City of Miami Beach - City Commission Meeting
Commission Chambers, 3rd Floor, City Hall
1700 Convention Center Drive
October 13, 2004

Mayor David Dermer
Vice-Mayor Richard L. Steinberg
Commissioner Matti Herrera Bower
Commissioner Simon Cruz
Commissioner Luis R. Garcia, Jr.
Commissioner Saul Gross
Commissioner Jose Smith

City Manager Jorge M. Gonzalez
City Attorney Murray H. Dubbin
City Clerk Robert E. Parcher

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ATTENTION ALL LOBBYISTS

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

REGULAR AGENDA

R5 - Ordinances

R5A West Avenue Overlay - Minimum/Maximum Developable Lot Regulations
An Ordinance Amending The Code Of The City Of Miami Beach, Florida, By Amending Chapter 142, "Zoning Districts And Regulations," Article III, "Overlay Districts," Division 5, "West Avenue Bay Front Overlay," Section 142-842, "Location And Purpose," And Section 142-843, "Compliance With Regulations," To Include Minimum And Maximum Developable Lot Regulations Within The Underlying RM-1 Residential Multi-Family Low Intensity Zoning District Of The Subject Overlay Area Providing For Codification; Repealer; Severability; And An Effective Date. **5:00 p.m. Second Reading, Public Hearing** (Page 215)

(Planning Department)
(First Reading on September 8, 2004)

R5 - Ordinances (Continued)

R5B An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 142, "Zoning Districts And Regulations", Article II, "District Regulations", Division 3, "Residential Multifamily Districts," Subdivision II, "RM-1 Residential Multifamily Low Intensity," Subdivision IV, "RM-2 Residential Multifamily Medium Intensity," And Division 15, "TH Town House Residential District," By Amending Section 142-156, Section 142-218 And Section 142-606, Respectively, To Establish Revised Standards For Parking Lot Setback Requirements When There Is An Approved Street Improvement Plan That Incorporates A Public-Private Parking Agreement With The City; Providing For Repealer, Codification, Severability And An Effective Date. **First Reading** (Page 236)
(Planning Department)

R5C Single Family Residential Review Board Amendments
An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 142, "Zoning Districts And Regulations," Article II, "District Regulations," Division 2, "Single-Family Residential Districts," By Revising Procedures For The Review And Approval Of Demolition Requests For Single Family Homes Constructed Prior To 1942 And Not Located Within A Designated Historic District; Providing For Repealer, Codification, Severability And An Effective Date. **First Reading** (Page 247)
(Planning Department)

R5D Single Family Ad Valorem Tax Exemption
An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 118, "Administration And Review Procedures," Article X, "Historic Preservation," By Creating Division 5, "Single Family Valorem Tax Abatement," Establishing Requirements And Procedures For City Tax Exemptions For Single Family Homes; Providing For Repealer, Codification, Severability And An Effective Date. **First Reading** (Page 270)
(Planning Department)

R5E Interim Controls Amendment - Adopted Neighborhood Conservation District Enabling Ordinance
An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, Florida, By Amending Chapter 118, "Administration And Review Procedures," Article XI, "Neighborhood Conservation Districts," By Creating A New Section 118-708, Entitled "Enforcement Of NCD Regulations And Criteria; Application Of Equitable Estoppel To Permits And Approvals,"; Providing For Codification; Repealer; Severability; And An Effective Date. **First Reading**
(Page 283)
(Planning Department)

R5F CCC, Civic & Convention Center District Regulations Regarding Required Parking
An Ordinance Amending Chapter 142, "Land Development Regulations," Of The City Code; Division 7. "CCC, Civic And Convention Center District," By Creating A New Section 142-368 Entitled "Offsite Parking," Providing That Required Parking Provided For Uses In This District, Located Off-Site Pursuant To Section 130-36, Shall Not Be Included In Permitted Floor Area Wherever Located; Providing For Codification, Repealer, Severability And Effective Date. **First Reading**
(Page 296)
(Planning Department)

R5 - Ordinances (Continued)

R5G An Ordinance Amending Ordinance No. 789, The Classified Employees Salary Ordinance, By Establishing The Classifications Of Field Inspector I, Field Inspector II And Parking Dispatcher In Group IV, Being Those Classifications Covered By The Communication Workers Of America (CWA), Local 3178; Transferring The Titles Of The Classifications Of Backflow Coordinator, Carpenter Supervisor, Central Services Supervisor, Lead Mechanic, Sanitation Operations Supervisor, Service Supervisor, And 911 Communications Records Custodian From Group VI, Being Other Classifications In The Classified Service Not Covered By A Bargaining Unit, To Group V, Being Those Classifications Covered By The Government Supervisors Association Of Florida (GSAF), OPEIU Local 100; Providing For A Repealer, Severability, Effective Date And Codification. **First Reading** (Page 303)

(Human Resources)

R5H Ordinance Amending Ordinance No. 1605, Unclassified Employees Salary Ordinance, Establishing The Classifications Of Code Compliance Division Director, Cultural Facilities Manager, Field Monitor, Geographic Information System Analyst, Human Resources & Risk Management Director, Neighborhood Services Projects Administrator And Senior Management Analyst; Amending The Titles Of The Classifications Of Beach Patrol Captain To Ocean Rescue Division Chief, Field Inspector To Field Supervisor, Management & Budget Director To Budget & Performance Improvement Director, And Right Of Way Supervisor To Right Of Way Manager; Providing For A Repealer, Severability, Effective Date, And Codification. **First Reading** (Page 314)

(Human Resources)

R5I An Ordinance Amending Ordinance No. 1335, The Classified Employees' Leave Ordinance, By Amending The Provisions For Accumulation And Payment Of Annual And Sick Leave For The Fraternal Order Of Police (FOP), The International Association Of Fire Fighters (IAFF), And Classified Employees Not Covered By A Bargaining Unit And Known As The Group "Others"; Providing For A Repealer, Severability, Codification, And An Effective Date. **First Reading** (Page 327)

(Human Resources)

R5J An Ordinance Amending Ordinance No. 1613, The Unclassified Employees' Leave Ordinance, By Amending The Provisions For Accumulation And Payment Of Annual And Sick Leave; Providing For A Repealer, Severability, Codification, And An Effective Date. **First Reading** (Page 332)

(Human Resources)

R5K An Ordinance Amending Ordinance Number 2003-3411 By Amending The Restrictions On The Locations Where Panhandling Is Prohibited And Providing For Repealer, Severability, And An Effective Date. **First Reading** (Page 337)

(Requested by Vice-Mayor Richard L. Steinberg)

R5 - Ordinances (Continued)

R5L An Ordinance Amending Chapter 2 Of The City Code Entitled "Administration" By Amending Article III Entitled "Agencies, Boards And Committees" By Creating Division 31 To Be Entitled "The North Shore Park And Youth Center Advisory Board" And Providing For The Purpose, Powers And Duties, Composition, Knowledge And Experience, And Supporting Department Of Said Board; Further Providing For Codification, Repealer, Severability, And An Effective Date. **First Reading** (Page 341)

(City Manager's Office)

R7 - Resolutions

R7A A Resolution Following A Duly Noticed Public Hearing To Hear Public Comment On Same, Approving And Authorizing The Vacation Of A Portion (The Southern Half) Of The West 59th Street Street-End, West Of North Bay Road, In Favor Of Roger J. Schindler And Leslie Schindler, As Owners Of The Adjacent Residential Property, Located At 5860 North Bay Road; Retaining Utility Easement Rights Within Said Vacated Portion Of The Street-End; Waiving, By 5/7ths Vote, The Competitive Bidding And Appraisal Requirements, Pursuant To Article II, Section 82-36 Through 82-40 Of The Miami Beach City Code, Finding Such Waiver To Be In The Best Interest Of The City; And Authorizing The Mayor And City Clerk To Execute Any And All Documents To Effectuate The Vacation, Including A Quitclaim Deed, Subject To Final Review And Approval Of Same By The City Attorney's Office. **10:15 a.m. Public Hearing** (Page 349)

(Public Works)

(Continued from September 8, 2004)

R7B A Resolution Following A Duly Noticed Public Hearing To Hear Public Comment On Same, Approving And Authorizing The Vacation Of A Portion (The Northern Half) Of The West 59th Street Street-End, West Of North Bay Road, In Favor Of William Thomas Harris III And Richard Koenigsberg, As Trustees For The "Tom Harris Trust", As Owners Of The Adjacent Residential Property, Located At 5900 North Bay Road; Retaining Utility Easement Rights Within Said Vacated Portion Of The Street-End; Waiving, By 5/7ths Vote, The Competitive Bidding And Appraisal Requirements, Pursuant To Article II, Section 82-36 Through 82-40 Of The Miami Beach City Code, Finding Such Waiver To Be In The Best Interest Of The City; And Authorizing The Mayor And City Clerk To Execute Any And All Documents To Effectuate The Vacation, Including A Quitclaim Deed, Subject To Final Review And Approval Of Same By The City Attorney's Office. **10:15 a.m. Public Hearing** (Page 360)

(Public Works)

(Continued from September 8, 2004)

R7 - Resolutions (Continued)

R7C A Resolution Following A Duly Noticed Public Hearing To Hear Public Comment On Same, Approving And Authorizing The Vacation Of A Portion (The Southern Half) Of The West 56th Street Street-End, West Of North Bay Road, In Favor Of Mary Elizabeth Donnelly, Owner Of The Adjacent Residential Property, Located At 5480 North Bay Road; Retaining Utility Easement Rights Within Said Vacated Portion Of The Street-End; Waiving, By 5/7ths Vote, The Competitive Bidding And Appraisal Requirements, Pursuant To Article II, Section 82-36 Through 82-40 Of The Miami Beach City Code, Finding Such Waiver To Be In The Best Interest Of The City; And Authorizing The Mayor And City Clerk To Execute Any And All Documents To Effectuate The Vacation, Including A Quitclaim Deed, Subject To Final Review And Approval Of Same By The City Attorney's Office. **10:20 a.m. Public Hearing** (Page 371)

(Public Works)
(Continued from September 8, 2004)

R7D A Resolution Following A Duly Noticed Public Hearing, Authorizing And Approving The Proposed Uses Of The Local Law Enforcement Block Grant Funds, In The Amount Of $114,294.
11:00 a.m. Public Hearing (Page 382)
(Grants Management)

R7E A Resolution Approving, Following A Duly Noticed Public Hearing, The Placement Of A Commemorative Plaque In The Victory Garden, Located At 226 Collins Avenue, Miami Beach, Florida, Honoring The Late Joseph J. Villari, And Referring The Placement Of Said Plaque To The Arts In Public Places Committee For Its Consideration, In Accordance With Section 82-504 Of The City Code. **11:15 a.m. Public Hearing** (Page 387)
(Economic Development)

R7F A Resolution Following A Duly Noticed Public Hearing, Denying The Creation Of A Restricted Residential Parking Permit Zone 13/Lower West Avenue, With Boundaries As Follows: On The South, The Centerline Of 5th Street; On The North, The Centerline Of 13th Street; On The East, By Alton Court; And On The West, The Westerly Line Of West Avenue; And Further Recommending That The City Administration Should Revisit This Issue Next Year (October 2005). **5:01 p.m. Public Hearing** (Page 394)

(Parking Department)
(Continued from July 28, 2004)

R7G A Resolution Authorizing The Issuance Of Request For Qualifications (RFQ) No. 42-03/04 For Engineering, Urban Design, And Landscape Architecture For Planning, Design, Bid And Award And Construction Administration Services For The Biscayne Point Right Of Way Infrastructure Improvement Project. (Page 401)
(Capital Improvement Project)
(Deferred from September 8, 2004)

R7 - Resolutions (Continued)

R7H A Resolution Approving And Authorizing The City Manager To Execute A Modification Of The Letter Agreement Between The Miami Beach Redevelopment Agency, The City Of Miami Beach And The Courts At South Beach Limited, A Florida Limited Partnership F/K/A Cobb Partners South Beach Limited, Dated March 25, 2003; Said Modification Extending The Closing Date On The Library Facility To December 31, 2004, Subject To Certain Conditions And Limitations Expressed Therein; And Further Appropriating $42,415.35 In Available South Pointe Redevelopment Area Trust Funds Toward Improvements To The Library Facility. **Joint City Commission and Redevelopment Agency** (Page 428)
(Economic Development)

R9 - New Business and Commission Requests

R9A Board and Committee Appointments. (Page 438)
(City Clerk's Office)

R9A1 Nominate Mr. Marcelo Llorente To The Personnel Board. (Page 442)
(Requested by Commissioner Simon Cruz)
(Deferred from September 8, 2004)

R9A2 Nominate Mr. Alex DeGasperi To The Personnel Board. (Page 444)
(Requested by Commissioner Saul Gross)
(Deferred from September 8, 2004)

R9B(1) Dr. Stanley Sutnick Citizen's Forum. (1:30 p.m.) (Page 446)
R9B(2) Dr. Stanley Sutnick Citizen's Forum. (5:30 p.m.)

R9C Discussion Regarding Updating ADA Code To Include Innovative Forms Of Vehicles. (Page448)
(Requested by Commissioner Luis R. Garcia, Jr.)

R9D Discussion Regarding A Resolution Requesting The Florida Legislature And The Florida Public Service Commission To Conduct A Study To Determine The Weaknesses In Florida's Power Grid That Cause Power Outages During Hurricanes And To Include A Cost Benefit Analysis For Alternatives Including, But Not Limited To, Underground Power Lines. (Page 450)
(Requested by Vice-Mayor Richard L. Steinberg)

R9E Discussion Regarding The GMCVB Contract And The City's Tourism Needs. (Page 454)
(Requested by Vice-Mayor Richard L. Steinberg)

R9 - New Business and Commission Requests (Continued)

R9F The City Commission Will Attend A Ground Breaking Ceremony At Fire Station No. 4 After The Executive Sessions At Noon Break. (Page 456)
(City Manager's Office)

R9G Discussion Regarding Mandatory Evacuation Of Tourists During A Hurricane. (Page 458)
(Requested by Commissioner Luis R. Garcia, Jr.)

R10 - City Attorney Reports

R10A Notice Of Closed Executive Session. (Page 461)
Pursuant To Section 286.011, Florida Statutes, A Closed Executive Session Will Be Held During Lunch Recess Of The City Commission Meeting On October 13, 2004in The City Manager's Large Conference Room, Fourth Floor, City Hall, To Discuss Settlement On The Following Cases:

Gloria Rosenthal, Trustee Of The Gloria Rosenthal Trust U/A/D 5/19/88, Vs. The City Of Miami Beach, A Political Subdivision Of The State Of Florida. Eleventh Judicial Circuit, General Jurisdiction, Case No. 04-10744 CA 31

The Following Individuals Will Be In Attendance: Mayor David Dermer; Members Of The Commission: Matti Herrera Bower, Simon Cruz, Luis R. Garcia Jr., Saul Gross, Jose Smith And Richard L. Steinberg; City Attorney Murray H. Dubbin, City Manager Jorge M. Gonzalez, And First Assistant City Attorney Rhonda Hasan.

R10B Notice Of Closed Executive Session. (Page 463)
Pursuant To Section 286.011, Florida Statutes, A Closed Executive Session Will Be Held During Lunch Recess Of The City Commission Meeting On October 13, 2004in The City Manager's Large Conference Room, Fourth Floor, City Hall, To Discuss Settlement On The Following Cases:

Atlantic Civil, Inc., A Florida Corporation, Vs. Miami Beach Redevelopment Agency, A Public Body Corporate And Politic, Vs. National Fire Insurance Company Of Hartford. Eleventh Judicial Circuit, General Jurisdiction, Case No. 01-23635 CA 09

The Following Individuals Will Be In Attendance: Mayor David Dermer; Members Of The Commission: Matti Herrera Bower, Simon Cruz, Luis R. Garcia Jr., Saul Gross, Jose Smith And Richard Steinberg; City Attorney Murray H. Dubbin, City Manager Jorge M. Gonzalez, First Assistant City Attorney Rhonda Hasan And Special Counsel Steve Siegfried.

Reports and Informational Items

A City Attorney's Status Report. (Page 466)
(City Attorney's Office)

B Parking Status Report. (Page 472)
(Parking Department)

C Status Report On The Rehabilitation Of The Existing Building And Construction Of The New Fire Station No. 2. (Page 510)
(Capital Improvement Projects)

D Status Report On The Construction Of Fire Station No. 4. (Page 512)
(Capital Improvement Projects)

E Informational Report To The Mayor And City Commission, On Federal, State, Miami-Dade County, U.S. Communities, And All Existing City Contracts For Renewal Or Extensions In The Next 180 Days. (Page 514)
(Procurement)

F Non City Entities Represented By City Commission:

1. Minutes From The Performing Arts Center Trust Board Meeting On July 20, 2004. (Page 516)
(Requested by Commissioner Matti Herrera Bower)

2. Minutes From The Miami Beach Transportation Management Association Executive Board Meeting On May 10, 2004 And Agenda For The September 20, 2004 Meeting. (Page 522)
(Requested by Commissioner Matti Herrera Bower)

3. Minutes From The Miami-Dade County Homeless Trust Board Meeting On July 23, 2004. (Page 526)
(Requested by Vice-Mayor Richard L. Steinberg)

End of Regular Agenda

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
http:\\ci.miami-beach.fl.us

OFFICE OF THE CITY CLERK

HOW A PERSON MAY APPEAR BEFORE THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA

THE REGULARLY SCHEDULED MEETINGS OF THE CITY COMMISSION ARE ESTABLISHED BY RESOLUTION. SCHEDULED MEETING DATES ARE AVAILABLE ON THE CITY'S WEBSITE, DISPLAYED ON CHANNEL 20, AND ARE AVAILABLE IN THE CITY CLERK'S OFFICE. COMMISSION MEETINGS COMMENCE AT 9:00 AM. GENERALLY THE CITY COMMISSION IS IN RECESS DURING THE MONTH OF AUGUST.

1. DR. STANLEY SUTNICK CITIZENS' FORUM will be held during the first Commission meeting each month. The Forum will be split into two (2) sessions, 1:30 p.m and 5:30 p.m. Approximately thirty (30) minutes will be allocated per session for each of the subjects to be considered, with individuals being limited to no more than three (3) minutes. No appointment or advance notification is needed in order to speak to the Commission during this forum.

2. Prior to every Commission meeting, an Agenda and backup material are published by the Administration. Copies of the Agenda may be obtained at the City Clerk's Office on the Monday prior to the Commission regular meeting. The complete Agenda, including all backup material, is available for inspection the Monday and Tuesday prior to the Commission meeting at the City Clerk's Office and at the following Miami Beach Branch Libraries: Main, North Shore, and South Shore. The information is also available on the City's website which is - http://ci.miami-beach.fl.us.

3. Any person requesting placement of an item on the Agenda must provide a written statement with his/her complete address and telephone number to the Office of the City Manager, 1700 Convention Center Drive, 4th Floor, Miami Beach, Fl 33139, briefly outlining the subject matter of the proposed presentation. In order to determine whether or not the request can be handled administratively, an appointment may be scheduled to discuss the matter with a member of the City Manager's staff. "Requests for Agenda Consideration" will not be placed on the Agenda until after Administrative staff review. Such review will ensure that the issue is germane to the City's business and has been addressed in sufficient detail so that the City Commission may be fully apprised. Such written requests must be received in the City Manager's Office <u>no later than noon on Tuesday of the week prior to the scheduled Commission meeting</u> to allow time for processing and inclusion in the Agenda package. Presenters will be allowed sufficient time, within the discretion of the Mayor, to make their presentations and will be limited to those subjects included in their written requests.

4. Once an Agenda for a Commission Meeting is published, persons wishing to speak on items listed on the Agenda may call or come to City Hall, Office of the City Clerk, 1700 Convention Center Drive, telephone 673-7411, before 5:00 p.m. on the Tuesday prior to the Commission meeting and give their name, the Agenda item to be discussed, and if known, the Agenda item number.

5. All persons who have been listed by the City Clerk to speak on the Agenda item in which they are specifically interested, and persons granted permission by the Mayor, with the approval of the City Commission, will be allowed sufficient time, within the discretion of the Mayor, to present their views. When there are scheduled public hearings on an Agenda item, IT IS NOT necessary to register at the City Clerk's Office in advance of the meeting. All persons wishing to speak at a <u>public hearing</u> may do so and will be allowed sufficient time, within the discretion of the Mayor, to present their views.

6. If a person wishes to address the Commission on an emergency matter, which is not listed on the agenda, there will be a period of <u>fifteen minutes total</u> allocated at the commencement of the Commission Meeting at 9:00 a.m. when the Mayor calls for additions to, deletions from, or corrections to the Agenda. The decision as to whether or not the matter will be heard, and when it will be heard, is at the discretion of the Mayor and the City Commission. On the presentation of an emergency matter, the speaker's remarks must be concise and related to a specific item. Each speaker will be limited to three minutes.

CITY OF MIAMI BEACH

2004 CITY COMMISSION AND REDEVELOPMENT AGENCY MEETINGS

January 14 (Wednesday)	
February 4 (Wednesday)	February 25 (Wednesday)
March 17 (Wednesday)	
April 14 (Wednesday)	
May 5 (Wednesday)	May 26 (Wednesday)
June 9 (Wednesday)	
July 7 (Wednesday)	July 28 (Wednesday)

August City Commission in Recess – NO MEETINGS

September 8 (Wednesday)

October 13 (Wednesday)

November 10 (Wednesday)

December 8 (Wednesday)

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

An ordinance of the Mayor and City Commission of the City of Miami Beach, Florida, to consider including minimum and maximum developable lot regulations within the underlying RM-1 zoning district of the existing West Avenue Overlay Area.

Issue:

Should the City Commission amend the West Avenue Overlay area to include minimum and maximum developable lot regulations within the RM-1 zoning district?

Item Summary/Recommendation:

At its April 14th, 2004 meeting, the City Commission requested that the City Administration study and prepare zoning amendments to the West Avenue Overlay in order to achieve a greater compatibility between new construction and the existing low scale residential neighborhood.

In response, the City Administration has researched and developed minimum and maximum developable lot standards for the RM-1 zoning district within the existing overlay area.

The amendments have been designed to accommodate single lot redevelopment projects which would not otherwise conform to the current RM-1 zoning, while limiting the maximum redevelopment envelope to the FAR and setback requirements of not more than two contiguous existing lots. Lot ownership and assembly through *unity of title* would not be affected by these changes.

The City Commission heard this item on first reading, September 8, 2004 and voted 6-1 to recommend the amendments for second reading public hearing on October 13, 2004.

The Administration recommends that the City Commission adopt the amendments on second reading public hearing.

Advisory Board Recommendation:

The Planning Board heard this matter at its July 27, 2004 meeting and voted 6-0 (1 absent) to recommend to the City Commission adoption of the amendments.

Financial Information:

Source of Funds:		Amount	Account	Approved
	1			
	2			
Finance Dept.	Total			

City Clerk's Office Legislative Tracking:

Jorge G. Gomez/ Reuben N. Caldwell, Planning Department

Sign-Offs:

Department Director	Assistant City Manager	City Manager
JGG	aec	JMG

AGENDA ITEM R5A

DATE 10-13-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

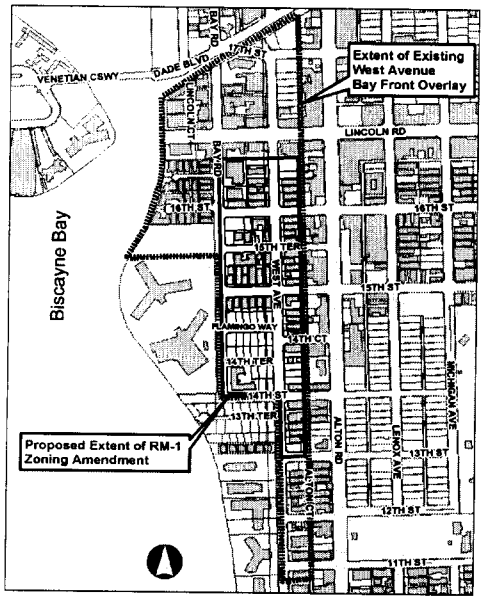
Second Reading Public Hearing

Subject: **WEST AVENUE OVERLAY – MINIMUM/ MAXIMUM DEVELOPABLE LOT REGULATIONS**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE III, "OVERLAY DISTRICTS," DIVISION 5, "WEST AVENUE BAY FRONT OVERLAY," SECTION 142-842, "LOCATION AND PURPOSE," AND SECTION 142-843, "COMPLIANCE WITH REGULATIONS," TO INCLUDE MINIMUM AND MAXIMUM DEVELOPABLE LOT REGULATIONS WITHIN THE UNDERLYING RM-1 RESIDENTIAL MULTI-FAMILY LOW INTENSITY ZONING DISTRICT OF THE SUBJECT OVERLAY AREA PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

ADMINISTRATION RECOMMENDATION

The City Administration recommends that the City Commission adopt the proposed West Avenue Overlay amendments regarding minimum and maximum developable lot regulations on second reading public hearing.



BACKGROUND:

At its April 14th, 2004 meeting, the City Commission discussed the area between 12th Street and 17th Street to the west of Alton Road with regard to the impact of new residential redevelopment on traffic congestion and the *as-built* character of the existing neighborhood. As a result of this discussion, the City Commission requested that the City Administration study and prepare zoning amendments to the existing West Avenue Bay Front Overlay which would further refine the zoning parameters for new projects to be more compatible with the existing low scale, single-family and multi-family buildings primarily located in the low intensity RM-1 zoning district (see map) of the overlay area.

ANALYSIS:

In responding diligently to the Commission's concerns with regard to the pace and character of redevelopment in the West Avenue area, the City Administration has researched and developed minimum and maximum developable lot standards for the RM-1 district of the existing overlay area as an immediate remedy to the increasingly incongruent scale relationship between recent infill development and the existing architectural fabric. Furthermore, the Administration has developed these initial amendments with consideration for the potential legal impact this and other land development overlay regulations may entail and believes this route to best address the Commission's concerns with regard to overdevelopment in an equitable manner.

Data and Research

Referring to the extruded aerial atlas and the analysis maps prepared by Planning Department staff, the area west of Alton Road is sharply characterized by low density commercial and residential development to the east and by high density residential development along the Biscayne Bay front as well as the immediate area surrounding Lincoln Road. Recent lot assembly and redevelopment has primarily occurred within the existing one and two story nonconforming single-family neighborhood located between 14th and 16th Streets and has generally involved the assembly of two or more existing lots. The current data and analysis also suggests that the majority of these low scale dwellings remain under individual ownership and have not been assembled for *as of right* redevelopment.

Hypothesis

The Administration believes that while economically viable new construction should be accommodated, the impact of expansive new infill construction within the existing established pattern of 50 and 60 foot wide parcels should be minimized by limiting the maximum developable lot width to no more than two contiguous lots assembled along existing side property lines. Furthermore, staff believes that the existing minimum lot area required under the RM-1 regulations should be reduced from 5600 sq. ft. to 5000 sq. ft. in order to accommodate the prevailing but currently nonconforming existing 50 X 100 ft. single-family and multi-family parcel dimensions. Lot ownership and assembly through *unity of title* would not be affected by these changes.

Building Envelope Analysis Scenarios

In studying the implications of the above assertions, the Administration analyzed several building envelope massing studies involving single, two, three and four or more lot assembly development scenarios. Each has been set within a context model of the surrounding neighborhood and has been designed to reflect the potential massing that the allowed 1.25 FAR might produce as well as the maximum allowable height by Code.

Findings

While the single lot development scenario certainly achieves the most cohesiveness in terms of relating to the existing development pattern, the viability of the structure in terms of off-street parking and contextual height and design of side elevations may be

significantly impacted by the narrow building footprint. The two lot assembly begins to create the opportunity for increased light and air between structures as well as significantly improved contextual design opportunities at all elevations. Furthermore, although the two lot configuration may not produce the most economically viable scenario because the parking count will be kept low, this suggests that the density in terms of unit count will also be kept low, therefore having a lesser impact on traffic congestion. The three lot assembly represents the scenario currently preferred by developers because of its viability; however, the three lot assembly clearly has a diminished contextual relationship with the established 50ft wide development pattern. Finally, the four and above lot assembly scenario bears little contextual relationship with the *as built* pattern and produces a structure more similar in character to the medium/ high density associated with the area surrounding Lincoln Road and not that of the prevailing low density subject study area.

Options/ Recommendations and Conclusions
In view of the foregoing analysis, the administration recommends that of the four scenarios studied; the two lot maximum developable envelope should be viewed as the most practical scenario toward balancing a desire to maintain the prevailing character of the existing platting while allowing viable new residential development to occur as established in the underlying RM-1 zoning. Furthermore, because the massing studies reflect the maximum potential square footage allowed at an FAR of 1.25 and offer much flexibility in terms of the location, height and configuration of massing on site, the administration additionally recommends that this amendment be followed with further examination of the regulations for the area in order to produce the optimum contextual relationship between existing structures and new infill construction. The administration believes that this may be best served through augmentation of the existing overlay to become a Neighborhood Conservation District upon the adoption of the enabling legislation currently being considered by the City Commission for second reading.

PLANNING BOARD ACTION
The Planning Board heard this matter at a public hearing on July 27, 2004, and the Board voted 6-0 (1 absent) to recommend that the City Commission adopt the amendments to the West Avenue Overlay area ordinance.

CITY COMMISSION ACTION
The City Commission heard this item on first reading, September 8, 2004 and voted 6-1 to recommend the ordinance for second reading public hearing on October 13, 2004.

FISCAL IMPACT
While no direct fiscal impact is contemplated, this ordinance may diminish the potential number of residential units which could currently be constructed in this particular RM-1 zoning district thereby affecting the City's future potential tax revenue base.

CONCLUSION
With regard to public notice, in addition to the required newspaper advertisement of this item at the initial Planning Board public hearing on May 25, 2004, a courtesy notice of the

meeting was sent to each property owner within the affected RM-1 zoning district. Subsequently, additional courtesy notice has been sent regarding the September 8th,2004 City Commission first reading of this item as well as the current October, 13, 2004 second reading public hearing of the item.

Finally, according to Sec. 118-164, when a request to amend the land development regulations does not change the actual list of permitted, conditional or prohibited uses in a zoning category, the proposed ordinance requires two readings, by title or in full on at least two separate days and shall, at least ten days prior to adoption, be noticed once in a newspaper of general circulation in the city. Following the second reading public hearing, the Commission can adopt the ordinance by a 5/7ths vote.

JMG/CMC/JGG/rnc
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ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE III, "OVERLAY DISTRICTS," DIVISION 5, "WEST AVENUE BAY FRONT OVERLAY," SECTION 142-842, "LOCATION AND PURPOSE," AND SECTION 142-843, "COMPLIANCE WITH REGULATIONS," TO INCLUDE MINIMUM AND MAXIMUM DEVELOPABLE LOT REGULATIONS WITHIN THE UNDERLYING RM-1 RESIDENTIAL MULTI-FAMILY LOW INTENSITY ZONING DISTRICT OF THE SUBJECT OVERLAY AREA PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach is a vibrant urban paradise wherein a collective civic experience has produced the pedestrian life of South Beach; and

WHEREAS, the Biscayne Bay Front of South Beach forms the beautiful western edge to this pedestrian experience; and

WHEREAS, the character and quality of life in the neighborhoods of South Beach fronting along West Avenue are diminishing through development that does not reflect the inherent attributes of their cohesive low scale character; and

WHEREAS, the City Commission has deemed it appropriate for the public health, safety and welfare of the City through the Future Land Use Section of the Comprehensive Plan to preserve and enhance these enclaves of the City's urbane pedestrian experience; and

WHEREAS, the City of Miami Beach Planning Department continues to identify urban planning strategies toward a Master Plan for the Bay Front neighborhoods which will maintain their low scale character; and

WHEREAS, the current strategies of the "West Avenue Bay Front District", will continue to be further refined to be recognized in the City Code through the creation of land-use overlay regulations, incentive programs and revised development review procedures ultimately to become the West Avenue Bay Front Neighborhood Conservation District; and

WHEREAS, these immediate amendments as set forth below are necessary to accomplish the most fundamental of the above objectives.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY

COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA.

SECTION 1. That Chapter 142, "Zoning Districts and Regulations," Article III, "Overlay Districts," Division 5, "West Avenue Bay Front Overlay " of the Land Development Regulations of the Code of the City of Miami Beach is hereby amended as follows:

DIVISION 5. WEST AVENUE BAY FRONT OVERLAY

Sec. 142-842. Location and purpose.

~~The overlay regulations of this division shall apply to existing low scale properties, which were designed and constructed to be no more than three (3) stories in height, and are located in the subject district between the Collins Canal and the south side of 11th Street, and between Alton Court to the east and Biscayne Bay to the west.~~

~~The purpose in identifying this subject overlay district is to provide land-use incentives to property owners and developers who retain existing structures and maintain the low-scale, as-built character predominate in the existing low intensity (RM-1) and medium intensity (RM-2) underlying residential zoning of the subject district.~~

The subject overlay district shall be bounded by the south bulkhead line of the Collins Canal on the north , the south side of 11th Street inclusive of Lot 8, Block 84 on the south, and between the centerline of Alton Court on the east and the Biscayne Bay bulkhead line on the west.

The purpose in identifying this subject overlay district is to provide district specific land development regulations and land-use incentives to property owners and developers who retain existing structures and/ or provide new infill structures that maintain the low-scale, as-built character predominate in the existing low intensity (RM-1) and medium intensity (RM-2) underlying residential zoning district of the subject overlay area.

The intent of the overlay regulations of this division relating to minimum and maximum developable lots within the underlying RM-1 zoning district shall be to bring into conformance existing undersized lot configurations that currently do not meet Code and to further regulate new infill development upon aggregated lots to an incremental lot configuration of generally one or two contiguous parcels aggregated along existing side property lines.

The overlay regulations of this division relating to residential offices, suites hotel or bed and breakfast inns shall only apply to existing low scale properties, which were designed and constructed to be no more than three (3) stories in height, and are located in the subject overlay district .

Sec. 142-843. Compliance with regulations

***

(e) All development regulations and setback requirements in the underlying (RM-1) zoning district shall remain except that the following regulations regarding minimum

and maximum developable lot shall apply:

(1) The maximum developable lot area shall be limited to no more than two contiguous lots joined along the side property lines.

(2) The maximum developable lot area shall not be achieved through the assembly of two contiguous lots assembled along the rear property line.

(3) Minimum and maximum lot dimensions shall be as follows:

WEST AVENUE OVERLAY
DEVELOPABLE LOT REGULATIONS WITHIN THE EXISTING RM-1

Existing Platted Lot Depth	Minimum Developable Lot Width		Maximum Developable Lot Width	Minimum Developable Lot Area	Maximum Developable Lot Area
100ft. @ Blocks 67-A, 67-B 79-A, 79-B, 79-C	Interior	50ft.	100ft. 125ft. @Blk.67-A	5000sq. ft.	10, 000 sq. ft. 12,500 sq. ft. @Blk.67-A
	Corner	60ft.	110ft. 135ft. @Blk.67-A	6000sq. ft.	11, 000 sq. ft. 13,500 sq. ft. @Blk.67-A
105ft. @ Block 81	Interior	50ft.	100ft.	5250 sq. ft.	15,000 sq. ft.
	Corner	65ft.	115ft.	6825 sq. ft.	17,250 sq. ft.
112ft. @ Block 79-A	Interior	50ft.	100ft.	5600 sq. ft.	11,200 sq. ft.
	Corner	60ft.	110ft.	6720 sq. ft.	12,320 sq. ft.
115ft. @ Block 81	Corner	45ft.	150ft	5175 sq. ft.	17, 250 sq. ft.
150ft. @ Blocks 45, 66, 66-A, 67-B, 78, 78-A, 81	Interior	50ft.	100ft.	7500 sq. ft.	15,000 sq. ft.
	Corner	50ft.	100ft.	7500 sq. ft.	15,000 sq. ft.
		55ft. @Blk.78	105ft.	8250 sq. ft.	15, 750 sq. ft. @Blk. 78
		57ft. @Blk.78-A	107ft.	8550 sq. ft.	16, 050 sq.ft. @Blk. 78-A
		60ft.@Blk. 67-B	110ft.	9000 sq. ft.	16, 500 sq.ft. @Blk. 67-B
		65ft. @Blk. 81	115ft.	9750 sq. ft.	17, 250 sq. ft. @Blk. 81
160ft. @ Block 44	Interior Corner	50ft.	100ft.	8000 sq. ft.	16, 000 sq. ft.

SECTION 2. CODIFICATION.

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

SECTION 3. REPEALER.

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

SECTION 4. SEVERABILITY.

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

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED AND ADOPTED this _____ day of _____, 2004

ATTEST:

_____

MAYOR

_____

CITY CLERK

_____

PLANNING DIRECTOR

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

CITY ATTORNEY DATE 9-2-04

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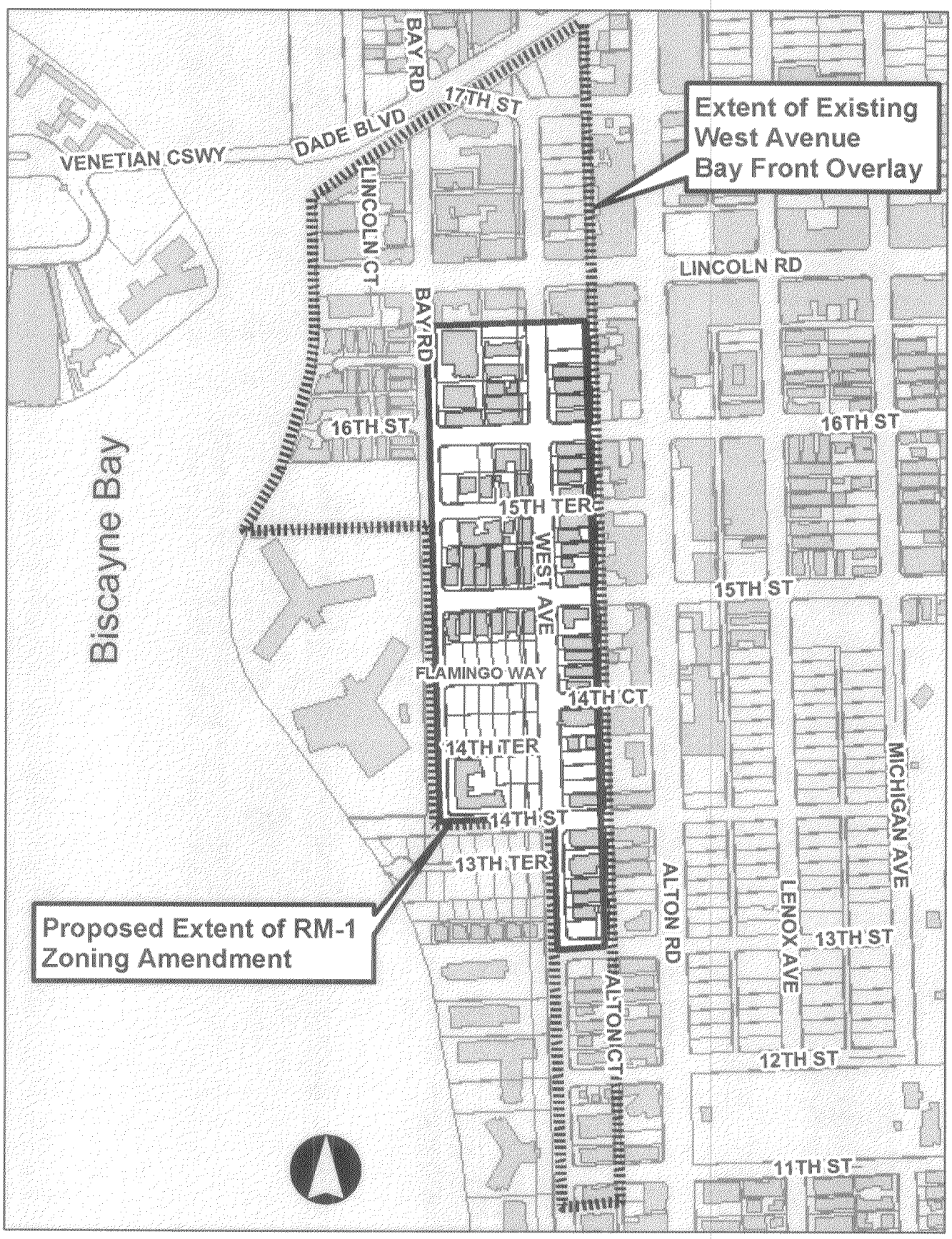
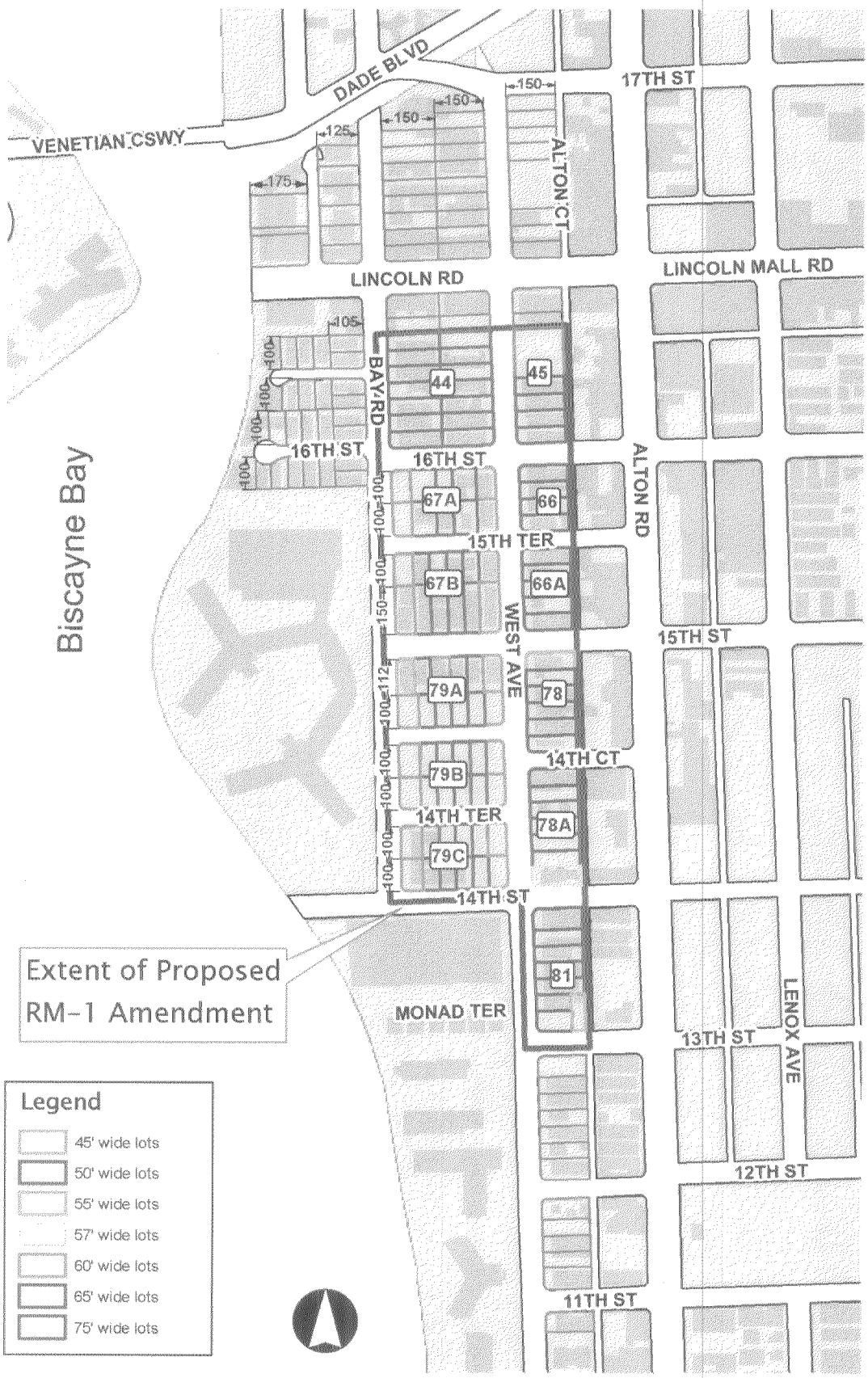

Extent of Existing
West Avenue
Bay Front Overlay
Proposed Extent of RM-1
Zoning Amendment
BAY RD
17TH ST
DADE BLVD
VENETIAN CSWY
LINCOLN CT
LINCOLN RD
BAY RD
16TH ST
16TH ST
Biscayne Bay
15TH TER
WEST AVE
15TH ST
FLAMINGO WAY
14TH CT
14TH TER
MICHIGAN AVE
14TH ST
13TH TER
ALTON RD
LENOX AVE
13TH ST
ALTON CT
12TH ST
11TH ST

West Avenue Bayfront Overlay Parcel Ownership Analysis

Prepared by the City of Miami Beach Planning Department, May 2004

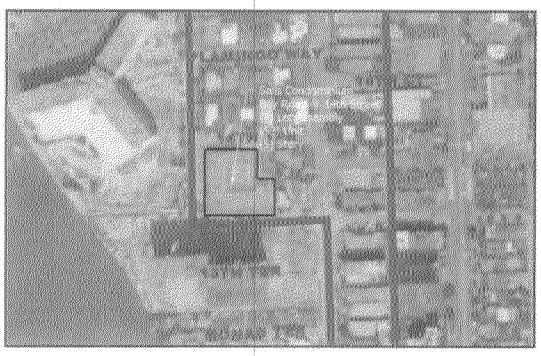
West Avenue Bayfront Overlay
Lot Width/Depth Analysis

Prepered by the City of Miami Beach Planning Department, May 2004



RECENT INFILL REDEVELOPMENT PROJECTS

2004

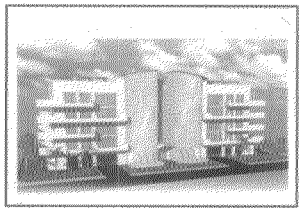


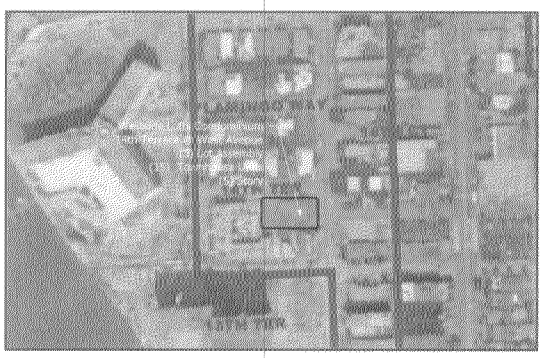
Sails Condominium – 1401 Bay Road

(7) Lot Assembly (@ side and rear lot lines)

(52) Units

(5) Floors





Westside Lofts Condominium – 1320 14th Terrace

(3) Lot Assembly (@ side lot lines)

(15) Townhouse Units

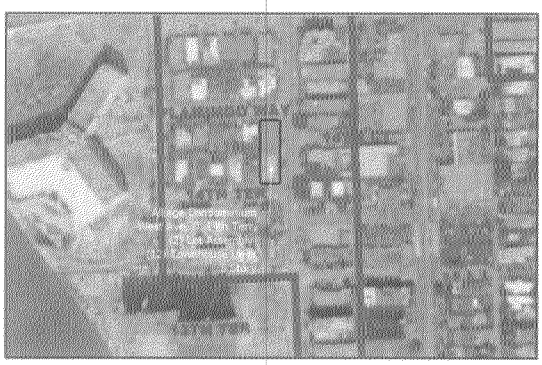
(5) Floors

Illona Bay Condominium – 1577 Bay Road

(2.5) Lot Assembly (@ side lot lines)

(9) Townhouse Units

(5) Floors



Alliage Condominium – 1428 West Avenue

(2) Lot Assembly (@ rear lot line)

