: DECEMBER 2017 DATE UPDATED:	Page: 3 Of: 4	SEQUENCE NUMBER: HR.16.04
	SUBJECT: PROHIBITED DISCRIMINATION AND HARASSMENT		
	RESPONSIBLE DEPARTMENT: HUMAN RESOURCES		

DUTY TO REPORT

All employees of the City of Miami Beach are responsible for ensuring that discrimination, harassment and retaliation do not occur in the workplace. Any employee who believes he or she has been the subjected to any action, decision or harassment in violation of this administrative procedure or who observes such conduct, is urged to promptly report the incident(s) to the City's Human Resources Director as described in the reporting procedures below. Supervisors, managers, or human resources personnel who receive EEO complaints, or who otherwise become aware of any improper harassment or discrimination, must notify the Human Resources Director immediately. Any supervisor or manager who has knowledge of such behavior yet takes no action to end it is also subject to disciplinary action.

PROCEDURE

1. Any employee subjected to unlawful discrimination, harassment, **bullying**, and/or retaliation should immediately make a complaint to the Human Resources Director. In the event that the complaint involves the Human Resources Director the complaint should be made to the Assistant City Manager who oversees Human Resources.
2. An employee who believes that this administrative procedure has been violated may report the incident orally or in writing. Where the complaint is taken orally, the Human Resources Director shall document the complaint.
3. Investigation: All complaints will be investigated in a fair, thorough and timely manner. Depending on the nature of the complaint, an investigation of a complaint will normally include conferring with the parties involved and any named or apparent witnesses. However, upon completion of the investigation and a determination as to what, if any, remedial actions must be taken, both the complainant and the alleged harasser/discriminator will be informed as to the outcome of the investigation.
4. Remedial Action: If the investigation reveals that the complaint is valid, prompt and appropriate remedial actions will be taken to stop the discrimination or harassment immediately and to prevent its recurrence. When discrimination or harassment is established, appropriate disciplinary action, up to and including termination may be taken.
5. Confidentiality: Every attempt will be made to deal with each complaint in as confidential a manner as possible within the confines of undertaking the investigation. Anyone involved in the investigation of a complaint will be instructed that the investigation is confidential and should not be discussed with co-workers. Workplace gossip or "water cooler talk" about the complaint is strictly prohibited.
6. False Accusations: The City recognizes that false accusations of discrimination and/or harassment can have serious effects on innocent individuals. If any employee

MIAMI BEACH CITYWIDE PROCEDURE	DATE ISSUED: DECEMBER 2017	Page: 4 Of: 4	SEQUENCE NUMBER: HR.16.04
	SUBJECT: PROHIBITED DISCRIMINATION AND HARASSMENT		
	RESPONSIBLE DEPARTMENT: HUMAN RESOURCES		

knowingly makes a false accusation of discrimination or knowingly provides false information in the course of an investigation of a complaint, such conduct may be grounds for discipline. A complaint made in good faith, even if found to be unsubstantiated, will not be considered a false accusation.

7. **Withdrawal of Complaint:** A complaint of discrimination may be withdrawn at any time by the person who filed the complaint. In some instances, the Human Resources Director will find it appropriate to end the investigation when the complaint is withdrawn. However, prior to ending an investigation, the Human Resources Director must determine whether the City should take corrective action to address inappropriate conduct. If the Human Resources Director determines that corrective action is required, it may be necessary for the Human Resources Director to continue the investigation or recommend action to remedy inappropriate behavior.

The City encourages any employee to raise questions he or she may have regarding discrimination and harassment to the City's Human Resources Director.

All employees shall be protected from coercion, intimidation, retaliation, discrimination and/or harassment for filing a complaint of discrimination or harassment; assisting an employee filing such a complaint; being related to or otherwise associated with an employee filing such a complaint; or for assisting in an investigation of a complaint of discrimination or harassment. Any employee engaged in retaliation against a complainant, an employee who assisted or who is related to or otherwise associated with a complainant, or any employee who assisted in an investigation, will face appropriate disciplinary action up to and including termination.

Prepared by:

Director, Human Resources

Reviewed by:

Internal Auditor

Assistant City Manager

Approved by:

City Manager

Date

12/18/17

MIAMI BEACH CITYWIDE PROCEDURE	DATE ISSUED: MARCH 2019	Page: 1 Of: 2	SEQUENCE NUMBER: TC.18.01
	DATE UPDATED:		
	SUBJECT: RENTAL FEE WAIVER (MBCC)		
	RESPONSIBLE DEPARTMENT: TOURISM AND CULTURE DEPARTMENT		

PURPOSE

The purpose of this procedure is to establish protocol for staff application for a rental fee waiver for use of the Miami Beach Convention Center ("MBCC"). The rental waiver is specific to rental fees only; and the City Department applying for the waiver will be responsible for all other associated MBCC fees as assessed for the event, including but not limited to, security, food and beverage, corkage fees and cleaning.

PROCEDURE:

Any City of Miami Beach ("CMB") Department producing an event on behalf of the City of Miami Beach or Miami-Dade County and seeking a MBCC rent waiver is required to review the guidelines below for compliance before proceeding to submit a Fee Waiver Request Form, to the Director of Tourism and Culture Department, for a waiver from the City Manager. Once an initial review of the waiver request and supporting material has been completed by Tourism and Culture Department staff, compliant requests will be sent to the Assistant City Manager for review and recommendation to the City Manager.

Note: This procedure does not apply to events produced by non-City of Miami Beach departments.

Fee waiver applications may be submitted no earlier than ninety (90) days prior to the date of the event.

Once a recommendation is made to the City Manager and approved, the City Department producing the event will be responsible for all other associated MBCC costs as assessed for the event, including but not limited to, audio, video and lighting, furniture rentals, security, food and beverage, corkage fees, and cleaning.

CMB department events do not pay space rental fees.

All submissions must include all required information, as described below. Incomplete requests will not be reviewed until all supplementary information has been provided. **The City reserves the right to deny or revoke the Rental Waiver Fee for any organization or individual who does not have an anti-bullying policy or has been found by the City or reported to the City for engaging in bullying of any kind.**

GUIDELINES:

The requesting City Department must submit the following on Attachment A to complete the request:

1. Department Approval
Requests must come from a Department Director or Assistant City Manager responsible for the Department.
2. Location and Timing
Provide an explanation and justification as to why another City property cannot accommodate the event. Other potential venues include City Youth Centers, Unidad Facility for Senior Events, City conference rooms, etc.
Provide event date(s) that do not conflict with an existing MBCC booking.

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	DATE UPDATED:		
	SUBJECT: RENTAL FEE WAIVER (MBCC)		
	RESPONSIBLE DEPARTMENT: TOURISM AND CULTURE DEPARTMENT		

3. ANTI-BULLYING

Submit a copy of your company, organization, or event's anti-bullying policy.

4. Event Background

Submit a detailed written description of the event, and its history.

5. Examples of City produced events includes, but is not limited to:


- Police/Fire Recruitments
- City of Miami Beach Employee Luncheons/Health Fairs/Holiday Events Climate Summit
- Parks Department Senior Events
- City of Miami Beach and/or Miami-Dade Poll Workers Training

NOTE: To preserve the opportunity for revenue generating bookings at the Miami Beach Convention Center, confirmation of event books/agreement will be issued no earlier than two (2) months prior to the event. At all times, MBCC shall have the ability to change the space, or change the date should a revenue generating opportunity present itself to the management team.

Prepared by:


Director, Tourism & Culture Department

Reviewed by:


Internal Auditor


Chief Learning and Development Officer


Assistant City Manager

Approved by:


City Manager

Date

3/11/19

**Fee Waiver Request Form
City of Miami Beach Produced Events**

DATE OF REQUEST: _____
 NAME OF EVENT: _____
 DATE(S) OF EVENT: _____
 TIME OF EVENT: _____
 ESTIMATED ATTENDANCE: _____
 REQUESTED MBCC SPACE(S): _____
 DEPARTMENT NAME: _____
 DIRECTOR: _____ PHONE: _____
 EMAIL: _____
 ACM: _____
 TOTAL EVENT BUDGET: \$ _____

PLEASE PROVIDE A BRIEF EXPLANATION OF WHY ANOTHER CMB PROPERTY COULD NOT ACCOMMODATE THIS EVENT:

PLEASE PROVIDE A BRIEF EVENT BACKGROUND:

REQUIRED ATTACHMENTS:

- Event budget for the requested discount or waiver. The budget must disclose all sources and uses of funds related to the event, including the use of the request rent discount or waiver.
- List of all corporate and private sponsorships and in-kind contributions to be used for the event. Backup materials for the sponsorships and in-kind contributions must be included.

CERTIFICATION / SIGNATURE

I certify that all information contained in this application and attachments are true and accurate, and that I am authorized hereto to execute this application.

NAME _____ TITLE _____
 (Please Print)

SIGNATURE _____ DATE _____

Please submit completed application with required attachments via email to:

Director, Tourism & Culture

*Any changes to the event details in this application (attendance, dates, discounts, etc.) must be approved in writing prior to the event. Failure to secure approval will result in revocation of the rental waiver and discount. A department may apply more than once per calendar year. This waiver covers MBCC rental fees only.

FOR MBCC ONLY:

DATE(S) OF EVENT AVAILABLE: _____
 TIME OF EVENT AVAILABLE: _____

Financial Information

- _____ Provided the event budget for the requested discount or waiver. The budget must disclose all sources and uses of funds related to the event, including the use of the request rent discount or waiver.
- _____ Disclosed all corporate and private sponsorships and in-kind contributions to be used for the event. Back-up materials for the sponsorships and in-kind contributions must be included.

Approved: _____ Date: _____ Comment: _____

Denied: _____ Date: _____ Comment: _____

MIAMI BEACH CITYWIDE PROCEDURE	DATE ISSUED: JANUARY 2017	Page: 1	SEQUENCE NUMBER:
	DATE UPDATED: MARCH 2017	Of: 5	CO.19.01
	SUBJECT: SOCIAL MEDIA		
	RESPONSIBLE DEPARTMENT: OFFICE OF MARKETING AND COMMUNICATION		

PURPOSE:

This document defines the social networking and social media procedure for the City of Miami Beach, the "City". To address the fast-changing landscape of the Internet and the way residents communicate and obtain information online, City departments may consider using social media tools to reach a broader audience. The City encourages the use of social media to further the goals of the City and the missions of its departments, where appropriate.

The City has an overriding interest and expectation in deciding what is "spoken" on its behalf on social media sites. This procedure establishes guidelines for the use of social media.

PROCEDURE:

ACCEPTABLE USE

Personal Use

All City employees may have personal social media accounts/blogs. These accounts/blogs should remain personal in nature and be used to share personal opinions or non-work related information. Following this outline helps ensure a distinction between sharing personal and City views.

City employees must never use their City e-mail in conjunction with any personal social media accounts/blogs.

The following guidance is for City employees, who decide to have personal social media accounts/blogs or who decide to comment on posts about official City business:

- Always state your name and, if relevant, role, when discussing City business.
- Use a disclaimer such as: "The postings on this site are of my own and don't reflect or represent the opinions of the City of Miami Beach, for which I work."
- Always write in the first person and please consider that even anonymous postings on blogs/social media accounts can be traced back to the City.
- When participating in online communities, do not misrepresent yourself and any roll you have within the City.
- You are personally responsible for the content you publish on blogs, Wikipedia or any other form of user-generated media. Please remember that postings on the internet, even if removed/deleted by a user, are either permanently archived or could be saved as screen shots by other users, meaning that everything you publish could be visible to the world permanently. If you are about to publish something that makes you even the slightest bit uncomfortable, review and reconsider. If you are still unsure and it is related to the City, talk to the Digital Media Specialist within the Communications Department.

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RESPONSIBLE DEPARTMENT: OFFICE OF MARKETING AND COMMUNICATION			

- Do not comment on work-related legal matters unless you have the legal approval by the City to do so.
- Respect your audience. Don't use ethnic slurs, personal insults, obscenity, or engage in any conduct that would not be acceptable in the City's workplace. You should also show proper consideration for others privacy and for topics that may be considered objectionable or inflammatory (like religion or politics). The City of Miami Beach has a zero-tolerance policy on cyber-bullying, the use of technology to threaten, hurt, single out, embarrass, spread rumors, and/or reveal secrets about others.
- Think about consequences. Imagine you are sitting in a meeting and a vendor brings out a printout of a colleague's post that states "Miami Beach sucks to work for, I hate this place." Be conscious of what you post, remember: Using your public voice to trash or embarrass your employer, your client, your co-workers or even yourself is not acceptable.
- Be aware that others will associate you with your employer when you identify yourself as such. Please ensure that your Facebook, Linked-in, Twitter, Instagram or YouTube profiles and related content is consistent with how you wish to present yourself with clients and colleagues.

Professional Use

All official City-related communication through social media outlets should remain professional in nature and should always be conducted in accordance with the City's communications procedure, practices and expectations. Employees must not use official City social media sites for political purposes, to conduct private commercial transactions, or to engage in private business activities.

City employees should be mindful that inappropriate usage of official City social media sites can be grounds for disciplinary action. If social media accounts are used for official City business, the entire City site, regardless of any personal views, is subject to best practices guidelines, and standards.

Only individuals authorized by the City may publish content to a City web site or City social computing technologies.

Approval and Registration

All City social media sites shall be (1) approved by the Communications Department and (2) published using approved social networking platform and tools.

Any new social media accounts and/or pages must be requested through the Communications Department. The Communications Department will review the request for a new social media page and determine if there is a need for it.

The Communications Department will have administrative authority to all pages which are associated with the City.

In an effort to maintain consistent messaging and overall city branding, Boards, Commission Committees and other City Committees are not permitted to create social media accounts. We

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urge all boards and committees to work with their liaison to submit social media content to be shared through the city's appropriate social media platforms.

Oversight and Enforcement

Employees representing the City through social media outlets or participating in social media features on City websites must maintain a high level of ethical conduct and professional decorum. Failure to do so is grounds for revoking the privilege to participate in City social media sites, blogs, or other social media features.

Information must be presented following professional standards for good grammar, spelling, brevity, clarity and accuracy, and avoid jargon, obscure terminology, or acronyms.

City employees recognize that the content and messages they post on social media websites are public and may be cited as official City statements. Social media should not be used to circumvent other City communication policies, including news media procedure requirements.

City employees may not publish information on City social media sites that includes:

- Confidential information
- Copyright violations
- Profanity, racist, sexist, or derogatory content or comments
- Any form of cyberbullying
- Partisan political views
- Commercial endorsements or SPAM

Records Retention

Social media sites contain communications sent to or received by the City and its employees, and such communications are therefore pursuant to the Public Records Act, Chapter 119 of the Florida Statutes. These retention requirements apply regardless of the form of the record (for example, digital text, photos, audio, and video). The Communications Department shall preserve records pursuant to a relevant records retention schedule for the required retention period in a format that preserves the integrity of the original record and is easily accessible. Furthermore, retention of social media records shall fulfill the following requirements:

- Social media records are captured in a continuous, automated fashion throughout the day to minimize a potential loss of data due to deletion and/or changes on the social networking site.
- Social media records are maintained in an authentic format (i.e. ideally the native technical format provided by the social network, such as XML or JSON) along with complete metadata.

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- Social media records are archived in a system that preserves the context of communications, including conversation threads and rich media, to ensure completeness and availability of relevant information when records are accessed.
- Social media records are indexed based on specific criteria such as date, content type, and keywords to ensure that records can be quickly located and produced in an appropriate format for distribution (e.g. PDF).
- Each employee who administers one or more social networking sites on behalf of the City has self-service, read-only access to search and produce relevant social media records to fulfill public information and legal discovery requests as needed.

City utilizes an automated archiving solution provided by *ArchiveSocial* to comply with applicable public records law and fulfill the above record retention requirements. The City archive is available at; archivesocial.com.

EXTERNAL PROCEDURE

The following guidelines must be displayed to users on all social media sites or made available by hyperlink.

Moderation of Third Party Content

This City social media site serves as a limited public forum and all content published is subject to monitoring. User-generated posts will be rejected or removed (if possible) when the content


- contains obscenity or material that appeals to the prurient interest
- contains personal identifying information or sensitive personal information
- contains offensive terms that target protected classes
- is threatening, harassing or discriminatory
- can be construed as cyberbullying
- incites or promotes violence or illegal activities
- contains information that reasonably could compromise in

Public Records Law

City social media sites are subject to applicable public records laws. Any content maintained in a social media format related to City business, including communication posted by the City and communication received from citizens, is a public record. The Communications Department is responsible for responding completely and accurately to any public records request for social media content.

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	SUBJECT: SOCIAL MEDIA		
	RESPONSIBLE DEPARTMENT: OFFICE OF MARKETING AND COMMUNICATION		

Prepared by:



Director, Office of Marketing and Communications

Reviewed by:



Internal Auditor

Chief of Staff

Approved by:



City Manager

3/27/17
Date

REQUEST FOR QUALIFICATIONS (RFQ)

GYMNASTICS PROGRAM INSTRUCTIONAL SERVICES

2019-047-WG

RFQ ISSUANCE DATE: NOVEMBER 26, 2018

STATEMENTS OF QUALIFICATIONS DUE: JANUARY 4, 2019 @ 3:00 PM

ISSUED BY:

MIAMIBEACH

William Garviso, Procurement Contracting Officer II

PROCUREMENT DEPARTMENT

1755 Meridian Avenue, 3rd Floor, Miami Beach, FL 33139

305.673.7000 x 6650 | WilliamGarviso@miamibeachfl.gov | www.miamibeachfl.gov

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SECTION 0200

INSTRUCTIONS TO RESPONDENTS & GENERAL CONDITIONS

1. GENERAL. This Request for Qualifications (RFQ) is issued by the City of Miami Beach, Florida (the "City"), as the means for prospective Proposer to submit their qualifications, proposed scopes of work and cost Statement of Qualifications (the "proposal") to the City for the City's consideration as an option in achieving the required scope of services and requirements as noted herein. All documents released in connection with this solicitation, including all appendixes and addenda, whether included herein or released under separate cover, comprise the solicitation, and are complementary to one another and together establish the complete terms, conditions and obligations of the Proposer and, subsequently, the successful proposer(s) (the "contractor[s]") if this RFQ results in an award.

The City utilizes **PublicPurchase** (www.publicpurchase.com) for automatic notification of competitive solicitation opportunities and document fulfillment, including the issuance of any addendum to this RFQ. Any prospective proposer who has received this RFQ by any means other than through **PublicPurchase** must register immediately with **PublicPurchase** to assure it receives any addendum issued to this RFQ. **Failure to receive an addendum may result in disqualification of proposal submitted.**

2. PURPOSE.

The City of Miami Beach is seeking statements of qualification from qualified providers of gymnastic program instruction services for the Scott Rakow Youth Center, in accordance with the terms, conditions and specifications contained herein.

On April 14, 2014 the City of Miami Beach entered into an agreement with Gym Kidz Inc., pursuant to RFP 157-2013, for gymnastics program instruction services. The initial term of the agreement was for a two (2) year term with three (3) additional one-year renewal options. The agreement is effective through April 2019.

The Parks and Recreation Department has been offering gymnastics instruction as part of its year round curriculum of classes at the Scott Rakow Youth Center. The Scott Rakow Youth Center offers a variety of programs and activities for the entire community. It is a place where people of all ages come to have fun, learn a new skill, and spend time with their families. The center is home to after school and summer camp programs, specialty camps, athletic leagues and offers classes in swimming, ice skating, dance, exercise, gymnastics and much more.

The gymnastics multipurpose room is approximately 5,000 square feet and is equipped with a spring exercise floor, uneven bar, vault, mats and balance beams.

3. SOLICITATION TIMETABLE. The tentative schedule for this solicitation is as follows:

Solicitation Issued	November 26, 2018
Pre-Submittal Meeting	December 5, 2018 @ 10:00AM
Deadline for Receipt of Questions	December 28, 2018 @ 5:00PM
Responses Due	January 4, 2019 @ 3:00PM
Evaluation Committee Review	January 16, 2019 @ 9:00AM
Proposer Presentations	TBD
Tentative Commission Approval Authorizing Negotiations	TBD
Contract Negotiations	Following Commission Approval

4. PROCUREMENT CONTACT. Any questions or clarifications concerning this solicitation shall be submitted to the Procurement Contact noted below:

William Garviso, CPPB

(305) 673-7000 #6650

WilliamGarviso@miamibeachfl.gov

Additionally, the City Clerk is to be copied on all communications via e-mail at: RafaelGranado@miamibeachfl.gov; or via facsimile: 786-394-4188.

The Bid title/number shall be referenced on all correspondence. All questions or requests for clarification must be received no later than ten (10) calendar days prior to the date proposals are due as scheduled in Section 0200-3. All responses to questions/clarifications will be sent to all prospective Proposers in the form of an addendum.

5. PRE-PROPOSAL MEETING OR SITE VISIT(S). Only if deemed necessary by the City, a pre-proposal meeting or site visit(s) may be scheduled.

A Pre-PROPOSAL conference will be held as scheduled in Anticipated RFQ Timetable section above at the following address:

City of Miami Beach
Procurement Department
Conference Room
1755 Meridian Avenue, 3rd Floor
Miami Beach, Florida 33139

Attendance (in person or via telephone) is encouraged and recommended as a source of information, but is not mandatory. Proposers interested in participating in the Pre-Proposal Submission Meeting via telephone must follow these steps:

- (1) Dial the TELEPHONE NUMBER: 1- 888-270-9936 (Toll-free North America)
- (2) Enter the MEETING NUMBER: 5804578

Proposers who are interested in participating via telephone should send an e-mail to the contact person listed in this RFQ expressing their intent to participate via telephone.

6. PRE-PROPOSAL INTERPRETATIONS. Oral information or responses to questions received by prospective Proposers are not binding on the City and will be without legal effect, including any information received at pre-submittal meeting or site visit(s). The City by means of Addenda will issue interpretations or written addenda clarifications considered necessary by the City in response to questions. Only questions answered by written addenda will be binding and may supersede terms noted in this solicitation. Addendum will be released through *PublicPurchase*. Any prospective proposer who has received this RFQ by any means other than through *PublicPurchase* must register immediately with *PublicPurchase* to assure it receives any addendum issued to this RFQ. Failure to receive an addendum may result in disqualification of proposal. Written questions should be received no later than the date outlined in the **Anticipated RFQ Timetable** section.

7. CONE OF SILENCE. This RFQ is subject to, and all proposers are expected to be or become familiar with, the City's Cone of Silence Requirements, as codified in Section 2-486 of the City Code. Proposers shall be solely responsible for ensuring that all applicable provisions of the City's Cone of Silence are complied with, and shall be subject to any and all sanctions, as prescribed therein, including rendering their response voidable, in the event of such non-compliance. Communications regarding this solicitation are to be submitted in writing to the Procurement

Contact named herein with a copy to the City Clerk at rafaelgranado@miamibeachfl.gov

8. SPECIAL NOTICES. You are hereby advised that this solicitation is subject to the following ordinances/resolutions, which may be found on the City Of Miami Beach website:
<http://www.miamibeachfl.gov/city-hall/procurement/procurement-related-ordinance-and-procedures/>

• CONE OF SILENCE.....	CITY CODE SECTION 2-486
• PROTEST PROCEDURES.....	CITY CODE SECTION 2-371
• DEBARMENT PROCEEDINGS.....	CITY CODE SECTIONS 2-397 THROUGH 2-485.3
• LOBBYIST REGISTRATION AND DISCLOSURE OF FEES.....	CITY CODE SECTIONS 2-481 THROUGH 2-406
• CAMPAIGN CONTRIBUTIONS BY VENDORS.....	CITY CODE SECTION 2-487
• CAMPAIGN CONTRIBUTIONS BY LOBBYISTS ON PROCUREMENT ISSUES.....	CITY CODE SECTION 2-488
• REQUIREMENT FOR CITY CONTRACTORS TO PROVIDE EQUAL BENEFITS FOR DOMESTIC PARTNERS.....	CITY CODE SECTION 2-373
• LIVING WAGE REQUIREMENT.....	CITY CODE SECTIONS 2-407 THROUGH 2-410
• PREFERENCE FOR FLORIDA SMALL BUSINESSES OWNED AND CONTROLLED BY VETERANS AND TO STATE-CERTIFIED SERVICE-DISABLED VETERAN BUSINESS ENTERPRISES.....	CITY CODE SECTION 2-374
• FALSE CLAIMS ORDINANCE.....	CITY CODE SECTION 70-300
• ACCEPTANCE OF GIFTS, FAVORS & SERVICES.....	CITY CODE SECTION 2-449

9. PUBLIC ENTITY CRIME. A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crimes may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to public entity, may not be awarded or perform work as a contractor, supplier, sub-contractor, or consultant under a contract with a public entity, and may not transact business with any public entity in excess of the threshold amount provided in Sec. 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

10. COMPLIANCE WITH THE CITY'S LOBBYIST LAWS. This RFQ is subject to, and all Proposers are expected to be or become familiar with, all City lobbyist laws. Proposers shall be solely responsible for ensuring that all City lobbyist laws are complied with, and shall be subject to any and all sanctions, as prescribed therein, including, without limitation, disqualification of their responses, in the event of such non-compliance.

11. DEBARMENT ORDINANCE: This RFQ is subject to, and all proposers are expected to be or become familiar with, the City's Debarment Ordinance as codified in Sections 2-397 through 2-406 of the City Code.

12. WITH THE CITY'S CAMPAIGN FINANCE REFORM LAWS. This RFQ is subject to, and all Proposers are expected to be or become familiar with, the City's Campaign Finance Reform laws, as codified in Sections 2-487 through 2-490 of the City Code. Proposers shall be solely responsible for ensuring that all applicable provisions of the City's Campaign Finance Reform laws are complied with, and shall be subject to any and all sanctions, as prescribed therein, including disqualification of their responses, in the event of such non-compliance.

13. CODE OF BUSINESS ETHICS. Pursuant to City Resolution No.2000-23879, the Proposer shall adopt a Code of Business Ethics ("Code") and submit that Code to the Procurement Department with its response or within five (5) days upon receipt of request. The Code shall, at a minimum, require the Proposer, to comply with all applicable governmental rules and regulations including, among others, the conflict of interest, lobbying and ethics provision of the City of Miami Beach and Miami Dade County.

14. AMERICAN WITH DISABILITIES ACT (ADA). Call 305-673-7490 to request material in accessible format; sign language interpreters (five (5) days in advance when possible), or information on access for persons with disabilities. For more information on ADA compliance, please call the Public Works Department, at 305-673-7000, Extension 2984.

15. POSTPONEMENT OF DUE DATE FOR RECEIPT OF PROPOSALS. The City reserves the right to postpone the deadline for submittal of proposals and will make a reasonable effort to give at least three (3) calendar days written notice of any such postponement to all prospective Proposers through *PublicPurchase*.

16. PROTESTS. Proposers that are not selected may protest any recommendation for selection of award in accordance with the proceedings established pursuant to the City's bid protest procedures, as codified in Sections 2-370 and 2-371 of the City Code (the City's Bid Protest Ordinance). Protest not timely made pursuant to the requirements of the City's Bid Protest Ordinance shall be barred.

17. JOINT VENTURES. Joint Ventures are not allowed. Proposals shall be submitted only by the prime contractor. Proposals may, however, identify other sub-contractors or sub-consultants to the prime Proposer who may serve as team members.

18. VETERAN BUSINESS ENTERPRISES PREFERENCE. Pursuant to City Code Section 2-374, the City shall give a preference to a responsive and responsible Proposer which is a small business concern owned and controlled by a veteran(s) or which is a service-disabled veteran business enterprise, and which is within five percent (5%) of the lowest responsive, responsible proposer, by providing such proposer an opportunity of providing said goods or contractual services for the lowest responsive proposal amount (or in this RFQ, the highest proposal amount). Whenever, as a result of the foregoing preference, the adjusted prices of two (2) or more proposers which are a small business concern owned and controlled by a veteran(s) or a service-disabled veteran business enterprise constitute the lowest proposal pursuant to an RFQ or oral or written request for quotation, and such proposals are responsive, responsible and otherwise equal with respect to quality and service, then the award shall be made to the service-disabled veteran business enterprise.

19. DETERMINATION OF AWARD. The final ranking results of Step 1 & 2 outlined in Section 0400, Evaluation of Proposals, will be considered by the City Manager who may recommend to the City Commission the Proposer(s) s/he deems to be in the best interest of the City or may recommend rejection of all proposals. The City Manager's recommendation need not be consistent with the scoring results identified herein and takes into consideration Miami Beach City Code Section 2-369, including the following considerations:

- (1) The ability, capacity and skill of the Proposer to perform the contract.
- (2) Whether the Proposer can perform the contract within the time specified, without delay or interference.
- (3) The character, integrity, reputation, judgment, experience and efficiency of the Proposer.
- (4) The quality of performance of previous contracts.
- (5) The previous and existing compliance by the Proposer with laws and ordinances relating to the contract.

The City Commission shall consider the City Manager's recommendation and may approve such recommendation. The City Commission may also, at its option, reject the City Manager's recommendation and select another Proposal or Proposals which it deems to be in the best interest of the City, or it may also reject all Proposals.

20. NEGOTIATIONS. Following selection, the City reserves the right to enter into further negotiations with the selected Proposer. Notwithstanding the preceding, the City is in no way obligated to enter into a contract with the

selected Proposer in the event the parties are unable to negotiate a contract. It is also understood and acknowledged by Proposers that no property, contract or legal rights of any kind shall be created at any time until and unless an Agreement has been agreed to; approved by the City; and executed by the parties.

21. POSTPONEMENT/CANCELLATION/ACCEPTANCE/REJECTION. The City may, at its sole and absolute discretion, reject any and all, or parts of any and all, responses; re-advertise this RFQ; postpone or cancel, at any time, this RFQ process; or waive any irregularities in this RFQ, or in any responses received as a result of this RFQ. Reasonable efforts will be made to either award the proposer the contract or reject all proposals within one-hundred twenty (120) calendar days after proposal opening date. A proposer may withdraw its proposal after expiration of one hundred twenty (120) calendar days from the date of proposal opening by delivering written notice of withdrawal to the Department of Procurement Management prior to award of the contract by the City Commission.

22. PROPOSER'S RESPONSIBILITY. Before submitting a response, each Proposer shall be solely responsible for making any and all investigations, evaluations, and examinations, as it deems necessary, to ascertain all conditions and requirements affecting the full performance of the contract. Ignorance of such conditions and requirements, and/or failure to make such evaluations, investigations, and examinations, will not relieve the Proposer from any obligation to comply with every detail and with all provisions and requirements of the contract, and will not be accepted as a basis for any subsequent claim whatsoever for any monetary consideration on the part of the Proposer.

23. COSTS INCURRED BY PROPOSERS. All expenses involved with the preparation and submission of Proposals, or any work performed in connection therewith, shall be the sole responsibility (and shall be at the sole cost and expense) of the Proposer, and shall not be reimbursed by the City.

24. RELATIONSHIP TO THE CITY. It is the intent of the City, and Proposers hereby acknowledge and agree, that the successful Proposer is considered to be an independent contractor, and that neither the Proposer, nor the Proposer's employees, agents, and/or contractors, shall, under any circumstances, be considered employees or agents of the City.

24. OCCUPATIONAL HEALTH AND SAFETY. In compliance with Chapter 442, Florida Statutes, any toxic substance listed in Section 38F-41.03 of the Florida Administrative Code delivered as a result of this proposal must be accompanied by a Material Safety Data Sheet (MSDS) which may be obtained from the manufacturer.

25. ENVIRONMENTAL REGULATIONS. The City reserves the right to consider a proposer's history of citations and/or violations of environmental regulations in investigating a proposer's responsibility, and further reserves the right to declare a proposer not responsible if the history of violations warrant such determination in the opinion of the City. Proposer shall submit with its proposal, a complete history of all citations and/or violations, notices and dispositions thereof. The non-submission of any such documentation shall be deemed to be an affirmation by the Proposer that there are no citations or violations. Proposer shall notify the City immediately of notice of any citation or violation which proposer may receive after the proposal opening date and during the time of performance of any contract awarded to it.

26. TAXES. The City of Miami Beach is exempt from all Federal Excise and State taxes.

27. MISTAKES. Proposers are expected to examine the terms, conditions, specifications, delivery schedules, proposed pricing, and all instructions pertaining to the goods and services relative to this RFQ. Failure to do so will be at the Proposer's risk and may result in the Proposal being non-responsive.

28. PAYMENT. Payment will be made by the City after the goods or services have been received, inspected, and found to comply with contract, specifications, free of damage or defect, and are properly invoiced. Invoices must be consistent with Purchase Order format.

29. COPYRIGHT, PATENTS & ROYALTIES. Proposer shall indemnify and save harmless the City of Miami Beach, Florida, and its officers, employees, contractors, and/or agents, from liability of any nature or kind, including cost and expenses for, or on account of, any copyrighted, patented, or unpatented invention, process, or article manufactured or used in the performance of the contract, including its use by the City of Miami Beach, Florida. If the Proposer uses any design, device or materials covered by letters, patent, or copyright, it is mutually understood and agreed, without exception, that the proposal prices shall include all royalties or cost arising from the use of such design, device, or materials in any way involved in the work.

30. DEFAULT. Failure or refusal of the selected Proposer to execute a contract following approval of such contract by the City Commission, or untimely withdrawal of a response before such award is made and approved, may result in a claim for damages by the City and may be grounds for removing the Proposer from the City's vendor list.

31. MANNER OF PERFORMANCE. Proposer agrees to perform its duties and obligations in a professional manner and in accordance with all applicable Local, State, County, and Federal laws, rules, regulations and codes. Lack of knowledge or ignorance by the Proposer with/of applicable laws will in no way be a cause for relief from responsibility. Proposer agrees that the services provided shall be provided by employees that are educated, trained, experienced, certified, and licensed in all areas encompassed within their designated duties. Proposer agrees to furnish to the City any and all documentation, certification, authorization, license, permit, or registration currently required by applicable laws, rules, and regulations. Proposer further certifies that it and its employees will keep all licenses, permits, registrations, authorizations, or certifications required by applicable laws or regulations in full force and effect during the term of this contract. Failure of Proposer to comply with this paragraph shall constitute a material breach of this contract.

Where contractor is required to enter or go on to City of Miami Beach property to deliver materials or perform work or services as a result of any contract resulting from this solicitation, the contractor will assume the full duty, obligation and expense of obtaining all necessary licenses, permits, and insurance, and assure all work complies with all applicable laws. The contractor shall be liable for any damages or loss to the City occasioned by negligence of the Proposer, or its officers, employees, contractors, and/or agents, for failure to comply with applicable laws.

32. SPECIAL CONDITIONS. Any and all Special Conditions that may vary from these General Terms and Conditions shall have precedence.

33. NON-DISCRIMINATION. The Proposer certifies that it is in compliance with the non-discrimination clause contained in Section 202, Executive Order 11246, as amended by Executive Order 11375, relative to equal employment opportunity for all persons without regard to race, color, religion, sex or national origin. In accordance with the City's Human Rights Ordinance, codified in Chapter 62 of the City Code, Proposer shall prohibit discrimination by reason of race, color, national origin, religion, sex, intersexuality, gender identity, sexual orientation, marital and familial status, and age or disability.

34. DEMONSTRATION OF COMPETENCY. The city may consider any evidence available regarding the financial, technical, and other qualifications and abilities of a Proposer, including past performance (experience) in making an award that is in the best interest of the City, including:

- A. Pre-award inspection of the Proposer's facility may be made prior to the award of contract.
- B. Proposals will only be considered from firms which are regularly engaged in the business of providing the goods and/or services as described in this solicitation.
- C. Proposers must be able to demonstrate a good record of performance for a reasonable period of time, and have sufficient financial capacity, equipment, and organization to ensure that they can satisfactorily perform the services if awarded a contract under the terms and conditions of this solicitation.
- D. The terms "equipment and organization", as used herein shall, be construed to mean a fully equipped and well established company in line with the best business practices in the industry, and as determined by the City of Miami Beach.
- E. The City may consider any evidence available regarding the financial, technical, and other qualifications and abilities of a Proposer, including past performance (experience), in making an award that is in the best interest of the City.
- F. The City may require Proposer s to show proof that they have been designated as authorized representatives of a manufacturer or supplier, which is the actual source of supply. In these instances, the City may also require material information from the source of supply regarding the quality, packaging, and characteristics of the products to be supply to the City.

35. ASSIGNMENT. The successful Proposer shall not assign, transfer, convey, sublet or otherwise dispose of the contract, including any or all of its right, title or interest therein, or his/her or its power to execute such contract, to any person, company or corporation, without the prior written consent of the City.