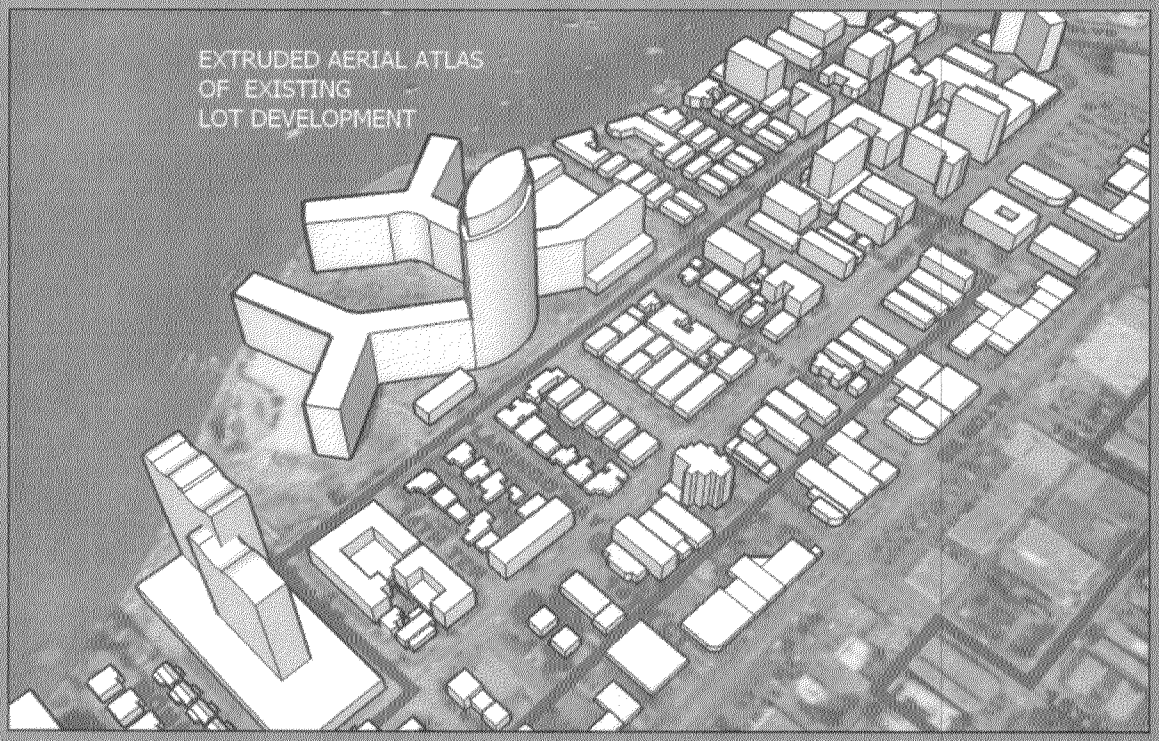
(12) Townhouse Units

(5) Floors

West Avenue Bay Front Overlay

Minimum/ Maximum Developable Lot Scenarios

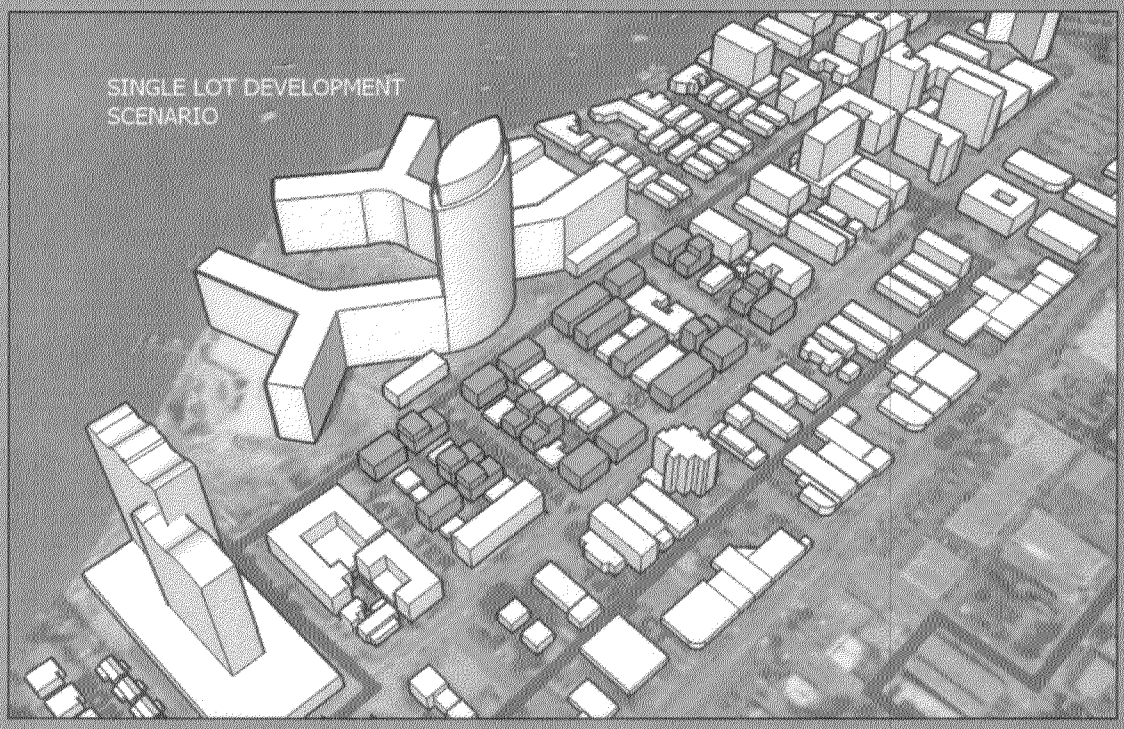
May 2004

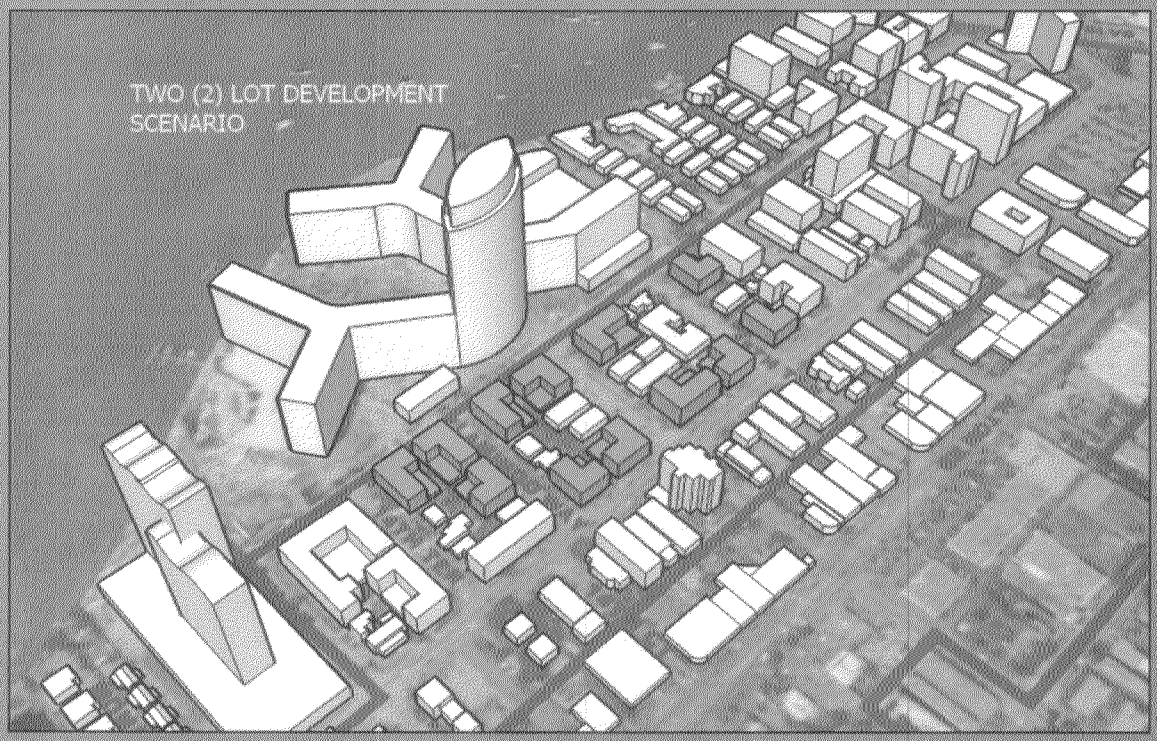


West Avenue Bay Front Overlay

Minimum/ Maximum Developable Lot Scenarios

May 2004

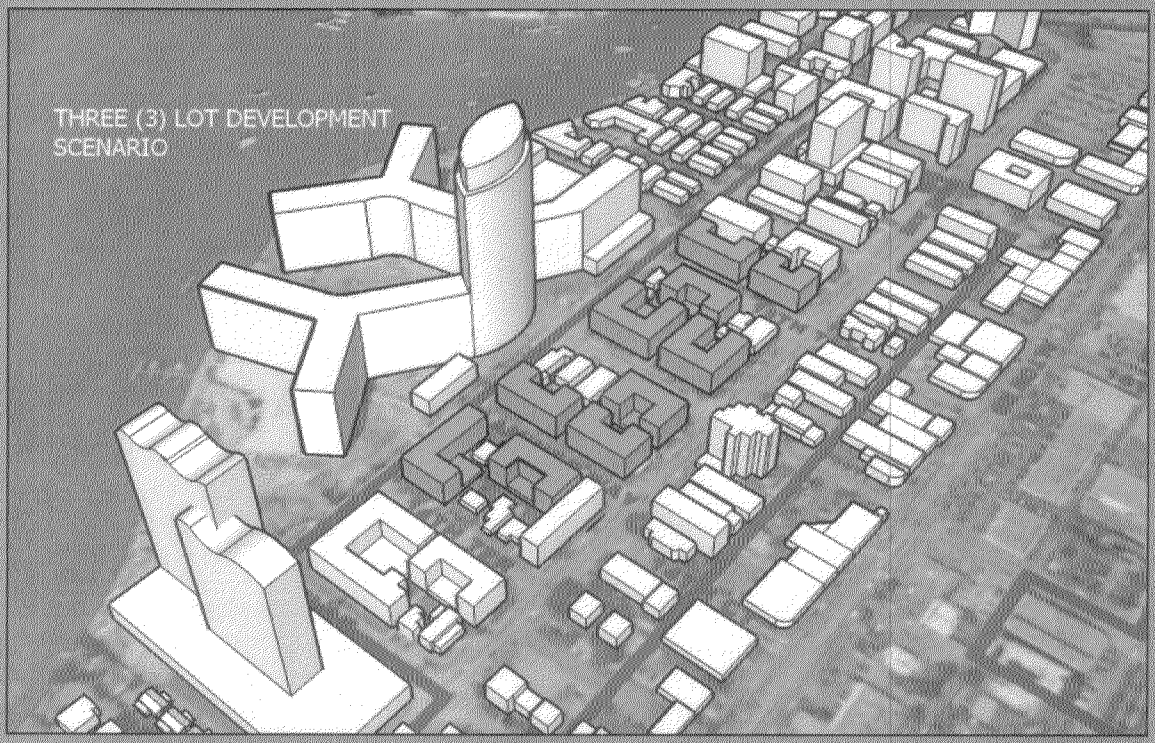


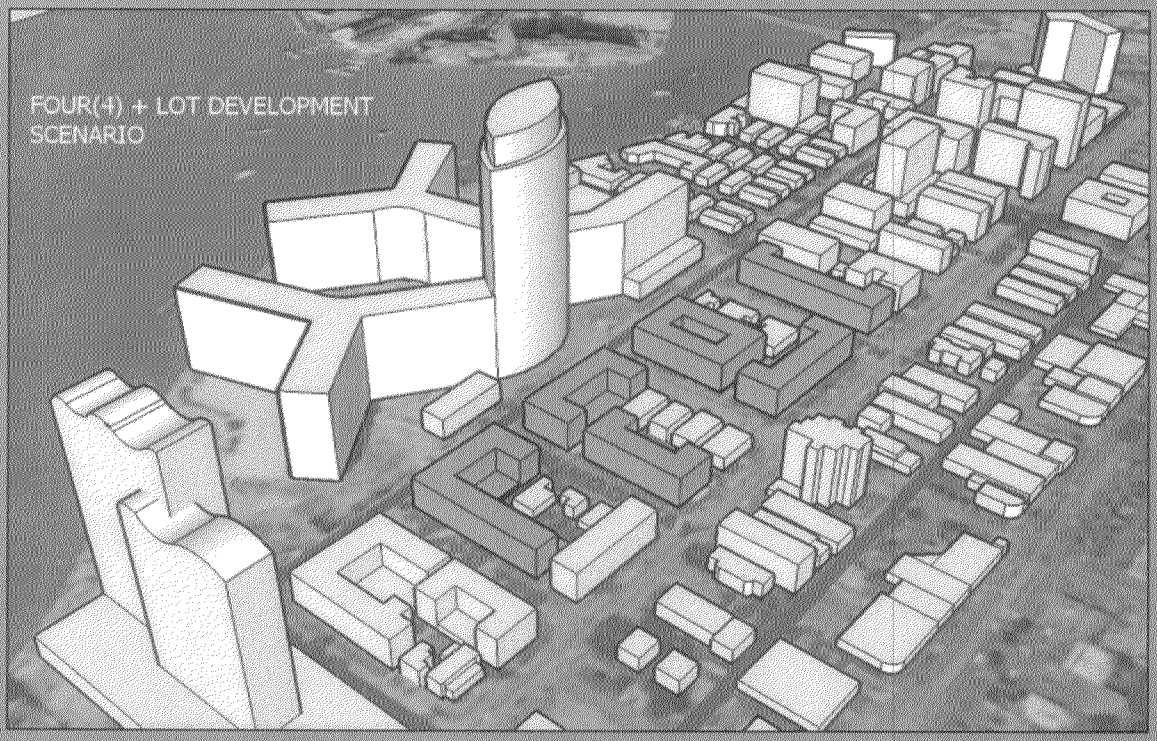


West Avenue Bay Front Overlay

Minimum/ Maximum Developable Lot Scenarios

May 2004

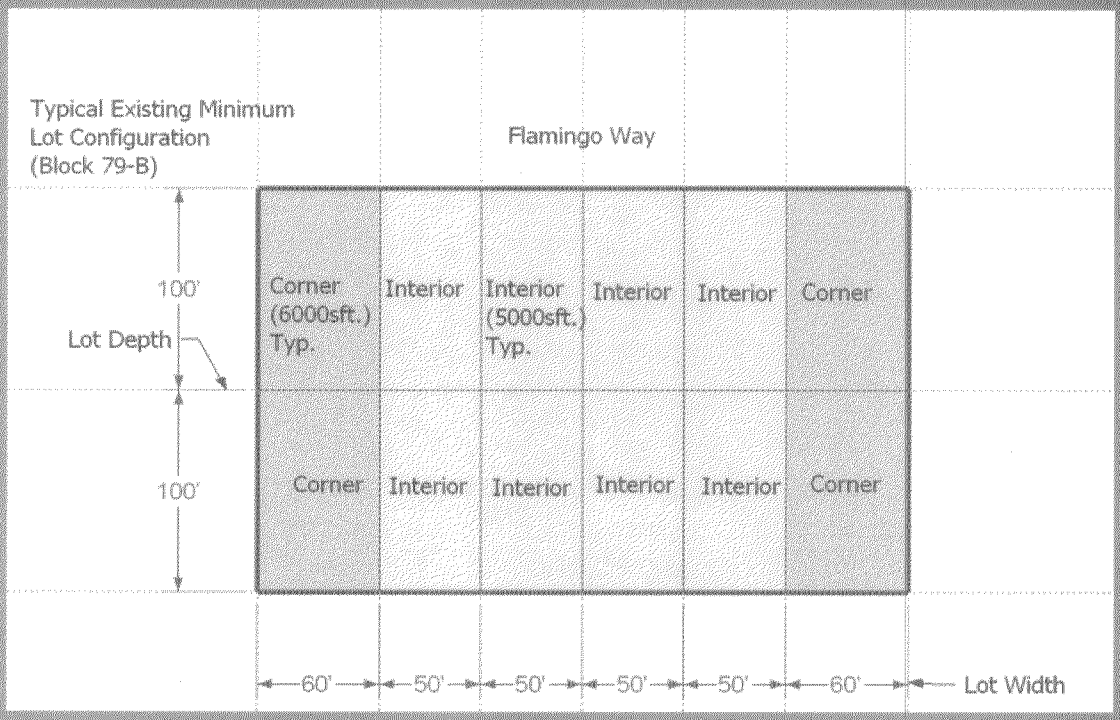


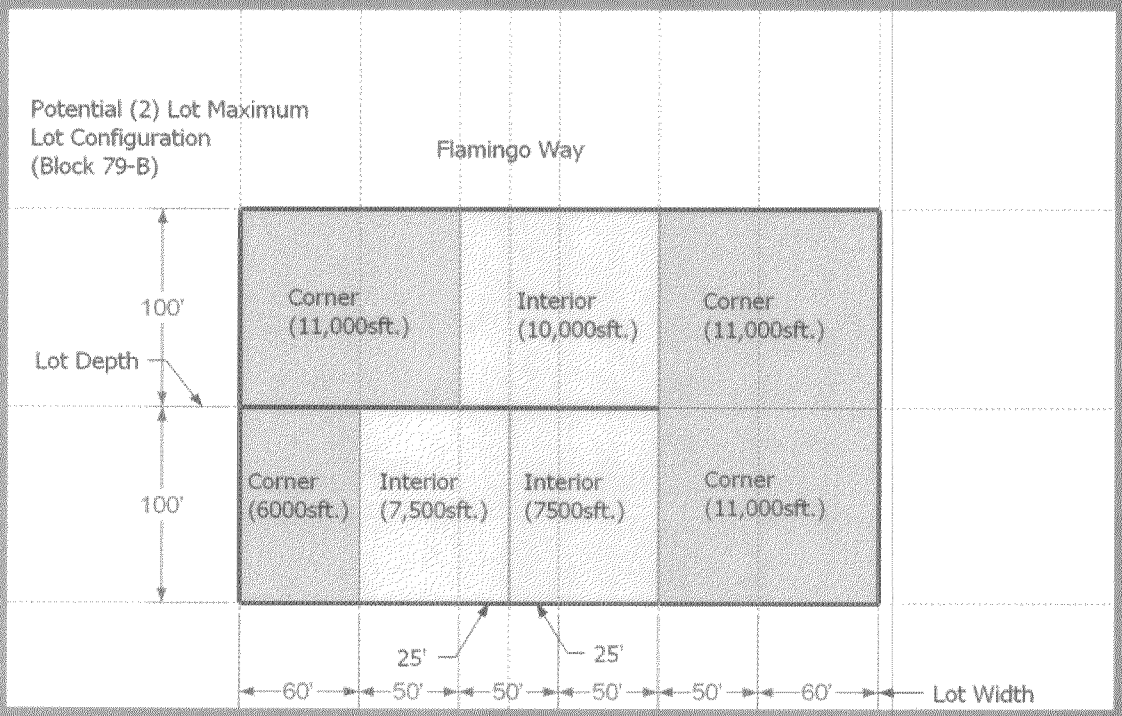


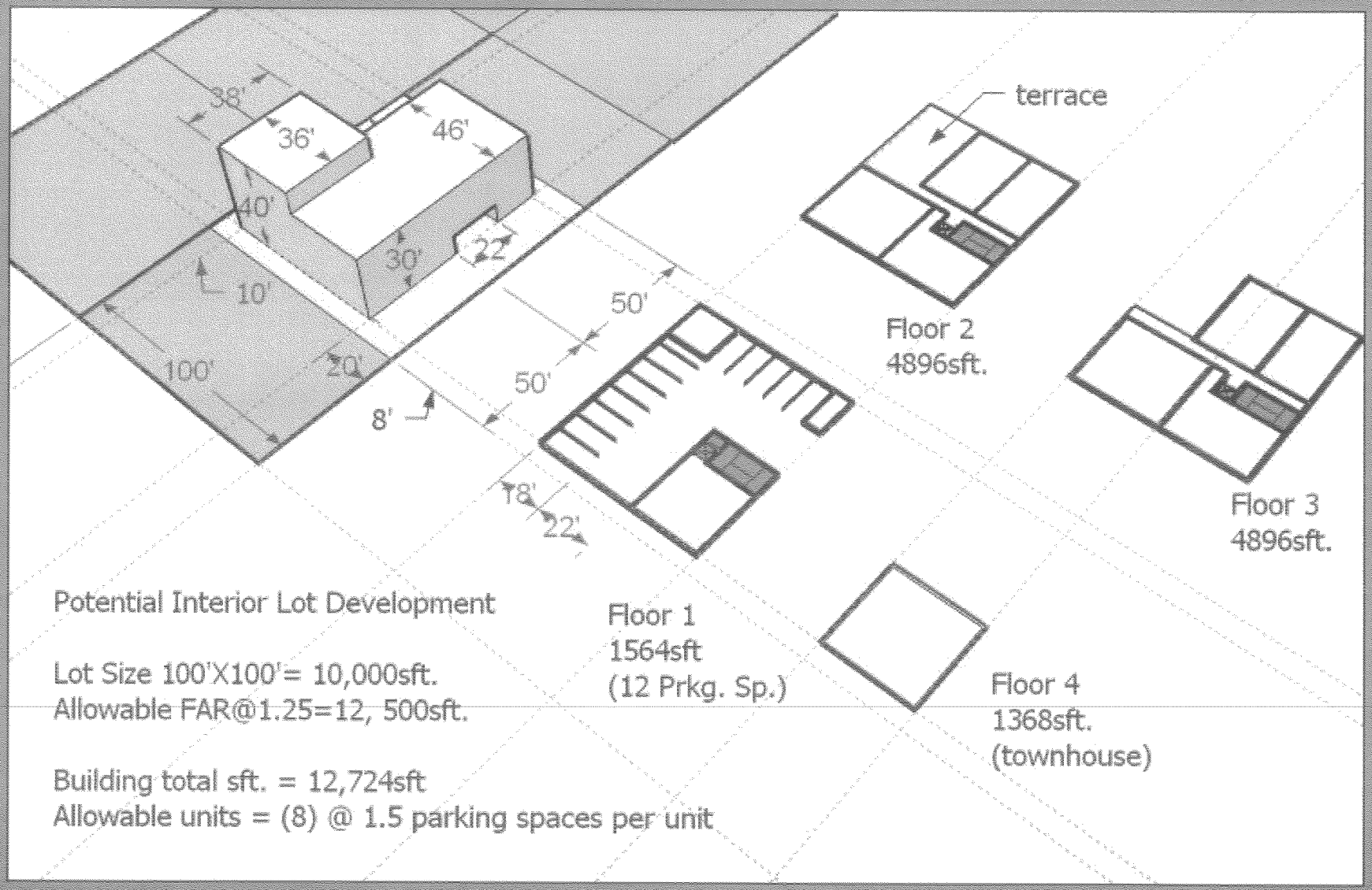
West Avenue Bay Front Overlay

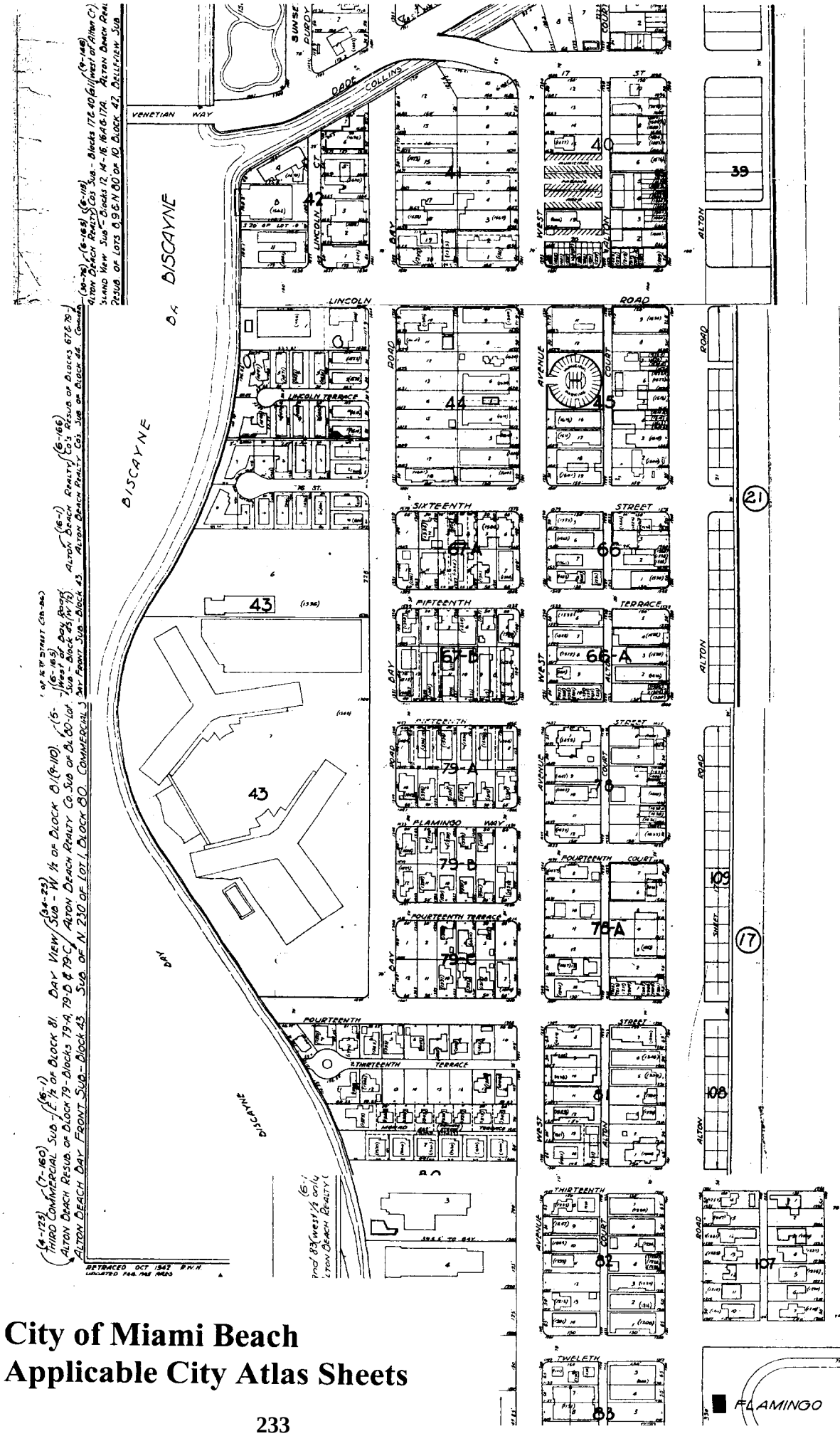
Minimum/ Maximum Developable Lot Scenarios

May 2004






38'
36'
46'
40'
30'
22'
10'
100'
20'
8'
50'
50'
18'
22'
terrace
Floor 2
4896sft.
Floor 3
4896sft.
Floor 1
1564sft
(12 Prkg. Sp.)
Floor 4
1368sft.
(townhouse)
Potential Interior Lot Development
Lot Size 100'X100'= 10,000sft.
Allowable FAR@1.25=12, 500sft.
Building total sft. = 12,724sft
Allowable units = (8) @ 1.5 parking spaces per unit



City of Miami Beach
Applicable City Atlas Sheets

CITY OF MIAMI BEACH
NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY given that public hearings will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, October 13, 2004, at the times listed below, to consider the following:**

at 11:00 a.m.:

TO CONSIDER THE PROPOSED USES OF THE LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS.

Inquiries may be directed to the Grants Management at (305) 673-7000 extension 6183.

at 11:15 a.m.:

TO CONSIDER THE PLACEMENT OF A COMMEMORATIVE PLAQUE IN THE CITY'S VICTORY GARDEN, LOCATED AT 226 COLLINS AVENUE, MIAMI BEACH, FLORIDA, HONORING THE LATE JOSEPH J. VILLARI.

Inquiries may be directed to the Economic Development at (305) 673-7260.

at 5:01 p.m.:

AN ORDINANCE AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE III, "OVERLAY DISTRICTS," DIVISION 5, "WEST AVENUE BAY FRONT OVERLAY," SECTION 142-842, "LOCATION AND PURPOSE," AND SECTION 142-843, "COMPLIANCE WITH REGULATIONS," TO INCLUDE MINIMUM AND MAXIMUM DEVELOPABLE LOT REGULATIONS WITHIN THE UNDERLYING RM-1 RESIDENTIAL MULTI-FAMILY LOW INTENSITY ZONING DISTRICT OF THE SUBJECT OVERLAY AREA PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

Inquiries may be directed to the Planning Department at (305) 673-7550.

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting may be continued and under such circumstances additional legal notice would not be provided.

Robert E. Parcher, City Clerk
City of Miami Beach

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

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

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

An ordinance amending the Land Development Regulations for RM-1, RM-2 and TH to establish revised standards for parking lot setback requirements when there is an approved street improvement plan that incorporates a public-private parking agreement with the City.

Issue:

Should the City waive setback requirements for parking in the front yard in the RM-1, RM-2 and TH districts in cases where there is an approved street improvement plan to improve an existing condition involving parking that does not conform to the setback requirements?

Item Summary/Recommendation:

The primary reason for this change is to address the City's residential parking shortage in areas where existing conditions and the zoning setback requirements prevent both the public and private development of parking improvements for residents. The GO Bond Streetscape design process has identified a need to improve existing parking spaces that are located partially in the public right-of-way and partially on private property in the following locations: North Shore Drive in Normandy Shores, and Gary Avenue on Park View Island. These design concepts have been supported by neighborhood residents and documented in the approved Basis of Design Reports. Additionally, the proposed streetscape improvements for the Gilbert Fein district (Lincoln Terrace and 16th Street west of Bay Road) would be able to benefit from this amendment. This amendment would allow the City to proceed with design and construction of the parking and street improvements by allowing for a waiver of the parking lot setback requirement for RM-1, RM-2 and TH when there is public-private parking agreement for the use of City right-of-way and adjacent private property for neighborhood parking based on an approved street improvement plan.

The public-private agreements entail that the private property owner imparts an easement or similar rights to improve and use a portion of his or her "private" property adjacent to the right-of-way, in a manner determined by the City Attorney. Under the current parking setback requirements, this private property would not be allowed to be used for parking. When combined with the City's right-of-way width, this additional footage increases the potential net parking for the street improvement plan.

Advisory Board Recommendation:

Upon referral from the City Commission on May 26, 2004, the Land Use and Development Committee favorably discussed the proposed amendment on June 7, 2004.

Upon referral from the City Commission on July 7, 2004, the Planning Board heard this matter at a public hearing on August 24, 2004, and voted 7-0 (unanimously) to recommend that the City Commission adopt the amendment, subject to an amendment clarifying that future street improvement plans that involve public-private parking agreements would be approved by the DRB or HPB, as applicable.

Financial Information:

Source of Funds: Finance Dept.		Amount	Account		Approved

City Clerk's Office Legislative Tracking:

Planning Department - Joyce Meyers Ext. 6167

Sign-Offs:

Department Director	Assistant City Manager	City Manager

AGENDA ITEM R5B

DATE 10-13-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

First Reading

Subject: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS", ARTICLE II, "DISTRICT REGULATIONS", DIVISION 3, "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION II, "RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY," SUBDIVISION IV, "RM-2 RESIDENTIAL MULTIFAMILY MEDIUM INTENSITY," AND DIVISION 15, "TH TOWN HOUSE RESIDENTIAL DISTRICT," BY AMENDING SECTION 142-156, SECTION 142-218 AND SECTION 142-606, RESPECTIVELY, TO ESTABLISH REVISED STANDARDS FOR PARKING LOT SETBACK REQUIREMENTS WHEN THERE IS AN APPROVED STREET IMPROVEMENT PLAN THAT INCORPORATES A PUBLIC-PRIVATE PARKING AGREEMENT WITH THE CITY; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.**

ADMINISTRATION RECOMMENDATION

The City Administration recommends that the City Commission approve the proposed Public-Private Parking Amendment on first reading and set a second reading public hearing for a time certain after 5:00 p.m. at the November 10, 2004 City Commission meeting.

BACKGROUND

The primary reason for this change is to address the City's residential parking shortage in areas where existing conditions and the zoning setback requirements prevent both the public and private development of parking improvements for residents. The GO Bond Streetscape design process has identified a need to improve existing parking spaces that are located partially in the public right-of-way and partially on private property in the following locations: North Shore Drive in Normandy Shores, and Gary Avenue on Park View Island. These design concepts have been supported by neighborhood residents and documented in the approved Basis of Design Reports. This amendment would allow the City to proceed with design and construction of such parking by allowing for a waiver of the parking lot setback requirement for RM-1, RM-2 and TH when there is public-private parking agreement for the use of City right-of-way and adjacent private property based on an approved street

improvement plan. Additionally, the proposed streetscape improvements for the Gilbert Fein district (Lincoln Terrace and 16th Street west of Bay Road) would be able to benefit from this amendment.

ANALYSIS

The City Code provides setback requirements for parking lots for its Zoning Districts. For RM-1 and RM-2 this setback is twenty (20) feet for the front, five (5) feet or 5% of the lot width, which ever is greater, for the side, (5) feet rear setback for non-oceanfront lots and fifty (50) feet rear setback from the bulkhead line for oceanfront lots. For TH, Townhouse Residential, the parking lot setback requirement is the same as the building setback which is twenty (20) feet for the front, fifteen (15) feet between buildings and on sides facing a street; seven and half (7.5) feet for interior sides and twenty (20) feet at a minimum for the rear setback.

The neighborhoods that are affected by the proposed amendment were constructed in the Post-War building boom when vehicle ownership was low and the City did not regulate on-site parking. Over the years, the City has allowed vehicles to park informally in the front yards of many of these buildings. In most cases, there is no information in the building permit as to whether the parking was permitted in the front yard. The building setbacks are 20 feet or less from the street; therefore the parking spaces (18 feet in length) typically occupy both private property and public street right-of-way. If these parking spaces were to be removed, there would be a severe impact on the entire neighborhood, which is already experiencing a parking shortage.

The City's GO Bond Streetscape design process has identified a need to improve neighborhood streets for both aesthetic and safety reasons. The proposed improvements would add sidewalks, street trees and other landscaping where only bare asphalt paving exists today. If the street improvements were to remove existing parking spaces that are located partially in the public right-of-way and partially on private property, there would be a net loss of parking for neighborhood residents. Therefore, the designers looked for creative ways to preserve as many of the parking spaces as possible. Under the proposed design solution in the City's streetscape project, the entire neighborhood would benefit from the aesthetic improvement created by organizing the parking, installing street trees and other landscaping in islands between parking spaces and reducing the overall amount of asphalt pavement. The public would also benefit in some cases such as North Shore Drive in Normandy Shores where there would be a public sidewalk constructed in the easement dedicated from private property. This amendment would allow the City to proceed with design and construction by entering into public/private parking agreements with the adjacent land owners on a case-by-case basis.

In general, these agreements entail that the private property owner imparts an easement or similar rights to improve and use a portion of his or her "private" property adjacent to the right-of-way, in a manner determined by the City Attorney. Under the current parking setback requirements, this private property would not be allowed to be used for parking. When combined with the City's right-of-way width, this additional footage increases the

potential net parking for the street improvement plan.

CITY COMMISSION REFERRAL

On May 26, 2004, the City Commission referred this item to the Land Use and Development Committee with the recommendation to add RM-2 to the ordinance.

LAND USE AND DEVELOPMENT COMMITTEE DISCUSSION

Upon referral from the City Commission, the Land Use and Development Committee favorably discussed the proposed amendment on June 7, 2004.

PLANNING BOARD ACTION

Upon referral from the City Commission on July 7, 2004, the Planning Board heard this matter at a public hearing on August 24, 2004 and voted 7-0 (unanimously) to recommend that the City Commission adopt the ordinance, subject to an amendment clarifying that future street improvement plans that involve public-private parking agreements would be approved by the DRB or HPB, as applicable.

FISCAL IMPACT

A positive fiscal impact is anticipated by this amendment as it is intended to increase the economic viability of existing structures by providing enhanced neighborhood streetscape and off-street parking conditions.

CONCLUSION

According to Sec. 118-164, when a request to amend the land development regulations does not change the actual list of permitted, conditional or prohibited uses in a zoning category, the proposed ordinance requires two readings, by title or in full on at least two separate days and shall, at least ten days prior to adoption, be noticed once in a newspaper of general circulation in the city. Following the second reading public hearing, the Commission can adopt the ordinance by a 5/7ths vote.

JMG\CMC\JG\JAM
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ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS", ARTICLE II, "DISTRICT REGULATIONS", DIVISION 3, "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION II, "RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY," SUBDIVISION IV, "RM-2 RESIDENTIAL MULTIFAMILY MEDIUM INTENSITY," AND DIVISION 15, "TH TOWN HOUSE RESIDENTIAL DISTRICT," BY AMENDING SECTION 142-156, SECTION 142-218 AND SECTION 142-606, RESPECTIVELY, TO ESTABLISH REVISED STANDARDS FOR PARKING LOT SETBACK REQUIREMENTS WHEN THERE IS AN APPROVED STREET IMPROVEMENT PLAN THAT INCORPORATES A PUBLIC-PRIVATE PARKING AGREEMENT WITH THE CITY; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach continually seeks to update the requirements of the Land Development Regulations of the Code of the City of Miami; and

WHEREAS, the City of Miami Beach has adopted regulations pertaining to the setback requirements for parking lots; and

WHEREAS, the City of Miami Beach desires to refine, clarify, expand and enhance existing procedures and requirements to allow for the development of parking opportunities in those area where public and private opportunities are hindered by existing conditions; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

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

SECTION 1. That Section 142-156 of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended as follows:

Sec. 142-156. Setback requirements.
(a) The setback requirements for the RM-1 residential multifamily, low density district are as follows:

	Front	Side, Interior	Side, Facing a Street	Rear
At-grade parking lot on the same lot except where (c) below is applicable	20 feet	5 feet, or 5% of lot width, whichever is greater	5 feet, or 5% of lot width, whichever is greater	Non-oceanfront lots--5 feet Oceanfront lots--50 feet from bulkhead line

(b) In the RM-1, residential district, the ground floor level of a building when viewed from a street shall be screened or enclosed. The method of screening or enclosure shall be approved under the design review process.
(c) In cases where the City Commission approves after public hearing a public - private parking agreement for a neighborhood based upon an approved street improvement plan, the minimum front yard setback for parking subject to the agreement shall be zero feet. The street improvement plan must be approved by the Design Review Board if outside an historic district, or the Historic Preservation Board if inside an historic district.

SECTION 2. That Section 142-218 of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended as follows:

Sec. 142-218. Setback requirements.
(a) The setback requirements in the RM-2 residential multifamily, medium intensity district are as follows:

	Front	Side, Interior	Side facing a street	Rear
At-grade parking lot on the same lot except where (b) below is applicable	20 feet	5 feet, or 5% of lot width, whichever is greater	5 feet, or 5% of lot width, whichever is greater	Non-oceanfront lots--5 feet Oceanfront lots--50 feet from bulkhead line

(b) In cases where the City Commission approves after public hearing a public - private parking agreement for a neighborhood based upon an approved street improvement plan, the minimum front yard setback for parking subject to the agreement shall be zero feet. The street improvement plan must be approved by the Design Review Board if outside an historic district, or the Historic Preservation Board if inside an historic district.

SECTION 3. That Section 142-606 of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended as follows:

Sec. 142-606. Setback requirements.
The setback requirements for the TH townhome residential district are as follows:
(1) Front yard: 20 feet.
(2) Side yard: 15 feet between buildings; 15 feet on sides facing a street; 7.5 feet for interior sides.
(3) Rear yard: 20 feet minimum.
(4) In cases where the City Commission approves after public hearing a public - private parking agreement for a neighborhood based upon an approved street improvement plan, the minimum front yard setback for parking subject to the agreement shall be zero feet.

The street improvement plan must be approved by the Design Review Board if outside an historic district, or the Historic Preservation Board if inside an historic district.

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 Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 5. REPEALER.

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

SECTION 6. SEVERABILITY.

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

SECTION 7. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED, ADOPTED AND APPROVED this ____ day of _____, 2004.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 9-20-04
Date

First Reading:
Second Reading:

Verified by: _____
Jorge G. Gomez, AICP
Planning Director

Underscore denotes new language
09/20/2004

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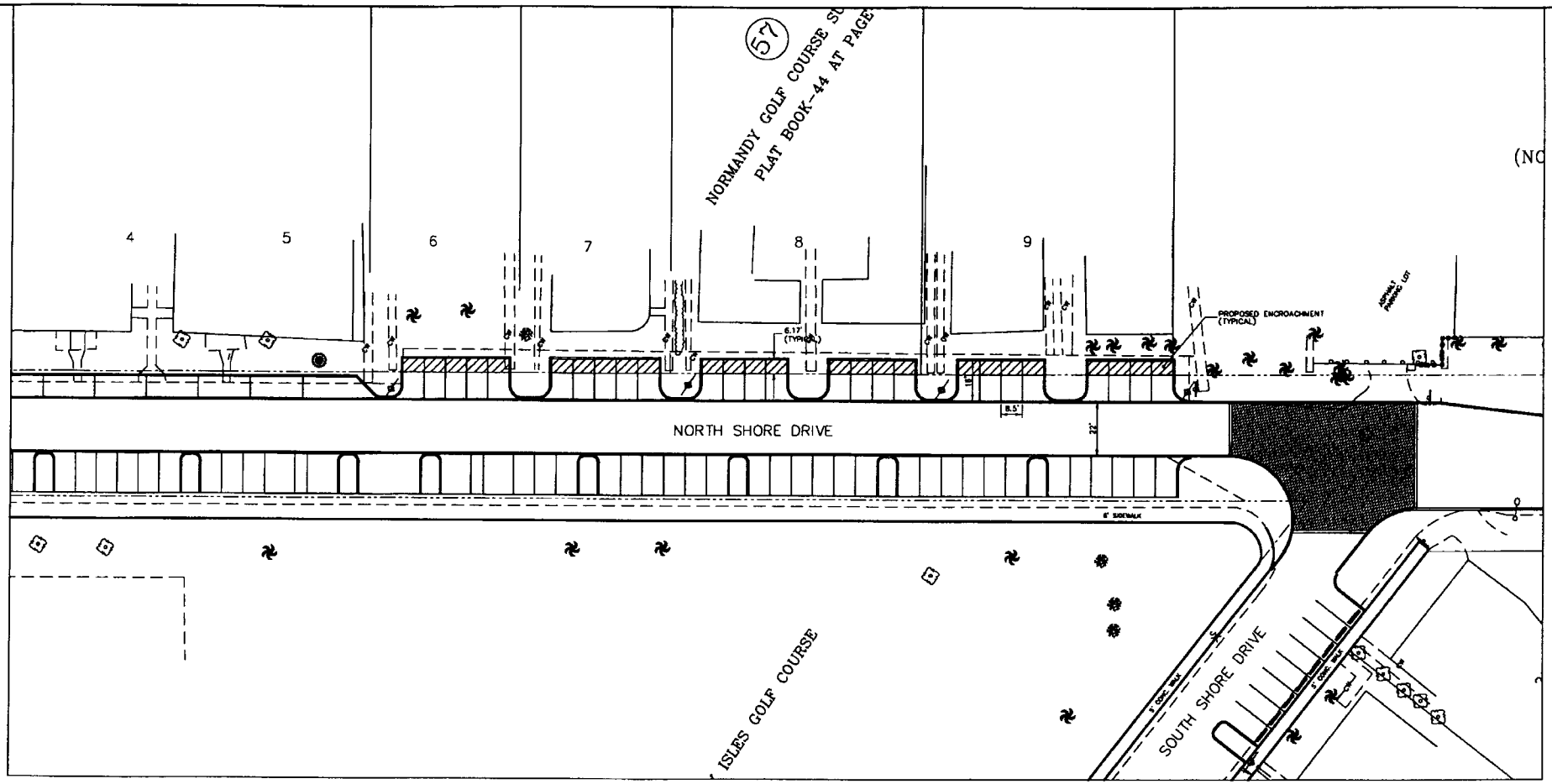


ENCROACHMENT DATA TABLE	
LOT #	ENCROACHMENT AREA
6	270.49 SQ. FT.
7	270.49 SQ. FT.
8	436.10 SQ. FT.
9	436.10 SQ. FT.
TOTAL	1413.18 SQ. FT.

LEGEND

PROPOSED ENCROACHMENT

CH2MHILL
ONE HARVARD CIRCLE
WEST PALM BEACH, FLORIDA 33409

CITY OF MIAMI BEACH, FLORIDA
CAPITAL IMPROVEMENT PROJECTS OFFICE
1700 CONVENTION CENTER DRIVE, MIAMI BEACH, FL 33139

NEIGHBORHOOD NUMBER 3: NORMANDY SHORES
ENCROACHMENT MAP

No.

DESIGNER: P.LANGLEY
DRAWN BY: D.ALMENDINGER
CHECKER: P.LANGLEY
SCALE: 1"=20'

NO.	DATE	REVISION	APP'D BY
5			
4			
3			
2			
1			

File location: encroach-map.dwg
Date: APRIL 17, 2003
Sheet: 1 of 1 Drawing: E01

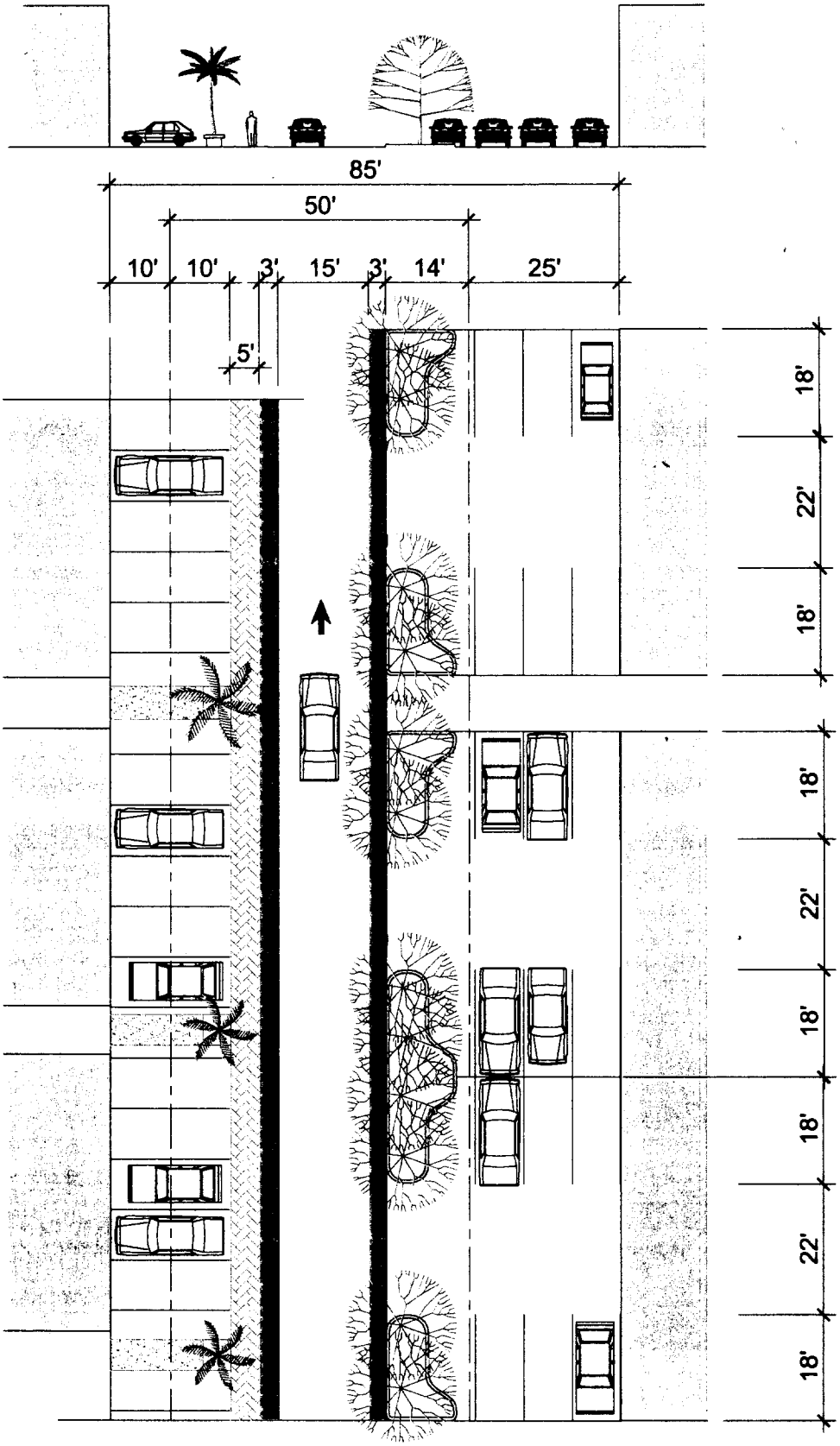
FIGURE: ES-18

The above figure illustrates the overall configuration of Park View Island. The entire island will be enhanced through the installation of detached planters and bulbouts.

PARK VIEW ISLAND

THE CORRADINO GROUP
ENGINEERS • PLANNERS • ARCHITECTS • CONSTRUCTORS

FIGURE: ES-19



The above figure illustrates proposed improvements to Gary Avenue, including bulbouts, enhanced walkways with landscaping, landscaped islands, repaving, traffic calming striping and reconfigured parking.

PROPOSED GARY AVENUE
PARK VIEW ISLAND
50' R.O.W. TYPICAL SECTION

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

Single Family Residential Review Board Amendments

Issue:

Amendments to the Single Family Development Regulations, modifying the process for the demolition of single family homes constructed prior to 1942.

Item Summary/Recommendation:

The administration recommends that the Ordinance be approved on First Reading and that the matter be referred to the Land Use and Development Committee for consideration. Further, a Second Reading Public Hearing should be set for December 8, 2004.

Advisory Board Recommendation:

The Planning Board transmitted the proposed Ordinance, with a favorable recommendation, to the City Commission on August 24, 2004. Both the Historic Preservation and Design Review Boards have evaluated the Ordinance and have recommended approval.

Financial Information:

Source of Funds:		Amount	Account	Approved
	1			
	2			
	3			
	4			
Finance Dept.	Total			

City Clerk's Office Legislative Tracking:

Jorge Gomez or Thomas Mooney

Sign-Offs:

Department Director	Assistant City Manager	City Manager

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AGENDA ITEM R5C

DATE 10-13-04

CITY OF MIAMI BEACH
CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
http:\\ci.miami-beach.fl.us

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members Of The City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

FIRST READING

Subject: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 2, "SINGLE-FAMILY RESIDENTIAL DISTRICTS," BY REVISING PROCEDURES FOR THE REVIEW AND APPROVAL OF DEMOLITION REQUESTS FOR SINGLE FAMILY HOMES CONSTRUCTED PRIOR TO 1942 AND NOT LOCATED WITHIN A DESIGNATED HISTORIC DISTRICT; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.**

ADMINISTRATION RECOMMENDATION

Adopt the proposed Ordinance on first reading, refer the matter to the Land Use and Development Committee and schedule a second reading public hearing.

OVERVIEW

On April 10, 2002, the City Commission adopted an Ordinance Amendment establishing demolition procedures for architecturally significant single-family homes located outside of local historic districts and sites; such Ordinance included the following:

- Criteria were established for the Planning Director or designee to make a determination as to whether a home is architecturally significant.
- A cut-off date of 1942 was established for the review of single-family homes; any homes constructed after 1942 are not subject to the regulations.
- The Single Family Residential Review Board (SFRRB) was established to review demolition requests for architecturally significant homes constructed prior to 1942.
- A full building permit for new construction is required to be issued prior to the issuance of a demolition permit arising from the inability to meet minimum flood elevation requirements for architecturally significant homes.
- Criteria were established so that the review of demolition applications is limited to the actual portion of the structure that is proposed to be demolished.

- The jurisdiction of the Building Official is safeguarded with regard to issuing emergency demolition orders for unsafe structures.

- Specific criteria for the review by the Building Official to determine that an application for demolition is arising from the inability to meet the minimum flood elevation requirements were established that are consistent with the Florida Building Code.

ANALYSIS

Staff continues to believe that the concept and policy of encouraging the retention and preservation of architecturally significant single-family homes is in the best interest of the City. In this regard, Miami Beach has a rich legacy of significant single-family architecture that cannot be replicated, nor appropriately replaced. The significance of this architecture lies not only in the exterior style and ornamental detail, but also in the siting, location, scale massing and context of the existing structures.

The administration recognizes the need to preserve a property owner's right to alter their single-family home as they see fit, or to maximize the monetary value of the property. However, this interest should be balanced with the value that the retention of the successful and time-tested single-family context achieved by the City's architecturally significant single-family homes brings to the community.

Currently, the existing ordinance allows the owner of an architecturally significant single-family home to have drawings created that artificially modify renovations to ensure that the threshold that would require the house to meet minimum flood elevation is exceeded. Since very few homes constructed prior to 1942 are above minimum flood elevation, the applicant can demolish the home after a non-binding, cursory review by the Single Family Residential Review Board (SFRRB). The current process does not stop the demolition of architecturally significant single-family homes and has instead resulted in a strain of resources and time for City staff and SFRRB members, as well as an undue expense for property owners.

In order to achieve the delicate balance of protecting the City's established single-family architecture and neighborhood context with allowing for the expansion and alteration of single-family homes, revisions to the existing Ordinance pertaining to the demolition of single-family homes located outside of historic districts has been drafted. These revisions are the product of three (3) separate Planning Board public workshops held earlier this year in North Beach, Mid-Beach and South Beach.

At these workshops, a number of different viewpoints were expressed, with the attendees almost evenly divided in terms of whether or not the SFRRB should have binding authority regarding the demolition of architecturally significant structures constructed prior to 1942. However, there was strong consensus that the design, scale and massing of the new single-family homes in the City are not consistent with the established context of the existing neighborhoods and the homes being replaced. To this end, a vast majority of the attendees strongly supported architectural review for new single-family construction, as

well as incentives to encourage and promote the retention of existing single-family homes.

The proposed ordinance allows for the demolition of architecturally significant homes that have a finished first floor below minimum flood elevation, at the discretion of the property owner. Additionally, the cumbersome requirement of producing artificial restoration drawings has been eliminated and the requirements of the Florida Building Code have been separated from the architectural review process.

Instead, incentives for the preservation of architecturally significant single-family homes have been introduced, including the creation of a City tax abatement program for single-family homes, which will be considered as a separate Ordinance. Staff is hopeful that with the proposed planning incentives and a City tax abatement program in place, single-family property owners would consider having eligible homes designated as historic structures under the recently streamlined designation process for single-family homes. Designation as a historic structure also allows single-family homes with a finished floor below minimum flood elevation to seek a waiver from FEMA requirements from the Flood Plain Management Board.

Additional incentives for the retention and restoration of architecturally significant single-family homes in the form of added lot coverage and the retention of non-conforming setbacks have also been proposed. Finally, in order to address the issue of new construction on lots where a single-family home built before 1942 is either being demolished or expanded, architectural review procedures for new construction have been proposed. The following is a summary of the modifications proposed under the revised Ordinance:

1. The current ordinance has been re-numbered so as not to conflict with the listed single-family development regulations.

2. Minor text changes throughout the ordinance to address administrative procedures.

3. The criteria for determining whether or not a single-family home is architecturally significant has been modified; such criteria have been expanded to include single-family homes that embody the scale, character and massing of the built context of their immediate area.

4. The criteria for partial demolition has been modified to assure the protection of front facades and architecturally significant portions of a structure, and to allow for the demolition of non-architecturally significant portions of a structure.

5. The criteria for the Building Official to make a determination regarding minimum flood elevation requirements has been eliminated; such criteria is already in the Florida Building Code and does not need to be listed in the City Code.

6. Language specific to the decision of the SFRRB has been established that

requires the issuance of a written order pertaining to all decisions and sets forth specific timeframes to obtain all building permits.

7. Language has been added requiring that a determination of the planning director, or designee, that a structure is not architecturally significant be posted on the subject single-family home site. Additionally, the applicant, or any affected person, may appeal this decision to the SFRRB within 15 days of the posting and no demolition permit may be issued within this 15 day appeal period.

8. The requirement pertaining to the review of architecturally significant single-family homes by the SFRRB has been modified so that those homes where the finished floor of the structure is located at or below the minimum flood elevation for the property, as determined by the Building Official, shall no longer be reviewed by the SFRRB.

9. New construction requirements have been established for properties containing a single-family home constructed prior to 1942, as follows:

    a. In the event an Architecturally Significant single-family home constructed prior to 1942 is proposed to be demolished, the Design Review Board (DRB) shall review and approve all new construction on the subject site. Such review shall take into consideration the scale, massing, building orientation and siting of the original structure on the subject site, as well as the established building context within the immediate area.

    Additionally, in order to incentivize the retention of architecturally significant single-family homes, the proposed ordinance also specifies that the lot coverage of any new structure shall not exceed 30% or the footprint of the original house, whichever is greater, unless the SFRRB concludes that it is not practical or feasible to retain and preserve the existing home on the site; the zoning code currently allows for a maximum lot coverage of 35%.

    Staff believes that this "disincentive" is necessary in order to encourage single-family property owners, particularly property speculators and investors, to seriously consider the retention of an architecturally significant single-family home. Although DRB review of new construction should help in ensuring a more contextually compatible new home, unfortunately, in today's real estate market, simply imposing an architectural review requirement for new construction will not result in property owners, speculators and investors attempting to retain a home. At best it will be viewed as just another layer of review, with the ultimate goal of demolishing an architecturally significant single-family home and maximizing the size of the new home being achieved.

    b. In the event an Architecturally Significant single-family home constructed prior to 1942 is substantially retained and preserved, the design of any addition to the existing structure can be approved by the Planning

Department at the administrative level; the review of the proposed addition(s) shall take into consideration the scale, massing, building orientation and siting of the original structure on the subject site. The applicant may also appeal any decision of the Planning Department to the Design Review Board. Additionally, the total lot coverage may be increased up to 40% and in the event the lot coverage of the existing structure exceeds 40%, no variance shall be required to retain and preserve the existing lot coverage. Further, in the event the lot coverage of the existing structure already exceeds 40%, a second level addition shall be permitted, provided it does not exceed 60% of the footprint of the existing structure and no variances shall be required for such addition, nor the retention of lot coverage exceeding 40%.

The Planning Department has also suggested that the property owner not be required to pay any City Building Permit fee's associated with the renovation and restoration of the existing single-family home; any and all non-City impact fees and other fees would still be required.

The following changes and additions were made to the proposed Ordinance by the Planning Board on August 24, 2004:

1. Criteria 1.b for determining architectural significance was modified replacing "significantly modified" with "irreversibly modified".

2. Those who have standing to appeal a determination of architectural significance will be clarified to include property owners within 375 feet of the subject structure.

3. The timeframe to appeal a determination relative to architectural significance was increased from 15 to 30 days.

4. Standards for substantiating an appeal must be submitted at the time an appeal is filed.

5. A stay of a demolition permit is created in the event an appeal is filed.

6. Additional criteria will be developed for the SFRRB to follow in its deliberations.

7. Criteria and standards of review for DRB review of any new single family construction shall be restudied and enhanced.

8. The standing of appeal for staff level decisions regarding new construction was expanded to include property owners within 375 of the site.

9. The 3 member composition of the SFRRB shall be clarified.

10. A 6 month extension of time for good cause, for a decision of the SFRRB, was established.

Those applicants that have appeared before the SFRRB prior to the Planning Board making a recommendation to the City Commission, but have not yet obtained a Building Permit for new construction, would be able to proceed under the previous section of the code, if a Building Permit Process Number for the construction of a new single-family home on the subject site is obtained no later than December 1, 2004.

The Planning Board considered and transmitted the proposed Ordinance to the City Commission with a favorable recommendation on August 24, 2004. The Historic Preservation Board reviewed the proposed Ordinance on September 14, 2004 and the Design Review Board reviewed the proposed Ordinance on September 21, 2004; both boards recommended approval of the proposed Ordinance.

FISCAL IMPACT:
The fiscal impact of the proposed ordinance is expected to be negligible; in this regard, the following is noted:

- The proposal to eliminate permit fee's for the restoration of architecturally significant single family homes should not negatively impact the City's revenue, as the number of homes anticipated to be renovated is small. In the future, if the number of homes being renovated becomes substantial and the impact on revenue is significant, the Administration would suggest that this part of the proposed Ordinance be re-evaluated at that time.

- The impact on staff time is also not anticipated to be significant and, therefore, the need for additional staff is not projected.