36. LAWS, PERMITS AND REGULATIONS. The Proposer shall obtain and pay for all licenses, permits, and inspection fees required to complete the work and shall comply with all applicable laws.

37. OPTIONAL CONTRACT USAGE. When the successful Proposer (s) is in agreement, other units of government or non-profit agencies may participate in purchases pursuant to the award of this contract at the option of the unit of government or non-profit agency.

38. VOLUME OF WORK TO BE RECEIVED BY CONTRACTOR. It is the intent of the City to purchase the goods and services specifically listed in this solicitation from the contractor. However, the City reserves the right to purchase any goods or services awarded from state or other governmental contract, or on an as-needed basis through the City's spot market purchase provisions.

39. DISPUTES. In the event of a conflict between the documents, the order of priority of the documents shall be as follows:

- A. Any contract or agreement resulting from the award of this solicitation; then
- B. Addendum issued for this solicitation, with the latest Addendum taking precedence; then
- C. The solicitation; then
- D. The Proposer's proposal in response to the solicitation.

40. INDEMNIFICATION. The Proposer shall indemnify and hold harmless the City and its officers, employees, agents and instrumentalities from any and all liability, losses or damages, including attorney's fees and costs of defense, which the City or its officers, employees, agents or instrumentalities may incur as a result of claims, demands, suits, causes of actions or proceedings of any kind or nature arising out of, relating to or resulting from the performance of the agreement by the contractor or its employees, agents, servants, partners, principals or subcontractors. The contractor 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

appellate proceedings, and shall pay all costs, judgments, and attorney's fees which may be incurred thereon. The Proposer expressly understands and agrees that any insurance protection required by this Agreement or otherwise provided by the contractor shall in no way limit the responsibility to indemnify, keep and save harmless and defend the City or its officers, employees, agents and instrumentalities as herein provided. The above indemnification provisions shall survive the expiration or termination of this Agreement.

41. CONTRACT EXTENSION. The City reserves the right to require the Contractor to extend contract past the stated termination date for a period of up to 120 days in the event that a subsequent contract has not yet been awarded. Additional extensions past the 120 days may occur as needed by the City and as mutually agreed upon by the City and the contractor.

42. FLORIDA PUBLIC RECORDS LAW. Proposers are hereby notified that all Bid including, without limitation, any and all information and documentation submitted therewith, are exempt from public records requirements under Section 119.07(1), Florida Statutes, and s. 24(a), Art. 1 of the State Constitution until such time as the City provides notice of an intended decision or until thirty (30) days after opening of the proposals, whichever is earlier. Additionally, Contractor agrees to be in full compliance with Florida Statute 119.0701 including, but not limited to, agreement to (a) Keep and maintain public records that ordinarily and necessarily would be required by the public agency in order to perform the services; (b) provide the public with access to public records on the same terms and conditions that the public agency would provide the records and at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law; (c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law; (d) Meet all requirements for retaining public records and transfer, at no cost, to the public agency all public records in possession of the contractor upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the public agency in a format that is compatible with the information technology systems of the public agency.

43. OBSERVANCE OF LAWS. Proposers are expected to be familiar with, and comply with, all Federal, State, County, and City laws, ordinances, codes, rules and regulations, and all orders and decrees of bodies or tribunals having jurisdiction or authority which, in any manner, may affect the scope of services and/or project contemplated by this RFQ (including, without limitation, the Americans with Disabilities Act, Title VII of the Civil Rights Act, the EEOC Uniform Guidelines, and all EEO regulations and guidelines). Ignorance of the law(s) on the part of the Proposer will in no way relieve it from responsibility for compliance.

44. CONFLICT OF INTEREST. All Proposers must disclose, in their Proposal, the name(s) of any officer, director, agent, or immediate family member (spouse, parent, sibling, and child) who is also an employee of the City of Miami Beach. Further, all Proposers must disclose the name of any City employee who owns, either directly or indirectly, an interest of ten (10%) percent or more in the Proposer entity or any of its affiliates.

45. MODIFICATION/WITHDRAWALS OF PROPOSALS. A Proposer may submit a modified Proposal to replace all or any portion of a previously submitted Proposal up until the Proposal due date and time. Modifications received after the Proposal due date and time will not be considered. Proposals shall be irrevocable until contract award unless withdrawn in writing prior to the Proposal due date, or after expiration of 120 calendar days from the opening of Proposals without a contract award. Letters of withdrawal received after the Proposal due date and before said expiration date, and letters of withdrawal received after contract award will not be considered.

47. EXCEPTIONS TO RFQ. Proposers must clearly indicate any exceptions they wish to take to any of the terms in this RFQ, and outline what, if any, alternative is being offered. All exceptions and alternatives shall be included and clearly delineated, in writing, in the Proposal. The City, at its sole and absolute discretion, may accept or reject any or all exceptions and alternatives. In cases in which exceptions and alternatives are rejected, the City shall require the Proposer to comply with the particular term and/or condition of the RFQ to which Proposer took exception to (as said term and/or condition was originally set forth on the RFQ).

48. ACCEPTANCE OF GIFTS, FAVORS, SERVICES. Proposers shall not offer any gratuities, favors, or anything of monetary value to any official, employee, or agent of the City, for the purpose of influencing consideration of this Proposal. Pursuant to Sec. 2-449 of the City Code, no officer or employee of the City shall accept any gift, favor or service that might reasonably tend improperly to influence him in the discharge of his official duties.

49. SUPPLEMENTAL INFORMATION. City reserves the right to request supplemental information from Proposers at any time during the RFQ solicitation process.

50. ADDITIONAL ITEMS / SERVICES. Although this solicitation and resultant contract identifies specific goods, services or facilities ("items"), it is hereby agreed and understood that the City may require additional items to be added to the Contract which are ancillary or supplemental to the items specified herein and required to complete the work. When additional items are required to be added to the Contract, awarded vendor(s), as applicable to the item being requested, under this contract may be invited to submit price quote(s) for the additional items. If these quote(s) are determined to be fair and reasonable, then the additional items will be awarded to the current contract vendor(s) through either a Purchase Order (or Change Order if Purchase Order already exists) or an amendment to the Contract. Additional items with a cumulative value of \$50,000 or less may be approved by the City Manager. City Commission approval is required for additional items with a cumulative value greater than \$50,000.

The City may determine to obtain price quotes for the additional items from other vendors in the event that fair and reasonable pricing is not obtained from the current contract vendors, or for other reasons at the City's discretion.

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SECTION 0300

SUBMITTAL INSTRUCTIONS AND FORMAT

1. SEALED RESPONSES. One original Statement of Qualifications (preferably in 3-ring binder) must be submitted in an opaque, sealed envelope or container on or before the due date established for the receipt of proposals. Additionally, ten (10) bound copies and one (1) electronic format (CD or USB format) are to be submitted. The following information should be clearly marked on the face of the envelope or container in which the proposal is submitted: solicitation number, solicitation title, proposer name, proposer return address. Statement of Qualifications received electronically, either through email or facsimile, are not acceptable and will be rejected.

2. LATE BIDS. Statement of Qualifications are to be received on or before the due date established herein for the receipt of Bids. **Any Bid received after the deadline established for receipt of Statement of Qualifications will be considered late and not be accepted or will be returned to proposer unopened.** The City does not accept responsibility for any delays, natural or otherwise.

3. STATEMENTS OF QUALIFICATIONS FORMAT. In order to maintain comparability, facilitate the review process and assist the Evaluation Committee in review of Statement of Qualifications, it is strongly recommended that Statement of Qualifications be organized and tabbed in accordance with the sections and manner specified below. Hard copy submittal should be tabbed as enumerated below and contain a table of contents with page references. Electronic copies should also be tabbed and contain a table of contents with page references.

TAB 1	Cover Letter & Requirements
1.1	Cover Letter and Table of Contents. The cover letter must indicate Proposer and Proposer Primary Contact for the purposes of this solicitation.
1.2	Proposal Certification, Questionnaire & Requirements Affidavit (Appendix A). Attach Appendix A fully completed and executed.

TAB 2	Experience & Qualifications
2.1	Qualifications of Proposing Firm. Submit detailed information regarding the firm's history and relevant experience and proven track record of providing the scope of services similar as identified in this solicitation, including experience in providing similar scope of services to public sector agencies. For each project that the Proposer submits as evidence of similar experience, the following is required: project description, agency name, agency contact, contact telephone & email, and year(s) and term of engagement.
2.2	<p>Qualifications of Proposer Team. Provide an organizational chart of all personnel and sub-consultants to be used for this project if awarded, the role that each team member will play in providing the services detailed herein and each team members' qualifications, including membership or certification in the following areas:</p> <ul style="list-style-type: none"> • USAG (U101) Safety and Risk Management Certification • USAG (U100) Fundamental Gymnastics Instruction Course Certification • USAG (U110) Safe Sport Course Certification • CPR/First Aid <p>A resume of each individual, including education, experience, and any other pertinent information, shall be included for each Proposal team member to be assigned to this contract.</p>

TAB 3	Approach and Methodology
	Submit detailed information addressing how Proposer will achieve each portion of the scope of services and technical requirements outlined in Appendix C, Minimum Requirements and Specifications, including (at a minimum) each of the scope related items identified on pages 25 – 31 of Appendix C. Additionally, proposal should emphasize how the Proposer will address the following areas of the scope of services:

- **Schedule of Activities.** Proposer should include a full schedule of activities to include: class/program name, age of participants to be served, class/program description inclusive of field trip location and date, begin/end time of the class/program and weekly lesson plan.
- **Safety and Supervision.** Proposer should address its plan to maximize safety and supervision at all times, including the monitoring of staff, participants, equipment and facilities.
- **Added Value Programming:** Proposer should include with their program proposal any programs, services, or amenities that would be in addition to and beyond the above program specifications that will provide an added value to the program for the participant(s) and/or City. These added value programs, services, or amenities would be in addition to the standard or traditional programs typically offered and those not requested elsewhere in this RFQ.

TAB 4 Public Benefit

4.1 Contribution to Educational Initiatives. The City maintains a 501(C)(3) that is used to support the educational initiatives of the Mayor and City Commission. Proposers may propose a financial contribution to the educational initiatives 501(C)(3).

4.2 Other Value-Added Public Benefits. Proposers may submit detailed information on how Proposer will include other value-added public benefits in the delivery of the proposed services, which may include any other benefits, contributions or services that benefit the City and its residents.

4. FINANCIAL CAPACITY. Within three (3) business days of request by the City, Each Proposer shall arrange for Dun & Bradstreet to submit a Supplier Qualification Report (SQR) directly to the Procurement Contact named herein. No proposal will be considered without receipt, by the City, of the SQR directly from Dun & Bradstreet. The cost of the preparation of the SQR shall be the responsibility of the Proposer. The Proposer shall request the SQR report from D&B at:

<https://supplierportal.dnb.com/webapp/wcs/stores/servlet/SupplierPortal?storeId=11696>

Proposers are responsible for the accuracy of the information contained in its SQR. It is highly recommended that each Proposer review the information contained in its SQR for accuracy prior to submittal to the City and as early as possible in the solicitation process. For assistance with any portion of the SQR submittal process, contact Dun & Bradstreet at 800-424-2495.

5. ADDITIONAL INFORMATION OR CLARIFICATION. After proposal submittal, the City reserves the right to require additional information from Proposers (or Proposer team members or sub-consultants) to determine: qualifications (including, but not limited to, litigation history, regulatory action, or additional references); and financial capability (including, but not limited to, annual reviewed/audited financial statements with the auditors notes for each of their last two complete fiscal years).

The City reserves the right to request any documentation omitted, with exception of Proposal Certification, Questionnaire & Requirements Affidavit (Appendix A). Bidder must submit any omitted documentation within three (3) business days upon request from the City, or the bid may be deemed non-responsive. Non-responsive bid packages will receive no further consideration.

SECTION 0400

STATEMENTS OF QUALIFICATIONS EVALUATION

1. Evaluation Committee. An Evaluation Committee, appointed by the City Manager, shall meet to evaluate each Statement of Qualifications in accordance with the requirements set forth in the solicitation. If further information is desired, Proposals may be requested to make additional written submissions of a clarifying nature or oral presentations to the Evaluation Committee. The evaluation of Statement of Qualifications will proceed in a two-step process as noted below. It is important to note that the Evaluation Committee will score the qualitative portions of the Statement of Qualifications only. The Evaluation Committee does not make an award recommendation to the City Manager. The results of Step 1 & Step 2 Evaluations will be forwarded to the City Manager who will utilize the results to make a recommendation to the City Commission. In the event that only one responsive proposal is received, the City Manager, after determination that the sole responsive proposal materially meets the requirements of the RFQ, may, without an evaluation committee, recommend to the City Commission that the Administration enter into negotiations. The City, in its discretion, may utilize technical or other advisers to assist the evaluation committee in the evaluation of proposals.

2. Step 1 Evaluation. The first step will consist of the qualitative criteria listed below to be considered by the Evaluation Committee. The second step will consist of quantitative criteria established below to be added to the Evaluation Committee results by the Department of Procurement Management. An Evaluation Committee, appointed by the City Manager, shall meet to evaluate each Statement of Qualifications in accordance with the qualifications criteria established below for Step 1, Qualitative Criteria. In doing so, the Evaluation Committee may review and score all proposals received, with or without conducting interview sessions.

Step 1 - Qualitative Criteria	Maximum Points
Proposer Experience and Qualifications	65
Approach and Methodology	30
Public Benefit	5
TOTAL AVAILABLE STEP 1 POINTS	100

3. Step 2 Evaluation. Following the results of Step 1 Evaluation of qualitative criteria, the Proposer may receive additional quantitative criteria points to be added by the Procurement Department to those points earned in Step 1, as follows.

Step 2 - Quantitative Criteria	Maximum Points
Veterans Preference	5
TOTAL AVAILABLE STEP 2 POINTS	5

4. Determination of Final Ranking. At the conclusion of the Evaluation Committee Step 1 scoring, Step 2 Points will be added to each evaluation committee member's scores by the Department of Procurement Management. Step 1 and 2 scores will be converted to rankings in accordance with the example below:

		Proposer A	Proposer B	Proposer C
Committee Member 1	Step 1 Points	82	76	80
	Step 2 Points	22	15	12
	Total	104	91	92
	Rank	1	3	2
Committee Member 2	Step 1 Points	79	85	72
	Step 2 Points	22	15	12
	Total	101	100	84
	Rank	1	2	3
Committee Member 2	Step 1 Points	80	74	66
	Step 2 Points	22	15	12
	Total	102	89	78
	Rank	1	2	3
Low Aggregate Score		3	7	8
Final Ranking*		1	2	3

* Final Ranking is presented to the City Manager for further due diligence and recommendation to the City Commission. Final Ranking does not constitute an award recommendation until such time as the City Manager has made his recommendation to the City Commission, which may be different than final ranking results.

APPENDIX A

MIAMI BEACH

Response Certification, Questionnaire & Requirements Affidavit

2019-047-WG GYMNASTICS PROGRAM INSTRUCTIONAL SERVICES

PROCUREMENT DEPARTMENT
1755 Meridian Avenue, 3rd Floor
Miami Beach, Florida 33139

MIAMI BEACH

Solicitation No: 2019-047-WG	Solicitation Title: GYMNASTICS PROGRAM INSTRUCTIONAL SERVICES	
Procurement Contact: William Garviso, CPPB	Tel: 305 673-7000 #6650	Email: WilliamGarviso@miamibeachfl.gov

STATEMENTS OF QUALIFICATIONS CERTIFICATION, QUESTIONNAIRE & REQUIREMENTS AFFIDAVIT

Purpose: The purpose of this Response Certification, Questionnaire and Requirements Affidavit Form is to inform prospective Proposals of certain solicitation and contractual requirements, and to collect necessary information from Proposals in order that certain portions of responsiveness, responsibility and other determining factors and compliance with requirements may be evaluated. **This Statement of Qualifications Certification, Questionnaire and Requirements Affidavit Form is a REQUIRED FORM that must be submitted fully completed and executed.**

1. General Proposer Information.

FIRM NAME:		
NO. OF YEARS IN BUSINESS:	NO. OF YEARS IN BUSINESS LOCALLY:	NO. OF EMPLOYEES:
OTHER NAME(S) PROPOSER HAS OPERATED UNDER IN THE LAST 10 YEARS:		
FIRM PRIMARY ADDRESS (HEADQUARTERS):		
CITY:		
STATE:	ZIP CODE:	
TELEPHONE NO.:		
TOLL FREE NO.:		
FAX NO.:		
FIRM LOCAL ADDRESS:		
CITY:		
STATE:	ZIP CODE:	
PRIMARY ACCOUNT REPRESENTATIVE FOR THIS ENGAGEMENT:		
ACCOUNT REP TELEPHONE NO.:		
ACCOUNT REP TOLL FREE NO.:		
ACCOUNT REP EMAIL:		
FEDERAL TAX IDENTIFICATION NO.:		

The City reserves the right to seek additional information from proposer or other source(s), including but not limited to: any firm or principal information, applicable licensure, resumes of relevant individuals, client information, financial information, or any information the City deems necessary to evaluate the capacity of the proposer to perform in accordance with contract requirements.

MIAMI BEACH

1. **Veteran Owned Business.** Is Proposer claiming a veteran owned business status?

☐

YES

☐

NO

SUBMITTAL REQUIREMENT: Proposers claiming veteran owned business status shall submit a documentation proving that firm is certified as a veteran-owned business or a service-disabled veteran owned business by the State of Florida or United States federal government, as required pursuant to ordinance 2011-3748.

2. **Conflict Of Interest.** All Proposers must disclose, in their Proposal, the name(s) of any officer, director, agent, or immediate family member (spouse, parent, sibling, and child) who is also an employee of the City of Miami Beach. Further, all Proposers must disclose the name of any City employee who owns, either directly or indirectly, an interest of ten (10%) percent or more in the Proposer entity or any of its affiliates.

SUBMITTAL REQUIREMENT: Proposers must disclose the name(s) of any officer, director, agent, or immediate family member (spouse, parent, sibling, and child) who is also an employee of the City of Miami Beach. Proposers must also disclose the name of any City employee who owns, either directly or indirectly, an interest of ten (10%) percent or more in the Proposer entity or any of its affiliates

3. **References & Past Performance.** Proposer shall submit at least three (3) references for whom the Proposer has completed work similar in size and nature as the work referenced in solicitation.

SUBMITTAL REQUIREMENT: For each reference submitted, the following information is required: 1) Firm Name, 2) Contact Individual Name & Title, 3) Address, 4) Telephone, 5) Contact's Email and 6) Narrative on Scope of Services Provided.

4. **Suspension, Debarment or Contract Cancellation.** Has Proposer ever been debarred, suspended or other legal violation, or had a contract cancelled due to non-performance by any public sector agency?

☐

YES

☐

NO

SUBMITTAL REQUIREMENT: If answer to above is "YES," Proposer shall submit a statement detailing the reasons that led to action(s).

5. **Vendor Campaign Contributions.** Proposers are expected to be or become familiar with, the City's Campaign Finance Reform laws, as codified in Sections 2-487 through 2-490 of the City Code. Proposers shall be solely responsible for ensuring that all applicable provisions of the City's Campaign Finance Reform laws are complied with, and shall be subject to any and all sanctions, as prescribed therein, including disqualification of their Proposals, in the event of such non-compliance.

SUBMITTAL REQUIREMENT: Submit the names of all individuals or entities (including your sub-consultants) with a controlling financial interest as defined in solicitation. For each individual or entity with a controlling financial interest indicate whether or not each individual or entity has contributed to the campaign either directly or indirectly, of a candidate who has been elected to the office of Mayor or City Commissioner for the City of Miami Beach.

6. **Code of Business Ethics.** Pursuant to City Resolution No.2000-23879, each person or entity that seeks to do business with the City shall adopt a Code of Business Ethics ("Code") and submit that Code to the Department of Procurement Management with its proposal/response or within five (5) days upon receipt of request. The Code shall, at a minimum, require the Proposer, to comply with all applicable governmental rules and regulations including, among others, the conflict of interest, lobbying and ethics provision of the City of Miami Beach and Miami Dade County.

SUBMITTAL REQUIREMENT: Proposer shall submit firm's Code of Business Ethics. In lieu of submitting Code of Business Ethics, Proposer may submit a statement indicating that it will adopt, as required in the ordinance, the City of Miami Beach Code of Ethics, available at <http://www.miamibeachfl.gov/city-hall/procurement/>

7. **Living Wage.** Pursuant to Section 2-408 of the City of Miami Beach Code, as same may be amended from time to time, covered employees shall be paid the required living wage rates listed below:

1. Effective January 1, 2018, covered employees must be paid a living wage rate of no less than \$11.62 per hour with health care benefits of at least \$2.26 per hour, or a living wage rate of no less than \$13.88 per hour without health care benefits.
2. Effective January 1, 2019, covered employees must be paid a living wage rate of no less than \$11.70 per hour with health care benefits of at least \$2.74 per hour, or a living wage rate of no less than \$14.44 per hour without health care benefits.
3. Effective January 1, 2020, covered employees must be paid a living wage rate of no less than \$11.78 per hour with health care benefits of at least \$3.22 per hour, or a living wage rate of no less than \$15.00 per hour without health care benefits.

The living wage rate and health care benefits rate may, by Resolution of the City Commission be indexed annually for inflation using the Consumer Price Index for all Urban Consumers (CPI-U) Miami/Ft. Lauderdale, issued by the U.S. Department of Labor's Bureau of Labor Statistics. Notwithstanding the preceding, no annual index shall exceed three percent (3%). The City may also, by resolution, elect not to index the living wage rate in any particular year, if it determines it would not be fiscally sound to implement same (in a particular year).

Proposers' failure to comply with this provision shall be deemed a material breach under this proposal, under which the City may, at its sole option, immediately deem said Proposer as non responsive, and may further subject Proposer to additional penalties and fines, as provided in the City's Living Wage Ordinance, as amended. Further information on the Living Wage requirement is available at <http://www.miamibeachfl.gov/city-hall/procurement/procurement-related-ordinance-and-procedures/>.

SUBMITTAL REQUIREMENT: No additional submittal is required. By virtue of executing this affidavit document, Proposer agrees to the living wage requirement. Any payroll request made by the City during the contract term shall be completed electronically via the City's electronic compliance portal, LCP Tracker (LCPTracker.net).

8. **Equal Benefits for Employees with Spouses and Employees with Domestic Partners.** When awarding competitively solicited contracts valued at over \$100,000 whose contractors maintain 51 or more full time employees on their payrolls during 20 or more calendar work weeks, the Equal Benefits for Domestic Partners Ordinance 2005-3494 requires certain contractors doing business with the City of Miami Beach, who are awarded a contract pursuant to competitive proposals, to provide "Equal Benefits" to their employees with domestic partners, as they provide to employees with spouses. The Ordinance applies to all employees of a Contractor who work within the City limits of the City of Miami Beach, Florida; and the Contractor's employees located in the United States, but outside of the City of Miami Beach limits, who are directly performing work on the contract within the City of Miami Beach.

A. Does your company provide or offer access to any benefits to employees with spouses or to spouses of employees?

☐ YES ☐ NO

B. Does your company provide or offer access to any benefits to employees with (same or opposite sex) domestic partners* or to domestic partners of employees?

☐ YES ☐ NO

C. Please check all benefits that apply to your answers above and list in the "other" section any additional benefits not already specified. Note: some benefits are provided to employees because they have a spouse or domestic partner, such as bereavement leave; other benefits are provided directly to the spouse or domestic partner, such as medical insurance.

BENEFIT	Firm Provides for Employees with Spouses	Firm Provides for Employees with Domestic Partners	Firm does not Provide Benefit
Health			
Sick Leave			
Family Medical Leave			
Bereavement Leave			

If Proposer cannot offer a benefit to domestic partners because of reasons outside your control, (e.g., there are no insurance providers in your area willing to offer domestic partner coverage) you may be eligible for Reasonable Measures compliance. To comply on this basis, you must agree to pay a cash equivalent and submit a completed Reasonable Measures Application (attached) with all necessary documentation. Your Reasonable Measures Application will be reviewed for consideration by the City Manager, or his designee. Approval is not guaranteed and the City Manager's decision is final. Further information on the Equal Benefits requirement is available at <http://www.miamibeachfl.gov/city-hall/procurement/procurement-related-ordinance-and-procedures/>.

9. **Public Entity Crimes.** Section 287.133(2)(a), Florida Statutes, as currently enacted or as amended from time to time, states that a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a proposal, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a proposal, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit proposals, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in s. 287.017 for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list.

SUBMITTAL REQUIREMENT: No additional submittal is required. By virtue of executing this affidavit document, Proposer agrees with the requirements of Section 287.133, Florida Statutes, and certifies it has not been placed on convicted vendor list.

10. **Non-Discrimination.** Pursuant to City Ordinance No.2016-3990, the City shall not enter into a contract with a business unless the business represents that it does not and will not engage in a boycott as defined in Section 2-375(a) of the City Code, including the blacklisting, divesting from, or otherwise refusing to deal with a person or entity when such action is based on race, color, national origin, religion, sex, intersexuality, gender identity, sexual orientation, marital or familial status, age or disability.

SUBMITTAL REQUIREMENT: No additional submittal is required. By virtue of executing this affidavit document, Proposer agrees it is and shall remain in full compliance with Section 2-375 of the City of Miami Beach City Code.

11. **Moratorium on Travel to and the Purchase of Goods or Services from North Carolina and Mississippi.** Pursuant to Resolution 2016-29375, the City of Miami Beach, Florida, prohibits official City travel to the states of North Carolina and Mississippi, as well as the purchase of goods or services sourced in North Carolina and Mississippi. Proposer shall agree that no travel shall occur on behalf of the City to North Carolina or Mississippi, nor shall any product or services it provides to the City be sourced from these states.

SUBMITTAL REQUIREMENT: No additional submittal is required. By virtue of executing this affidavit document, Proposer agrees it is and shall remain in full compliance with Resolution 2016-29375.

12. **Fair Chance Requirement.** Pursuant to Section 2-376 of the City Code, the City shall not enter into any contract resulting from a competitive solicitation, unless the proposer certifies in writing that the business has adopted and employs written policies, practices, and standards that are consistent with the City's Fair Chance Ordinance, set forth in Article V of Chapter 62 of the City Code ("Fair Chance Ordinance"), and which, among other things, (i) prohibits City contractors, as an employer, from inquiring about an applicant's criminal history until the applicant is given a conditional offer of employment; (ii) prohibits advertising of employment positions with a statement that an individual with a criminal record may not apply for the position, and (iii) prohibits placing a statement on an employment application that a person with a criminal record may not apply for the position.

SUBMITTAL REQUIREMENT: No additional submittal is required at this time. By virtue of executing this affidavit, Proposer certifies that it has adopted policies, practices and standards consistent with the City's Fair Chance Ordinance. Proposer agrees to provide the City with supporting documentation evidencing its compliance upon request. Proposer further agrees that any breach of the representations made herein shall constitute a material breach of contract, and shall entitle the City to the immediate termination for cause of the agreement, in addition to any damages that may be available at law and in equity.

13. **Acknowledgement of Addendum.** After issuance of solicitation, the City may release one or more addendum to the solicitation which may provide additional information to Proposers or alter solicitation requirements. The City will strive to reach every Proposer having received solicitation through the City's e-procurement system, PublicPurchase.com. However, Proposers are solely responsible for assuring they have received any and all addendum issued pursuant to solicitation. This Acknowledgement of Addendum section certifies that the Proposer has received all addendum released by the City pursuant to this solicitation. Failure to obtain and acknowledge receipt of all addenda may result in proposal disqualification.

Initial to Confirm Receipt		Initial to Confirm Receipt		Initial to Confirm Receipt	
	Addendum 1		Addendum 6		Addendum 11
	Addendum 2		Addendum 7		Addendum 12
	Addendum 3		Addendum 8		Addendum 13
	Addendum 4		Addendum 9		Addendum 14
	Addendum 5		Addendum 10		Addendum 15

If additional confirmation of addendum is required, submit under separate cover.

DISCLOSURE AND DISCLAIMER SECTION

The solicitation referenced herein is being furnished to the recipient by the City of Miami Beach (the "City") for the recipient's convenience. Any action taken by the City in response to Statement of Qualifications made pursuant to this solicitation, or in making any award, or in failing or refusing to make any award pursuant to such Statement of Qualifications, or in cancelling awards, or in withdrawing or cancelling this solicitation, either before or after issuance of an award, shall be without any liability or obligation on the part of the City.

In its sole discretion, the City may withdraw the solicitation either before or after receiving Statement of Qualifications, may accept or reject Statement of Qualifications, and may accept Statement of Qualifications which deviates from the solicitation, as it deems appropriate and in its best interest. In its sole discretion, the City may determine the qualifications and acceptability of any party or parties submitting Statement of Qualifications in response to this solicitation.

Following submission of Statement of Qualifications, the applicant agrees to deliver such further details, information and assurances, including financial and disclosure data, relating to the Statement of Qualifications and the applicant including, without limitation, the applicant's affiliates, officers, directors, shareholders, partners and employees, as requested by the City in its discretion.

The information contained herein is provided solely for the convenience of prospective Proposals. It is the responsibility of the recipient to assure itself that information contained herein is accurate and complete. The City does not provide any assurances as to the accuracy of any information in this solicitation.

Any reliance on these contents, or on any permitted communications with City officials, shall be at the recipient's own risk. Proposals should rely exclusively on their own investigations, interpretations, and analyses. The solicitation is being provided by the City without any warranty or representation, express or implied, as to its content, its accuracy, or its completeness. No warranty or representation is made by the City or its agents that any Statement of Qualifications conforming to these requirements will be selected for consideration, negotiation, or approval.

The City shall have no obligation or liability with respect to this solicitation, the selection and the award process, or whether any award will be made. Any recipient of this solicitation who responds hereto fully acknowledges all the provisions of this Disclosure and Disclaimer, is totally relying on this Disclosure and Disclaimer, and agrees to be bound by the terms hereof. Any Statement of Qualifications submitted to the City pursuant to this solicitation are submitted at the sole risk and responsibility of the party submitting such Statement of Qualifications.

This solicitation is made subject to correction of errors, omissions, or withdrawal from the market without notice. Information is for guidance only, and does not constitute all or any part of an agreement.

The City and all Proposals will be bound only as, if and when a Statement of Qualifications, as same may be modified, and the applicable definitive agreements pertaining thereto, are approved and executed by the parties, and then only pursuant to the terms of the definitive agreements executed among the parties. Any response to this solicitation may be accepted or rejected by the City for any reason, or for no reason, without any resultant liability to the City.

The City is governed by the Government-in-the-Sunshine Law, and all Statement of Qualifications and supporting documents shall be subject to disclosure as required by such law. All Statement of Qualifications shall be submitted in sealed proposal form and shall remain confidential to the extent permitted by Florida Statutes, until the date and time selected for opening the responses. At that time, all documents received by the City shall become public records.

Proposals are expected to make all disclosures and declarations as requested in this solicitation. By submission of a Statement of Qualifications, the Proposer acknowledges and agrees that the City has the right to make any inquiry or investigation it deems appropriate to substantiate or supplement information contained in the Statement of Qualifications, and authorizes the release to the City of any and all information sought in such inquiry or investigation. Each Proposer certifies that the information contained in the Statement of Qualifications is true, accurate and complete, to the best of its knowledge, information, and belief.

Notwithstanding the foregoing or anything contained in the solicitation, all Proposals agree that in the event of a final unappealable judgment by a court of competent jurisdiction which imposes on the City any liability arising out of this solicitation, or any response thereto, or any action or inaction by the City with respect thereto, such liability shall be limited to \$10,000.00 as agreed-upon and liquidated damages. The previous sentence, however, shall not be construed to circumvent any of the other provisions of this Disclosure and Disclaimer which imposes no liability on the City.

In the event of any differences in language between this Disclosure and Disclaimer and the balance of the solicitation, it is understood that the provisions of this Disclosure and Disclaimer shall always govern. The solicitation and any disputes arising from the solicitation shall be governed by and construed in accordance with the laws of the State of Florida.

PROPOSER CERTIFICATION

I hereby certify that: I, as an authorized agent of the Proposer, am submitting the following information as my firm's proposal; Proposer agrees to complete and unconditional acceptance of the terms and conditions of this document, inclusive of this solicitation, all attachments, exhibits and appendices and the contents of any Addenda released hereto, and the Disclosure and Disclaimer Statement; proposer agrees to be bound to any and all specifications, terms and conditions contained in the solicitation, and any released Addenda and understand that the following are requirements of this solicitation and failure to comply will result in disqualification of proposal submitted; Proposer has not divulged, discussed, or compared the proposal with other Proposals and has not colluded with any other proposer or party to any other proposal; proposer acknowledges that all information contained herein is part of the public domain as defined by the State of Florida Sunshine and Public Records Laws; all responses, data and information contained in this proposal, inclusive of the Statement of Qualifications Certification, Questionnaire and Requirements Affidavit are true and accurate.

Name of Proposer's Authorized Representative:	Title of Proposer's Authorized Representative:
Signature of Proposer's Authorized Representative:	Date:

State of FLORIDA)
)
 County of _____)
 of _____, a corporation, and that the instrument was signed in behalf of the
 said corporation by authority of its board of directors and acknowledged said instrument
 to be its voluntary act and deed. Before me:

On this ____ day of _____, 20__, personally
 appeared before me _____ who
 stated that (s)he is the _____

 Notary Public for the State of Florida
 My Commission Expires: _____.

APPENDIX B

MIAMI BEACH

“No Bid” Form

2019-047-WG GYMNASTICS PROGRAM INSTRUCTIONAL SERVICES

PROCUREMENT DEPARTMENT
1755 Meridian Avenue, 3rd Floor
Miami Beach, Florida 33139

Note: It is important for those vendors who have received notification of this solicitation but have decided not to respond, to complete and submit the attached “Statement of No Bid.” The “Statement of No Bid” provides the City with information on how to improve the solicitation process. Failure to submit a “Statement of No Bid” may result in not being notified of future solicitations by the City.

Statement of No Bid

WE HAVE ELECTED NOT TO SUBMIT A STATEMENTS OF QUALIFICATIONS AT THIS TIME FOR REASON(S) CHECKED AND/OR INDICATED BELOW:

☐ Workload does not allow us to proposal

☐ Insufficient time to respond

☐ Specifications unclear or too restrictive

☐ Unable to meet specifications

☐ Unable to meet service requirements

☐ Unable to meet insurance requirements

☐ Do not offer this product/service

☐ OTHER. (Please specify)

We do ☐ do not ☐ want to be retained on your mailing list for future proposals of this type product and/or service.

Signature: _____

Title: _____

Legal Company Name: _____

Note: Failure to respond, either by submitting a proposal or this completed form, may result in your company being removed from our vendors list.

PLEASE RETURN TO:

CITY OF MIAMI BEACH

PROCUREMENT DEPARTMENT

ATTN: William Garviso, CPPB

STATEMENTS OF QUALIFICATIONS #2019-047-WG

1755 MERIDIAN AVENUE, 3rd FLOOR

MIAMI BEACH, FL 33139

APPENDIX C

MIAMI BEACH

Specifications

2019-047-WG GYMNASTICS PROGRAM INSTRUCTIONAL SERVICES

PROCUREMENT DEPARTMENT
1755 Meridian Avenue, 3rd Floor
Miami Beach, Florida 33139

C1. Statement of Work Required.

The goal of programming should be to provide a multi-level and diverse gymnastics experience for all participants. The successful proposer shall coordinate a fall, winter, spring and summer schedule of activities in cooperation with and the approval of the Parks and Recreation Director or designee.

The schedule of activities should at minimum include:

- A gymnastics developmental program conducted during the academic school year.
- A one week or more gymnastics camp conducted during the summer school recess.
- A gymnastics program that would provide opportunities for competition.
- A gymnastics program that would meet the needs of those with physical, developmental and/or emotional challenges conducted by experienced, qualified staff.

Additional programming opportunities are desired, to include:

- Birthday party packages
- Cheerleading instruction
- Open gym
- Holiday events and/or special events
- Parent/toddler programs
- Private Classes

Added Value Programming: The Successful Proposer should include with their program proposal any programs, services, or amenities that would be in addition to and beyond the above program specifications that will provide an added value to the program for the participant(s) and/or City. These added value programs, services, or amenities would be in addition to the standard or traditional programs typically offered and those not requested elsewhere in this RFQ.

The Successful Proposer shall be responsible to and report to the Parks and Recreation Director, or his/her designee, regarding all areas of operation/maintenance of the gymnastics facility.

The Successful Proposer shall be at the site of the gymnastics facility for a minimum of twenty (20) hours per week, during posted business/office hours, and at all additional times reasonably necessary for the performance of the job responsibilities specified in the RFQ and executed contract.

Use of the gymnastics facility by the successful proposer will be scheduled and reserved according to a submitted class/performance/camp schedules. Changes to the schedule or additional use requested must be pre-approved by the Parks and Recreation Director or his/her designee.

The Successful Proposer must be physically visible in the gymnastics facility during all hours of operation and shall monitor and supervise the gymnastics facility, staff and programs during all scheduled/reserved use.

The Successful Proposer will provide a full schedule of activities to include: class/program name, age of participants to be served, class/program description inclusive of field trip location and date, begin/end time of the class/program and weekly lesson plan.

MIAMI BEACH

The present Billing Rates are specified below. The City reserves the right to negotiate the fee schedule with the successful proposer.

Gymnastics Program 10-week	Present Rate
Residents	\$149.14
Non-Residents	\$223.72
Registration Fee to Gym Kidz	\$26.64
Birthday Parties/weekly camps/one day camps	\$ \$399.50 (1-20) Res, \$500.71 (1-20) Non-Res, \$452.79 (21-25) Res \$554 (21-25) Non-Res \$506.08 (26-30) Res, \$607.29 (26-30) Non-Res

Gymnastic Camps 9:00AM - 5:00PM	
Residents (Weekly)	\$197.08
Non-Residents (Weekly)	\$354.76

Competitive Team 5 week	
2 hour Resident	\$143.82
2 hour sibling discount	\$122.25
2 hour non-resident	\$215.74
4 hour resident	\$261.01
4 hour sibling discount	\$221.86
4 hour non-resident	\$391.52
7.5 hour resident	\$329.32
7.5 hour sibling discount	\$279.93
7.5 non-resident	\$493.99
10 hour resident	\$365.92
10 hour sibling discount	\$311.03
10 hour non-resident	\$548.87

Privates (5 – 1 hour private classes)	
Resident	\$305.10
Non-Resident	\$457.65

The schedule of classes/programs/camps will be submitted by the Successful Proposer upon the request of the Parks and Recreation Director, or his/her designee. Information submitted will be used for inclusion in the Miami Beach Parks and Recreation Department's biannual Recreation Review, and posted yearly on the department's website.

The Successful Proposer shall monitor (to include attendance and sign in/out of all participants and), maintenance of equipment and daily janitorial upkeep to include but not limited to: vacuuming, sweeping, mopping, sanitizing mats, emptying trash, glass cleaning, etc. as well as supervising the gymnastics operations and the behavior, actions, work, etc., of the Successful Proposer's staff. Additionally, the Successful Proposer and his/her staff will conduct operations in an orderly, professional manner so as not to annoy, disturb or be offensive to customers, patrons or others in the immediate vicinity of such operations.

The Successful Proposer shall furnish prompt and efficient service adequate to meet all reasonable demands, including the establishment of a schedule of services/programs for approval by the Parks and Recreation Director, or his/her designee. Any changes to a pre-approved schedule of services/programs must be approved by the Parks and Recreation Director, or his/her designee, prior to implementation.

The Successful Proposer shall inform the Parks and Recreation Director, or his/her designee, of changes regarding the gymnastics industry in general, rules, regulations, equipment and trends associated with the operation of a recreational gymnastics program. The Successful Proposer shall make recommendations on appropriate actions and/or changes.

The Successful Proposer, or his/her designee, shall assist the Parks and Recreation Director, or his/her designee, in recommending gymnastics facility equipment and improvements and improvements to the overall gymnastics operating policies and procedures at the Scott Rakow Youth Center.

2. Present Gymnastic Center Hours

Monday	2:00 PM to 8:00 PM
Tuesday	2:00 PM to 8:00 PM
Wednesday	2:00 PM to 8:00 PM
Thursday	2:00 PM to 8:00 PM
Friday	No Classes
Saturday	9:00 AM to 12:00 PM
Sunday	9:00 AM to 12:00 PM

3. Personnel

The Successful Proposer represents that he/she has, or will secure at his/her own expense, all necessary personnel required to perform the stated services of this RFQ and the executed contract. Such personnel shall NOT be City employees.

The Successful Proposer, prior to working for the City of Miami Beach must present a complete list of employees including but not limited to: name, contact phone number, certifications, email address, position held and duties, to the Parks and Recreation Director, or his/her designee.

All of the services required by this RFQ shall be performed by the Successful Proposer and his/her personnel.

Staff employed by the Successful Proposer to perform these services shall be fully qualified and, if required, authorized or permitted under state and local law to perform such services. The Successful Proposer shall be liable for all work performed by his/her personnel.

The Successful Proposer's instruction personnel shall maintain membership and be certified in the following areas throughout the contract term:

- USAG (U101) Safety and Risk Management Certification
- USAG (U100) Fundamental Gymnastics Instruction Course Certification
- USAG (U110) Safe Sport Course Certification
- CPR/First Aid

The Successful Proposer shall establish, implement and maintain procedures and internal controls to ensure that each employee complies with any and all applicable provisions of the executed contract and all site rules and regulations of the Youth Center and the City of Miami Beach.

The Successful Proposer, and employees of the Successful Proposer, shall use neither controlled substance, unless prescribed by a licensed physician, illegal substances or alcohol. The Successful Proposer and employees of the Successful Proposer, when on or in City property, will not smoke or use tobacco-related products while engaged in their work.

The Successful Proposer, and employees of the Successful Proposer, shall comply with all applicable local, state and federal laws, rules, regulations and procedures.

All applicable taxes, fringe benefits and training for all personnel for the performance under the executed contract shall be the sole responsibility of the Successful Proposer.

Identification: The Contractor(s) shall submit a list of employees with the required background checks as stated above and a photocopy of a valid picture I.D. to the Contract Manager prior to commencement of services hereunder. I.D. shall show company name, employee name and a photo of the employee and shall be in their possession at all times while performing services under this Contract.

4. Marketing Plan

The Successful Proposer shall establish and implement an advertising and marketing plan at its sole expense. All advertising and marketing materials, including but not limited to, flyers, articles, etc., must be pre-approved by the Parks and Recreation Director or his/her designee.

5. Customer Service

The Successful Proposer, and employees of the Successful Proposer, shall, at all times, provide courteous and efficient service to the citizens of Miami Beach and members and guests of the Gymnastics Center and/or Youth Center.

The Successful Proposer shall monitor, control and supervise the conduct, demeanor and appearance of employees, agents, representatives, visitors, customers and patrons. Upon objection by the Parks and Recreation Director, or his/her designee, concerning the conduct, demeanor or appearance of any such person, the Successful Proposer shall immediately take all necessary steps to correct the course of such objection.

The Successful Proposer and its employees shall, at all times, be prompt in opening the Gymnastics Center for business at the scheduled time each day.

The responsibilities and duties of the Successful Proposer and staff of the Successful Proposer may include, but are not limited to, checking class/program/activity rosters for registered participants; monitoring the gymnastics facility during hours of operation; addressing and controlling inappropriate behavior of patrons and visitors; assisting a patron by providing answers to questions regarding programs, events, etc.; and, managing the gymnastics facility operation in a pleasant, efficient and effective manner.

The Successful Proposer and its employees shall, at all times, limit personal activities including visitors, phone calls and individual conversations. Operations of the gymnastics facility shall be conducted in a business-like manner, at all times.

The Successful Proposer shall be responsible for maintaining CPR, First Aid and AED certifications for him/herself and all its employees. The Successful Proposer shall provide documentation, on a yearly basis, of current certifications of each staff member.

The Successful Proposer and employees of the Successful Proposer, in contact with the public, shall perform duties in an efficient and courteous manner.

The Successful Proposer and its employees shall be distinctively uniformed or appropriately attired so as to be distinguishable as the Successful Proposer's employee and not as an employee of the Youth Center and/or the City of Miami Beach.

6. Property

The Successful Proposer shall, at all times, take precautions to avoid any damage or loss of property of the City. The Successful Proposer agrees to reimburse the City for any gymnastics or facility repairs that are a result of negligence, unsafe, careless, etc., actions on the part of the Successful Proposer and his/her staff. The Successful Proposer agrees to purchase any additional equipment and / or supplies that are not already located in the Multipurpose Room located at the Scott Rakow Youth Center.

The Successful Proposer shall replace or repair to the City's satisfaction any loss or damage at the Successful Proposers expense.

The Successful Proposer shall adhere at all times to all safety concerns regarding employees and visitors to the facility.

The Successful Proposer shall be responsible for preventative maintenance inspections, and reporting and supervising daily maintenance of the gymnastics facility.

The Successful Proposer, or his/her designee, shall initiate the scheduled preventative maintenance requirements for upkeep and/or repair of the gymnastics facility equipment.

7. Independent Contractor

The Successful Proposer shall remain an independent contractor with respect to all acts and services to be performed by the Successful Proposer as detailed in this RFQ. The executed Contract shall not render the Successful Proposer as an agent, partner, representative or employee of the City for any purposes whatsoever, nor authorize the Successful Proposer to contract or assume any liabilities in the name of the City. The City shall not be liable for any wages or salaries of any representative, assistant or employee of the Successful Proposer, nor for any debts, liabilities, nor any other obligations of the Successful Proposer.

The Successful Proposer, as an independent contractor, is not entitled to any City employee fringe benefit such as vacation, sick leave, insurance, etc.

The Successful Proposer and/or its employees shall not conduct any business or activity not specifically authorized by this RFQ, unless approved by the Parks and Recreation Director and/or City Manager, when required. If approved, the business or activity shall not interfere in any manner with the use of the public area or infringe upon the normal method of operations of any other parties authorized to be in the center.

The Successful Proposer shall not purchase any merchandise or consignment in the name of the City or Youth Center nor shall the Successful Proposer incur any debt in the name of the City or the Youth Center. The Successful Proposer shall not suffer or permit any mechanics lien to be filed against the premises or the leasehold estate hereby created or any part thereof by reason of work, labor services, or materials supplied or claimed to have been supplied to the Successful Proposer or any sublease or suffer or permit any other lien to attach to the premises or any part thereof of the leasehold estate hereby created.

8. Percentage of Gross (PG)

In consideration of the City executing an agreement and granting the rights provided in the agreement, the successful contractor shall guarantee and pay to the City a Percentage of Gross Revenue. In the event that the City chooses to extend the term of the agreement past the original term or any renewal term(s), the PG may be increased in a manner to be negotiated between the City and successful contractor.

9. Program Registration and Payment

All attendees participating in an authorized program, activity or camp, as outlined in this RFQ, must be registered with and make payment to the Successful Proposer through the use of a registration software system acceptable to the City.

All program, camp and/or activity registrations for participation in an authorized program as agreed to by the Parks and Recreation Director, or his/her designee, and the Successful Proposer, in compliance with the requirements of this RFQ shall be paid directly to the successful Proposer

Ticket sales for performances conducted in compliance with the requirements of this RFQ shall be paid directly to the Successful Proposer.

The costs of participant uniforms and applicable competition fees may be paid directly to the Successful Proposer.

The term "gross revenue" shall include all monies received from all related Gymnastics services provided by the Successful Proposer. Payment will be calculated based on monies collected by the Successful Proposer. The Successful Proposer shall make remittance on a per session/semester basis. Payment will be made no later than ten (10) days from the end of the session/semester. Successful Proposer must submit a detailed financial report outlining the revenues and registrations collected for each session/semester for the corresponding payment due to the City.

The Successful Proposer agrees to establish an effective inventory system, keep accurate books and records in accordance with recognized accounting procedures and to keep and preserve all such complete and true records in the City of Miami Beach for a period of two (2) years following the end of each contract year. All such books and records maintained by the Gymnastics Director shall be available for inspection by the City or its agents without notice.

APPENDIX D

MIAMI BEACH

Special Conditions

2019-047-WG GYMNASTICS PROGRAM INSTRUCTIONAL SERVICES

PROCUREMENT DEPARTMENT
1755 Meridian Avenue, 3rd Floor
Miami Beach, Florida 33139

1. TERM OF CONTRACT. The contract shall commence upon effective date of fully executed agreement and shall be effective for two (2) years.

2. OPTION TO RENEW. The City, through its City Manager, will have the option to extend for three (3) additional one year periods at the City's sole discretion. Continuation of the contract beyond the initial period, and any option subsequently exercised, is a City prerogative, and not a right of the successful contractor.

3. PROTECTION OF PROPERTY. The Successful Contractor will at all times guard against damage to or loss of property belonging to the City of Miami Beach. It is the responsibility of the Successful Contractor to replace or repair any property lost or damaged by any of its employees. The City of Miami Beach may withhold payment or make such deductions as it might deem necessary to ensure reimbursement for loss or damage to property through negligence of the Successful Contractor, its employees or agents.

4. BACKGROUND CHECKS. The Successful Proposer and all employees of the Successful Proposer, prior to contact with any/all participants, must submit to a background check, at the expense of the successful proposer and at no cost to the City, in compliance with local, state and federal laws. The background check shall be completed by the City of Miami Beach's Human Resource Department at the expense of the Successful Proposer. The City shall have the right to refuse to allow any potential employee of the Successful Proposer to work on City property when it deems that their presence on City property is not in the City's best interest.

5. EXAMINATION OF SITES RECOMMENDED. Prior to submitting its offer it is advisable that the vendor visit the sites of the proposed work and become familiar with any conditions which may in any manner affect the work to be done or affect the equipment, materials and or labor required. The vendor is also advised to examine carefully the specifications and become thoroughly aware regarding any and all conditions and requirements that may in any manner affect the work to be performed under the contract. No additional allowances will be made because of lack of knowledge of these conditions.

APPENDIX E

MIAMI BEACH

Insurance Requirements

2019-047-WG GYMNASTICS PROGRAM INSTRUCTIONAL SERVICES

PROCUREMENT DEPARTMENT
1755 Meridian Avenue, 3rd Floor
Miami Beach, Florida 33139

MIAMIBEACH

INSURANCE REQUIREMENTS

This document sets forth the minimum levels of insurance that the contractor is required to maintain throughout the term of the contract and any renewal periods.

- XXX 1. Workers' Compensation and Employer's Liability per the Statutory limits of the state of Florida.
- XXX 2. Comprehensive General Liability (occurrence form), limits of liability \$ 1,000,000.00 per occurrence for bodily injury property damage to include Premises/ Operations; Products, Completed Operations and Contractual Liability. **Contractual Liability** and Contractual Indemnity (Hold harmless endorsement exactly as written in "insurance requirements" of specifications).
- XXX 3. Automobile Liability - \$1,000,000 each occurrence - owned/non-owned/hired automobiles included.
4. Excess Liability - \$_____.00 per occurrence to follow the primary coverages.
- XXX 5. The City must be named as and additional insured on the liability policies; and it **must** be stated on the certificate.
6. Other Insurance as indicated:
- | | | |
|---|----------|----|
| <u> </u> Builders Risk completed value | \$_____. | 00 |
| <u> </u> Liquor Liability | \$_____. | 00 |
| <u> </u> Fire Legal Liability | \$_____. | 00 |
| <u> </u> Protection and Indemnity | \$_____. | 00 |
| <u> </u> Employee Dishonesty Bond | \$_____. | 00 |
| <u> </u> Other | \$_____. | 00 |
- XXX 7. Thirty (30) days written cancellation notice required.
- XXX 8. Best's guide rating B+:VI or better, latest edition.
- XXX 9. The certificate must state the proposal number and title

The City of Miami Beach is self-insured. Any and all claim payments made from self-insurance are subject to the limits and provisions of Florida Statute 768.28, the Florida Constitution, and any other applicable Statutes.

MIAMI BEACH CITYWIDE PROCEDURE	DATE ISSUED: May 2014	Page: 1 Of: 3	SEQUENCE NUMBER: CO.19.02
	DATE UPDATED: December 2018		
	SUBJECT: SPONSORSHIP, DONATIONS, AND ADVERTISING PROCEDURES		
	RESPONSIBLE DEPARTMENT: MARKETING & COMMUNICATION		

PURPOSE:

To standardize procedures as it relates to placement of advertising and acceptance of sponsorships, including in-kind and donations.

PROCEDURE:

The following constitutes the City's administrative procedure relating to sponsorships and advertising on City-owned property, or for products developed by, for or under contract with the City.

All advertising, sponsorships and donations must be vetted through the Marketing & Communications Department prior to acceptance. All sponsors, advertisers and donors must go through an internal background check to ensure they are a good fit to partner with the City.

ADVERTISING

Advertising guidelines for public rights-of-way, interiors spaces of City-owned buildings, and city publications.

- A. All advertising accepted for placement by the City, or by a contractor authorized by the City to accept advertising on behalf of the City, must comply with Federal, State, Miami Dade County, and existing City of Miami Beach laws, rules and regulations.
- B. Consistent with Resolution No. 2009-27142 the City, or a Contractor authorized by the City to accept advertising on behalf of the City, shall not accept for insertion any advertisement that falls within one or more of the following categories:
 1. Unlawful or illegal goods, services or activities
 2. Tobacco or tobacco-related products
 3. Firearms
 4. Sexual services, programs or products
 5. Political candidates or political issues
 6. Competitive products for any City of Miami Beach citywide exclusive sponsorship Agreement
 7. Advertising for alcoholic beverages within 250 feet of any school, day care or house of worship
 8. Any advertising that contains messages that are threatening, harassing, or discriminatory
 9. Any such additional category of advertising as the City may determine, as notified in writing to a contractor authorized by the City to place advertising on the public rights of-way
- C. Any such prohibited material displayed or placed shall be immediately removed by contractor upon notice from the City.
- D. All advertising transactions must be formalized with a contract.

MIAMI BEACH CITYWIDE PROCEDURE	DATE ISSUED: May 2014	Page: 2	SEQUENCE
	DATE UPDATED: December 2018	Of: 3	NUMBER: CO.19.02
	SUBJECT: SPONSORSHIP, DONATIONS, AND ADVERTISING PROCEDURES		
	RESPONSIBLE DEPARTMENT: MARKETING & COMMUNICATION		

SPONSORSHIP, DONATION AND IN-KIND

Definitions

Sponsorship: A cash and/or in-kind fee paid to a property (typically in sports, arts, entertainment or causes) in return for access to the exploitable commercial potential associated with that property (*Definition provided by IEG*). Sponsorships could include cash purchases, budget relieving in-kind sponsorships, in-kind donations, or donations.

Asset: An asset is defined as any item or benefit that could be assigned a value and presented and sold to a sponsor as part of their sponsorship participation in conjunction with any City of Miami Beach event/facility/program. Assets include all trade for products and/or services with outside organizations,

In-Kind: An in-kind contribution is defined as a non-monetary contribution of goods or services offered free or at less than the usual charge. This can be in exchange for sponsorship/advertising rights or simply as a donation.

Donation: Donation is defined as a contribution to a public or charitable cause. Donations are given to meet specific needs of the organization, without the expectation of any public recognition to the business. This can be in the form of cash, products or services.

Sponsorship Valuation

All City of Miami Beach sponsorships must be evaluated based on industry standard pricing. The fair market value must be in line with investment/benefit correlation.

The City of Miami Beach Marketing & Communications Department will be responsible for approving the Asset Inventory, with assigned values, for use when selling City of Miami Beach sponsorships, including 3rd party selling.

All sponsorships must be approved and accepted by the Mayor and Commission.

3rd Party Sales Representatives; Including volunteers and committee members

When partnering with 3rd party sales representatives regarding sales of City of Miami Beach sponsorships, the 3rd party must adhere to the policies and procedures set forth by the City of Miami Beach.

A list of current and in-process City of Miami Beach sponsors may be provided to the 3rd party representative upon request. When soliciting sponsorships for any City of Miami Beach facility/program/event, the 3rd party representative may not act as competition to the City nor interfere with anyone on the current and in-process list of sponsors without authorization from City of Miami Beach Marketing & Communications Staff.

MIAMI BEACH CITYWIDE PROCEDURE	DATE ISSUED: May 2014	Page: 3 Of: 3	SEQUENCE NUMBER: CO.19.02
	DATE UPDATED: December 2018		
	SUBJECT: SPONSORSHIP, DONATIONS, AND ADVERTISING PROCEDURES		
	RESPONSIBLE DEPARTMENT: MARKETING & COMMUNICATION		

Sponsorship contract process

All sponsorship transactions must be formalized with a contract.

Once a sponsorship package has been agreed to, Marketing & Communications Staff will draft a contract and send it to the City of Miami Beach Legal department for form approval. Once the contract has been form approved it will then be sent to the Sponsor for signature. The contract will then be sent to the City Manager for signature.

Once all sponsorships have been finalized, the Marketing & Communications Staff will draft a resolution to Commission for acceptance.

Donations Solicitation and Acceptance

All donations should be documented with a donation receipt, which will be supplied by the Marketing and Communications Department and approved by the Finance Department and shall be subject to City Commission acceptance.

All donations must be approved by the City Commission via Resolution and the donor must be in good standing in the community and vetted through the Marketing and Communications Department prior to acceptance.

Prepared by: 

Director, Marketing & Communications

Reviewed by: 

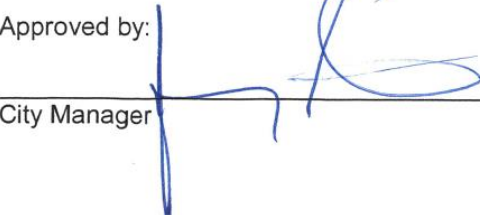
Internal Auditor



Chief of Staff



Chief Learning and Development Officer

Approved by: 

City Manager

12/5/18

Date

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: September 25, 2019

SUBJECT: **DISCUSSION REGARDING IGUANA REMEDIATION STRATEGIES WITHIN
THE CITY OF MIAMI BEACH**

HISTORY:

ANALYSIS

On July 31th, 2019 the Mayor and City Commission requested a referral to the Neighborhood/Community Affairs Committee to discuss options available to the City to guide residents as to how best to deal with the nuisance of iguanas and the City's plan euthanize and control them in parks, public right ways, sea walls and the golf courses.

The Department of Communication posted on the City of Miami Beach website information provided by the Florida Fish and Wildlife Conservation Commission in order to educate our residents on the proper procedure of dealing with the iguanas in their residences and private property.

The Property Management Department met with Redline Iguana Removal (the "Contractor") to develop iguana control strategies in line with the recommendations from the Mayor and City Commission as well as the Florida Fish and Wildlife Conservation Commission.

The pilot program was rolled out focused on decreasing the iguana population at five strategic locations across the City. These locations included Muss Park, Pinetree Park, Brittany Bay Park, Scott Rakow Youth Center and Flamingo Park.

To date 171 iguanas have been humanely captured via snare or trap and removed and euthanized from the parks mentioned above. Iguanas are an invasive species that cause significant damage to landscape, carry and spread disease, and compromise infrastructure.

CONCLUSION:

The Administration recommends continuing to work with the current Contractor to mitigate the

iguana population in additional park sites, golf courses, and other affected areas citywide. Furthermore, the Property Management Department will work the Procurement Department to pursue a competitively bid monthly service agreement for long term control.

Applicable Area

Citywide

Is this a Resident Right to Know item?

No

Does this item utilize G.O. Bond Funds?

No

ATTACHMENTS:

Description

☐ Red Line Report

Type

Other



Miami Beach Plan

09.07.2019

Redline Iguana Removal
3150 Pembroke Rd Bay 607
Hallandale Beach, FL

Site Inspections

Miami Beach has 30+ parks and facilities. Redline has inspected and performed removals at 5 parks: Muss, Pinetree, Scott Rakow, Flamingo, and Brittany Parks. All parks have a significant population of iguanas. Besides diminishing the aesthetics of the community, iguanas can spread disease, damage landscaping, and compromise infrastructure. In general, iguanas tend to inhabit areas of high vegetation and near bodies of water. Miami beach has many areas fit this description. These areas may attract iguanas and help contribute to the high population growth of iguanas.

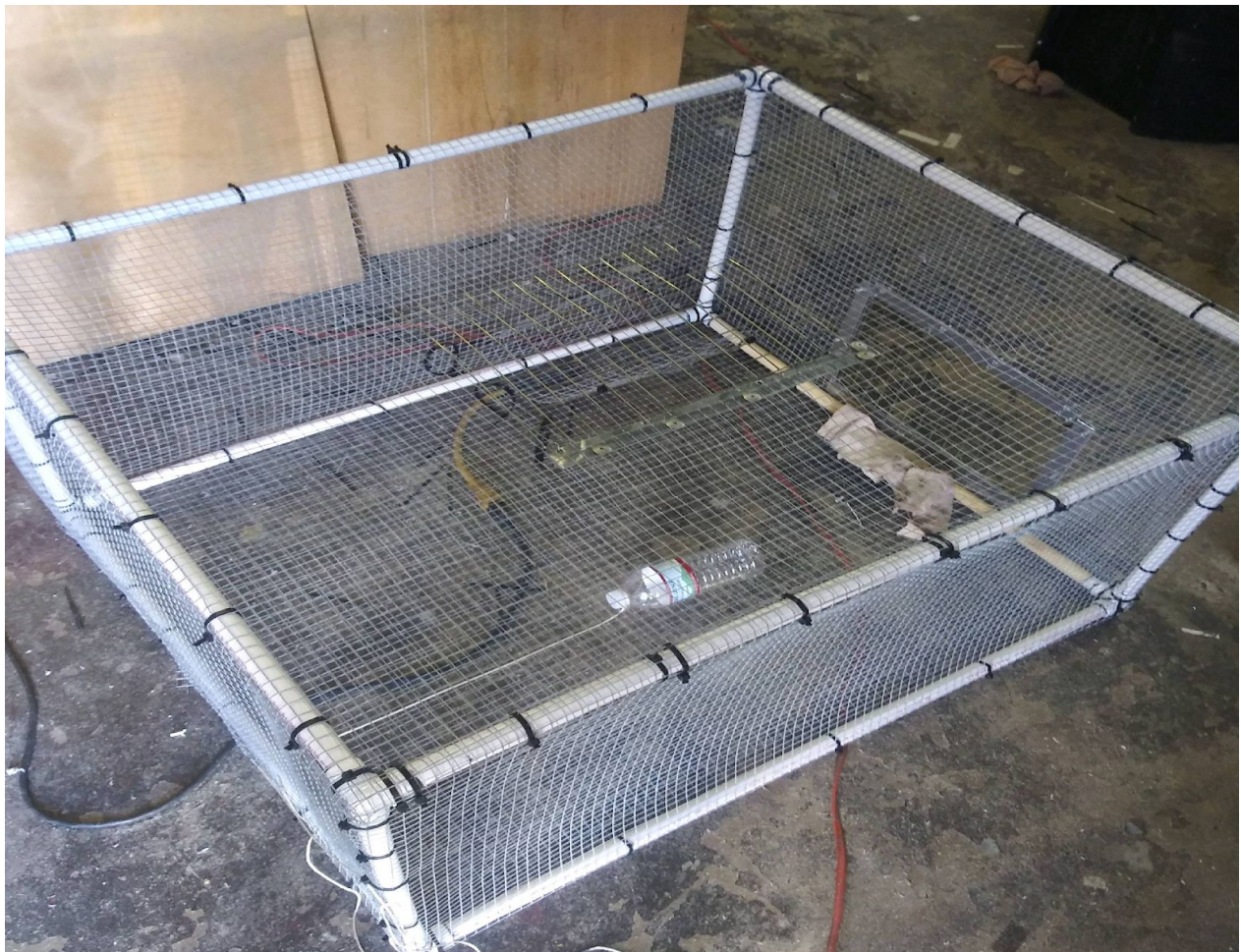


Initial Removal:

Proposed plan: Redline will visit the property, with 2-3 removal specialists, everyday, for 1-2 hours a day, for one week. Redline will focus in the areas of high population (mangroves, seawalls, etc). While on-site, Redline will implement several different methods

of removal. The main methods used will be trapping and snaring. This can be effective and humane, especially when performed by professionals. Redline understands that using air rifles is a very efficient method, yet is sensitive to the fact that this is not always the best option, especially in this case. Redline has also performed night hunts in the past, this is an option that can be explored as well.

Redline will implement custom built traps that are significantly more efficient than the usual store bought traps. This trap is designed to catch multiple iguanas at once.



This initial removal will significantly decrease the overall population and there should be a noticeable difference. Periodic maintenance will be required to control the population.

Yearly Maintenance and long-term control:

After the initial mass removal, Redline will control the iguana population by performing monthly inspection and removals. Redline will visit the property, once a month to keep the population in check. The same methods of removal, used in the initial removal, will be implemented.

Iguanas can lay over 70 eggs a year, so Redline will also remove any eggs and fill in burrows dug by the iguanas. Monthly visits can be increased if need be. It is difficult to prevent iguanas from entering a property but Redline can take steps to deter new ones from returning. After performing our removal, Redline will make recommendations on specific actions such as wrapping trees, perimeter fencing, and changes to landscaping.

Why use Redline?

Redline and all its employees are trained to act in a professional and courteous manner. Our past and current jobs include large communities, so we are very experienced in dealing with the public. This is especially important in this case as many Miami Beach residents may be curious as to what we are doing. We will take the time to educate residents and answer any questions they may have. We strive to do everything as safely and humanely as possible.

Most importantly, results. We are very effective in what we do and strive everyday to improve. We have a strong commitment to our customers, which is evidenced by our 5-star rating on google!

Initial Removal Current Stats:

Britanny Park: 89 removed

Muss Park: 51 removed (2 more visits to go)

Scott Rakow: 18 removed

Pinetree Park 9 removed (1 more visit)

Flamingo Park: 4 iguanas (3 more visits)



Photo Gallery

Redline Iguana Removal

5.0 ★★★★★ 56 reviews

Sort by: Most relevant



Jared Anton
Local Guide · 35 reviews
★★★★★ a month ago

Want an amazing couple of guys! I read an article about Redline in the Sun-Sentinel. We had a large iguana living under our deck and we thought it was harmless. It wasn't. It was the reason our plants stopped flowering and the cause of ... [More](#)

Like

Response from the owner a month ago
Jared we are happy we could help. Enjoy your pool and your plants again!



Cheryl Weigel
1 review
★★★★★



TODAY



MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: September 25, 2019

SUBJECT: **DISCUSSION REGARDING THE NAMING OF THE NORTH SHORE
BANDSHELL.**

CONCLUSION:

The administration recommends referring this item to the NCAC on September 25, 2019 for further discussion.

Applicable Area

North Beach

Is this a Resident Right to Know item?

No

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

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

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: September 25, 2019

SUBJECT: **DISCUSSION REGARDING AMENDING THE SIDEWALK CAFE ORDINANCE TO REQUIRE THE MASSING OF ALL OUTDOOR FURNITURE AT THE CLOSE OF BUSINESS.**

HISTORY:

On June 6, 2019, the Mayor's Panel on Ocean Drive – Safety, Security and Infrastructure Subcommittee, passed a motion to support the stacking and/or securing of sidewalk cafe furniture, during non-operational hours.

ANALYSIS

Per City Code 82-385(l), The stacking or piling up of chairs shall be prohibited on the right-of-way. Additionally, the city manager may require a permittee to store its tables, chairs and/or umbrellas off of the right-of-way if, in his reasonable judgment and discretion, the city manager determines that the sidewalk cafe permit area and immediately adjacent public right-of-way are not being adequately maintained in accordance with this division.

Staff has identified, through firsthand observations and stakeholder conversations, that requirements should be established for the securing and/or stacking of café furniture at the close of business. Furniture allowed to remain in place after the close of business, especially in areas of reduced foot traffic, serve as an attractive nuisance. Establishing such a requirement reduces the ability for loitering during non-operational hours and allows for a more thorough cleaning of the sidewalk area; enhancing the visitor experience when in service.

CONCLUSION:

Staff supports revising 82-385(l), to require a café operators to stack and/or secure their furniture within in the permit area.

Applicable Area

Citywide

Is this a Resident Right to Know item?

Does this item utilize G.O. Bond Funds?

No

No

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee Members

FROM: Jimmy L. Morales, City Manager

DATE: September 25, 2019

SUBJECT: **DISCUSSION REGARDING AN ORDINANCE AMENDING THE SIDEWALK CAFE CODE OF CONDUCT, AS SET FORTH IN SECTION 82.389(j), TO EXTEND THOSE PROHIBITIONS PERTAINING TO THE SOLICITATION OF PEDESTRIANS ON THE PUBLIC RIGHT OF WAY TO LINCOLN ROAD AND ESPANOLA WAY.**

HISTORY:

Commissioners Joy Malakoff and John Alemán have requested that the above-referenced matter be added to the September 25, 2019 Neighborhood/Community Affairs Committee agenda for discussion, and referral of the attached Ordinance for first reading at the September 25, 2019 Commission meeting.

Is this a Resident Right to Know item?

No

Does this item utilize G.O. Bond Funds?

No

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Commission Memo	Memo
<input type="checkbox"/> Ordinance first reading	Memo
<input type="checkbox"/> Espanola Road Lincoln Way	Memo
<input type="checkbox"/> Anthony Perez Document	Memo
<input type="checkbox"/> NCAC Document	Memo

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY," BY AMENDING DIVISION 5, ENTITLED "SIDEWALK CAFES," BY AMENDING SUBDIVISION II, ENTITLED "PERMIT," BY AMENDING SECTION 82-389 THEREOF, ENTITLED "SIDEWALK CAFÉ CODE OF CONDUCT," TO EXTEND THOSE PROHIBITIONS PERTAINING TO THE SOLICITATION OF PEDESTRIANS ON THE PUBLIC RIGHT OF WAY, AS SET FORTH IN SECTION 82-389(j) HEREIN, TO LINCOLN ROAD AND ESPAÑOLA WAY; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach permits the operation of sidewalk cafés on designated areas of its public property and right of ways, finding that such amenities provide a unique experience and environment for the City's residents and visitors to relax and enjoy the consumption of food and/or beverage(s) in the City's unique, vibrant, tropical atmosphere; and

WHEREAS, in order to ensure that sidewalk cafés in the City are operated and maintained at the highest levels of quality and service, befitting an internationally renowned, world class resort destination like the City of Miami Beach, the permitting, operation, and maintenance of sidewalk cafes on public property are governed by the City's Sidewalk Café Ordinance, which is codified in Sections 82-366 through 82-389 of the City Code; and

WHEREAS, a sidewalk café permit is a privilege and not a right, and the approval, issuance and continued operation of a permitted sidewalk café is conditional at all times; and

WHEREAS, because the City has found that aesthetically pleasing and properly operated and maintained sidewalk cafés can serve to enhance and complement residents' and visitors' experience and enjoyment of the City's historic (and other recognized commercial and entertainment) districts/neighborhoods, the City's sidewalk café permit fees (that is, the fee charged to private business establishments/restaurants for the privilege of operating and maintaining a sidewalk café on the City's public right of ways) have always been at a rate substantially less than fair market value for such space; and

WHEREAS, the City Commission has also found that the highest possible standards, criteria, and conditions pertaining to the operation of sidewalk cafés are critical, not only toward maintaining excellent levels of quality and service, but (among other things) to: (i) preserve the aesthetic character of the City's right of ways by helping to diminish the proliferation of unsightly food displays, street furniture, signage and other visual and physical clutter; (ii) reduce potential nuisances including, without limitation, excessively loud music; hawking from restaurant/sidewalk café operators and their employees to passing pedestrians and overcrowding of the right of way; and (iii) aid in the prevention of deceptive, misleading, or bait and switch tactics by sidewalk café operators; and

WHEREAS, as part of its periodic, continuous review of the Sidewalk Café Ordinance and, specifically, in continuing to find new and innovative ways to maintain the level of excellence that the City expects from sidewalk cafes on public property, the Mayor and City Commission, at their regular meeting on September 11, 2019, adopted and implemented a Sidewalk Café Code

of Conduct (as set forth in Section 82-389 of the City Code) pursuant to Ordinance No. 2019-4294, which governs various critical aspects of those permitted sidewalk café operations in the City, and, accordingly, provides enhanced penalties for violation of such provisions; and

WHEREAS, those prohibitions concerning the solicitation of pedestrians on the public right of way, as delineated in Section 82-389(j) herein, presently only pertain to those sidewalk café operators on Ocean Drive, between 5th Street and 15th Street; and

WHEREAS, upon reviewing an abundance of objective evidence including, but not limited to: written declarations from Lincoln Road and Española Way stakeholders and other interested persons; feedback from City of Miami Beach residents on the City's social media platforms; and a plethora of online reviews concerning diners' experience(s) after patronizing various sidewalk cafés on Lincoln Road and Española Way, the Administration recommends extending the solicitation prohibitions, as set forth in subsection 82-389(j), to those sidewalk café operators located on Lincoln Road, between Washington Avenue and Alton Road, and on Española Way, between Washington Avenue and Drexel Avenue.