- The impact on the Design Review Board is not anticipated to be significant, as the agenda's of the Board have been relatively small and the addition of new single family approvals, if any, is not projected to require additional staffing.

- The review required for initial determinations, as well as full or partial demolition applications involving architecturally significant single family homes is not expected to exceed the current level of review at the administrative level; therefore, the need for additional staff is not projected.

CONCLUSION:
The Administration recommends that the Mayor and City Commission adopt the proposed Ordinance Amendment on first reading, refer the matter to the Land Use and Development Committee and schedule a second reading public hearing for December 8, 2004.

Pursuant to Section 118-164(4) of the City Code, an affirmative vote of five-sevenths shall be necessary in order to enact any amendments to the Land Development Regulations.

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SFRRB – Revisions

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 2, "SINGLE-FAMILY RESIDENTIAL DISTRICTS," BY REVISING PROCEDURES FOR THE REVIEW AND APPROVAL OF DEMOLITION REQUESTS FOR SINGLE FAMILY HOMES CONSTRUCTED PRIOR TO 1942 AND NOT LOCATED WITHIN A DESIGNATED HISTORIC DISTRICT; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach (City) places a strong emphasis on the retention and preservation of existing, architecturally significant single family homes; and

WHEREAS, the Mayor and City Commission have deemed it in the best interest and welfare of the City to adopt revised procedures for the review and issuance of demolition permits for all single family homes constructed prior to 1942 and located outside of a designated historic district; and

WHEREAS, the Mayor and City Commission deem it appropriate to protect the significant architectural history, existing building scale, and unique character of the single family residential neighborhoods in Miami Beach; and

WHEREAS, the City of Miami Beach Historic Preservation, Design Review and Planning Boards strongly endorse the proposed amendments to the Single Family Residential Districts Section of the Code; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

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

SECTION 1. That Chapter 142, "Zoning Districts and Regulations," Article II, "District Regulations," Division 2, "Single Family Residential Districts," of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended as follows:

DIVISION 2. RS-1, RS-2, RS-3, RS-4 SINGLE-FAMILY RESIDENTIAL DISTRICTS

* * *

Sec. 142-105. Development regulations and area requirements.

* * *

~~(d) Provisions for the demolition of single family homes located outside of historic districts. Prior to the approval of a permit for partial or total demolition of a home constructed prior to 1942, the planning director, or designee, shall make a determination whether the home is architecturally significant according to the following criteria:~~

~~a. The subject structure is exemplary of a specific architectural style in the city prior to 1942, including, but not limited to Vernacular, Mediterranean Revival, Art Deco, Streamline, Post-War Modern, or variations thereof;~~

~~b. The exterior of the structure is recognizable as an example of its style and/or period; and~~

~~c. A significant exterior architectural characteristic, architectural feature or detail of the subject structure is substantially intact.~~

~~(1) An applicant may have a pre-application conference with the planning director, or designee prior to the submission of an application to discuss any aspect of this section. Such pre-application conference and any statements by the planning director, or designee, shall not create any waiver of or estoppel on the requirements of, or any determination to be made, under this section.~~

~~(2) Total demolition. A building permit for the total demolition of any single family home constructed prior to 1942 shall only be issued following the determination by the planning director or designee that the subject structure is not an architecturally significant home. An application for such determination by the planning director or designee shall be processed by the planning department within five business days of its submission.~~

~~(3) Partial demolition. A building permit for partial demolition to accommodate additions or modifications to the exterior of any architecturally significant single-family home constructed prior to 1942 shall be issued only upon the prior approval by the planning director, or designee. An application for such approval shall be processed by the planning department within five business days of its submission.~~

~~Review of applications for partial demolition shall be limited to the actual portion of the structure that is proposed to be modified, demolished or altered, according to the following criteria:~~

~~1. Demolition of the front facade or architecturally significant portions of a building or structure shall be permitted, provided the alterations and/or additions are architecturally appropriate to the original design and scale of the building.~~

~~2. Demolition of original architectural features on secondary elevations of the structure shall be permitted, provided such demolition does not compromise its overall original design integrity.~~

~~3. Demolition associated with facade and building restorations shall be permitted, which are consistent with historic documentation.~~

~~4. The proposed alterations or addition are compatible with the as-built scale and character of~~

~~similar surrounding properties.~~

~~5. The general design, scale, massing, arrangement, texture, material and color of the proposed alterations or addition are compatible with the as-built scale and character of similar surrounding properties.~~

~~6. Permitted demolition shall not adversely affect the original architectural design of the subject structure or any subsequent modifications that have acquired architectural significance.~~

~~7. The proposed alterations or addition shall be designed, sited and massed in a manner that is sensitive to and compatible with the existing structure.~~

~~(4) Issuance of demolition permits.~~

~~a. Emergency demolition orders. This section shall not supersede the requirements of the applicable Building Code with regard to unsafe structures and the issuance of emergency demolition orders, as determined by the building official.~~

~~b. Minimum flood elevation determination.~~

~~1. The determination by the building official that an application for demolition of an architecturally significant home arising from the inability to meet minimum flood elevation requirements shall be based upon the review of the following required documentation:~~

~~a. A full set of floor plans and elevation drawings, prepared by a state registered architect, depicting the renovation or rehabilitation;~~

~~b. A full appraisal of the existing structure, prepared by a qualified licensed real estate appraiser and satisfying the standards of the building official; and~~

~~c. A construction estimate from a contractor licensed in the state.~~

~~2. If the building official determines that proposed renovations to an architecturally significant home will require the property owner to meet minimum flood elevation requirements, the property owner shall meet with the SFRRB to review the proposed renovations. Such review shall be a pre-condition to the property owner's filing of an application for demolition of the home. The SFRRB shall explore with the property owner reasonable alternatives such as, but not limited to, reducing the cost of renovations, minimizing the impact of meeting flood elevation requirements, and designating the property as a historic site. An application for demolition of such home cannot be approved by the building official without the prior review of the SFRRB. The SFRRB shall not have authority to deny an application for demolition.~~

~~3. A demolition permit arising from the inability to meet flood elevation requirements, for the total demolition of an architecturally significant single family home constructed prior to 1942, shall not be issued unless a full building permit for new construction has been issued.~~

~~(5) The following shall not require determinations of the planning director or designee under this section: interior demolitions including plumbing, electrical and mechanical systems, renovations to the exterior of non-architecturally significant structures, or non-architecturally significant portions of a structure, provided they have no adverse impact upon the structural integrity of the building or the original architectural design of the exterior, features and details.~~

~~(6) In the event the planning director, or designee, declines to approve a demolition request under this section for any reason, the applicant may seek review by the single-family residential review board (SFRRB), composed of one member each from the planning board, the design review board and the historic preservation board. Each of these Boards shall appoint two members to the SFRRB, to serve on a rotating or as available basis.~~

~~Each board shall determine the term and duration of its appointments. In the event the appointed members to the SFRRB are unavailable, the chair of the respective board may serve in such capacity, or shall designate another member of the board to serve in such capacity. The quorum for the SFRRB shall be all three members and a simple majority will be necessary to approve any application. The planning department shall provide staff support to the SFRRB and the city attorney's office shall provide legal counsel.~~

~~The SFRRB shall have regularly scheduled meetings on a bi-weekly basis, or as needed; such hearings shall occur after 5:00 pm. All applications for review by the SFRRB must be filed with the planning department. Hearings before the SFRRB shall be noticed by posting the property that is the subject of the hearing, and a published notice, no less than five calendar days of the hearing date. The hearing before the SFRRB shall be de novo. An appeal of any decision of the SFRRB shall be to a special master appointed by the city commission, in accordance with the procedures set forth in section 118-537(b) of these land development regulations. Thereafter review shall be by certiorari to the circuit court.~~

~~(7) New construction procedures for single family homes demolished without required approvals or permits.~~

~~For those properties where a single family home constructed before 1942 was demolished without prior approval of the planning department and the single family residential review board, and without the required permits from the building official, in addition to any other applicable law in this code or other codes, the following shall apply prior to the issuance of any building permit for any new construction on the subject site:~~

~~a. Purpose. The purpose of this subsection is to ensure that any new construction on the site where a single family home constructed prior to 1942 was demolished without required approvals or permits is consistent with the scale, massing, density, location and height of that structure which previously existed on site prior to the unpermitted demolition. Where used in this section, the words "without all required permits", "without prior approval", "without required permits or approval" shall not be defined to include demolition as a result of forces beyond the control of the landowner such as, for example, windstorm, flood, or other natural disaster.~~

~~b. The design review board shall have jurisdiction to review and approve all new construction on the subject site, in accordance with the criteria listed in section 118-251 and this section.~~

~~c. Upon the finding that the demolition of any single family home constructed prior to 1942 was without following the procedures of this section or without all required permits, any new construction on the same site shall be limited to the overall square footage, building footprint, height and location of that which previously existed on site prior to the unpermitted demolition, to the greatest extent possible in accordance with the applicable building and zoning codes.~~

~~d. In the event the design review board determines that the single family home demolished without~~

~~required approval or permits was architecturally significant, based upon the criteria in subsection 142-105(d)a.—c. herein, the board shall require that the new structure be designed and constructed to match the exterior design and architectural details of the original structure demolished to the greatest extent possible in the same location, in accordance with all available documentation and in accordance with the applicable building and zoning codes.~~

~~e. In the event the applicant endeavors to construct a new home on multiple, combined lots, and one of the lots contained the subject building demolished without required permits and approval, construction of the new home to match the exterior design and architectural details of the original home shall only occur on the lot on which the demolished home was situated. Separate new homes, which are not attached in any way to the lot on which the demolished home was situated, may be constructed on the remaining lots without approval from the design review board.~~

~~f. In the event the owner of a single family home constructed prior to 1942, which has been demolished without required permits or approvals, can establish good cause, the design review board may relieve the property owner of some or all of the limitations on new construction herein. The requirement of good cause shall be satisfied where the unauthorized demolition was solely the result of intentional or negligent acts of a duly licensed contractor or other third parties, and the owner had no role in and knowledge of the unauthorized demolition.~~

~~g. In the event a single family home constructed prior to 1942 is demolished without prior approval of the planning department, and the single family residential review board, and without the required permits from the building official, in addition to any other applicable law in this code or other codes, the city shall document such demolition, and the applicable requirements and procedures for any new construction delineated herein, for recording in the public records of Miami-Dade County, to give notice to subsequent purchasers of the property.~~

~~h. No variances shall be granted by the board of adjustment from the requirements of subsection 142-105(d)(7), except those variances which may be required to reconstruct the original structure demolished without required approvals or permits.~~

~~i. Fees. The fee schedule below is provided to defray the costs associated with the administration of this subsection. All applications to the design review board for the review of new construction as described herein shall require the following fees, upon the submission of an application to the planning department:~~

~~1. Any application requiring a hearing before the board for design review approval shall require a base fee plus a fee per square feet of floor area as provided in appendix A.~~

~~2. If a deferment or clarification hearing is requested by the applicant, an additional fee as provided in appendix A shall be assessed.~~

~~3. If a deferment or clarification of conditions is requested by the board, there will be no additional fee.~~

~~4. If the applicant removes a file from the agenda after it has been accepted by the planning department, the city shall retain 50 percent of the application fee.~~

~~5. Any after-the-fact application shall incur triple fees.~~

~~A. Notwithstanding the above provision, the design review board may adjust the after-the-fact~~

~~fee based on good cause shown. The request for a fee adjustment shall be in writing. The adjusted after-the-fact fee shall not be less than the regular application fee.~~

~~B. The request shall be part of the design review board application.~~

~~6. Revisions to plans previously approved by the board shall require a base fee as provided in appendix A plus one-half of the original fee.~~

* * *

Section 142-108. Provisions for the demolition of single family homes located outside of historic districts.

(1) Criteria. Pursuant to a request for ~~Prior to the approval of~~ a permit for partial or total demolition of a home constructed prior to 1942, the planning director, or designee, shall, or independently may, make a determination whether the home is architecturally significant according to the following criteria:

a. The subject structure is ~~exemplary~~ characteristic of a specific architectural style constructed in the city prior to 1942, including, but not limited to Vernacular, Mediterranean Revival, Art Deco, Streamline Moderne, ~~Post-War-Modern,~~ or variations thereof;

b. The exterior of the structure is recognizable as an example of its style and/or period, and its architectural design integrity has not been modified in an irreversible manner; and

c. ~~A significant~~ ~~e~~Exterior architectural characteristics, ~~architectural~~ features, or details of the subject structure remain ~~is substantially~~ intact.

d. The subject structure embodies the scale, character and massing of the built context of its immediate area.

All requests for a determination as to the architectural significance of any single family home constructed prior to 1942 shall be in writing, signed by the property owner, stating specifically the reasons asserted for the requested determination and shall include a copy of the building card, current color photos of the home, and any microfilm on record.

(2) Appeals. A determination of the planning director, or designee, that a structure is not architecturally significant shall be posted on the subject single family home site. The applicant or any property owner within 375' of the subject single family home may appeal the decision of the planning director, or designee, pertaining to the architectural significance of a single family home, within 30 days of the rendering of such decision, or within 30 days of the posting of the site if the home is determined to be not architecturally significant. No demolition permit may be issued within this 30 day appeal period, and if an appeal is filed, while the appeal is pending. The appeal shall be in writing , shall set forth the factual and

legal bases for the appeal, and shall be to the Single Family Residential Review Board (SFRRB).

~~(1)~~(3) An applicant may have a pre-application conference with the planning director, or designee, prior to the submission of a request or an application to discuss any aspect of this section. Such pre-application conference and any statements by the planning director, or designee, shall not create any waiver of, or estoppel on, the requirements of, or any determination to be made, under this section.

~~(2)~~(4) Total demolition.

a. A building permit for the total demolition of any single family home constructed prior to 1942 shall only be issued following the final determination (after the expiration of time or exhaustion of all appeals) by the planning director, or designee, or the SFRRB, that the subject structure is not an architecturally significant home.

b. A~~n application~~ request for such determination by the planning director, or designee, shall be processed by the planning department within ten (10) ~~five~~ business days of its submission.

c. In the event the planning director, or designee, determines that a single-family home constructed prior to 1942 is architecturally significant, a demolition permit shall require the review and approval of the SFRRB, unless the finished floor of the structure is located at or below the minimum flood elevation for the property, as determined by the Building Official, in which case no review by the SFRRB shall be required.

d. The SFRRB review of any request for demolition shall consider the criteria in Section 142-108(1) herein, as well as the following criteria:

i. Whether good cause for the demolition of the structure has been shown.

ii. Whether pertinent economic and financial considerations that affect the ability of the owner to renovate, restore and add on to the structure.

iii. Whether the structural condition of the single family home or other factors affect the feasibility of renovating, repairing or restoring the structure.

~~(3)~~(5) Partial demolition.

a. A building permit for partial demolition to accommodate additions or modifications to the exterior of any architecturally significant single-family home constructed prior to 1942 shall be issued only upon the prior final approval by the planning director, or designee, after the expiration of time following appeals or exhaustion of all applicable remedies.

b. An application for such approval shall be processed by the planning department, as part of the building permit process ~~within five business days of its submission~~.

c. An appeal of any decision of the Planning Department on such applications shall be limited to the applicant, shall be in writing, shall set forth the factual and legal bases for the appeal, and shall be to the SFRRB.

d. Review of applications for partial demolition shall be limited to the actual portion of the structure that is proposed to be modified, demolished or altered, according to the following criteria:

~~1. Demolition of the front facade or architecturally significant portions of a building or structure shall be permitted, provided the alterations and/or additions are architecturally appropriate to the original design and scale of the building.~~

~~2.~~ i. Demolition of original architectural features on secondary elevations of the structure shall be permitted, provided such demolition does not compromise its overall original design integrity.

~~3.~~ii. Demolition associated with facade and building restorations shall be permitted, which are consistent with historic documentation.

~~4.~~iii. The proposed alterations or addition ~~are~~ shall be compatible with the as-built scale and character of ~~similar surrounding properties~~ the surrounding single-family residential neighborhood.

~~5.~~iv. The general design, scale, massing, arrangement, texture, material and color of the proposed alterations or addition ~~are~~ shall be compatible with the as-built scale and character of ~~similar surrounding properties~~ the surrounding single-family residential neighborhood.

~~6.~~v. Permitted demolition shall not adversely affect the original architectural design of the subject structure or any subsequent modifications that have acquired architectural significance.

~~7.~~vi. The proposed alterations or addition shall be designed, sited and massed in a manner that is sensitive to and compatible with the existing structure.

vii. Demolition of non-architecturally significant portions of a structure shall be permitted provided they have no adverse impact upon the structural integrity of the building or the original architectural design of the exterior, features and details.

~~(4)~~(6) Issuance of demolition permits.

a. Emergency demolition orders. This section shall not supersede the requirements of the applicable Building Code with regard to unsafe structures and the issuance of emergency demolition orders, as determined by the building official.

b. ~~3.~~ A demolition permit ~~arising from the inability to meet flood elevation requirements,~~ for the total demolition of an architecturally significant single family home constructed prior to 1942, shall not be issued unless a full building permit for new construction has been issued.

~~b.~~ (7) Minimum flood elevation determination.

~~1. The determination by the building official that an application for demolition of an architecturally significant home arising from the inability to meet minimum flood elevation requirements shall be based upon the review of the following required documentation:~~

~~a. A full set of floor plans and elevation drawings, prepared by a state registered architect, depicting the renovation or rehabilitation;~~

~~b. A full appraisal of the existing structure, prepared by a qualified licensed real estate appraiser and satisfying the standards of the building official; and~~

~~c. A construction estimate from a contractor licensed in the state.~~

~~2.~~ If a property owner seeks to demolish an architecturally significant single-family home constructed prior to 1942 due to a determination by the building official ~~determines~~ that proposed renovations to ~~an architecturally significant~~ the home will require the property owner to meet minimum flood elevation requirements, ~~the property owner shall meet with the SFRRB to review the proposed renovations. Such review shall be a pre-condition to the property owner's filing of an application for demolition of the home. T~~the ~~SFRRB~~ Planning Department shall explore with the property owner reasonable alternatives to demolition such as, but not limited to, reducing the cost of renovations, minimizing the impact of meeting flood elevation requirements, and designating the property as an historic structure or site. ~~An application for demolition of such home cannot be approved by the building official without the prior review of the SFRRB. The~~ Planning Department Staff or the SFRRB shall not have authority to deny an application for demolition, when the finished floor of the structure is below current minimum flood elevation.

(8) New Construction Requirements for Properties containing a Single Family Home constructed prior to 1942.

a. In addition to the development regulations and area requirements of Section 142-105, as well as Section 118-252, of the Land Development Regulations of the City Code, the following regulations shall apply in the event an Architecturally Significant single family home constructed prior to 1942 is proposed to be demolished. In the event of a conflict between the provisions of Section 142-105 and Section 118-252, and the regulations below, the provisions herein shall control:

1. The Design Review Board (DRB) shall review and approve all new construction on the subject site, in accordance with the applicable criteria and requirements of Chapter 118, Article VI of the Land Development Regulations of the City Code.
2. The DRB review of any new structure, in accordance with the requirements of Chapter 118, Article VI, shall include consideration of the scale, massing, building orientation and siting of the original structure on the subject site, as well as the established building context within the immediate area.
3. The proposed new buildings or structures, inclusive of outdoor covered areas, such as, but not limited to, loggias, covered patios, pergolas, etc., shall not occupy more than 30 percent of the lot area upon which the building or structure is erected, or the building

footprint of the original structure on site, whichever is greater, unless the SFRRB concludes that the retention of the architecturally significant single family home is not practical or feasible. One-story structures on lots that have an area of 10,000 square feet or less shall not exceed 35 percent of the lot area; for purposes of this section, a one-story structure shall not exceed twelve (12') feet in height as measured from minimum flood elevation.

4. The above noted regulations shall also be applicable to all lots within a single site that may be split into multiple lots at a future date.

b. In addition to the development regulations and area requirements of Section 142-105, of the Land Development Regulations of the City Code, the following shall apply in the event an Architecturally Significant single family home constructed prior to 1942 is substantially retained and preserved. In the event of a conflict between the provisions of Section 142-105 and Section 118-252, and the regulations below, the provisions herein shall control:

1. The total lot coverage may be increased up to 40%.
2. The design of any addition to the existing structure shall take into consideration the scale, massing, building orientation and siting of the original structure on the subject site, and shall be subject to the review and approval of the Planning Department, in accordance with the Design Review criteria in Chapter 118, Article VI, of the Land Development Regulations of the City Code. The applicant, or any property owner within 375 feet of the subject property may appeal any decision under this subsection of the Planning Department to the Design Review Board, in accordance with the requirements of Chapter 118, Article VI of the Land Development Regulations of the City Code. Any such appeal shall be in writing, shall set forth the factual and legal bases for the appeal and shall be filed no later than five (5) days from the date of approval by the Planning Department.
3. In the event the lot coverage of the existing structure exceeds 40%, no variance shall be required to retain and preserve the existing lot coverage.
4. In the event the lot coverage of the existing structure exceeds 40%, a second level addition shall be permitted, provided it does not exceed 60% of the footprint of the existing structure; no lot coverage variance shall be required for such addition.
5. The property owner shall not be required to pay any City Building Permit fees associated with the renovation and restoration of the existing single family home; any and all non-City impact fees and other fees shall still be required.

(9) ~~(5)~~ The following areas of work shall not require determinations of the planning director, or designee, under this section: interior demolitions including plumbing, electrical and mechanical systems, and renovations to the exterior of non-architecturally significant structures~~, or non-architecturally significant portions of a structure, provided they have no adverse impact upon the structural integrity of the building or the original architectural design of the exterior, features and details~~.

~~(6) In the event the planning director, or designee, declines to approve a demolition request under this section for any reason, the applicant may seek review by the single family residential review board (SFRRB),~~

(10) Single Family Residential Review Board (SFRRB).

a. Composition. The Single Family Residential Review Board (SFRRB) shall be composed of three (3) members, including one member each from the planning board, the design review board and the historic preservation board. Each of these Boards shall appoint two members to the SFRRB, to serve on a rotating or as available basis. Each board shall determine the term and duration of its appointments. In the event the appointed members to the SFRRB are unavailable, the chair of the respective board may serve in such capacity, or shall designate another member of the board to serve in such capacity. The quorum for the SFRRB shall be all three members and a simple majority will be necessary to approve any application. The planning department shall provide staff support to the SFRRB and the city attorney's office shall provide legal counsel.

b. Meetings. The SFRRB shall ~~have regularly scheduled meetings on a bi-weekly basis, or~~ meet as needed; such hearings shall occur after 5:00 p.m. All applications for review by the SFRRB must be filed with the planning department. Hearings before the SFRRB shall be noticed by posting the property that is the subject of the hearing, and a published notice, no less than five calendar days ~~of~~ before the hearing date. The hearing before the SFRRB shall be de novo.

c. Decision of the SFRRB.

1. The applicant shall have up to 12 months, or such lesser time as may be specified by the SFRRB, from the date of the board meeting at which approval for demolition was granted, to obtain a full building permit for the construction of a new single-family home and a demolition permit. The foregoing 12 month time period, or such lesser time as may be specified by the board, includes the time period during which an appeal of the decision of the SFRRB may be filed. If the applicant fails to obtain a full building permit for the construction of a new single-family home and a demolition permit within 12 months, or such lesser time as may be specified by the board, of the board meeting date at which approval for demolition was granted and/or construction does not commence and proceed in accordance with such permit and the requirements of the applicable Florida Building Code, the approval for demolition shall expire.

2. Extensions of Time to obtain a full building permit, for good cause, may be granted by the SFRRB, provided any such extension does not exceed six (6) months and provided the request for such extension is submitted prior to the expiration of the original SFRRB approval.

3. Notwithstanding the foregoing, in the event the original decision of the SFRRB with respect to approval for demolition is timely appealed, or there is an appeal of an approval from the board of adjustment and/or the planning board that is a requirement of the original decision of the SFRRB, and such appeal is filed within 20 days of the decision of the board of adjustment and/or the planning board, the

applicant shall have 12 months, or such lesser time as may be specified by the board, from the date of final resolution of all administrative and/or court proceedings to obtain a full building permit for the construction of a new single-family home and a demolition permit. This tolling provision shall only be applicable to the original approval of the SFRRB and shall not apply to any subsequent requests for revisions.

d. Appeals. An appeal of any decision of the SFRRB shall be to a special master appointed by the city commission, in accordance with the procedures set forth in section 118-537(b) of these land development regulations. Thereafter review shall be by certiorari to the circuit court.

(11) New construction procedures for single family homes demolished without required approvals or permits.

For those properties where a single family home constructed before 1942 was demolished without prior approval of the planning department and the single family residential review board, and without the required permits from the building official, in addition to any other applicable law in this code or other codes, the following shall apply prior to the issuance of any building permit for any new construction on the subject site:

a. Purpose. The purpose of this subsection is to ensure that any new construction on the site where a single family home constructed prior to 1942 was demolished without required approvals or permits is consistent with the scale, massing, density, location and height of that structure which previously existed on site prior to the unpermitted demolition. Where used in this section, the words "without all required permits", "without prior approval", "without required permits or approval" shall not be defined to include demolition as a result of forces beyond the control of the landowner such as, for example, windstorm, flood, or other natural disaster.

b. The design review board shall have jurisdiction to review and approve all new construction on the subject site, in accordance with the criteria listed in section 118-251 and this section.

c. Upon the finding that the demolition of any single family home constructed prior to 1942 was without following the procedures of this section or without all required permits, any new construction on the same site shall be limited to the overall square footage, building footprint, height and location of that which previously existed on site prior to the unpermitted demolition, to the greatest extent possible in accordance with the applicable building and zoning codes.

d. In the event the design review board determines that the single family home demolished without required approval or permits was architecturally significant, based upon the criteria in subsection 142-108a.-c. ~~142-105(d)a.-c.~~ herein, the board shall require that the new structure be designed and constructed to match the exterior design and architectural details of the original structure demolished to the greatest extent possible in the same location, in accordance with all available documentation and in accordance with the applicable building and zoning codes.

e. In the event the applicant endeavors to construct a new home on multiple, combined lots, and one of the lots contained the subject building demolished without required permits and approval, construction of the new home to match the exterior design and architectural details of the original home shall only occur on the lot on which the demolished home was situated. Separate new homes,

which are not attached in any way to the lot on which the demolished home was situated, may be constructed on the remaining lots without approval from the design review board.

f. In the event the owner of a single family home constructed prior to 1942, which has been demolished without required permits or approvals, can establish good cause, the design review board may relieve the property owner of some or all of the limitations on new construction herein. The requirement of good cause shall be satisfied where the unauthorized demolition was solely the result of intentional or negligent acts of a duly licensed contractor or other third parties, and the owner had no role in and knowledge of the unauthorized demolition.

g. In the event a single family home constructed prior to 1942 is demolished without prior approval of the planning department, and the single family residential review board, and without the required permits from the building official, in addition to any other applicable law in this code or other codes, the city shall document such demolition, and the applicable requirements and procedures for any new construction delineated herein, for recording in the public records of Miami-Dade County, to give notice to subsequent purchasers of the property.

h. No variances shall be granted by the board of adjustment from the requirements of ~~sub~~section ~~142-105(d)(7),~~ 142-108 except those variances which may be required to reconstruct the original structure demolished without required approvals or permits.

i. Fees. The fee schedule below is provided to defray the costs associated with the administration of this subsection. All applications to the design review board for the review of new construction as described herein shall require the following fees, upon the submission of an application to the planning department:

1. Any application requiring a hearing before the board for design review approval shall require a base fee plus a fee per square feet of floor area as provided in appendix A.

2. If a deferment or clarification hearing is requested by the applicant, an additional fee as provided in appendix A shall be assessed.

3. If a deferment or clarification of conditions is requested by the board, there will be no additional fee.

4. If the applicant removes a file from the agenda after it has been accepted by the planning department, the city shall retain 50 percent of the application fee.

5. Any after-the-fact application shall incur triple fees.

   A. Notwithstanding the above provision, the design review board may adjust the after-the-fact fee based on good cause shown. The request for a fee adjustment shall be in writing and shall be part of the design review board application. The adjusted after-the-fact fee shall not be less than the regular application fee.

   B. The request shall be part of the design review board application.

6. Revisions to plans previously approved by the board shall require a base fee as provided in appendix A plus one-half of the original fee.

SECTION 2. CODIFICATION.

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

SECTION 3. REPEALER.

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

SECTION 4. SEVERABILITY.

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

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED AND ADOPTED this _____ day of _____, 2004.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

10-6-04
City Attorney Date

First Reading: October 13, 2004
Second Reading: November 10, 2004

Verified by: _____
Jorge G. Gomez, AICP
Planning Director

10/6/2004
Underscore denotes new language
~~Strikethrough~~ denotes deleted language

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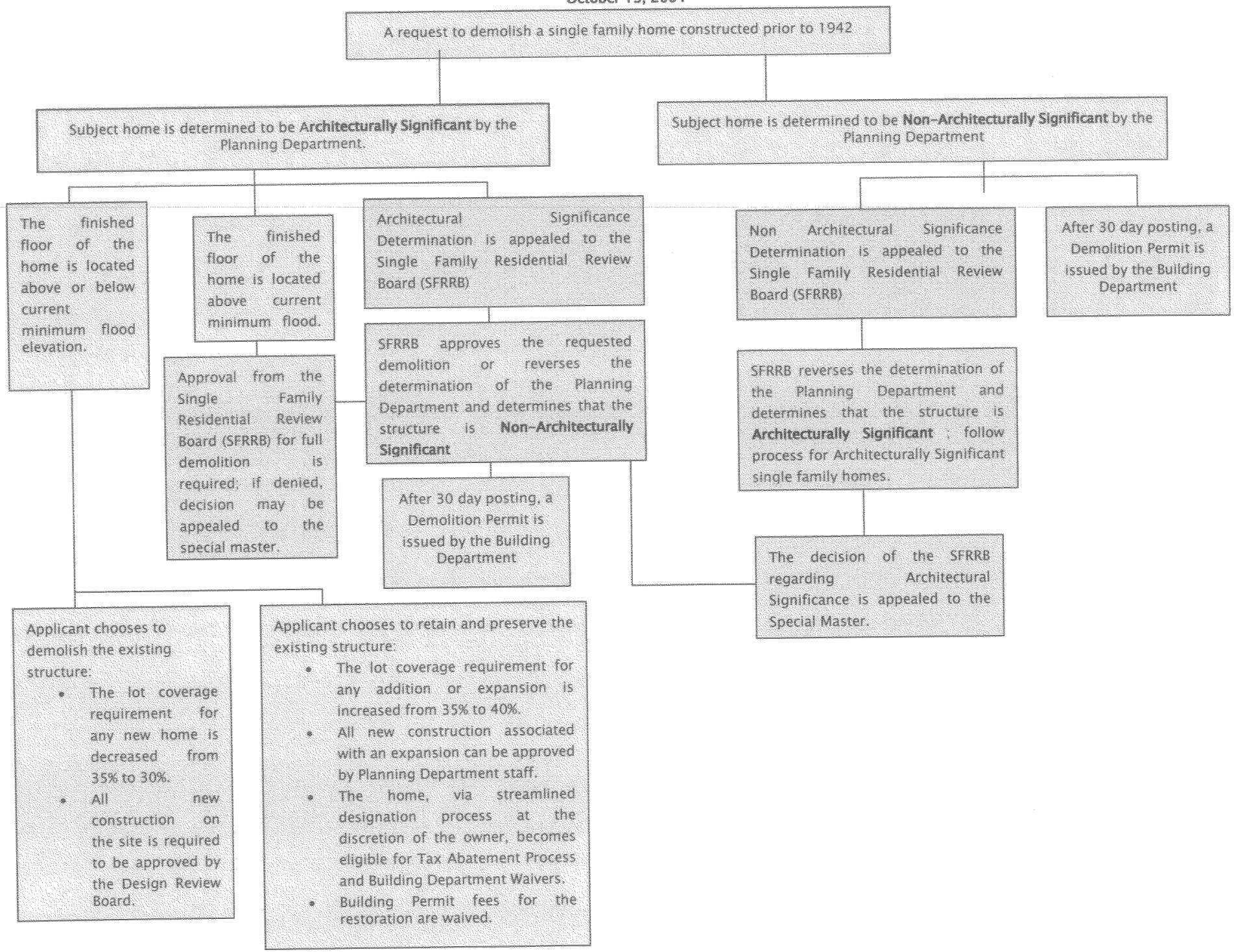
PROCEDURES FOR THE REVIEW OF SINGLE FAMILY HOMES CONSTRUCTED PRIOR TO 1942

October 13, 2004



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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

City Tax Abatement Process for Single Family Homes Designated Individually or as part of an Historic District.

Issue:

Amendment to the Historic Preservation Section of the City Code, establishing a City Ad Valorem Tax Exemption Program for eligible single family homes.

Item Summary/Recommendation:

The administration recommends that the Ordinance be approved on First Reading and that the matter be referred to the Land Use and Development Committee for consideration. Further, a Second Reading Public Hearing should be set for December 8, 2004.

Advisory Board Recommendation:

The Planning Board transmitted the proposed Ordinance, with a favorable recommendation, to the City Commission on August 24, 2004. The Historic Preservation Board has evaluated the Ordinance and has recommended approval.

Financial Information:

Source of Funds:		Amount	Account	Approved
	1			
	2			
	3			
	4			
Finance Dept.	Total			

City Clerk's Office Legislative Tracking:

Jorge Gomez or Thomas Mooney

Sign-Offs:

Department Director	Assistant City Manager	City Manager

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AGENDA ITEM R5D

DATE 10-13-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
http:\\ci.miami-beach.fl.us

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members Of The City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez City Manager

FIRST READING

Subject: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE X, "HISTORIC PRESERVATION," BY CREATING DIVISION 5, "SINGLE FAMILY TAX ABATEMENT", ESTABLISHING REQUIREMENTS AND PROCEDURES FOR CITY TAX EXEMPTIONS FOR SINGLE FAMILY HOMES; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.**

ADMINISTRATION RECOMMENDATION

Adopt the proposed Ordinance on first reading, refer the matter to the Land Use and Development Committee and schedule a second reading public hearing.

OVERVIEW

Under separate Ordinance, substantial revisions to the Single Family Residential Review Board (SFRRB) section of the City Code are being proposed, in order to provide more incentives for the voluntary retention and preservation of architecturally significant single family homes in the City. In addition to these planning incentives, a City Tax Abatement program is also being proposed, as part of an overall strategy to provide tangible alternatives to the demolition of architecturally significant single family homes.

It is anticipated that the creation of a City Tax Abatement program will help further the delicate balance of protecting the City's established single family architecture and neighborhood context with allowing for the expansion and alteration of single family homes. The Tax Abatement Ordinance is designed to compliment the proposed revisions to the existing Ordinance pertaining to the demolition of single family homes located outside of historic districts.

The collective approach to architecturally significant single family homes is the result of three (3) separate public workshops held earlier this year in North Beach, Mid-Beach and South Beach. By allowing for a Tax Abatement over a fixed period of time, homeowners will be able to not only save money, but will be better able to subsidize the costs of the restoration and renovation work, due to the potential property tax savings.

This incentive based approach is already in place at the County level, so single family home owners on Miami Beach with eligible properties can take advantage of potentially substantial savings on the County portion of their property taxes. The City of Coral Gables and the City of West Palm Beach both have local Tax Abatement programs in place, which have been instrumental in the retention and preservation of significant, architecturally significant single family building stock.

ANALYSIS

As part of an overall incentive package to encourage and promote the preservation of architecturally significant single family homes, the creation of a City Tax Abatement program for single family homes is being proposed as a separate Ordinance. Staff is confident that with the proposed planning incentives and a City Tax Abatement program in place, single family property owners would consider having eligible homes designated as historic structures under the recently streamlined designation process for single family homes. Designation as an historic structure also allows single family homes with a finished floor below minimum flood elevation to seek a waiver from FEMA requirements from the Flood Plain Management Board.

The proposed Tax Abatement program would establish a framework for single family home owners to be able to abate any increase in property taxes that result from the restoration and renovation of an eligible single family home, for a fixed period of ten (10) years. The following is a more detailed summary of the proposed Ordinance:

1. The proposed tax exemptions would apply to the restoration, renovation or rehabilitation of single family homes designated individually, or as part of an historic district and the exemption would apply to one hundred (100) percent of the assessed value of all improvements to the single family home, which result from restoration, renovation or rehabilitation, and shall remain in effect for ten (10) years. For example, if a home with an assessed value of $500,000 in 2004 has $100,000 worth of historic restoration work done, that qualifies for an abatement, the breakdown would be as follows:

2004 Property Tax Value -	$500,000 x .008173 = $4,086.50
Value of Eligible Improvements -	$100,000 x .008173 = $817.30 (abated annually for10 years)
2004 Total Taxable Value -	$600,000.00
2004 Total Taxes -	$4,086.50

Assuming a 3% increase per year in assessed value over a ten year period, with the same millage rate, the following represents the total cost in 5 year increments:

2009 Property Tax Value -	$575,000 x .008173 = $4,699.48
Value of Eligible Improvements -	$100,000 x .008173 = $817.30 (abated annually for10 years)
2009 Total Taxable Value -	$675,000.00
2009 Total Taxes -	$4,699.48*

2014 Property Tax Value -	$661,250 x .008173 = $5,404.40
Value of Eligible Improvements -	$100,000 x .008173 = $817.30 (abated annually for10 years)
2014 Total Taxable Value -	$761,250.00
2014 Total Taxes -	$5,404.40*

* This example assumes no change in millage rate.

Although the property owner saved a total of $8,173.00 over 10 years, the net tax loss to the City was negligible, as the assessed value of the property continued to increase, resulting in an increase in revenue.

2. Application requirements including required forms, drawings and exhibits, have been specified.

3. The improvements to the eligible single family home shall be approved by the Historic Preservation Board, prior to work commencing, and such improvements must be consistent with the United States Secretary of the Interior's Standards for Rehabilitation and the Certificate of Appropriateness Criteria in Section 118-564 of the City Code.

4. The Historic Preservation Board shall make a recommendation to the City Commission to grant or deny an application for tax exemption. The City Commission shall either approve or deny an application for exemption.

5. A covenant or agreement with the City Commission for the term for which the exemption is granted shall be required, and shall be entered into with the property owner, prior to any tax exemption.

6. All approved and required work pursuant to the tax exemption shall be completed within two years following the date of approval by the City Commission; the tax exemption shall not begin and shall be automatically revoked if the property owner does not complete the required work within two years following the date of approval by the City Commission. The Historic Preservation Board may extend the time for completion of the required work for a period not to exceed two (2) years.

7. The Historic Preservation Board may initiate proceedings to revoke the tax exemption, in the event the applicant, or subsequent owner or successors in interest to the property, fails to maintain the property according to the terms, conditions and standards of the historic preservation exemption covenant. The City Commission shall review the recommendation of the Historic Preservation Board and make a determination as to whether the tax exemption shall be revoked.

FISCAL IMPACT

The Administration has concluded that the subject Ordinance will provide a tangible incentive for the preservation of architecturally significant single family homes. While anticipating the economic impact of the proposed Ordinance on the City's budget is

difficult, due to the fact that we do not know how many property owners will take advantage of the proposed ordinance, we can estimate a potential impact, based upon data available from the City of Coral Gables, which has a similar ordinance in place.

The City of Coral Gables has a total of approximately 10,750 single family homes, roughly 500 (less than 5%) of which are currently eligible for historic tax exemption. The City of Miami Beach has approximately 5,200 single family homes, roughly 125 (less than 3%) of which are currently eligible for historic tax exemption. Given that only a modest percentage of the City's overall revenue is derived from single family homes, it would take quite a few voluntary single family home designations and subsequent tax exemption applications to have any significant impact.

In terms of the likelihood of single family home owners availing themselves of this program, another comparison can be made to the City of Coral Gables. Since 1993, only 63 historic tax exemptions have been approved, 40 of which have been completed, 20 of which are still pending, and 3 of which have been withdrawn. Of the 40 completed applications, only 28 are still on the active tax roll, 27 of which are single family properties and one is a condominium building with five units. (One of the 40 completed applications was repealed at the request of the current property owner and is no longer on the tax roll.) The 27 active historic exemptions for single family homes represent only 5.4% of currently eligible properties and 0.25% of all single family homes in the City of Coral Gables.

The impact on the overall revenue stream of Coral Gables is also insignificant. For the 2004 tax year, the total value abated for all 27 single family properties was $5,504,102.00; when multiplied by the City of Coral Gables' millage rate of 5.99 per 1,000 or .00599, the total lost revenue for the City was $32,969.57. Using this as a basis, it is reasonable to assume that because the City of Miami Beach has less than ½ the total number of single family homes as Coral Gables, the total lost revenue for Miami Beach should not be more, and likely considerably less, than the total yearly lost revenue for the City of Coral Gables.

It is also important to note that the same tax abatement program proposed herein has been available for the county portion of individual property taxes, but only two (2) home owners have taken advantage of that in the City of Miami Beach. Staff believes that home owners will be more likely to apply for ad valorem tax exemption for the rehabilitation of their historic homes if they can receive a financial benefit from both the City of Miami Beach and Miami-Dade County. For example, if the assessed value of improvements to the historic residence is $100,000, the property owner will save per year $817.30 from Miami Beach's portion of property taxes (8.173 millage rate) and $596.90 from Miami-Dade County's portion of property taxes (5.969 millage rate).

The administration will report back to the City Commission within a year of adoption of this Ordinance, and present a summary of any homes that have applied for tax exemption and the overall impact on the City's revenue stream. It is anticipated that after a year or so of being operational, the City Commission will have a better grasp on the overall fiscal impact of this program.

The Planning Board considered and transmitted the proposed Ordinance to the City Commission with a favorable recommendation on August 24, 2004. The Historic Preservation Board reviewed the proposed Ordinances on September 14, 2004 and recommended approval of the proposed Ordinance.

CONCLUSION

The Administration recommends that the Mayor and City Commission adopt the proposed Ordinance Amendment on first reading, refer the matter to the Land Use and Development Committee and schedule a second reading public hearing for December 8, 2004.

Pursuant to Section 118-164(4) of the City Code, an affirmative vote of five-sevenths shall be necessary in order to enact any amendments to the Land Development Regulations.

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Single Family Ad Valorem Tax Exemption

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE X, "HISTORIC PRESERVATION," BY CREATING DIVISION 5, "SINGLE FAMILY VALOREM TAX EXEMPTION ", ESTABLISHING REQUIREMENTS AND PROCEDURES FOR CITY TAX ABATEMENTS FOR SINGLE FAMILY HOMES; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the citizens of Florida have amended the Florida Constitution, Article VII, Section 3(e), to authorize counties and municipalities to allow certain tax exemptions for historic properties;

WHEREAS, the Florida legislature has enacted Sections 196.1997 and 196.1998, Florida Statutes, to govern the allowance of such exemptions;

WHEREAS, the City Commission has deemed it in the best interest and welfare of the City to have incentives for the retention and preservation of architecturally and historically significant single family homes in Miami Beach; and

WHERAS, the City Commission and the Historic Preservation Board have deemed it necessary to establish a City Ad Valorem Tax Exemption process for architecturally and historically significant single family homes in Miami Beach in order to promote their preservation and protection; and

WHEREAS, the City of Miami Beach Historic Preservation and Planning Boards strongly endorse the proposed amendments to the Historic Preservation Section of the Code; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

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

SECTION 1.

That Chapter 118, "Administration And Review Procedures," Article X, "Historic

Preservation," of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended as follows:

DIVISION 5. SINGLE FAMILY AD VALOREM TAX EXEMPTION

Sec. 118-600. Scope of tax exemptions.
A procedure is hereby created for the city commission to allow tax exemptions for the restoration, renovation or rehabilitation of single family properties designated individually or as part of an historic district. The exemption shall apply to one hundred (100) percent of the assessed value of all improvements to the single family property, which result from restoration, renovation or rehabilitation made on or after the effective date of this division. The exemption applies only to taxes levied by the city. The exemption does not apply to taxes levied for the payment of bonds or to taxes authorized by a vote of the electors pursuant to the City Code or the Florida Constitution. The exemption does not apply to personal property or to properties located within a community redevelopment area.

Sec. 118-601. Duration of tax exemptions.
Any exemption granted under this section to a particular property shall remain in effect for ten (10) years. The duration of ten (10) years shall continue regardless of any change in the authority of the city to grant such exemptions or any changes in ownership of the property. In order to retain an exemption, however, the historic and architectural character of the property, its designation status, and improvements which qualified the property for an exemption, must be maintained over the period for which the exemption is granted.

Sec. 118-602. Eligible properties and improvements.
(a) A single family property is qualified for an exemption under this section if:
(1) At the time the exemption is considered by the historic preservation board, the property is:
a. Individually listed in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966, as amended;
b. A contributing property within a National Register Historic District or locally designated historic district; or
c. Locally designated as an individual historic structure or an historic site.
(2) The historic preservation board has certified to the city commission that the property for which an exemption is requested satisfies subsection (a)(1).
(b) In order for an improvement to an historic property to qualify for an exemption, the improvement must be determined by the historic preservation board to be:
(1) Consistent with the United States Secretary of the Interior's Standards for Rehabilitation; and
(2) Consistent with the Certificate of Appropriateness Criteria in Section 118-564 of the City Code.

Sec. 118-603. Preapplication Requirements.
A preapplication meeting with the planning director, or designee, shall be required before a project is initiated in order to determine whether the proposed project satisfies the minimum criteria for ad valorem tax exemption.

Sec. 118-604. Applications.
Any person, firm or corporation that desires ad valorem tax exemption from the improvement of an eligible single family property must, prior to any construction or demolition, file with the planning department a written application on a form approved by the department. The application shall include the following documents and information:
(a) The name of the property owner and the location of the single family property.
(b) A description of the improvements to real property for which an exemption is requested and the date of commencement of construction of such improvements.
(c) Proof that the property to be rehabilitated or renovated is an eligible historic property under this Division.
(d) Drawings and other pertinent exhibits that clearly delineate the scope of work to be performed; the proposed improvements to the property shall be consistent with the Secretary of the Interior's Standards for Rehabilitation and the Certificate of Appropriateness Criteria in section 118-564 of the City Code.
(e) Other information identified in the filing instructions provided by the Planning Department.

Sec. 118-605. Review by the historic preservation board.
The historic preservation board, or its successor, is designated to review all applications for exemptions. The historic preservation board shall recommend that the city commission grant or deny the proposed exemption. The recommendation, and the reasons therefore, shall be provided to the applicant and to the city commission before consideration of the application at an official meeting.

Sec. 118-606. Approval by the city commission.
A majority vote of the city commission shall be required to approve an application for exemption. Such exemption shall take effect on the January 1 following substantial completion of the improvement. The city commission shall include the following in the resolution or ordinance approving the application for exemption:
(a) The name of the owner and the address of the single family property for which the exemption is granted.
(b) The period of time for which the exemption will remain in effect and the expiration date of the exemption.
(c) A finding that the single family property meets the requirements of this Division.
(d) References to drawings and exhibits delineating the work to be performed.

Sec. 118-607. Required covenant.
To qualify for an exemption, the property owner shall enter into a covenant or agreement with the city for the term for which the exemption is granted. The covenant or agreement shall be form approved by the City Attorney and shall require that the character of the property, and the qualifying improvements to the property, be maintained during the period that the exemption is granted. Before the effective date of the exemption, the owner of the property shall have the covenant recorded in the official records of Miami-Dade County, Florida. The covenant or agreement shall be binding on the current property owner, transferees, and their heirs, successors, or assigns. Violation of the covenant

or agreement shall result in the property owner being subject to the payment of the differences between the total amount of taxes which would have been due in March in each of the previous years in which the covenant or agreement was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in F.S. § 212.12(3).

Sec. 118-608. Amendments.
All amendments to the approved application and permit plans must be reviewed and approved prior to the completion of the project. Minor amendments to permit plans may be approved by the planning director, or designees, provided such amendments are consistent with the Certificate of Appropriateness Criteria in section 118-564 of the City Code. Major amendments to the approved plans must be reviewed and approved by the historic preservation board.

Sec. 118-609. Completion of work.
(a) An applicant must complete all work within two years following the date of approval by the city commission. An application for ad valorem tax exemption shall be automatically revoked if the property owner has not submitted a final request for review of completed work within two years following the date of approval by the city commission.
(b) The historic preservation board may extend the time for completion of a substantial improvement for a period not to exceed two (2) years, or such lesser time as may be prescribed by the board.
(c) A request for review of completed work shall be submitted to the planning department. The planning director, or designee, shall conduct a review to determine whether or not the completed improvements are in compliance with the work approved by the city commission, including approved amendments, if any.
(d) If the planning director, or designee, determines that the work is in compliance with the plans approved pursuant to city commission approval of the tax exemption, the final request for review of completed work shall be approved and issued in writing to the applicant. The city reserves the right to inspect the completed work to verify such compliance.
(e) If the planning director, or designee determines that the work as completed is not in compliance with the plans approved pursuant to city commission approval of the tax exemption, the applicant shall be advised that the final request for review of completed work has been denied. Such denial shall be in writing and provide a written summary of the reasons for the determination, including recommendations to the applicant concerning the changes to the proposed work necessary to bring it into compliance with the approved plans. The applicant may file an appeal of the decision of the planning director, or designee, within 15 days of such decision. The appeal shall be in writing and shall be to the historic preservation board and shall set forth the factual and legal bases for the appeal.

Sec. 118-610. Notice of approval to the property appraiser.
Upon the receipt of a certified copy of the recorded restrictive covenant, the planning director, or designee, shall transmit a copy of the approved request for review of completed work, the exemption covenant and the ordinance or resolution of the city commission approving the final application and authorizing the tax exemption to the county property appraiser.

Sec. 118-611. Revocation proceedings.

(a) The planning director, or designee, or historic preservation board may initiate proceedings to revoke the ad valorem tax exemption provided in this article, in the event the applicant, or subsequent owner or successors in interest to the property, fails to maintain the property according to the terms, conditions and standards of the historic preservation tax exemption covenant. Such proceedings shall be held before the historic preservation board.

(b) The planning director, or designee, shall provide notice by mail to the current owner of record of the property at least 15 days in advance of the revocation hearing. In order to maintain the tax exemption, the property owner shall complete the restoration or reconstruction work necessary to return the property to the condition existing at the time of project completion on a time schedule agreed upon by the property owner and the historic preservation board. In the event the property owner does not complete the restoration work to the property within the agreed upon time schedule, the historic preservation board shall make a recommendation to the city commission as to whether the tax exemption shall be revoked.

(c) The city commission shall review the recommendation of the historic preservation board and make a determination as to whether the tax exemption shall be revoked. Should the city commission determine that the tax exemption shall be revoked, a written resolution revoking the exemption and notice of penalties as provided in this Division shall be provided to the owner, the county property appraiser and filed in the official records of the county.

(d) Upon receipt of the resolution revoking the tax exemption, the county property appraiser shall discontinue the tax exemption on the property as of January 1 of the year following receipt of the notice of revocation.

(e) If the single family property is damaged by accidental or natural causes during the covenant period of the tax exemption, the property owner shall inform the planning director, or designee, in writing within 60 days of the nature and extent of damage to the property. In order to maintain the tax exemption, the property owner shall complete the restoration or reconstruction work necessary to return the property to the condition existing at the time of project completion on a time schedule agreed upon by the property owner and the planning director or designee.

(f) If the single family property has been destroyed or severely damaged by accidental or natural causes during the covenant period of the tax exemption whereby restoration is not feasible, the property owner shall notify the planning director, or designee, in writing within 60 days of the loss. The planning director, or designee, shall initiate proceedings to revoke the ad valorem tax exemption provided in this article. In such cases, no penalty or interest shall be assessed against the property owner.

Sec. 118-612. Notice of penalties.

The resolution revoking the tax exemption shall include a statement that a penalty equal to the total amount of taxes that would have been due in March of each of the previous years in which the tax exemption and covenant were in effect had the property not received the exemption, less the amount of taxes actually paid in those years, plus interest on the difference calculated as provided in F.S. § 212.12 shall be imposed by the county tax collector for violation of the terms, conditions and standards of the historic preservation exemption covenant.

SECTION 2. CODIFICATION.

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

SECTION 3. REPEALER.

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

SECTION 4. SEVERABILITY.

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

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED AND ADOPTED this _____ day of _____, 2004.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 10-6-04 Date

First Reading: October 13, 2004
Second Reading: November 10, 2004

Verified by: _____
Jorge G. Gomez, AICP
Planning Director

Underscore denotes new language
10/5/2004
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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

An Ordinance of The Mayor and City Commission of the City of Miami Beach, Florida, setting a public hearing to consider amending the adopted Neighborhood Conservation District enabling ordinance to include a new Section 118-708 creating provisions relative to the enforcement of NCD regulations and criteria and the application of equitable estoppel to permits and approvals.

Issue:

Should the Neighborhood Conservation District enabling ordinance be amended to allow the City Commission to initiate specific temporary design and/ or development review controls within a proposed NCD?

Item Summary/Recommendation:

The City Administration has contemplated that due to the substantial length of the adoption process, certain aspects of a neighborhood's character key to the success of a particular NCD may be vulnerable to loss during the process. The current ordinance, as it has been defined, would not instate specific design and or development regulations until there has been a favorable recommendation by the Planning Board; this is several steps into the adoption process.

The Administration believes that the City Commission should be able to initiate certain limited regulatory controls at the time of the preliminary review public hearing; step two (2) of the adoption process. Such interim controls would be outlined in the preliminary evaluation report and would be specifically tailored to the intent of the individual NCD. This will ensure that a thoughtful development of the plan can occur, without the potential for loss of vital neighborhood character.

The Administration recommends that the City Commission approve the ordinance amendment on first reading and set a second reading public hearing for a time certain after 5:00 p.m. at the November 10, 2004 City Commission meeting.

Advisory Board Recommendation:

The Planning Board heard this matter at a public hearing on September 28, 2004, and voted 4-0 (3 absent) to recommend that the City Commission approve the amendment to the recently adopted Neighborhood Conservation District enabling ordinance.

Financial Information:

Source of Funds:		Amount	Account	Approved
	1			
	2			
Finance Dept.	Total			

City Clerk's Office Legislative Tracking:

Jorge G. Gomez/ Reuben N. Caldwell, Planning Department

Sign-Offs:

Department Director	Assistant City Manager	City Manager
	CMC	

AGENDA ITEM R5E

DATE 10-13-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

First Reading

Subject: **Interim Controls Amendment to the Adopted Neighborhood Conservation District Enabling Ordinance**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE XI, "NEIGHBORHOOD CONSERVATION DISTRICTS," BY CREATING A NEW SECTION 118-708, ENTITLED "ENFORCEMENT OF NCD REGULATIONS AND CRITERIA; APPLICATION OF EQUITABLE ESTOPPEL TO PERMITS AND APPROVALS,"; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

ADMINISTRATION RECOMMENDATION

The City Administration recommends that the City Commission approve the ordinance amendment on first reading and set a second reading public hearing for a time certain after 5:00 p.m. at the November 10, 2004 City Commission meeting.

BACKGROUND:

At its September 8th, 2004 public hearing, the City Commission adopted the Neighborhood Conservation District enabling ordinance on second reading. In addition to the request for adoption of the ordinance, the City Administration recommended that the City Commission consider amending the ordinance to include provisions for interim design and/ or development review controls. Since the City Attorney opined that the Commission should not amend substantive new language without sufficient prior notice, the City Administration in consultation with the City Attorney recommended that the City Commission adopt the ordinance as advertised with the provision that new language regarding interim controls be brought back to the Commission for future adoption subsequent to prior review by the Planning Board. Consequently, the City Commission adopted the enabling ordinance by a vote of (6 -1) affirming that the Planning Department draft the amendment regarding interim controls.

ANALYSIS:
In recommending that the Neighborhood Conservation District enabling ordinance be amended to allow the City Commission to initiate specific temporary design and/ or development review controls within a proposed NCD, the City administration has contemplated that due to the substantial length of the adoption process, certain aspects of a neighborhood's character key to the success of a particular NCD may be vulnerable to loss during the process. In particular, the amount of time which transpires between the City Commission's initial direction to staff to prepare an NCD plan and the formal adoption of specific design and/ or development controls by the Planning Board would likely be a minimum of three (3) months and could in some cases take six (6) months or more to achieve community consensus. During that time, a substantial number of building permits could be pulled that might threaten the ultimate success of the NCD plan. The current ordinance, as it has been defined, would not instate specific design and or development regulations until there has been a favorable recommendation by the Planning Board; this is several steps into the adoption process. Referring to the attached flow chart delineating the adoption procedures for NCDs as outlined in Section 118-705 of the adopted enabling ordinance, the process has been defined to incorporate four (4) or more public hearings in addition to required consensus building workshops; the third public meeting being the Planning Board hearing, at which time regulatory adherence to an NCD plan would be activated.

The City Administration believes that the City Commission should be able to initiate certain limited regulatory controls at the time of the preliminary review public hearing; step two (2) of the adoption process. Such interim controls would be outlined in the preliminary evaluation report and would be specifically tailored to the intent of the individual NCD. For example, some NCDs may warrant interim controls on demolition, while other NCDs may be focused on customizing building setbacks or defining developable lot regulations. Finally, staff believes any interim controls associated with an NCD should remain in place throughout the development of the plan and should expire generally within a period of six (6) months or with a favorable recommendation by the Planning Board pursuant to Article III Chapter 118 of the Code at which time *zoning in progress* would commence. This will ensure that a thoughtful development of the plan can occur, without the potential for loss of vital neighborhood character, as identified by the intent of the NCD.

CITY COMMISSION ACTION
The City Commission referred the item to the Planning Board contemporaneously with the adoption of the enabling legislation on September 8, 2004, by a vote of (6-1).

PLANNING BOARD ACTION
The Planning Board heard this matter at a public hearing on September 28, 2004, and voted 4-0 (3 absent) to recommend that the City Commission approve the amendment to the recently adopted Neighborhood Conservation District enabling ordinance.

FISCAL IMPACT
The amendment creates new provisions within the adopted enabling legislation not specific

to a particular NCD. Therefore, adverse fiscal impact is not contemplated with the adoption of this ordinance.

CONCLUSION

According to Sec. 118-164, when a request to amend the land development regulations does not change the actual list of permitted, conditional or prohibited uses in a zoning category, the proposed ordinance requires two readings, by title or in full on at least two separate days and shall, at least ten days prior to adoption, be noticed once in a newspaper of general circulation in the city. Following the second reading public hearing, the Commission can adopt the ordinance by a 5/7ths vote.

JMG/CMC/JGG/rnc

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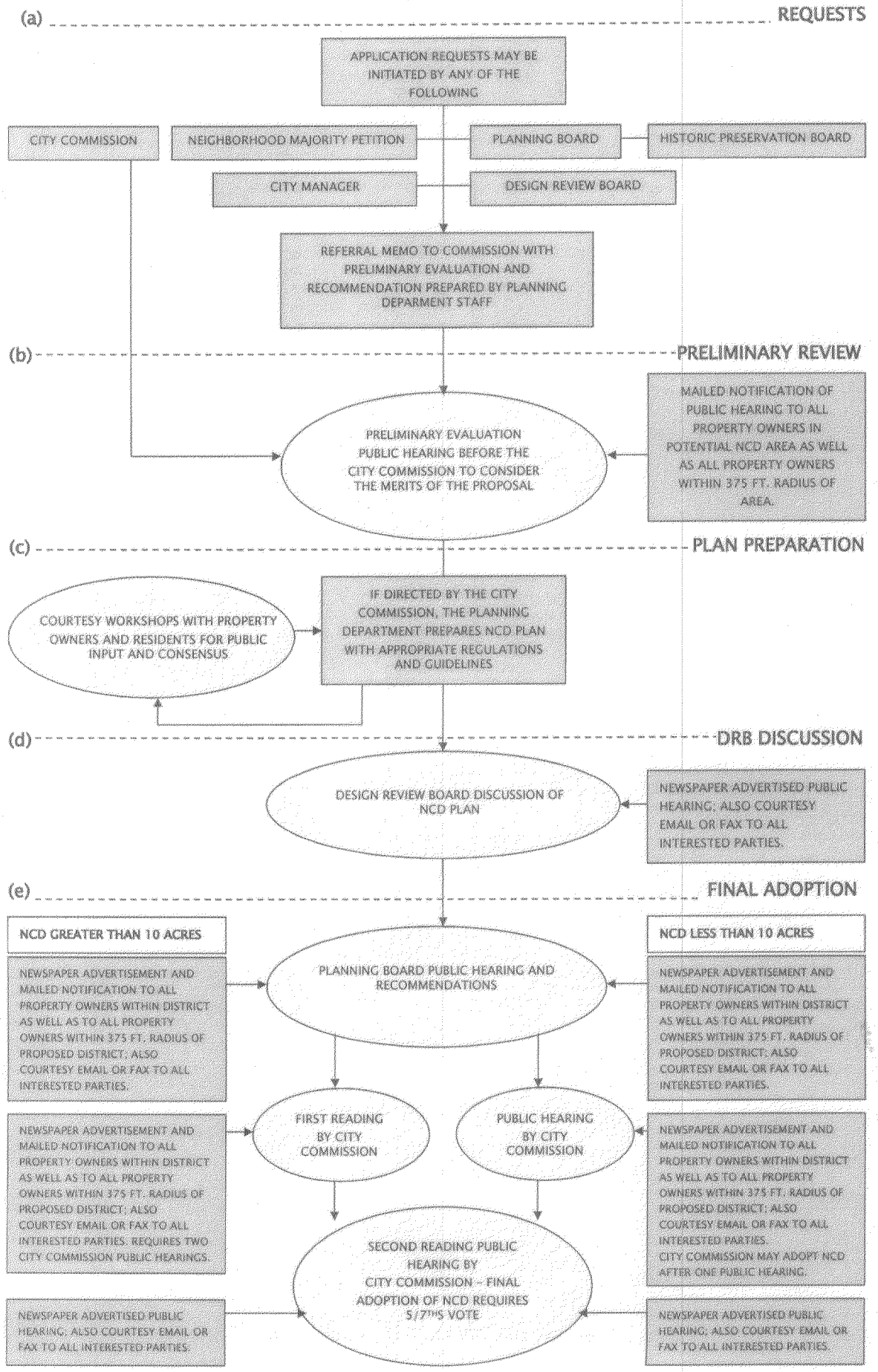
PROCEDURES FOR ADOPTION OF A NEIGHBORHOOD CONSERVATION DISTRICT

Updated from Land Use and Development Committee Meeting
June 7, 2004



ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE XI, "NEIGHBORHOOD CONSERVATION DISTRICTS," BY CREATING A NEW SECTION 118-708, ENTITLED "ENFORCEMENT OF NCD REGULATIONS AND CRITERIA; APPLICATION OF EQUITABLE ESTOPPEL TO PERMITS AND APPROVALS,"; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach is distinguished by an extraordinary collective experience of residential neighborhoods; and

WHEREAS, the scale, character and quality of life in the neighborhoods of Miami Beach must be continually nurtured and safeguarded for future generations; and

WHEREAS, the City Commission has deemed it appropriate for the public health, safety and welfare of the City through the Future Land Use Section of the Comprehensive Plan to maintain and enhance the special character of residential neighborhoods of the City; and

WHEREAS, the City Commission has adopted the "Neighborhood Conservation District" enabling ordinance as an appropriate land development overlay tool in further achieving this objective; and

WHEREAS, the thoughtful development of specific Neighborhood Conservation Districts will require that fundamental elements key to their success be identified and appropriately regulated during the public review process; and

WHEREAS, the enforcement of NCD regulations and criteria and the application of equitable estoppel to permits and approvals as set forth below is necessary to accomplish the above objectives.

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

SECTION 1. That Chapter 118, "Administration and Review Procedures," Article XI, "Neighborhood Conservation Districts" of the Land Development Regulations of the Code of the City of Miami Beach, Florida, is hereby amended by adding section 118-708, Enforcement of NCD regulations and criteria; application of equitable estoppel to permits and approvals, as follows:

Sec. 118-708. Enforcement of NCD regulations and criteria; application of equitable estoppel to permits and approvals.

(a) Following the preliminary review public hearing, a referral by the City Commission to the Planning Department to pursue a proposed NCD designation shall impose the requirement that all applications and/ or requests for design and/ or development review approval within a proposed NCD shall be consistent with the character and intent of the proposed NCD as defined by the criteria set forth in the preliminary evaluation and recommendation prepared by the Planning Department.

(b) Such requirement in (a) above shall expire upon the earlier of either the favorable recommendation of the NCD designation by the Planning Board, the effective date of the adopted NCD, a final vote of the City Commission declining to adopt the NCD, or six (6) months following the referral, unless the requirement in (a) is extended for an additional period of time by action of the City Commission.

(c) In the event a property owner has obtained (i) a design review approval, (ii) a certificate of appropriateness, (iii) a variance approval where no design review approval or certificate of appropriateness is required, or (iv) a full building permit as defined in Section 114-1 where no design review approval, certificate of appropriateness or variance approval is required, prior to the referral in (a) above, the NCD criteria provided for in (a) above shall not be enforced against such project or application.

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 City Commission that this Ordinance be entered into the Code, and it is hereby ordained that the sections of this Ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect ten days after adoption.

PASSED and ADOPTED this _____ day of _____, 2004.

ATTEST:

_____ MAYOR

_____
CITY CLERK

VERIFIED

_____ _____
PLANNING DIRECTOR DATE

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

_____ 10-5-04
CITY ATTORNEY DATE

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(REFERENCE ONLY)

Sec. 118-168. Proposed land development regulation amendments; application of equitable estoppel to permits and approvals.

(a) Amendments to these land development regulations shall be enforced against all applications and/or requests for project approval upon the earlier of the favorable recommendation by the planning board or the applicable effective date of the land development regulation amendment, as more particularly provided below. After submission of a completed application for a project approval, to the extent a proposed amendment to these land development regulations would, upon adoption, render the application nonconforming, then the following procedure shall apply to all applications considered by the city or any appropriate city board:

(1) In the event the applicant:

a. Obtains (i) a design review approval, (ii) a certificate of appropriateness, (iii) a variance approval where no design review approval or certificate of appropriateness is required, or (iv) a full building permit as defined in section 114-1 where no design review approval, certificate of appropriateness or variance approval is required; and

b. Satisfies subsection a., above, prior to a favorable recommendation by the planning board with respect to any land development regulation amendment that is adopted by the city commission within 90 days of the planning board's recommendation, then the project shall be presumed to have received a favorable determination that equitable estoppel applies and the subject land development regulation amendment shall not be enforced against the application and/or project (hereinafter, a "favorable determination"), except as otherwise provided in subsection (b), below. If at any time before the expiration of the 90 days the proposed amendment fails before the city commission, then the project shall no longer be deemed nonconforming.

(2) In the event the applicant:

a. Obtains (i) a design review approval, (ii) a certificate of appropriateness, (iii) a variance approval where no design review approval or certificate of appropriateness is required, or (iv) a full building permit as defined in section 114-1 where no design review approval, certificate of appropriateness or variance approval is required; and

b. Satisfies subsection a., above, prior to the effective date of any land development regulation amendment where there was an unfavorable recommendation by the planning board with respect to the land development regulation amendment, or when the planning board recommends favorably, but the city commission fails to adopt the amendment within the specified 90 day period, then the project shall be presumed to have received a favorable determination and the subject land development regulation amendment shall not be enforced against such application and/or project, except as otherwise provided in subsection (b), below.

(3) In the event an applicant does not qualify under subsections (1) or (2) of this subsection (a) for a presumption of a favorable determination to avoid enforcement of adopted amendments against an application and/or project, then the applicant may seek a determination from a court of competent jurisdiction as to whether equitable estoppel otherwise exists. If, however, an applicant fails to seek a determination from the court, or if the court has made a determination unfavorable to the applicant, and such determination is not reversed on appeal, then the city shall fully enforce the adopted land development regulation amendment(s) against the applicant's application and/or project.

(4) Any presumption of a favorable determination under subsections (1) and (2) of this subsection (a), or any favorable determination under subsection (3) of this subsection (a), shall lapse contemporaneously with the failure, denial, expiration, withdrawal, or substantial amendment of the application, approval, or permit relative to the project or application to which the favorable determination is applied.

(5) For purposes of this subsection (a), all references to obtaining design review approval, a certificate of appropriateness or variance approval, shall mean the meeting date at which the respective board approved such application or approved such application with conditions. For purposes of this subsection (a), "substantial amendment" shall mean an amendment or modification (or a proposed amendment or modification) to an application, approval or permit which, in the determination of the planning and zoning director, is sufficiently different from the original application or request that the amendment would require the submission of a new application/request for approval of same. All references to obtaining a building permit shall mean the date of issuance of the permit.

(6) After submission of a completed application for a project approval, to the extent a proposed amendment to the land development regulations would, upon adoption, render the application nonconforming, then the city or any appropriate city board shall not approve, process or consider an application unless and until (i) the project has cured the nonconformity or

the applicant acknowledges that the city shall fully enforce the adopted land development regulation amendment(s) against the applicant's application and/or project; (ii) the project qualifies under subsections (1) or (2), and subject to subsection (4), of this subsection (a), above; or (iii) a favorable determination has been made by a court. Except as otherwise provided herein, any proceeding or determination by any city employee, department, agency or board after a project becomes nonconforming shall not be deemed a waiver of the city's right to enforce any adopted land development regulation amendments.

(b) Subsections 118-168(a) and (b) shall not apply to proposed amendments to chapter 118, which would designate specific properties or districts as historic. The moratorium regulations applicable to such proposed amendments are set forth in chapter 118, article X, division 4.

(Ord. No. 89-2665, § 14-7, eff. 10-1-89; Ord. No. 92-2865, eff. 8-7-93; Ord. No. 94-2947, eff. 10-15-94; Ord. No. 98-3106, § 1, 1-7-98; Ord. No. 98-3130, § 1, 7-15-98; Ord. No. 2000-3253, § 1, 7-12-00)

(REFERENCE ONLY)

Section 114-1

Full building permit means the full and complete building permit allowing construction of the entire project, and requiring submission of all plans required and approved by the design review board, the historic preservation board, the planning board or the board of adjustment. A full building permit shall not be merely a demolition, electrical, foundation, mechanical or plumbing permit or any other partial permit that does not include all plans for the entire project as submitted, required and approved by the design review board, the historic preservation board, the planning board or the board of adjustment; except that projects that have been approved for phased development by the design review board, the historic preservation board, the planning board or the board of adjustment may obtain a phased development permit instead of a full building permit.

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

Amend the CCC, Civic and Convention Center District regulations providing that required parking provided for uses in this district, located off-site, shall not be included in permitted floor area wherever located.

Issue:

Should the regulations in the CCC District be amended to allow the required parking for civic and cultural institutions, when located in off-site facilities not to be included in the floor area calculations of the building providing such spaces?

Item Summary/Recommendation:

The Administration recommends that the City Commission approve the proposed ordinance on first reading and set a second reading public hearing for the November 10, 2004 meeting.

Advisory Board Recommendation:

September 28, 2004 the Planning Board made a motion to recommended approval of the proposed ordinance with the following modifications made by the Board:

1. As modified by Planning staff, the ordinance should exclude from this provision hotels, merchandise marts, commercial or office development, and should only be applicable to performing arts and cultural facilities and other public facilities.
2. The Planning Board also suggested that the City Commission ensure that there would be parity in parking rates for performances of the NWS.
3. The Board also suggested that proper signage for NWS and the off-site parking facility should eventually be included in the new wayfinding signage system.

The vote was 3 in favor and 1 against (three members absent). Since four votes in favor are required to adopt the motion, it did not receive the necessary votes; however, it was the sentiment of the majority of those present that this proposed amendment should go forward and be reviewed by the Commission.

September 27, 2004, the Transportation and Parking Committee discussed the New World Symphony project and approved a motion that encourages the City to go forward with building the largest garage that makes economic sense, as well as encouraging PLC Investments to build a garage to accommodate NWS required parking at its expense.

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Jorge Gomez

Sign-Offs:

Department Director	Assistant City Manager	City Manager

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AGENDA ITEM R5F

DATE 10-13-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

First Reading

Subject: **CCC, Civic and Convention Center District regulations regarding required parking.**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH AMENDING CHAPTER 142, "LAND DEVELOPMENT REGULATIONS," OF THE CITY CODE; DIVISION 7. "CCC, CIVIC AND CONVENTION CENTER DISTRICT," BY CREATING A NEW SECTION 142-368 ENTITLED "OFFSITE PARKING," PROVIDING THAT REQUIRED PARKING PROVIDED FOR USES IN THIS DISTRICT, LOCATED OFF-SITE PURSUANT TO SECTION 130-36, SHALL NOT BE INCLUDED IN PERMITTED FLOOR AREA WHEREVER LOCATED; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY AND EFFECTIVE DATE.

ADMINISTRATION RECOMMENDATION

The Administration recommends that the City Commission approve the proposed ordinance on first reading and set a second reading public hearing for the November 10, 2004 meeting.

BACKGROUND

This ordinance was introduced to the Planning Board at the August 24, 2004 meeting during the presentation of the concept plan for the New World Symphony Sound Space project (NWS). At that time the Board endorsed the revised plan and also agreed that the removal of 175 parking spaces from site would reduce the bulk of the parking structure, and that relocating those spaces to another site would improve the project. The Board also made it very clear that it was not commenting at the time on the merits of the proposal to allow the required parking for the NWS to be relocated off-site, and not have this excess parking included in permitted floor area, wherever located.

At the September 8, 2004 City Commission meeting, the Commission referred the proposed ordinance to the Planning Board for its review and recommendation. The referral was made with no supposition of support or opposition to the proposed ordinance.

ANALYSIS

The genesis of this proposed ordinance is the planning associated with the proposed SoundSpace facility to be built jointly by the City and the New World Symphony. SoundSpace and related support structures, including the garage, are to be situated on the surface parking lot west of Drexel Avenue; a park and function/performance space area is to occupy the lot east of Drexel Avenue. The main entrance lobby and drop-off area would be on Drexel Avenue, with support and classroom space occupying the south side of the lot. The garage would be located on the west side of the lot, with entrance and egress located on Pennsylvania Avenue. In order enhance the facility's visibility from Lincoln Road and the surrounding area, the main entrance is characterized by a 65-75 ft-high glass tower referred by the designer as a reader tower. The plan also calls for Drexel Avenue to meander eastward into the Park between Lincoln Lane and 17th Street, which provides a unique opportunity to integrate Drexel Avenue into the design of Soundspace, creating the feeling of a true public plaza and providing the ability to close the street during certain park-related events.

Much of the planning discussions have focused on the garage component of the project and the size and massing of the facility. Given the City's mandate to maximize the number of parking spaces, and minimize any net loss of parking (506 existing parking spaces on site), the parking structure in the new concept models is comprised of 5 levels (4 + roof level), containing 644 spaces. This would provide approximately 476 spaces of replacement parking and 175 spaces of required parking for the Soundspace project. The proposed parking structure, which would front Pennsylvania Avenue, may be reduced in massing by scaling back the north and south side of the structure, reducing approximately 175 spaces, to provide for a reduced parking garage mass, with approximately 476 spaces.

In an effort to reduce the massing, an alternative proposal was proffered by the Cejas family to accommodate the required 175 parking spaces for the NWS within the proposed 420 Lincoln Road project. This would provide the opportunity for the City/NWS to scale back the parking structure, and in turn provide landscaping opportunities and enhance the visual corridor between the Convention Center area and Lincoln Road. Additionally, Mr. Cejas has proposed and agreed to fund the capital cost of the NWS required parking, if such an arrangement would not adversely impact the floor area ratio (FAR) of his project. This would also address any concern with the City participating in the cost of the NWS required parking.

As a result, City staff and the City Attorney's office evaluated the Land Development Regulations of the City Code and determined that an amendment would be required to address the placement of the NWS required parking within an off-site location (the Cejas project) without adversely impacting that project's FAR.

Section 130-36 of the City Code contains provisions for providing required parking off-site within a certain distance of the site through the use of covenants in lieu of unity of title. A new development may satisfy its parking requirements with parking spaces located within

500 feet of the development, or 1,200 feet in a historic district. The proposed ordinance provides that when a public project in the CCC zoning district utilizes the off-site parking provisions to satisfy parking requirements, the parking shall not count towards FAR at the site the parking is located.

Currently, required parking does not count towards FAR, but excess parking does carry the FAR penalty. The effect of the ordinance would be to allow off-site parking to be provided near public projects in the area of the Convention Center, and not have the parking count toward FAR for the site containing the parking. In this way, a new development could provide excess parking to be used by the public facility, and not have the excess parking affect their FAR for their project.

A note of caution is appropriate, as the proposal could have the potential to cause unwanted increases in bulk and building massing for the projects providing the excess parking. If more parking is provided than normally would be supplied, it may cause the parking pedestal of the project to be larger and bulkier than normal. While, this is partially mitigated by the fact that excess parking is desirable to alleviate chronic parking shortages, it is very important that there is strict compliance with design review/historic preservation guidelines and goals, in order to mitigate any potential for oversized parking pedestals or unwanted bulk and building massing. To this end, a recommendation was made to the Planning Board that hotels, merchandise marts, commercial, or office developments be excluded from this provision.

PLANNING BOARD ACTION

At the September 28, 2004 meeting of the Planning Board, a motion was made and seconded to recommended approval of the proposed ordinance to the City Commission with the following modifications made by the Board:

1. As modified by Planning staff, the ordinance should exclude from this provision hotels, merchandise marts, commercial or office development, and should only be applicable to performing arts and cultural facilities and other public facilities.
2. The Planning Board also suggested that the City Commission ensure that there would be parity in parking rates for performances of the NWS.
3. The Board also suggested that proper signage for NWS and the off-site parking facility should eventually be included in the new wayfinding signage system.

The vote was 3 in favor and 1 against (three members absent). Since four votes in favor are required to adopt the motion, it did not received the necessary votes; however, it was the sentiment of the majority of those present that this proposed amendment should go forward and be reviewed by the Commission.

TRANSPORTATION AND PARKING COMMITTEE (TPC)

On Monday, September 27, 2004, the TPC discussed the New World Symphony project and approved a motion that encourages the City to go forward with building the largest garage that makes economic sense, as well as encouraging PLC Investments to build a garage to accommodate NWS required parking at its expense. On October 4, 2004 the TPC reviewed the Planning Board results and were apprised this matter would be presented to the Mayor and City Commission on October 13, 2004.

FISCAL IMPACT

This proposal is an enabling ordinance and has no associated negative fiscal impact upon enactment.

CONCLUSION

Pursuant to Section 118-164(3), when a request to amend these land development regulations does not change the actual list of permitted, conditional or prohibited uses in a zoning category, the proposed ordinance may be read by title or in full on at least two separate days and shall, at least ten days prior to adoption, be noticed once in a newspaper of general circulation in the city.

Immediately following the public hearing at the second reading, the City Commission may adopt the ordinance by an affirmative vote of five-sevenths of all members of the City Commission.

JMG/CMC/JGG

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ORDINANCE NO._____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH AMENDING CHAPTER 142, "LAND DEVELOPMENT REGULATIONS," OF THE CITY CODE; DIVISION 7. "CCC, CIVIC AND CONVENTION CENTER DISTRICT," BY CREATING A NEW SECTION 142-368 ENTITLED "OFFSITE PARKING," PROVIDING THAT REQUIRED PARKING PROVIDED FOR USES IN THIS DISTRICT, LOCATED OFF-SITE PURSUANT TO SECTION 130-36, SHALL NOT BE INCLUDED IN PERMITTED FLOOR AREA WHEREVER LOCATED; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, as provided in City Code Sections 142-361 and -362, the purpose of the CCC District is for "the facilities necessary to support the convention center," and the district allows as main permitted uses: "parking lots, garages, performing arts and cultural facilities; hotel; merchandise mart; commercial or office development; landscape open space; parks, [and] any use not listed above shall only be approved after the City Commission holds a public hearing"; and

WHEREAS, the City desires to ensure that adequate parking is provided for projects and uses in the CCC, Civic and Convention Center District; and

WHEREAS, one of the mechanisms for providing adequate parking is through the off-site parking provisions in section 130-36 of the City Code; and

WHEREAS, such off-site parking may be provided in the CCC district, or outside the CCC district, as long as the distance requirements of section 130-36 are satisfied, i.e., 500 feet from the subject property, or 1,200 feet if the subject property is located within the architectural district or a local historic district; and

WHEREAS, in order to ensure the provision of required parking for projects in the CCC district, and in order not to penalize property owners who may offer space for parking for projects in the CCC district, such parking will be treated as if the parking were located on the subject property which the parking would serve, i.e., that the required parking will not be counted as part of the permitted floor area of the property where the parking is located.

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

SECTION 1. That Chapter 142, Zoning Districts and Regulations, Division 7, CCC Civic and Convention Center District, is hereby amended by adding a new Section 142-368, Offsite parking, as follows:

Sec. 142-368. Off-site parking.
Required parking provided for uses in this district (except hotels, merchandise marts, and commercial or office developments), located off-site pursuant to section 130-36, shall not be included in permitted floor area wherever located, including outside of this district.

Sections 142-36~~8~~ 9– 142-390. Reserved.

SECTION 2. REPEALER.

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

SECTION 3. CODIFICATION.

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

SECTION 4. SEVERABILITY.

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

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED and **ADOPTED** this _____ day of _____, 2004.

ATTEST:

_____
MAYOR

_____
CITY CLERK

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

_____ 10-6-04
City Attorney Date

First Reading:
Second Reading:

Verified by: _____
Jorge G. Gomez, AICP
Planning Director

Underscore denotes new language
~~Strikethrough~~ denotes deleted language

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

An Ordinance amending the Classified Salary Ordinance No. 789 for Classified employees, by establishing the classifications of Field Inspector I, Field Inspector II, and Parking Dispatcher in Group IV, being those classifications covered by the Communications Workers of America (CWA), Local 3178; transferring the titles of the classifications of Backflow Coordinator, Carpenter Supervisor, Central Services Supervisor, Lead Mechanic, Sanitation Operations Supervisor, Service Supervisor, and 911 Communications Records Custodian from Group VI, being Other Classifications in the classified service not covered by a bargaining unit, to Group V, being those classifications covered by the Government Supervisors Association of Florida (GSAF), OPEIU local 100; providing for a Repealer, Severability, Effective Date, and Codification.

Issue:

Shall the City provide appropriate titles and salary ranges for individuals performing specific duties and provide a classification and compensation system that is fair and representative of the functions performed in the City by amending the Classified Salary Ordinance and transferring seven Group VI classifications (not covered by a bargaining unit) to Group V (GSAF) as a result of the joint petition between GSAF and the City to the Public Employee Relations Commission. Incumbents in these classifications have been performing their functions using similar titles and ranges, pending approval. As a result, classifications need to be established and transferred?

Item Summary/Recommendation:

The Administration recommends that the City Commission approve the Ordinance on first reading and schedule a second reading, public hearing for November 10, 2004.

Advisory Board Recommendation:

N/A

Financial Information:

Amount to be expended:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Mayra D. Buttacavoli

Sign-Offs:

Department Director	Assistant City Manager	City Manager
Mayra D. Buttacavoli		

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AGENDA ITEM R5G

DATE 10-13-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

FIRST READING

Subject: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE, BY ESTABLISHING THE CLASSIFICATIONS OF FIELD INSPECTOR I, FIELD INSPECTOR II AND PARKING DISPATCHER IN GROUP IV, BEING THOSE CLASSFICATIONS COVERED BY THE COMMUNICATION WORKERS OF AMERICA (CWA), LOCAL 3178; TRANSFERRING THE TITLES OF THE CLASSIFICATIONS OF BACKFLOW COORDINATOR, CARPENTER SUPERVISOR, CENTRAL SERVICES SUPERVISOR, LEAD MECHANIC, SANITATION OPERATIONS SUPERVISOR, SERVICE SUPERVISOR, AND 911 COMMUNICATIONS RECORDS CUSTODIAN FROM THE GROUP VI, BEING OTHER CLASSIFICATIONS IN THE CLASSIFIED SERVICE NOT COVERED BY A BARGAINING UNIT, TO GROUP V, BEING THOSE CLASSIFICATIONS COVERED BY THE GOVERNMENT SUPERVISORS ASSOCIATION OF FLORIDA (GSAF), OPEIU LOCAL 100; PROVIDING FOR A REPEALER, SEVERABILITY, EFFECTIVE DATE, AND CODIFICATION.**

ADMINISTRATION RECOMMENDATION

Approve the Ordinance on first reading and schedule a second reading, public hearing for November 10, 2004.

ANALYSIS

The Administration needs to provide appropriate titles and salary ranges for individuals performing specific duties. Incumbents in these positions have been performing their functions using similar titles and grades, pending this approval. In addition, seven (7) classifications need to be transferred from group VI (other classifications not covered by a bargaining agreement) to Group V (GSAF)

The following classifications are being established:

GROUP IV: CWA

Field Inspector I (Range H24)
Field Inspector 2 (Range H30)
Parking Dispatcher (Range H24)

The following classifications are being transferred from Group VI, being other classifications in the classified service not covered by a bargaining unit, to Group V being those classifications covered by the Government Supervisors Association of Florida, OPIEU Local 100, (GSAF), as a result of a joint petition of the City and the Government Supervisors Association of Florida to the Public Employee Relations Commission.

Backflow Coordinator (Grade 11)

Carpenter Supervisor (Grade 10)

Central Services Supervisor (Grade 12)

Lead Mechanic (Grade 11)

Sanitation Operations Supervisor (Grade 12)

Service Supervisor (Grade 9)

911 Communications Records Custodian (Grade 10)

CONCLUSION

By amending the Classified Salary Ordinance for classifications in Group IV, covered by CWA; Group V, covered by GSAF, and Group VI "Others" not covered by a bargaining unit, the City will ensure that there is a classification and compensation system which is fair and representative of the functions performed in the City.

JMG: MDB: GPL: NJ
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ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE, BY ESTABLISHING THE CLASSIFICATIONS OF FIELD INSPECTOR I, FIELD INSPECTOR II AND PARKING DISPATCHER IN GROUP IV, BEING THOSE CLASSIFICATIONS COVERED BY THE COMMUNICATION WORKERS OF AMERICA (CWA), LOCAL 3178; TRANSFERRING THE TITLES OF THE CLASSIFICATIONS OF BACKFLOW COORDINATOR, CARPENTER SUPERVISOR, CENTRAL SERVICES SUPERVISOR, LEAD MECHANIC, SANITATION OPERATIONS SUPERVISOR, SERVICE SUPERVISOR, AND 911 COMMUNICATIONS RECORDS CUSTODIAN FROM GROUP VI, BEING OTHER CLASSIFICATIONS IN THE CLASSIFIED SERVICE NOT COVERED BY A BARGAINING UNIT, TO GROUP V, BEING THOSE CLASSIFICATIONS COVERED BY THE GOVERNMENT SUPERVISORS ASSOCIATION OF FLORIDA (GSAF), OPEIU LOCAL 100; PROVIDING FOR A REPEALER, SEVERABILITY, EFFECTIVE DATE, AND CODIFICATION.

WHEREAS, there is a need to establish certain classifications and transfer certain classifications in order to ensure that the City has an employee classification and compensation system which is fair and representative of the functions performed in the City.

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

SECTION 1: That the following lines of the Classified Salary Ordinance No. 789 are amended to read as follows:

GROUP IV COMMUNICATION WORKERS OF AMERICA (CWA)
SALARY RANGES AND CLASSIFICATIONS

A. Salary Ranges **Effective 09/23/02**

SALARY RANGE	MINIMUM STEP D/1	MINIMUM STEP E/2	MAXIMUM STEP M/10
H15	914.11	941.53	1,192.70
H16	941.53	969.78	1,228.48
H17	969.78	998.87	1,265.34
H18	998.87	1,028.84	1,303.30
H19	1,028.84	1,059.70	1,342.40
H20	1,059.70	1,091.49	1,382.67
H21	1,091.49	1,124.24	1,424.15
H22	1,124.24	1,157.96	1,466.87
H23	1,157.96	1,192.70	1,510.88
H24	1,192.70	1,228.48	1,571.32
H25	1,228.48	1,265.34	1,634.17
H26	1,265.34	1,303.30	1,699.54
H27	1,303.30	1,342.40	1,767.52
H28	1,342.40	1,382.67	1,838.22
H29	1,382.67	1,424.15	1,911.75
H30	1,424.15	1,466.87	1,988.22
H31	1,466.87	1,510.88	2,067.74
H32	1,510.88	1,571.32	2,150.45
H33	1,571.32	1,634.17	2,236.47
H34	1,634.17	1,699.54	2,325.93
H35	1,699.54	1,767.52	2,418.97
H36	1,767.52	1,838.22	2,515.73
H37	1,838.22	1,911.75	2,616.36
H50	1,164.24	1,199.17	1,533.82
H51	1,199.17	1,235.15	1,595.17
H52	1,235.15	1,272.20	1,658.98
H53	1,272.20	1,310.37	1,725.34
H54	1,310.37	1,349.68	1,794.35
H55	1,349.68	1,390.17	1,866.13
H56	1,390.17	1,431.87	1,940.77
H57	1,431.87	1,474.83	2,018.40
H58		1,533.82	2,099.14
H59		1,595.17	2,183.11
H60		1,658.98	2,270.43

B. Salary Ranges and Classifications

CLASSIFICATION	SALARY RANGE	STARTING STEP	UNION
CLERK	H15	1/D	CWA
COIN ROOM MONEY HANDLER	H16	1/D	CWA
CLERK TYPIST	H17	1/D	CWA
MASONRY HELPER	H18	1/D	CWA
ACCOUNT CLERK 1	H20	1/D	CWA
ADMINISTRATIVE AIDE 1	H20	1/D	CWA
DATA ENTRY CLERK	H20	1/D	CWA
DUPLICATING EQUIPMENT OPERATOR	H20	1/D	CWA
PERMIT CLERK 1	H20	1/D	CWA
POLICE RECORDS TECHNICIAN	H20	1/D	CWA
REVENUE PROCESSOR 1	H20	1/D	CWA
PARKING ENFORCEMENT SPECIALIST 1	H22	1/D	CWA
PARKING METER TECHNICIAN 1	H22	1/D	CWA
ACCOUNT CLERK 2	H23	1/D	CWA
CODE COMPLIANCE OFFICER 1	H23	1/D	CWA
METER ANALYST	H23	1/D	CWA
PERMIT CLERK 2	H23	1/D	CWA
PROPERTY EVIDENCE TECHNICIAN 1	H23	1/D	CWA
PUBLIC SAFETY SPECIALIST	H23	1/D	CWA
REVENUE PROCESSOR 2	H23	1/D	CWA
ADMINISTRATIVE AIDE 2	H24	1/D	CWA
ADMINISTRATIVE SECRETARY	H24	1/D	CWA
BUYER	H24	1/D	CWA
ENGINEERING ASSISTANT 1	H24	1/D	CWA
FIELD INSPECTOR I	**H24**	**1/D**	**CWA**
FINANCE SPECIALIST 1	H24	1/D	CWA
PAINTER	H24	1/D	CWA
PARKING DISPATCHER	**H24**	**1/D**	**CWA**
ACCOUNT CLERK 3	H25	1/D	CWA
ADMINISTRATIVE ASSISTANT 1	H25	1/D	CWA
CARPENTER 1	H25	1/D	CWA
COMMUNICATIONS OPERATOR	H25	1/D	CWA
DISPATCHER TRAINEE	H25	1/D	CWA

MASON	H25	1/D	CWA
PARKING ENFORCEMENT SPECIALIST 2	H25	1/D	CWA
COMMISSION REPORTER 1	H26	1/D	CWA
COMPLAINT OPERATOR 2	H26	1/D	CWA
CRIME ANALYSIS SPECIALIST	H26	1/D	CWA
FINANCE SPECIALIST 2	H26	1/D	CWA
CODE COMPLIANCE OFFICER 2	H27	1/D	CWA
DISPATCHER	H27	1/D	CWA
ENGINEERING ASSISTANT 2	H27	1/D	CWA
PROPERTY EVIDENCE TECHNICIAN 2	H27	1/D	CWA
COMMISSION REPORTER 2	H28	1/D	CWA
FINANCE SPECIALIST 3	H28	1/D	CWA
PLUMBER	H28	1/D	CWA
POLICE FLEET SPECIALIST	H28	1/D	CWA
PLANNING TECHNICIAN	H29	1/D	CWA
AIR CONDITIONING MECHANIC	H30	1/D	CWA
ELECTRICIAN	H30	1/D	CWA
ENGINEERING ASSISTANT 3	H30	1/D	CWA
FIELD INSPECTOR II	**H30**	**1/D**	**CWA**
CRIME SCENE TECHNICIAN 1	H31	1/D	CWA
POLICE PHOTOGRAPHER	H31	1/D	CWA
CODE COMPLIANCE ADMINISTRATOR	H34	1/D	CWA
CRIME SCENE TECHNICIAN 2	H34	1/D	CWA
BUILDING INSPECTOR	H34	2/E	CWA
ELECTRICAL INSPECTOR	H34	2/E	CWA
ELEVATOR INSPECTOR	H34	2/E	CWA
ENGINEERING INSPECTOR	H34	2/E	CWA
MECHANICAL INSPECTOR	H34	2/E	CWA
PLUMBING INSPECTOR	H34	2/E	CWA
POOL GUARD 1	H50	1/D	CWA
POOL GUARD 2	H52	1/D	CWA
LIFEGUARD 1	H52	1/D	CWA
LIFEGUARD 2	H56	1/D	CWA
LIFEGUARD LIEUTENANT	H58	2/E	CWA

GROUP V GOVERNMENT SUPERVISORS ASSOCIATION OF FLORIDA (GSAF) - CLASS AND PAY GRADES, SALARIES, AND CLASSIFICATIONS

A. Salary Grades and Ranges effective the first pay period ending in October 2003.

GRADE	MINIMUM	MAXIMUM
15	$51,153	$ 82,621
14	47,079	76,036
13	43,327	69,976
12	39,873	64,397
11	36,694	59,264
10	33,769	54,540
9	31,078	50,195
8	28,601	46,193
7	26,321	42,511
6	24,223	39,123

B. Grades and Classifications

GRADE	CLASSIFICATION	UNION
15	BEACH PATROL OPERATIONS SUPERVISOR	GSA
15	CITY SURVEYOR	GSA
14	AIR CONDITIONING SUPERVISOR	GSA
14	CRIME SCENE SUPERVISOR	GSA
14	ELECTRICIAN SUPERVISOR	GSA
14	PLUMBING SUPERVISOR	GSA
14	SENIOR BUILDING INSPECTOR	GSA
14	SENIOR ENGINEERING INSPECTOR	GSA
13	COMMUNICATIONS SUPERVISOR	GSA
13	FLEET OPERATIONS SUPERVISOR	GSA
13	PROPERTY MGMT OPERATIONS SUPERVISOR	GSA
13	PUMPING OPERATIONS SUPERVISOR	GSA
13	SEWER FIELD OPERATIONS SUPERVISOR	GSA
13	WATER FIELD OPERATIONS SUPERVISOR	GSA
12	CENTRAL SERVICES SUPERVISOR	GSA
12	ELECTRONICS/INSTRUMENT SUPERVISOR	GSA
12	MAINTENANCE SUPERVISOR	

12	METERED SERVICES SUPERVISOR	GSA
12	PARK OPERATIONS SUPERVISOR	GSA
12	PARKING OPERATIONS SUPERVISOR	GSA
12	**SANITATION OPERATIONS SUPERVISOR**	**GSA**
12	STREET LIGHTING OPERATIONS SUPERVISOR	GSA
12	STREETS OPERATIONS SUPERVISOR	GSA
12	WAREHOUSE SUPERVISOR	GSA
11	**BACKFLOW COORDINATOR**	**GSA**
11	**LEAD MECHANIC**	**GSA**
11	PAINT SUPERVISOR	GSA
11	RECREATION SUPERVISOR I	GSA
10	**911 COMMUNICATIONS RECORDS CUSTODIAN**	**GSA**
10	**CARPENTER SUPERVISOR**	**GSA**
10	PARKING FACILITIES SUPERVISOR	GSA
09	**SERVICE SUPERVISOR**	**GSA**
09	WATER SERVICE REPRESENTATIVE	GSA
06	TENNIS CENTER SUPERVISOR	GSA

GROUP VI OTHERS
CLASS AND PAY GRADES, SALARIES, AND CLASSIFICATIONS

A. Salary Grades and Ranges

GRADE	MINIMUM	MAXIMUM
14	$48,491	$78,317
13	$44,626	$72,076
12	$41,069	$66,329
11	$37,795	$61,042
10	$34,783	$56,176
9	$32,010	$51,700
8	$29,459	$47,579
7	$27,110	$43,786
6	$24,950	$40,296
5	$22,961	$37,083
4	$21,131	$34,129
3	$19,446	$31,409
2	$17,897	$28,905

B. Grades and Classifications

GRADE	CLASSIFICATION	UNION
14	EMPLOYEE BENEFITS SPECIALIST	OTHER CLASSIFIED
14	SENIOR ELECTRICAL INSPECTOR	OTHER CLASSIFIED
14	SENIOR ELEVATOR INSPECTOR	OTHER CLASSIFIED
14	SENIOR MECHANICAL INSPECTOR	OTHER CLASSIFIED
14	SENIOR PLUMBING INSPECTOR	OTHER CLASSIFIED
~~12~~	~~CENTRAL SERVICES SUPERVISOR~~	~~OTHER CLASSIFIED~~
12	COMPUTER OPERATOR	OTHER CLASSIFIED
12	FIREARMS SPECIALIST	OTHER CLASSIFIED
12	PARKING OPERATIONS SUPERVISOR	OTHER CLASSIFIED
~~12~~	~~SANITATION OPERATIONS SUPERVISOR~~	~~OTHER CLASSIFIED~~
~~11~~	~~BACKFLOW COORDINATOR~~	~~OTHER CLASSIFIED~~
~~11~~	~~LEAD MECHANIC~~	~~OTHER CLASSIFIED~~
11	HUMAN RESOURCES TECHNICIAN III	OTHER CLASSIFIED
~~10~~	~~911 COMMUNICATIONS RECORDS CUSTODIAN~~	~~OTHER CLASSIFIED~~
~~10~~	~~CARPENTER SUPERVISOR~~	~~OTHER CLASSIFIED~~
10	HUMAN RESOURCES TECHNICIAN II	OTHER CLASSIFIED
9	ICE RINK TECHNICIAN	OTHER CLASSIFIED
~~9~~	~~SERVICE SUPERVISOR~~	~~OTHER CLASSIFIED~~
9	HUMAN RESOURCES TECHNICIAN I	OTHER CLASSIFIED
8	BUILDING SERVICES TECHNICIAN	OTHER CLASSIFIED
8	ADMINISTRATIVE AIDE II/RISK MANAGEMENT	OTHER CLASSIFIED
6	RECREATION LEADER II	OTHER CLASSIFIED
5	OFFICE ASSOCIATE II (HR & IT)	OTHER CLASSIFIED
4	RECREATION LEADER I	OTHER CLASSIFIED
3	CONCESSION ATTENDANT	OTHER CLASSIFIED
2	SCHOOL GUARD	OTHER CLASSIFIED

SECTION 2: REPEALER.

That 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 a part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 5: EFFECTIVE DATES.

This Ordinance Amendment shall become effective as of November 10, 2004

PASSED and ADOPTED this _____ day of _____ , 2004

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

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City Attorney — Date 10/4/04

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

Ordinance amending Ordinance No. 1605, the Unclassified Employees Salary Ordinance, establishing the classifications of Code Compliance Division Director, Cultural Facilities Manager, Field Monitor, Geographic Information System Analyst and Senior Management Analyst; amending the titles of the classifications of Beach Patrol Captain to Ocean Rescue Division Chief, Field Inspector to Field Supervisor, Management & Budget Director to Budget & Performance Improvement Director, and Right of Way Supervisor to Right of Way Manager; providing for a Repealer, Severability, Effective Date, and Codification.

Issue:

Shall the City provide appropriate titles and salary ranges for individuals performing specific duties and provide a classification and compensation system that is fair and representative of the functions performed in the City by amending the Unclassified Salary Ordinance? Incumbents in these classifications have been performing their functions using similar titles and grades, pending this approval. As a result, classifications need to be established and amended.

Item Summary/Recommendation:

The Administration recommends that the City Commission approve the Ordinance on first reading and schedule a second reading, public hearing for November 10, 2004.

Advisory Board Recommendation:

Financial Information:

Source of Funds:		Amount	Account	Approved
	1			
	2			
	3			
	4			
Finance Dept.	Total			

City Clerk's Office Legislative Tracking:

Mayra D. Buttacavoli

Sign-Offs:

Department Director	Assistant City Manager	City Manager
Mayra D. Buttacavoli		

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AGENDA ITEM R5H

DATE 10-13-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

FIRST READING

Subject: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 1605, THE UNCLASSIFIED EMPLOYEES SALARY ORDINANCE, BY ESTABLISHING THE CLASSIFICATIONS OF CODE COMPLIANCE DIVISION DIRECTOR, CULTURAL FACILITIES MANAGER, FIELD MONITOR, GEOGRAPHIC INFORMATION SYSTEM ANALYST AND SENIOR MANAGEMENT ANALYST; AMENDING THE TITLES OF THE CLASSIFICATIONS OF BEACH PATROL CAPTAIN TO OCEAN RESCUE DIVISION CHIEF, FIELD INSPECTOR TO FIELD SUPERVISOR, MANAGEMENT & BUDGET DIRECTOR TO BUDGET & PERFORMANCE IMPROVEMENT DIRECTOR AND RIGHT OF WAY SUPERVISOR TO RIGHT OF WAY MANAGER; PROVIDING FOR A REPEALER, SEVERABILITY, EFFECTIVE DATE, AND CODIFICATION**

ADMINISTRATION RECOMMENDATION:

Approve the Ordinance on first reading and schedule a second reading, public hearing for November 10, 2004.

ANALYSIS:

The Administration needs to provide appropriate titles and salary ranges for individuals performing specific duties. Incumbents in these positions have been performing their functions using similar titles and grades, pending this approval. As a result, classifications need to be established and amended.

The following classifications are being established:

Code Compliance Division Director (grade 17)
(this new classification will be utilized instead of the old department head classification of Code Compliance Director at a grade 19)

Cultural Facilities Manager (grade 14)

Field Monitor (grade 9)

Geographic Information System Analyst (grade 14)

Senior Management Analyst (Grade 16)

The following titles will be amended as follows:

Beach Patrol Captain	→	Ocean Rescue Division Chief
Field Inspector	→	Field Supervisor
Management & Budget Director	→	Budget & Performance Improvement Director
Right of Way Supervisor	→	Right of Way Manager

The following grades have been changed as included in this Ordinance amendment:

City Engineer	was a grade 18	and is now a grade 19
Police Commander	was a grade 18	and is now a grade 19

CONCLUSION

By establishing seven (7) new classifications, and amending the titles of four (4) classifications, the Ordinance amendment will ensure that the City has an employee classification and compensation system which is fair and representative of the functions performed in the City.

JMG: MDB: GPL: NJ

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ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 1605, THE UNCLASSIFIED EMPLOYEES SALARY ORDINANCE, BY ESTABLISHING THE CLASSIFICATIONS OF CODE COMPLIANCE DIVISION DIRECTOR, CULTURAL FACILITIES MANAGER, FIELD MONITOR, GEOGRAPHIC INFORMATION SYSTEM ANALYST, HUMAN RESOURCES & RISK MANAGEMENT DIRECTOR, NEIGHBORHOOD SERVICES PROJECTS ADMINISTRATOR AND SENIOR MANAGEMENT ANALYST; AMENDING THE TITLES OF THE CLASSIFICATIONS OF BEACH PATROL CAPTAIN TO OCEAN RESCUE DIVISION CHIEF, FIELD INSPECTOR TO FIELD SUPERVISOR, MANAGEMENT & BUDGET DIRECTOR TO BUDGET & PERFORMANCE IMPROVEMENT DIRECTOR, AND RIGHT OF WAY SUPERVISOR TO RIGHT OF WAY MANAGER; PROVIDING FOR A REPEALER, SEVERABILITY, EFFECTIVE DATE, AND CODIFICATION.

WHEREAS, there is a need to establish certain classifications and amend the titles of certain classifications, in order to ensure that the City has an employee classification and compensation system which is fair and representative of the functions performed in the City.