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

SECTION 1. That those Sections of the City's Sidewalk Café Ordinance, as such Ordinance is codified in Section 82-389 of the City Code, be amended as follows and as hereinafter set forth below:

CHAPTER 82

PUBLIC PROPERTY

* * *

ARTICLE IV. USES IN PUBLIC RIGHTS-OF-WAY

* * *

DIVISION 5. SIDEWALK CAFES

* * *

SUBDIVISION II. Permit

* * *

Secs. 82-389. Sidewalk Café Code of Conduct

Sidewalk café permittees must comply with those requirements set forth below in the Sidewalk Café Code of Conduct, which is supplemental to, and in addition to, all other standards, criteria and conditions herein regulating sidewalk cafes, and is not intended to amend, repeal or replace any other provision of Chapter 82, Article IV, Division 5. A sidewalk café operator that fails to comply with any provision(s) of the Sidewalk Café Code of Conduct, as set forth herein, may be prohibited from operating pursuant to those enhanced penalties identified within subsection 82-371(b).

- (a) A sidewalk cafe must display or disclose, in writing, actual prices for food and drink menu item(s), and display or disclose, in writing, actual prices and accurate terms and conditions for any food and drink menu special(s). The displayed price for the food or drink menu item(s) or food and drink menu special(s) (and, if applicable, the terms and conditions for any food and drink menu special(s)) must be in a size (font) and typeface, which is at least as large as the name of the menu item. Such prices (and, if applicable, terms and conditions) must be displayed adjacent to the name, description, photograph, and/or image of each menu item or menu special, except as may be expressly authorized pursuant to the sidewalk cafe menu design guidelines. All menu prices must be displayed in numeric format. A sidewalk cafe may not charge a price that is greater than the price displayed or disclosed for any food or drink menu item(s) or food or drink menu special(s). In the event that a sidewalk cafe patron makes a unique or special request for a food or drink menu item not listed on the menu, the sidewalk cafe must disclose, to the patron, the price of the unique or specially requested food or drink menu item, prior to agreeing to prepare the food or drink menu item. A menu that prominently displays the name of the sidewalk cafe operator; actual prices for food and drink menu item(s) and for food and drink menu special(s); and, if applicable, accurate terms and conditions for any food and drink menu special(s) must be provided to each sidewalk cafe patron.
- (b) A sidewalk cafe that automatically includes a gratuity, service charge, minimum charge, corkage fee, set up fee, sharing fee or charge, or other similar charge, either in the price of the meal or drink or separately imposed for all items ordered, must display the actual amount of each such gratuity, charge, and fee on the menu and on the face of the customer's bill. This disclosure serves to provide the customer notification that an automatic gratuity, charge, and/or fee is being included by the sidewalk cafe operator. The disclosure of each gratuity, charge, and fee within the menu must not be smaller than 14-point font, and the disclosure within the bill must not be smaller than 12-point font.
- (c) A sidewalk cafe that includes a gratuity or tip as a charge must separately itemize and state the actual amount of this charge on the face of the customer's bill and receipt, and such gratuity or tip must only be calculated based on the pre-tax sale amount of the food or drinks. A sidewalk cafe operator that includes a service charge, minimum charge, corkage fee, set up fee, sharing fee or charge, or any other similar charge, must itemize and separately state the actual amount of such charges on the face of the customer's bill and receipt. Service charges, minimum charges, corkage fees, set up fees, sharing fees or charges, or other similar charges imposed by a sidewalk cafe operator as part of the charges for furnishing, serving, or preparing food products must be subject to sales tax and surtax. A sidewalk cafe operator must state the total combined percentage and amount of City, County, and State taxes on the face of the customer's bill and receipt, and must label such taxes accurately.
- (d) There shall be no live entertainment or speakers placed in the sidewalk café permit area unless expressly permitted as a special event issued by the city's events office.
- (e) No food preparation, food storage, expanded polystyrene food service articles, single-use plastic beverage straws, single-use plastic stirrers, refrigeration apparatus or equipment, or fire apparatus or equipment, shall be allowed on the right-of-way. In addition, expanded

polystyrene food service articles, single-use plastic beverage straws, and single-use plastic stirrers shall not be provided to sidewalk cafe patrons.

(1) *Exception.* The provisions in this subsection shall not restrict a sidewalk cafe operator from providing a beverage with, or offering the use of, a single-use plastic beverage straw or single-use plastic stirrer to an individual with a disability or medical condition that impairs the consumption of beverages without a single-use plastic beverage straw or single-use plastic stirrer.

- (f) Single-use carry out plastic bags shall not be allowed in the right-of-way and shall not be provided to sidewalk café patrons.
- (g) No food display(s) shall be permitted on the public right-of-way, nor shall any food and/or beverage display(s) be maintained within the restaurant/business establishment's premises in such a way that the placement of such display(s) is/are clearly visible from the sidewalk café permit area and/or the public right-of-way.
- (h) Except as provided in Subsection 82-385(n)(1), specials board(s) shall be prohibited in all sidewalk café permit areas and any other portion of the public right-of-way, and no food or drink special(s) may be displayed, disclosed, or posted on any menu board or sandwich board sign, pursuant to Section 82-385(n). Nor shall any food or drink special(s) be displayed, disclosed or posted within the restaurant/business establishment's premises in such a way that the placement of such display, disclosure, or posting is clearly visible from the sidewalk café permit area and/or the public right-of-way.
- (i) Sidewalk café permittees on Ocean Drive, between 5th Street and 15th Street, including every manager and every employee assigned to work in the sidewalk cafe permit area, must successfully complete a hospitality training program that has been previously approved by resolution of the mayor and city commission. Within one year of completing such program, and each year thereafter, every manager and every employee assigned to work in the sidewalk cafe permit area shall complete an abbreviated version of the same hospitality training program. Sidewalk cafe permittees shall:
 - (1) Maintain records on premises evidencing compliance with this subsection (i), and
 - (2) Submit to the city manager, on an annual basis, the affidavit specified in Section 82-382(b)(18).
- (j) Sidewalk café operators located on Ocean Drive, between 5th Street and 15th Street; on Lincoln Road between Washington Avenue and Alton Road; and on Española Way between Washington Avenue and Drexel Avenue, shall not:
 - (1) Solicit any pedestrian(s) located on the sidewalk abutting ~~the~~ a sidewalk café permit area, or on the right of way within twenty (20) feet of the outer perimeter of ~~the~~ a sidewalk café permit area, for the purpose of inducing such pedestrian to patronize any business establishment or sidewalk café, or purchase any food, beverage, product, or service, unless the pedestrian first affirmatively communicates a desire to receive information about the sidewalk cafe's food, beverages, products, or services;

- (2) Distribute any commercial handbill(s) to any pedestrian(s) located on the sidewalk abutting ~~the~~ a sidewalk café permit area, or on the right of way within twenty (20) feet of the outer perimeter of ~~the~~ a sidewalk café permit area, unless the pedestrian first affirmatively communicates a desire to receive information about the sidewalk café's food, beverages, products, or services; and/or
- (3) Hold or display any commercial handbill(s) in such a way that impedes, hinders, delays, or obstructs any pedestrian's(s') gait or path of travel.

Secs. 82-390 — 82-410. Reserved.

SECTION 2. REPEALER.

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

SECTION 3. SEVERABILITY.

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

SECTION 4. CODIFICATION.

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

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect on the _____ day of _____, 2019.

PASSED AND ADOPTED this ____ day of _____, 2019.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioners Joy Malakoff, John Elizabeth Alemán and Micky Steinberg)

Underline denotes additions
~~Strikethrough~~ denotes deletions

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney
MAF

9/18/19
Date

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY," BY AMENDING DIVISION 5, ENTITLED "SIDEWALK CAFES," BY AMENDING SUBDIVISION II, ENTITLED "PERMIT," BY AMENDING SECTION 82-389 THEREOF, ENTITLED "SIDEWALK CAFÉ CODE OF CONDUCT," TO EXTEND THOSE PROHIBITIONS PERTAINING TO THE SOLICITATION OF PEDESTRIANS ON THE PUBLIC RIGHT OF WAY, AS SET FORTH IN SECTION 82-389(j) HEREIN, TO LINCOLN ROAD AND ESPAÑOLA WAY; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach permits the operation of sidewalk cafés on designated areas of its public property and right of ways, finding that such amenities provide a unique experience and environment for the City's residents and visitors to relax and enjoy the consumption of food and/or beverage(s) in the City's unique, vibrant, tropical atmosphere; and

WHEREAS, in order to ensure that sidewalk cafés in the City are operated and maintained at the highest levels of quality and service, befitting an internationally renowned, world class resort destination like the City of Miami Beach, the permitting, operation, and maintenance of sidewalk cafes on public property are governed by the City's Sidewalk Café Ordinance, which is codified in Sections 82-366 through 82-389 of the City Code; and

WHEREAS, a sidewalk café permit is a privilege and not a right, and the approval, issuance and continued operation of a permitted sidewalk café is conditional at all times; and

WHEREAS, because the City has found that aesthetically pleasing and properly operated and maintained sidewalk cafés can serve to enhance and complement residents' and visitors' experience and enjoyment of the City's historic (and other recognized commercial and entertainment) districts/neighborhoods, the City's sidewalk café permit fees (that is, the fee charged to private business establishments/restaurants for the privilege of operating and maintaining a sidewalk café on the City's public right of ways) have always been at a rate substantially less than fair market value for such space; and

WHEREAS, the City Commission has also found that the highest possible standards, criteria, and conditions pertaining to the operation of sidewalk cafés are critical, not only toward maintaining excellent levels of quality and service, but (among other things) to: (i) preserve the aesthetic character of the City's right of ways by helping to diminish the proliferation of unsightly food displays, street furniture, signage and other visual and physical clutter; (ii) reduce potential nuisances including, without limitation, excessively loud music; hawking from restaurant/sidewalk café operators and their employees to passing pedestrians and overcrowding of the right of way; and (iii) aid in the prevention of deceptive, misleading, or bait and switch tactics by sidewalk café operators; and

WHEREAS, as part of its periodic, continuous review of the Sidewalk Café Ordinance and, specifically, in continuing to find new and innovative ways to maintain the level of excellence that the City expects from sidewalk cafes on public property, the Mayor and City Commission, at their regular meeting on September 11, 2019, adopted and implemented a Sidewalk Café Code

of Conduct (as set forth in Section 82-389 of the City Code) pursuant to Ordinance No. 2019-4294, which governs various critical aspects of those permitted sidewalk café operations in the City, and, accordingly, provides enhanced penalties for violation of such provisions; and

WHEREAS, those prohibitions concerning the solicitation of pedestrians on the public right of way, as delineated in Section 82-389(j) herein, presently only pertain to those sidewalk café operators on Ocean Drive, between 5th Street and 15th Street; and

WHEREAS, upon reviewing an abundance of objective evidence including, but not limited to: written declarations from Lincoln Road and Española Way stakeholders and other interested persons; feedback from City of Miami Beach residents on the City's social media platforms; and a plethora of online reviews concerning diners' experience(s) after patronizing various sidewalk cafés on Lincoln Road and Española Way, the Administration recommends extending the solicitation prohibitions, as set forth in subsection 82-389(j), to those sidewalk café operators located on Lincoln Road, between Washington Avenue and Alton Road, and on Española Way, between Washington Avenue and Drexel Avenue.

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

SECTION 1. That those Sections of the City's Sidewalk Café Ordinance, as such Ordinance is codified in Section 82-389 of the City Code, be amended as follows and as hereinafter set forth below:

CHAPTER 82

PUBLIC PROPERTY

* * *

ARTICLE IV. USES IN PUBLIC RIGHTS-OF-WAY

* * *

DIVISION 5. SIDEWALK CAFES

* * *

SUBDIVISION II. Permit

* * *

Secs. 82-389. Sidewalk Café Code of Conduct

Sidewalk café permittees must comply with those requirements set forth below in the Sidewalk Café Code of Conduct, which is supplemental to, and in addition to, all other standards, criteria and conditions herein regulating sidewalk cafes, and is not intended to amend, repeal or replace any other provision of Chapter 82, Article IV, Division 5. A sidewalk café operator that fails to comply with any provision(s) of the Sidewalk Café Code of Conduct, as set forth herein, may be prohibited from operating pursuant to those enhanced penalties identified within subsection 82-371(b).

- (a) A sidewalk cafe must display or disclose, in writing, actual prices for food and drink menu item(s), and display or disclose, in writing, actual prices and accurate terms and conditions for any food and drink menu special(s). The displayed price for the food or drink menu item(s) or food and drink menu special(s) (and, if applicable, the terms and conditions for any food and drink menu special(s)) must be in a size (font) and typeface, which is at least as large as the name of the menu item. Such prices (and, if applicable, terms and conditions) must be displayed adjacent to the name, description, photograph, and/or image of each menu item or menu special, except as may be expressly authorized pursuant to the sidewalk cafe menu design guidelines. All menu prices must be displayed in numeric format. A sidewalk cafe may not charge a price that is greater than the price displayed or disclosed for any food or drink menu item(s) or food or drink menu special(s). In the event that a sidewalk cafe patron makes a unique or special request for a food or drink menu item not listed on the menu, the sidewalk cafe must disclose, to the patron, the price of the unique or specially requested food or drink menu item, prior to agreeing to prepare the food or drink menu item. A menu that prominently displays the name of the sidewalk cafe operator; actual prices for food and drink menu item(s) and for food and drink menu special(s); and, if applicable, accurate terms and conditions for any food and drink menu special(s) must be provided to each sidewalk cafe patron.
- (b) A sidewalk cafe that automatically includes a gratuity, service charge, minimum charge, corkage fee, set up fee, sharing fee or charge, or other similar charge, either in the price of the meal or drink or separately imposed for all items ordered, must display the actual amount of each such gratuity, charge, and fee on the menu and on the face of the customer's bill. This disclosure serves to provide the customer notification that an automatic gratuity, charge, and/or fee is being included by the sidewalk cafe operator. The disclosure of each gratuity, charge, and fee within the menu must not be smaller than 14-point font, and the disclosure within the bill must not be smaller than 12-point font.
- (c) A sidewalk cafe that includes a gratuity or tip as a charge must separately itemize and state the actual amount of this charge on the face of the customer's bill and receipt, and such gratuity or tip must only be calculated based on the pre-tax sale amount of the food or drinks. A sidewalk cafe operator that includes a service charge, minimum charge, corkage fee, set up fee, sharing fee or charge, or any other similar charge, must itemize and separately state the actual amount of such charges on the face of the customer's bill and receipt. Service charges, minimum charges, corkage fees, set up fees, sharing fees or charges, or other similar charges imposed by a sidewalk cafe operator as part of the charges for furnishing, serving, or preparing food products must be subject to sales tax and surtax. A sidewalk cafe operator must state the total combined percentage and amount of City, County, and State taxes on the face of the customer's bill and receipt, and must label such taxes accurately.
- (d) There shall be no live entertainment or speakers placed in the sidewalk café permit area unless expressly permitted as a special event issued by the city's events office.
- (e) No food preparation, food storage, expanded polystyrene food service articles, single-use plastic beverage straws, single-use plastic stirrers, refrigeration apparatus or equipment, or fire apparatus or equipment, shall be allowed on the right-of-way. In addition, expanded

polystyrene food service articles, single-use plastic beverage straws, and single-use plastic stirrers shall not be provided to sidewalk cafe patrons.

(1) *Exception.* The provisions in this subsection shall not restrict a sidewalk cafe operator from providing a beverage with, or offering the use of, a single-use plastic beverage straw or single-use plastic stirrer to an individual with a disability or medical condition that impairs the consumption of beverages without a single-use plastic beverage straw or single-use plastic stirrer.

- (f) Single-use carry out plastic bags shall not be allowed in the right-of-way and shall not be provided to sidewalk café patrons.
- (g) No food display(s) shall be permitted on the public right-of-way, nor shall any food and/or beverage display(s) be maintained within the restaurant/business establishment's premises in such a way that the placement of such display(s) is/are clearly visible from the sidewalk café permit area and/or the public right-of-way.
- (h) Except as provided in Subsection 82-385(n)(1), specials board(s) shall be prohibited in all sidewalk café permit areas and any other portion of the public right-of-way, and no food or drink special(s) may be displayed, disclosed, or posted on any menu board or sandwich board sign, pursuant to Section 82-385(n). Nor shall any food or drink special(s) be displayed, disclosed or posted within the restaurant/business establishment's premises in such a way that the placement of such display, disclosure, or posting is clearly visible from the sidewalk café permit area and/or the public right-of-way.
- (i) Sidewalk café permittees on Ocean Drive, between 5th Street and 15th Street, including every manager and every employee assigned to work in the sidewalk cafe permit area, must successfully complete a hospitality training program that has been previously approved by resolution of the mayor and city commission. Within one year of completing such program, and each year thereafter, every manager and every employee assigned to work in the sidewalk cafe permit area shall complete an abbreviated version of the same hospitality training program. Sidewalk cafe permittees shall:
 - (1) Maintain records on premises evidencing compliance with this subsection (i), and
 - (2) Submit to the city manager, on an annual basis, the affidavit specified in Section 82-382(b)(18).
- (j) Sidewalk café operators located on Ocean Drive, between 5th Street and 15th Street; on Lincoln Road between Washington Avenue and Alton Road; and on Española Way between Washington Avenue and Drexel Avenue, shall not:
 - (1) Solicit any pedestrian(s) located on the sidewalk abutting ~~the~~ a sidewalk café permit area, or on the right of way within twenty (20) feet of the outer perimeter of ~~the~~ a sidewalk café permit area, for the purpose of inducing such pedestrian to patronize any business establishment or sidewalk café, or purchase any food, beverage, product, or service, unless the pedestrian first affirmatively communicates a desire to receive information about the sidewalk cafe's food, beverages, products, or services;

- (2) Distribute any commercial handbill(s) to any pedestrian(s) located on the sidewalk abutting ~~the~~ a sidewalk café permit area, or on the right of way within twenty (20) feet of the outer perimeter of ~~the~~ a sidewalk café permit area, unless the pedestrian first affirmatively communicates a desire to receive information about the sidewalk café's food, beverages, products, or services; and/or
- (3) Hold or display any commercial handbill(s) in such a way that impedes, hinders, delays, or obstructs any pedestrian's(s') gait or path of travel.

Secs. 82-390 — 82-410. Reserved.

SECTION 2. REPEALER.

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

SECTION 3. SEVERABILITY.

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

SECTION 4. CODIFICATION.

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

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect on the _____ day of _____, 2019.

PASSED AND ADOPTED this ____ day of _____, 2019.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioners Joy Malakoff, John Elizabeth Alemán and Micky Steinberg)

Underline denotes additions
~~Strikethrough~~ denotes deletions

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney

9/18/19
Date

DECLARATION OF JOHN WOODRUFF

JOHN WOODRUFF, pursuant to 28 U.S.C.A. § 1746, declares the following:

1. My name is John Woodruff. I am the Chief Financial Officer for the City of Miami Beach.

2. The City has established a sidewalk café program in which the City subsidizes the cost of operating a sidewalk café on City property by offering participants in the sidewalk café program space at a substantially reduced rate under the current market rate for space. The City's sidewalk café program permit rate for space on the City's property is \$25 per square foot.

3. Currently, as determined by recent listings and recently leases, the standard rates for storefront spaces on Lincoln Road and Española Way are approximately \$300 per square foot and \$110 per square foot, respectively.

3. Market rate for space on the City's property outside of a brick and mortar building would be similar to the rate for the adjacent indoor storefront space

4. The City of Miami Beach provides a subsidy of a below-market rate for sidewalk cafes who participate in the City's sidewalk café program. The City enacted the sidewalk café program in order to provide a unique experience and environment for the City's residents and visitors to relax and enjoy the consumption of food and/or beverage(s) in the City's unique, vibrant, tropical atmosphere. In exchange for accepting this subsidy and participate in the sidewalk café program, sidewalk café operators must agree to a Sidewalk Café Code of Conduct that ensures that the purposes of the program are advanced by each sidewalk café operator and that no sidewalk café operator actually diminishes the positive impact of the City's subsidy by using it in such a fashion as to diminish the aesthetic appearance of the City and the pleasant experience for residents and tourists that the program seeks to advance.

5. The City Commission has also found that the highest possible standards, criteria, and conditions pertaining to the operation of sidewalk cafes participating in the sidewalk café program are critical to the achievement of the City's interests in subsidizing the sidewalk café program to: (i) preserve the aesthetic character of the City's right of ways by helping to diminish the proliferation of unsightly food displays, street furniture, signage and other visual and physical clutter; (ii) reduce potential nuisances including, without limitation, excessively loud music; hawking from restaurant/sidewalk cafe operators and their employees to passing pedestrians and overcrowding of the right of way; and (iii) aid in the prevention of deceptive, misleading, or bait and switch tactics by sidewalk cafe operators.

I verify under penalty of perjury that the foregoing is true and correct.

Executed on September 20, 2019.



John Woodruff

DECLARATION OF DANIEL TORNA

1. My name is Daniel Torna. I live on 133 NE 2nd Ave, #2412 Miami FL 33132.
2. I'm a frequent visitor to Miami Beach. I like to go to the restaurants in the South Beach area and in the past, I liked taking walks up and down Lincoln Road with my friends after lunch or dinner. However, the aggressive behavior of hosts at restaurants on Lincoln has greatly soured my experience.
3. These hosts and waiters have no respect for people, personal space, or the conversations that people are trying to have. They rudely interrupt us and spout the same lines about menus, specials, etc.
4. It is upsetting to see what Lincoln Road has become over the years. Encountering one pushy host is fine, I understand the need to market your restaurant, but it happens as you continue to walk past every single restaurant. The City should explore the ways to curb such marketing tactics.

I verify under penalty of perjury that the foregoing is true and correct.

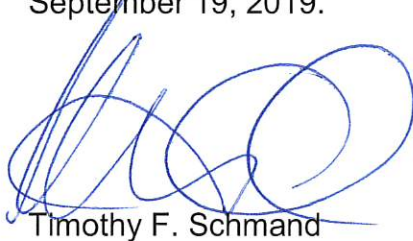
Executed on September 19, 2019.

 9/19/19
Daniel Torna

DECLARATION OF TIMOTHY F. SCHMAND

1. My name is Timothy F. Schmand. I am the Executive Director of the Lincoln Road Business Improvement District (BID), located at 1620 Drexel Avenue, #100, Miami Beach, Florida 33139.
2. I have been frequenting Miami Beach and Lincoln Road since the early 1980s.
3. I have served as the Executive Director of the Lincoln Road BID for the past two years.
4. I regularly receive complaints and read negative reviews on social media from Lincoln Road visitors when describing the 'hawkers' whether from cafes or makeup and beauty supply stores (attached please find a recent Trip Advisor Comment.)
5. I support the efforts of the City of Miami Beach to develop and implement a Café Code of Conduct for Lincoln Road.

I verify under penalty of perjury that the foregoing is true and correct. Executed on September 19, 2019.



Timothy F. Schmand



Respond to reviews of Lincoln Road

[Show all reviews](#)[< See all reviews](#)

Reviewed by Beach_cravers

Sep 16, 2019

Busy and loud



Lots of stores and restaurants to visit but it is loud and every restaurant has staff urging you to take a seat and taste their menu. Lively and fun but you have to be in a festive mood to enjoy.

Your response

Your name will display as

TimothyS2321

Your business role

Select one



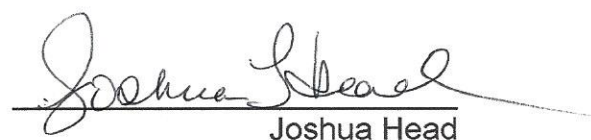
Submit

DECLARATION OF JOSHUA HEAD

1. My name is Joshua Head. I live on 1330 West Avenue, Apt. 811, Miami Beach, FL 33139. I've been a resident of Miami Beach for 18 years.
2. I assume my experience with hawkers in Miami Beach has been similar to experiences of many others, visitors and residents alike. It is impossible to walk down Ocean Drive or Lincoln Road without someone yelling out some 2-4-1 drink specials or shoving a pizza box-sized menu in your face.
3. The incessant harassment and hawking is so pervasive that now when I do walk down Ocean Drive or Lincoln Road, I walk across the street as it is just so much easier.
4. I have no problems with a host being available to seat customers, answer questions about a menu, or even provide a menu upon request. But it is quite uncomfortable, jarring, and anxiety-inducing for these hawkers to be jumping out and accosting people as they walk by.
5. I'm not sure why this is even an issue. I don't understand why the City can't come up with an ordinance that prohibits hosts (and other staff) from badgering and yelling at people as they walk by (or even stand in the middle of the sidewalk nearly preventing passage). This just cheapens South Beach, cheapens the restaurant. I would never eat at one of these places, and the practice makes me much less likely to return to the streets where it occurs in the future.

I verify under penalty of perjury that the foregoing is true and correct.

Executed on September 12, 2019.



Joshua Head

DECLARATION OF SCOTT DIFFENDERFER

1. My name is Scott Diffenderfer. I live on 9 Island Avenue, #1501, Miami Beach, FL 33139. I have been a resident of Miami Beach for a total of 23 years.
2. I work at 605 Lincoln Road. My experience is similar to many other residents and tourists. Hawking is ubiquitous, particularly on the north side of Lincoln Road as you walk west. Whenever I leave my office, I am accosted by the hosts and waiters of adjacent restaurants.
3. The solicitation and harassment have gotten so pervasive that sometimes I'm forced to take a different path to avoid these "hawkers" trying to lure me in for a meal.
4. When I eat on Lincoln Road, I typically go to Books and Books, which does not hawk, but the walk from my office to there is unpleasant and I usually do a zigzag kind of walk to avoid the restaurants that do hawk.
5. Everyone in my office complains about being accosted by hosts and "hawkers" of the restaurants on Lincoln Road so I think if you just took a walk around lunch time, you would experience it as well.

I verify under penalty of perjury that the foregoing is true and correct.

Executed on September 16, 2019.



Scott Diffenderfer

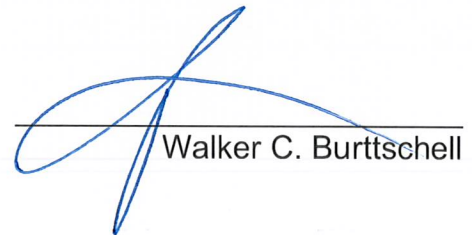
DECLARATION OF WALKER C. BURTTSCHELL

1. My name is Walker Burttschell. I have been a resident of Miami Beach since 2003 and I have resided on 1457 Meridian Avenue, Apt. #203, Miami Beach, FL 33139 since 2014.

2. I am writing today concerning hawkers in front of restaurants on Lincoln Road and Española Way. Both thoroughfares have become "NO GO" zones for me over the recent years. The incessant "hawking" has gotten so severe that the simple daily act of me walking to the market now involves me going a block out of my way simply to avoid the harassment by hosts and waiters working for the restaurants along Española Way.
3. It would be wonderful if the City of Miami Beach could pass restrictions on such business practices.

I verify under penalty of perjury that the foregoing is true and correct.

Executed on September 16, 2019.


Walker C. Burttschell

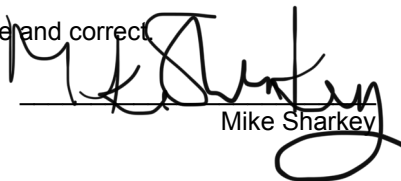
DECLARATION OF MIKE SHARKEY

MIKE SHARKEY, pursuant to 28 U.S.C.A. § 1746, declares the following:

1. My name is Mike Sharkey. I live on 880 NE 69th Street, Unit 7N, Miami, FL 33138.
2. I am not a resident of Miami Beach but I visit it 4-5 times a week on average. I particularly love going to the movies at the Regal South Beach ScreenX, a movie theater on Lincoln Road. I also love visiting the Dylan's Candy Bar store and buy candy by the pound and take walks along Lincoln Road.
3. Lately, however, I started avoiding taking leisure walks on Lincoln Road due to hawkers and pushy hosts trying to invite me to dine at their restaurants.
4. I've experienced this problem previously on Ocean Drive, which is particularly awful. Lincoln Road used to be an exception but lately it has been getting worse and worse. It is impossible to walk up and down the street without hosts interrupting my conversations with friends and pushing menus directly into my face.
5. I often cross the street and walk on the side of Lincoln Road that does not have restaurants in order to avoid such rude behavior.
6. I hope there is a way to fix this issue because it is driving people away from Lincoln Road.

I verify under penalty of perjury that the foregoing is true and correct.

Executed on September 19, 2019.

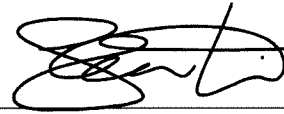

Mike Sharkey

DECLARATION OF STEVE KASSIN

1. My name is Steve Kassin. I, along with my partners, own the Clay Hotel located at 1434 Washington Avenue.
2. I have also been a property owner in Miami Beach for over five years.
3. As both a property owner and business owner in Miami Beach, I have witnessed the problems that result from commercial solicitation.
4. Commercial solicitation, including hawking practices, affects both business owners and patrons.
5. Hawking creates a highly unpleasant dining experience and discourages patrons from returning to the area.
6. It has become very difficult to enjoy a quiet dinner outdoors along Espanola Way without constantly having employees and street vendors soliciting patrons with menus and propaganda.
7. Prohibiting commercial solicitation on Espanola Way will eliminate fraudulent practices.
8. Similar to the complaints coming from Ocean Drive, Espanola Way is being tainted by these practices.
9. I have personally seen patrons harassed by employees as they try to enjoy a nice dinner or a stroll along Espanola Way.
10. As a business owner I think that commercial solicitation and hawking practices need to be prohibited along Espanola Way in order to preserve an enjoyable environment for patrons.

I verify under penalty of perjury that the foregoing is true and correct.

Executed September 21, 2019.

A handwritten signature in black ink, appearing to read 'Steve Kassin', written over a horizontal line.

Steve Kassin

DECLARATION OF DAVID BERG

1. My name is David Berg. I, along with my partners, ground lease and control the Clay Hotel located at 1434 Washington Avenue.
2. Through affiliate entities, I have also been a property owner in Miami Beach for approximately five years.
3. As both a property and business owner in Miami Beach, I have experienced the significant problems brought on by commercial solicitation along Espanola Way.
4. Commercial solicitation along Espanola Way creates a highly unpleasant dining experience and discourages patrons from enjoying a nice dinner outdoors.
5. It has become very difficult to enjoy a stroll along Espanola Way without constantly having employees or street vendors soliciting or hawking patrons with menus and propaganda.
6. Hawking has a significant negative impact on a customer's experience and affect the reputation of all establishments on Espanola Way.
7. Guests and tourists' experiences are tainted by commercial solicitation and often results in them not returning to the area.
8. Eliminating commercial solicitation on Espanola Way will help ensure that the "bait-and-switch" practices do not occur and will eliminate hawking and fraudulent practices along the sidewalk.
9. Similar to the complaints coming from Ocean Drive, we are experiencing a similar atmosphere in Espanola Way.
10. I have personally seen patrons harassed by hawkers as they try to enjoy a nice dinner.

11. As a business owner that is not the reputation I want my establishment or Espanola Way to have in the eyes of tourists and patrons.

I verify under penalty of perjury that the foregoing is true and correct.

Executed September 16, 2019.



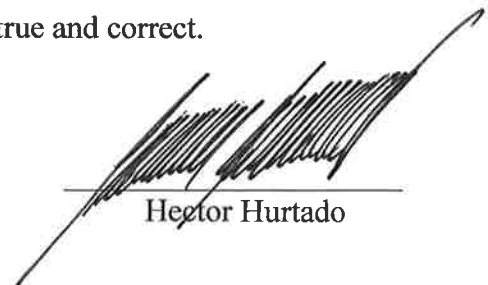
David Berg

DECLARATION OF HECTOR HURTADO

1. My name is Hector Hurtado and I am part owner of five (5) restaurants in Miami Beach:
Tapas y Tintos, Havana 1957 Espanola Way, Lincoln Rd and Ocean Drive.
2. I have been working in Miami Beach for 13 years.
3. As a business owner, I am opposed to commercial solicitation and hawking on Espanola Way.
4. I have personally witness how hawking affects a customer's experience and prevents customers from returning to the area.
5. Commercial solicitation significantly diminishes a customer's dining experience and creates a hostile environment.
6. Businesses in Espanola Way need to protect patrons and ensure they will return by banning commercial solicitation.
7. Hawking practices prevent customers from enjoying a nice quiet dinner outdoors.
8. Prohibiting commercial solicitation will protect patrons and business owners by ensuring that customers return and have an enjoyable experience.
9. The reputation created on an entire area as a result of hawking practices can be devastating to all businesses in that area because patrons will avoid the area all together to avoid being harassed.
10. The unique and pleasant experience of a nice stroll or quiet dinner on Espanola Way needs to be preserved and for this reason commercial solicitation must be prohibited.

I verify under penalty of perjury that the foregoing is true and correct.

Executed September 18, 2019.



Hector Hurtado

DECLARATION OF JAMIL DIB BUFARAH

1. My name is Jamil Dib Bufarah and I am the owner of nine (9) restaurants in Miami Beach:
Oh Mexico!, Mercato, Tapas & Tintos, La Cerveceria de Barrio and Havana 1957.
2. I have been working in Miami Beach for 22 years.
3. As business owner, I am opposed to commercial solicitation and hawking on Espanola Way.
4. I have personally witness how hawking affects a customer's experience and prevents customers from returning to the area.
5. Commercial solicitation significantly diminishes a customer's dining experience and creates a hostile environment.
6. Businesses in Espanola Way need to protect patrons and ensure they will return by banning commercial solicitation.
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8. Prohibiting commercial solicitation will protect patrons and business owners by ensuring that customers return and have an enjoyable experience.
9. The reputation created on an entire area as a result of hawking practices can be devastating to all businesses in that area because patrons will avoid the area all together to avoid being harassed.
10. The unique and pleasant experience of a nice stroll or quiet dinner on Espanola Way needs to be preserved and for this reason commercial solicitation must be prohibited.

I verify under penalty of perjury that the foregoing is true and correct.

Executed September 18, 2019.



Jamil Dib Bufarah

DECLARATION OF MARCO EFRATI

1. My name is Marco Efrati.
2. I am the owner of Hosteria Romana, a restaurant on Espanola Way.
3. Hawking is a major problem on Espanola Way.
4. I have personally witnessed pedestrians walking through the paseo get harassed by hostesses and restaurant employees trying to solicit their business.
5. This culture of hawking not only makes passersby visibly uncomfortable, but it also dissuades them from ever returning to the street.
6. Me and several other business owners on the strip are eager to expand our businesses by reaching more local clientele; however, I do not think we will be able to accomplish this goal if Espanola Way continues to have the reputation of harassing and hawking everyone who walks through it.
7. If this culture of hawking and aggressive solicitation does not come to an end soon, I am fearful that there will be irreputable damage done to the street and the businesses that make it so special.
8. I, Marco Efrati, am wholeheartedly against hawking and the aggressive solicitation of business on Espanola Way.

I verify under penalty of perjury that the foregoing is true and correct.

Executed September ____, 2019.



Marco Efrati

DECLARATION OF MARIO TARRICONE

1. My name is Mario Tarricone.
2. I am the owner of Espanola Cigars, a cigar bar on Espanola Way.
3. I have been a retailer on Espanola Way for almost a decade.
4. I have personally witnessed the hawking epidemic on this street since the first day I set up shop here.
5. All of us business owners on Espanola Way agree that hawking is distasteful and makes walking through the street insufferable; however, once one retailer begins stopping pedestrians to solicit their business, it doesn't take long for other retailers to follow.
6. This chain of behavior isn't sporadic—it happens every day.
7. Ultimately, this domino effect of businesses trying to out due each other with aggressive business solicitation creates an environment of harassment that makes our patrons uncomfortable, that hurts our businesses, and that gives our street a bad reputation.
8. Hawking has become commonplace on Espanola Way for too long. It is time to hold businesses accountable for their actions and make this street the tasteful, reputable place that I know it can be.

I verify under penalty of perjury that the foregoing is true and correct.

Executed September 18, 2019.