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

SECTION 1: That the following lines of the Unclassified Salary Ordinance No. 1605 are amended to read as follows:

CLASS AND PAY GRADES, SALARIES AND CLASSIFICATIONS

A. Salary Grades and Ranges

GRADE	MINIMUM	MAXIMUM
26	Determined by City Commission	Determined by City Commission
25	$120,980	$195,289
24	$111,276	$179,723
23	$102,407	$165,397
22	$94,245	$152,214
21	$86,733	$140,082
20	$79,820	$128,916
19	$73,458	$118,639
18	$67,602	$109,185
17	$62,213	$100,481
16	$57,018	$92,472
15	$52,687	$85,100
14	$48,491	$78,317
13	$44,626	$72,076
12	$41,069	$66,329
11	$37,795	$61,042
10	$34,783	$56,176
9	$32,010	$51,700
8	$29,459	$47,579
7	$27,110	$43,786
6	$24,950	$40,296
5	$22,961	$37,083
4	$21,131	$34,129
3	$19,446	$31,409
2	$17,897	$28,905
1	$16,470	$26,600

B. Grades and Classifications

GRADE	CLASSIFICATION	UNION
26	City Attorney	Unclassified
26	City Manager	Unclassified
25	Deputy City Manager	Unclassified
24	Assistant City Manager	Unclassified
24	Chief Deputy City Attorney	Unclassified
24	Chief Financial Officer	Unclassified
23	Deputy City Attorney	Unclassified
23	Fire Chief	Unclassified
23	Police Chief	Unclassified
22	Executive Assistant to the City Manager	Unclassified
22	**Human Resources & Risk Management Director**	**Unclassified**
22	Public Works Director	Unclassified
21	Assistant Chief of Police	Unclassified
21	Assistant Fire Chief	Unclassified
21	Building Director	Unclassified
21	Capital Improvement Projects Director	Unclassified
21	City Clerk	Unclassified
21	First Assistant City Attorney	Unclassified
21	General Services Director	Unclassified
21	Human Resources Director	Unclassified
21	~~**Management &**~~ Budget **&** **Performance Improvement** Director	Unclassified
21	Neighborhood Services Director	Unclassified
21	Parking Director	Unclassified
21	Planning Director	Unclassified
21	Parks & Recreation Director	Unclassified
20	Assistant Director - Finance	Unclassified
20	Community / Economic Development Director	Unclassified
20	Cultural Affairs & Tourism Development Director	Unclassified
20	Fire Division Chief	Unclassified
20	Fire Marshall	Unclassified
20	Information Technology Division Director	Unclassified
20	Police Division Major	Unclassified

19	Assistant Director - Building	Unclassified
19	Assistant Director – CIP	Unclassified
19	Assistant Director - Community / Economic Development	Unclassified
19	Assistant Director - Public Works	Unclassified
19	Bass Museum Director	Unclassified
19	~~**Beach Patrol Captain**~~ **Ocean Rescue Division Chief**	Unclassified
19	Budget Officer	Unclassified
19	Chief of Staff	Unclassified
19	City Engineer	Unclassified
19	Code Compliance Director	Unclassified
19	Community Information Manager	Unclassified
19	Executive Assistant to the Chief	Unclassified
19	Fleet Management Division Director	Unclassified
19	Internal Auditor	Unclassified
19	Police Captain	Unclassified
19	Police Commander	Unclassified
19	Procurement Division Director	Unclassified
19	Property Management Division Director	Unclassified
19	Public Information Coordinator	Unclassified
19	Sanitation Director	Unclassified
19	Senior Assistant City Attorney	Unclassified
19	Special Assistant to the City Manager	Unclassified
19	Transportation and Concurrency Manager	Unclassified
18	Affirmative Action Officer	Unclassified
18	Application Systems Manager	Unclassified
18	Assistant Director - Neighborhood Services	Unclassified
18	Assistant Director - Parking	Unclassified
18	Assistant Director - Parks	Unclassified
18	Assistant Director - Planning	Unclassified
18	Assistant Director - Recreation	Unclassified
18	Assistant Director- Tourism and Cultural Development	Unclassified
18	Chief Accountant	Unclassified
18	Expenditure / Treasury Manager	Unclassified
18	Finance Manager	Unclassified
18	Human Resources Administrator II	Unclassified
18	Labor Relations Division Director	Unclassified
18	Redevelopment Coordinator	Unclassified
18	Revenue Manager	Unclassified
18	Senior Capital Projects Coordinator	Unclassified
18	Systems Support Manager	Unclassified
18	Technical Services Manager	Unclassified
18	Utilities Superintendent	Unclassified

17	Account Manager - Finance	Unclassified
17	Arts, Culture & Entertainment Director	Unclassified
17	Assets Manager	Unclassified
17	Assistant Director - Code Compliance	Unclassified
17	Assistant Division Director - Property Management	Unclassified
17	Assistant For Labor Relations	Unclassified
17	Assistant to the Neighborhood Services Director	Unclassified
17	Assistant Internal Auditor	Unclassified
17	Call Center / Customer Service Manager	Unclassified
17	Capital Improvement Administrator - Finance	Unclassified
17	Capital Projects Coordinator	Unclassified
17	Chief Accessibility Inspector	Unclassified
17	Chief Structural Plans Examiner	Unclassified
17	**Code Compliance Division Director**	**Unclassified**
17	Community Development and Housing Division Director	Unclassified
17	Construction Management Division Director	Unclassified
17	Cultural Affairs Program Manager	Unclassified
17	Economic Development Division Director	Unclassified
17	Employment Supervisor	Unclassified
17	Grants Manager	Unclassified
17	Historic Preservation Coordinator	Unclassified
17	Housing Manager	Unclassified
17	Manager – Finance	Unclassified
17	**Neighborhood Services Projects Administrator**	**Unclassified**
17	Office of Community Services Division Director	Unclassified
17	Organizational Development & Training Coordinator	Unclassified
17	Planning & Zoning Manager	Unclassified
17	Preservation & Design Manager	Unclassified
17	Risk Manager	Unclassified
17	Service Delivery Manager	Unclassified
17	Special Projects Coordinator	Unclassified
16	Assistant Director - Procurement Division	Unclassified
16	Assistant Director - Sanitation	Unclassified
16	Assistant City Attorney II	Unclassified
16	Assistant City Clerk	Unclassified
16	Capital Improvement Administrator	Unclassified
16	Capital Projects Administrator	Unclassified
16	Chief Building Inspector	Unclassified
16	Chief Electrical Inspector	Unclassified
16	Chief Elevator Inspector	Unclassified
16	Chief Engineering Inspector	Unclassified
16	Chief Mechanical Inspector	Unclassified
16	Chief Plumbing Inspector	Unclassified
16	Civil Engineer III	Unclassified

16	Claims Coordinator	Unclassified
16	Community Development Coordinator	Unclassified
16	Community Resources Coordinator	Unclassified
16	Database Administrator	Unclassified
16	Employee Benefits Coordinator	Unclassified
16	EMS Coordinator	Unclassified
16	Financial Analyst III	Unclassified
16	Human Resources Administrator I	Unclassified
16	Implementation Services Manager	Unclassified
16	Log Cabin Program Administrator	Unclassified
16	Mayor / Commissioner Aide	Unclassified
16	Network Administrator	Unclassified
16	Office of Child Development Director	Unclassified
16	Parks Superintendent	Unclassified
16	Police Plans & Policies Manager	Unclassified
16	Principal Planner	Unclassified
16	Project Planner/Designer	Unclassified
16	PSCU Administrator	Unclassified
16	Public Information Officer	Unclassified
16	Real Estate Economist	Unclassified
16	Senior Auditor	Unclassified
16	**Senior Management Analyst**	**Unclassified**
16	Senior Management & Budget Analyst	Unclassified
16	Streets & Lighting Superintendent	Unclassified
16	Organizational Development & Training Specialist	Unclassified
16	Transportation Coordinator	Unclassified
16	Utility Billing Supervisor	Unclassified
15	Assistant Director - Bass Museum	Unclassified
15	CDBG Projects Coordinator	Unclassified
15	Central Services Coordinator	Unclassified
15	Code Compliance Manager	Unclassified
15	Code Compliance Supervisor	Unclassified
15	Departmental ADA Coordinator	Unclassified
15	Development Coordinator	Unclassified
15	Film & Print Coordinator	Unclassified
15	Financial Analyst II	Unclassified
15	Fire Protection Analyst	Unclassified
15	Grants Writer / Researcher	Unclassified
15	Information Technology Specialist III	Unclassified
15	Inspection Services Coordinator	Unclassified
15	Media Specialist	Unclassified
15	Property / Evidence Supervisor	Unclassified
15	Redevelopment Specialist	Unclassified
15	Right-of-Way ~~Supervisor~~ **Manager**	Unclassified
15	Safety Officer	Unclassified

15	Senior Planner	Unclassified
15	Senior Plans Designer	Unclassified
15	Senior Capital Projects Planner	Unclassified
15	Special Events Coordinator	Unclassified
15	Structural Engineer	Unclassified
15	Tourism & Convention Director	Unclassified
14	Assistant City Attorney I	Unclassified
14	CDBG Program Analyst	Unclassified
14	Civil Engineer II	Unclassified
14	Communications Manager	Unclassified
14	Community Development Specialist	Unclassified
14	Construction Manager	Unclassified
14	**Cultural Facilities Manager**	**Unclassified**
14	Curator	Unclassified
14	Curator of Collections	Unclassified
14	Curator of Education	Unclassified
14	Entertainment Industry Liaison	Unclassified
14	Environmental Specialist	Unclassified
14	**Geographic Information System Analyst**	**Unclassified**
14	Housing Specialist	Unclassified
14	Information Technology Specialist II	Unclassified
14	Landscape Architect	Unclassified
14	Legal Administrator	Unclassified
14	Log Cabin Education Coordinator	Unclassified
14	Parking Administration Manager	Unclassified
14	Parking Operations Manager	Unclassified
14	Police Records Manager	Unclassified
14	Records Manager	Unclassified
14	Recreation Supervisor II	Unclassified
14	Sanitation Superintendent	Unclassified
14	Social Worker	Unclassified
14	Transportation Engineer	Unclassified
14	Victims Advocate	Unclassified
13	Agenda Coordinator	Unclassified
13	Auditor	Unclassified
13	Executive Office Associate II	Unclassified
13	Financial Analyst I	Unclassified
13	Fleet Analyst	Unclassified
13	Grants Writer / Researcher	Unclassified
13	Management & Budget Analyst	Unclassified
13	Office Manager	Unclassified
13	Human Resources Specialist	Unclassified
13	Planner	Unclassified
13	Public Art Coordinator	Unclassified

13	Public Information Specialist	Unclassified
13	Security Specialist	Unclassified
13	Special Events Liaison	Unclassified
12	Building Records Supervisor	Unclassified
12	Civil Engineer I	Unclassified
12	Community Development Technician	Unclassified
12	Executive Office Associate I	Unclassified
12	Field Agent	Unclassified
12	Field ~~Inspector~~ **Supervisor**	Unclassified
12	Homeless Program Coordinator	Unclassified
12	Information Technology Specialist I	Unclassified
12	Labor Relations Technician	Unclassified
12	Legal Secretary	Unclassified
12	Police Financial Assistant	Unclassified
12	Police Public Information Officer	Unclassified
12	Police Records Supervisor	Unclassified
12	Property Management Contracts Coordinator	Unclassified
12	Registrar	Unclassified
12	Senior Procurement Specialist	Unclassified
11	Case Worker	Unclassified
11	Elder Affairs Coordinator	Unclassified
11	Ice Rink Manager	Unclassified
11	Log Cabin Employment Specialist / Job Coordinator	Unclassified
11	Office Associate V	Unclassified
11	Procurement Coordinator	Unclassified
11	Sanitation Coordinator	Unclassified
10	Code Violations Clerk	Unclassified
10	Customer Service Liaison	Unclassified
10	Paralegal	Unclassified
9	Office Associate IV	Unclassified
9	**Field Monitor**	**Unclassified**
8	Graffiti Removal Coordinator	Unclassified
7	Log Cabin Instructor	Unclassified
7	Office Associate III	Unclassified
7	Receptionist	Unclassified
5	Office Associate II	Unclassified
4	Log Cabin Driver / Instructor Aide	Unclassified
3	Office Associate I	Unclassified

SECTION 2: **REPEALER.**

That 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 a part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 5: **EFFECTIVE DATES.**

This Ordinance Amendment shall become effective as of November 10, 2004.

PASSED and ADOPTED this ____ day of _____, 2004.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

9-30-04
City Attorney

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

Ordinance amending Classified Leave Ordinance 1335 to amend provisions for the accumulation and payment of annual leave for Classified employees in FOP, IAFF and the group known as Others.

Issue:

Shall the City implement measures to ensure a fair and equitable leave accumulation and payment system for Classified employee groups that successfully negotiate the new levels in accordance with the provisions already negotiated with the FOP and IAFF?

Item Summary/Recommendation:

Approve the Ordinance on first reading and schedule a second reading and public hearing for the Commission Meeting of November 10, 2004 to increase the annual maximum accrual amount of annual leave from 360 hours to 460 hours and the increasing the maximum annual leave amount for which an Classified employee may be paid upon termination, retirement, or death from 480 hours to 580 hours.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Mayra D. Buttacavoli, Director of Human Resources & Risk Management

Sign-Offs:

Department Director	Assistant City Manager	City Manager
Mayra D Buttacavoli		

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AGENDA ITEM R5I

DATE 10-13-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

FIRST READING

Subject: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 1335, THE CLASSIFIED EMPLOYEES' LEAVE ORDINANCE, BY AMENDING THE PROVISIONS FOR ACCUMULATION AND PAYMENT OF ANNUAL AND SICK LEAVE FOR THE FRATERNAL ORDER OF POLICE (FOP), THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS (IAFF), AND CLASSIFIED EMPLOYEES NOT COVERED BY A BARGAINING UNIT AND KNOWN AS THE GROUP "OTHERS"; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

ADMINISTRATION RECOMMENDATION

Approve the Ordinance on the first reading and schedule a second reading and public hearing for the Commission meeting of November 10, 2004.

ANALYSIS

Currently the Fraternal Order of Police (FOP) union contract and the International Association of Fire Fighters (IAFF) union contract provide that effective October 1, 2004 the must use cap on vacation accrual will be raised from 360 hours to 460 hours and the maximum amount paid upon retirement, termination, or death will be raised from 480 hours to not exceed 580 hours.

This proposed Ordinance applies to those Classified employees in the F.O.P., I.A.F.F. and classified employees not covered by a bargaining unit and known as the group "Others". This will implement the same provisions for accrual and payout of annual leave that have already been negotiated for the FOP and IAFF.

CONCLUSION

The City Administration recommends that the Commission approve the first reading and schedule a second reading and public hearing to amend the Classified Leave Ordinance to ensure that there is a leave accumulation and payment system which is fair and equitable.

JMG:MDB:ph

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ORDINANCE NO._____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 1335, THE CLASSIFIED EMPLOYEES' LEAVE ORDINANCE, BY AMENDING THE PROVISIONS FOR ACCUMULATION AND PAYMENT OF ANNUAL AND SICK LEAVE FOR THE FRATERNAL ORDER OF POLICE (FOP), THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS (IAFF), AND CLASSIFIED EMPLOYEES NOT COVERED BY A BARGAINING UNIT AND KNOWN AS THE GROUP "OTHERS"; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

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

SECTION 1: That the following section of the Classified Leave Ordinance No. 1335 as amended shall be amended to read as follows:

SECTION 1:

* * *

5. Accumulation or Forfeiture of Annual Leave and Sick Leave:

(a) Employees hired prior to October 1, 1978 may accumulate annual leave and sick leave up to a total combined maximum of 2088 hours. Any hours of leave in excess of above maximum will be forfeited on the last day of the last full pay period of the payroll year.

(b) At the end of each payroll year, all employees except those covered by the Fraternal Order of Police (FOP), the International Association of Fire Fighters (IAFF) and Classified employees not covered by a bargaining unit and known as the group "Others", will be allowed no more than 360 vacation (annual) hours to be accrued. Employees covered by the Fraternal Order of Police (FOP), the International Association of Fire Fighters (IAFF) and Classified employees not covered by a bargaining unit and known as the group "Others" will be allowed no more than 460 vacation hours to be accrued. Any hours of leave in excess of the above maximum will be forfeited on the last day of the last full pay period of the payroll year.

6. Transfer of Sick Leave to Annual Leave:

(a) For employees hired prior to October 1, 1978, sick leave accrued in excess of 360 hours may be used for vacation time within the limits of this ordinance.

(b) For employees hired on or after October 1, 1978, except those covered by the Fraternal Order of Police (FOP), the International Association of Fire Fighters (IAFF) and Classified employees not covered by a bargaining unit and known as the group "Others", sick leave accrued in excess of 360 hours may be transferred to annual leave at the rate of two days of sick leave to one day of annual leave. At the time of resignation, retirement, termination, or death, such employee can transfer sick leave in this manner to reach a maximum of 480 hours of vacation (annual) leave. For employees covered by the Fraternal Order of Police (FOP), the International Association of Fire Fighters (IAFF) and Classified employees not covered by a bargaining unit and known as the group "Others", at the time of resignation, retirement, termination, or death, such employee can

transfer sick leave in this manner to reach a maximum of 580 hours of vacation (annual) leave. (Ord. No. 78-2135, §4)

* * *

11. Payment of Annual Leave:

* * *

(c) Maximum Payment:

(1) For employees hired before October 1, 1978, payment of annual leave and sick leave upon resignation, retirement, termination, or death of a Regular employee shall in no case exceed an amount equal to one year's compensation at the rate of pay received by such Regular employee at the time of his retirement, death, termination, or resignation.

(2) For employees hired on or after October 1, 1978, except those covered by the Fraternal Order of Police (FOP), the International Association of Fire Fighters (IAFF) and Classified employees not covered by a bargaining unit and known as the group "Others", upon resignation, retirement, termination, or death of an employee, the maximum annual leave for which an employee or his beneficiary may be paid is 480 hours; for those employees covered by the Fraternal Order of Police (FOP), the International Association of Fire Fighters (IAFF) and Classified employees not covered by a bargaining and known as the Group "Others" the maximum annual leave for which an employee or his beneficiary may be paid is 580 hours; and the maximum sick leave for which an employee or his beneficiary may be paid is one-half of his sick leave balance to a maximum payment of 600 hours. (Ord. No. 78-2135, §6)

* * *

17. Collective Bargaining Contingency:

As to employees in classifications governed by union contracts, implementation of the measures hereby amended in Sections 5, 6(b) and (c), 7(b), 11(c), and 17, is contingent upon collective bargaining and approval by the unions to the extent such approval is necessary. Should any inconsistencies exist between this Ordinance and the union contracts, then the language of the union contracts shall supersede.

SECTION 2: REPEALER.

That 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 a part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 5: EFFECTIVE DATES.

This Ordinance shall take effect the _____ day of _____, 2004

PASSED and ADOPTED this _____ day of _____, 2004.

_____
MAYOR

ATTEST:

_____
CITY CLERK

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 10/6/04 Date

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

Ordinance amending Unclassified Leave Ordinance 1613 to amend provisions for the accumulation and payment of annual leave for Unclassified employees.

Issue:

Shall the City implement measures to ensure a fair and equitable leave accumulation and payment system for Unclassified employees in accordance with the provisions already negotiated with the FOP and IAFF?

Item Summary/Recommendation:

Approve the Ordinance on first reading and schedule a second reading and public hearing for the Commission Meeting of November 10, 2004 to increase the annual maximum accrual amount of annual leave from 360 hours to 460 hours and the increasing the maximum annual leave amount for which an Unclassified employee may be paid upon termination, retirement, or death from 480 hours to 580 hours.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Mayra D. Buttacavoli, Director of Human Resources & Risk Management

Sign-Offs:

Department Director	Assistant City Manager	City Manager
Mayra D. Buttacavoli		

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AGENDA ITEM R5J

DATE 10-13-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

FIRST READING

Subject: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 1613, THE UNCLASSIFIED EMPLOYEES' LEAVE ORDINANCE, BY AMENDING THE PROVISIONS FOR ACCUMULATION AND PAYMENT OF ANNUAL AND SICK LEAVE; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

ADMINISTRATION RECOMMENDATION

Approve the Ordinance on the first reading and schedule a second reading and public hearing for the Commission meeting of November 10, 2004.

ANALYSIS

Currently the Fraternal Order of Police (FOP) union contract and the International Association of Fire Fighters (IAFF) union contract provide that effective October 1, 2004 the must use cap on vacation accrual will be raised from 360 hours to 460 hours and the maximum amount paid upon retirement, termination, or death will be raised from 480 hours to not exceed 580 hours.

This proposed Ordinance applies to Unclassified employees and implements the same provisions for accrual and payout of annual leave that have already been negotiated for the FOP and IAFF.

CONCLUSION

The City Administration recommends that the Commission approve the first reading and schedule a second reading and public hearing to amend the Unclassified Leave Ordinance to ensure that there is a leave accumulation and payment system which is fair and equitable for all employees.

JMG:MDB:ph

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ORDINANCE NO._____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 1613, THE UNCLASSIFIED EMPLOYEES' LEAVE ORDINANCE, BY AMENDING THE PROVISIONS FOR ACCUMULATION AND PAYMENT OF ANNUAL AND SICK LEAVE; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

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

SECTION 1: That the following section of the Unclassified Leave Ordinance No. 1613 as amended shall be amended to read as follows:

* * *

SECTION 2:

* * *

3. Accumulation or Forfeiture of Annual Leave and Sick Leave:

(a) Employees hired prior to October 1, 1978 may accumulate annual leave and sick leave up to a total combined maximum of 2088 hours. Any hours of leave in excess of above maximum will be forfeited on the last day of the last full pay period of the payroll year.

(b) At the end of each payroll year, all employees will be allowed no more than ~~360~~ 460 vacation (annual) hours to be accrued. Any hours of leave in excess of the above maximum will be forfeited on the last day of the last full pay period of the payroll year.

4. Transfer of Sick Leave to Annual Leave:

(a) For employees hired prior to October 1, 1978, sick leave accrued in excess of 360 hours may be used for vacation time within the limits of this ordinance.

(b) For employees hired on or after October 1, 1978, sick leave accrued in excess of 360 hours may be transferred to annual leave at the rate of two days of sick leave to one day of annual leave; At the time of resignation, retirement, termination, or death, such employee can transfer sick leave in this manner to reach a maximum of ~~480~~ 580 hours of vacation (annual) leave. (Ord. No. 78-2136, §4)

* * *

9. Payment for Annual Leave

* * *

(c) Maximum Payments:

(1) For employees hired before October 1, 1978, payment of annual leave and sick leave upon resignation, retirement, termination, or death of an employee shall in no case exceed an amount equal to one year's compensation at the

rate of pay received by such employee at the time of his retirement, death, termination, or resignation.

(2) For employees hired on or after October 1, 1978, upon resignation, retirement, termination, or death of an employee, the maximum annual leave for which an employee or his beneficiary may be paid is ~~480~~ 580 hours; and the maximum sick leave for which an employee or his beneficiary may be paid is one-half of his sick leave balance to a maximum payment of 600 hours. (Ord. No. 78-2136, §6)

SECTION 2: REPEALER.

That 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 a part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 5: EFFECTIVE DATES.

This Ordinance shall take effect the _____ day of _____, 2004.

PASSED and ADOPTED this _____ day of _____, 2004.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney 10/8/04 Date

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OFFICE OF THE CITY ATTORNEY

City of Miami Beach

F L O R I D A

MURRAY H. DUBBIN
City Attorney

Telephone: (305) 673-7470
Telecopy: (305) 673-7002

COMMISSION MEMORANDUM

DATE: OCTOBER 13, 2004

TO: MAYOR DAVID DERMER AND
MEMBERS OF THE CITY COMMISSION

FROM: MURRAY H. DUBBIN DPfn
CITY ATTORNEY

SUBJECT: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NUMBER 2003-3411 BY AMENDING THE RESTRICTIONS ON THE LOCATIONS WHERE PANHANDLING IS PROHIBITED AND PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

This proposed amendment to the Panhandling on Public Property Ordinance is based upon the following circumstances:

On March 7, 2004, a street performer was arrested under the Panhandling on Public Property Ordinance. The constitutionality of the Street Performer and Art Vendor Ordinance is currently under review in the Third District Court of Appeals; hence, street performers are currently being prosecuted under the Panhandling on Public Property Ordinance. The American Civil Liberties Union filed a Motion to Dismiss the action against the street performer and intends to challenge as a whole the constitutionality of the Panhandling on Public Property Ordinance. The City is confident on its ability to defend the Panhandling on Public Property Ordinance, but the proposed amendment will significantly enhance the opportunity for success.

I request a referral to a City Commission committee for further discussion of this item between first and second reading.

MHD/ym

Agenda Item R5K
Date 10-13-04

1700 Convention Center Drive -- Fourth Floor -- Miami Be

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO:	**JORGE GONZALEZ** **CITY MANAGER**
CC:	**MURRAY DUBBIN** **CITY ATTORNEY**
FROM:	**RICHARD STEINBERG** RLS/DM **VICE MAYOR**
DATE:	**October 6, 2004**
RE:	**Item Amending the Panhandling on Public Property Ordinance**

Please place the item amending the Panhandling on Public Property Ordinance on the October 13th Commission Agenda for action. Also, I would like the ordinance to be referred to the Neighborhoods/Community Affairs Committee between first and second reading.

If you have any questions, please feel free to contact my Aide, Ms. Dolores Mejia, at extension 6834.

RLS/dm

RECEIVED
2004 OCT -5 PM 2:25
CITY MANAGER'S OFFICE
BY

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NUMBER 2003-3411 BY AMENDING THE RESTRICTIONS ON THE LOCATIONS WHERE PANHANDLING IS PROHIBITED AND PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the ordinance regulating panhandlers and solicitors has been challenged on constitutional grounds and revisions are necessary to ensure that its enforcement is not subject to attack.

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

SECTION I. Section 74-78. Panhandling/Solicitation Prohibited on Public Property of Ordinance No. 2003-3411 is amended to read as follows:

Notwithstanding the city's regulations regarding charitable solicitations, street performances or art vending, it shall be unlawful for any person to panhandle or solicit on public property in the following areas:

(1) Lincoln Road;

(2) Ocean Drive;

(3) Washington Avenue;

(4) Collins Avenue;

(5) Within ten (10) feet in any direction from the outside perimeter of any outdoor cafe, outdoor restaurant, sidewalk cafe or other establishment serving food or beverages for immediate consumption, unless expressly authorized by the owner, manager or supervisor of the establishment;

(6) Within (10) feet in any direction from the outside perimeter of areas where five or more persons are waiting to gain admission to a place, establishment or public gathering including but not limited to, bar, convention center, concert hall, gallery, motion picture house, public event or performance, nightclub, restaurant, theater;

(7) Within ten (10) feet in any direction from any entrance way into or exit from any foodstore selling alcoholic beverages or package store~~.~~;

(8) except that any person may panhandle or solicit on public property within 25 feet of the areas where non-profit vending and distribution tables are permitted, under Ch. 86, Art. III of this Code.

SECTION 2. SEVERABILITY.

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

SECTION 3. REPEALER.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall take effect on the _____ day of _____, 2004.

PASSED AND ADOPTED this ____ day of _____, 2004.

ATTEST:

_____
MAYOR

_____
CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 10/6/04
Date

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

An ordinance amending Chapter 2 of the City Code entitled "Administration" by creating Division 31 to be entitled "The North Shore Park and Youth Center Advisory Board".

Issue:

Shall the City create the North Shore Park and Youth Center Advisory Board?

Item Summary/Recommendation:

At the July 28, 2004 Commission meeting a discussion was held concerning the possible formation of an advisory board for the North Shore Park and Youth Center. The matter was referred to the Neighborhood/Community Affairs Committee for review with the request that the Administration present its recommendation(s) at the meeting.

On September 29, 2004 the Neighborhood/ Community Affairs Committee met. During discussion it became apparent that the preferred model for the NSPYC would be to create a new advisory board. Those present discussed the best manner in which to see the current construction project to completion and to provide a measure of continuity from the current ad-hoc committee for construction to a permanent citizen advisory board.

As a result of the discussion, a concept to overlap the current ad-hoc committee with a new advisory board evolved. The new entity would keep the members of the current ad-hoc committee for a period of one year in order to provide for continuity and those members would be supplemented with 7 new appointees that after one year would continue on as the NSPYC advisory board in the same manner as is followed for the Scott Rakow Youth Center. After the one year transition time period the current ad-hoc construction advisory committee would sunset.

Advisory Board Recommendation:

On September 29, 2004, the Neighborhood/ Community Affairs Committee approved a motion supporting the creation of the board as proposed.

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Sign-Offs:

Department Director	Assistant City Manager	City Manager
KS	RCM	JMG

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AGENDA ITEM R5L

DATE 10-13-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CITY CODE ENTITLED "ADMINISTRATION" BY AMENDING ARTICLE III ENTITLED "AGENCIES, BOARDS AND COMMITTEES" BY CREATING DIVISION 31 TO BE ENTITLED "THE NORTH SHORE PARK AND YOUTH CENTER ADVISORY BOARD" AND PROVIDING FOR THE PURPOSE, POWERS AND DUTIES, COMPOSITION, KNOWLEDGE AND EXPERIENCE, AND SUPPORTING DEPARTMENT OF SAID BOARD; FURTHER PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.**

ADMINISTRATION RECOMMENDATION

Adopt the Ordinance.

ANALYSIS:

At the July 28, 2004 Commission meeting a discussion was held concerning the possible formation of an advisory board for the North Shore Park and Youth Center. An alternative option of consolidating the four advisory boards and one ad hoc committee currently functioning within the Parks and Recreation Department into a single Advisory Board was also discussed. At the conclusion of the discussion the matter was referred to the Neighborhood/Community Affairs Committee for review with the request that the Administration present its recommendation(s) at the meeting.

On September 29, 2004 the Neighborhood/ Community Affairs Committee met to discuss the issue. The Administration reviewed the attached background memo with the Committee and discussed the different options available to provide for citizen input related to the new North Shore Park and Youth Center (NSPYC).

During discussion by the Committee members, the Administration and various members of the North Beach Youth Center Oversight Committee it became apparent that the preferred model for the NSPYC would be to create a new advisory board. Those present discussed the best manner in which to see the current construction project to completion and to provide a measure of continuity from the current ad-hoc committee for construction to a permanent citizen advisory board.

As a result of the discussion, a concept to overlap the current ad-hoc committee with a new advisory board evolved. The new entity would keep the members of the current ad-hoc committee for a period of one year in order to provide for continuity and those members would be supplemented with 7 new appointees that after one year would continue on as the NSPYC advisory board in the same manner as is followed for the Scott Rakow Youth Center. After the one year transition time period the current ad-hoc construction advisory committee would sunset.

During the discussion the committee recognized that it would be possible for members of the current ad-hoc committee to be appointed as members of the ongoing advisory board, so long as they met the approved qualifications, thereby accelerating the sunset provision.

The motion of the Committee was:

To recommend to the full City Commission the formation of a new North Shore Park and Youth Center Advisory Board consisting of seven direct appointments of the City Commission and modeled after the Scott Rakow Youth Center Advisory Board and to combine the new Board for a period of one year with the current membership of the North Beach Youth Center Ad Hoc Oversight Committee, which will sunset after the one year of joint operations with the new North Shore Park and Youth Center Advisory Board .

CONCLUSION:

Based on the discussion and direction given by the Neighborhood/ Community Affairs Committee the Administration recommends the approval of the attached ordinance establishing the North Shore Park and Youth Center Advisory Board.

JMG/RCM/KS

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ORDINANCE NO._____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CITY CODE ENTITLED "ADMINISTRATION" BY AMENDING ARTICLE III ENTITLED "AGENCIES, BOARDS AND COMMITTEES" BY CREATING DIVISION 31 TO BE ENTITLED "THE NORTH SHORE PARK AND YOUTH CENTER ADVISORY BOARD" AND PROVIDING FOR THE PURPOSE, POWERS AND DUTIES, COMPOSITION, KNOWLEDGE AND EXPERIENCE, AND SUPPORTING DEPARTMENT OF SAID BOARD; FURTHER PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, at the July 28, 2004 Commission meeting, a discussion was held concerning the possible formation of an advisory board for the North Shore Park and Youth Center; and

WHEREAS, on September 29, 2004, the Neighborhood/ Community Affairs Committee met to discuss the creation of an advisory board; and

WHEREAS, following a discussion by the City Commission members and comments from the Administration and various members of the North Beach Youth Center Oversight Committee, the members of the Neighborhood / Community Affairs Committee made a recommendation; and

WHEREAS, the Neighborhood / Community Affairs Committee agreed to the formation of a new joint committee made up of the existing members of the North Beach Youth Center Ad Hoc Oversight Committee and seven new members to be direct appointments by the City Commission; and

WHEREAS, the members from the Ad Hoc Oversight Committee will, by a companion resolution, sunset no later than one (1) year following the adoption of this ordinance and the remaining seven members will complete their terms on the North Beach Youth Center Advisory Board; and

WHEREAS, in order to accomplish this recommendation and to facilitate the creation of the North Shore Park and Youth Center Advisory Board, the Administration recommends the amendments to Chapter 2 of the City Code as set forth herein.

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

SECTION 1. AMENDMENT TO CHAPTER 2 OF THE CITY CODE

A. That Article III of Chapter 2 of the Miami Beach City Code is hereby amended as follows:

CHAPTER 2
ADMINISTRATION

* * *

Article III. Agencies, Boards and Committees

* * *

DIVISION 31. NORTH SHORE PARK & YOUTH CENTER ADVISORY BOARD

Established; purpose; powers and duties; composition.

(a) *Established.* There is hereby established the North Shore Park & Youth Center Advisory Board, whose purposes, power and duties, composition, membership qualification and general governing regulations are set forth in this section.

(b) *Purpose.* The board shall be charged with the duty and responsibility to act in an advisory capacity to the city commission, city manager, and director of parks and recreation in matters pertaining to recreational and operational functions of the city's North Shore Park & Youth Center.

(c) *Powers and duties.* The board shall cooperate with other governmental agencies and civic groups in the advancement of sound recreation planning, operation and programming. The board shall provide advice to the city commission, the city manager, and director of parks and recreation regarding the programs and services at the North Shore Park & Youth Center.

(d) *Composition.* For the initial period of one (1) year following the adoption of this ordinance, the board shall consist of the current members of the North Beach Youth Center Oversight Committee who shall serve as ex-offico voting members and seven voting members who shall be direct appointments who must have an affiliation with the North Shore Park & Youth Center by present participation in on-going programs or services or be the parent or legal guardian of a child presently participating in on-going programs or services offered at the North Shore Park & Youth Center.

(e) Knowledge and experience. See subsection (d) of this section.

(f) Supporting department. The supporting department of the board is Parks and Recreation.

SECTION 2. CODIFICATION

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

SECTION 3. REPEALER

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

SECTION 4. SEVERABILITY

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

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect on the ____ day of _____, 2004.

PASSED AND ADOPTED this _____ day of _____, 2004.

_____
MAYOR

ATTEST:

_____
CITY CLERK

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney DT 10-8-04
Date

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R7
RESOLUTIONS

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution approving the vacation of a portion of West 59th Street street-end, west of North Bay Road, in favor of Roger Schindler and wife Leslie, owners of the adjacent property located at 5860 North Bay Road.

Issue:

Shall the City vacate a portion of West 59th Street street-end, west of North Bay Road?

Item Summary/Recommendation:

City right-of-ways have been vacated previously by criteria established by the City in 1989 and City Code, Chapter 82, Article II, Section 82-37. When originally platted, 56th and 59th Street street-ends were unique situations, in that the extreme ends of the streets at the bay are privately owned by the adjacent property owners. The City Commission on March 20, 2002, following the recommendation of the Land Use and Development Committee, directed the sale of the street-ends on West 56th and West 59th Streets to the adjacent property owners. The property owners adjacent to West 59th Street street-end have complied with the vacation application requirements by submitting the application fee and providing a list of affected property owners. This application was delayed while the City reviewed the authority and procedure for vacating or disposing of public right-of-ways and property. The Finance and Citywide Projects Committee on June 9, 2004 requested the Administration treat each applicant on a case by case basis. At another meeting on August 18, 2004 the Finance and Citywide Projects Committee recommended that all requests for vacating City property meet the criteria established for a revocable permit and prove that there is an extraordinary public benefit to be provided by such vacation. The City Commission adopted that recommendation at the meeting on September 8, 2004.

The Administration recommends denial of the request to vacate property based on the failure to meet four of the seven evaluation criteria for a revocable permit no extraordinary public benefit and no endorsement by the Planning Analysis conducted by the Planning Department.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Robert T. Halfhill

Sign-Offs:

Department Director	Assistant City Manager	City Manager

M:\$CMB\PUBLIC WORKS DEPARTMENT\COMMISSION AGENDA ITEMS\OCTOBER 13, 2004\SCHINDLER 56TH\59th St. Schindler Summary2.doc

AGENDA ITEM R7A

DATE 10-13-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, FOLLOWING A DULY NOTICED PUBLIC HEARING TO HEAR PUBLIC COMMENT ON SAME, APPROVING AND AUTHORIZING THE VACATION OF A PORTION (THE SOUTHERN HALF) OF THE WEST 59TH STREET STREET-END, WEST OF NORTH BAY ROAD, IN FAVOR OF ROGER J. SCHINDLER AND LESLIE SCHINDLER, OWNERS OF THE ADJACENT PROPERTY, LOCATED AT 5860 NORTH BAY ROAD; RETAINING UTILITY EASEMENT RIGHTS WITHIN SAID VACATED PORTION OF THE STREET; WAIVING, BY 5/7THS VOTE, THE COMPETITIVE BIDDING AND APPRAISAL REQUIREMENTS, PURSUANT TO ARTICLE II, SECTION 82-36 THROUGH 82-40 OF THE MIAMI BEACH CITY CODE, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE THE VACATION, INCLUDING A QUITCLAIM DEED, SUBJECT TO FINAL REVIEW AND APPROVAL OF SAME BY THE CITY ATTORNEY'S OFFICE.**

ADMINISTRATION RECOMMENDATION:

The Administration recommends denial of the request to vacate due to the failure to satisfy four of the seven evaluation criteria elements for a revocable permit, no extraordinary public benefit and the negative opinions in the Planning Analysis conducted by the Planning Department.

BACKGROUND:

City right-of-ways have been vacated previously by criteria established by the City in 1989 and City Code, Chapter 82, Article II, Section 82-37. When the LaGorce-Golf Subdivision was platted in 1925, a portion of West 56th Street and West 59th Street, at the extreme ends adjacent to the bay, were retained as private land and sold to one of the adjacent property owners (see attached sketch "A"). A thirty (30) feet deep portion of West 59th Street street-end is now owned by Roger Schindler and wife Leslie, owners of the property located at 5860 North Bay Road.

Mr. Roger Schindler was granted a revocable permit on December 24, 1991 for the

installation of a wrought iron gate and fence enclosing the remainder of West 59th Street street-end, west of North Bay Road.

In 2001, when a construction permit was sought for the reconstruction of the existing wall and gates, an amendment to the revocable permit was requested. On December 19, 2001 an amendment to the revocable permit was denied by the City Commission because of the ownership questions. The issue was referred to the Land Use and Development Committee.

The City Commission, upon the recommendation of the Land Use and Development Committee, directed the Administration to consider the sale of the street-ends on West 56th and West 59th Streets to the adjacent property owners, while maintaining all the necessary utility easements. .

Mr. Thomas Harris and Mr. Roger Schindler, the property owners adjacent to the West 59th Street street-end, responded affirmatively to this vacation offer and met the requirements as set forth in the July 26, 1989 Land Use Committee guidelines and City Code Chapter 82, Article II Sec. 82-37 for street vacation application requirements. The review of these requests by the Commission was delayed due to questions regarding the City's procedures for vacating, selling or otherwise disposing of City owned property. The Finance and Citywide Projects Committee on June 9, 2004 recommended each applicant be evaluated on a case by case basis.

On July 7, 2004 the City Commission adopted Resolution Nos. 2004-25621 and 2004-25622 setting a public hearing for September 8, 2004 to consider the vacation of 59th Street. At the same meeting the City Commission referred the issue of vacating City property to the Finance and Citywide Projects Committee.

The Finance and Citywide Projects Committee met on August 18, 2004 and recommended that all requests for vacating City property must meet the seven criteria for granting of revocable permits and must demonstrate that an extraordinary public benefit will be provided by such vacation.

ANALYSIS:

The application was evaluated using the criteria for a revocable permit and supported by the attached Planning Analysis written by the Planning Department. The Administration's review of the seven criteria elements for revocable permits is provided below:

1) That the applicants need is substantial.

   Not satisfied. The applicants have not demonstrated that their need for half of the street-end is substantial.

2) That the applicants hold title to an abutting property.

   Satisfied.

3) That the proposed improvements comply with applicable codes, ordinances, regulations, neighborhood plans and laws.

   Satisfied. Any improvement would have to be permitted and approved by the City.

4) That the grant of such application will have no adverse effect on governmental/utility easements and uses on the property.

   Satisfied. The City retains utility easements.

5) Alternatively:

   a) That an unnecessary hardship exists that deprives the applicant of a reasonable use of the land, structure or building for which vacation is sought, arising out of special circumstances and conditions that exist and were not self-created and are peculiar to the land, structures or building involved and are not generally applicable to other lands, structures or buildings in the same zoning district and the grant of the application is the minimum that will allow reasonable use of the land, structures or building;

      Not satisfied. The applicants have not demonstrated that any hardship exists that deprives them of a reasonable use of the existing street-end.

   b) That the grant of the vacation will enhance the neighborhood and/or community by such amenities as, for example, enhanced landscaping, improved drainage, improved lighting, and improved security.

      Not satisfied. The applicants have not demonstrated that the grant of the vacation will enhance the neighborhood. On the contrary the applicants have pursued the vacation to legalize the construction of a wall and gates that would keep the street-end private and deprive the neighbors and the general public of open green space and open bay vistas.

6) That granting the vacation requested will not confer on the applicants any special privilege that is denied to other owner of land, structures or buildings subject to similar conditions.

   Not satisfied. A similar request at 2900 Prairie Avenue has been denied.

7) That granting the vacation will not be injurious to the surrounding properties, the neighborhood, or otherwise detrimental to the public welfare.

Not satisfied. By definition, a public right-of-way is property held by the City as a community resource to be used for public benefit. If the street-end is vacated title will be conveyed to the applicants allowing them to enclose the property with gates, fence, vegetation, etc., therefore taking away open green space and bay views from the general public.

The applicants have not demonstrated that an extraordinary public benefit will be created by vacating the street-end and taking it away for use and enjoyment by the general public.

The Planning Analysis conducted by the Planning Department does not endorse the vacation of the 59th Street street-end.

In accordance with Ordinance No. 92-2783, codified into City Code Chapter 82, Article II, Section 82-37, the City has advertised and scheduled the public hearing during the September 8, 2004, Commission meeting.

JMG/RCM/FHB/ll

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CITY OF MIAMI BEACH
Planning
Interoffice Memorandum

To: Fred Beckman
Public Works Director

Date: October 4, 2004

Cc: Christina M. Cuervo
Assistant City Manager

Robert Middaugh
Assistant City Manager

From: Jorge G. Gomez, AICP
Planning Director

Subject: **PLANNING ANALYSIS PURSUANT TO CMB CODE SECTION 82-38**

In accordance with Section 82-38 of the City of Miami Beach code, the Planning Department shall prepare an analysis for the City Commission and the public that outlines all conditions relating to the proposed sale and/or lease of city property. The following analysis applies to the proposed vacation of the West 59th Street street-end, west of North Bay Road.

1. **Whether or not the proposed use is in keeping with city goals and objectives and conforms to the city comprehensive plan.**

   The proposed street-end vacation may not conform to the city's goals and objectives of the Comprehensive Plan. The Recreation and Open Space Element of the Comprehensive Plan discusses the goals of ensuring environmental stability and protection of natural areas and quality of urban life by providing urban greenspace and scenic open space vistas. Vacating this street end which fronts directly upon the Biscayne Bay would eliminate a scenic vista through to the bay and may decrease the quality of the neighborhood ambiance.

2. **The impact on adjacent property, including the potential positive or negative impacts such as diminution of open space, increased traffic, noise level or enhanced property values, improved development patterns and provision of necessary services. Based on the proposed use of the property, the city shall determine the potential impact of the project on city utilities and other infrastructure needs and the magnitude of costs associated with needed infrastructure improvements. Should it become apparent that further evaluation of traffic impact is needed, the proponent shall be responsible for obtaining a traffic impact analysis from a reputable traffic engineer.**

   The proposed vacation may have a detrimental impact on the adjacent properties. Although the subject street-end is not an active vehicular right-of-way and as such, will not increase the traffic or noise level, the street-end fronts upon Biscayne Bay, which is part of the city's Open Space system and as such, may compromise the goals of the Recreation and Open Space Element of the Comprehensive plan.

3. **A determination as to whether or not the proposed use is in keeping with a public purpose and community needs, such as expanding the city's revenue base, reducing city costs, creating jobs, creating a significant revenue stream, and improving the community's overall quality of life.**

   While converting the subject street-end to taxable property can generate a revenue stream for the City, this may be outweighed by the diminution of the overall quality of life for the neighborhood as detailed above.

4. **Determination as to whether or not the development is in keeping with the surrounding neighborhood, will block views or create other environmental intrusions, and evaluation of the design and aesthetic considerations of the project.**

   The vacation may result in the obstruction of views of Biscayne Bay, and may not be in keeping with the characteristics of the surrounding neighborhood.

5. **The impact on adjacent properties, whether or not there is adequate parking, street and infrastructure needs.**

   The vacation shall not increase the parking requirement in the vicinity of the street-end. The street end is not used for public parking; parking for the private residences adjacent to the street-end will be within private property.

6. **A determination as to whether or not alternatives are available for the proposed disposition, including assembly of adjacent properties, and whether the project could be accomplished under a private ownership assembly.**

   The configuration of the street end is unusual, with a portion of the property already improved by the adjacent property owner. Vacating the street end may allow additional development adjacent to the street end. A preferable alternative would be to retain the street end in public ownership.

7. **Within the constraints of public objectives, the department should examine financial issues such as job generation, providing housing opportunities, and the return to the city for its disposition of property.**

   By vacating the street-end, the city could dissolve liabilities associated with maintaining the street-end. Converting the subject street-end to taxable property may permit the city to generate a revenue stream from the subject property. However, additional job creation or increased housing opportunities are expected to be minimal.

8. **Such other issues as the planning, design and historic preservation division may deem appropriate in analysis of the proposed disposition.**

   The quality of life in the North Bay Road neighborhood is enhanced by views of the open Bay through the occasional street ends. By eliminating the view through to the open space of the Bay, a significant loss in neighborhood scenic open space vistas will be lost, and could negatively impact dozens of households in the neighborhood.

JGG/RGL
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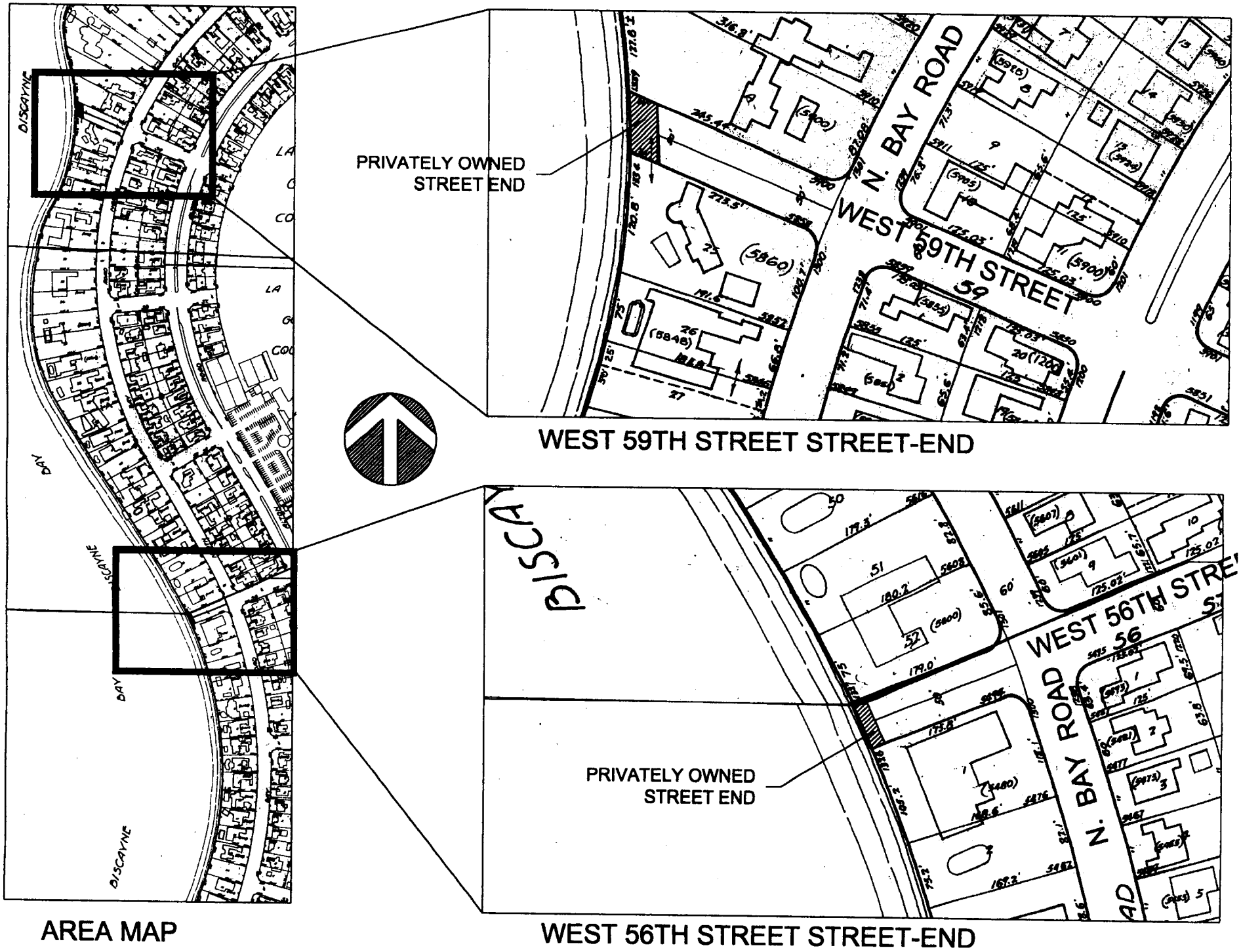

SKETCH SHOWING WEST 56TH STREET & WEST 59TH STREET STREET-ENDS

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, FOLLOWING A DULY NOTICED PUBLIC HEARING TO HEAR PUBLIC COMMENT ON SAME, APPROVING AND AUTHORIZING THE VACATION OF A PORTION (THE SOUTHERN HALF) OF THE WEST 59TH STREET STREET-END, WEST OF NORTH BAY ROAD, IN FAVOR OF ROGER J. SCHINDLER AND LESLIE SCHINDLER, AS OWNERS OF THE ADJACENT RESIDENTIAL PROPERTY, LOCATED AT 5860 NORTH BAY ROAD; RETAINING UTILITY EASEMENT RIGHTS WITHIN SAID VACATED PORTION OF THE STREET-END; WAIVING, BY 5/7THS VOTE, THE COMPETITIVE BIDDING AND APPRAISAL REQUIREMENTS, PURSUANT TO ARTICLE II, SECTION 82-36 THROUGH 82-40 OF THE MIAMI BEACH CITY CODE, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE THE VACATION, INCLUDING A QUITCLAIM DEED, SUBJECT TO FINAL REVIEW AND APPROVAL OF SAME BY THE CITY ATTORNEY'S OFFICE.

WHEREAS, when LaGorce-Golf Subdivision was platted in 1925, a portion of the West 59th Street street-end, adjacent to and fronting Biscayne Bay, was retained as private property and continues to be owned by the adjacent residential property owners; and

WHEREAS, pursuant to a request for vacation of the aforestated street-end by the respective adjacent property owners, and due to the aforementioned unique situation whereby the portion of said street-end fronting the water is privately owned, the Mayor and City Commission, on March 20, 2002, upon the recommendation of the Land Use and Development Committee, directed the Administration to consider the vacation of said street-end to the adjacent property owners provided that the City retained rights to all the necessary utility easements; and

WHEREAS, Mr. Roger Schindler and his wife, Leslie (collectively, the Applicant), owns the adjacent residential property at 5860 North Bay Road, and has requested the vacation of an approximately 204 feet long by 25 feet wide section of the southern half portion of the West 59th Street street-end; and

WHEREAS, the City's Public Works Department has received and reviewed the Applicant's request for vacation and hereby certifies that the Applicant has complied with the City's application submittal requirements for such vacation; and

WHEREAS, the Planning Department has prepared a planning analysis with respect to the proposed vacation request; the Administration would further recommend that the Mayor and City Commission waive the competitive bidding and appraisal requirements, pursuant to Article II, Section 82-36 through 82-40 of the City Code, finding such waiver to be in the best interest of the City.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, following a duly noticed public hearing to hear public comment on same, that the Mayor and City Commission hereby approve and authorize the vacation of a portion (the southern half) of the West 59th Street street-end, West of North Bay Road, in favor of Roger and Leslie Schindler, owners of the adjacent residential property, located at 5860 North Bay Road; retaining utility easement rights within said vacated portion of the street-end; waiving, by 5/7ths vote, the competitive bidding and appraisal requirements, pursuant to Article II, Section 82-36 through 82-40 of the Miami Beach City Code, finding such waiver to be in the best interest of the City; and authorizing the Mayor and City Clerk to execute any and all documents to effectuate the vacation, including a quitclaim deed, subject to final review and approval of the same by the City Attorney.

PASSED and **ADOPTED** this _____ day of _____ , 2004

ATTEST:

_____
MAYOR

_____
CITY CLERK

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 10-6-04
Date

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution approving the vacation of a portion of West 59th Street street-end, west of North Bay Road, in favor of Thomas Harris, owner of the adjacent property located at 5900 North Bay Road.

Issue:

Shall the City vacate a portion of West 59th Street street-end, west of North Bay Road?

Item Summary/Recommendation:

City right-of-ways have been vacated previously by criteria established by the City in 1989 and City Code, Chapter 82, Article II, Section 82-37. When originally platted, 56th and 59th Street street-ends were unique situations, in that the extreme ends of the streets at the bay are privately owned by the adjacent property owners. The City Commission on March 20, 2002, following the recommendation of the Land Use and Development Committee, directed the sale of the street-ends on West 56th and West 59th Streets to the adjacent property owners. The property owners adjacent to West 59th Street street-end have complied with the vacation application requirements by submitting the application fee and providing a list of affected property owners. This application was delayed while the City reviewed the authority and procedure for vacating or disposing of public right-of-ways and property. The Finance and Citywide Projects Committee on June 9, 2004 requested the Administration treat each applicant on a case by case basis. At another meeting on August 18, 2004 the Finance and Citywide Projects Committee recommended that all requests for vacating City property meet the criteria established for a revocable permit and prove that there is an extraordinary public benefit to be provided by such vacation. The City Commission adopted that recommendation at the meeting on September 8, 2004.

The Administration recommends denial of the request to vacate property based on the failure to meet four of the seven evaluation criteria for a revocable permit no extraordinary public benefit and no endorsement by the Planning Analysis conducted by the Planning Department.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Robert T. Halfhill

Sign-Offs:

Department Director	Assistant City Manager	City Manager

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AGENDA ITEM R7B

DATE 10-13-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, FOLLOWING A DULY NOTICED PUBLIC HEARING TO HEAR PUBLIC COMMENT ON SAME, APPROVING AND AUTHORIZING THE VACATION OF A PORTION (THE NORTHERN HALF) OF THE WEST 59TH STREET STREET-END, WEST OF NORTH BAY ROAD, IN FAVOR OF WILLIAM THOMAS HARRIS III AND RICHARD KOENIGSBERG, AS TRUSTEES FOR THE "TOM HARRIS TRUST", AS OWNER OF THE ADJACENT PROPERTY LOCATED AT 5900 NORTH BAY ROAD; RETAINING UTILITY EASEMENT RIGHTS WITHIN SAID VACATED PORTION OF THE STREET-END; WAIVING, BY 5/7THS VOTE, THE COMPETITIVE BIDDING AND APPRAISAL REQUIREMENTS, PURSUANT TO ARTICLE II, SECTION 82-36 THROUGH 82-40 OF THE MIAMI BEACH CITY CODE, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE THE VACATION, INCLUDING A QUITCLAIM DEED, SUBJECT TO FINAL REVIEW AND APPROVAL OF SAME BY THE CITY ATTORNEY'S OFFICE.**

ADMINISTRATION RECOMMENDATION:

The Administration recommends denial of the request to vacate due to the failure to satisfy four of the seven evaluation criteria elements for a revocable permit, no extraordinary public benefit and the negative opinions in the Planning Analysis conducted by the Planning Department.

BACKGROUND:

City right-of-ways have been vacated previously by criteria established by the City in 1989 and City Code, Chapter 82, Article II, Section 82-37. When the LaGorce-Golf Subdivision was platted in 1925, a portion of West 56th Street and West 59th Street, at the extreme ends adjacent to the bay, were retained as private land and sold to one of the adjacent property owners (see attached sketch "A"). A thirty (30) feet deep portion of West 59th Street street-end is now owned by Roger Schindler and wife Leslie, owners of the property located at 5860 North Bay Road.

Mr. Roger Schindler was granted a revocable permit on December 24, 1991 for the installation of a wrought iron gate and fence enclosing the remainder of West 59th Street street-end, west of North Bay Road.

In 2001, when a construction permit was sought for the reconstruction of the existing wall and gates, an amendment to the revocable permit was requested. On December 19, 2001 an amendment to the revocable permit was denied by the City Commission because of the ownership questions. The issue was referred to the Land Use and Development Committee.

The City Commission, upon the recommendation of the Land Use and Development Committee, directed the Administration to consider the sale of the street-ends on West 56th and West 59th Streets to the adjacent property owners, while maintaining all the necessary utility easements.