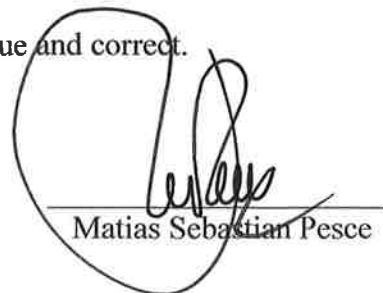
Mario Tarricone

DECLARATION OF MATIAS SEBASTIAN PESCE

1. My name is Matias Sebastian Pesce and I am part owner of seven (7) restaurants in Miami Beach: Tapas y Tintos, Havana 1957, Oh Mexico y Mercato.
2. As a business owner, I am opposed to commercial solicitation and hawking on Espanola Way.
3. I have personally witness how hawking affects a customer's experience and prevents customers from returning to the area.
4. Commercial solicitation significantly diminishes a customer's dining experience and creates a hostile environment.
5. Businesses in Espanola Way need to protect patrons and ensure they will return by banning commercial solicitation.
6. Hawking practices prevent customers from enjoying a nice quiet dinner outdoors.
7. Prohibiting commercial solicitation will protect patrons and business owners by ensuring that customers return and have an enjoyable experience.
8. The reputation created on an entire area as a result of hawking practices can be devastating to all businesses in that area because patrons will avoid the area all together to avoid being harassed.
9. The unique and pleasant experience of a nice stroll or quiet dinner on Espanola Way needs to be preserved and for this reason commercial solicitation must be prohibited.

I verify under penalty of perjury that the foregoing is true and correct.

Executed September 18, 2019.



Matias Sebastian Pesce

DECLARATION OF MICHAEL DEFILIPPI

1. My name is Michael DeFilippi and I am the Espanola Way Street Manager for the Espanola Way Association.
2. I have also been a resident of Miami Beach for eight (8) years.
3. As both a resident and local activist, I have witnessed the issues that result from commercial solicitation particularly on Ocean Drive.
4. Commercial solicitation significantly affects a customer's experience and has a negative impact on all businesses in the area.
5. I've observed and recorded aggressive examples of hawking including guests being yelled at, followed and jumped in front of. It creates a tacky, desperate environment and is extremely rude. It makes guests feel uncomfortable and pressured to sit at an establishment.
6. For example, on Friday, September 6th, I witnessed a host from one of the restaurants aggressively come into the middle of the street and solicit guests who were not even within the vicinity of the restaurant and as a result made them uncomfortable and likely impacted their enjoyment and perception of Espanola Way.
7. The same action should be taken on Espanola Way to protect customers from fraudulent practices and unpleasant experiences.
8. Prohibiting commercial solicitation will protect patrons and business owners by ensuring that customers return and have an enjoyable experience.
9. In order to preserve an enjoyable experience on Espanola Way commercial solicitation should be prohibited.

I verify under penalty of perjury that the foregoing is true and correct.

Executed September 18, 2019.

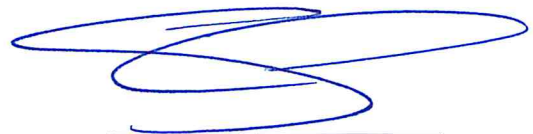

Michael De'Filippi

DECLARATION OF SCOTT ROBINS

1. My name is Scott Robins and I own the property located at 405 Espanola Way.
2. I have also been a resident of Miami Beach for 50 years.
3. As both a resident and business owner in Miami Beach, I have witnessed the issues that result from commercial solicitation.
4. Commercial solicitation, including hawking practices, create a highly unpleasant experience for patrons and affects all businesses in the area because customers are less likely to return.
5. In recent years, hawking has become a problem on Espanola Way.
6. I constantly hear horror stories from patrons about their hawking experiences.
7. Customers struggle to enjoy a quiet dinner outdoors along Espanola Way without constantly having employees soliciting.
8. Another issue that is also exacerbated by hawking practices is fraudulent practices and "bait-and-switch" deals.
9. As a business owner in the area I would like to ensure that these fraudulent practices are stopped and patrons are protected.
10. The unique and pleasant experience of enjoying an evening stroll or a quiet dinner on Espanola Way needs to be preserved by prohibiting commercial solicitation.

I verify under penalty of perjury that the foregoing is true and correct.

Executed September 18, 2019.



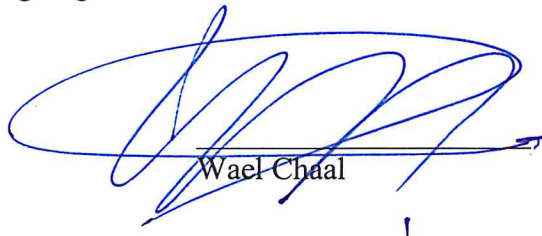
Scott Robins

DECLARATION OF WAEI CHAAL

1. My name is Wael Chaal.
2. I own several businesses on Espanola Way: Boteco Copacabana, Mare Mio Restaurant, and 445 Espanola LLC.
3. There is nothing like Espanola Way in Miami or even the United States. When on Espanola Way, you feel like you are exploring a small village in Spain or Southern Italy.
4. However, hawking is a consistent problem that plagues the street.
5. People traversing through the paseo looking to enjoy the ambiance and culture of the street are rudely interrupted and bombarded by aggressive hostesses and shop employees.
6. Espanola Way is an inherently special and magnificent street, businesses do not need to hawk to solicit business.
7. Me and several other business owners on the street have gone to our landlord to complain about the hawking and plead our case to end it.
8. In response, our landlord instilled new rules and regulations meant to curb the hawking on the street, but to no avail.
9. The moment businesses realize that they are no longer being monitored, they resume their hawking and harassment of civilians.
10. The businesses of Espanola Way need the City of Miami Beach to regulate and police the street to ensure that hawking does not come to define what is probably the most authentic neighborhood in South Florida.

I verify under penalty of perjury that the foregoing is true and correct.

Executed September 18, 2019.



Wael Chaal

DECLARATION OF JUSTIN KARR

JUSTIN KARR, pursuant to 28 U.S.C.A. § 1746, declares the following:

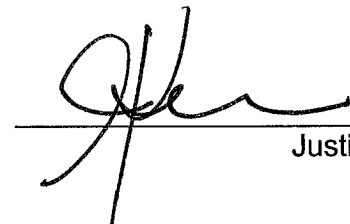
1. My name is Justin Karr. I live at 1557 Meridian Avenue, Apt. 206, Miami Beach, Florida 33139. I have been a resident of Miami Beach for twelve years.
2. I support the efforts of the City of Miami Beach to end predatory business practices that drive both residents and tourists away from our wonderful thoroughfares.
3. As an informed resident, neither myself nor any of my local friends patronize Ocean Drive restaurants because it is widely held that its establishments deceptively lure ignorant tourists to overpriced meals and subpar service.
4. When I do visit Ocean Drive, I avoid the street's western sidewalk containing restaurants because I am tired of the hawking from restaurant staff. Against my nature, I tend to ignore any personal interaction, but this can be difficult to do because café staff often lead with a flattering comment, such as complimenting my dog. The praise is usually meant to grab my attention before making eye contact, pointing to a menu, and announcing a happy hour special. The attention grabbing is so intrusive and prolific that I simply avoid the area.
5. There have been a few times I have been persuaded by one of these salespersons to enjoy cocktails on Ocean Drive following an afternoon at the beach. Almost always, I cringe later at home, when I pull a receipt from my pocket and realize how much the drink prices were inflated beyond prices that are standard elsewhere in the city. I can only imagine the deterrent effect this has on non-locals who do not know any better.
6. Unsavory conduct can also be found on Lincoln Road, where, for the most part, locals know which restaurants to avoid—generally the ones where the staff solicit the attention of passersby. My rule of thumb is to avoid any restaurant where a hostess seeks my attention as I walk by. This is because I believe the solicitation generally

equates to low quality food at the restaurant. If the staff must employ aggressive tactics in order to fill seats, it means the quality of food does not speak for itself. The restaurants use attractive greeters and decorative elements like beautiful light fixtures to compensate for a bad product.

7. Not unlike how I avoid Ocean Drive altogether, the sidewalk hawking is so frustrating on Lincoln Road that I know to steer clear of certain narrow corridors where employees inevitably will interrupt me as I approach. Specifically, the northern side of the 600 block of Lincoln Road, where the pedestrian path tightens, leading to a bottleneck in the passageway that is prime for café staff to beseech unwitting members of the public.
8. I am familiar with horror stories of unsuspecting foreigners who eventually share their negative experiences when they return home abroad and the effect this could have for our tourism. Our hospitality industry also suffers from other inherent challenges that are not easy to address, such as traffic and parking conditions. We should try to control what we can, in order to promote the brand and lure patrons from both the mainland and from within our city. Ocean Drive is colorful and historic—the preeminent postcard portrait that comes to mind when people first think of Miami. It is lamentable that Ocean Drive is also the most avoided place by those who know Miami well.

I verify under penalty of perjury that the foregoing is true and correct.

Executed on September 23, 2019.



Justin Karr

1. My name is Natalie A. Mejia. I have lived at 900 West Avenue, Miami Beach, Florida 33139 for one year and worked for the Lincoln Road Business Improvement District (BID) for three years located at 1620 Drexel Avenue, Suite 100, Miami Beach, Florida 33139.
2. I was born in Miami Beach at Mount Sinai Hospital in 1993. I have grown up in Miami and was a frequent Miami Beach visitor until I became a resident on August 1, 2018.
3. Throughout my 3 years working for the BID, I have regularly received complaints and read negative reviews on social media from Lincoln Road visitors when describing the "hawkers" whether from cafes or makeup beauty supply stores.
4. I support the efforts of the City of Miami Beach to develop and implement a Café Code of Conduct for Lincoln Road.

I verify under penalty of perjury that the foregoing is true and correct. Executed on September 19, 2019.



Natalie A. Mejia

"Dinner"



Review of Aura Restaurant



76 photos

Aura Restaurant

613 Lincoln Rd, Miami Beach, FL 33139-2915 (City Center)

+1 305-695-1100 Website Improve this listing

Ranked #574 of 1,302 Restaurants in Miami Beach

412 Reviews

Price range: \$35 - \$35

Cuisines: American, African, Mediterranean, Middle Eastern

More restaurant details



heatherbR4213EG
Brighton,
United
Kingdom

95 27



Reviewed June 25, 2016 via mobile

Dinner

Visited here with my boyfriend. Whatever you do, DO NOT go here. To start, we were lured in by the 2 for 1 cocktails and 18 dollar steak and lobster. However the waiter was very unhelpful and forgot to bring our starter. My main was overcooked and bland (steak and chips which is not difficult to make) and cocktails were well below average. When we received the bill my boyfriend was over charged for the lobster (instead of the 18 dollar special we were charged 26 dollars and the waiter refused to amend the bill as he suggested it had been our 'misunderstanding' however we were well aware of the situation and did not wish to make a scene). To make matters worse was the service. We asked for the bill twice and did not get it for over 20 minutes. What a joke. The waiters never asked us how the meal was nor asked us how we were getting on. If the service charge was not added on compulsory they would not have gotten an extra dime! Never again! Learn from our mistake! We ended up paying upwards of 80 dollars. Most expensive place we have eaten in Miami and by far the worst.

Date of visit: June 2016

Ask heatherbR4213EG about Aura Restaurant

4 Thank heatherbR4213EG



Hotels travelers are raving about...



Fontainebleau
16,153 Reviews
Miami Beach, FL

Read reviews



The Palms Hotel & Spa
3,601 Reviews
Miami Beach, FL

Read reviews

[Useful](#)
[Funny](#)
[Cool](#)



Katrine A.
 Miami, FL
 0 friends
 8 reviews

11/4/2018

Taverna caught our attention while we were on Lincoln Road looking for a nice frozen drink. We stopped to look at the menu and the hostess showed us the cocktail menu and she told us about the frozen drink options. We sat down and the waitress took our order. She came back and told us that they weren't making frozen drinks at that time. Disappointed at this point we decided to give them a second chance and ordered a Long Island Iced Tea as well as a Passionfruit martini. We also decided to have a Coke Zero on the side which we quickly were informed they only had regular coke, Diet Coke, and Sprite. Not to be picky but if you want to appeal to an international crowd that frequents Lincoln Road I'd recommend having a larger selection of pop beverages. The Martini was great, the iced tea not so much. The yellow lemons we asked for from the time we sat down were never brought to us, this didn't surprise me since the water served to us at the beginning was luke warm. Oh, and about the check? We had to wait about 25 minutes to receive it, at which point I decided not to look at the bill and hand her my card. Overall, the place had a unique name and look to it, but it all ended right about there.

[Useful](#)
[Funny](#)
[Cool](#)



Nancy T.
 Spring Lake, MI
 0 friends
 1 review

10/19/2018

Overpriced, weak expensive drinks, skirt steak share meal came with just 1 small salad to share. Total price for 3 people with 1 appetizer and 4 drinks was \$160. Definitely not worth it. Good hustle at the door - quite the salesman but it fell apart after that. Very poor service. Wait staff didn't speak much English so big language barrier when trying to ask questions about the food. Brought out wrong drink for one of our party. Later brought a drink we didn't order. Had to ask for plates and water and silverware to serve our shared meal. At the end of the evening we left our credit card accidentally in the bill folder. No one brought it back to us.

[Useful](#)
[Funny](#)
[Cool](#)

[website-2960607500146517125226...](#)

(305) 397-8745

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 719 Lincoln Rd
 Miami Beach, FL 33139

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Puntino
 50 reviews
 6.7 miles

Karen E. said "I had dinner here this past Saturday with my fiance and sister. Admittedly I knew..." [read more](#)



Carmelo Italian Grill
 17 reviews
 0.1 miles

Alba R. said "I came once for the 10 dollars special with not expectations at all but food was..." [read more](#)

Useful Funny Cool



Sasha t.
Sanford, FL
0 friends
25 reviews
6 photos

4.5 stars 9/16/2019

WARNING!! They reel you in and offer you 20% off your tab! After a day of shopping in the hot Miami sun we wanted to unwind and have a nice lunch! Well we should have known when we walked in it was questionable, it felt dirty, hot and muggy, the mirrors need cleaning, the decor needs a pick me up. The restroom was a def no, no other than the scent of glad plug-ins it was YUCK! Ok the drinks BOGO-we ordered a passion mojito it tasted like bottled lime not fresh and I'm not sure where the passion fruit was but it def missed our glasses. We were a group of 5 and overall the food was very so, so and more like no, no. The server once he sat us down practically disappeared. Then when it was time to check out the server tells us the service tax is not a tip, he said they charge that "fee" in the state of Florida. SAY WHAT! Not sure who else they rip off but not us! It is the tip folks and they don't deserve extra. Never again!

Useful Funny Cool



Tyler J.
Plant City, FL
639 friends
21 reviews
2 photos

4.5 stars 8/27/2019

Not sure how this place passed a standard health inspection. No soap dispensers in the bathroom... Instead they have a small bowl filled with soap where guests scoop it out with their fingers. Very unsanitary, especially for a restaurant.

Useful Funny Cool



Subhi Z.
Sterling, VA
0 friends
3 reviews
4 photos

4.5 stars 7/11/2019

1 photo 1 check-in

This is the worst restaurant in Miami beach. My wife and I, ordered a seafood pasta and steak and it was disgusting. I had a few shrimps and calamari. The steak was rare when we asked for a well done. My orange juice tasted like a water. DO NOT GO THERE THEY ARE DISGUSTING

Useful Funny Cool

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Miami Beach, FL 33139



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The Wharf Miami
4.5 stars 467 reviews
4.2 miles

Fatima T. said "Let me start by saying that this place is dope! It's brand new and opened only 2..." [read more](#)



Topgolf
4.5 stars 542 reviews

Maria F. said "I was very skeptical after reading so many mixed reviews and most were really bad...." [read more](#)



Constance K.
Woodland Hills, CA
2 friends
17 reviews
2 photos

6/12/2019

Please, please, please don't spend your money here!! They lure you with 25% off food and 2 for 1 drinks, then pull switheroos! They tell you things aren't extra, then. One back and charge you for it. They also added an 18% service charge for one person! The manager was rude when we complained and the waitress was completely incompetent. They actually gave me a bill for \$37 and actually charged me \$40! Horrific!!!

Useful Funny 1 Cool



Chiqita B.
Lawndale, CA
0 friends
1 review

8/10/2019

I would not eat here again. Shrimp scampi should not be spaghetti with marinara shrimp. The parmesan chicken looked like it had sliced yellow cheese on it, not even nicely melted. They try to cater to all so they make any kind of food instead of concentrating on a good specialty.

Useful Funny Cool



Celeste W.
East Orange, NJ
0 friends
10 reviews

7/11/2019

Food was horrible! So bland and lacked taste. Waitress was nice, however thought that we should give her an additional tip on top of the 18% service charge already added to the bill. Such a rip off! On our way to get a real dinner!

Useful Funny Cool 1



Spencer S.
South Scottsdale, Scottsdale, AZ
223 friends
1 review

6/17/2019

I don't like to leave bad reviews but this is quite possibly one of the worst restaurants I've ever been to. The menu looked promising but once I walked in and sat down I realized I had made a mistake. Right away I noticed there was water leaking from the ceiling onto my table and the empty plates and decided to move to a different table. I sat and waited for roughly 10 minutes until the server finally came and took from my order. 10 minutes later he came back with some stale bread and my water. From there I waited a full 35 minutes for my bland salad that was so bad I had to leave after having 2 bites. Overall this restaurant is very unorganized and I'll be shocked if they last for more than a year.

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4.2 miles

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Topgolf
542 reviews

Maria F. said "I was very skeptical after reading so many mixed reviews and most were really bad...." [read more](#)

"Evening meal"



Review of Caffe Montalcino Cucina Italiana



28 photos

Caffe Montalcino Cucina Italiana

831 Lincoln Rd, Miami Beach, FL 33139-2815

+1 305-695-1654 Website Improve this listing

Ranked #537 of 1,302 Restaurants in Miami Beach

81 Reviews



christopherbX...
Wyke, United Kingdom

3



Reviewed August 4, 2018 via mobile

Evening meal

Lured in with the promise of a deal! 25% off all food. This doesn't include kids meals. But only found this out when bill came. 20% service charge automatically added and told unable to remove it. The risotto was fair but the service was poor. Why bother with giving a good service when they are charging you a service charge no matter how your treat. Very disappointed.

Big lesson learnt!

Date of visit: August 2018

Ask christopherbX1731RM about Caffe Montalcino Cucina Italiana

Thank christopherbX1731RM

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.



Hotels travelers are raving about...



Fontainebleau
16,155 Reviews

Read reviews



Tamika W.
Mount Holly, NJ
41 friends
8 reviews
3 photos

★★★★★ 8/11/2018

I wish I would've checked the reviews prior to eating here..we were on Lincoln Rd and got caught in rain... we walked past this place, and they reeled us by saying menu was 25% off...two small ass salads and one drink came to 57 bucks and the watered down margarita was 17 bucks alone....plus the added 20% gratuity....shameful

Useful Funny Cool

(305) 695-1654

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831 Lincoln Rd
Miami Beach, FL 33139



Will L.
Blessington, Republic of Ireland
2 friends
1 review

★★★★★ 8/10/2018

Slow service. The waiter was really rude and the carbonara tasted strange. Also, their promotion offer is odd in that you can't split two drinks between two people if you wanted to.

Useful 1 Funny Cool



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Shi B.
Manhattan, New York, NY
1 friend
9 reviews
30 photos

★★★★★ 7/17/2018

1 photo 1 check-in

this place sucks!!! the food sucks (salty chefboyRdee lasagna, disgusting) (knorrs pasta alfredo sauce with canned chicken chunks, I can't)the drinks suck (tap water nasty, watered down flat gingerale) and the service sucks... waiter gave the wrong table my calamari 5 min later he realized his mistake, looks at me, then makes a bee line to the back (fronting like he was getting new calamari) 2 min later he brings that same plate to me, smth. then the prices are outlandish... bill in total 78.64 and I'm nauseous....



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Costa Med Bistro + Wine

★★★★★ 87 reviews

6.7 miles

Enrique M. said "Amazing food and service! I've been many times for dinner and every single dish I..." [read more](#)



Amor di Pasta

★★★★★ 115 reviews

3.4 miles

Caro R. said "I drove by this place so many times before and the outside just wasn't convincing..." [read more](#)



Dee C.
River Vale, NJ
334 friends
1034 reviews
364 photos
Elite '2019

★★★★★ 2/24/2018

1 check-in

It's bad enough that everyone on Lincoln is so aggressive when trying to schmooz you into eating at their restaurant. To eat at a place with bad food is even worse.

The service was great but the food was horrific.

Bolonase was bland beyond belief. They came by with some "powdered" cheese to spare us but it barely changed a thing.

Our shrimp and avocado salad was very sad. 5 small, previously frozen, recently thawed, non-seasoned shrimp sat on a bed of lettuce with a side of shredded carrots and a small pile of flavorless mango.

Truly horrible.

Useful 3

Funny 2

Cool 2



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Adriana M.
Miami Beach, FL
0 friends
1 review

★★★★★ 1/27/2018

I would not recommend this place to anyone. They will charge you a 2% resort fee and on top of that a 20% service charge, according to them as per "company policy". They will never even apologies for the bad service or for the ridiculous over charges. Miami beach authorities should check this place. It is a shame to our city that restaurants treat our tourist and local costumers with so much disrespect.

Useful

Funny

Cool



Melissa B.
City Center, Miami Beach, FL
0 friends
2 reviews

★★★★★ 1/20/2018

TOURIST TRAP!
They wanted to make us pay for water, service was extremely bad, they were rude (that was not surprising, it's Miami) the food was not bad but not excellent.

Useful 1

Funny

Cool



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6.7 miles

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Amor di Pasta

★★★★★ 115 reviews

3.4 miles

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Eldad R.
Miami, FL
0 friends
4 reviews

★★★★★ 4/14/2017

The food was horrible. No taste on all the plates we ordered. It was very expensive for bad food. The service was okay, but I would recommend to search for better options.

Useful Funny Cool



Haydee R.
Houston, TX
0 friends
18 reviews

★★★★★ 3/18/2017

We were lured in by lady at front promoting, we didn't yelp!!! Food was ok, service not so great, waiter seemed to be disinterested, restaurant was pretty empty, the bell boy was a lot more helpful and friendlier. They don't have lids for the kid's drinks (Miami toddlers don't spill maybe?). 20% tip automatically added which I don't mind IF service had been decent. tourist trap imho.

Useful Funny Cool



Gabrielle B.
Downtown Miami, Miami, FL
0 friends
2 reviews
2 photos

★★★★★ 1/5/2017

2 photos

I work in the food industry and I can honestly say this is one of the worst restaurants I've ever been to! Do not eat here! My friends and I went out to eat here and the service was poor but the food was even worse. I ordered the fettuccini Alfredo and the sauce was disgusting, the pasta was really soft and gross like noodles, and the chicken wasn't even properly cooked. I honestly feel sick after eating here and even threw up shortly after. The manager wouldn't even speak to us after and pretended that he couldn't do anything. The cost of the food is ridiculous for the quality. Service and food are both a disaster at this restaurant. Not even real Italian food. PLEASE DO NOT EAT HERE!!!!



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Amor di Pasta

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3.4 miles

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Useful 1 Funny Cool


 Comment from Vida E. of Havana 1957
Business Owner
8/14/2019 - Kenyota,
...
[Read more](#)

 **Alexander M.**
Louisville, KY
97 friends
5 reviews

★★★★★ 7/22/2019
1 check-in

Today is Monday, July 22 2019 and the manager on duty is the reason why this establishment is receiving a 1 star review. I understand that this location is in a high traffic location but that does not mean that service has to falter. Havana 1957 needs to understand that if multiple promotions are offered and no fine print is available then they should honor promotions especially when the waiter has made a mistake. Please train you staff on all promotions and how they should be handled.

Useful Funny Cool 1

 Comment from Vida E. of Havana 1957
Business Owner
7/23/2019 - Good morning, Alexander.
...
[Read more](#)

 **Brittany D.**
Land O Lakes, FL
203 friends
3 reviews
1 photo

★★★★★ 7/22/2019

Horrible service. Horrible food. They told us we would receive a discount for being a member on el paseo and also a mojito for checking into yelp. Apparently it was one or the other. The server made a mistake and did not honor the deals as promised. The manager took our drink from us since they were only honoring one special after telling us yes to both. Absolute insanity and classless. I will never return to this fake, want to be inspired Cuban restaurant. Over priced and a total tourist trap.

Useful Funny Cool

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 havana1957.com

 (305) 503-3828

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Miami Beach, FL 33139

 [View Menu](#)

 **1 free Free Mojito with your purchase**
[Send to your Phone](#)

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 **Ame Spa & Wellness Collective**
★★★★★ 66 reviews
Belkys C. said "Went yesterday to experience my Mother's Day gift which was a body butter massage..." [read more](#)

 **The Wharf Miami**
★★★★★ 462 reviews
4.3 miles
Fatima T. said "Let me start by saying that this place is dope! It's brand new and opened only 2..." [read more](#)



Share review
Embed review

★ ★ ★ ★ ★ 1/18/2019
2 photos

For the first time in a long time I fell for the tourist trap. I am usually very cautious when picking certain restaurants and this one I truly thought was going to be good but I was very wrong. We wanted some traditional Cuban food so after seeing all of the reviews we thought that was what we were going to get.

When we arrived it was it was not in a location I expected. It was on a super busy street with people all over the place with crazy loud music. Aside from that, when we walked up the official giveaway that it was a tourist trap was that they had pictures of the food on the menu.

We decided to stay anyway though with hopes that the food was still good. We sat outside and ordered wine that came in dirty glasses. Our appetizer tasted like it was sitting under the heat lamp for an hour and was extremely dry and our main dish was very tasteless. You could tell that the poor server who had to wear a ridiculous costume felt very bad and his expression on his face was like he knew the food wasn't good there.

This was our last night in Miami and we left extremely disappointed with our restaurant choice. I will be more careful reviewing places like this next time.



Useful 2 Funny 1 Cool

Comment from Vida E. of Havana 1957
Business Owner

1/21/2019 - Steph,
...
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★ ★ ★ ★ ★ 66 reviews

Belkys C. said "Went yesterday to experience my Mother's Day gift which was a body butter massage..." [read more](#)



The Wharf Miami

★ ★ ★ ★ ★ 462 reviews

4.3 miles

Fatima T. said "Let me start by saying that this place is dope! It's brand new and opened only 2..." [read more](#)



Useful Funny Cool



Comment from Vida E. of Havana 1957
Business Owner

9/24/2018 - Good morning, Arfana. First and foremost we would like to thank you for advising on your visit t...
[Read more](#)



F.H.
Manhattan, NY
0 friends
3 reviews

★★★★★ 9/18/2018

Avoid. They do not deserve your business. One star for decent food. They added a gratuity to my check, did not state that nor did the server present an itemized bill. When I tipped a generous 30%, the server said thanks as he passed the table. He didn't have the decency to let us know that grat was included (if he had, I still would have left something additional for his courtesy). When I found out later that gratuity was included I sent a polite email asking for this error to be rectified. My email was ignored. When the final total posted to my account an additional \$10 had somehow been charged, again I emailed and again I was ignored. I even emailed the restaurant group V&E who are in charge of this restaurant and for the 3rd time, I was ignored. Finally I called my bank and had the extra charges reversed.

Come on guys! Do the right thing by your guests and you'll last a long time but a bad reputation, even in a tourist hotspot, will destroy your business.

Useful Funny Cool

Page 1 of 121

1 2 3 4 5 6 7 8 9 Next >

292 other reviews that are not currently recommended

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Old's Havana Cuban Bar & Cocina

★★★★★ 805 reviews

5.6 miles away from Havana 1957

Ileana S. said "I'm not Cuban so I don't know about "authentic" Cuban food but I can

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Âme Spa & Wellness Collective

★★★★★ 66 reviews

Belkys C. said "Went yesterday to experience my Mother's Day gift which was a body butter massage..." [read more](#)



The Wharf Miami

★★★★★ 462 reviews

4.3 miles

Fatima T. said "Let me start by saying that this place is dope! It's brand new and opened only 2..." [read more](#)

Overall, the food was fair but this is definitely a tourist trap.

Useful Funny Cool



Comment from Vida E. of Havana 1957
Business Owner

7/23/2018 - Good Morning, Jeff. We would like to apologize for the service not being excellent as it's...
[Read more](#)



Yadira M.
Pompano Beach, FL
44 friends
36 reviews
51 photos

★★★★★ 7/15/2018

I'll be really honest , i will return but never to this location. The food was great , we had beer so can't say much for their drinks . I highly recommend however that you pay very close attention to your bill. Make sure to specify if you have cash going towards the bill and splitting the rest on cards. They tried to bamboozle these locals , i don't think sooo! We gave \$50 cash towards the bill and split the rest on 2 cards ,what should have \$94 on each card turned to \$108. When we brought this to his attention he played dumb and was like , "oh the cash was for the bill?" Typical south beach tourist trap restaurant behavior . The situation was fixed , transactions voided , it's just an unnecessary uncomfortable way to end dinner . We should have known better when we heard the table next to us having the same issue. BE AWARE ! Check every item and make sure they're charging your card the correct price . It's unfortunate because it's in a pretty dope little area .

Useful 2 Funny Cool 1



Comment from Vida E. of Havana 1957
Business Owner

7/17/2018 - Good morning Yadira, we would like to take this opportunity to apologize for this inconvenience....
[Read more](#)



Ang L.
Houston, TX
0 friends
4 reviews

★★★★★ 7/14/2018

Worst service and worst meal. Chicken is rare in the middle. Waited 50 minutes for the meal. Got charged service fee directly. Won't be here again.

Useful 1 Funny Cool

Large Party Events

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havana1957.com



(305) 503-3828



[Get Directions](#)
405 Espanola Way
Miami Beach, FL 33139



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1 free Free Mojito with your purchase
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The Wharf Miami

★★★★★ 462 reviews

4.3 miles

Fatima T. said "Let me start by saying that this place is dopel! It's brand new and opened only 2..." [read more](#)

love their Cuban black beans and their vaca tina but even that has been lacking lately.

Useful Funny Cool



lone Y.
Wellesley, MA
94 friends
30 reviews
16 photos

3/3/2018

Before getting in, we asked the waiter for the menu. She allured us in with the special dish of the day. After 3 min, I ordered the dish and they didn't have it. Beer selection was no good - no draft beers. To summarize: we checked the menu, she said that the restaurant had it all in the menu and once seated they didn't have anything we wanted. Despite being allured in, our dining experience was highlighted by us, the costumers, being more polite than the serving staff and in exchange we pay a gratitude fee that was already added to the bill. A powerless experience - the waiter didn't even give a fuck about us and the power of tipping was minimized by having it being automatically charged on the bill. So my husband and I consider this place our worst dining experience while spending vacations in Miami.

Useful Funny Cool

Page 2 of 121

< Previous 1 2 3 4 5 6 7 8 9 Next >

292 other reviews that are not currently recommended

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Old's Havana Cuban Bar & Cocina

805 reviews

5.6 miles away from Havana 1957

Ileana S. said "I'm not Cuban so I don't know about "authentic" Cuban food but I can tell these dishes were well prepared. Everything I tasted was full of flavor and DID NOT DISAPPOINT! I can't remember the name of everything but the appetizer was..." [read more](#)
in Cuban, Bars



Prohibition Restaurant and Speakeasy

865 reviews

4.2 miles away from Havana 1957

Sasha G. said "I've always passed this place so finally I decided to stop by and give it a try. I went on a Saturday and surprisingly it was pretty empty downstairs. However, the decor and ambiance was really nice. The waiters, hostess and even..." [read more](#)
in Speakeasy, Cocktail Lounge

Large Party Events

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Ame Spa & Wellness Collective

66 reviews

Belkys C. said "Went yesterday to experience my Mother's Day gift which was a body butter massage..." [read more](#)



The Wharf Miami

462 reviews

4.3 miles

Fatima T. said "Let me start by saying that this place is dope! It's brand new and opened only 2..." [read more](#)

[View question details](#)

Question: Does it smell like smoke in the inside? I want to make sure the smoke doesn't funnel in from outside

Answer: Hello, the smoke is only in the outdoor seating area which is 12 ft away from the main entrance so it does not funnel.
Ramy K., Business Manager · 5 months ago

[View question details](#)

[Don't see your question? Ask away!](#)

Recommended Reviews

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Search within reviews



Sort by **Lowest Rated**

Language **English (63)**



[Start your review of 7 Spices Restaurant & Lounge.](#)

 **Rapz B.**
College Park, MD
17 friends
34 reviews
3 photos

 9/3/2019

Not good food at all. Their so called spice rice was a total flop. It was dry and hard no flavor at all. They charge \$5 for a soda. The rice dish is accompanied with an aioli which is so watery and diluted. When we asked for an extra aioli they were going to charge a dollar for that. They try to attract people by saying 20% off but when you get the bill, it's nothing but a glitch. They have to say something to avoid giving you the 20% discount. Not worth at all! I do not recommend this place to anyone and will never be back!

 Useful

 Funny

 Cool



 **oscar l.**
San Antonio, TX

 8/9/2019

Make a Reservation

 Wed, Sep 11

 7:00 pm

 2 people

6:30 pm

6:45 pm

7:00 pm

7:15 pm

7:30 pm

7:45 pm

Order Food


☒ Delivery ☐ Takeout

\$3.99+ fee • \$0 min • 35-45 mins

Delivery Address

Enter delivery address


[Start Order](#)

 drink and hookah specials 3 to 7pm

[Contact Us](#)

 [7spicesmiami.com](#)

 (305) 397-8402

 [Get Directions](#)
610 Lincoln Rd
Miami Beach, FL 33139

 [View Menu](#)

 1 free drink with any entree

 Comment from Ramy K. of 7 Spices Restaurant & Lounge
Business Manager
12/26/2018 · Dear Tim,
...
[Read more](#)

 Doug H.
Rockford, IL
👤 69 friends
📝 1 review

★ ★ ★ ★ ★ 12/20/2018

Bait-and-switch, then insults and humiliates their patrons. Our first time in Miami was going great, until we went to this place. We traveled up and down Lincoln, received a bunch of "coupon cards" for specials/discounts from various establishments, looked at menus, etc. Just as any new tourists would. We chose 7 Spices, because it seemed like the best deal-- \$25 off if we spent over \$50. The "fine print" on the card says "must order 1 appetizer or food" as a condition, and yes, we read that. Since we already ate at another restaurant, we just wanted hookah and a couple drinks. We asked our server if IT WAS OKAY to use the coupon card / \$25 off special -- and she told us YES, they would accept it, even though we're just ordering drinks and a hookah. (Still about \$60.) Then we get the check, use the coupon, and our server informs us we cannot actually use the coupon, we'll be paying full price. Apparently, her manager disagreed. Instead of sending her manager, several different associates came to our table. One in particular, a taller gentleman (another server), with apparently no understanding of the situation (our server having told us prior we could apply the discount), flat out asked us, "Can't you read?" and put the card up to our faces. We really wanted to talk to the manager, but they didn't care enough to do so. Before he left to have a conversation with his cohorts, he saw our other cards we collected out on the table, spread them out, looked at them and said, "I see what you're trying to do now." As if to say we're just making up what their own server said and implied to us. Who is trying to take advantage of whom here? In the end, our original server came back and gave us the \$25 off. Our server was nice and great, but it seems "the management" really lashed out on her over the issue. As other reviewers have said, this place is poorly managed, managers are afraid to deal directly with their clientele, and some of their employees cannot understand or resolve issues -- they just want to game passerbys. If you're the manager, please don't take it out on your employees for making false promises. But also, ESPECIALLY don't have employees take it out on your dumb, illiterate tourist customers who you try to play games with.

Make a Reservation

Wed, Sep 11

7:00 pm 2 people

6:30 pm 6:45 pm 7:00 pm

7:15 pm 7:30 pm 7:45 pm

Order Food

☒ Delivery ☐ Takeout

\$3.99+ fee • \$0 min • 35-45 mins

Delivery Address

Enter delivery address

[Start Order](#)

drink and hookah specials 3 to 7pm

[Contact Us](#)

[7spicesmiami.com](https://www.7spicesmiami.com)

(305) 397-8402

[Get Directions](#)
610 Lincoln Rd
Miami Beach, FL 33139

[View Menu](#)

1 free drink with any entree
[Send to your Phone](#)

we were sadly disappointed. And in the middle of it all some waiter with an Agar management problem was screaming at our waitress because he thought she had taken the drinks that belonged to his table! If it wasn't for the show, I'd say stay out of the place!!! Not worth the money and time! Hope they get it together and soon!!!

Useful Funny Cool



Violetta M.
Miami, FL
0 friends
11 reviews
2 photos

12/24/2018
1 photo

BE AWARE OF UNEXPECTED UPCHARGES!!! Waiter asked us if we wanted the "chef's suggestion" which were 4 side sauces that ended up costing \$25! For 4 K-cup size sauces! \$175 for 4 tapas, a cheese board, and a drink. Additionally, they tip themselves 20% even though it took 20+ minutes to get dessert at the end which we ended up cancelling for taking too long. Love Espanola Way but this is the worst place on the strip.



Useful 1 Funny Cool



Rob H.
Southwest Calgary,

11/15/2018

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tapasytintos.com

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448 Espanola Way
Miami Beach, FL 33139

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1 free Glass of Sangria
Send to your Phone

You Might Also Consider Sponsored



Sushi Garage
212 reviews
0.8 miles

Nicole B. said "This place supremely surpasses my expectations. The most tender, delicate, tasty..." [read more](#)



Barceloneta
317 reviews
0.9 miles

Franky A. said "I went the other night and had heard ok reviews from friends. Let me tell you that..." [read more](#)

Useful Funny Cool



Comment from Vida E. of Tapas Y Tintos
Business Owner

8/10/2018 - Good Morning, Indigo. Firstly, We would like to thank you for advising about your last visit to Tapa...
[Read more](#)



A.T.
Los Angeles, CA
0 friends
6 reviews

★★★★★ 7/25/2018

Be careful when ordering. The "special" is very deceiving. A paella with lobsters cost \$110. With 2 drinks and 2 appetizer cost over \$165 (includes with outrageous mandatory service charge) . I was on vacation and not in the mood to file a dispute over food. It's a lesson to learn. The food is not worth \$165 I can tell you that. I would go somewhere.

Useful 1 Funny Cool



Comment from Vida E. of Tapas Y Tintos
Business Owner

8/1/2018 - Good afternoon, A.T. Firstly, we want to thank you for advising on your experience at Havana 1957....
[Read more](#)

Large Party Events

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[Get Directions](#)
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1 free Glass of Sangria
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[See all 2 questions for Hosteria Romana](#)

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Search within reviews



Sort by **Lowest Rated**

Language **English (483)**



Start your review of [Hosteria Romana](#).



Julia G.
Miami Beach, FL
0 friends
3 reviews
4 photos

8/25/2019

Complete Rip-Off

Careful with the waiter Claudio.

He offers dishes as a one plate to enjoy, but when the check comes to you... that dish is divided in all the ingredients he mentioned... making one single dish crazy expensive. Also, the amount definitely does not match for such prize.

Tricking a customer to "up-sale" ... and also lie about dishes names... but when it's time to pay a different one appears written on your tab ... a name that resembles to what you had for dinner but that IS NOT the name of the dish he mentioned when selling to you is a cheap way to treat a customer looking for a great hospitality experience.

Definitely I do not recommend it ... BUT if you want to waste your money ... go to Hosteria Romana and Ask for server CLAUDIO.

Useful 1

Funny

Cool



[hosteriaromana.com](#)



(305) 532-4299



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429 Espanola Way
Miami Beach, FL 33139



[View Menu](#)

You Might Also Consider Sponsored



Caffe Di Mauro

170 reviews

0.04 miles

Scott L. said "When I heard the Italians speaking outside I was curious to know if this was a real..." [read more](#)



Kazumi Modern Japanese

62 reviews

6.5 miles

Alfredo M. said "I had been told that this place served very high end modern Japanese food..." [read more](#)

"Bait and switch!"

Review of Cantinetta



134 photos

Cantinetta

607 Lincoln Rd, Miami Beach, FL 33139-2915
+1 305-532-0930 Website E-mail Improve this listing

Ranked #380 of 1,300 Restaurants in Miami Beach

726 Reviews

Cuisines: Italian

Dining options: Late Night, Dinner, Breakfast, Lunch, Outdoor Seating, Reservations



Mizzeztibbs
Atlanta,
Georgia
4 2

Reviewed June 14, 2017 via mobile

Bait and switch!

The gave us a card for "2 for 1 drinks". So we ordered our 1st round (2 drinks) and they were good. He then comes around and ask if we would like "another round on the house". We said sure. But when the drinks came we noticed that they looked very different than the first. We took a few sips and they did not have alcohol in them and they were very watery. When he returned we told him theerinks had no alcohol in them and tasted bad. He said ok and brought us the check...but it had 4 drinks on it and 2 were free. But before we even got the bad 2nd drinks he said they were on the house. So basically this is what they do to not lose money on their "2 for 1" deal. When we asked him about it he acted as if he couldnt speak english and didn't understand us. We went ahed and paid the \$37 bill for 2 drinks...which automatically includes 15% gratuity. I left a long note on the receipt and will call my hotel to speak to a manager. In addition...all seating is outside in the heat because there is no AC inside. Stay away!!!

Date of visit: June 2017

Ask Mizzeztibbs about Cantinetta

1 Thank Mizzeztibbs

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.





“Tourist trap, but okay food if hungry”

○○○○○ Review of Cantinetta



134 photos

Cantinetta

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Ranked #380 of 1,300 Restaurants in Miami Beach

○○○○○ 726 Reviews

Cuisines: Italian

Dining options: Lunch, Late Night, Breakfast, Dinner, Outdoor Seating, Reservations



4boysdad412
Pittsburgh,
Pennsylvania

141 60

○○○○○ Reviewed December 29, 2018 via mobile

Tourist trap, but okay food if hungry

We needed a place for lunch and the kids were starving so we didn't have a chance to look on trip advisor. If I had we wouldn't have stopped. My son did enjoy the ribs and loved the fries. The pizza was okay. They say they have this special for 25% off food but after you sit down they let you know that virtually everything is excluded. We should have known better. Never again!

Date of visit: December 2018



Ask 4boysdad412 about Cantinetta

Thank 4boysdad412

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.



Reviews (726)

Write a review



“Tourist trap, but okay food if hungry”

Review of Cantinetta



134 photos

Cantinetta

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Ranked #380 of 1,300 Restaurants in Miami Beach

726 Reviews

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4boysdad412
Pittsburgh,
Pennsylvania

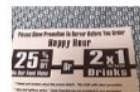
141 60

Reviewed December 29, 2018 via mobile

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Date of visit: December 2018



Ask 4boysdad412 about Cantinetta

Thank 4boysdad412

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Reviews (726)

Write a review

BOOK NOW

“horrible, avoid to enter!”

○○○○○ Review of Cantinetta



134 photos

Cantinetta

607 Lincoln Rd, Miami Beach, FL 33139-2915
+1 305-532-0930 Website E-mail Improve this listing



seda K
1

○○○○○ Reviewed August 21, 2016 via mobile

horrible, avoid to enter!

we were looking for a place on Lincoln mall road, while passing through they just grab us and insist to enter. they even offered 25 percent of discount on the menu and so on. Soonest we have took a table and ordered our meal, they were completely rude! the food was also really poor quality! portions are huge but not delicious at all! the sodas without taste full of ice cubes! they brought a bread basket, bread slices were beaten even. and in the end they charged 20 percent of tip already included in the check! definetely horrible service and food!

Date of visit: August 2016

[Ask seda K about Cantinetta](#)

Thank seda K

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.



72 photos

7 Spices Restaurant & Lounge

610 Lincoln Rd, Miami Beach, FL 33139-2916

+1 305-397-8402 Website E-mail Improve this listing

Order Online



Order Online

Ranked #796 of 1,300 Restaurants in Miami Beach

36 Reviews

Price range: \$18 - \$39

Description: At 7 Spices, we provide our guests with all the makings of the perfect evening out in Miami Beach: delicious food, creative cocktails, great music, and an intimate, modern space in which to enjoy it all. Featuring a selection of both authentic and fusion-inspired Mediterranean dishes, our extensive menu offers fresh, flavorful, made-to-order meals for everyone. Pair your favorite dish with one of our signature cocktails, and any occasion becomes a celebration. We invite you to drink, dine, and socialize in our relaxed, elegant space or outside in our beautiful courtyard. After dinner, settle in for a hookah session, the perfect way to end a perfect evening out with friends. Our parting wish for you is that you leave relaxed, well fed, and eager to come back for more.



Michelle B
Kenilworth,
United
Kingdom
7 3

Reviewed April 20, 2019 via mobile

The customer is never right

We were enticed by the Happy Hour special which was advertised as 50% off drinks and specials on some food items. We asked for the happy hour drinks menu and ordered 4 drinks from it plus an appetiser from the happy hour menu. Food and drinks were lovely although the service was slow. The complaint comes with when the check was presented with everything full price. We were then told that the drinks were not on special, which we then had to argue about until they "did us a favor" to get them discounted. Finally the appetiser was charged \$6 more than the menu price and we were told that it's because they gave us a larger portion which was a higher price. We said that wasn't our problem if they put the order in wrong. The manager came out and said someone must have made a mistake so was it us or the waiter. We said the waiter and he said fine, we will dock his pay for the error. I said it's sad that you treat your employees like this with no tolerance for errors. After more arguing they fixed the bill and we ended up paying the waiter out of pocket for the difference because we felt bad for him. I highly recommend never going to this restaurant unless you are a glutton for punishment and the worse service experience in a loooong time!

Date of visit: April 2019

[Ask Michelle B about 7 Spices Restaurant & Lounge](#)



Review of Rio Station



172 photos

Rio Station

625 Lincoln Rd, Miami Beach, FL 33139-2915
+1 305-397-8006 Website Improve this listing

Ranked #449 of 1,300 Restaurants in Miami Beach

487 Reviews

Cuisines: American, Brazilian

More restaurant details



sara_gostelow
Formby, United Kingdom

16 13

Reviewed October 21, 2017 via mobile

Rude Arrogant Staff

Visited this restaurant while on holiday in Miami. We where lured in by the annoying hostess in the street, tempted by the special offer of a Caesar salad for \$10. We only wanted a light bite for lunch. Given menus and no sign of the special offers. Asked waiter about it and said oh yes so we ordered. When the bill came they had charged us full price for the salad and also they charge for water! Tap water! We paid and left only to be chased by the waiter saying we owed money. We explained that we had been overcharged and he was extremely rude and made some disgusting comments about us being English and how we are obviously used to running away from restaurants without paying! How rude! At first I sympathised with him as I myself have spent years working in the service industry. But how arrogant and rude to make such disgusting comments to us. How dare he! Anyway we paid the extra and left.

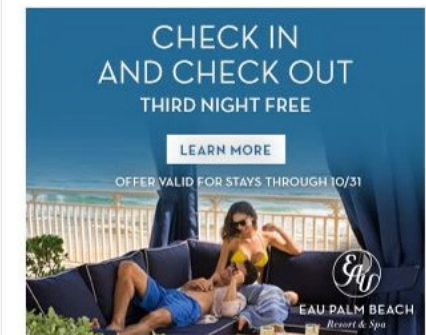
Absolutely reeling still from the horrible waiter!

Give all restaurants on Lincoln Rd a wide berth is my advice!

Will definitely not be returning and will be taking the complaint further

Date of visit: October 2017

[Ask sara_gostelow about Rio Station](#)



Hotels travelers are raving about...



Fontainebleau
4.5/5 16,137 Reviews
Miami Beach, FL

Read reviews



The Palms Hotel & Spa
4.5/5 3,595 Reviews
Miami Beach, FL

Read reviews



Eden Roc Miami Beach Hotel
4.5/5 3,151 Reviews
Miami Beach, FL

Read reviews

All hotels in Miami Beach (222)

"BEWARE"



Review of Boteco Copacabana



159 photos

Boteco Copacabana

437 Espanola WAY, Miami Beach, FL 33139-8124
+1 786-275-6193 Website E-mail Improve this listing

Order Online

GRUBHUB

Order Online

Ranked #506 of 1,300 Restaurants in Miami Beach

429 Reviews

Price range: \$10 - \$60

Cuisines: South American

More restaurant details



sal n
1 3



Reviewed February 5, 2015

BEWARE

They pester and drag you in off the street with the promise of a free drink with your dinner. However, when you receive the bill, the drinks are NOT free. (In fact, a cheap rail vodka drink, in a juice size glass, is \$13.00, btw.) When you bring this issue to their attention, they fight you like crazy, cause a scene, trying to intimidate you. We paid for what we owed, (The food) and left. The waiter stalks us with his cell phone and has the police stop us to pay for the drinks, about six blocks away. The cops require us to whip-out the cash and hand it over to the waiter, after shining their flashlights in our faces. You would think it was Bonnie and Clyde's last stand, rather than two law abiding citizens, breathing life into the place. They have a picture and description of fresh sushi-grade tuna on the menu, as part of a salad. When you get the salad, it is canned tuna! HA! And you should see the kitchen area. There are surly more roaches there than fish in the sea.

These guys, I have learned, have quite the reputation. I have been told this is far from being a unique incident. They have "ladies night" in which your female companion drinks for free. When you get the bill, the drinks are anything but free. It is a restaurant like this that gives Miami a bad reputation. If they were a legitimate restaurant, they wouldn't have to resort to this.

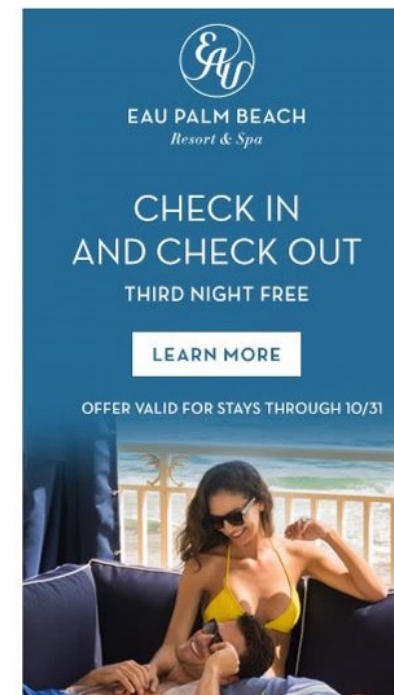
Date of visit: February 2015



Value



Service



aware and neware

Review of Locanda Sibilla



46 photos

Locanda Sibilla

833 Lincoln Rd, Miami Beach, FL 33139-2815
+1 305-695-1654 Website Improve this listing

Ranked #355 of 1,300 Restaurants in Miami Beach

411 Reviews

Price range: \$9 - \$40

Cuisines: Italian

Dining options: Dinner, Breakfast, Late Night, Lunch, Reservations



avivet
miami
1 2

Reviewed June 15, 2009

aware and neware

Last Saturday I was out on Lincoln Road in South Beach. I was approached by several hostesses of a restaurant called Sibilla. They had signs and they were telling passerbys that they had a special, everything on the menu was 50% off. I decided to have dinner with my family there. The waiter was affable and recommended the house specials. At no time did he disclose that the "special" did not apply to his recommendations. When I received the bill it was for \$250! The "specials" were \$69 and \$49 - that was higher than the regular prices on the menu! They ranged from \$12 - \$27 on average. When I questioned the waiter about this he then stated that what we had ordered was not on "special". I believe that this behaviour is outrageous and deceitful. It gives South Beach a bad reputation to have vendors act this way. It is up to the chamber to regulate this type of business and prevent it from happening to tourists as well as unsuspecting locals. I have been going to South Beach for the past 20 years and have never experienced such an outright abuse from a business there. I hope that you will take some action against this establishment. Please let me know if there is anything I can do to help to stop it

Value
Atmosphere

Service
Food

Ask avivet about Locanda Sibilla

2 Thank avivet

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC



“horrible, avoid to enter!”

○○○○○ Review of Cantinetta



134 photos

Cantinetta

607 Lincoln Rd, Miami Beach, FL 33139-2915

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Ranked #380 of 1,300 Restaurants in Miami Beach

○○○○○ 726 Reviews

Cuisines: Italian

Dining options: Dinner, Late Night, Breakfast, Lunch, Outdoor Seating, Reservations



seda K
1

○○○○○ Reviewed August 21, 2016 via mobile

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Date of visit: August 2016

[Ask seda K about Cantinetta](#)

Thank seda K

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.

Reviews (726)

Traveler rating

Excellent 118

Traveler type

Families

Time of year

Mar-May

Language

All languages

Write a review



“Keep walking!”

○○○○○ Review of Cantinetta



134 photos

Cantinetta

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○○○○○ 726 Reviews

Cuisines: Italian

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AvidTraveler88
Pennsylvania
60 18



Reviewed October 15, 2012 via mobile

Keep walking!

One thing not fabulous about Lincoln road is the way the restaurants come out grab your business. One should know the heavy sales pitch tend not to be the best restaurants.

Dining alone I thought I would Try it for Lunch. Disappointing. Filet salad special wa toughest filet I've had.

Sat me at a table under dripping water and had to move. Table was not set with dipping oils as was others and ha to request. Never once stopped by to ask how the food was - wonder why.



Value



Atmosphere



Service

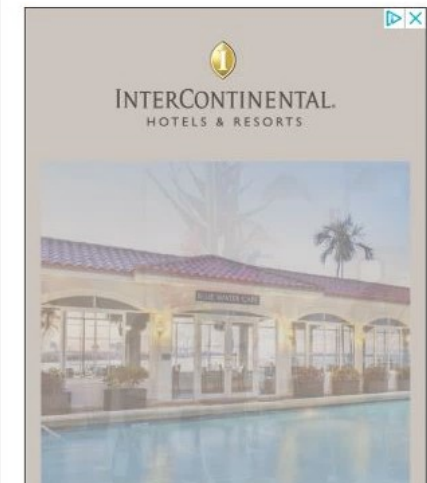


Food

Ask AvidTraveler88 about Cantinetta

Thank AvidTraveler88

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.



"What a rip off!"

○○○○○ Review of Cantinetta



134 photos

Cantinetta

607 Lincoln Rd, Miami Beach, FL 33139-2915

+1 305-532-0930 Website E-mail Improve this listing

Ranked #380 of 1,300 Restaurants in Miami Beach

○○○○○ 726 Reviews

Cuisines: Italian

Dining options: Lunch, Dinner, Late Night, Breakfast, Outdoor Seating, Reservations



Neep
St Austell,
United
Kingdom
101 39

○○○○○ Reviewed October 12, 2012

What a rip off!

Like several other reviewers we were taken in by the con-man enticing us to eat in his 'authentic Italian restaurant' - the chef is Italian he said - you won't get better food anywhere!! It was our first night, we were tired after a long journey but we were absolutely disgusted by the food. I ordered a pizza and it must be the first time I've ever eaten an 'authentic Italian pizza' without a tomato base!! It was dry, overcooked and not edible! We were charged \$58 - needless to say we didn't leave a tip!

Date of visit: September 2012

○○○○○ Value

○○○○○ Service
○○○○○ Food

Ask Neep about Cantinetta

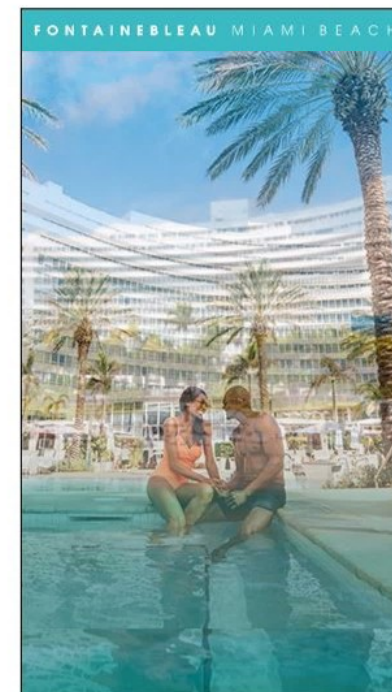
Thank Neep

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.

CantinettaSouthBeach, Manager at Cantinetta, responded to this review

Responded January 4, 2013

I'm sorry your visit to our restaurant this time was unacceptable and I apologize even more for the experience you had with the previous management



“Greeter is a good con man”

 Review of Cantinetta



134 photos

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Dining options: Breakfast, Lunch, Late Night, Dinner, Outdoor Seating, Reservations



FlyAtNight
 Brooklyn,
 Canada
 1090
 429

 Reviewed August 8, 2012

Greeter is a good con man

I'll be the first to admit that we were taken by the greeter / con man outside the restaurant. After the usual "hi there, where are you from..." line, service just disappeared. It was a Tuesday afternoon on Lincoln Road (5:00 PM) and we were hungry, having not eaten since early morning. We were seated promptly...it appeared that we were the only table outside, with 1 or 2 inside. The waiter took our drinks / meal order within a few minutes, but it was 45 minutes before our food arrived. My wife ordered the eggplant parmigiana lunch special (\$9.50) which turned out to be one tasteless slice of breaded eggplant covered in a tomato sauce that could have come out of a can...actually coming straight out of a can is too good a description. My son and I had the Wagyu burgers which tasted no different than a fast food burger. The burgers did not come with the cole slaw as shown on the menu. When I questioned the server, he said that it costs too much to change the menu... I must admit that we were credited a couple of dollars for not having the cole slaw, but can't agree with the 20% service charge that was included. I like to choose how much to tip...sometimes 50% is fine...as long as the service reflects it. Avoid this place at all cost !!!

Date of visit: August 2012

 Value
 Atmosphere

 Service
 Food



"READ THIS BEFORE BEING FISHED IN."

○○○○○ Review of Piccola Cucina



141 photos

Piccola Cucina

440 Espanola Way, Miami Beach, FL 33139-8123

+1 305-535-3129 Website E-mail Improve this listing

Ranked #402 of 1,300 Restaurants in Miami Beach

○○○○○ 460 Reviews

Price range: \$10 - \$40

Cuisines: Italian

More restaurant details



Raul B
✉ 1

○○○○○ Reviewed July 13, 2018 via mobile

READ THIS BEFORE BEING FISHED IN.

I never write reviews but my experience at this restaurant was so awful that I felt obligated to WARN YOU.

First the gentleman in the front fished us in and promised the "world". It was a family night dinner with my wife, daughter and son.

For starters we ordered fried calamari and were served fried calamari with fried shrimp in the same plate. No where on the menu did it state calamari with shrimp. You see I'm allergic to shellfish and returned the plate with a promise of no charge for a new plate. It was just the beginning!

I ordered the ravioli with sage and cheese for the main course. My family was served their plates but not me. I had to wait another 20 minutes before my plate was served. The pasta was cold when I got it and returned it. I was finally served my plate after another long wait and after a few bites noticed there was LOBSTER inside the ravioli (Shellfish of which I am allergic).

The owner chef came out to apologize. We then were ignored for another 15 minutes before we proactively requested the bill without the 20% off promised by the gentleman up front at the beginning. One final detail we still were charged the calamari that was to be complimentary. At this time all we wanted was to get the out of this place and paid the bill.

LONG STORY SHORT GO SOMEWHERE ELSE!!

Date of visit: July 2018



Hotels travelers are raving about...

- | | | |
|---|---|------------------------------|
|  | Fontainebleau
○○○○○ 16,137 Reviews
Miami Beach, FL | Read reviews |
|  | The Palms Hotel & Spa
○○○○○ 3,595 Reviews
Miami Beach, FL | Read reviews |
|  | Eden Roc Miami Beach Hotel
○○○○○ 3,151 Reviews
Miami Beach, FL | Read reviews |



“Awful”

○○○○○ Review of Piccola Cucina



141 photos

Piccola Cucina

440 Espanola Way, Miami Beach, FL 33139-8123

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○○○○○ 460 Reviews

Price range: \$10 - \$40

Cuisines: Italian

[More restaurant details](#)



ShaheedK9

1

○○○○○ Reviewed April 3, 2017 via mobile

Awful

Very poor. Enticed us in. Ordered a coke and they gave us the menu. They then let me know that they were only serving pizza or salad. The lady didn't mention this when coaxing us in. After fancying a nude Italian meal we decided that we would move to a different restaurant. They then charged me 5 dollars for the coke!!!! Awful service. No apology at all and they could have taken the cost of the overpriced Coke off. We would have really only been happy to pay for that if we were to eat there. Avoid at all costs

Date of visit: April 2017

[Ask ShaheedK9 about Piccola Cucina](#)

Thank ShaheedK9

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.

Reviews (460)

Write a review

Traveler rating

Traveler type

Time of year

Language



“Service was horrendous. Food was not what we ordered. Don't go here-it sucks.”

○○○○○ Review of Piccola Cucina



141 photos

Piccola Cucina

440 Espanola Way, Miami Beach, FL 33139-8123

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○○○○○ 460 Reviews

Price range: \$10 - \$40

Cuisines: Italian

More restaurant details



Neha M
new york
17 8

○○○○○ Reviewed March 16, 2016

Service was horrendous. Food was not what we ordered. Don't go here-it sucks.

So bad, that is doesn't deserve to be a restaurant. Ended up roped into this place bc the manager was soliciting business on the street by offering a free glass of wine (which we did get but was nasty). We ordered a dish off their specials menu which was a artichoke and shrimp pasts and just requested a red sauce instead of alfredo--what we got was a plate of linguini with red sauce---the likes of a kids meal. Also ordered branzino which was so overcooked it tasted like chewy leather, and the best part.....(drumroll please) WASN'T EVEN BRANZINO. Manager came out and insisted it was branzino, and just took the plate and we never saw him again.

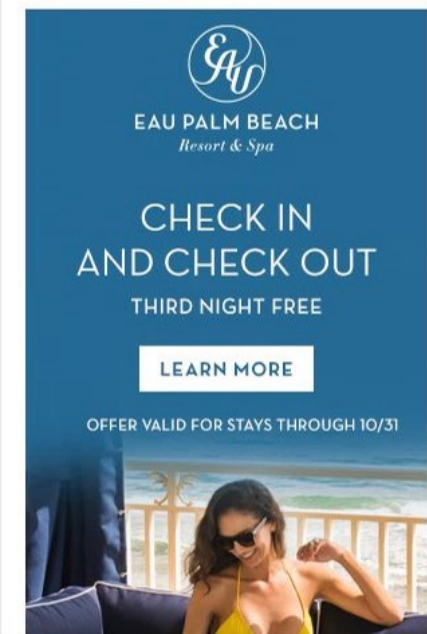
And one of the staff Daniele/or Daniela or something--Its a guy, by the way, was the absolute rudest, waiter I've ever encountered. Like he's doing me a damn favor taking my order. Terrible service, food, all of it. Don't waste a meal or your time here.

Date of visit: March 2016

○○○○○ Value

○○○○○ Service
○○○○○ Food

Ask Neha M about Piccola Cucina





"Do not eat here unless...."

○○○○○ Review of Piccola Cucina



141 photos

Piccola Cucina

440 Espanola Way, Miami Beach, FL 33139-8123

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Ranked #402 of 1,300 Restaurants in Miami Beach

○○○○○ 460 Reviews

Price range: \$10 - \$40

Cuisines: Italian

More restaurant details



Dunham_2010
Toronto,
Canada

5 14

○○○○○ Reviewed May 16, 2015 via mobile

Do not eat here unless....

You want to be stuck here with unethical billing practices. They lure you in with free persecco and a free bruschetta appetizer. The persecco and bruschetta (which is just bread and vinegar/balsamic) took its time to arrive at the table. We had to ask for it. We both ordered the Ravioli special and a bottle of red wine. When the bill came they had included 8 bucks for bottle of water which we didn't order. They charged us 31 dollars each for the pasta which is a rip off when the meat ravioli is 23. Clearly designed to scam you. Always ask for the price! And then when the bill came is was all incorrect. Unfortunately, we didn't read the reviews. We won't be visiting again. Buyer be aware!

Ask Dunham_2010 about Piccola Cucina

Thank Dunham_2010

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.

Reviews (460)

Write a review

Traveler rating

Traveler type

Time of year

Language





"Unsatisfied"

○○○○○ Review of Piccola Cucina



141 photos

Piccola Cucina

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○○○○○ 460 Reviews

Price range: \$10 - \$40

Cuisines: Italian

More restaurant details



activeanne
Sydney,
Australia

49 37

○○○○○ Reviewed July 6, 2014

Unsatisfied

4 of us went here in a Sunday night. Got persuaded to go in by a nice lady offering authentic Italian food. We ordered 2 seafood pastas and recieved very small pastas with little to no seafood. The rissoto had 2 prawn heads (no body) and empty clams. We did not want to pay the 18%gratitude but was chased and told that we had to. We left very unhappy.

Date of visit: July 2014

○○○○○ Value
○○○○○ Atmosphere

○○○○○ Service
○○○○○ Food

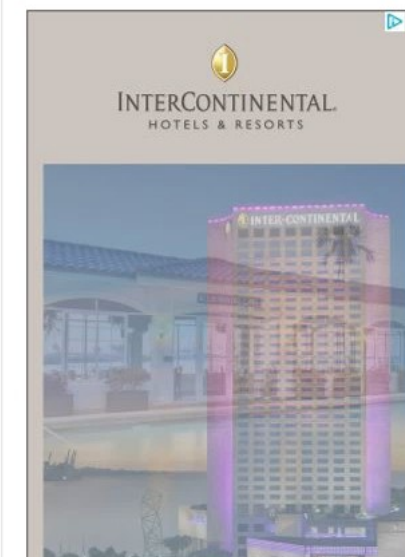
Ask activeanne about Piccola Cucina

1 Thank activeanne

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Reviews (460)

Write a review



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“Please don’t waste your time or money”

Review of Barolo Cucina Italiana



56 photos

Barolo Cucina Italiana

626 Lincoln Rd, Miami Beach, FL 33139-2916

+1 305-604-0050 Website Improve this listing

Ranked #439 of 1,300 Restaurants in Miami Beach

188 Reviews



LISA S Morton
157 87

Reviewed February 7, 2018

Please don't waste your time or money

Wow. Can't believe what a disappointment this place was. They lure you in with a 25% off card and then serve you sub par food. Our pizza rustica lacked toppings and it was cold and undercooked. Our waiter was barely present. Only to take our order and bring the check after we waved him down. We had to ask other staff for things like pepper and water. So awful. This place is a scam and I encourage everyone to avoid it. They don't deserve to be in business in such a great area of Miami. Prices are terribly high.

Date of visit: February 2018

Ask LISA S about Barolo Cucina Italiana

1 Thank LISA S

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.

Reviews (188)

Write a review

Traveler rating

Traveler type

Time of year

Language





211 photos

Tapelia

551 Lincoln Rd, Miami Beach, FL 33139-2913

+1 786-522-0623 Website E-mail Improve this listing

Reserve a Table



2

Thu, 9/12

8:00 PM

7:45 PM

8:00 PM

8:15 PM

Ranked #299 of 1,300 Restaurants in Miami Beach

503 Reviews

Description: Tapelia is a Spanish restaurant where each plate is infused with fresh and high quality ingredients from Spain. A cornerstone in the Miami Beach community located on the famous Lincoln Road. Tapelia has been recognized for its outstanding cuisine, excellent service, friendly staff and is known for its modern interpretations of classic dishes. Big screens to show all sporting events along with drink special makes this place the best to soak up the sports atmosphere with fans.



Thescientist2...
Libertyville,
Illinois

25 10

Reviewed December 17, 2017

bad food!

Two "head hunters" at the entrance were trapping passers by and they got us trapped. After 20 minute wait just to get water, I started waving to waiters passing far away, one or so tables away. They managed to ignore us despite all my efforts to draw attention. After additional 10 minutes I went to the head waiter and asked "Are you ignoring us on purpose?" After a minute or so a waitress came, finally brought water and took our order - a large rice plate for 2 people, \$45. After about 30 minutes she came to apologize and said it will take 7 more minutes, is that OK? I said OK, but please make sure it is not more than 7 minutes. after 19 minutes I got up again to look for the waitress, I saw her near the kitchen with a face that showed such frustration... I thought she was ready to kill someone... glad it wasn't me. When she saw me she came, apologized again, so I said, I am sorry, if it's not ready in 2 more minutes we walk away. After 2 more minutes, we got up and left. The restaurant manager ran after us, apologized and said it would be on the house. We agreed to come in and magically it was all ready. BUT WOW, this was bad food! It was a very simple dish of fried rice with a few pieces of chicken and pork. That's it. I should cost \$5 at most, my kids to make it without a recipe. But worse, the rice was much too salty, so salty, it stung the tongue, and the chicken and pork were dry, completely flavor-less and hard to swallow. Lucky we didn't have to pay, this really was not worth any money, but we wasted an hour waiting for this bad food.

Date of visit: December 2017



“Don't touch”

Review of Tapelia



211 photos

Tapelia

551 Lincoln Rd, Miami Beach, FL 33139-2913

+1 786-522-0623 Website E-mail Improve this listing

Reserve a Table



2

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Jackie L
Warrington,
United
Kingdom

13 25

Reviewed January 3, 2016 via mobile

Don't touch

What a rip off. They lure you in for a buy one get one free offer but when the bill comes they charge you the tax and 18% service charge for the total amount. FALSE ADVERTISING
When challenged management stated this was the law.
I wouldn't mind but the food was very very mediocre.
The staff did not have a clue how my bill had been calculatedand in their eyes "THE CUSTOMER IS ALWAYS WRONG"
Very poor. You have been warned

Date of visit: January 2016

[Ask Jackie L about Tapelia](#)

3 Thank Jackie L

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.

Reviews (503)

Write a review



Hotels travelers are raving about...



Fontainebleau
16,137 Reviews
Miami Beach, FL

Read reviews



The Palms Hotel & Spa
3,595 Reviews
Miami Beach, FL

Read reviews

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Overview Tours & Tickets **Reviews** Nearby Q&A



some great recommendations to try and they made the experience perfect!

Date of experience: September 2019

👍 Thank Holly M



Beach_cravers
Ottawa, Canada

👍85 🍗30

★★★★★ Reviewed 3 days ago

Busy and loud

Lots of stores and restaurants to visit but it is loud and every restaurant has staff urging you to take a seat and taste their menu. Lively and fun but you have to be in a festive mood to enjoy.

Date of experience: August 2019

👍 1 Thank Beach_cravers



Pinina5420

👍6 🍗2

★★★★★ Reviewed 4 days ago via mobile

Worst service

We went for lunch and the service was so bad that even we was so hungry we ask for check and left the place. So disappointed I use yo come yo this restaurant.

Date of experience: September 2019

👍 1 Thank Pinina5420



Tonya B

👍3 🍗2

★★★★★ Reviewed 4 days ago via mobile

Lincoln road

It's right down the block from ocean drive I wanted a tattoo I found it on Lincoln road amazing spot empire tattoo they have little cafe restaurants and this is mostly where the club seen is



Date of experience: September 2019

👍 1 Thank Tonya B

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4

you can spend quite a bit of time there.

Date of experience: August 2019

Thank Culture4109



fduwe
Sao Paulo, SP

127 23

Reviewed August 12, 2019

via mobile

Lot of Tourist Traps

Nice place to walk but beware of the restaurants. A lot of them are tourist traps. If you want a really good food, you can find no further that a fee blocks, like Lincoln Road Food Court, coise to Macy's.

Date of experience: August 2019

Thank fduwe



JMalgo
Matadepera, Spain

100 34

Reviewed August 10, 2019

via mobile

Not what I expected

This walking street is full of restaurants and shops but I was expecting something more special. No different shops just regular brands you can find every where. The restaurants are incredibly expensive for what they offer .. for sure there are nicer places to be visited in Miami.

[Show less](#)

Date of experience: August 2019

[Ask JMalgo about Lincoln Road](#)

1 Thank JMalgo

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.



RJames1950
Glen Mills,
Pennsylvania

115 25

Reviewed August 9, 2019

via mobile

Must See?

The reviews are pretty much on point. Open air mall with all of the usual stores. The best part is the building and architecture

Date of experience: August 2019

Thank RJames1950

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Overview Tours & Tickets **Reviews** Nearby Q&A

Sentient M

77 88

tourists and the local men. The only affordable stores that I have seen are Super Dry and Macy's. Everything else is \$500 sweaters and \$150 tee-shirts and \$300 jeans.

Date of experience: April 2019

Thank Sentient M



HermanG170
New York City, New York

182 65



Reviewed April 3, 2019 via mobile

Lost its touch

Years ago Lincoln road had a great stores , today it has become a mass market mall with no individuality.

The same applies to the restaurants where everybody just tries to grab you to sit down. Very unfortunate that the chic and hype are gone and it became a mass tourist destination.

Show less

Date of experience: April 2019

See all 5 reviews by HermanG170 for Miami Beach

Ask HermanG170 about Lincoln Road

Thank HermanG170

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.



Tjokrosaputro
Jakarta, Indonesia

144 39



Reviewed March 27, 2019

Poor Condition

It is the mall to be in the world famous South Beach, it is supposed to be as top condition and quality as any other walking malls in the other parts of world. But I did not see it. It was poorly maintained (frankly speaking it was dirty), it didn't have the fancy stores or great windows to watch, the restaurants were mess.