Mr. Thomas Harris and Mr. Roger Schindler, the property owners adjacent to the West 59th Street street-end, responded affirmatively to this vacation offer and met the requirements as set forth in the July 26, 1989 Land Use Committee guidelines and City Code Chapter 82, Article II Sec. 82-37 for street vacation application requirements. The review of these requests by the Commission was delayed due to questions regarding the City's procedures for vacating, selling or otherwise disposing of City owned property. The Finance and Citywide Projects Committee on June 9, 2004 recommended each applicant be evaluated on a case by case basis.

On July 7, 2004 the City Commission adopted Resolution Nos. 2004-25621 and 2004-25622 setting a public hearing for September 8, 2004 to consider the vacation of 59th Street. At the same meeting the City Commission referred the issue of vacating City property to the Finance and Citywide Projects Committee.

The Finance and Citywide Projects Committee met on August 18, 2004 and recommended that all requests for vacating City property must meet the seven criteria for granting of revocable permits and must demonstrate that an extraordinary public benefit will be provided by such vacation.

ANALYSIS:

The application was evaluated using the criteria for a revocable permit and supported by the attached Planning Analysis written by the Planning Department. The Administration's review of the seven criteria elements for revocable permits is provided below:

1) That the applicant need is substantial.

   Not satisfied. The applicant has not demonstrated that its need for half of the street-end is substantial.

2) That the applicant holds title to an abutting property.

   Satisfied.

3) That the proposed improvements comply with applicable codes, ordinances, regulations, neighborhood plans and laws.

   Satisfied. Any improvement would have to be permitted and approved by the City.

4) That the grant of such application will have no adverse effect on governmental/utility easements and uses on the property.

   Satisfied. The City retains utility easements.

5) Alternatively:

   a) That an unnecessary hardship exists that deprives the applicant of a reasonable use of the land, structure or building for which vacation is sought, arising out of special circumstances and conditions that exist and were not self-created and are peculiar to the land, structures or building involved and are not generally applicable to other lands, structures or buildings in the same zoning district and the grant of the application is the minimum that will allow reasonable use of the land, structures or building;

      Not satisfied. The applicant has not demonstrated that any hardship exists that deprives him of a reasonable use of the existing street-end.

   b) That the grant of the vacation will enhance the neighborhood and/or community by such amenities as, for example, enhanced landscaping, improved drainage, improved lighting, and improved security.

      Not satisfied. The applicant has not demonstrated that the grant of the vacation will enhance the neighborhood. On the contrary the applicant has pursued the vacation to legalize the construction of a wall and gates that would keep the street-end private and deprive the neighbors and the general public of open green space and open bay vistas.

6) That granting the vacation requested will not confer on the applicant any special privilege that is denied to other owner of land, structures or buildings subject to similar conditions.

   Not satisfied. A similar request at 2900 Prairie Avenue has been denied.

7) That granting the vacation will not be injurious to the surrounding properties, the neighborhood, or otherwise detrimental to the public welfare.

   Not satisfied. By definition, a public right-of-way is property held by the City as a community resource to be used for public benefit. If the street-end is vacated title will be conveyed to the applicant allowing him to enclose the property with gates, fence, vegetation, etc., therefore taking away open green space and bay views from the general public.

The applicant has not demonstrated that an extraordinary public benefit will be created by vacating the street-end and taking it away for use and enjoyment by the general public.

The Planning Analysis conducted by the Planning Department does not endorse the vacation of the 59th Street street-end.

In accordance with Ordinance No. 92-2783, codified into City Code Chapter 82, Article II, Section 82-37, the City has advertised and scheduled the public hearing during the September 8, 2004, Commission meeting.

JMG/RCM/FHB/II

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NB

Greenberg Traurig

Joseph Z. Fleming
305/579-0517
flemingj@gtlaw.com

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CITY ATTORNEY'S OFFICE

August 19, 2004

Raul J. Aguilar, Esq.
Assistant City Attorney
City of Miami Beach
1700 Convention Center Drive
Miami Beach, Florida 33139

Re: Request for Vacation of the 59th St. Street End

Dear Mr. Aguilar:

We represent Richard Koenigsberg & William Thomas Harris as Trustees under Trust Agreement of November 8, 2002 ("Trustees") in connection with the property at 5900 North Bay Road, Miami Beach, FL and respectfully request that the scheduling of the above-matter now set for Wednesday, September 8, 2004, be rescheduled for the next Commission meeting which we understand is rescheduled for Wednesday, October 13, 2004.

The reasons for this request are that Mr. Harris, the only Trustee who can present the position of Trustees, is unable to attend the hearing—now scheduled for September 8, 2004—due to the need to be out of the State. He desires to appear and provide information as to the reasons for his request as to his interests. Roger Schindler, who is the other applicant, has agreed to, and does not oppose, this request for the extension and, in fact, consents to it.

We would appreciate your assistance. We understand that you can submit this request so that it can be considered. However, if you need additional information, or there are additional submissions that are appropriate or if anything else is necessary, please do not hesitate to let us know.

We are sending a shown copy of this communication to Roger Schindler and as noted have previously discussed it with him. We very much appreciate your assistance.

Sincerely,

Joseph Z. Fleming

JZF/ss
cc: Roger J. Schindler, Esq.

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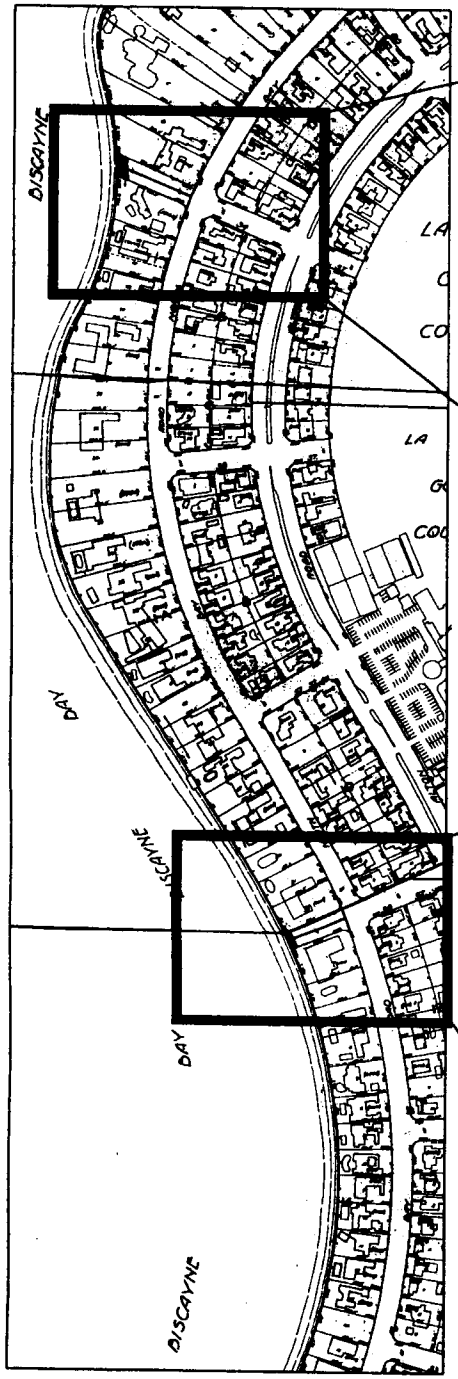
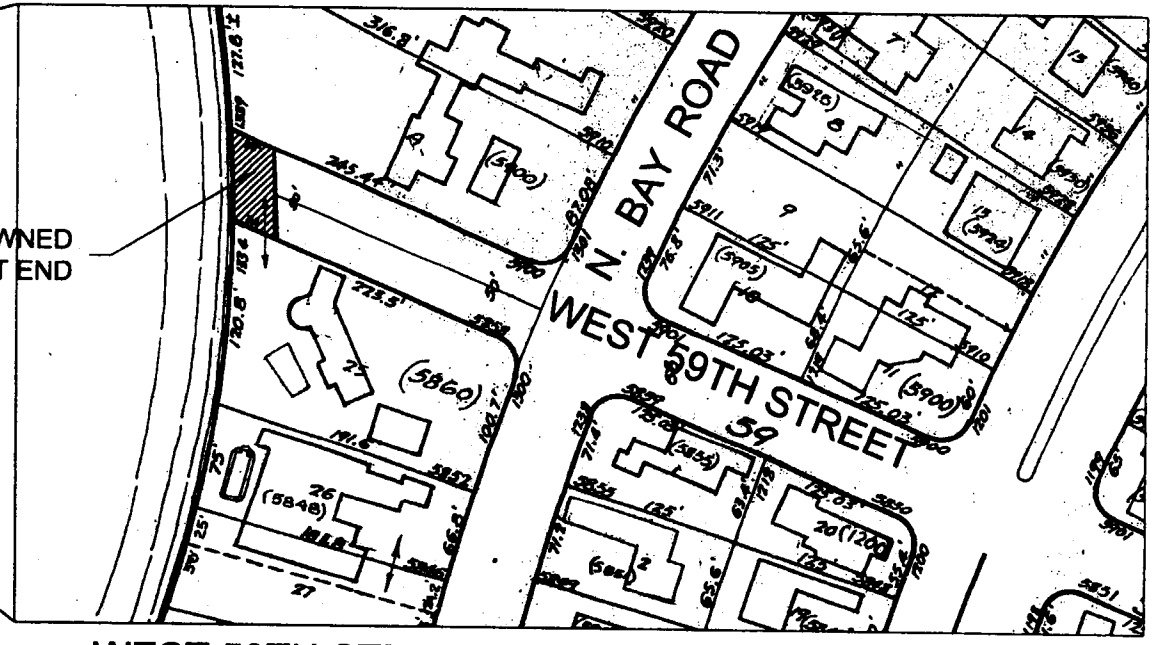
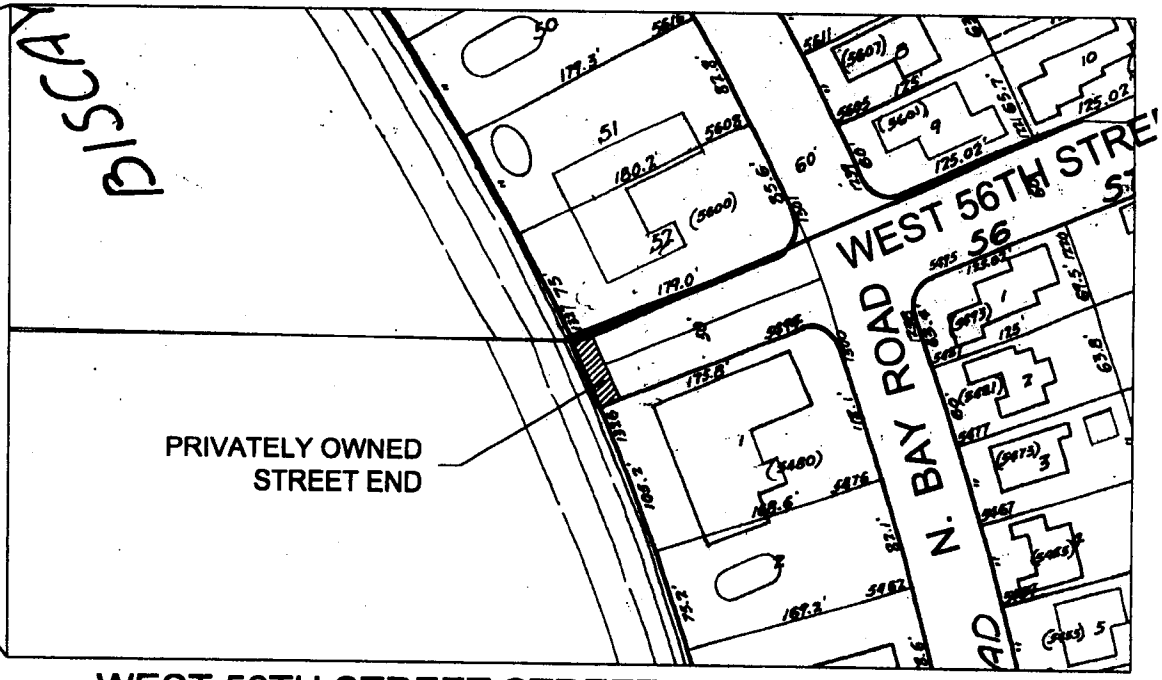


AREA MAP



WEST 59TH STREET STREET-END



WEST 56TH STREET STREET-END

SKETCH SHOWING WEST 56TH STREET & WEST 59TH STREET STREET-ENDS

CITY OF MIAMI BEACH
Planning
Interoffice Memorandum

To: Fred Beckman
Public Works Director

Date: October 4, 2004

Cc: Christina M. Cuervo
Assistant City Manager

Robert Middaugh
Assistant City Manager

From: Jorge G. Gomez, AICP
Planning Director

Subject: **PLANNING ANALYSIS PURSUANT TO CMB CODE SECTION 82-38**

In accordance with Section 82-38 of the City of Miami Beach code, the Planning Department shall prepare an analysis for the City Commission and the public that outlines all conditions relating to the proposed sale and/or lease of city property. The following analysis applies to the proposed vacation of the West 59th Street street-end, west of North Bay Road.

1. **Whether or not the proposed use is in keeping with city goals and objectives and conforms to the city comprehensive plan.**

   The proposed street-end vacation may not conform to the city's goals and objectives of the Comprehensive Plan. The Recreation and Open Space Element of the Comprehensive Plan discusses the goals of ensuring environmental stability and protection of natural areas and quality of urban life by providing urban greenspace and scenic open space vistas. Vacating this street end which fronts directly upon the Biscayne Bay would eliminate a scenic vista through to the bay and may decrease the quality of the neighborhood ambiance.

2. **The impact on adjacent property, including the potential positive or negative impacts such as diminution of open space, increased traffic, noise level or enhanced property values, improved development patterns and provision of necessary services. Based on the proposed use of the property, the city shall determine the potential impact of the project on city utilities and other infrastructure needs and the magnitude of costs associated with needed infrastructure improvements. Should it become apparent that further evaluation of traffic impact is needed, the proponent shall be responsible for obtaining a traffic impact analysis from a reputable traffic engineer.**

   The proposed vacation may have a detrimental impact on the adjacent properties. Although the subject street-end is not an active vehicular right-of-way and as such, will not increase the traffic or noise level, the street-end fronts upon Biscayne Bay, which is part of the city's Open Space system and as such, may compromise the goals of the Recreation and Open Space Element of the Comprehensive plan.

3. **A determination as to whether or not the proposed use is in keeping with a public purpose and community needs, such as expanding the city's revenue base, reducing city costs, creating jobs, creating a significant revenue stream, and improving the community's overall quality of life.**

   While converting the subject street-end to taxable property can generate a revenue stream for the City, this may be outweighed by the diminution of the overall quality of life for the neighborhood as detailed above.

4. **Determination as to whether or not the development is in keeping with the surrounding neighborhood, will block views or create other environmental intrusions, and evaluation of the design and aesthetic considerations of the project.**

   The vacation may result in the obstruction of views of Biscayne Bay, and may not be in keeping with the characteristics of the surrounding neighborhood.

5. **The impact on adjacent properties, whether or not there is adequate parking, street and infrastructure needs.**

   The vacation shall not increase the parking requirement in the vicinity of the street-end. The street end is not used for public parking; parking for the private residences adjacent to the street-end will be within private property.

6. **A determination as to whether or not alternatives are available for the proposed disposition, including assembly of adjacent properties, and whether the project could be accomplished under a private ownership assembly.**

   The configuration of the street end is unusual, with a portion of the property already improved by the adjacent property owner. Vacating the street end may allow additional development adjacent to the street end. A preferable alternative would be to retain the street end in public ownership.

7. **Within the constraints of public objectives, the department should examine financial issues such as job generation, providing housing opportunities, and the return to the city for its disposition of property.**

   By vacating the street-end, the city could dissolve liabilities associated with maintaining the street-end. Converting the subject street-end to taxable property may permit the city to generate a revenue stream from the subject property. However, additional job creation or increased housing opportunities are expected to be minimal.

8. **Such other issues as the planning, design and historic preservation division may deem appropriate in analysis of the proposed disposition.**

   The quality of life in the North Bay Road neighborhood is enhanced by views of the open Bay through the occasional street ends. By eliminating the view through to the open space of the Bay, a significant loss in neighborhood scenic open space vistas will be lost, and could negatively impact dozens of households in the neighborhood.

JGG/RGL
F:\PLAN\$ALL\Shapiro amend files\56th Street Street End Vacation.doc

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, FOLLOWING A DULY NOTICED PUBLIC HEARING TO HEAR PUBLIC COMMENT ON SAME, APPROVING AND AUTHORIZING THE VACATION OF A PORTION (THE NORTHERN HALF) OF THE WEST 59TH STREET STREET-END, WEST OF NORTH BAY ROAD, IN FAVOR OF WILLIAM THOMAS HARRIS III AND RICHARD KOENIGSBERG, AS TRUSTEES FOR THE "TOM HARRIS TRUST", AS OWNER OF THE ADJACENT RESIDENTIAL PROPERTY, LOCATED AT 5900 NORTH BAY ROAD; RETAINING UTILITY EASEMENT RIGHTS WITHIN SAID VACATED PORTION OF THE STREET-END; WAIVING, BY 5/7THS VOTE, THE COMPETITIVE BIDDING AND APPRAISAL REQUIREMENTS, PURSUANT TO ARTICLE II, SECTION 82-36 THROUGH 82-40 OF THE MIAMI BEACH CITY CODE, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE THE VACATION, INCLUDING A QUITCLAIM DEED, SUBJECT TO FINAL REVIEW AND APPROVAL OF SAME BY THE CITY ATTORNEY'S OFFICE.

WHEREAS, when LaGorce-Golf Subdivision was platted in 1925, a portion of the West 59th Street street-end, adjacent to and fronting Biscayne Bay, was retained as private property and continues to be owned by the adjacent residential property owners; and

WHEREAS, pursuant to a request for vacation of the aforestated street-end by the respective adjacent property owners, and due to the aforementioned unique situation whereby the portion of said street-end fronting the water is privately owned, the Mayor and City Commission, on March 20, 2002, upon the recommendation of the Land Use and Development Committee, directed the Administration to consider the vacation of said street-end to the adjacent property owners provided that the City retained rights to all the necessary utility easements; and

WHEREAS, the Tom Harris Trust (Applicant), owns the adjacent residential property at 5900 North Bay Road, and has requested the vacation of an approximately 214 feet long by 25 feet wide section of the northern half portion of the West 59th Street street-end; and

WHEREAS, the City's Public Works Department has received and reviewed the Applicant's request for vacation and hereby certifies that the Applicant has complied with the City's application submittal requirements for such vacation; and

WHEREAS, the City's Planning Department has prepared a planning analysis with respect to the proposed vacation request; the Administration would further recommend that the Mayor and City Commission waive the competitive bidding and appraisal requirements, pursuant to Article II, Section 82-36 through 82-40 of the City Code, finding such waiver to be in the best interest of the City.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, following a duly noticed public hearing to hear public comment on same, that the Mayor and City Commission hereby approve and authorize the vacation of a portion (the northern half) of the West 59th Street street-end, West of North Bay Road, in favor of William Thomas Harris III and Richard Koenigsberg, as Trustees for the "Tom Harris Trust", as owner of the adjacent residential property, located at 5900 North Bay Road; retaining utility easement rights within said vacated portion of the street-end; waiving, by 5/7ths vote, the competitive bidding and appraisal requirements, pursuant to Article II, Section 82-36 through 82-40 of the Miami Beach City Code, finding such waiver to be in the best interest of the City; and authorizing the Mayor and City Clerk to execute any and all documents to effectuate the vacation, including a quitclaim deed, subject to final review and approval of the same by the City Attorney.

PASSED and **ADOPTED** this _____ day of _____ , 2004

ATTEST:

_____
MAYOR

_____
CITY CLERK

M:\$CMB\PUBLIC WORKS DEPARTMENT\COMMISSION AGENDA ITEMS\OCTOBER 13, 2004\HARRIS 56th\59th Street Harris Reso1.doc

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 10-6-04 Date

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution approving the vacation of a portion of West 56th Street street-end, west of North Bay Road, in favor of Mary Elizabeth Donnelly, owner of the adjacent property located at 5480 North Bay Road.

Issue:

Shall the City vacate a portion of West 56th Street street-end, west of North Bay Road?

Item Summary/Recommendation:

City right-of-ways have been vacated previously by criteria established by the City in 1989 and City Code, Chapter 82, Article II, Section 82-37. When originally platted, 56th and 59th Street street-ends were unique situations, in that the extreme ends of the streets at the bay are privately owned by the adjacent property owners. The City Commission on March 20, 2002, following the recommendation of the Land Use and Development Committee, directed the sale of the street-ends on West 56th and West 59th Streets to the adjacent property owners. The property owners adjacent to West 56th and 59th Street street-ends have complied with the vacation application requirements by submitting the application fee and providing a list of affected property owners. This application was delayed while the City reviewed the authority and procedure for vacating or disposing of public right-of-ways and property. The Finance and Citywide Projects Committee on June 9, 2004 requested the Administration treat each applicant on a case by case basis. At another meeting on August 18, 2004, the Finance and Citywide Projects Committee recommended that all requests for vacating City property meet the criteria for a revocable permit and prove that there is an extraordinary public benefit to be provided by such vacation. The City Commission adopted that recommendation at the meeting on September 8, 2004.

The Administration recommends denial of the request to vacate property based on the failure to meet four of the seven evaluation criteria for a revocable permit no extraordinary public benefit and no endorsement by the Planning Analysis conducted by the Planning Department.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Robert T. Halfhill

Sign-Offs:

Department Director	Assistant City Manager	City Manager
FHJ		

M:\$CMB\PUBLIC WORKS DEPARTMENT\COMMISSION AGENDA ITEMS\OCTOBER 13, 2004\DONNLEY 56TH STREET\56thStreetDonnellySummary2.doc

AGENDA ITEM R7C

DATE 10-13-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, FOLLOWING A DULY NOTICED PUBLIC HEARING, APPROVING AND AUTHORIZING THE VACATION OF A PORTION (THE SOUTHERN HALF) OF WEST 56TH STREET STREET-END, WEST OF NORTH BAY ROAD, IN FAVOR OF MARY ELIZABETH DONNELLY, OWNER OF THE ADJACENT PROPERTY LOCATED AT 5480 NORTH BAY ROAD; RETAINING UTILITY EASEMENT RIGHTS WITHIN SAID VACATED PORTION OF THE STREET; WAIVING, BY 5/7THS VOTE, THE COMPETITIVE BIDDING AND APPRAISAL REQUIREMENTS, PURSUANT TO ARTICLE II, SECTION 82-36 THROUGH 82-40 OF THE MIAMI BEACH CITY CODE, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE THE VACATION, INCLUDING A QUITCLAIM DEED, SUBJECT TO FINAL REVIEW AND APPROVAL OF SAME BY THE CITY ATTORNEY'S OFFICE.**

ADMINISTRATION RECOMMENDATION:

Administration recommends denial of the request to vacate due to the failure to meet four of seven evaluation criteria for a revocable permit and no extraordinary public benefit.

BACKGROUND:

City right-of-ways have been vacated previously by criteria established by the City in 1989 and City Code, Chapter 82, Article II, Section 82-37. When the LaGorce-Golf Subdivision was platted in 1925, a portion of West 56th Street and West 59th Street, at the extreme ends adjacent to the bay, were retained as private land and sold to one of the adjacent property owners (see attached sketch "A"). An approximately fifteen feet deep portion of West 56th Street street-end is now owned by Burton S. and Rose Kahn, owners of the property located at 5600 North Bay Road.

On July 7, 2004 the City Commission adopted Resolution Nos. 2004-25621 and 2004-25622 setting a public hearing for September 8, 2004 to consider the vacation of 59th Street. At this meeting, Mrs. Donnelly requested to be allowed to process her application at the same time as Mr. Schindler's; the Commission approved her request. At the same meeting the City Commission referred the issue of vacating City property to the Finance and Citywide Projects Committee.

The Finance and Citywide Projects Committee met on August 18, 2004 and recommended that all requests for vacating City property must meet the seven criteria for granting of revocable permits and must demonstrate that an extraordinary public benefit will be provided by such vacation.

ANALYSIS

The application was evaluated using the criteria for a revocable permit and supported by the attached Planning Analysis written by the Planning Department. The Administration's review of the seven criteria elements for revocable permits is provided below:

1) That the applicant need is substantial.

   Not satisfied. The applicant has not demonstrated that her need for half of the street-end is substantial.

2) That the applicant holds title to an abutting property

   Satisfied.

3) That the proposed improvements comply with applicable codes, ordinances, regulations, neighborhood plans and laws.

   Satisfied. Any improvement would have to be permitted and approved by the City.

4) That the grant of such application will have no adverse effect on governmental/utility easements and uses on the property.

   Satisfied. The City retains utility easements.

5) Alternatively:

   a) That an unnecessary hardship exists that deprives the applicant of a reasonable use of the land, structure or building for which vacation is sought, arising out of special circumstances and conditions that exist and were not self-created and are peculiar to the land, structures or building involved and are not generally applicable to other lands, structures or buildings in the same zoning district and the grant of the application is the minimum that will allow reasonable use of the land, structures or building;

      Not satisfied. The applicant has not demonstrated that any hardship exists that deprives her of a reasonable use of the existing street-end.

   b) That the grant of the vacation will enhance the neighborhood and/or community by such amenities as, for example, enhanced landscaping, improved drainage, improved lighting, and improved security.

Not satisfied. The applicant has not demonstrated that the grant of the vacation will enhance the neighborhood. On the contrary the applicant has pursued the vacation to legalize the construction of a wall and gates that would keep the street-end private and deprive the neighbors and the general public of open green space and open bay vistas.

6) That granting the vacation requested will not confer on the applicant any special privilege that is denied to other owner of land, structures or buildings subject to similar conditions.

   Not satisfied. A similar request at 2900 Prairie Avenue has been denied.

7) That granting the vacation will not be injurious to the surrounding properties, the neighborhood, or otherwise detrimental to the public welfare.

   Not satisfied. By definition, a public right-of-way is property held by the City as a community resource to be used for public benefit. If the street-end is vacated title will be conveyed to the applicant allowing her to enclose the property with gates, fence, vegetation, etc., therefore taking away open green space and bay views from the general public.

The applicant has not demonstrated that an extraordinary public benefit will be created by vacating the street-end and taking it away for use and enjoyment by the general public.

The Planning Analysis conducted by the Planning Department does not endorse the vacation of the 59th Street street-end.

In accordance with Ordinance No. 92-2783, codified into City Code Chapter 82, Article II, Section 82-37, the City has advertised and scheduled the public hearing during the September 8, 2004, Commission meeting.

JMG/RCM/FHB/II

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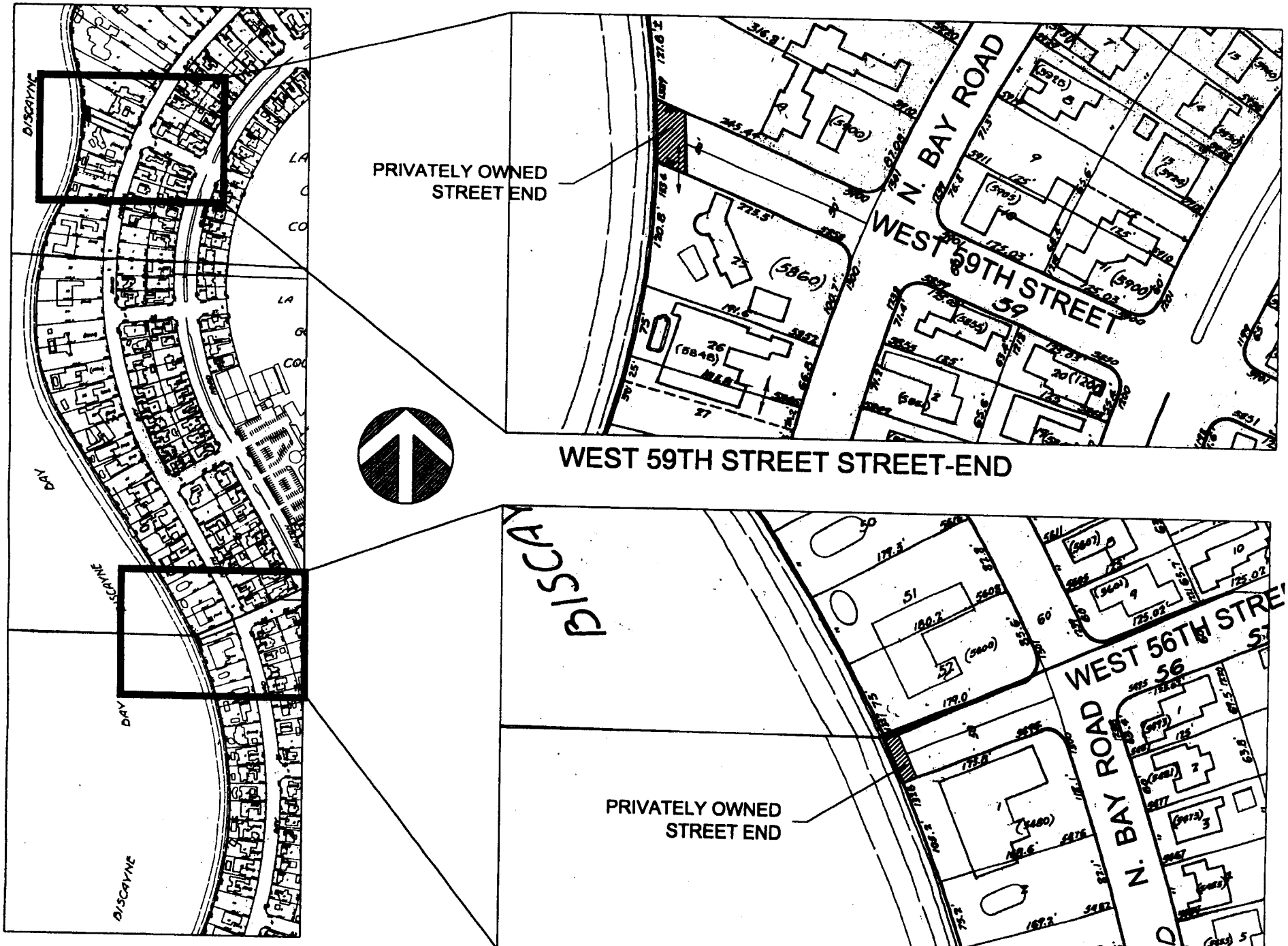

SKETCH SHOWING WEST 56TH STREET & WEST 59TH STREET STREET-ENDS

CITY OF MIAMI BEACH
Planning
Interoffice Memorandum

To: Fred Beckman
Public Works Director

Date: October 4, 2004

Cc: Christina M. Cuervo
Assistant City Manager

Robert Middaugh
Assistant City Manager

From: Jorge G. Gomez, AICP
Planning Director

Subject: **PLANNING ANALYSIS PURSUANT TO CMB CODE SECTION 82-38**

In accordance with Section 82-38 of the City of Miami Beach code, the Planning Department shall prepare an analysis for the City Commission and the public that outlines all conditions relating to the proposed sale and/or lease of city property. The following analysis applies to the proposed vacation of a portion (the Southern half) of the West 56th Street street-end, west of North Bay Road.

1. **Whether or not the proposed use is in keeping with city goals and objectives and conforms to the city comprehensive plan.**

   The proposed street-end vacation may not conform to the city's goals and objectives of the Comprehensive Plan. The Recreation and Open Space Element of the Comprehensive Plan discusses the goals of ensuring environmental stability and protection of natural areas and quality of urban life by providing urban greenspace and scenic open space vistas. Vacating this street end which fronts directly upon the Biscayne Bay would eliminate a scenic vista through to the bay and may decrease the quality of the neighborhood ambiance.

2. **The impact on adjacent property, including the potential positive or negative impacts such as diminution of open space, increased traffic, noise level or enhanced property values, improved development patterns and provision of necessary services. Based on the proposed use of the property, the city shall determine the potential impact of the project on city utilities and other infrastructure needs and the magnitude of costs associated with needed infrastructure improvements. Should it become apparent that further evaluation of traffic impact is needed, the proponent shall be responsible for obtaining a traffic impact analysis from a reputable traffic engineer.**

   The proposed vacation may have a detrimental impact on the adjacent properties. Although the subject street-end is not an active vehicular right-of-way and as such, will not increase the traffic or noise level, the street-end fronts upon Biscayne Bay, which is part of the city's Open Space system and as such, may compromise the goals of the Recreation and Open Space Element of the Comprehensive plan.

3. **A determination as to whether or not the proposed use is in keeping with a public purpose and community needs, such as expanding the city's revenue base, reducing city costs, creating jobs, creating a significant revenue stream, and improving the community's overall quality of life.**

   While converting the subject street-end to taxable property can generate a revenue stream for the City, this may be outweighed by the diminution of the overall quality of life for the neighborhood as detailed above.

4. **Determination as to whether or not the development is in keeping with the surrounding neighborhood, will block views or create other environmental intrusions, and evaluation of the design and aesthetic considerations of the project.**

   The vacation may result in the obstruction of views of Biscayne Bay, and may not be in keeping with the characteristics of the surrounding neighborhood.

5. **The impact on adjacent properties, whether or not there is adequate parking, street and infrastructure needs.**

   The vacation shall not increase the parking requirement in the vicinity of the street-end. The street end is not used for public parking; parking for the private residences adjacent to the street-end will be within private property.

6. **A determination as to whether or not alternatives are available for the proposed disposition, including assembly of adjacent properties, and whether the project could be accomplished under a private ownership assembly.**

   This proposal only vacates one-half of the street-end. The vacation of only half of the street end, while leaving the other half of the street end in public ownership, may not be appropriate. The configuration of the street end that results has not been studied, and may have negative impacts on the area.

7. **Within the constraints of public objectives, the department should examine financial issues such as job generation, providing housing opportunities, and the return to the city for its disposition of property.**

   By vacating only one-half of the street-end, the city does not dissolve all liabilities associated with maintaining the other remaining half of the street-end, thereby reducing overall benefit to the City. On the other had, converting the subject street-end to taxable property permits the city to generate a revenue stream from the subject property. However, additional job creation or increased housing opportunities are expected to be minimal.

8. **Such other issues as the planning, design and historic preservation division may deem appropriate in analysis of the proposed disposition.**

   The quality of life in the North Bay Road neighborhood is enhanced by views of the open Bay through the occasional street ends. By eliminating the view through to the open space of the Bay, a significant loss in neighborhood scenic open space vistas will be lost, and could negatively impact dozens of households in the neighborhood.

JGG/RGL
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C: Bob Middaugh

Mary Elizabeth Donnelly
5480 North Bay Road,
Miami Beach, Florida 33140

Wednesday, ~~September~~ October 6th, 2004

RECEIVED
2004 OCT -6 PM 2:26
CITY MANAGERS OFFICE
BY

COPY

Fred H. Beckmann,
Public Works Director,
City of Miami Beach,
Florida 33139

Re: A Solution to the Problem,
56th Street & North Bay Road

RECEIVED
2004 OCT -6 PM 2:27
MAYOR COMMISSION
BY

Dear Mr. Beckmann,

I have an idea or observation which I think would solve everybody's problem and keep everybody happy--the City, myself and the surrounding neighborhood.

Here at 56th Street, I am requesting the City Commission vote to vacate 1/2 of the cul-de-sac, the south side. The owner of 5600 N.B. Road has not requested vacation of the north side, and has given no indication of doing so in the future. (In this way, the situation differs from 59th Street.) Should the Commission agree to vacate the south end to me, the City would still maintain complete control over the north portion, except for the waterfront itself, which is owned by 5600. (The City would, of course, retain all utility easement rights in the vacated south end.) After vacation, I would have access to my own 3-car garage over my own property. And the City is left with total control over the northern half of the land.

Within this north half portion, or at the new boundary line, the City could install a hunter-green metal fence, running east to west, along the grass from N. B. Road down to approximately 2/3rd of the way to the bayfront. The City's existing street light, the gas utility box, and the storm drain are located within this grass area. An unlocked gate or opening at the curved, east end of the proposed fence could provide neighbors with walking access down to the waterfront area and a view of the bay. Such an arrangement would keep pedestrians off the driveway. A view of the bay when they go for a walk is what some of the neighbors want. For my part, I would not put up a gate at the entrance to the driveway at N. Bay Road, but I would put up a "private property" and "active driveway" sign to keep vehicles and intruders out of the driveway. By cutting back some foliage at the northeast corner of my property, I can access my garage completely within the south vacated portion of the cul-de-sac, without recourse to the City's northern half. Everybody is happy.

Sincerely, Elizabeth Donnelly

Copy: The Mayor, Commissioners, City Manager, et al.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, FOLLOWING A DULY NOTICED PUBLIC HEARING TO HEAR PUBLIC COMMENT ON SAME, APPROVING AND AUTHORIZING THE VACATION OF A PORTION (THE SOUTHERN HALF) OF THE WEST 56TH STREET STREET-END, WEST OF NORTH BAY ROAD, IN FAVOR OF MARY ELIZABETH DONNELLY, OWNER OF THE ADJACENT RESIDENTIAL PROPERTY, LOCATED AT 5480 NORTH BAY ROAD; RETAINING UTILITY EASEMENT RIGHTS WITHIN SAID VACATED PORTION OF THE STREET-END; WAIVING, BY 5/7THS VOTE, THE COMPETITIVE BIDDING AND APPRAISAL REQUIREMENTS, PURSUANT TO ARTICLE II, SECTION 82-36 THROUGH 82-40 OF THE MIAMI BEACH CITY CODE, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE THE VACATION, INCLUDING A QUITCLAIM DEED, SUBJECT TO FINAL REVIEW AND APPROVAL OF SAME BY THE CITY ATTORNEY'S OFFICE.

WHEREAS, when LaGorce-Golf Subdivision was platted in 1925, a portion of the West 56th Street street-end adjacent to and fronting Biscayne Bay, was retained as private property and continues to be owned by the adjacent residential property owner located at 5480 North Bay Road; and

WHEREAS, pursuant to a request for vacation of a portion of the aforestated street-end by the respective adjacent property owner, and due to the aforementioned unique situation whereby the portion of said street-end fronting the water is privately owned, the Mayor and City Commission, on March 20, 2002, upon the recommendation of the Land Use and Development Committee, directed the Administration to consider the vacation of said street-end to the adjacent property owner, provided the City retained rights to all the necessary utility easements; and

WHEREAS, Mrs. Mary Elizabeth Donnelly (Applicant), owns the adjacent residential property at 5480 North Bay Road, and has requested the vacation of an approximately 163 feet long by 25 feet wide section of the southern half of the West 56th Street street-end; and

WHEREAS, the City's Public Works Department has received and reviewed the Applicant's request for vacation and hereby certifies that the Applicant has complied with the City's application submittal requirements for such vacation; and

WHEREAS, the City's Planning Department has prepared a planning analysis with respect to the proposed vacation request; the Administration would further recommend that the Mayor and City Commission waive the competitive bidding and appraisal requirements, pursuant to Article II, Section 82-36 through 82-40 of the City Code, finding such waiver to be in the best interest of the City.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, following a duly noticed public hearing to hear public comment on same, that the Mayor and City Commission hereby approve and authorize the vacation of a portion (the southern half) of the West 56th Street street-end, West of North Bay Road, in favor of Mary Elizabeth Donnelly, owner of the adjacent residential property, located at 5480 North Bay Road; retaining utility easement rights within said vacated portion of the street-end; waiving, by 5/7ths vote, the competitive bidding and appraisal requirements, pursuant to Article II, Section 82-36 through 82-40 of the Miami Beach City Code, finding such waiver to be in the best interest of the City; and authorizing the Mayor and City Clerk to execute any and all documents to effectuate the vacation, including a quitclaim deed, subject to final review and approval of the same by the City Attorney.

PASSED and **ADOPTED** this _____ day of _____ , 2004

ATTEST:

_____ _____

CITY CLERK **MAYOR**

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 10-6-04 Date

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution Holding A Public Hearing, Authorizing And Approving The Proposed Uses Of The Local Law Enforcement Block Grant Funds.

Issue:

Shall The City Commission Adopt The Resolution And Authorize And Approve The Proposed Uses Of The Law Enforcement Block Grant Funds?

Item Summary/Recommendation:

The City Of Miami Beach Was Awarded Grant Funds From The United States Department Of Justice Under The "Local Law Enforcement Block Grant" Program For Program Year 2004. The Total Estimated Funds For This Project Are $114,294, Of Which $102,865 Will Be Funded By The United States Department Of Justice And The City Will Fund The Remaining $11,429. The Grant Funds Will Be Used To Fund Traditional Law Enforcement Equipment And Un-Met Technology Needs. Approximately $74,294 For "Traditional" Police Equipment, And The Remaining $40,000 For Enhancing The Use Of Technology.

One Of The Requirements Of The Local Law Enforcement Block Grant Is That A Public Hearing Be Held For The Purpose Of Providing An Opportunity For Members Of The Public To Discuss And/Or Comment Upon The Proposed Uses Of The Funds.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:

Finance Dept.

	Match Amount	Match Account	Approved
1	$11,429	603.4750.000353	
2			
3			
4			
Total	$11,429		

City Clerk's Office Legislative Tracking:

Judy Hoanshelt, Grants Manager, Office Of Budget and Performance Improvement

Sign-Offs:

Department Director	Assistant City Manager	City Manager

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AGENDA ITEM R7D

DATE 10-13-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

PUBLIC HEARING

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FOLLOWING A DULY NOTICED PUBLIC HEARING, ON OCTOBER 13, 2004, AUTHORIZING AND APPROVING THE PROPOSED USES OF THE LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS, IN THE AMOUNT OF $114,294**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

The City of Miami Beach was awarded grant funds from the United States Department of Justice under the "Local Law Enforcement Block Grant" Program for program year 2005. The total estimated funds for this project are $114,294, of which $102,865 will be funded by the United States Department of Justice and the City will fund the remaining $11,429.

The grant funds will be used to fund traditional law enforcement equipment and un-met technology needs. Approximately $74,294 will be used for "traditional" police equipment, and the remaining $ 40,000 will be used for enhancing the use of technology. Attachment "A" provides a list of the proposed items to be funded.

One of the requirements of the Grant is that a Public Hearing be held for the purpose of providing an opportunity for members of the public to discuss and/or comment upon the proposed uses of the funds.

This is the ninth year of funding under the Law Enforcement Block Grant Program. The Miami-Dade Criminal Justice Council, the designated Advisory Board for the Local Law Enforcement Block Grant Program, endorsed the proposed use of these funds.

It is recommended that the Mayor and City Commission adopt this Resolution and authorize and approve the proposed uses of the Law Enforcement Block Grant funds.

JMG:KB:JH
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Attachment "A"

Proposed Uses of Local Law Enforcement Block Grant
Program Year 2005

Allocation	***Funding Detail***
TRADITIONAL LAW ENFORCEMENT EQUIPMENT— $74,294	• Mobile Surveillance Platform • Carbine racks for Patrol Vehicles • Push bumpers for Traffic Vehicles • Night Vision equipment • Funds personal protection equipment purchases that safeguard against bio/chemical scenarios (includes protective clothing, air filtration masks, etc.) • Less-than-lethal weapons such as tasers
TECHNOLOGY--$40,000	• Infrastructure associated with hardware and software acquisitions • Continued automation of processes within the police department (i.e. computerization of various logs, etc.)

Total: $114, 294

RESOLUTION NO._____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FOLLOWING A DULY NOTICED PUBLIC HEARING ON OCTOBER 13, 2004, AUTHORIZING AND APPROVING THE PROPOSED USES OF THE LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS, IN THE AMOUNT OF $114,294

WHEREAS, the City of Miami Beach has been awarded grant funds from the United States Department of Justice under the "Local Law Enforcement Block Grant" Program for program year 2005; and

WHEREAS, the total estimated funds for this Program are $114,294, of which $102,865 will be funded by the United States Department of Justice, and the remaining $11,429 will be funded by the City; and

WHEREAS, under this Program, the City is seeking funds to enhance the Police Department's mission; and

WHEREAS, the grant funds will be used to fund traditional law enforcement equipment, and un-met technology needs; and

WHEREAS, approximately $74,294 for "traditional" police equipment, and the remaining $40,000 for enhancing the use of technology; and

WHEREAS, this is the ninth year of funding under the Law Enforcement Block Grant Program and the Miami-Dade Criminal Justice Council, the designated Advisory Board for the Local Law Enforcement Block Grant Program, endorsed the proposed use of these funds; and

WHEREAS, one of the requirements of the Grant is that the City hold a public hearing for the purpose of providing an opportunity for members of the public to discuss and/or comment upon the proposed uses of the funds; said public hearing was duly held on September 8, 2004.

NOW, THEREFORE BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission, following a duly noticed public hearing notice on Wednesday, October 13, 2004, herein approve and authorize the proposed uses of the Local Law Enforcement Block Grant Funds, in the amount of $114,294.

PASSED AND ADOPTED this _____ day of _____, 2004.

_____

MAYOR

Attested by:

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

_____

CITY CLERK

T:\AGENDA\2004\Oct1304\Consent\LLEBGPHRESO0405.doc

City Attorney 9/27/04 **Date**

CITY OF MIAMI BEACH
NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY given that public hearings will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, October 13, 2004, at the times listed below, to consider the following:**

at 11:00 a.m.:

TO CONSIDER THE PROPOSED USES OF THE LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS.

Inquiries may be directed to the Grants Management at (305) 673-7000 extension 6183.

at 11:15 a.m.:

TO CONSIDER THE PLACEMENT OF A COMMEMORATIVE PLAQUE IN THE CITY'S VICTORY GARDEN, LOCATED AT 226 COLLINS AVENUE, MIAMI BEACH, FLORIDA, HONORING THE LATE JOSEPH J. VILLARI.

Inquiries may be directed to the Economic Development at (305) 673-7260.

at 5:01 p.m.:

AN ORDINANCE AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE III, "OVERLAY DISTRICTS," DIVISION 5, "WEST AVENUE BAY FRONT OVERLAY," SECTION 142-842, "LOCATION AND PURPOSE," AND SECTION 142-843, "COMPLIANCE WITH REGULATIONS," TO INCLUDE MINIMUM AND MAXIMUM DEVELOPABLE LOT REGULATIONS WITHIN THE UNDERLYING RM-1 RESIDENTIAL MULTI-FAMILY LOW INTENSITY ZONING DISTRICT OF THE SUBJECT OVERLAY AREA PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

Inquiries may be directed to the Planning Department at (305) 673-7550.

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting may be continued and under such circumstances additional legal notice would not be provided.

Robert E. Parcher, City Clerk
City of Miami Beach

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

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

#0281

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution approving, upon conclusion of a public hearing, the placement of a commemorative plaque in the Victory Garden, honoring the late Joseph J. Villari, and referring the placement of said plaque to the Art in Public Places Committee, in accordance with Section 82-504 of the City Code.

Issue:

Should the Mayor and City Commission adopt the attached Resolution which authorizes the placement of the plaque and refers the item to the Art in Public Places Committee?

Item Summary/Recommendation:

Joseph Villari, a long-time Miami Beach resident and community activist, passed away on May 4, 2004, due to complications resulting from a traffic accident. On account of his extensive involvement in addressing quality-of-life issues affecting the South Pointe neighborhood, for his years of service on the South Pointe Advisory Board and recent appointment to the Marine Authority, the Administration recommends placing a commemorative plaque in his honor. Since Joseph Villari was a World War II veteran, the Administration recommends placing the plaque in the Victory Garden.

Pursuant to established City guidelines for the location and design of plaques and historic markers, the proposed plaque shall be of bronze construction, measuring 10" X 14" with raised ribbon or engraved letters. The Administration has been working with Morris Sunshine to draft appropriate dedication language for the plaque, which was modified and approved by the Neighborhood/Community Affairs Committee on Monday, July 26, 2004

Pursuant to Section 82-504 of the City's Code, upon conclusion of the Pubic Hearing, the City Commission may approve the proposed memorial and refer it to the Art in Public Places Committee to recommend a suitable location in the park.

Advisory Board Recommendation:

Neighborhoods/Community Affairs Committee – July 26, 2004 – Approval

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Christina M. Cuervo/Kent O. Bonde

Sign-Offs:

Department Director	Assistant City Manager	City Manager
	CMC	

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AGENDA ITEM R7E

DATE 10-13-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, FOLLOWING A DULY NOTICED PUBLIC HEARING, THE PLACEMENT OF A COMMEMORATIVE PLAQUE IN THE VICTORY GARDEN, LOCATED AT 226 COLLINS AVENUE, MIAMI BEACH, FLORIDA, HONORING THE LATE JOSEPH J. VILLARI, AND REFERRING THE PLACEMENT OF SAID PLAQUE TO THE ART IN PUBLIC PLACES COMMITTEE FOR ITS CONSIDERATION, IN ACCORDANCE WITH SECTION 82-504 OF THE CITY CODE.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

BACKGROUND

Joseph Villari, a long-time Miami Beach resident and community activist, passed away on May 4, 2004, due to complications resulting from a traffic accident. On account of his extensive involvement in addressing quality-of-life issues affecting the South Pointe neighborhood, for his years of service on the South Pointe Advisory Board and recent appointment to the Marine Authority, the Administration recommends placing a commemorative plaque in his honor. Since Joseph Villari was a World War II veteran, the Administration recommends placing the plaque in the Victory Garden.

ANALYSIS

Pursuant to established City guidelines for the location and design of plaques and historic markers, the proposed plaque shall be of bronze construction, measuring 10" X 14" with raised ribbon or engraved letters. The Administration has been working with Morris Sunshine to draft appropriate dedication language for the plaque, which was modified and approved by the Neighborhood/Community Affairs Committee on Monday, July 26, 2004. The proposed language reads:

> "The Mayor and City Commission of the City of Miami Beach, hereby remember Joseph J. Villari (1923 - 2004), a World War II veteran, who dedicated himself to making South Pointe a safer and better place and who worked hard to establish a Victory Garden here."

Since there is not a suitable surface or platform to place the plaque in the Victory Garden, staff is considering various options, including a waist-high block pedestal or a music stand- type pole mount, to be placed in a conspicuous location in the park. A picture sample of what the plaque should look like as well as a possible mounting option is attached to this memorandum.

CONCLUSION

Pursuant to Section 82-504 of the City's Code, upon approval and recommendation by the Neighborhood/Community Affairs Committee, the City Commission shall call for a public hearing regarding the placement of the memorial. At the close of the hearing, the City Commission shall consider approving the proposed memorial and refer it to the Art in Public Places Committee to recommend a suitable location in the park. Upon approval of the memorial by the City Commission, staff will authorize the manufacturing and etching of the plaque which will take approximately 10 weeks.

JMG/CMC/kob
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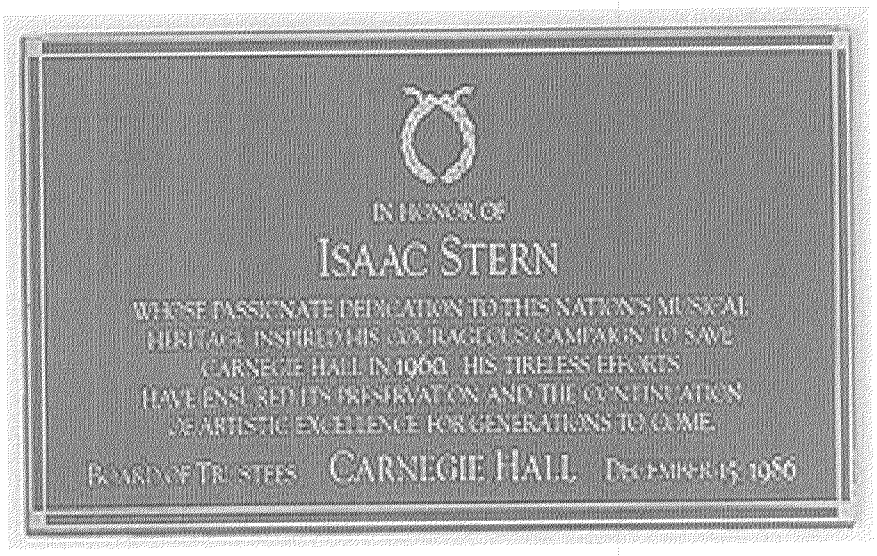
Pursuant to established City guidelines for the location and design of plaques and historic markers, the proposed plaque shall be of bronze construction, measuring 10" X 14" with raised ribbon or engraved letters. Inscription as approved by Neighborhoods/Community Affairs Committee on July 26, 2004, to read:

> "The Mayor and City Commission of the City of Miami Beach, hereby remember Joseph J. Villari (1923 - 2004), a World War II veteran, who dedicated himself to making South Pointe a safer and better place and who worked hard to establish a Victory Garden here."

Sample Plaque:



Possible Mounting Option:

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, FOLLOWING A DULY NOTICED PUBLIC HEARING, THE PLACEMENT OF A COMMEMORATIVE PLAQUE IN THE VICTORY GARDEN, LOCATED AT 226 COLLINS AVENUE, MIAMI BEACH, FLORIDA, HONORING THE LATE JOSEPH J. VILLARI, AND REFERRING THE PLACEMENT OF SAID PLAQUE TO THE ART IN PUBLIC PLACES COMMITTEE FOR ITS CONSIDERATION, IN ACCORDANCE WITH SECTION 82-504 OF THE CITY CODE.

WHEREAS, Joseph Villari, a long-time Miami Beach resident and community activist, passed away on May 4, 2004; and

WHEREAS, on account of his extensive involvement in addressing quality-of-life issues affecting the South Pointe neighborhood, for his years of service on the South Pointe Advisory Board, and recent appointment to the Marine Authority, the Administration recommends placing a commemorative plaque in his honor; and

WHEREAS, since Joseph Villari was a World War II veteran, the Administration recommends placing the plaque in the Victory Garden, located at 226 Collins Avenue, Miami Beach, Florida; and

WHEREAS, the Administration has been working with community residents to draft appropriate dedication language for the plaque, which was modified and approved by the Neighborhood/Community Affairs Committee at its regular meeting on July 26, 2004; and

WHEREAS, pursuant to Section 82-504 of the City Code, upon approval and recommendation by the Neighborhood and Community Affairs Committee, the City Commission shall call for a public hearing regarding final approval of the placement of the memorial; and

WHEREAS, a public hearing was duly noticed and held on October 13, 2004, the City Commission hereby approves the proposed memorial and further refers it to the Art in Public Places Committee to recommend a suitable location within the Victory Garden.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that following a duly noticed public hearing, the Mayor and City Commission, hereby approve the placement of a commemorative plaque in the City's Victory Garden, located at 226 Collins Avenue, Miami Beach, Florida, honoring the late Joseph J. Villari, and refers placement of said plaque to the Arts in Public Places Committee for its consideration, in accordance with Section 82-504 of the City Code.