The city or whoever responsible for the planning and operation better have some major work to lift the Lincoln Road up or Miami is not going to be on anyone's travel destination anymore.

Show less

Date of experience: July 2018

See all 3 reviews by Tjokrosaputro for Miami Beach

Ask Tjokrosaputro about Lincoln Road

Thank Tjokrosaputro

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Overview

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Q&A



Herbert M
Rockport,
Massachusetts

272 64

Reviewed March 5, 2019

Tons of restaurants and limited shopping and galleries

We have been visiting Lincoln Road for over 30 years, when it was an artists area for galleries and shops with a few restaurants. Those were slowly replaced with more restaurants and more chain shops. Now there are even more restaurants, and a lot of shops selling eyeglasses and accessories. The art galleries are almost all gone. The old bookstore is still there. Lincoln Road is a nice place for a walk, and to stop for a meal or a drink. We stopped for coffee on a recent weekend visit and it is great place to people watch.

[Show less](#)

Date of experience: March 2019

[Ask Herbert M about Lincoln Road](#)

Thank Herbert M

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.



mella230
Helsinki, Finland

22 2

Reviewed March 4, 2019 via mobile

Shopping street

Lots of shops and even more restaurants. Basic shopping street with nothing special. Restaurants had big terraces and those looked really inviting but we didn't try any.

Date of experience: February 2019

Thank mella230



ntc17c
Portland, Oregon

21 5

Reviewed March 3, 2019 via mobile

Don't waste your time

My wife was almost ran over by a skate boarder, which is supposed to be banned. Some of the restaurants harrass you to try & get you to come into their establishments, which always has the opposite effect on me. The part of Lincoln road closest to Collins avenue was really run down with weird people just hanging out. The street needs to be updated. It was kind of like your local mall, but with outdoor access. Actually our local mall here in Beaverton, OR is way nicer...

[Show less](#)

Date of experience: February 2019

[See all 4 reviews by ntc17c for Miami Beach](#)

[Ask ntc17c about Lincoln Road](#)

← See all things to do in Miami Beach

Overview

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Q&A

11 12

Date of experience: January 2019

Thank Glenn H



ozzydog1
newton

45 41



Reviewed January 29, 2019

Getting a little run down

I went years ago and it was nicer with better stores. It looks as though they just stopped caring. I needed to buy a bathing suit and some sandals. I found a Macy's near the convention center.

Date of experience: January 2019

Thank ozzydog1



photocpin
Perrine, Florida

103 32



Reviewed January 29, 2019

Lots of shops, but nothing unique.

Lots of shops and restaurants but there was nothing really unique here. Kinda like going to the mall. But some of the storefronts are cool because of the old buildings. I would not skip this area, it's worth a look but don't go out of... [More](#)

Date of experience: January 2019

Thank photocpin



Justin D
Anchorage, Alaska

109 53



Reviewed January 28, 2019

Found better shopping in a small town

Alot of beggars, old stores, weird/eclectic clothes, second rate/cheap discount clothing, and constant restaurant employees bugging you to eat at their place. It wasn't pleasant and it wasn't exciting. This place is maybe ok.

Date of experience: January 2019

Thank Justin D

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Overview

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Q&A

in south beach

nice walk

ocean drive

miami

91 - 100 of 1,032 reviews



ShanConf3477
Joliet, Illinois

61 5



Reviewed October 15, 2018 via mobile

Ok

Great little shopping area, just wish they'd stop trying to nag you into buying things. Watch at the restaurants, they charge you for every drink you have, water included (\$5 for a glass of tap water), and they automatically add in tips without telling you.

Date of experience: October 2018

Thank ShanConf3477



JenniferP5511
Brighton, Michigan

122 29



Reviewed October 14, 2018 via mobile

What happened?

We used to love walking and shopping here. What has happened to all the unique boutiques? The entire place feels very basic, rather empty and is full of homeless people begging for money. I can find the same shops at any mall back home and... [More](#)

Date of experience: October 2018

1 Thank JenniferP5511



547anonimo
Italy

147 38



Reviewed October 6, 2018 via mobile

Walking in the SoBe

You mustn't say to have visit Miami if you don't walk in this Road. There are a lot of shops, bar and restaurant.



Date of experience: October 2018

Thank 547anonimo

Useful Funny Cool

 **Ellie H.**
La Grange, IL
0 friends
1 review

- Share review
- Embed review
- Compliment
- Send message
- Follow Ellie H.

★★★★★ 4/13/2016

The shops were good but the hawkers were very annoying. 2 to 3 in every block. Wouldn't return because of them.

Was this review ...?

Useful Funny Cool

 **Jess J.**
Palm Beach, FL
0 friends
31 reviews
10 photos

★★★★★ 2/23/2016

1 check-in

Lincoln road is not what it used to be. It's full of street hustlers who are also the merchants. Pretty creepy. But guess what, if you are 60 years old, there are 3 shops, promising to make you look 25 in 5 minutes, each one as the same unoriginal line " are you married or are you happy" but they are so generous because they all offer their \$8000 to \$2800 miracle creams to you half price because it's your lucky day and YOU are so beautiful! Where's the barf bag?

4 people voted for this review

Useful 4 Funny Cool



Julia M. D.
Hollywood Beach,
Hollywood, FL
👤 0 friends
★ 2 reviews

★★★★★ 10/14/2018

First of all: the waitress doesn't speak any Portuguese but English. Music is Spanish!!!!
The owner must be overseas or doesn't give a dam about it! Shame!!!

👤 Useful

😄 Funny

😎 Cool 1



Ricky R.
Brandon, FL
👤 0 friends
★ 2 reviews

★★★★★ 9/2/2018

This is a ripoff. They trick you to go in with \$3 beers but then charge 25% tip automatically to make up for the discount. Poor service and cheap cuts of meat. A third of my meat was inedible, just fat and tendon. Heed the warnings and stay away from this place.

👤 Useful

😄 Funny

😎 Cool



Start Order

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📍 [Get Directions](#)
437 Española Way
Miami Beach, FL 33139

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Janet C.
Eastchester, NY
0 friends
7 reviews

★★★★★ 3/27/2018

They tell you 20% discount and then charge full price. They added more than 20% gratuity. They took 45 minutes to serve one appetizer. Felt like we were scammed. Do not go here!

Useful 1

Funny

Cool



Neeraj S.
Boulder, CO
3 friends
2 reviews

★★★★★ 3/19/2018

Offered discount to trick and then charged full price. Really slow service, inflated prices and auto charged gratuity.

Less than average food and week drinks.

Useful 1

Funny

Cool 1



R.A.
Chicago, IL
0 friends
51 reviews

★★★★★ 3/19/2018

They lie to get you seated. The food isn't good. The steak was tough and the drinks were weak. Do not eat here.

Useful 2

Funny

Cool



Kate H.
Manhattan, NY
1 friend
5 reviews

★★★★★ 12/22/2017

They clearly don't care if anyone comes back here again- it's a tourist trap, after all. Ordered the grilled Octopus which was over cooked--HARD and cold. salads were adequate, not particularly fresh but decent. On top of that they overcharged us on that dish, so we had to get a menu to point out what the price was supposed to be. They adjusted the check for us but we would have easily missed it if we weren't paying attention. Should have checked the reviews before walking by. Would not recommend or ever return.

Useful

Funny

Cool 1



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Start Order

botecocopacabana.com

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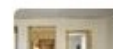
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★★★★★ 1110 reviews

Elizabeth M. said "Let me start off saying that my husband was upset because I hadn't suggested going..." [read more](#)



Hotel Ocean



Lena S.
Savannah, GA
1 friend
10 reviews

[Share review](#)

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★★★★★ 7/2/2017

We came here just to order cocktails. First of all, we were convinced to come here because the hostess told us that we can buy a drink and get one free while we were walking by. This was not the case. We would have to buy one large specific drink to get the other free. And it was only applicable for the person who bought it. Secondly, after we still ordered drinks, we were asked if we wanted water, and we agreed. Turns out the water the waiter gave us was worth \$7.50. And we were not told this water was not free. The bill ended up being \$35 for just 2 drinks. In addition, the service is very slow too. We had to ask for the bill several times. The surrounding restaurants have a more bustling atmosphere, and this one is not worth the money with its service and courtesy.

Useful 2

Funny

Cool



Comment from Wael C. of Boteco Copacabana
Business Owner

6/1/2018 - I am very sorry to hear that ,
Please give us another chance we won't disappoint...
[Read more](#)



Tru T.
Boston, MA
153 friends
21 reviews

★★★★★ 7/1/2017

Service here is terrible. We are watching our waiter dance inside while waiting on water.. it has been maybe 15 minutes.. not even water ! Worst service

Useful 3

Funny 1

Cool



Comment from Wael C. of Boteco Copacabana
Business Owner

6/1/2018 - I am very sorry to hear that ,
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Elizabeth M. said "Let me start off saying that my husband was upset because I hadn't suggested going..." [read more](#)



Hotel Ocean



Ash K.
Grapevine, TX
0 friends
2 reviews

★★★★★ 3/8/2015

Horrible service and they added 18% tip on the bill for a party of two. Food took a long time and when they brought out the wrong food, the waiter blamed it on his poor English.

Useful Funny Cool



Paul W.
Miami, FL
0 friends
2 reviews

★★★★★ 1/25/2015 - Updated review

Already warned by previous yelp reviews we took the risk and sat down with an offer of buy one get one free drinks. Not worth it. Food is boring and low quality. Two attempts two bring out a medium cooked steak which came out beyond well done both times. Didn't take it off the bill. Instead they offered a carafe of sangria which turned out to be an overly sweet sugary wine and fruit that we could not stomach it after the first sip.
To the credit of the manager he had the best of intentions. But I felt robbed when paying the over priced meal with tip automatically included. That could have been the end of the tourist trap experience.

I got up and walked off without my phone and realized only seconds after. Im lucky I did. It was then that I realized I was really being robbed when I saw the same sales guy pushing the restaurant onto passersby take my phone off the chair and look over his shoulder as he slipped it into his pants pocket and smoothly walked away from the table (away from the direction we walked off). Curious, I paused and waited to see his intentions before approaching. When it was clear to me he didn't have any good intentions, I promptly hurried towards him and tapped his shoulder from behind. He turned and to his surprise of seeing me, instantly started telling me he was going to find me to return it as he reached into his pocket to retrieve it. (Interesting that he didn't have his head up looking for us in the direction he saw us walk off or that he did not walk with it towards the manager inside the restaurant with it in his hand.)

Disgusted of the entire experience, I grabbed it from his hand and went back to join my group.

Dont fall victim to this place. Move along and keep your hands in your pockets while you do.

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Alejandro P.
South Miami, FL

👤 58 friends

★ 1 review

[Share review](#)

[Embed review](#)



10/21/2018

This place is absolutely horrible and honestly, I don't even know where to begin. First of all, there was a sign that promised a 50% discount for food, but when we went to sit down, one of the other waiters told us that it was actually a 25% discount. We told him about the sign, but he seemed to disregard it. Second of all, the food was terrible. Some of our orders were actually microwaved foods, and the presentations of them were just sad. We ordered the fish sticks with fries, and it got served as if a 5 year old had done it. Lastly, the service, the most important aspect of a restaurant, was atrocious. Not to mention, the waiter was rude, and didn't care about how we were treated. Instead of offering an apology and a solution to our dissatisfaction, he just told us that we can leave if we didn't like the food. ABSOLUTELY UNACCEPTABLE. I could honestly get better food and service at a McDonald's then this restaurant. I strongly recommend everyone who reads this to not come here, and we for sure will not be coming back here in the future.

👤 Useful 2

😄 Funny

😎 Cool



Mitch R.
Atlanta, GA

👤 0 friends

★ 148 reviews



7/13/2018

They charge for water. Anyone who nickel and dimes you for water when they're a \$50 or so per person restaurant is just being cheap.

Wasn't impressed from the beginning, and gum on table.

👤 Useful 3

😄 Funny

😎 Cool



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Outback Steakhouse

★★★★★ 104 reviews



Patt T.
Chicago, IL
0 friends
3 reviews

★★★★★ 12/29/2015

Sorry guys, I know the place was mobbed but we were on vacation and the misleading sign, bad service and mediocre but way overpriced food left a bad impression and I could never recommend a place like this. If you are too busy to take care of your customers, don't keep piling more and more in! We had walked all over and there seemed to be a preference for Italian food in the area! We finally decided to go for Italian even though it wasn't what we had in mind in South Beach! There was a sign out front offering specials for \$21 or \$25 and also pizza. They took us in to seat us immediately but that was where service ended. We sat for about 15 minutes. I would have left but my husband felt obligated to stick it out. When the waiter walked up, he was yelling at another staff member so you can imagine BLAH BLAH BLAH BLAH (and then to us) are you ready to order food? No drinks? No specials? He gave us a special menu and everything was \$35 - \$50 and up. Not quite as the sign out front read. We ordered drinks. It took another 10 minutes for them to arrive. Again, I thought we should just go but my husband said "we ordered the drinks already." Drinks came along with Mr. Crabass. What do you want to order? No mention of specials or suggestions. My husband asked about the ingredients on a pizza and only then was told "no pizza - no pizza tonight." We'd been there 40 minutes by then! I was all for being nice, ordering some appetizers and getting the hell out of there but husband felt obligated so we ordered. I asked about the portion size on the Chicken Parm (because I was staying in a hotel and had no where to keep leftovers so I didn't want a huge portion). He said "it is more than enough for you." WHAT?! Anyway, I ordered spaghetti and meatballs (playing safe) and hubby had chicken marsala. Both were mediocre at best and way over priced. While we were eating 3 different servers came over and tried to give us other people's orders. Staff and management yelling at each other and running back and forth made for a uncomfortable experience. When our plates were taken, our glasses were taken as well. No one asked if we would like another glass of wine or a desert or coffee -- just took everything away and then left us sit with nothing. We had to flag down waiter for check and were not too impressed that he added 18% to the check for himself. Skip this place for sure and save yourself some aggravation and dollars.



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★★★★★ 479 reviews

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Piola - Miami Beach

★★★★★ 153 reviews

📍 1.0 miles

Janelle C. said "Before going out this past fine Saturday night, we decided to meet up at a friends..." [read more](#)



Idalia D.
Orlando, FL
117 friends
325 reviews
71 photos
Elite '2019

5/19/2015

1 check-in

I am ONLY giving this 1 star because I have no choice but I would much rather give it zero stars. My girlfriend and I decided to go out for a breakfast. First off the girl standing out front is all up in your face trying to get you to take a menu. We decided to give it a shot. WRONG choice! First off my mistake was not checking on Yelp first. After being seated in a crowded spot, I realize my mistake of not checking first. I saw the MANY bad reviews of unhappy customers. 1. Customer Service is horrible. 2. The waiters do not check up on you to see if you may need a refill of what ever it is you are drinking. We ordered the Breakfast Americano very simple 2 eggs over easy, 1 pancake, 1 sausage a few pieces of bacon and a few bits of potatoes. We ordered our food around 11:15am it was 11:30 and STILL no breakfast, several people that arrived before us received their food quicker! Finally a man comes up to us saying that their computer messed up and ask what we had ordered. At this point I was extremely upset because I was hungry and we had waited a long time, mind you it is SUPER hot out! I tell the guy I hope you are not JUST ordering our food! He said no, its ready it will be right out. so now its 12:00pm and STILL no breakfast!! I so wanted to walk out but my girlfriend wanted to wait because she was hungry. FINALLY around 12:15pm out breakfast comes out and the guy smiles and hands us our wrong food, so I switch with my girl and the waiter ask if we are all set. I was so mad I told him LOOK we waited such a long time its actually lunch time!!!! PLEASE this is uncalled for and very bad customer service!! He then said I will talk with the owner see if we can give you something off for this long wait. He then comes back out and tells us he will comp us 50%. Mind you I am still upset because it was already lunch time and I did not want breakfast anymore! Needless to say we ate it. Another waiter comes by our table and ask us if we wanted the other plate of food that they had made for us because it was wrong... I looked at him and said NO! He walks away looking defeated. Ok so then the bills comes out FULL price! I call the waiter and just hand him the bill, he says oh I am sorry let me go fix it. Here I am I can see him and the other waiter by the register arguing about us being comp! I think the other guy expected the comp tp be the wrong plate of food! So it takes them yet another 20 minutes just to bring me the correct bill!! I paid and walk away! I left no TIP, here a tip please get your crap together and get your orders straight and if you mess up, clear up the mess don't make your customers wait! Especially when you charge so much! The food was meh could have been better and the coffee had coffee grounds in it! YUCK! NEVER AGAIN! Ver y bad experience!

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1.0 miles

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CARY k.
Fort Lauderdale, FL
24 friends
3 reviews

7/30/2011

tourist trap front end guy on the street hooks you in with his bs, drinks are weak and i ordered grey goose and got house, i know i am in the business. also the food sucks better at olive garden, which i dont like either. dont get fooled there are better choices on lincoln road.

Useful

Funny

Cool



Oscar S.
Silver Spring, MD
42 friends
16 reviews

2/26/2011

TOURIST TRAP. AVOID AT ALL COSTS!

On our one night in Miami Beach, after a wonderful week in the Keys, we were taken in by this very nice Italian restaurant with outdoor seating. I only saw the horrible manager that everyone has been talking about for a second, luckily, but he definitely matches the description the other reviewers gave - brusque and pushy.

Anyway, I was there with my wife and 2 young kids. A nice waiter (yes, they are all men) came by and talked up the margarita special relentlessly, so my wife and I each ordered one. We also ordered food: I was very pleased to see spaghetti carbonara (my favorite) on the menu. My wife got shrimp, and we ordered some chicken tenders and a pizza for the kiddos.

That was pretty much the last time we saw our waiter.

As soon as I ordered the margaritas, I knew I had been taken. I checked the drink menu and there was no price listed. The margaritas came in giant bowls - enough for several people, and not appropriate for parents with young kids in tow. At that point, I thought the margarita might run us \$15 a pop - I felt that the waiter should have warned us about the size and mentally docked him a few points on the tip.

The food was good. I'm Italian, and the carbonara was authentic and the thin crust pizza was delicious. No complaints on the food.

Between the two of us, we managed to finish one margarita. They weren't very good. It took FOREVER to get the waiter's attention so that he could bring us the check. Strike Two.

When the bill came, my eyes went right to the drinks. The margaritas were \$25 each! I chalked it up to being at a tourist trap... until I got down to the bottom of the check.



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153 reviews

1.0 miles

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S. M.

Elkton, MD

👤 1 friend

📝 11 reviews

★★★★☆ 6/5/2015

We were drawn in by a gentleman out front of this restaurant hawking for customers to try their food. He pointed to a sign with their daily specials, and gave us a card with a deal of either 25% off the meal OR two drinks for the price of one. We are not cheap, but we thought we'd give it a try. It was dinner time. The specials were a rack of ribs or a Steak Dinner. My husband ordered the ribs, and I ordered the steak. As the waiter started to quickly walk away, I asked about sides, and indicated I wanted a salad. Still walking away, he turned and said the rib dinner comes with fries, and the steak comes with fries and a salad. I'm not crazy about french fries, but these fries were pitiful. They were thin shoe-string fries similar to what you think of in children's bags of dehydrated fries in the potato chip aisle at the store -- and the small salad was sort of dumped on the same plate alongside the steak -- strange. This place is right in Lincoln Road Mall, so it is a great spot for watching people pass by in some of their outrageous outfits.

The food was alright, BUT our waiter rarely checked on us. In fact, we had to ask for our check. When we got it, we reminded the waiter that we wanted to take advantage of the 25% discount. He almost frowned and said that the discount applied only to regularly priced meals, not the specials. Really? We thought OK, so be it. As he gave us the bill, he told us that the "tip was not included." My husband was paying by credit card, so we took a quick look at the bill to figure out the 20% tip. We had ordered extra drinks, but the bill still looked just a bit higher, and it had hand writing on it. In print, the check said something to the effect: "18% gratuity not included." Then we noticed the Printed Total, under which the waiter had written in the tip amount. Added it to the bill, Then wrote the NEW TOTAL! HUH? Like I said, we are not cheap. WE ALWAYS TIP WAIT STAFF about 20%, but we were surprised and a little put out that he had already added the tip in his hand writing but said it was not included. Were we expected to pay another 20% of what had already been added to the bill? LOL! This was such a turnoff! Average to Decent restaurant, but we won't go back.

👍 Useful 1

😄 Funny

😎 Cool



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Naif N.
Houston, TX
4 friends
34 reviews

★★★★☆ 8/16/2013

This is one of those restaurants where the owner/manager will drag you to the trap selling you talk not food. I arrived to meet family and found the manager selling his talk saying that his place serves the ONLY real Neapolitan pizza in Florida with both thumbs up :) and how the chef came from Positano to make pizza in Miami

The waiter came with worst attitude ever treating us like we have never eaten in a restaurant before but was doing his job to be fair. Took orders and brought them later to the table with a fake Italian accent explaining which pizza is which.

Very mediocre pizza and you can find better quality at Domino's or Pizza Hut without all the italian theatrical show to drag you into the restaurant

save your money



Useful 1



Funny 1



Cool



Seyna B.
Atlanta, GA
8 friends
28 reviews
3 photos

★★★★☆ 3/25/2013

Typical tourist trap place. Servers are very nice but can't make up for slow service and kitchen and sub-par food.



Useful



Funny



Cool



Michel L.
Hialeah, FL
15 friends
5 reviews
2 photos

★★★★☆ 4/22/2012

Last time I went there, the price was increased drastically and the size food was reduced. I used to go frequently but now is too expensive. they lost me as a customer.



Useful



Funny



Cool



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1.0 miles

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Doug H.
Presque Isle, ME
👥 104 friends
★ 145 reviews
📷 722 photos
Elite '2019

★★★★☆ 2/14/2019

📷 5 photos 🕒 1 check-in

Mixed review - the servers are VERY aggressive about getting you in here - but this is a pretty touristy area to begin with.

The food was very good - the service was just Ok.



[See all photos from Doug H. for Cantinetta](#)



Useful



Funny



Cool



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📍 1.0 miles

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“Avoid”



Review of Aura Restaurant



76 photos

Aura Restaurant

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412 Reviews

Price range: \$35 - \$35

Cuisines: American, African, Mediterranean, Middle Eastern

More restaurant details



hannahmF2219UC
Perth, United Kingdom

3 7



Reviewed February 12, 2018 via mobile

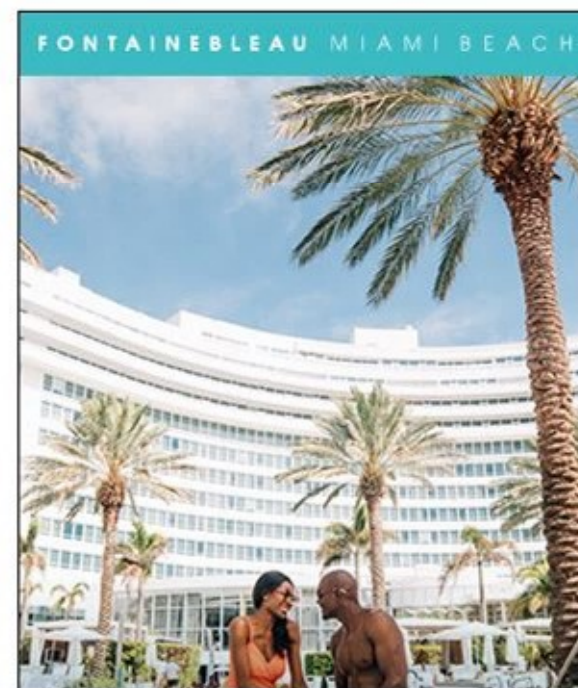
Avoid

If I could give this restaurant a zero star I would. Me and my partner were lured in by one of the girls standing outside after being promised discount on cocktails.. which I was sure had minimal alcohol in them ... when we asked for the bill it came at full price, I then reminded the member of staff we were told we would have discount who accused me of lying .. he went and got his manager who couldn't be any more rude telling me I 'obviously couldn't read as the prices are clearly stated' we did eventually get our discount but this was purely because we were sitting outside and customers were looking and hearing what was being said .. horrible place horrible staff and ruined the last night of our holiday.

Date of visit: September 2017

Ask hannahmF2219UC about Aura Restaurant

3 Thank hannahmF2219UC





76 photos

Aura Restaurant

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412 Reviews

Price range: \$35 - \$35

Cuisines: American, African, Mediterranean, Middle Eastern

More restaurant details



168migm
Miami, Florida
4 4

Reviewed August 12, 2017

Dishonest People, Rude Supervisor, Food no so great !! Avoid !!!

we went for my birthday to this restaurant, we passes in front of the restaurant and the hostess told us any drinks 2 for 1, and food 25% discount...we stay for the drinks then we decided to eat the food and we stay. restaurant is very expensive even in south beach standards but with the 25% discount was better. At our surprise when we received the check to pay, we don't see the drink discount instead of 25 dollars it was 50 dollars, we ask for the manager and a very very rude guy came with very russian or eastern european accent came and he said just small drinks were in the offer, we asked for a medium size, we explain we were not informed about the size....they guy even tolds us that if we don't pay they will call the police,...CAN YOU IMAGINE THAT !!! WE LIVE IN FLORIDA for almost 20 years and first time somebody told us that and we were there with my 7 years daughter !!, finally after a big discussion they remove the double charge, but the damage was done they ruined our night !!! food was nothing to die for..!! AVOID !!! south beach has tons of better restaurants, with nicer people.

Date of visit: August 2017

Value

Service
Food

Ask 168migm about Aura Restaurant

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"Rip off"



Review of Aura Restaurant



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412 Reviews

Price range: \$35 - \$35

Cuisines: American, African, Mediterranean, Middle Eastern

More restaurant details



GordonHarris
Oswestry,
United
Kingdom

6 6



Reviewed March 26, 2017 via mobile

Rip off

Visited on the promise of 20% off main and buy one get second free on regular cocktails ordered guin and tonic vodka and coke to find out when bill presented they were not included at \$16 a drink we feel ripped off and would advise others to avoid drinking there food was ok though

Date of visit: March 2017

Ask GordonHarris about Aura Restaurant

4 Thank GordonHarris

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.



"Never again"

Review of Aura Restaurant



76 photos

Aura Restaurant

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412 Reviews

Price range: \$35 - \$35

Cuisines: American, African, Mediterranean, Middle Eastern

More restaurant details



Tarmo H

1 4

Reviewed March 10, 2017

Never again

They "fish" me in with 25% discount. When check comes, there was not discount at all, after asking they give discount only one meal of five.

Date of visit: March 2017

Value

Service
Food

Ask Tarmo H about Aura Restaurant

4 Thank Tarmo H

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"Total rip off watch out"

Review of Aura Restaurant



76 photos

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412 Reviews

Price range: \$35 - \$35

Cuisines: American, African, Mediterranean, Middle Eastern

More restaurant details



Rachael C
Meriden,
United
Kingdom

31 13

Reviewed February 16, 2016

Total rip off watch out

The restaurant is on lincon road in South beach. They lure you in by telling you they have 30% off every meal.

Looked very nice and menu looked appetising. Food was average but when the bill arrived it was for \$163 for one steak, one starter, one pizza and one spaghetti. I queried the bill as this was astronomical, the server had not taken the 30% off. When I paid he had added and extra \$40 as a gratuity. I explained that there was no way I was paying \$40 tip, he became upset and stated that I had to tip. Just watch out as I wonder how many unsuspecting people don't check the bills.

Date of visit: February 2016

Value

Service
Food

Ask Rachael C about Aura Restaurant

3 Thank Rachael C

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16,153 Reviews
Miami Beach, FL

Read reviews



The Palms Hotel & Spa
3,601 Reviews
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Read reviews



76 photos

Aura Restaurant

613 Lincoln Rd, Miami Beach, FL 33139-2915 (City Center)

+1 305-695-1100 Website Improve this listing

Ranked #574 of 1,302 Restaurants in Miami Beach

412 Reviews

Price range: \$35 - \$35

Cuisines: American, African, Mediterranean, Middle Eastern

More restaurant details



annette s
Jersey, United Kingdom

70 39

Reviewed April 19, 2016

Keep walking!!!

As in most restaurants in Miami, there is always someone trying to entice you in with "special offers" etc... Etc... And we fell for it. The maitre D stopped us and told us about his amazing restaurant and to be careful with all the offers on the Mall as so many restaurants we're likely to con us with their special offers. He failed to mention that he was one of them. His cocktails were 2 for 1 and there was a 20% discount off food. We noticed steak and lobster at \$14 which we thought was a great price. So we decided to eat here. When I asked about the steak/lobster meal I was told it was either half a lobster or a 6oz steak. Not quite the same as what was being advertised. If we wanted to share a plate of both steak and lobster the cost was \$72!!!! Everything on the menu was expensive. We only had one course each. My husband had chicken Marsala with mushroom sauce, mashed potato and veg. The veg were raw, cold and inedible. I had lobster ravioli. Luckily I wasn't hungry as there were 5 pieces of ravioli - cost \$26. So a mediocre piece of chicken, ravioli, one glass of wine and glass of water - just under \$80!!!! The service was Excellent until we were seated. After they had got our order, they weren't in the least bit interested. They also had the audacity to charge us 18% service. This place is terrible and a total rip off. Keep walking down the street and give this one a miss.

Date of visit: April 2016

Value

Service
Food

Page 259 of 297

Ask annette s about Aura Restaurant



Tapelia Spanish Cuisine

551 Lincoln Rd, Miami Beach, FL

 Write a review

3.7  864 reviews 

Sort by: Most relevant ▼



Vero Sel

Local Guide · 82 reviews · 178 photos

 a month ago

Very good place for dinner1344454..resto, bar,food was great na they took care of us..the only thing I didn't like was two guys smoking habanos near us.. and waitress refuses tontell them to quit for a bit..



1



Roberto Costa

10 reviews

 4 months ago

The restaurant is a lie. They start saying that you have a free drink. at the end, the bill charges for the drink, include an additional tax and still include the tip of 18%. the client is hostage to them. the manager, named Henry, is a liar, rude and unpolite person. He claims that the system is not allowed to make changes on the bill. They didn't fix my bill and I had To pay more than the correct price. I didn't call the police because I don't know how it works on Miami. There are many other of restaurant in Miami. Run away from this The worst experience of my trip.



1



mickus

3 reviews

 a month ago

Food was good and the service was nice. A little expensive though.



Like



gary curtis

147 reviews · 7 photos

Tapelia Spanish Cuisine

551 Lincoln Rd, Miami Beach, FL

 Write a review

3.7  864 reviews 

Sort by: Most relevant ▼



Jc L

Local Guide · 248 reviews · 863 photos

 a year ago

Loved the food here, very friendly fast helpful staff!!

 Like



Mckenzie Taylor

6 reviews

 2 years ago

Absolutely terrible experience. I ate here with a group of 7 people. We got lured in because the hostess told us we would get a free round of drinks. We did get free drinks but that didn't make up for laughable service. It took about 40 minutes to get our entrees and then they forgot to bring one out. Our friend wanted us to go ahead and eat while she waited for hers and the waiter never brought her food. It had been so long she just told them to cancel it. He didn't offer to bring it out anyways for free or even say sorry. After that he completely ignored our table for a good hour. We never had our waters refilled either. We even spoke with the manager about the service and he didn't do a single thing. We waited another 40 minutes just to get boxes and a check. Do not waste a single dollar here. The service is non-existent and the food is nothing to write home about.

 2



Jasmine Thomas

2 reviews · 1 photo

 2 years ago

We had ordered appetizer and main dish and the same time and were waiting for the appetizer for 30 minutes, I had to get up to ask where the food was because our waiter hadn't been by that whole time. 30 minutes for a cold appetizer. The main arrived maybe another 10 minutes after that and was like warm. After all that time my food should be HOT. Overall not worth the price.

 4

Tapelia Spanish Cuisine

551 Lincoln Rd, Miami Beach, FL

 Write a review

3.7  864 reviews 

Sort by: Most relevant ▼

 Like



Simone C

5 reviews

 6 months ago

Average food and overpriced

 Like



Andrea Perricone

5 reviews

 a year ago

This is a terrible place: terrible food.... Terrible service.... Terrible everything! Don't come here ever.

 1



Emanuele Sigismondi

Local Guide · 165 reviews · 722 photos

 2 years ago

First we decided to stay there because of the happy hour suggestion from the waitress. But as soon as we get seated the waiter tell us that the drinks included are different from what she told us. It's raining heavily so we stay anyway and we order a couple of beers and a tapas plate to share.

Food comes quickly but it's nothing to remember, very plain, boring.

The waiter came again saying he was wrong with the happy hour and that we could actually get a cocktail for a cheaper price. We say thanks we'll think about it but after 5 minutes he come back with a Pinacolada we didn't order. He's trying to be nice, so we don't complain.

He then disappeared for a long time without coming with a cheque. Had to get inside to fetch him and the bill was amazingly over 35 bucks for 3 drinks in happy our (one of which we didn't order) and a shared appetizer.

Tapelia Spanish Cuisine

551 Lincoln Rd, Miami Beach, FL

 Write a review

3.7  864 reviews 

Sort by: Most relevant ▼

 Like



Belly G

Local Guide · 335 reviews · 2,333 photos

 a year ago

My friend and I were walking down the strip and got flagged down by one of their staff trying to get us to dine here (most, if not all of the restaurants on the strip do this). We were kind of hungry, so we decided to sit down and eat.

We were asked if we preferred to dine inside or outside. Since the weather was super nice, we decided to sit outside so we could enjoy the weather and to watch the passerby as well.

After sitting a while, finally our waiter came out. We placed our order and then he went inside to place the order. Food took a really long time to prepare and while we were waiting, I saw our waiter keep coming in and out to check other tables, but never ours. Not a quick stop to update us on the status of our order or anything.

After the food came out (brought out by someone else), we just started eating. And for whatever reason, our original waiter just never came back to check on us and we had to call on a nearby waitress to ask for anything. She would be the one helping us through the rest of our dining experience.

To keep this short, the food was okay. My flatbread was pretty good and the portion was big so that was a plus. But other than that, service was severely lacking and it took too long for them to prep the food. Next time I'm in Miami Beach, I will for sure avoid this place. Just not worth it, especially with plenty of other restaurants to choose.



Tapelia Spanish Cuisine

551 Lincoln Rd, Miami Beach, FL

 Write a review

3.7  864 reviews 

Sort by: Most relevant ▼

Love the music and the PAELLA!!!♥♥♥♥♥

 Like



Janet Zuniga

2 reviews

 2 years ago

Horrible experience. Totally ruined my mood. They lured us with the happy hour but the service sucked. Took an hour and a half to get our appetizers. After they brought my order we waited another thirty minutes for my bffs order. And the only reason she got her order was because we asked them that we were still waiting on the empanadas. We felt rushed couldn't even enjoy our food. We should of checked the reviews first. Total waste of money!

 3



Manuel Perez-Leiva

Local Guide · 115 reviews · 19 photos

 a year ago

Authentic Spanish food with great sangria, and outdoor seating on Lincoln Road. Great paella and, even though it's not on the menu, ask for a single serving for one.

 Like



Poohpalove Xiong

4 reviews

 a year ago

We waited 30 minutes for our food. Plus manger was rude. We asked for clarification, only to get an attitude !!!!

 Like

Rio Station Grill

613 Lincoln Rd, Miami Beach, FL

 Write a review

3.1  323 reviews 

Sort by: Most relevant ▼

 Like



Annia Martinez

3 reviews

 a year ago

RIPOFF ALERT! Be aware of servers specifically Maja waitress who seems very nice at the beginning but she is tricking you, told by the manager, who has no manners and the worst customer service ever. They tricked us to buy drinks 2 for 1 that ended up being gigantic margaritas for \$50 when we clearly said we wanted just the classic drinks. The manager called the cops on us because we refuse to pay such of ripoff. They ended up giving us a ridiculous discount. Don't let this happen to you and fight hard like we did, not for the money, but for your dignity and the hope to bring to Miami Beach again the positive summer relaxing vibe it should be and not the feeling of being rip off on every corner.

 5



Renato Camacho

2 reviews

 7 months ago

My wife and I were used to come to this restaurant every time we come to Miami, since maybe 4 years ago to eat some Brazilian food and miss home a little less (We are Brazilians).

Last time we went the menu changed, it's now just another American restaurant like many others.

The food was just ok for my wife and my ny strip was basically fat, I ate less than half.

One fillet mignon and one ny strip with fries and a salad for about \$100. No drinks.

Also, watch out, they charge a service fee, they usually add it in Brazil but it's already the tip.

The waiter will give you the cars machine at the tip screen, just in case, but it's already there

I think now it just another tourist trap at lincoln road.

Better places to go out there.

 Like

Rio Station Grill

613 Lincoln Rd, Miami Beach, FL

 Write a review

3.1  323 reviews 

Sort by: Most relevant ▼

 Like



Agustin Tome LLC

Local Guide · 12 reviews · 2 photos

 a year ago

Too bad there is not a zero star for this review. This place was awful. The steak tasted like cardboard. You could tell it came straight out of a frozen box. Service was horrible and added an 18% charge to your ticket. They even charged for tap water. Definitely a tourist trap. This is a place you will never go back for a second chance.

 3



Matthew Hurley

2 reviews

 a year ago

This place is terrible. We specifically came because they advertised happy hour food specials and drinks between 4pm and 7pm. We arrived at 6pm and after ordering drinks, were told that they decided not to do any food specials for happy hour. The manager didn't care we were upset. Terrible service overall. Will never return.

 4



danielle fox

2 reviews

 a year ago

Food was great. Service freindly and accommodating. Server was amazing beautiful(Thayane), very nice lunch experience. Mimosas were GREAT.

 Like

Rio Station Grill

613 Lincoln Rd, Miami Beach, FL

 Write a review

3.1 ★★☆☆☆ 323 reviews ?

Sort by: Most relevant ▼

readdress good practice with them. See you next time! - Pedro I. Owner



the1grassyknoll

2 reviews

★☆☆☆☆ 2 years ago

This Restaurant is a rip-off. First they hustle customers by telling them what they want to hear to get them in the door, I asked if they had a happy hour and they looked confused and then said yes, I asked what the happy hour specials were from our waiter and he looked really confused and then made something up right there on the spot which he said was full price for a bigger drink. I ordered the Picanha which is supposed to be a Sirloin Cap cut of meat, they gave me a skirt steak instead and tried calling it Picanha. The mashed potatoes had no flavor whatsoever, no garlic, no butter, nothing and the beans were the same way with no flavoring added. My wife ordered the ribs and they were dry, which is a sign that they cook them on Monday and serve them all week. My wife ordered steamed broccoli with her meal and it never came. At the end my wife and I waited and waited for the check which never came, then I went to the host and asked if we had to pay there and they took me into the inside of the restaurant where the waiter just ran the check without giving me an itemized receipt prior to my signing it. While we waited for the receipt to sign I tipped our waiter cash out of courtesy and so I could get out of there as quickly as possible only to find out when looking at the receipt that he handed me after I tipped him that he had already charged me a gratuity. WORST FOOD IN MIAMI.

 Like

Response from the owner 2 years ago

I apologize that your experience with us wasn't as stellar as it should have been. We cook all of our food to be as delicious and as authentic as possible, so I'm disappointed to hear yours wasn't. I'm going to check in with the staff, both ... [More](#)



Carlos Santiago

4 reviews · 3 photos

★☆☆☆☆ a year ago

A lot of servers but no one pays attention to customers. Worst place I've been on Lincoln Road.

Boteco Copacabana

437 Española Way, Miami Beach, FL

 Write a review

3.1  440 reviews 

Sort by: Most relevant ▼

bottle of beer. Tourist trap! Very likely these 5star reviews are from staff or friends.

 4



Jose Acosta

6 reviews · 1 photo

 3 years ago

This place is amazing, Lana was super helpful and attentive. She did a really good job we came to this place twice and looking forward to come back in our next trip to south beach. The food is great and the environment very enjoyable. I'm really pleased with the service. Good job guys A+.

 Like



Marianna Ponzo

1 review

 a year ago

I love this place, the atmosphere, the food, the service, everything is amazing. I usually don't post about restaurants but this place it's amazing
I highly recommended

 Like



neeraj sharma

Local Guide · 2 reviews · 103 photos

 8 months ago

Bad experience.

Offered discount to trick us and then charged full price.
Really slow service, inflated prices and auto charged gratuity.
Less than average food and weak drinks.

Boteco Copacabana

437 Española Way, Miami Beach, FL

 Write a review

3.1  440 reviews 

Sort by: Most relevant ▼



Yessenia Barbosa

2 reviews

 a year ago

Had to put the 1 star in order to write the review but if it was up to me it would be 0 stars. First of all this is the first time I review anything so that should say something as to how terrible this place is. I'm visiting Miami and I go to this place because I had been craving this pastry. The person who greets us is friendly the waiter is friendly and serves us our water. When I take a sip of the water it taste like straight BLEACH. Told my husband to tell them there was bleach in our cups and I go and wash my mouth in the bathroom. When I come back I have a new glass of water. But I told them I'd like a bottle of water instead. they come out with a glass bottle of water and fill these new cups up with water so I drink it and everything is fine. When I get the check I'm being charged for the water bottle which is \$7.50 I ask why and she said because I asked for water, and I said yes because mine had bleach and she began to have an attitude and say she gave me a another cup but I did not want it. And I told her because I did not trust the cups or their water and asked if I could speak to her manager. She went on to tell her manager that's we didn't want to pay for the water so her manager came by and I said that my water had bleach in it. He said yes and that they gave me a new cup. And that I chose a water bottle... we went back and forth about the bleach water and he gave me a bunch of excuses one being that they don't control what's in the tap water that it comes from the City of Miami... we had enough of the excuses and asked for his name and card. He went OFF saying we were threatening him and that we were being a "smart ass" because we asked for his name and that we were going leave a review (no one said anything about leaving a review). I'm sitting here in complete disbelief that a manager is talking to his customers in this matter. I work in the resturant industry and I've never seen this type of behavior all because they were blaming me for choosing to drink from a bottle of water instead a cup of water that could have bleach in it again. In all honesty they just did not want to comp out \$7.50. He even threw the check on our table. These people seriously have an attitude problem. It was unbelievable... the manager should be embarrassed because he acted was way out of character for a manager of a buisness and so inappropriate. I'm glad there weren't any other customers around to see how he was speaking to us because that would of made him look even worse. and honestly he should not even be a manager if he's going to curse at his clients. Also the food is expensive for no reason. You should just go to Fogo de Chão an actual Brazilian steakhouse and have EXECPTIONAL customer service there and AMAZING food!

Boteco Copacabana

437 Española Way, Miami Beach, FL

 Write a review

3.1  440 reviews 

Sort by: Most relevant ▼



Gabriel Cuesta

Local Guide · 16 reviews · 103 photos

 3 years ago

Amazing place, excellent food! Wael, Barbara and all the staff are very nice people.

 Like



sal nostik

3 reviews

 4 years ago

They pester and drag you in off the street with the promise of a free drink with your dinner. However, when you receive the bill, the drinks are NOT free. (In fact, a cheap rail vodka drink, in a juice size glass, is \$13.00, btw.) When you bring this issue to their attention, they fight you like crazy, cause a scene, trying to intimidate you. We paid for what we owed, (The food) and left. The waiter stalks us with his cell phone and has the police stop us to pay for the drinks, about six blocks away. The cops require us to whip-out the cash and hand it over to the waiter, after shining their flashlights in our faces. You would think it was Bonnie and Clyde's last stand, rather than two law abiding citizens, breathing life into the place. They have a picture and description of fresh sushi-grade tuna on the menu, as part of a salad. When you get the salad, it is canned tuna! HA! And you should see the kitchen area. There are surly more roaches there than fish in the sea.

These guys, I have learned, have quite the reputation. I have been told this is far from being a unique incident. They have "ladies night" in which your female companion drinks for free. When you get the bill, the drinks are anything but free. It is a restaurant like this that gives Miami a bad reputation. If they were a legitimate restaurant, they wouldn't have to resort to this.

 2



Daniel Buntic

4 reviews



Cantinetta

607 Lincoln Rd, Miami Beach, FL

 Write a review

2.9  159 reviews 

Sort by: Most relevant ▼



Local Guide · 116 reviews · 1,904 photos

★★★★★ a month ago - 

Enjoyed our food and good service. Recommend



 Like

Response from the owner a month ago
Mike,

Thank you for the 5 stars, we hope to see you again. ... [More](#)



Santiago Alonso

Local Guide · 20 reviews · 336 photos

★★★★★ 4 months ago

Average service and they deceive customers to believe they are getting a discount.

I was offered a 20% discount on my lunch and...after waiting 40 minutes for two plates of pasta (something that shouldn't take more than 15 min to make) I was charged 20% service fee without my consent. The waiter told me it was a restaurant fee and the additional tip was actually the server tip (an additional 3%)

They will also charge a 7% Florida tax fee and a 2% resort fee - which is BS.

so...20% discount on the food and a mandatory 20% service fee. VERY DISSAPOINTING...I suggest you eat elsewhere.

Cantinetta

607 Lincoln Rd, Miami Beach, FL

 Write a review

2.9      159 reviews 

Sort by: Most relevant ▼

 LIVE



Sarah

2 reviews

     7 months ago

Slow and bad service. Had to wait a long time for food. Food is ok, but not worth the money. They charge a lot for service

 Like



Hakan

2 reviews

     9 months ago

I d give 0 point if i could. They told us there is 25% discount. On the check there was no discount. When i ask , she replied except pizzas but she didnt say it before. They are fraud. Never eat there

 Like



Matias Manzo

4 reviews

     10 months ago

The food is good, but, in the street, a blond woman tell you that they offer a 50% off and then, when you are in the table and ask to the waiter about it, he said that is a 20% off... Cantinetta infame.

 Like



Erika Rodriguez

Local Guide · 11 reviews · 12 photos

     11 months ago

Great service! The wood oven pizza is delicious and we got live entertainment from a group of dancers



Lissa Franklin It's just as bad as the people in the mall selling skincare products, and worse because you get tricked and realize once it's too late- I ate at a place during the super bowl pre-show when we walked over waiting for DMB to come on, saw a sign for paell... [See More](#)



[Like](#) · [Reply](#) · [Message](#) · 3d



Elizabeth Ring Lissa Franklin woo hoo DMB!!!
[#eatdrinkandbemerry](#)

[Like](#) · [Reply](#) · [Message](#) · 3d



Write a reply...



Patricia Mendoza Miami beach is a rip-off with the 18%.

[Like](#) · [Reply](#) · [Message](#) · 3d



Raymond Rigazio I usually tip 20-30% , if you aren't going to pay the hardworking people that bust their asses serving you, then stay at home! The Auto Grat is used world wide, for cheep ass people that don't tip their servers!



[Like](#) · [Reply](#) · [Message](#) · 3d



Write a reply...



Andrew P Plotkin Yes. Annoying.

[Like](#) · [Reply](#) · [Message](#) · 3d



Zaida Eliezet Oropeza It's so annoying!!!! 🗨

[Like](#) · [Reply](#) · [Message](#) · 3d



Jinger Santos Enforce a loud noise ordinance or regulations on misleading specials & signs make tourists aware of the tax & gratuity if automatically included, or maybe required to not be within the public right of way - is more realistic expectations vs.



   54

126 Comments 14 Shares

 Like

 Comment

 Share



Most Relevant ▼



Write a comment...



Tanya Katzoff Bhatt How much time do you have? Most recently in August with friends visiting from Hawaii, we walked the length of Lincoln Rd after dinner. We were accosted so many times by

entire experience has become so unpleasant. Please do whatever you can to ban this practice, and then enforce the ban! NO ONE likes it.



Like · Reply · 1w

↳ 4 Replies

Meg Stookey I avoid walking down the streets where restaurants solicit. They might be some of the most beautiful streets in Miami but I can't stand being bothered the entire way.



Like · Reply · 1w

↳ 1 Reply

Maureen Nez We live 2 blocks from Lincoln and often avoid it because of this. The Forever Flawless hawkers are particularly aggressive as well. Would love to see this happen on both Lincoln and Espanola Way. These sales tactics make our city seem unenviting and tacky. Another area of consideration is the loudness of music restaurants play outside. We used to brunch at Sushi Samba every weekend but stopped because the 7 Spices restaurant next door blasts loud music all day and night.



Like · Reply · 1w

↳ 2 Replies

Christian Wells I used to love Lincoln Road, but I've come to dread walking down it, because I get hassled as I walk east, and hassled again as I come back west.

This practice is a tacky annoyance for anyone- residents and tourists alike- who encounters it, and banning it would be the best thing city government could do.



Like · Reply · 1w · Edited

Ani Dávalos Just yesterday I was harassed by every restaurant on



Logan Fazio I understand the concept of restaurants and menus. If I am hungry, I know what to do, where to look, who to talk to. If I'm taking a walk on Lincoln road or ocean drive, the last thing I want to do is say "no thank you" repeatedly with a fake smile to people constantly invading my space. Unfortunately, it is necessary. It should stop.

Like · Reply · 1w · Edited



Deb Emerson It's so annoying! You have to be rude to get them to leave you alone. I know it's their job but if someone says "no thank you." please stop and quit following us and continuing waving packets, samples, menus in our face! Would love it if there was a ban on this 👍

Like · Reply · 1w



↳ 2 Replies



Corey Weiner Yes! Ocean Drive and Lincoln Rd have been suffering from this carnival for years. The ambience is killed with the constant sales pitches of where to eat and what to buy. I'd love to be able to relax in Miami Beach but it's impossible.

Like · Reply · 1w



Bruce Halpryn It makes me not even want to walk down or shop on Lincoln Rd. It makes the whole place feel cheap and crass. What kind of impression is this leaving on tourists? If I want to look at the menu I will, otherwise I don't need to be accosted every 20 feet.

Like · Reply · 1w



↳ 1 Reply



Joanna Alvarez Verdeja They are too aggressive! We use to avoid Ocean drive and go to Lincoln rd but now they are both terrible. We go less to eat in South Beach. When we do go, we go over to South

gratuity if automatically included, or maybe required to not be within the public right of way - is more realistic expectations vs. businesses... [See More](#)

Like · Reply · 1w



Top Fan

Christine King I often avoid walking on Lincoln and take 16th so as to not have people harassing me each time I pass a restaurant. Furthermore. I would NEVER eat at a place that does this.

Like · Reply · 1w



Most Relevant is selected, so some replies may have been filtered out.



City of Miami Beach Government thanks for your feedback, if you have any specific stories/examples, we'd love to have you message us with more details.

Like · Reply · 1w



[↪ View 2 more replies](#)

Top Fan

Seán Michael Hennessy I'd be more worried about the fraudulent skin care product people hounding you trying to get you to come inside for a "sample"

Like · Reply · 1w



[↪ 3 Replies](#)

Larry Shane When the rent is so damn high businesses resort to guerrilla tactics in order to make enough sales necessary to pay the bills and hopefully some profit as well.

Like · Reply · 1w



[↪ 8 Replies](#)



Lissa Franklin It's just as bad as the people in the mall selling skincare products, and worse because you get tricked and realize once it's too late- I ate at a place during the super bowl pre-show when we walked over waiting for DMB to come on, saw a sign for paell... [See More](#)

Like · Reply · 1w



↪ 1 Reply



Sunny Weber It's tricky because it is free speech. Maybe we should harass them back? I was with a friend and had some free time so I let them give me a facial and a sack full of free samples. My friend was so worried but I made sure we laughed and had fun getting spa treatments for free. Walked out and didnt buy a thing 🤔

Like · Reply · 1w



Elaine Sisman It is so low rent. It is embarrassing, I dont appreciate being accosted several times a day. Sticking menus in peoples faces. Cannot understand why this is allowed. Too ugly a scene. Bring back the elegance. Or continue losing to Bal Harbour Shops & everywhere else for dining & shopping.

Like · Reply · 6d



💎 Top Fan

Marg Cian I don't think they are referring to the restaurants it's more about the stores pushing samples of advertising false sales. But the truth of the matter is that He's Miami beach economy is going down. Every year you see less tourists which means less mo... [See More](#)

Like · Reply · 1w




↪ View 5 more replies

Like · Reply · 1w



↪ View 4 more replies

 **Terry St Angelo** Same thing happens on Ocean Dr

Like · Reply · 1w



↪ View 1 more reply




City of Miami Beach Government ✓ if you have any specific examples/stories to share, please send us a message

Like · Reply · 1w




↪ View 3 more replies

 **Anneliese Morales** I stopped going to South Beach because of this! FYI Faruk Bisevac


Like · Reply · 1w · Edited



↪ 4 Replies

 **Zaida Eliezet Oropeza** It's so annoying!!!! 🙄

Like · Reply · 1w

 **Renzo A. Gonzales** How about Ocean drive?

Like · Reply · 1w

 **Andrew P Plotkin** Yes. Annoying.

Like · Reply · 1w

here or DM me with your story...the City of Miami Beach is considering banning it, but we need to hear from people who have been harassed, annoyed, or scammed! — with Thomas Barker at Miami Beach City Hall.



32 Comments

 Like

 Comment



Danny Torna I don't know about fraudulent specials but the whole thing is intrusive. You can't even walk down lincoln while talking to someone without getting rudely interrupted with a menu and specials for the day

Like · Reply · 1w



Jose Pepe Garcia It's annoying and uncomfortable. I avoid it as much as possible.

Like · Reply · 1w · Edited



Robert Rosenwald Jose Pepe Garcia Can I have someone from my office contact you to make a written statement about how you've been



Robert Rosenwald Yes! The City Commission is considering the need to extend the prohibition on hawking to sidewalk cafes on Lincoln and Espanola on September 25...the stories of residents and visitors who may have suffered from the hawking will inform that debate.

Like · Reply · 1w



Janis Saxon Robert Rosenwald I see, nothing like some back-up. Take care and have a good day.

Like · Reply · 1w



Jonny HoTtamale I was walking down Ocean Drive and an aggressive "sales person " was trying to pull my friends and I in with specials on margaritas. The drinks were suppose to be free with a meal. However when the bill came my guest and I were charged. The aggressive sales person was no where to be found. I spent 25 minutes disputing this to the manager. So sorry but I dont recall the name of the establishment.

Like · Reply · 1w

Burttschell I'm going to have someone from my office contact you to make a written statement to that effect.

Like · Reply · 1w



Marty Mueller

<https://www.foreverflawless.com/>



FOREVERFLAWLESS.COM
Forever Flawless |
Anti-Aging,...



Like · Reply · 1w



Marty Mueller Forever Flawless, 704 Lincoln Road. They are infamous and their opening gambit is "Hi, where are you from?" which engages all the unsuspecting tourists. They never, ever give up.



Like · Reply · 1w



Paul Lobkovich Marty Mueller omg. They are the WORST. If I hear it one more time !!!

Like · Reply · 1w



Matt Dzwonkiewicz 2 for 1 and the drinks



Erik J. Rodriguez I work on Lincoln Rd. The amount of times I'm harassed walking to and from work is annoying. And god forbid you tell them you're not interested and they act likes that's an a-front to god.

When I tell people I live in Miami Beach, they tell me how Lincoln Rd and Ocean Drive used to be great but they stopped going when they started getting bothered by these "carnival barkers"



Like · Reply · 1w



Robert Rosenwald replied · 1 Reply



William Armenteros I've lived on the Beach since 1985. Seen and lived through the rebirth, gentrification and decline of our amazing city. I used to go to all these areas all the time. I stopped going to Ocean Drive and Espanola Way year's ago. Although I still go to Lin... [See More](#)



Like · Reply · 1w



Scott Diffenderfer I work at 605 Lincoln road and don't even eat lunch there because of the incessant hawking. It's actually embarrassing to walk down Lincoln road with real estate clients



Like · Reply · 1w



Robert Rosenwald replied · 3 Replies



Allie Miller
@alliemiller719



When they say it's happy hour pricing and then they sit you down and it's not actually happy hour pricing but they don't tell you that until either after you've ordered or your check comes 🙄



City of Miami Beach ✓ @MiamiBeachNews · Sep 12

If you have experience with harassing people hawking tacky or fraudulent "specials" in front of the sidewalk cafes on @LincolnRd or @OnEspanolaWay, please tweet at us with your story.

The City is considering banning it, but we need to hear from those affected.

Case 1:14-cv-22072-JLK Document 35-64 Entered on FLSD Docket 12/22/2014 Page 141 of 142



9:39 AM · Sep 12, 2019 · [Twitter for iPhone](#)

because it's out of control.
I live in North Beach and I love it. Very family oriented, quite,
beautiful beach, we have everything close by and free public
transportation.
We don't want any nightlife here!!!



Like · Reply · Message · 3d

^ Hide 19 Replies



Nancy Goldstein Marg Cian no it's the restaurants also. I
can't walk down Lincoln rd without someone shoving a menu
in my face.



Like · Reply · Message · 3d



Top Fan

Marg Cian Nancy Goldstein really? V
I've never experienced that and I'm a regular because I love
Lincoln road.

Like · Reply · Message · 3d



Top Fan

Marg Cian Nancy Goldstein actually it's the only place I go in
South Beach.

Like · Reply · Message · 3d



Christine King Marg Cian I could not believe what was
happening last weekend at our supposedly most high end
hotel the Setai. A ridiculously loud party with a DJ screaming
non stop into the mike, singing out of tune, yelling out inanities
for 4-5 hours non stop, both... [See More](#)



Like · Reply · Message · 3d



Nancy Goldstein Marg Cian I live here and yes really. It's
constant and really irritating ! I find myself walking in the
alleyways to avoid it.



Like · Reply · Message · 3d



Maria Hernandez Larry Shane I was just going to say that!

Like · Reply · Message · 3d



Elaine Sisman City of Miami Beach Government how much more specific do you need?! We are being non-stop harrassed. As are our tourists. Get it under control so we can enjoy living here. #residentsfirst #qualityoflifeissues #loudandobnoxious #honkytonk

Like · Reply · Message · 2d



Top Fan

Marg Cian Christine King just no low class people.

Like · Reply · Message · 2d



Top Fan

Marg Cian Nancy Goldstein maybe the restaurants in ocean drive i don't know because I haven't been there in years. But in Lincoln road I've never ever experience that and I go quite often.

Like · Reply · Message · 2d



Anneliese Morales Marg Cian I've experienced the harassment with restaurants on Lincoln Road for almost 2 decades, which is why I stopped going after 2005, unless I'm getting paid to!

Like · Reply · Message · 2d · Edited



Nancy Goldstein Marg Cian because you've never experienced it, doesn't mean others haven't. Those of us who have experienced it live right here and are on Lincoln Rd all the time.

Like · Reply · Message · 2d



Top Fan

Marg Cian Anneliese Morales thank God in the 30 years I've been going I've never had such a horrible experience. It's such a nice place sorry to hear you can't enjoy it

places to see and learn more about throughout our mainland, particularly along our Miami River District! They're also closer and spread out around the City of Miami and others, from South Dade to North Miami, filled with unique experiences, real Floridian style, yet multicultural authenticity too.

Those of us who became disappointed with the changes in South Beach feel sorry for those who don't know any better, while we still enjoy Miami's creative community and great beaches elsewhere! We've learned from the past, and we don't care for any publicity that may ruin our existing, worthy, hidden gems either!

I'm sorry people on South Beach today will never enjoy SoBe as those of us who created the scene did for decades in the past. So many enchanting cultural experiences are gone! Today, many people living in South Beach aren't engaged with their community as much, because their homestead is elsewhere. Their idea of beach life is in the confined common areas of their condominium more so, than the whole neighborhood.

[Like](#) · [Reply](#) · [Message](#) · 1d · Edited



Top Fan

Marg Cian Anneliese Morales oh I know what you mean I had the opportunity also to enjoy south beach in the mid eighties up to the mid nineties.

In fact I used to live on meridian and 5th Street.

Ii haven't been to south beach in years ive heard its full of un... [See More](#)

[Like](#) · [Reply](#) · [Message](#) · 1d · Edited



Write a reply...



Terry St Angelo Same thing happens on Ocean Dr



[Like](#) · [Reply](#) · [Message](#) · 3d



Jorge Callejas Terry St Angelo yes, I think is more on Ocean



Rima Saria Ceci Velasco

Why Oct 1st

Why now immediately?

Like · Reply · Message · 3d



Top Fan

Ceci Velasco Rima Saria because the permit renews annually Oct 1st and the city usually has a 10 Day effective date for all their ordinances to allow them time to notice the businesses. Many don't even know this happened.

Like · Reply · Message · 2d



Write a reply...



Shashyk Sobe Ocean drive will never stop , is how they get their clients, is another world , is place no to go . Lincoln is becoming little by little, because the ocean drive restaurant owner now have business in Lincoln, example "books n books " , "rosinella " , so they will apply the same strategy to get people sitting down .

Like · Reply · Message · 2d



Christine King Rosinella has been on Lincoln Rd for over 20 years.Did they change owners? Books and Books changed owners.

Like · Reply · Message · 2d




Shashyk Sobe Christine King a friend of mine told me about books n books , n I though she also mentioned rosinella , I will ask her again to make sure .

Like · Reply · Message · 2d



Write a reply...



Stone Korshak Please ban it  4



Larry Shane [Juan R. Pollo](#) tell me where else businesses do this kind of aggressive hawking ??

[Like](#) · [Reply](#) · [Message](#) · 3d



Juan R. Pollo Tell me where else you find that kind of environment

[Like](#) · [Reply](#) · [Message](#) · 3d



Larry Shane [Juan R. Pollo](#) ocean drive

[Like](#) · [Reply](#) · [Message](#) · 3d



Tiffany Taylor Brouard I agree. If the rents were controlled or stabilized some how we wouldn't have so many empty retail spaces either!

[Like](#) · [Reply](#) · [Message](#) · 3d



Christine King [Larry Shane](#) The businesses that do this are hurting themselves not helping. People run from them, avoid the road entirely to not feel harassed, won't even consider them as an option. They are causing less people to want to dine on their street not more.

[Like](#) · [Reply](#) · [Message](#) · 3d



Write a reply...



Christine King I often avoid walking on Lincoln and take 16th so as to not have people harassing me each time I pass a restaurant. Furthermore. I would NEVER eat at a place that does this.

[Like](#) · [Reply](#) · [Message](#) · 3d



City of Miami Beach Government thanks for your feedback, if you have any specific stories/examples, we'd love to have you message us with more details.



WORST

Like · Reply · Message · 3d



Write a reply...



Sarah Giller Nelson Last Friday night my husband, children and I had dinner at Time Out Market and decided to take a stroll down Lincoln. The hawking was unbelievable. We got to the block with Lululemon and decided to turn around and go home. Even restaurants like Spris, ... [See More](#)

Like · Reply · Message · 3d



Tiffany Taylor Brouard Emphasis on "THEN ENFORCE THE BAN"

Like · Reply · Message · 3d



Paul Lobkovich Sarah Giller Nelson agree !!!!

Like · Reply · Message · 3d



Write a reply...



Joanna Alvarez Verdeja They are too aggressive! We use to avoid Ocean drive and go to Lincoln rd but now they are both terrible. We go less to eat in South Beach. When we do go, we go over to South of 5th now.

Like · Reply · Message · 3d



Brad Kinder It's only bad if your truly fraudulent. Everybody misses places when they close but if they hustle it's worse? Make a choice walk down a barren Road or take a seat and support a joint before it's gone. Or Walk On

Like · Reply · Message · 3d

ESPAÑOLA WAY HISTORIC SPANISH VILLAGE

Rules and Regulations

Espanola Way Vision

A community that is welcoming and safe to both local residents and tourists, is family-friendly, thoughtfully highlights its historic and internationally-acclaimed architecture and restaurants without diminishing its commercial energy, and further enhances its reputation as one of the world's most iconic destinations.

Sidewalk Café Elements

- All furnishings permitted must be free-standing, unattached, matching, clean and free of fading, corrosion, dents, tears and chipped paint. Furnishings must be constructed of durable materials, manufactured for commercial outdoor use. All furnishings must be submitted to and approved in writing by Landlord.
- Café furnishings may not be tied or otherwise secured to trees, light posts, street signs, fire hydrants or any public street furniture.
- Café operators shall at no time place artificial food displays in the public right of way or any areas outside of their leased premises.
- Café operators shall not solicit pedestrians for business in an aggressive manner including but not limited to blocking passage in any way, yelling or catcalling, and shall at no times distribute paper fliers, post cards or paper menus to pedestrians and passersby. Pedestrians must approach a podium or host(ess) stand to obtain any such information.
- The Association reserves the right to regulate the appearance and number of space heaters an operator may place in the public right of way.
- No advertising media outside of the approved Menu Boards shall be permitted in the public right of way.
- Tenants shall, at all times, be responsible for the clean-up of trash and will promptly address any beverage or food spills within their respective sidewalk cafés. Tenant shall also be responsible for the daily appearance of the sidewalk adjacent to their spaces.

Umbrellas

- Umbrellas may not be permitted to extend over the pedestrian path
- Umbrellas may not extend over any fixed or retractable awnings
- No more than three umbrellas may be zipped together
- No electrical cords, lights, fans, speakers or any other elements may be placed under or attached to any umbrellas at any time.
- All umbrellas per operator must match in color and size and shall only bare the name of the business on the bottom valence. Absolutely no commercial advertising shall appear on any part of the umbrella. All umbrellas must be approved by Landlord or Association
- All awnings will be one of a specific palette of light, pastel-like colors, approved by the Association, that will provide a cleaner, more consistent, and brighter appearance, and be more compatible with the goal of highlighting the historic architecture along Espanola Way

ESPAÑOLA WAY HISTORIC SPANISH VILLAGE

Rules and Regulations

Awnings

- Café operators may propose to install a retractable awning attached to the building in lieu of umbrellas. Such awnings require a revocable permit subject to review of the City Commission and Espanola Way Association and will also require a certificate of appropriateness subject to HPB approval
- Awnings shall be free of any attachments including but not limited to lighting, electrical wiring, plumbing lines, speakers, fans, heaters, and televisions
- All awnings per operator must match in size and color

Menu Boards

- One menu board and one specials board shall be permitted, per sidewalk cafe, for every 50 feet of frontage. A menu board allows for the posting of a restaurant's complete menu and specials. All menu boards must meet City code.
- A menu board or specials board shall not exceed 6 square feet in area and the overall height of the board shall not exceed 5'-6" from grade. The boards are not permitted to be internally illuminated and may not be of a sandwich board type design. All menu boards must meet City code.

Lighting

- During evening and nighttime hours of operation, sidewalk cafes may require supplemental lighting beyond what is provided by street lights and adjacent storefronts. Light levels at sidewalk cafes may be supplemented with flameless LED votive candles, or other similar battery/solar powered table lighting. Lighting is not permitted to be attached to any element of the sidewalk cafe or any other element within the right-of-way, the awnings, facades or storefronts.
- At no time whatsoever shall any tenant place strobe lights, disco balls, multi-colored, sequenced or synchronized lighting on display within its storefront or sidewalk café.
- No lighting shall be attached to the outside of the leased premises in any fashion unless special written permission is given by the Landlord and/or the association.

Outdoor Speakers, Music and Noise

- All tenants will be required to keep music at or below ambient levels emanating outside the premises as may be reasonably determined by Landlord
- Music emanating inside the premises will be at the election of the tenant subject to a maximum noise level at or below ambient levels.
- Any speakers outside of the premises that emanate to open air will be controlled by the Association so that there is uniform music and sound levels on the street and tenants are not competing against each other for louder music.

ESPAÑOLA WAY HISTORIC SPANISH VILLAGE

Rules and Regulations

- No speakers shall be installed outside without the written approval of Landlord, the Association, and the City of Miami Beach.

Vehicles on Espanola Way

- Scooters, Motorcycles and other vehicles will not be permitted on Espanola Way between Washington Avenue and Drexel Avenue.

Espanola Way Association Dues, Events and Penalties for Violations

- All tenants will be measured by retail store frontage and contribute their pro-rata share of expenses to the Espanola Way Association to cover Marketing, Public Relations and other costs for events that will benefit the street and the community. A budget will be provided to the tenants with their expected pro rata shares.
- All tenants will participate and partner with the Espanola Way Association to promote community events including art walks, music events and food festivals.
- All tenants are encouraged to provide creative ideas to the Association to promote the street and the community.
- **The respective Landlord will assess monetary fines against individual businesses who violate these Rules & Regulations. A violation of the “Outdoor Speakers, Music and Noise” section must be cured immediately within 24 hours’ notice; all other violations will have up to fifteen (15) calendar days to cure. Additionally, City of Miami Beach Code Enforcement may issue fines at any time for Sidewalk Café violations independent of the Landlord.**

If the individual business fails to cure a violation within the specified timeframe, then a 1st time violation will result in a \$500.00 fine; a repeat violation (regardless of the nature of the violation or rule or regulation) will be assessed \$1,000.00. Additional violations thereafter may result in a default under the respective business’ lease agreement and possible revocation of Sidewalk Café privileges.

AGREED AND ACCEPTED

Signature

Print Name, Title and Business Name

Date

DECLARATION OF ANTHONY PEREZ

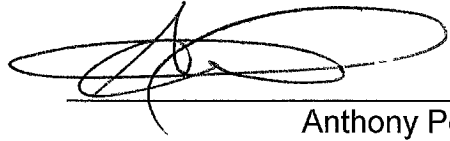
ANTHONY PEREZ, pursuant to 28 U.S.C.A. § 1746, declares the following:

1. My name is Anthony Perez. I work as a Code Compliance Officer for the City of Miami Beach at 555 17th Street, Miami Beach, FL 33139. I have worked in this position for a total of 2 years and four months.
2. My duties as a Code Compliance Officer include patrolling Lincoln Road and Espanola Way and assessing whether buildings, sidewalk cafes, and other businesses are in compliance with City Code.
3. When I conduct my rounds of Lincoln Road and Espanola Way, it is usually during the afternoon where the hawking is not as aggressive as it would be at night. I notice that some establishments have two (2) employees responsible for hawking and soliciting costumers - with one being next to the host stand while the other would be at the sidewalk café.
4. I have also noticed that some establishments have their hosts walk with pedestrians to try and coerce them to lunch or dine in the sidewalk café area
5. I feel that the excessive hawking gives Lincoln Road and Espanola Way, which are one of the "must-visit" areas for tourists, give Miami Beach and these thoroughfares a bad reputation Lincoln Road and Espanola Way are considered luxurious areas in a world-class destination like Miami Beach, so the excessive hawking makes the businesses look desperate, sort of like a person working at a kiosk at a mall
6. Yesterday, on September 19, 2019, I conducted a walkthrough of both Lincoln Rd and Espanola Way. I have noted that the following establishments were participating in hawking: Tapelia on 551 Lincoln Rd, Miami Beach, FL 33139,

Taverna on 719 Lincoln Rd, Miami Beach, FL 33139, Kansas Bar and Grill on 647 Lincoln Rd, Miami Beach, FL 33139, Yuca on 501 Lincoln Rd, Miami Beach, FL 33139, Montalcino on 833 Lincoln Rd, Miami Beach, FL 33139, Boteco Copacabana on 437 Espanola Way, Miami Beach, FL 33139.

I verify under penalty of perjury that the foregoing is true and correct.

Executed on September 24, 2019



Anthony Perez

**NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE (NCAC)
SEPTEMBER 25, 2019 MEETING**

**Amendment of Miami Beach City Code Regarding Sidewalk Cafes
(Lincoln Rd and Espanola Way)**

Legislative Record - Documents

1. Sworn Declaration of John Woodruff dated September 20, 2019
2. Sworn Declaration of Daniel Torna dated September 19, 2019
3. Sworn Declaration of Timothy F. Schmand dated September 19, 2019
4. Sworn Declaration of Joshua Head dated September 12, 2019
5. Sworn Declaration of Scott Diffenderfer dated September 16, 2019
6. Sworn Declaration of Walker C. Burttschell dated September 16, 2019
7. Sworn Declaration of Mike Sharkey dated September 19, 2019
8. Sworn Declaration of Steve Kassin dated September 18, 2019
9. Sworn Declaration of David Berg dated September 16, 2019
10. Sworn Declaration of Hector Hurtado dated September 18, 2019
11. Sworn Declaration of Jamil Dib Bufarah dated September 18, 2019
12. Sworn Declaration of Marco Efrati dated September, 2019
13. Sworn Declaration of Mario Tarricone dated September 18, 2019
14. Sworn Declaration of Matias Sebastian Pesce dated September 18, 2019
15. Sworn Declaration of Michael De'Filippi dated September 18, 2019
16. Sworn Declaration of Scott Robins dated September 18, 2019
17. Sworn Declaration of Wael Chaal dated September 18, 2019
18. Sworn Declaration of Justin Karr dated September 23, 2019
19. Sworn Declaration of Natalie Mejia dated September 19, 2019

20. Online Reviews of Espanola Way and Lincoln Road
21. Social Media Feedback Compilation
22. Espanola Way Rules and Regulations Draft
23. Sworn Declaration of Anthony Perez