PASSED and **ADOPTED** this 13th day of October, 2004

ATTEST:

CITY CLERK

MAYOR

T:\AGENDA\2004\Oct13\Regular\Villari_Reso.doc

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney 10-6-04 Date

CITY OF MIAMI BEACH
NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY given that public hearings will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, October 13, 2004, at the times listed below, to consider the following:**

at 11:00 a.m.:

TO CONSIDER THE PROPOSED USES OF THE LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS.

Inquiries may be directed to the Grants Management at (305) 673-7000 extension 6183.

at 11:15 a.m.:

TO CONSIDER THE PLACEMENT OF A COMMEMORATIVE PLAQUE IN THE CITY'S VICTORY GARDEN, LOCATED AT 226 COLLINS AVENUE, MIAMI BEACH, FLORIDA, HONORING THE LATE JOSEPH J. VILLARI.

Inquiries may be directed to the Economic Development at (305) 673-7260.

at 5:01 p.m.:

AN ORDINANCE AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE III, "OVERLAY DISTRICTS," DIVISION 5, "WEST AVENUE BAY FRONT OVERLAY," SECTION 142-842, "LOCATION AND PURPOSE," AND SECTION 142-843, "COMPLIANCE WITH REGULATIONS," TO INCLUDE MINIMUM AND MAXIMUM DEVELOPABLE LOT REGULATIONS WITHIN THE UNDERLYING RM-1 RESIDENTIAL MULTI-FAMILY LOW INTENSITY ZONING DISTRICT OF THE SUBJECT OVERLAY AREA PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

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INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting may be continued and under such circumstances additional legal notice would not be provided.

Robert E. Parcher, City Clerk
City of Miami Beach

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#0281

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution taking no action to create a restricted residential parking zone for the Lower West Avenue Neighborhood.

Issue:

Should the Mayor and Commission take no action to create a restricted residential parking zone for Lower West Avenue?

Item Summary/Recommendation:

On July 28, 2004, the Mayor and Commission referred the issue to the TPC (Transportation and Parking Committee) for their review, comment, and recommendation. The TPC meetings are publicly noticed meetings. In addition, notices were sent to households in the affected areas notifying residents of the date, time, and location of the meeting. The TPC heard the item and took no action. It should be noted that there were no affected residents in attendance at the meeting. The Administration should revisit this issue next year (October 2005).

Background:

The Administration held a publicly noticed workshop on February 23, 2004, with affected residents to receive input and comments regarding the establishment of Restricted Residential Parking Zone 13 for the Lower West Avenue neighborhood. A majority of the participants voted to proceed with the establishments of said restricted residential parking zone. On May 26, 2004, the Mayor and Commission held a public hearing on the matter. Due to scarce resident attendance, the Commission directed the Administration to solicit feedback from affected residents. The Administration sent notification to residents advising them of the next scheduled public hearing (5:01 P.M., July 28, 2004) and sent a self-addressed, stamped post card as a ballot to over 1,700 residences soliciting an endorsement or non-endorsement of the residential parking program with a due date of July 14, 2004. 311 of 1,737 ballots were received and **159 (51.2%) did not endorse** the program and **152 (48.8%) did endorse** the program.

The Administration recommends no action at this time and should revisit this issue next year (October 2005).

Advisory Board Recommendation:

The Transportation and Parking Committee took no action at their regularly scheduled meeting held on Monday, September 13, 2004.

Financial Information:

Amount to be expended:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

Sign-Offs:

Department Director	Assistant City Manager	City Manager
	CUC	Jorge

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AGENDA ITEM R7F

DATE 10-13-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

PUBLIC HEARING

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CREATING RESTRICTED RESIDENTIAL PARKING PERMIT ZONE 13/LOWER WEST AVENUE.**

ADMINISTRATION RECOMMENDATION

The Administration recommends no action at this time. The Administration should revisit this issue next year (October 2005).

Public Hearing (July 28, 2004):

On July 28, 2004, the Mayor and Commission referred this item to the TPC (Transportation and Parking Committee) for their review, comment, and recommendation. The issue was heard at the September 13, 2004, [TPC] meeting which is a publicly noticed meeting. In addition, notices were sent to households in the affected areas encouraging resident participation.

The TPC discussed the issue and no action was taken by the Committee. It is important to note that there were no residents from the affected area in attendance. The Administration recommends that no action be taken at this time and that the Administration should revisit this issue next year.

Public Hearing (May 26, 2004)

On May 26, 2004, the Mayor and Commission held the Public Hearing on the matter. Due to scarce attendance at the public hearing by residents within the affected areas, the Mayor and Commission directed the Administration to solicit feedback from affected residents within the described boundaries in order to better ascertain the will of the majority of the residents.

To this end, the Parking Department sent notices to all affected residents (1,700+) advising them of the time, date, and location of the next Public Hearing (5:01 P.M. July 28, 2004, Miami Beach City Hall) when the issue would be discussed and secondly provided a self-addressed, stamped postcard for residents to cast a ballot either **endorsing** or **not endorsing** the implementation of the Lower West Avenue Residential Parking Zone 13 (see attached). Notices were mailed on June 25, 2004 and residents were advised that completed ballots must be received at the Parking Department or postmarked no later than July 14, 2004.

There were 311 (17.9 %) of 1,737 ballots received from residents. The final results are as follows:

Residents **endorsing** the implementation of Residential Parking Zone 13:	**152 (48.8%)**
Residents **not endorsing** the implementation of Residential Parking Zone 13:	**159 (51.2%)**

ANALYSIS:

The City of Miami Beach Parking Department received petitions from residents of the Lower West Avenue neighborhood (5th Street to 13th Street) requesting the establishment of restricted residential parking zone for their respective neighborhood. The Parking Department has surveyed the area and formulated recommendations for review by residents of the neighborhood.

The Lower West Avenue (5th Street to 13th Street) corridor is comprised predominantly of unregulated on-street parking spaces with the following exceptions which are metered parking:

- 900 block of West Avenue (east side only)
- 1200 block (West Avenue to Alton Road) of 9th and 10th Streets

Currently, the unregulated areas serve as parking for residents; however, the predominant intrusion into the unregulated area is generated by residents and their visitors from the abutting residential parking zones (Residential Parking Zone Two/Flamingo Park and Zone Three/Michigan Avenue). This intrusion is displacing residential parking spaces in the Lower West Avenue corridor.

A publicly noticed workshop was held with residents of the affected areas on Monday, February 23, 2004. A total of seven (7) residents attended the workshop despite extensive notification efforts, including direct mail to all residents within 375 feet of the affected areas. Participants had an opportunity to review, comment, and provide input. A majority of the residents in attendance concurred with the recommendations. A vote was held at the end of the workshop and a majority voted to proceed with the establishment of said program. Subsequently, the Administration sent notices to all residents within 375 feet of the affected areas advising that the City's TPC (Transportation and Parking Committee) would review this issue on Monday, April 12, 2004. The TPC reviewed the Administration's recommendation to establish a program for the neighborhood and endorsed the recommendation. Therefore, pursuant to Article II, entitled, "Metered Parking", of the Miami Beach City Code, Chapter 106-78, entitled, "Creation of residential parking area", the Mayor and City Commission must hold a public hearing to consider the establishment of a residential zone for the Lower West Avenue Neighborhood.

The following is a summary of the recommendations proposed for your Residential Parking Program for Lower West Avenue:

Restricted Parking Boundaries:

- South: Centerline of 5th Street
- North: Centerline of 13th Street
- East: Alton Court
- West: Westerly Line of West Avenue

Restricted Parking Hours:

- Restricted residential parking 6:00 P.M. to 7:00 A.M. Monday through Friday and 24 hours a day Saturdays, Sundays, and Holidays.
- Residential decals will not be honored at parking meters, except where duly noted on the attached map and only during established residential parking days/hours.
- There are 131 on-street parking spaces available for this use and all on-street meters located on 1200 block of 6th Street and 500 block of West Avenue.

Residential Parking Permit Zone Fees:

Annual Permit Fee*:	$50.00 (plus tax) per vehicle.
Annual Visitor Hang-Tag*:	$50.00 (plus tax) One (1) hang-tag per resident.
Visitor "Scratch-Off" Hang-Tag:	24 Hour hang-tag: $1.00 (plus sales tax) per hang-tag. Five (5) hang-tags may be purchased monthly up to six months in advance. Additional hang-tags are available for parties, social affairs, etc.

Requirements:

Bona fide residents of the Zone would be mailed a registration/decal purchase package. Each resident that wishes to park vehicle(s) in the restricted parking areas outlined above must register to participate in the "Lower West Avenue" Residential Parking Permit Program/Zone 13. Copies of the following documents will be required to register and purchase a decal/hang-tag for the zone:

- Government Issued Photo Identification.
- Proof of residency such as current (within last 30 days) utility bill (electric, gas, etc.).
- Valid vehicle registration**

Notes **All annualized fees may be prorated semi-annually.*
***Vehicle registration(s) with outstanding parking violations will not be allowed to participate in the residential parking program. All outstanding parking violations must be satisfied prior to participation.*

Promulgation of Regulations:

Signs would be posted in the areas promulgating the appropriate restriction. Typically two to three signs per block face would be installed. Vehicles parking within these posted areas must display a valid residential parking decal, visitor hang-tag, or "scratch-off" hang-tag.

Enforcement:

Progressive enforcement would commence on an agreed upon date for a period of thirty (30) days in the form of warnings. This would graduate to the issuance of parking citations for a period of thirty (30) days, and subsequently, vehicle impoundment may be necessary to properly enforce the parking regulations/restrictions.

CONCLUSION

The Administration recommends no action at this time and that the Administration should revisit this issue next year (October 2005).

JMG/CMC/SF

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RESOLUTION NO._____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, FOLLOWING A DULY NOTICED PUBLIC HEARING, DENYING THE CREATION OF A RESTRICTED RESIDENTIAL PARKING PERMIT ZONE 13/LOWER WEST AVENUE, WITH BOUNDARIES AS FOLLOWS: ON THE SOUTH, THE CENTERLINE OF 5TH STREET; ON THE NORTH, THE CENTERLINE OF 13TH STREET; ON THE EAST, BY ALTON COURT; AND ON THE WEST, THE WESTERLY LINE OF WEST AVENUE; AND FURTHER RECOMMENDING THAT THE CITY ADMINISTRATION SHOULD REVISIT THIS ISSUE NEXT YEAR (OCTOBER 2005).

WHEREAS, the City had received petitions from residents of lower West Avenue requesting the establishment of a restricted residential parking permit zone for the Lower West Avenue neighborhood with boundaries as follows: on the south, the centerline of 5th Street; on the north, the centerline of 13th Street; on the east, by Alton Court; and on the west, the westerly line of West Avenue; and,

WHEREAS, a publicly noticed workshop was held on February 23, 2004, with residents of the affected areas and said notices were distributed to residents within 375 feet of the affected areas; and

WHEREAS, participants had an opportunity to review, comment, and provide input toward the proposed residential parking permit zone for the area; and

WHEREAS, a majority of the residents in attendance concurred with the recommendations and voted to proceed with the creation of the proposed residential parking permit zone; and

WHEREAS, the Administration also sent courtesy notices to all residents within 375 feet of each of the affected areas advising that the City's Transportation and Parking Committee (TPC) would review this issue on April 12, 2004; and

WHEREAS, on April 12, 2004, the TPC reviewed the Administration's recommendations regarding the proposed Lower West Avenue Residential Parking Permit Zone, and endorsed the creation of said Zone; and

WHEREAS, pursuant to Article II, entitled, "Metered Parking", of the Miami Beach City Code, Section 106-78, entitled, "Creation of residential parking area", the Mayor and City Commission held a duly noticed public hearing on May 26, 2004, to consider the creation of the proposed Lower West Avenue Restricted Residential Parking Permit Zone; and

WHEREAS, the Mayor and Commission directed the Administration to seek input from affected residents within the area; and

WHEREAS, the Administration sent straw voting ballots to residents in the affected area and the straw ballot resulted in 51% not endorsing and 49% endorsing the creation of said Zone; and

WHEREAS, on July 28, 2004, the Mayor and Commission referred the issue back to the TPC due to a lack of attendance by affected residents and closeness in the balloting results; and

WHEREAS, notices were sent to households in the affected areas notifying residents of the date (September 13, 2004), time (3:30 P.M.), and location (Miami Beach Convention Center/Executive Board Room) of said TPC meeting; and

WHEREAS, there were no residents from the affected areas in attendance of said meeting; and

WHEREAS, the TPC took no further action regarding the item; and

WHEREAS, accordingly, the Administration recommends that the creation of Restricted Residential Parking Permit Zone 13/Lower West Avenue be revisited next year (October 2005), and would further recommend that the Mayor and City Commission deny the creation of the proposed Lower West Avenue Restricted Residential Parking Permit Zone at this time.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission, following a duly noticed public hearing, denied the creation of Restricted Residential Parking Permit Zone 13/Lower West Avenue, with boundaries as follows: on the south, the centerline of 5th Street; on the north, the centerline of 13th Street; on the east, by Alton Court; and on the west, by the westerly line of West Avenue; and further recommending that the City Administration should revisit this issue next year (October 2005).

PASSED AND ADOPTED this _____ day of _____, 2004.

_____
MAYOR

ATTEST:

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney 10-6-04 Date

_____
CITY CLERK

JMG/CMC/SF
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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE ISSUANCE OF REQUEST FOR QUALIFICATIONS (RFQ) NO. 42-03/04 FOR PLANNING, DESIGN, BID AND AWARD AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE BISCAYNE POINT RIGHT OF WAY INFRASTRUCTURE IMPROVEMENT PROJECT.

Issue:

Shall the Mayor and City Commission adopt the Resolution?

Item Summary/Recommendation:

The Biscayne Point Right of Way (ROW) Infrastructure Improvement Project is a $7.38 million project which includes the restoration and enhancement of an urban, mixed use, residential (single and multi-family) neighborhood including roadway, sidewalk, curb and gutter, landscape, streetscape irrigation, lighting, potable water, and storm drainage infrastructure as needed. This project is funded through General Obligation and Water and Stormwater Bonds. The purpose of issuing an RFQ is to obtain qualifications from professional firms with the capability and experience to provide engineering, urban design, and landscape architecture services for design, bid and award, and construction administration of urban streetscape improvements in the Biscayne Point Neighborhood. Planning efforts were previously completed by another Consultant and is documented in the City Commission approved Biscayne Point Basis of Design Report dated October 15, 2003. The City negotiated extensively with the previous consultant, The Corradino Group, but was unable to achieve agreement on a reasonable fee for the expected scope of services. The City held several negotiation sessions and requested adjustments to the fee on two occasions based on the discussions and on the evaluation of the proposals as being incomplete or inaccurate. The City exchanged correspondence with Corradino on several occasions and eventually received a response from Corradino declining to adjust the fee further and stating they would not pursue the project further. Because of the failure in reaching agreement, the City abandoned the effort with Corradino and prepared to issue a new RFQ for the remaining services on the project. The estimated budget for the project is $7,384,000. The estimated construction budget is $6,410,000, which includes a contingency of $649,000. The budget also includes soft costs of $974,000, which consist of Planning (previously completed), Design, Bid & Award, Construction Administration, Program Management, and City Construction Management. The successful firm will be tasked with the following duties and responsibilities: Design Services; Bid and Award Services; Construction Management Services; Reimbursables. After considering the recommendation of an Evaluation Committee, the City Manager will recommend to the City Commission the response which is deemed to be in the best interest of the City. The Administration recommends that the Mayor and the City Commission of Miami Beach, Florida approve and authorize the issuance of Request for Qualifications (RFQ) No. 42-03/04 for design, bid and award, and construction administration of streetscape improvements for the Biscayne Point Right of Way Infrastructure Improvement Project.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds: N/A Finance Dept.		Amount	Account	Approved
	Total	N/A		

City Clerk's Office Legislative Tracking:

Jorge E. Chartran

Sign-Offs:

Department Director	Assistant City Manager	City Manager
TH for Tim Hemstreet	RCM	

AGENDA ITEM R7G

DATE 10-13-04

CITY OF MIAMI BEACH
CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE ISSUANCE OF REQUEST FOR QUALIFICATIONS (RFQ) NO. 42-03/04 FOR ENGINEERING, URBAN DESIGN, AND LANDSCAPE ARCHITECTURE FOR PLANNING, DESIGN, BID AND AWARD AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE BISCAYNE POINT RIGHT OF WAY INFRASTRUCTURE IMPROVEMENT PROJECT.**

ADMINISTRATIVE RECOMMENDATION

Adopt the Resolution.

ANALYSIS

The Biscayne Point Right of Way (ROW) Infrastructure Improvement Project is a $7.38 million infrastructure project which includes the restoration and enhancement of an urban, mixed use, residential (single and multi-family) neighborhood's hardscape, including roadway, sidewalk, curb and gutter, landscape, streetscape irrigation, lighting, potable water, and storm drainage infrastructure as needed. This project is funded through a combination of General Obligation and Water and Stormwater Bonds.

The purpose of issuing a Request for Qualifications is to obtain qualifications from professional firms with the capability and experience to provide professional engineering, urban design, and landscape architecture services for design, bid and award, and construction administration of urban streetscape improvements in the Biscayne Point Neighborhood in Miami Beach. Planning efforts were previously completed by another Consultant and is documented in the City Commission approved Biscayne Point Basis of Design Report dated October 15, 2003.

The City negotiated extensively with the previous consultant, The Corradino Group (Corradino), but was unable to achieve agreement on a reasonable fee for the expected scope of services. Because of the failure in reaching agreement after several unfruitful attempts and the amount of time spent in the negotiations, the City decided to abandon the effort with Corradino and prepare to issue a new RFQ for the remaining services on the project.

The City was unable to reach an acceptable agreement with Corradino due to several issues. First, it became apparent that Corradino was having difficulty understanding the depth and magnitude of the scope of work for the neighborhood and presented fee proposals that reflected this misunderstanding. Second, the City held two negotiating sessions with Corradino both to clarify the scope and to discuss the level of services entailed. The sessions were also intended to establish a fee that reflected the scope requirements but a fee that was also competitive, reasonable, and fair.

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At the first negotiating session, Corradino submitted a fee proposal in the amount of $873,389 which included the amount of $90,512 already expended for the planning tasks previously performed (Attachment 1). This total amount represented a 13.6% fee for consultant costs relative to the overall construction value. The City informed Corradino that this fee proposal was high, was not consistent with other negotiated fees for projects of similar complexity, that the number of drawings proposed was higher than expected, and that some of the scope requirements were not consistent with the proposed fee.

At the second negotiating session, Corradino submitted a fee proposal, in the amount of $922,742 (Attachment 2), which included the amount of $90,512 for planning tasks, and was now higher than the first fee proposal by approximately $50,000, even though the City expected the fee to be lower based on discussions during the first negotiating session. This amount also represented a 14.3% fee relative to the construction value which is again higher than other negotiated fees in the program. The number of drawings required still contained several inconsistencies. In addition, Corradino attached a number of qualifications to the proposal which would have generated additional fees because Corradino considered the tasks to be outside the scope of the project. These exceptions included a limit on the number of Requests for Information, Change Order Proposals, Change Orders, and Submittals. The proposal also indicated confusion on the role of the consultant in completing permit reviews through the Building Department (Attachment 3).

The City directed Corradino to re-visit the fee proposal and to include within the scope all items which had been left out or to which Corradino had taken exception. The City also informed Corradino that the fee value had to be adjusted to a more acceptable level and to a percentage more consistent with other negotiated fees. Corradino initially objected to these directives and eventually did not produce a third fee proposal which would take into account the items discussed during the second negotiation session. Eventually, due to a lack of progress on the negotiations, and the lack of response from Corradino regarding the City's comments, the City wrote Corradino on July 2, 2004 informing them that negotiations would not continue and that the City intended to issue a new RFQ on the project (Attachment 4).

On July 12, 2004, Corradino responded to the City's letter accepting the termination of the negotiations and stating that they were not interested in pursuing this project in the future (Attachment 5). On September 24, 2004, after the discussions during the September 8, 2004 Commission meeting, the City issued a letter to Corradino asking whether they would revisit their participation on the project and honor the last fee proposal they presented (Attachment 6). Corradino was given until October 4, 2004 to respond to this letter. On September 30, 2004, the City received a letter from Corradino re-stating their previous position regarding pursuing the project and declining to reconsider (Attachment 7). Therefore, the Staff re-states the recommendation to issue a new RFQ for the Project.

The estimated budget for the project is $7,384,000. The estimated construction budget for the project is $6,410,000, which includes a construction change order contingency budget of $649,000. This estimated construction total includes $3,230,000 for Streetscape improvements, $1,500,000 for Stormwater improvements, and $1,031,000 for Water Improvements as detailed below:

STREETSCAPE IMPROVEMENTS $3,230,000 (construction)

Biscayne Beach

- **Entryway Improvement -** Hawthorne & Crespi Entrances
- **Textured Crosswalks –** Hawthorne @ 79th, 81st & 85th; Crespi @ 79th & 81st; & Crespi Park

- **Hawthorne** – Replace existing planting strip w/ new landscape
- **Bumpouts & Planters attached to sidewalk** - Corner bump-outs Hawthorne at 79th, 81st, 85th, 84th, Corner bump-outs Crespi at 79th, Planters opposite corner bump-outs Hawthorne at 79th, 81st, 85th. Planters opposite corner bump-outs Crespi at 79th, 81st
- **Planters detached from sidewalk** - Crespi at 79th Terrace., 80th, 82nd, 83rd, 84th, 86th and mid-block. Hawthorne at 79th Terrace., 80th, 82nd ,83rd, 84th, 86th corners only. All Cross streets, (2 per side per street)
- **Mid Block Hawthorne Bumpouts (22)**
- **Speed table with brick pavers at Hawthorne and Crespi**
- **CMB Entry Sign East of Hawthorn and 77th**
- **Sidewalk installation and repair** - 79th Street and 20% neighborhood wide repairs
- **Neighborhood wide improvements** - Repair 20% of all sidewalks
- **Pocket Park @ 81st Street**
- **Re-striping parking neighborhood wide**
- **Landscaped Island at Stillwater Drive and Hawthorne intersection**
- **Paving costs covered by GO Bond** - Hawthorne (from 77th to 83rd); Hawthorne (1/2); Bayside Lane S. of 77th); Crespi (from Hawthorne to 83rd); 82nd Street (1/2 of Street, other half by Water Bond & PWD); & 79th Street
- **Replace existing lighting "globes".** - 138 new light fixtures and bulbs

Biscayne Point

- **Traffic Calming At Intersections, Speed Tables** - 2 @ Daytonia and Cleveland; 1 @ Daytonia and S. Biscayne Point; 1 @ Cleveland and N. Biscayne Point; 1 @ Noremac and Cleveland;& 1 @ Noremac and Daytonia
- **Textured Intersections** - (2) Cecil & Cleveland, Fowler & S. Biscayne Point
- **Grass Triangle** - Noremac and N. Biscayne
- **Enhance grass islands** - Daytonia and S. Biscayne & Cleveland and N. Biscayne
- **Decorative Lighting (Acorn) @ 100- ft on center, staggered**
- **Swale Reclamation** - Approximately 3375 LF to be reclaimed
- **Infill plantings at 30-ft spacing O.C.**
- **Repaving (1-inch overlay) all roadways @ approximately** - 13,630 LF @ 20-ft width
- **Entryway Improvement** - Hawthorne & Crespi Entrances

Stillwater Drive

- **Traffic Calming "Tables" (total of 3)**
- **Replace and widen sidewalk (to 5 - ft on each side)**
- **Decorative Lighting (Acorn) @ 100 - ft on center, staggered**
- **Enhance Area around Gatehouse** - Landscaping/sign & Accent lighting
- **Entryway Improvement** - Hawthorne & Crespi Entrances
- **Enhanced Landscaping in new swale areas** - New trees / palms 1 per lot

STORMWATER IMPROVEMENTS ($1,500,000)

- Select improvements to priority basins within Stillwater Drive and the northern areas of Biscayne Beach

WATER IMPROVEMENTS $3,160,000 (construction)

- Replacement of Discretionary Waterlines with 8-inch diameter lines Per attached Exhibit A

The budget also includes a construction contingency ($649,000) as well as development and soft costs ($974,000), which consist of Planning (previously completed), Design, Bid & Award, Construction Administration, Program Management, and City Construction Management.

ESTIMATED TOTAL PROJECT BUDGET

ENGINEERING / MANAGEMENT COSTS	$ 974,000
CONSTRUCTION BUDGET	
• Streetscape:	$ 3,230,000
• Stormwater Improvements	$ 1,500,000
• Water Improvements:	$ 1,031,000
• Estimated Construction Budget:	$ 5,761,000
• Construction Contingency	$ 649,000
• Subtotal	$ 6,410,000
TOTAL PROJECT BUDGET:	$ 7,384,000

RFQ TIMETABLE

The anticipated schedule for this RFQ and contract approval is as follows:

RFQ to be issued	October 20, 2004
Pre-Qualification Conference	November 4, 2004
Deadline for receipt of questions	November 22, 2004
Deadline for receipt of responses	December 3, 2004
Evaluation committee meeting	December 17, 2004
Commission approval/authorization of negotiations	January, 2005
Contract negotiations	Through January, 2005
Projected award date	February, 2005
Projected contract start date	March, 2005

CONSULTANT TASKS

The successful firm will be tasked with the following duties and responsibilities:

Task 1 – Planning Services (Not in Scope – Previously Completed)

Task 2 – Design Services

Task 3 – Bid and Award Services

Task 4 – Construction Management Services

Task 5 – Additional Services

Task 6 – Reimbursable Services

Task 1 – Planning Services: A final Basis of Design Report has been prepared summarizing the accepted design concept, budget level cost estimate, schedule and other issues deemed

important to the implementation of the project. The final Basis of Design Report was presented to the City Commission and approved on October 15, 2003.

Task 2 – Design Services: The purpose of this Task is to establish requirements for the preparation of contract documents for the Project. Note that the selected firm will be required to perform a variety of forensic tasks to verify, to the extent practicable, existing conditions and the accuracy of base maps to be used for development of the contract drawings. These tasks include, but may not be limited to, surveying, utility verification, and listing encroachments in the Right of Way using formats established for the City's Right of Way Infrastructure Improvement Program. In addition, the selected firm will follow City standards for the preparation of contract documents, inclusive of drawings, specifications and front-end documents and cost estimates.

Presentation formats for Review Submittal will be prepared at the 30%, 60%, 90% and 100% design completion stages. Contract documents will be subject to constructability and value engineering reviews to be performed by others. The selected firm shall work with the City to adjust / revise project scope as may be deemed necessary to meet established budgets as the design evolves from earlier to latter stages of completion.

In addition, the selected firm will attend and participate in community design review meetings to review the design progress and concept at different progress levels during the design. The selected firm will also be responsible for reviewing and receiving approvals of its contract documents from all jurisdictional permitting agencies and boards prior to finalization. To facilitate the implementation of a Public Information Program, the selected firm will provide electronic files of all project documents, as directed by the City. City in-house Departments shall be required to respond, in writing, to all review comments. Presentation formats will be as directed by the City.

Note that the selected firm shall establish and maintain an in house Quality Assurance / Quality Control (QA/QC) program designed to verify and ensure the quality, clarity, completeness, constructability and bid potential of its contract documents.

Task 3 – Bid and Award Services: The selected firm shall assist City in bidding and award of the contract. Such assistance shall include facilitating reviews of its contract documents with applicable Procurement, Risk Management and Legal Department representatives. In addition, the selected firm shall furnish camera ready contract documents for reproduction and distribution by the City, attend pre-bid conferences, assist with the preparation of necessary addenda, attend the bid opening and assist with the bid evaluation and recommendation of award to the City. The selected firm shall provide "As-Bid" documents for use during construction.

The City is also considering awarding the project to one of the Job Order Contractors (JOC) already in place. This may facilitate the construction procurement as well as reduce the period to award considerably from the common four to six months the City experiences when a project is advertised for competitive bidding. This decision will be made as the project design progresses.

Task 4 – Construction Management Services: The selected firm shall perform a variety of tasks associated with the administration of the construction contract and construction management of the project. These shall include attendance at the pre-construction conference, attendance at weekly construction meetings, responding to Contractor requests for information / clarification, responding and evaluating Contractor requests for change orders / contract amendments, review of shop drawings, review of record drawings, review and processing of contractor applications for payment, specialty site visits, project closeout reviews including substantial and final punch list development and project certification. The City / Program Manager will provide day-to-day

construction administration and observation service duties.

Task 5 – Additional Services: No additional services are envisioned at this time. However, if such services are required during the performance of the Work, they will be requested by the City and negotiated in accordance with contract requirements.

Task 6 – Reimbursable Services: The City may reimburse additional expenses such as reproduction costs, survey, geotechnical work and underground utility verification costs.

It is anticipated that a Firm whose specialty and primary business is in the practice of civil engineering will head the selected Project Design Team, which should also include an urban designer/planner and a landscape architect as subconsultants, all with extensive experience in design upgrade and urban retrofitting, including environments with new streetscape, drainage and, water/sewer, and utility improvements. Interested teams must demonstrate streetscape and utility design and construction administration expertise, based on the successful completion of a number of projects of similar substantial size and complexity for other governmental and/or private entities.

EVALUATION PROCESS

The procedure for response evaluation and selection is as follows:

- Request for Qualifications issued.
- Receipt of responses.
- Opening and listing of all responses received.
- An Evaluation Committee, appointed by the City Manager, shall meet to evaluate each response in accordance with the requirements of this RFQ. If further information is desired, respondents may be requested to make additional written submissions or oral presentations to the Evaluation Committee.
- The Evaluation Committee will recommend to the City Manager the response(s) which the Evaluation Committee deems to be in the best interest of the City by using the following criteria for selection:

    a. Firm's Qualifications and Experience with renovating existing, urban Right of Ways (ROWs) including coordinating drainage, water, and streetscape work;

    b. Project Manager's Experience renovating existing urban Right of Ways, community presentations, and urban planning;

    c. References Provided by Prior Project Owners;

    d. Experience and Qualifications of the Project Team with renovating existing, urban Right of Ways (ROWs) coordinating drainage, water, and streetscape work;

    e. Methodology, Approach and Understanding of Tasks 1-6;

    f. Volume of work previously awarded to each firm by the agency, with the object of

effecting an equitable distribution of contracts among qualified firms;

- The City may request, accept, and consider proposals for the compensation to be paid under the contract only during competitive negotiations.

- After considering the recommendation(s) of the Evaluation Committee, the City Manager shall recommend to the City Commission the response or responses acceptance of which the City Manager deems to be in the best interest of the City.

- The City Commission shall consider the City Manager's recommendation(s) in light of the recommendation(s) and evaluation of the Evaluation Committee and, if appropriate, approve the City Manager's recommendation(s). The City Commission may reject City Manager's recommendation(s) and select another response or responses. In any case, City Commission shall select the response or responses acceptance of which the City Commission deems to be in the best interest of the City. The City Commission may also reject all proposals.

- Negotiations between the selected respondent and the City Manager take place to arrive at a contract. If the City Commission has so directed, the City Manager may proceed to negotiate a contract with a respondent other than the top ranked respondent if the negotiations with the top ranked respondent fail to produce a mutually acceptable contract within a reasonable period of time.

- A proposed contract or contracts are presented to the City Commission for approval, modification and approval, or rejection.

- If and when a contract or contracts acceptable to the respective parties is approved by the City Commission, the Mayor and City Clerk sign the contract(s) after the selected respondent(s) has (or have) done so.

The Administration recommends that the Mayor and the City Commission of Miami Beach, Florida approve and authorize the issuance of Request for Qualifications (RFQ) No. 42-03/04 for engineering, planning, urban design and landscape architecture services for_design, bid and award, and construction administration of streetscape improvements for the Biscayne Point Right of Way Infrastructure Improvement Project.

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SCHEDULE B
CITY OF MIAMI BEACH
RIGHT OF WAY INFRASTRUCTURE PROGRAM A-E CONSULTANT
CONSULTANT'S COMPENSATION FEE SCHEDULE
NEIGHBORHOOD BP

TASK NO.	DRWG	TASK DESCRIPTION	PROJECT DIRECTOR Jiro	PROJECT MANAGER CORRADINO	PROJECT MANAGER Miller	SR. ENGINEER / ARCHITECT Sierra	SR. ENGINEER / ARCHITECT Miller	ENGINEER / ARCHITECT CORRADINO	ENGINEER / ARCHITECT CORRADINO (GRAPHIC)	ENGINEER / ARCHITECT Miller	DESIGNER Sierra	DESIGNER Miller	DRAFTER Sierra	DRAFTER Miller	CLERICAL CORRADINO	CLERICAL Miller	TOTAL HOURS	TOTAL COST	SUBTOTALS
2.0		DESIGN SERVICES																	
2.1		FIELD VERIFICATION OF EXISTING CONDITIONS	4		4	30				30				50	4	4	126	$10,117	
2.2		DETAILED DESIGN																	
		ase Map								1							1	$91	
		2.2.1 Water Distribution System																	
		2.2.1.1. Priority One													2		2	$84	
		2.2.1.1.a. Data collection: as-builts, City records				4					23		10				37	$2,729	
	WM- 1	2.2.1.1.b. Key Sheet									16		12				28	$1,873	
	WM- 2	2.2.1.1.c. General Notes									36		15				51	$3,562	
		2.2.1.1.d. Cost Estimate				5					30						35	$2,827	
	WM- 4	2.2.1.1.e. Plan and Profile: 400'; 12 plans				10					112		336				458	$27,884	
	WM- 5-9	2.2.1.1.f. Details: 4 sheets				7					48		26				81	$5,829	
		2.2.1.1.g. Technical Specifications				3					40						43	$3,375	
		2.2.1.1.h. Coordination w/City, Consultant				9					60						69	$5,547	
		2.2.1.1.i. Permitting: PW, Utility,HRS, DERM & FD				9					120						129	$10,125	
		2.2.1.1.j. Quality Control / Quality Assurance				9					80						89	$7,073	
		2.2.1.2. Priority Two													2		2	$84	
		2.2.1.2.a. Data collection: as-builts, City records				7					24		6				37	$2,911	
	WM- 10	2.2.1.2.b. Key Sheet									8		8				16	$1,045	
	WM- 11	2.2.1.2.c. General Notes									8		4				12	$828	
		2.2.1.2.d. Cost Estimate				7											7	$754	
	WM- 12-20	2.2.1.2.e. Plan and Profile: 5800'; 16 plans				15					120		100				235	$16,206	
	WM- 21-22	2.2.1.2.f. Details: 2 sheets				7					24		16				47	$3,454	
		2.2.1.2.g. Technical Specifications				6					12						18	$1,562	
		2.2.1.2.h. Coordination w/City, Consultant				6					12						18	$1,562	
		2.2.1.2.i. Permitting: PW, Utility,HRS, DERM & FD				9					40						49	$4,021	
		2.2.1.2.j. Quality Control / Quality Assurance				6					24						30	$2,477	
		2.2.1.3. Priority Three (not included)																	
		2.2.2 Drainage													2		2	$84	
		2.2.1.1.a. Data collection: as-builts, City records				7							10				17	$1,297	
	D 1	2.2.1.1.b. Key Sheet											12				12	$652	
	D 2	2.2.1.1.c. General Notes											15				15	$815	
		2.2.1.1.d. Cost Estimate				7											7	$754	
	D 3-14	2.2.1.1.e. Plan and Profile: 7,460';				15							200				215	$12,485	
	D 15-20	2.2.1.1.f. Details:				7							26				33	$2,167	
		2.2.1.1.g. Technical Specifications				6											6	$646	
		2.2.1.1.h. Coordination w/City, Consultant				6											6	$646	
		2.2.1.1.i. Permitting: PW, Utility,HRS, DERM & FD				9											9	$969	
		2.2.1.1.j. Quality Control / Quality Assurance				6											6	$646	
		2.2.3. Hawthorne Ave													2	1	3	$125	
		2.2.3.1. Data collection: as-builts, City records									4						4	$305	
		2.2.3.2. Geometry analysis				3					4		3				10	$791	
	RW- 1	2.2.3.3. Key Sheet									1		3				4	$239	
	RW- 2	2.2.3.4. General Notes	7			3					4						14	$1,689	
		2.2.3.5. Cost Estimate			2	6					4						12	$1,202	
	RW- 4-6	2.2.3.6. Plan and Profile: 1,450'; 3 plans				6					12		20				38	$2,649	
	RW- 7-9	2.2.3.7. Cross Sections:				3					4		12				19	$1,280	
	RW- 10-12	2.2.3.8. Drainage Structures				3					4		8				15	$1,063	
	RW- 13-14	2.2.3.9. Signing and Pavement Markings				3					6						9	$781	
		2.2.3.10. Drainage Report									15						15	$1,145	
		2.2.3.11. Utility Coordination									10						10	$763	
	RW- 15-19	2.2.3.12. Intersection Details: 5				6					4		8				18	$1,386	
	RW- 20-21	2.2.3.13. Details: 2 sheets				3					4		6				13	$954	
		2.2.3.14. Technical Specifications				6					6		6				18	$1,430	
		2.2.3.15. Permitting: FDOT, PW, DERM				6			8		10						24	$2,136	
		2.2.3.16. Quality Control / Quality Assurance			1	6					10						17	$1,534	
		2.2.3.17. Coordination w/City, Consultant			1	6					5						12	$1,153	
		2.2.3.18 Streetscape Design					3					3		10			16	$1,095	
	LA 6-8	2.2.3.19 Planting Plans					3			2		2		10			17	$1,201	
	LA 9-11	2.2.3.20 Irrigation Plans					3			2		2		10			17	$1,201	
2.3		DESIGN / CONSTRUCTABILITY REVIEW					2			2							4	$397	
2.4		COST OPINIONS					3			2							5	$505	
2.6		DOCUMENT REVISIONS					5			4		2		10			21	$1,598	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					5			4				6			15	$1,228	
		2.2.4 79th Street @ Crespi Park													2	1	3	$125	
		2.2.4.1. Data collection: as-builts, City records									3						3	$229	
		2.2.4.2. Geometry analysis				3					3		3				9	$715	
	RW- 22	2.2.4.3. Key Sheet				3					1		3				7	$562	
	RW- 23	2.2.4.4. General Notes				4					3						7	$660	
		2.2.4.5. Cost Estimate				6					3						9	$875	
	RW- 24-26	2.2.4.6. Plan:				6					3		20				29	$1,962	
		2.2.4.7 Cross Sections				3					3		4				10	$769	
		2.2.4.8. Drainage Structures				3					3		4				10	$769	
	RW- 27-28	2.2.4.9. Signing and Pavement Markings				3					5		4				12	$922	
		2.2.4.10. Drainage Report									5						5	$382	
		2.2.4.11. Utility Coordination									5		4				9	$599	
	RW- 29-33	2.2.4.12. Intersection Details: 5				6					3						9	$875	
	RW- 36-37	2.2.4.13. Details: 2 sheets				3					3		4				10	$769	
		2.2.4.14. Technical Specifications				6					7		4				17	$1,397	
		2.2.4.15. Permitting: FDOT, PW, DERM				6					7						13	$1,180	
		2.2.4.16. Quality Control / Quality Assurance				6					5						11	$1,027	
		2.2.4.17. Coordination w/City, Consultant	7			6					5						18	$2,088	
	LA	2.2.3.18 Streetscape Design			3		3					3		10			19	$1,372	

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SAVINO MILLER DESIGN STUDIO, INC

ATTACHMENT 1

SCHEDULE B
CITY OF MIAMI BEACH
RIGHT OF WAY INFRASTRUCTURE PROGRAM A-E CONSULTANT
CONSULTANT'S COMPENSATION FEE SCHEDULE
NEIGHBORHOOD BP

TASK NO	DWG	TASK DESCRIPTION	PROJECT DIRECTOR, PMC	PROJECT MANAGER CORRADINO	PROJECT MANAGER Miller	SR. ENGINEER / ARCHITECT Sierra	SR. ENGINEER / ARCHITECT Miller	ENGINEER / ARCHITECT CORRADINO	ENGINEER / ARCHITECT CORRADINO (PRAXIS)	ENGINEER / ARCHITECT Miller	DESIGNER Sierra	DESIGNER Miller	DRAFTER Sierra	DRAFTER Miller	CLERICAL CORRADINO	CLERICAL Miller	TOTAL HOURS	TOTAL COST	SUBTOTALS
	LA 12-14	2.2.4.19 Planting Plans				3				2		2		10			17	$1,201	
	LA 15-17	2.2.4.20 Irrigation Plans		1		1				2		2					6	$568	
2.3		DESIGN / CONSTRUCTABILITY REVIEW		1		3				2							6	$630	
2.4		COST OPINIONS				1				2							3	$290	
2.6		DOCUMENT REVISIONS				3				4		2		10			19	$1,383	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS				2				4				6			12	$905	
		2.2.5 One Way East West Streets (79ter, 80, 81,82,83,84)													2	1	3	$125	
		2.2.5.1 Data collection: as-builts, City records									5						5	$382	
		2.2.5.2. Geometry analysis				4					5		6				15	$1,138	
	RW-38	2.2.5.3 Key Sheet									3		6				9	$555	
	RW-39	2.2.5.4 General Notes				4					5						9	$812	
		2.2.5.5 Cost Estimate				8					5						13	$1,243	
	RW-40-42	2.2.5.6 Plan: ; 6 plans				8					9		34				51	$3,396	
	RW-43-44	2.2.5.7 Cross Sections				4					5		6				15	$1,138	
		2.2.5.8 Drainage Structures											6				6	$326	
	RW-45-49	2.2.5.9 Signing and Pavement Markings				4					12		6				22	$1,672	
	RW-50-51	2.2.5.10 Drainage Report																	
		2.2.5.11 Utility Coordination									12		6				18	$1,242	
		2.2.5.12 Intersection Details:																	
		2.2.5.13 Traffic Analysis							120								120	$10,912	
		2.2.5.14 Details: 2 sheets				4					6		6				16	$1,215	
		2.2.5.15 Technical Specifications				8					6		6				20	$1,645	
		2.2.5.16 Permitting: FDOT, PW, DERM				8					15						23	$2,006	
		2.2.5.17 Quality Control / Quality Assurance				8					9						17	$1,548	
		2.2.5.18 Coordination w/City, Consultant	7			8					9						24	$2,609	
		2.2.5.19 Streetscape Design		5			7					16		20			48	$3,688	
	LA 18-30	2.2.5.20 Planting Plans					7			6		12		20			45	$3,302	
2.3		DESIGN / CONSTRUCTABILITY REVIEW		1			7			6							14	$1,425	
2.4		COST OPINIONS		1			5			6							12	$1,209	
2.6		DOCUMENT REVISIONS					7			6		10		20			43	$3,149	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					12			20				10			42	$3,654	
		2.2.6 Two Way E/W Streets (79St, 85)													2	1	3	$125	
		2.2.6.1. Data collection: as-builts, City records									4						4	$305	
		2.2.6.2. Geometry analysis				3					4		3				10	$791	
	RW-52	2.2.6.3. Key Sheet											3				3	$163	
	RW-53	2.2.6.4. General Notes				3					4						7	$628	
		2.2.2.5 Cross Sections											6				6	$326	
		2.2.6.6. Cost Estimate				6											6	$646	
	RW-54-57	2.2.6.7. Plan: ; 2 plans				6					4		14				24	$1,712	
	RW-58-59	2.2.6.8. Signing and Pavement Markings				6					6		4				16	$1,321	
		2.2.6.9. Utility Coordination				3					4		4				11	$846	
	RW-60-65	2.2.6.10 Intersection Details: 6				6					8		4				18	$1,474	
		2.2.2.11 Drainage Structuers											4				4	$217	
	RW-66	2.2.6.12 Miscellaneous Details:1 (inc. drainage)				3					4		4				11	$846	
		2.2.6.13 Technical Specifications				6					8						14	$1,256	
		2.2.6.14. Permitting: PW				6					8						14	$1,256	
		2.2.6.15. Quality Control / Quality Assurance				6					8		4				18	$1,474	
		2.2.6.16 Streetscape Design		3			5					10	4	10			32	$2,438	
	LA 31-34	2.2.6.17 Planting Plans					5			4		8		10			27	$2,056	
2.3		DESIGN / CONSTRUCTABILITY REVIEW		1			5			4							10	$1,027	
2.4		COST OPINIONS		1			3			4							8	$812	
2.6		DOCUMENT REVISIONS					5			6		6		10			27	$2,085	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					7			10				6			23	$1,989	
		2.2.6.18. Coordination w/City, Consultant	7			1					8						16	$1,779	
		2.2.7 Entry Sign, East of 77th (Hawthorne)													2	1	3	$125	
		2.2.7.1. Data collection: as-builts, City records						4			2						6	$516	
		2.2.7.2. Geometry analysis									2		3				5	$316	
	RW-67	2.2.7.3. Key Sheet											3				3	$163	
	RW-68	2.2.7.4. General Notes									3						3	$229	
		2.2.7.5 Cross Sections											3				3	$163	
		2.2.7.6. Cost Estimate				1		2			3						6	$518	
	RW-69-70	2.2.7.7. Plan:				1		4			3		24				32	$2,005	
	RW-71	2.2.7.8. Signing and Pavement Markings				1					3		5				9	$606	
		2.2.7.9. Utility Coordination				1					3						4	$337	
	RW-71-75	2.2.7.10. Intersection Details: 4				1					2		4				7	$478	
	RW-76	2.2.7.11. Miscellaneous Details:1 (inc. drainage)				1					2						3	$260	
		2.2.7.12. Technical Specifications				1		4			2						7	$624	
		2.2.7.13. Permitting: PW						4			5						9	$745	
		2.2.7.14. Quality Control / Quality Assurance				2		2			5						9	$779	
		2.2.7.15. Coordination w/City, Consultant	7			1					6						14	$1,626	
		2.2.7.16 Streetscape Design		1			2	1				3		4			11	$878	
	LA 35	2.2.7.17 Planting Plans					2			2		2		4			10	$767	
2.3		DESIGN / CONSTRUCTABILITY REVIEW		1			2			2							5	$523	
2.4		COST OPINIONS		1			1			1							3	$324	
2.6		DOCUMENT REVISIONS					2	2		2		2		4			12	$949	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					4			2				2			8	$721	
		2.2.8Neighborhood Wide Improvements (TO BE BID JOB BY JOB)																	
		2.2.8.1. Data collection: as-builts, City records																	
		2.2.8.2. Geometry analysis																	
	RW-	2.2.8.3. Key Sheet																	
	RW-	2.2.8.4. General Notes																	
		2.2.8.5																	
		2.2.8.6. Cost Estimate																	
	RW-	2.2.8.7. Plan: 700'; 1 plans half size																	

SCHEDULE B
CITY OF MIAMI BEACH
RIGHT OF WAY INFRASTRUCTURE PROGRAM A-E CONSULTANT
CONSULTANT'S COMPENSATION FEE SCHEDULE
NEIGHBORHOOD BP

TASK NO.	DRWG	TASK DESCRIPTION	PROJECT DIRECTOR, JMC	PROJECT MANAGER CORRADINO	PROJECT MANAGER Miller	SR. ENGINEER / ARCHITECT Sierra	SR. ENGINEER / ARCHITECT Miller	ENGINEER / ARCHITECT CORRADINO	ENGINEER / ARCHITECT CORRADINO (TRAFFIC)	ENGINEER / ARCHITECT Miller	DESIGNER Sierra	DESIGNER Miller	DRAFTER Sierra	DRAFTER Miller	CLERICAL CORRADINO	CLERICAL Miller	TOTAL HOURS	TOTAL COST	SUBTOTALS
	RW-	2.2.8.8. Signing and Pavement Markings																	
		2.2.8.9. Utility Coordination																	
	RW-	2.2.8.10. Intersection Details: 2																	
		2.2.8.11																	
	RW-	2.2.8.12. Miscellaneous Details:1 (inc. drainage)																	
		2.2.8.13. Technical Specifications																	
		2.2.8.14. Permitting: PW																	
		2.2.8.15. Quality Control / Quality Assurance																	
		2.2.8.16. Coordination w/City, Consultant																	
		2.2.8.17 Streetscape Design																	
	LA	2.2.8.18 Planting Plans								2							2	$182	
2.3		DESIGN / CONSTRUCTABILITY REVIEW								2							2	$182	
2.4		COST OPINIONS								1							1	$91	
2.6		DOCUMENT REVISIONS								2							2	$182	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS								2							2	$182	
		2.2.9. BP Traffic Calming													2	1	3	$125	
		2.2.9.1. Data collection: as-builts, City records									3						3	$229	
		2.2.9.2. Geometry analysis				3					3		3				9	$715	
	RW- 77	2.2.9.3. Key Sheet											3				3	$163	
	RW- 78	2.2.9.4. General Notes				3					3						6	$552	
		2.2.9.5. Traffic Study/ counts							45								45	$4,092	
		2.2.9.6. Cost Estimate				6		2			5						13	$1,209	
	RW- 79-80	2.2.9.7. Plan:				6					10		20				36	$2,496	
	RW- 81	2.2.9.8. Signing and Pavement Markings				6					3		5				14	$1,147	
		2.2.9.9. Utility Coordination				3					3						6	$552	
	82-83	2.2.9.10 Neighborhood wide Traffic Permitting Meetings with County (3 meetings)							15								15	$1,364	
	RW-	2.2.9.11. Miscellaneous Details:1 (inc. drainage)				6					3		4				13	$1,092	
	84	2.2.9.12. Technical Specifications				3		2			5						10	$886	
		2.2.9.13. Permitting: PW				6			25		10						41	$3,682	
		2.2.9.14. Quality Control / Quality Assurance				6					5						11	$1,027	
		2.2.9.15. Coordination w/City, Consultant	7			6					5						18	$2,088	
		2.2.9.16Streetscape Design			10		1	2				6		6			25	$2,328	
	LA	2.2.9.17 Planting Plans					1			2		4		6			13	$921	
2.3	36	DESIGN / CONSTRUCTABILITY REVIEW			1		1			2							4	$415	
2.4		COST OPINIONS			1		2			2							5	$523	
2.6		DOCUMENT REVISIONS					1			3		4		6			14	$1,012	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					2			5				2			9	$779	
		2.2.10. BP Decorative Lighting													2	1	3	$125	
		2.2.10.1. Data collection: as-builts, City records						4			2						6	$516	
		2.2.10.2. Geometry analysis				1		4			2		1				8	$678	
	RW- 85	2.2.10.3. Key Sheet						4					1				5	$418	
	RW- 86	2.2.10.4. General Notes				1					2						3	$260	
		2.2.10.5. Cost Estimate				2		4			4						10	$884	
	RW- 87-88	2.2.10.6. Plan & Details:				2		1			9		8				20	$1,426	
	RW- 89	2.2.10.7. Signing and Pavement Markings									2		2				4	$261	
	RW- 90	2.2.10.8. Miscellaneous Details:1 (inc. drainage)				2							5				7	$487	
		2.2.10.9. Technical Specifications									2						2	$153	
		2.2.10.10. Permitting: PW				3					4						7	$628	
		2.2.10.11. Quality Control / Quality Assurance				3					9						12	$1,010	
		2.2.10.12. Coordination w/City, Consultant	7			3					3						13	$1,613	
		2.2.10. 13 Streetscape Design			1		2				3	3		10			19	$1,342	
	LA 37	2.2.10.14 Planting Plans					2			2		2		10			16	$1,093	
2.3		DESIGN / CONSTRUCTABILITY REVIEW			1		2			2							5	$523	
2.4		COST OPINIONS			1		2			2							5	$523	
2.6		DOCUMENT REVISIONS					4			2		2		10			18	$1,309	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					5			6				6			17	$1,410	
		2.2.11. BP Entry Improvement, West of 77th/ Hawthorne													2	1	3	$125	
		2.2.11.1. Data collection: as-builts, City records									3						3	$229	
		2.2.11.2. Geometry analysis				6					7						13	$1,180	
	RW- 91	2.2.11.3. Key Sheet											4				4	$217	
	RW- 92	2.2.11.4. General Notes				3					3						6	$552	
		2.2.11.5. Cost Estimate				5											5	$538	
	RW- 93-94	2.2.11.6. Plan & Intersection Details: 2				5											5	$538	
	RW- 95	2.2.11.7. Signing and Pavement Markings				5					6						11	$996	
	RW- 96	2.2.11.8. Miscellaneous Details:1 (inc. drainage)				2					4						6	$521	
		2.2.11.9. Technical Specifications				6					12						18	$1,562	
		2.2.11.10. Permitting: PW				8					15						23	$2,006	
		2.2.11.11. Quality Control / Quality Assurance				2											2	$215	
		2.2.11.12. Coordination w/City, Consultant	7			2											9	$1,276	
		2.2.11.13. Streetscape Design			4		3					3		10			20	$1,597	
	LA 38	2.2.11.14 Planting / Irrigation Plans					3			8		2		10			23	$1,746	
2.3		DESIGN / CONSTRUCTABILITY REVIEW			1		3			2							6	$630	
2.4		COST OPINIONS			1		3			2							6	$630	
2.6		DOCUMENT REVISIONS					5			2		2		10			19	$1,416	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					7			6				6			19	$1,625	
		2.2.12 BP Swale Reclamation													2	1	3	$125	
		2.2.12.1. Data collection: as-builts, City records									3						3	$229	
		2.2.12.2. Geometry analysis				4					3		4				11	$877	
	RW- 97	2.2.12.3. Key Sheet											4				4	$217	
	RW- 98	2.2.12.4. General Notes				2					3						5	$444	
		2.2.12.5. Cost Estimate				5					5						10	$920	
	RW- 99-100	2.2.12.6. Plan & Intersection Details: 2				5					10		20				35	$2,388	
	RW- 101	2.2.12.7. Signing and Pavement Markings				5					3						8	$757	

SCHEDULE B
CITY OF MIAMI BEACH
RIGHT OF WAY INFRASTRUCTURE PROGRAM A-E CONSULTANT
CONSULTANT'S COMPENSATION FEE SCHEDULE
NEIGHBORHOOD BP

TASK NO.	DRWG	TASK DESCRIPTION	PROJECT DIRECTOR Jim	PROJECT MANAGER CORRADINO	PROJECT MANAGER Miller	SR. ENGINEER / ARCHITECT Barra	SR. ENGINEER / ARCHITECT Miller	ENGINEER / ARCHITECT CORRADINO	ENGINEER / ARCHITECT CORRADINO (TRAFFIC)	ENGINEER / ARCHITECT Miller	DESIGNER Barra	DESIGNER Miller	DRAFTER Barra	DRAFTER Miller	CLERICAL CORRADINO	CLERICAL Miller	TOTAL HOURS	TOTAL COST	SUBTOTALS
		2.2.12.8. Cross Sections									3		12				15	$881	
	RW-102	2.2.12.9. Miscellaneous Details:1 (inc. drainage)			2												2	$215	
		2.2.12.10. Technical Specifications			6						3						9	$875	
		2.2.12.11. Permitting: PW			8						5						13	$1,243	
		2.2.12.12. Quality Control / Quality Assurance			2						10						12	$978	
		2.2.12.13. Coordination w/City, Consultant	7		2						5						14	$1,658	
		2.2.12.14. Streetscape Design		2			4				5	8		8			25	$1,956	
	LA 39	2.2.12.15. Planting Plans					4			2		4		8			18	$1,352	
2.3		DESIGN / CONSTRUCTA ILITY REVIEW		1			4			2							7	$738	
2.4		COST OPINIONS		1			3			2							6	$630	
2.6		DOCUMENT REVISIONS					6			2		4		8			20	$1,568	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					8			6				2			16	$1,515	
		2.2.13 BP Repaving													2	1	3	$125	
		2.2.13.1. Data collection: as-builts, City records									2						2	$153	
		2.2.13.2. Geometry analysis				4					2						6	$583	
	RW-103	2.2.13.3. Key Sheet																	
	RW-104	2.2.13. 4. General Notes				2					2						4	$368	
		2.2.13.5. Cost Estimate				5					4						9	$843	
	RW-105-106	2.2.13.6. Plan & Intersection Details: 2				5					9						14	$1,225	
	RW-107	2.2.13.7. Signing and Pavement Markings				5					2						7	$691	
	RW-108	2.2.13.8. Miscellaneous Details:1 (inc. drainage)				2											2	$215	
		2.2.13.9. Technical Specifications				6					2						8	$799	
		2.2.13.10. Permitting: PW				6					4						10	$951	
		2.2.13.11. Quality Control / Quality Assurance				2					9						11	$902	
		2.2.13.12. Coordination w/City, Consultant	7			2					3						12	$1,505	
		2.2.13.13. Streetscape Design					1				3	2					6	$489	
	LA 40	2.2.13.14. Planting Plans					1			1		2					4	$351	
2.3		DESIGN / CONSTRUCTA ILITY REVIEW					1			1							2	$199	
2.4		COST OPINIONS					1			1							2	$199	
2.6		DOCUMENT REVISIONS					1			1		1					3	$275	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					1			1							2	$199	
		2.2.14 SW Traffic Calming													8	1	9	$376	
		2.2.14.1. Data collection: as-builts, City records									3						3	$229	
		2.2.14.2. Geometry analysis				4					3		3				10	$823	
	RW-109	2.2.14.3. Key Sheet											3				3	$163	
	RW-110	2.2.14.4. General Notes				2					3						5	$444	
		2.2.14.5. Traffic Study / Counts							45								45	$4,092	
		2.2.14.6. Cost Estimate				5		2			5						12	$1,102	
	RW-111-115	2.2.14.7. Plan: 4 plans				5					10		20				35	$2,386	
		2.2.14.10. Technical Specifications				5		2			3		5				15	$1,221	
		2.2.14.11. Permitting: PW				8					3						11	$1,090	
		2.2.14.12. Quality Control / Quality Assurance				2											2	$215	
		2.2.14.13. Coordination w/City, Consultant	7			2					3						12	$1,505	
		2.2.14.14. Streetscape Design		10			4	2		4	5	6					31	$3,070	
	LA 41-45	2.2.14.15. Planting Plans					4			4	10	4		8			30	$2,297	
		DESIGN / CONSTRUCTABILITY REVIEW					4			4	5			8			21	$1,611	
		COST OPINIONS					8			4	5						17	$1,606	
2.3		DOCUMENT REVISIONS		4			9			6		4					23	$2,321	
2.4		A/E CONSULTANT QA / QC of DESIGN DOCS		4						8				6			18	$1,555	
2.6		DOCUMENT REVISIONS								8				2			10	$836	
2.9		Neighborhood wide Traffic Permitting Meetings with County (3 meetings)	25	2	20	10			15	15	10						97	$10,760	
		2.2.15 SW Reduced Pavement Width													2	1	3	$125	
		2.2.15.1. Data collection: as-builts, City records									3						3	$229	
		2.2.12.2. Geometry analysis				2					3		4				9	$662	
	RW-115	2.2.15.3. Key Sheet											4				4	$217	
	RW-117	2.2.15.4. General Notes				1					3						4	$337	
		2.2.15.5. Cost Estimate				1					5						6	$489	
	RW-118-119	2.2.15.6. Plan & Intersection Details: 2				1					10		20				31	$1,958	
	RW-120	2.2.15.7. Signing and Pavement Markings				3					3						6	$552	
	RW-121	2.2.15.8. Miscellaneous Details:1 (inc. drainage)				1							12				13	$760	
		2.2.15.9. Technical Specifications				1					3						4	$337	
		2.2.15.10. Permitting: PW				3					5						8	$704	
		2.2.15.11. Quality Control / Quality Assurance				1					10						11	$871	
		2.2.15.12. Coordination w/City, Consultant	7			1					5						13	$1,550	
		2.2.15.13. Streetscape Design		4							5	6		6			21	$1,667	
	LA 46	2.2.15.14. Planting Plans					4			4		4		6			18	$1,426	
2.3		DESIGN / CONSTRUCTA ILITY REVIEW		1			4			4							9	$920	
2.4		COST OPINIONS		1			4			4							9	$920	
2.6		DOCUMENT REVISIONS	10				8			6		4		6			34	$3,554	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					9			8				2			19	$1,805	
		2.2.16 SW Lighting													2	1	3	$125	
		2.2.16.1. Data collection: as-builts, City records						4			2						6	$516	
		2.2.16.2. Geometry analysis				1		4			2						7	$624	
	RW-122	2.2.16.3. Key Sheet						4					4				8	$581	
	RW-123	2.2.16.4. General Notes				1					2						3	$260	
		2.2.16.5. Cost Estimate				3		4			4						11	$992	
	RW-124-125	2.2.16.6. Plan & Details: 2						1			9		15				25	$1,593	
	RW-126	2.2.16.7. Signing and Pavement Markings									2						2	$153	
	RW-127	2.2.16.8. Miscellaneous Details:1 (inc. drainage)																	
		2.2.16.9. Technical Specifications				5					2						7	$691	
		2.2.16.10. Permitting: PW				5					4						9	$843	
		2.2.16.11. Quality Control / Quality Assurance				2					9						11	$902	
		2.2.16.12. Coordination w/City, Consultant	7			2					3						12	$1,505	
		2.2.16.13. Streetscape Design					2				3	3					8	$673	
	LA 47	2.2.16.14. Planting Plans					2			2		2					6	$550	

SCHEDULE B
CITY OF MIAMI BEACH
RIGHT OF WAY INFRASTRUCTURE PROGRAM A-E CONSULTANT
CONSULTANT'S COMPENSATION FEE SCHEDULE
NEIGHBORHOOD BP

TASK NO.	DWG	TASK DESCRIPTION	PROJECT DIRECTOR JMC	PROJECT MANAGER CORRADINO	PROJECT MANAGER Miller	SR. ENGINEER / ARCHITECT Burns	SR. ENGINEER / ARCHITECT Miller	ENGINEER / ARCHITECT CORRADINO	ENGINEER / ARCHITECT CORRADINO (PARKER)	ENGINEER / ARCHITECT Miller	DESIGNER Burns	DESIGNER Miller	DRAFTER Burns	DRAFTER Miller	CLERICAL CORRADINO	CLERICAL Miller	TOTAL HOURS	TOTAL COST	SUBTOTALS
2.3		DESIGN / CONSTRUCTABILITY REVIEW					2			2							4	$397	
2.4		COST OPINIONS					4			2							6	$612	
2.6		DOCUMENT REVISIONS				12	4			2		2					20	$2,057	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					6			6							12	$1,191	
		2.2.17 Gatehouse													2	1	3	$125	
		2.2.17.1 Data collection: as-builts, City records									2						2	$153	
		2.2.17.2. Geometry analysis				4					2		4				10	$801	
	RW-128	2.2.17.3. Key Sheet											4				4	$217	
	RW-129	2.2.17.4. General Notes				2					2						4	$368	
		2.2.17.5. Cost Estimate				5					4						9	$843	
	RW-130-131	2.2.17.6. Plan & Intersection Details: 2				5					9		20				34	$2,312	
	RW-132	2.2.17.7. Signing and Pavement Markings				5					2		4				11	$908	
	RW-133	2.2.17.8. Miscellaneous Details:1 (inc. drainage)				2							4				6	$433	
		2.2.17.9. Technical Specifications				6					2		4				12	$1,016	
		2.2.17.10. Permitting: PW				6					4						10	$951	
		2.2.17.11. Quality Control / Quality Assurance				2					9						11	$902	
		2.2.17.12. Coordination w/City, Consultant	7			2					3						12	$1,505	
		2.2.17.13 Streetscape Design			2		4				3	3		10			22	$1,683	
	LA 48	2.2.17.14 Planting Plans					4			4		2		10			20	$1,490	
2.3		DESIGN / CONSTRUCTABILITY REVIEW			1		4			4							9	$920	
2.4		COST OPINIONS			1		6			4							11	$1,135	
2.6		DOCUMENT REVISIONS					6			8		2		10			26	$2,069	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					8			8				4			20	$1,806	
		2.2.18 Neighborhood Entries													2	1	3	$125	
		2.2.18.1. Data collection: as-builts, City records									2						2	$153	
		2.2.18.2. Geometry analysis				4					2		4				10	$801	
	RW-134	2.2.18.3. Key Sheet											4				4	$217	
	RW-135	2.2.18.4. General Notes				2					2						4	$368	
		2.2.18.5. Cost Estimate				5					4						9	$843	
	RW-136-137	2.2.18.6. Plan & Intersection Details: 2				5					9		15				29	$2,040	
	RW-138	2.2.18.7. Signing and Pavement Markings				5					2		4				11	$908	
	RW-139	2.2.18.8. Miscellaneous Details:1 (inc. drainage)				2											2	$215	
		2.2.18.9. Technical Specifications				6					2						8	$799	
		2.2.18.10 Permitting: PW				6					4						10	$951	
		2.2.18.11. Quality Control / Quality Assurance				2					9						11	$902	
		2.2.18.12. Coordination w/City, Consultant	7			2					3						12	$1,505	
		2.2.18.13 Streetscape Design			8		8				3	3		10			32	$2,866	
	LA 49	2.2.18.14 Planting Plans					8			4		2		10			24	$1,921	
2.3		DESIGN / CONSTRUCTABILITY REVIEW			2		8			4							14	$1,476	
2.4		COST OPINIONS			2		12			4							18	$1,906	
2.6		DOCUMENT REVISIONS	10				12			8		2		10			42	$4,231	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					16			8				2			26	$2,559	
2.5		COMMUNITY DESIGN REVIEW MEETINGS (2)	10			12				8	8	6					44	$4,603	
2.7		PERMITTING REVIEWS								8							8	$727	DESIGN $485,929
3		**IDDING AND AWARD SERVICES**	4														4	$606	$2,113 PER SHEET
3.1		CONSTRUCTION CONTRACT DOCUMENT REVIEW: assuming 2 meetings		4													4	$540	
3.2		ID DOCUMENT DELIVERY		4													4	$540	
3.3		PRE-BID CONFERENCE: assuming 1 bid conference		8													8	$1,080	
3.4		ADDENDA ISSUANCE:		2													2	$270	
3.5		ID EVALUATION: assuming 1 bid		10													10	$1,350	
3.6		CONTRACT AWARD		8													8	$1,080	
3.7		AS- ID CONTRACT DOCUMENTS		24													24	$3,241	BID / AWARD $8,706
4		**CONSTRUCTION ADMINISTRATION SERVICES**	48														48	$7,274	
4.1		PRE-CONSTRUCTION CONFERENCE: assuming 6 contracts		8													8	$1,080	
4.2		WEEKLY CONSTRUCTION MEETINGS: assuming 66 weeks		211													211	$28,491	
4.5		REQUESTS FOR INFORMATION / CONTRACT DOCUMENT CLARIFICATION (RFI / CDC): assuming 50 RFIs		106													106	$14,313	
4.6		CLAIMS REVIEW		106													106	$14,313	
4.4		CLARIFICATIONS		106													106	$14,313	
4.5		PROCESSING OF SHOP DRAWINGS: assuming 12 items and 6 resubmitals		106													106	$14,313	
4.6		FIELD OBSERVATION SERVICES: 12 specialty visits		40													40	$5,401	
4.7		PROJECT CLOSEOUT		7													7	$945	CMS $100,445
		SU -TOTAL HOURS / COST	216	750	96	853	396	69	273	385	1,735	189	1,343	480	46	19	6,569	$595,082	
5.0		**ADDITIONAL SERVICES: not used**																	
																		$595,082	$595,082
		SU -TOTAL																	
6.0		**REIM URSA LES**																$3,000	
6.1		REPRODUCTION SERVICES																$3,000	
6.2		TRAVEL																$110,285	
6.3		SURVEYING: 31,510 @ $3.5/lf																$31,510	
6.4		GEOTECHNICAL EVALUATION: 31,510 lf @ $1.0 / lf																$40,000	
6.5		UNDERGROUND UTILITY VERIFICATION																$187,795	
		Sub-total Reimbursables																	REIMBURSABLES $187,795
		TOTAL HOURS	216	750	96	853	396	69	273	385	1,735	189	1,343	480	46	19	6,569		
		TOTAL FEE ESTIMATE	32,735	101,273	11,915	91,825	42,629	6,274	24,824	35,008	132,381	14,421	72,992	26,088	1,923	794	595,082	$782,877	$782,877

R:\MIAMI BEACH\Biscayne Point PHASE 2 Services Cost Proposal (First Negotiation Session)1.xls

SAVINO MILLER DESIGN STUDIO, INC

ATTACHMENT 1

SCHEDULE B
CITY OF MIAMI BEACH
RIGHT OF WAY INFRASTRUCTURE PROGRAM A-E CONSULTANT
CONSULTANT'S COMPENSATION FEE SCHEDULE
NEIGHBORHOOD BISCAYNE POINT

TASK NO.	DWG	TASK DESCRIPTION	PROJECT DIRECTOR, JMC	PROJECT MANAGER CORRADINO	PROJECT MANAGER Miller	SR. ENGINEER / ARCHITECT Swirz	SR. ENGINEER / ARCHITECT Miller	ENGINEER / ARCHITECT CORRADINO	ENGINEER / ARCHITECT CORRADINO (TRAFFIC)	ENGINEER / ARCHITECT Miller	DESIGNER Swirz	DESIGNER Miller	DRAFTER Swirz	DRAFTER Miller	CLERICAL CORRADINO	CLERICAL Miller	TOTAL HOURS	TOTAL COST	SUBTOTALS
2.0		DESIGN SERVICES																	
2.1		FIELD VERIFICATION OF EXISTING CONDITIONS	4		4	20				60		50		100	4	6	248	$18,385	
2.2		DETAILED DESIGN																	
		ase Map								5		5					10	$836	
		2.2.1 Water Distribution System																	
		2.2.1.1. Priority One													2		2	$84	
		2.2.1.1.a. Data collection: as-builts, City records				2					23		10				35	$2,514	
	WM- 1	2.2.1.1.b. Key Sheet									16		12				28	$1,873	
	WM- 2	2.2.1.1.c. General Notes									36		15				51	$3,562	
		2.2.1.1.d. Cost Estimate				3					30						33	$2,612	
	WM- 4	2.2.1.1.e. Plan and Profile: 400'; 12 plans				8					112		336				456	$27,668	
	WM- 5-9	2.2.1.1.f. Details: 4 sheets				5					48		26				79	$5,614	
		2.2.1.1.g. Technical Specifications				3					40						43	$3,375	
		2.2.1.1.h. Coordination w/City, Consultant				5					60						65	$5,116	
		2.2.1.1.i. Permitting: PW, Utility,HRS, DERM & FD				5					120						125	$9,694	
		2.2.1.1.j. Quality Control / Quality Assurance				5					80						85	$6,642	
		2.2.1.2. Priority Two													2		2	$84	
		2.2.1.2.a. Data collection: as-builts, City records				5					24		6				35	$2,896	
	WM- 10	2.2.1.2.b. Key Sheet									8		8				16	$1,045	
	WM- 11	2.2.1.2.c. General Notes									8		4				12	$828	
		2.2.1.2.d. Cost Estimate				5											5	$538	
	WM- 12-20	2.2.1.2.e. Plan and Profile: 5800'; 16 plans				7					120		100				227	$15,345	
	WM- 21-22	2.2.1.2.f. Details: 2 sheets				5					24		16				45	$3,239	
		2.2.1.2.g. Technical Specifications				4					12						16	$1,346	
		2.2.1.2.h. Coordination w/City, Consultant				4					12						16	$1,346	
		2.2.1.2.i. Permitting: PW, Utility,HRS, DERM & FD				4					40						44	$3,483	
		2.2.1.2.j. Quality Control / Quality Assurance				4					24						28	$2,262	
		2.2.1.3. Priority Three (not included)																	
		2.2.2 Drainage													2		2	$84	
		2.2.1.1.a. Data collection: as-builts, City records				7							10				17	$1,297	
	SW- 1	2.2.1.1.b. Key Sheet											12				12	$652	
	SW- 2	2.2.1.1.c. General Notes											15				15	$815	
		2.2.1.1.d. Cost Estimate				7											7	$754	
	SW- 3-14	2.2.1.1.e. Plan and Profile: 7,460';				7							200				207	$11,624	
	SW- 15-20	2.2.1.1.f. Details:				5							26				31	$1,951	
		2.2.1.1.g. Technical Specifications				4											4	$431	
		2.2.1.1.h. Coordination w/City, Consultant				4											4	$431	
		2.2.1.1.i. Permitting: PW, Utility,HRS, DERM & FD				5											5	$538	
		2.2.1.1.j. Quality Control / Quality Assurance				5											5	$538	
		2.2.3 Hawthorne Aye													2	5	7	$293	
		2.2.3.1. Data collection: as-builts, City records									4						4	$305	
		2.2.3.2. Geometry analysis				3					4		3				10	$791	
	RW- 1	2.2.3.3. Key Sheet									1		3				4	$239	
	RW- 2	2.2.3.4. General Notes	7			3					4						14	$1,689	
		2.2.3.5. Cost Estimate				2	4				4						10	$987	
	RW- 4-6	2.2.3.6. Plan and Profile: 1,450'; 3 plans					4				12		20				36	$2,433	
	RW- 7-9	2.2.3.7. Cross Sections:					3				4		12				19	$1,280	
	RW- 10-12	2.2.3.8. Drainage Structures					3				4		8				15	$1,063	
	RW- 13-14	2.2.3.9. Signing and Pavement Markings					3				6						9	$781	
		2.2.3.10. Drainage Report									15						15	$1,145	
		2.2.3.11. Utility Coordination									10						10	$763	
	RW- 15-19	2.2.3.12. Intersection Details: 5					4				4		8				16	$1,171	
	RW- 20-21	2.2.3.13. Details: 2 sheets					3				4		6				13	$954	
		2.2.3.14. Technical Specifications					4				6		6				16	$1,215	
		2.2.3.15. Permitting: FDOT, PW, DERM					4			8	10						22	$1,921	
		2.2.3.16. Quality Control / Quality Assurance				1	4				10						15	$1,319	
		2.2.3.17. Coordination w/City, Consultant				1	4				5						10	$938	
		2.2.3.18 Streetscape Design						3				5		20			28	$1,791	
	LA- 6-8	2.2.3.19 Planting Plans						3		4		5		20			32	$2,155	
	LA- 9-11	2.2.3.20 Irrigation Plans						3		4		5		20			32	$2,155	
2.3		DESIGN / CONSTRUCTABILITY REVIEW						3		4							7	$687	
2.4		COST OPINIONS						3		4							7	$687	
2.6		DOCUMENT REVISIONS						7		8		5		20			40	$2,949	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS						7		6				12			27	$2,133	
		2.2.4 79th Street @ Crespi Park													2	5	7	$293	
		2.2.4.1. Data collection: as-builts, City records									3						3	$229	
		2.2.4.2. Geometry analysis					3				3		3				9	$715	
	RW- 22	2.2.4.3. Key Sheet					3				1		3				7	$562	
	RW- 23	2.2.4.4. General Notes					4				3						7	$660	
		2.2.4.5. Cost Estimate					4				3						7	$660	
	RW- 24-26	2.2.4.6. Plan:					4				3		20				27	$1,747	
		2.2.4.7 Cross Sections					3				3		4				10	$769	
		2.2.4.8. Drainage Structures					3				3		4				10	$769	
	RW- 27-28	2.2.4.9. Signing and Pavement Markings					3				5		4				12	$922	
		2.2.4.10. Drainage Report									5						5	$382	
		2.2.4.11. Utility Coordination									5		4				9	$599	
	RW- 29-33	2.2.4.12. Intersection Details: 5					4				3						7	$660	
	RW- 36-37	2.2.4.13. Details: 2 sheets					3				3		4				10	$769	
		2.2.4.14. Technical Specifications					4				7		4				15	$1,182	
		2.2.4.15. Permitting: FDOT, PW, DERM					6				7						13	$1,180	
		2.2.4.16. Quality Control / Quality Assurance					4				5						9	$812	
		2.2.4.17. Coordination w/City, Consultant	7				4				5						16	$1,873	
	LA	2.2.3.18 Streetscape Design				3		3				5		20			31	$2,168	
	LA- 12-14	2.2.4.19 Planting Plans						3		4		5		20			32	$2,155	
	LA- 15-17	2.2.4.20 Irrigation Plans				2		1		4		5					12	$1,104	
2.3		DESIGN / CONSTRUCTABILITY REVIEW				2		3		4							9	$938	
2.4		COST OPINIONS						1		4							5	$471	
2.6		DOCUMENT REVISIONS						3		8		5		20			36	$2,519	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS						3		8				12			23	$1,703	
		2.2.5 One Way East West Streets (79ter, 80, 81,82,83,84)													2	5	7	$293	
		2.2.5.1 Data collection: as-builts, City records									5						5	$382	
		2.2.5.2. Geometry analysis					4				5		6				15	$1,138	

ATTACHMENT 2

SAVINO MILLER DESIGN STUDIO, INC

R:\MIAMI BEACH\Biscayne Pointe Design Fee Proposal (Second Negotiation Session) 21043.xls

SCHEDULE B
CITY OF MIAMI BEACH
RIGHT OF WAY INFRASTRUCTURE PROGRAM A-E CONSULTANT
CONSULTANT'S COMPENSATION FEE SCHEDULE
NEIGHBORHOOD BISCAYNE POINT

TASK NO.	DRWG	TASK DESCRIPTION	PROJECT DIRECTOR, JNC	PROJECT MANAGER CORRADINO	PROJECT MANAGER Miller	SR. ENGINEER / ARCHITECT Barra	SR. ENGINEER / ARCHITECT Miller	ENGINEER / ARCHITECT CORRADINO	ENGINEER / ARCHITECT CORRADINO (TRAFFIC)	ENGINEER / ARCHITECT Miller	DESIGNER Barra	DESIGNER Miller	DRAFTER Barra	DRAFTER Miller	CLERICAL CORRADINO	CLERICAL Miller	TOTAL HOURS	TOTAL COST	SUBTOTALS
	RW-38	2.2.5.3 Key Sheet									3		6				9	$555	
	RW-39	2.2.5.4 General Notes				4					5						9	$812	
		2.2.5.5 Cost Estimate				4					5						9	$812	
	RW-40-42	2.2.5.6 Plan: ; 6 plans				4					9		34				47	$2,965	
	RW-43-44	2.2.5.7 Cross Sections				4					5		6				15	$1,138	
		2.2.5.8 Drainage Structures											6				6	$326	
	RW-45-49	2.2.5.9 Signing and Pavement Markings				4					12		6				22	$1,872	
	RW-50-51	2.2.5.10 Drainage Report																	
		2.2.5.11 Utility Coordination									12		6				18	$1,242	
		2.2.5.12 Intersection Details:																	
		2.2.5.13 Traffic Analysis							120								120	$10,912	
		2.2.5.14 Details: 2 sheets				4					6		6				16	$1,215	
		2.2.5.15 Technical Specifications				6					6		6				18	$1,430	
		2.2.5.16 Permitting: FDOT, PW, DERM				6					15						21	$1,790	
		2.2.5.17 Quality Control / Quality Assurance				6					9						15	$1,333	
		2.2.5.18 Coordination w/City, Consultant	7			6					9						22	$2,393	
		2.2.5.19 Streetscape Design			7		4					20		30			61	$4,465	
	LA-18-30	2.2.5.20 Planting Plans					4			8		20		30			62	$4,315	
2.3		DESIGN / CONSTRUCTABILITY REVIEW			2		4			8							14	$1,409	
2.4		COST OPINIONS			2		4			8							14	$1,409	
2.6		DOCUMENT REVISIONS					4			8		20		30			62	$4,315	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					6			26				20			52	$4,097	
		2.2.6 Two Way E/W Streets (79St, 85)													2	5	7	$293	
		2.2.6.1 Data collection: as-builts, City records									4						4	$305	
		2.2.6.2 Geometry analysis				3					4		3				10	$791	
	RW-52	2.2.6.3 Key Sheet											3				3	$163	
	RW-53	2.2.6.4 General Notes				3					4						7	$628	
		2.2.2.5 Cross Sections											6				6	$326	
		2.2.6.6 Cost Estimate				5											5	$538	
	RW-54-57	2.2.6.7 Plan: ; 2 plans				5					4		14				23	$1,604	
	RW-58-59	2.2.6.8 Signing and Pavement Markings				5					6		4				15	$1,213	
		2.2.6.9 Utility Coordination				3					4		4				11	$846	
	RW-60-65	2.2.6.10 Intersection Details: 6				5					8		4				17	$1,366	
		2.2.2.11 Drainage Structuers											4				4	$217	
	RW-66	2.2.6.12 Miscellaneous Details:1 (inc. drainage)				3					4		4				11	$846	
		2.2.6.13 Technical Specifications				6					8						14	$1,256	
		2.2.6.14 Permitting: PW				8					8						14	$1,256	
		2.2.6.15 Quality Control / Quality Assurance				6					8		4				18	$1,474	
		2.2.6.16 Streetscape Design			5		4					10	4	20			43	$3,125	
	LA-31-34	2.2.6.17 Planting Plans					4			8		10		20			42	$3,008	
2.3		DESIGN / CONSTRUCTABILITY REVIEW			1		4			8							13	$1,283	
2.4		COST OPINIONS			1		3			8							12	$1,176	
2.6		DOCUMENT REVISIONS					4			8		10		20			42	$3,008	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					5			20		10		12			47	$3,772	
		2.2.6.16. Coordination w/City, Consultant	7			1					8						16	$1,779	
		2.2.7 Entry Sign, East of 77th /Hawthorne)													2	5	7	$293	
		2.2.7.1 Data collection: as-builts, City records									2						2	$153	
		2.2.7.2 Geometry analysis									2		3				5	$316	
	RW-67	2.2.7.3 Key Sheet											3				3	$163	
	RW-68	2.2.7.4 General Notes									3						3	$229	
		2.2.7.5 Cross Sections											3				3	$163	
		2.2.7.6 Cost Estimate				1					3						4	$337	
	RW-69-70	2.2.7.7 Plan:				1					3		24				28	$1,641	
	RW-71	2.2.7.8 Signing and Pavement Markings				1					3		5				9	$608	
		2.2.7.9 Utility Coordination				1					3						4	$337	
	RW-71-75	2.2.7.10 Intersection Details: 4				1					2		4				7	$478	
	RW-76	2.2.7.11 Miscellaneous Details:1 (inc. drainage)				1					2						3	$260	
		2.2.7.12 Technical Specifications				1					2						3	$260	
		2.2.7.13 Permitting: PW									5						5	$382	
		2.2.7.14 Quality Control / Quality Assurance				2					5						7	$597	
		2.2.7.15 Coordination w/City, Consultant	7			1					6						14	$1,626	
		2.2.7.16 Streetscape Design			2		5					5		8			20	$1,605	
	LA-35	2.2.7.17 Planting Plans					5			5		5		8			23	$1,809	
2.3		DESIGN / CONSTRUCTABILITY REVIEW			2		5			5							12	$1,244	
2.4		COST OPINIONS			1		2			3							6	$614	
2.6		DOCUMENT REVISIONS					5			5		5		8			23	$1,809	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					6			2		5		4			17	$1,427	
		2.2.8Neighborhood Wide Improvements (TO BE BID JOB BY JOB)																	
		2.2.8.1. Data collection: as-builts, City records																	
		2.2.8.2 Geometry analysis																	
	RW-	2.2.8.3. Key Sheet																	
	RW-	2.2.8.4. General Notes																	
		2.2.8.5																	
		2.2.8.6. Cost Estimate																	
	RW-	2.2.8.7. Plan: 700'; 1 plans half size																	
	RW-	2.2.8.8. Signing and Pavement Markings																	
		2.2.8.9. Utility Coordination																	
	RW-	2.2.8.10 Intersection Details: 2																	
		2.2.8.11																	
	RW-	2.2.8.12 Miscellaneous Details:1 (inc. drainage)																	
		2.2.8.13. Technical Specifications																	
		2.2.8.14. Permitting: PW																	
		2.2.8.15. Quality Control / Quality Assurance																	
		2.2.8.16. Coordination w/City, Consultant																	
		2.2.8.17 Streetscape Design																	
	LA	2.2.8.18 Planting Plans								2							2	$182	
2.3		DESIGN / CONSTRUCTABILITY REVIEW								2							2	$182	
2.4		COST OPINIONS								1							1	$91	
2.6		DOCUMENT REVISIONS								2							2	$182	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS								2							2	$182	
		2.2.9. BP Traffic Calming Traffic Studies will be bid as needed from county													2	5	7	$293	
		2.2.9.1. Data collection: as-builts, City records									3						3	$229	

SCHEDULE B
CITY OF MIAMI BEACH
RIGHT OF WAY INFRASTRUCTURE PROGRAM A-E CONSULTANT
CONSULTANT'S COMPENSATION FEE SCHEDULE
NEIGHBORHOOD BISCAYNE POINT

TASK NO.	DWG	TASK DESCRIPTION	PROJECT DIRECTOR, JMC	PROJECT MANAGER CORRADINO	PROJECT MANAGER Miller	SR. ENGINEER / ARCHITECT Burns	SR. ENGINEER / ARCHITECT Miller	ENGINEER / ARCHITECT CORRADINO	ENGINEER / ARCHITECT CORRADINO (TRAFFIC)	ENGINEER / ARCHITECT Miller	DESIGNER Burns	DESIGNER Miller	DRAFTER Burns	DRAFTER Miller	CLERICAL CORRADINO	CLERICAL Miller	TOTAL HOURS	TOTAL COST	SUBTOTALS
		2.2.9.2. Geometry analysis				3					3		3				9	$715	
	RW-77	2.2.9.3. Key Sheet											3				3	$163	
	RW-78	2.2.9.4. General Notes				3					3						6	$552	
		2.2.9.5. Traffic Study/ counts																	
		2.2.9.6. Cost Estimate				6					5						11	$1,027	
	RW-79-80	2.2.9.7. Plan:				6					10		20				36	$2,496	
	RW-81	2.2.9.8. Signing and Pavement Markings				6					3		5				14	$1,147	
		2.2.9.9. Utility Coordination				3					3						6	$552	
	RW-82-83	2.2.9.10. Neighborhood wide Traffic Permitting Meetings with County (3 meetings)							15								15	$1,364	
		2.2.9.11. Miscellaneous Details:1 (inc. drainage)				6					3		4				13	$1,092	
	RW-84	2.2.9.12. Technical Specifications				3					5						8	$704	
		2.2.9.13. Permitting: PW				6			25		10						41	$3,682	
		2.2.9.14. Quality Control / Quality Assurance				6					5						11	$1,027	
		2.2.9.15. Coordination w/City, Consultant	7			6					5						18	$2,088	
		2.2.9.16Streetscape Design			12		2					6		12			32	$2,830	
	LA-36	2.2.9.17. Planting Plans					2			2		6		12			22	$1,507	
2.3		DESIGN / CONSTRUCTABILITY REVIEW			1		2			2							5	$523	
2.4		COST OPINIONS			1		3			2							6	$630	
2.6		DOCUMENT REVISIONS					2			3		6		12			23	$1,598	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					5			5				4			14	$1,210	
		2.2.10. BP Decorative Lighting													2	5	7	$293	
		2.2.10.1. Data collection: as-builts, City records									2						2	$153	
		2.2.10.2. Geometry analysis				1					2		1				4	$315	
	RW-85	2.2.10.3. Key Sheet											1				1	$54	
	RW-86	2.2.10.4. General Notes				1					2						3	$260	
		2.2.10.5. Cost Estimate				2					4						6	$521	
	RW-87-88	2.2.10.6. Plan & Details:				2					9		8				19	$1,337	
	RW-89	2.2.10.7. Signing and Pavement Markings									2		2				4	$261	
	RW-90	2.2.10.8. Miscellaneous Details:1 (inc. drainage)				2							5				7	$487	
		2.2.10.9. Technical Specifications									2						2	$153	
		2.2.10.10. Permitting: PW				3					4						7	$628	
		2.2.10.11. Quality Control / Quality Assurance				3					9						12	$1,010	
		2.2.10.12. Coordination w/City, Consultant	7			3					3						13	$1,613	
		2.2.10.13. Streetscape Design			1		4				3	6		20			34	$2,330	
	LA-37	2.2.10.14. Planting Plans					4			2		6		20			32	$2,157	
2.3		DESIGN / CONSTRUCTABILITY REVIEW			1		4			2							7	$738	
2.4		COST OPINIONS			1		4			2							7	$738	
2.6		DOCUMENT REVISIONS					7			2		2		20			31	$2,175	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					7			6				12			25	$1,951	
		2.2.11. BP Entry Improvement, West of 77th/ Hawthorne													2	5	7	$293	
		2.2.11.1. Data collection: as-builts, City records									3						3	$229	
		2.2.11.2. Geometry analysis				6					7						13	$1,180	
	RW-91	2.2.11.3. Key Sheet											4				4	$217	
	RW-92	2.2.11.4. General Notes				3					3						6	$552	
		2.2.11.5. Cost Estimate				5											5	$538	
	RW-93-94	2.2.11.6. Plan & Intersection Details: 2				5											5	$538	
	RW-95	2.2.11.7. Signing and Pavement Markings				5					6						11	$996	
	RW-96	2.2.11.8. Miscellaneous Details:1 (inc. drainage)				2					4						6	$521	
		2.2.11.9. Technical Specifications				6					12						18	$1,562	
		2.2.11.10. Permitting: PW				8					15						23	$2,006	
		2.2.11.11. Quality Control / Quality Assurance				2											2	$215	
		2.2.11.12. Coordination w/City, Consultant	7			2											9	$1,276	
		2.2.11.13. Streetscape Design			4		5					3		20			32	$2,356	
	LA-38	2.2.11.14. Planting / Irrigation Plans					5			8		2		20			35	$2,505	
2.3		DESIGN / CONSTRUCTABILITY REVIEW			1		5			2							8	$846	
2.4		COST OPINIONS			1		5			2							8	$846	
2.6		DOCUMENT REVISIONS					7			2		2		20			31	$2,175	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					9			6				12			27	$2,167	
		2.2.12. BP Swale Reclamation													2	5	7	$293	
		2.2.12.1. Data collection: as-builts, City records									3						3	$229	
		2.2.12.2. Geometry analysis				4					3		4				11	$877	
	RW-97	2.2.12.3. Key Sheet											4				4	$217	
	RW-98	2.2.12.4. General Notes				2					3						5	$444	
		2.2.12.5. Cost Estimate				5					5						10	$920	
	RW-99-100	2.2.12.6. Plan & Intersection Details: 2				5					10		20				35	$2,398	
	RW-101	2.2.12.7. Signing and Pavement Markings				5					3						8	$767	
		2.2.12.8. Cross Seftions									3		12				15	$881	
	RW-102	2.2.12.9. Miscellaneous Details:1 (inc. drainage)				2											2	$215	
		2.2.12.10. Technical Specifications				6					3						9	$875	
		2.2.12.11. Permitting: PW				8					5						13	$1,243	
		2.2.12.12. Quality Control / Quality Assurance				2					10						12	$978	
		2.2.12.13. Coordination w/City, Consultant	7			2					5						14	$1,658	
		2.2.12.14. Streetscape Design			2		5				5	6		16			34	$2,498	
	LA-39	2.2.12.15. Planting Plans					5			2		4		16			27	$1,895	
2.3		DESIGN / CONSTRUCTA ILITY REVIEW			1		5			2							8	$846	
2.4		COST OPINIONS			1		5			2							8	$846	
2.6		DOCUMENT REVISIONS					7			2		4		16			29	$2,110	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					9			6				2			17	$1,623	
		2.2.13 BP Repaving													2	5	7	$293	
		2.2.13.1. Data collection: as-builts, City records									2						2	$153	
		2.2.13.2. Geometry analysis				4					2						6	$583	
	RW-103	2.2.13.3. Key Sheet																	
	RW-104	2.2.13.4. General Notes				2					2						4	$368	
		2.2.13.5. Cost Estimate				5					4						9	$843	
	RW-105-106	2.2.13.6. Plan & Intersection Details: 2				5					9						14	$1,225	
	RW-107	2.2.13.7. Signing and Pavement Markings				5					2						7	$691	
	RW-108	2.2.13.8. Miscellaneous Details:1 (inc. drainage)				2											2	$215	
		2.2.13.9. Technical Specifications				6					2						8	$799	
		2.2.13.10. Permitting: PW				6					4						10	$951	
		2.2.13.11. Quality Control / Quality Assurance				2					9						11	$902	
		2.2.13.12. Coordination w/City, Consultant	7			2					3						12	$1,505	
		2.2.13.13. Streetscape Design					2				3	2					7	$597	
	LA-40	2.2.13.14. Planting Plans					2			1		2					5	$459	

SCHEDULE B
CITY OF MIAMI BEACH
RIGHT OF WAY INFRASTRUCTURE PROGRAM A-E CONSULTANT
CONSULTANT'S COMPENSATION FEE SCHEDULE
NEIGHBORHOOD BISCAYNE POINT

TASK NO.	DWG.	TASK DESCRIPTION	PROJECT DIRECTOR ARC	PROJECT MANAGER CORRADINO	PROJECT MANAGER Miller	SR. ENGINEER / ARCHITECT Barra	SR. ENGINEER / ARCHITECT Miller	ENGINEER / ARCHITECT CORRADINO	ENGINEER / ARCHITECT CORRADINO (TRAFFIC)	ENGINEER / ARCHITECT Miller	DESIGNER Barra	DESIGNER Miller	DRAFTER Barra	DRAFTER Miller	CLERICAL CORRADINO	CLERICAL Miller	TOTAL HOURS	TOTAL COST	SUBTOTALS
2.3		DESIGN / CONSTRUCTA ILITY REVIEW					1			1							2	$199	
2.4		COST OPINIONS					1			1							2	$199	
2.6		DOCUMENT REVISIONS					1			1		1					3	$275	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					1			1							2	$199	
		2.2.14 SW Traffic Calming. Studies will be bid as needed and requested by county.													8	5	13	$544	
		2.2.14.1. Data collection: as-builts, City records									3						3	$229	
		2.2.14.2. Geometry analysis				4					3		3				10	$823	
	RW-109	2.2.14.3. Key Sheet											3				3	$163	
	RW-110	2.2.14.4. General Notes				2					3						5	$444	
		2.2.14.5 Traffic Study / Counts																	
		2.2.14.6. Cost Estimate				5					5						10	$920	
	RW-111-11	2.2.14.7. Plan: 4 plans				5					10		20				35	$2,388	
		2.2.14.10. Technical Specifications				5					3		5				13	$1,039	
		2.2.14.11. Permitting: PW				8					3						11	$1,090	
		2.2.14.12. Quality Control / Quality Assurance				2											2	$215	
		2.2.14.13. Coordination w/City, Consultant	7			2					3						12	$1,505	
		2.2.14.14 Streetscape Design			10			4		4	5	6					29	$2,888	
	LA-41-45	2.2.14.15 Planting Plans						4		4	10	4		8			30	$2,297	
		DESIGN / CONSTRUCTABILITY REVIEW						4		4	5			8			21	$1,611	
		COST OPINIONS						8		4	5						17	$1,606	
2.3		DOCUMENT REVISIONS			4		9			6		4					23	$2,321	
2.4		A/E CONSULTANT QA / QC of DESIGN DOCS			4					8				6			18	$1,555	
2.6		DOCUMENT REVISIONS								8				2			10	$836	
2.9		Neighborhood wide Traffic Permitting Meetings with County (3 meetings)	25		2	20	10		15	15	10						97	$10,760	
		2.2.15 SW Reduced Pavement Width													2	5	7	$293	
		2.2.15.1. Data collection: as-builts, City records									3						3	$229	
		2.2.12.2. Geometry analysis				2					3		4				9	$662	
	RW-115	2.2.15.3. Key Sheet											4				4	$217	
	RW-117	2.2.15.4. General Notes				1					3						4	$337	
		2.2.15.5. Cost Estimate				1					5						6	$489	
	RW-118-11	2.2.15.6. Plan & Intersection Details: 2				1					10		20				31	$1,958	
	RW-120	2.2.15.7. Signing and Pavement Markings				3					3						6	$552	
	RW-121	2.2.15.8. Miscellaneous Details:1 (inc. drainage)				1							12				13	$760	
		2.2.15.9 Technical Specifications				1					3						4	$337	
		2.2.15.10. Permitting: PW				3					5						8	$704	
		2.2.15.11. Quality Control / Quality Assurance				1					10						11	$871	
		2.2.15.12. Coordination w/City, Consultant	7			1					5						13	$1,550	
		2.2.15.13 Streetscape Design			4						5	6		6			21	$1,667	
	LA-46	2.2.15.14 Planting Plans						4		4		4		6			18	$1,426	
2.3		DESIGN / CONSTRUCTA ILITY REVIEW			1		4			4							9	$920	
2.4		COST OPINIONS			1		4			4							9	$920	
2.6		DOCUMENT REVISIONS	10				8			6		4		6			34	$3,554	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					9			8				2			19	$1,805	
		2.2.16 SW Lighting													2	5	7	$293	
		2.2.16.1. Data collection: as-builts, City records									2						2	$153	
		2.2.16.2. Geometry analysis				1					2						3	$260	
	RW-122	2.2.16.3. Key Sheet											4				4	$217	
	RW-123	2.2.16.4. General Notes				1					2						3	$260	
		2.2.16.5. Cost Estimate				3					4						7	$628	
	RW-124-12	2.2.16.6. Plan & Details: 2									9		15				24	$1,502	
	RW-126	2.2.16.7. Signing and Pavement Markings									2						2	$153	
	RW-127	2.2.16.8. Miscellaneous Details:1 (inc. drainage)																	
		2.2.16.9. Technical Specifications				5					2						7	$691	
		2.2.16.10. Permitting: PW				5					4						9	$843	
		2.2.16.11. Quality Control / Quality Assurance				2					9						11	$902	
		2.2.16.12. Coordination w/City, Consultant	7			2					3						12	$1,505	
		2.2.16.13 Streetscape Design						2			3	3					8	$673	
	LA-47	2.2.16.14 Planting Plans						2		2		2					6	$550	
2.3		DESIGN / CONSTRUCTABILITY REVIEW					2			2							4	$397	
2.4		COST OPINIONS					4			2							6	$612	
2.6		DOCUMENT REVISIONS				12	4			2		2					20	$2,057	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					6			6							12	$1,191	
		2.2.17 Gatehouse													2	5	7	$293	
		2.2.17.1 Data collection: as-builts, City records									2						2	$153	
		2.2.17.2. Geometry analysis				4					2		4				10	$801	
	RW-128	2.2.17.3. Key Sheet											4				4	$217	
	RW-129	2.2.17.4. General Notes				2					2						4	$368	
		2.2.17.5. Cost Estimate				5					4						9	$843	
	RW-130-13	2.2.17.6. Plan & Intersection Details: 2				5					9		20				34	$2,312	
	RW-132	2.2.17.7. Signing and Pavement Markings				5					2		4				11	$908	
	RW-133	2.2.17.8. Miscellaneous Details:1 (inc. drainage)				2							4				6	$433	
		2.2.17.9 Technical Specifications				6					2		4				12	$1,016	
		2.2.17.10. Permitting: PW				6					4						10	$951	
		2.2.17.11. Quality Control / Quality Assurance				2					9						11	$902	
		2.2.17.12. Coordination w/City, Consultant	7			2					3						12	$1,505	
		2.2.17.13 Streetscape Design			2			4			3	3		10			22	$1,683	
	LA-48	2.2.17.14 Planting Plans						4		4		2		10			20	$1,490	
2.3		DESIGN / CONSTRUCTABILITY REVIEW			1		4			4							9	$920	
2.4		COST OPINIONS			1		6			4							11	$1,135	
2.6		DOCUMENT REVISIONS					6			8		2		10			26	$2,069	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					8			8				4			20	$1,806	
		2.2.18 Neighborhood Entries													2	5	7	$293	
		2.2.18.1. Data collection: as-builts, City records									2						2	$153	
		2.2.18.2. Geometry analysis				4					2		4				10	$801	
	RW-134	2.2.18.3. Key Sheet											4				4	$217	
	RW-135	2.2.18.4. General Notes				2					2						4	$368	
		2.2.18.5. Cost Estimate				5					4						9	$843	
	RW-136-13	2.2.18.6. Plan & Intersection Details: 2				5					9		15				29	$2,040	
	RW-138	2.2.18.7. Signing and Pavement Markings				5					2		4				11	$908	
	RW-139	2.2.18.8. Miscellaneous Details:1 (inc. drainage)				2											2	$215	
		2.2.18.9. Technical Specifications				6					2						8	$799	
		2.2.18.10. Permitting: PW				6					4						10	$951	

SAVINO MILLER DESIGN STUDIO, INC

R:\MIAMI BEACH\Biscayne Points Design Fee Proposal (Second Negotiation Session) 21043.xls

SCHEDULE B
CITY OF MIAMI BEACH
RIGHT OF WAY INFRASTRUCTURE PROGRAM A-E CONSULTANT
CONSULTANT'S COMPENSATION FEE SCHEDULE
NEIGHBORHOOD BISCAYNE POINT

TASK NO.	DWG	TASK DESCRIPTION	PROJECT DIRECTOR, JNC	PROJECT MANAGER CORRADINO	PROJECT MANAGER Miller	SR. ENGINEER / ARCHITECT Sarra	SR. ENGINEER / ARCHITECT Miller	ENGINEER / ARCHITECT CORRADINO	ENGINEER / ARCHITECT CORRADINO (TRAFFIC)	ENGINEER / ARCHITECT Miller	DESIGNER Sarra	DESIGNER Miller	DRAFTER Sarra	DRAFTER Miller	CLERICAL CORRADINO	CLERICAL Miller	TOTAL HOURS	TOTAL COST	SUBTOTALS
		2.2.18.11. Quality Control / Quality Assurance				2					9						11	$902	
		2.2.18.12. Coordination w/City, Consultant	7			2					3						12	$1,505	
		2.2.18.13 Streetscape Design			8		8				3	3		10			32	$2,866	
	LA- 49	2.2.18.14 Planting Plans					8			4		2		10			24	$1,921	
2.3		DESIGN / CONSTRUCTABILITY REVIEW			2		8			4							14	$1,476	
2.4		COST OPINIONS			2		12			4							18	$1,906	
2.6		DOCUMENT REVISIONS	10				12			8		2		10			42	$4,231	
2.8		A/E CONSULTANT QA / QC of DESIGN DOCS					16			8				2			26	$2,559	
2.5		COMMUNITY DESIGN REVIEW MEETINGS (2)	10			12				8	8	6					44	$4,603	DESIGN $506,174
2.7		PERMITTING REVIEWS								8							8	$727	$2,201 per sheet
3		**BIDDING AND AWARD SERVICES: ROADWAY IMPROVEMENTS AROUND NORTH SHORE PARK ONLY**	4														4	$606	
3.1		CONSTRUCTION CONTRACT DOCUMENT REVIEW: assuming 2 meetings		4													4	$540	
3.2		ID DOCUMENT DELIVERY		4													4	$540	
3.3		PRE- ID CONFERENCE: assuming 1 bid conference		8													8	$1,080	
3.4		ADDENDA ISSUANCE:		2													2	$270	
3.5		ID EVALUATION: assuming 1 bid		10													10	$1,350	
3.6		CONTRACT AWARD		8													8	$1,080	
3.7		AS- ID CONTRACT DOCUMENTS		24													24	$3,241	BID / AWARD $8,709
4		**CONSTRUCTION ADMINISTRATION SERVICES**	72														72	$10,912	
4.1		PRE-CONSTRUCTION CONFERENCE: assuming 1 contracts.		8													8	$1,080	
4.2		WEEKLY CONSTRUCTION MEETINGS: assuming 72 weeks (18 months) weeks		400													400	$54,012	
4.5		REQUESTS FOR INFORMATION / CONTRACT DOCUMENT CLARIFICATION (RFI / CDC): assuming 50 RFIs		106													106	$14,313	
4.6		CLAIMS REVIEW		106													106	$14,313	
4.4		CLARIFICATIONS		106													106	$14,313	
4.5		PROCESSING OF SHOP DRAWINGS: assuming 12 items and 6 resubmitals		106													106	$14,313	
4.6		FIELD O SERVATION SERVICES: 12 specialty visits		40													40	$5,401	CMS
4.7		PROJECT CLOSEOUT		7													7	$945	$129,603
		SU -TOTAL HOURS / COST	240	939	107	733	434		183	500	1,735	328	1,343	818	46	81	7,080	$644,485	
5.0		**ADDITIONAL SERVICES: not used**																	
		SU -TOTAL																**$644,485**	$644,485
6.0		**REIM URSA LES**																	
6.1		REPRODUCTION SERVICES																$3,000	
6.2		TRAVEL																$3,000	
6.3		SURVEYING: 31,510 @ $3.5/lf																$110,285	
6.4		GEOTECHNICAL EVALUATION: 31,510 lf @ $1.0 / lf																$31,510	
6.5		UNDERGROUND UTILITY VERIFICATION																$40,000	
		Sub-total Reimbursables																$187,795	
		TOTAL HOURS	**240**	**939**	**107**	**733**	**434**		**183**	**500**	**1,735**	**328**	**1,343**	**818**	**46**	**81**	**7,080**		REIMBURSABLES $187,795
		TOTAL FEE ESTIMATE	36,372	126,793	13,420	78,907	46,720		16,640	45,465	132,381	25,026	72,992	44,458	1,923	3,387	644,485	**$832,280**	$832,280
		Hourly Rates	$151.55	$135.03	$125.42	$107.65	$107.65	$90.93	$90.93	$90.93	$76.30	$76.30	$54.35	$54.35	$41.81	$41.81			
	LA- 49																		
	WM- 22																		
	RW- 139																		
	SW- 20																		
	TOTALS 230																		

418

ATTACHMENT 2

Chartrand, Jorge

From: Vidal, Bert J. [bvidal@hazenandsawyer.com]
Sent: Monday, March 22, 2004 8:36 AM
To: Rolandelli, Alex
Cc: Chartrand, Jorge; Meyers, Joyce; Hoffman, John O.
Subject: FW: Biscayne Pointe ROW Project - Fee Proposal from Corradino in Preparation for Second Negotiation Session

Importance: High

Drawing List First Negotiation... Biscayne Pointe Design Fee Pro...

Good morning:
Just touching base on this issue as a brief reminder.
The BODR was completed in October 15, 2003. Please advise on proposed City direction.
Thanks Bert

-----Original Message-----
From: Vidal, Bert J.
Sent: Wednesday, March 03, 2004 8:55 AM
To: Alex Rolandelli (alexrolandelli@miamibeachfl.gov)
Subject: FW: Biscayne Pointe ROW Project - Fee Proposal from Corradino in Preparation for Second Negotiation Session
Importance: High

FYI

-----Original Message-----
From: Vidal, Bert J.
Sent: Friday, February 20, 2004 4:59 PM
To: Jorgechartrand (E-mail)
Cc: Hoffman, John O.
Subject: Biscayne Pointe ROW Project - Fee Proposal from Corradino in Preparation for Second Negotiation Session
Importance: High

Jorge:
Joe Corradino has submitted the attached fee proposal for design / bid / award and cm on the subject project. As was the case with North Shore, we have taken the liberty of preparing our interpretation of the required drawing list (which we suggest be included with any contract amendment that may result from these efforts).

Following is a summary of points of interest for you consideration:
- Total fee being requested by Corradino for Design / Bid / Award and CM Services is $832,230, which is ~$50,000 higher the value requested during the First Negotiation Session of $782,877.

- To date, the fee expended by Corradino for Biscayne Point Planning is $90,512. When added to the requested fee of $832,230, this totals a fee of $922,742. The estimated construction / contingency budget for the Biscayne Point neighborhood is $6,414,936. This represents ~14.3%.

- The estimated drawing count from Corradino totals 230 sheet (although LA 1 through 5 are not identified). Our estimate is 219 sheets.

ATTACHMENT 3

- Revisions to total lengths of watermains and stormwater priority basin improvements, appear to match previously established boundaries.

- Note that limitations to certain Construction Administration Activities have been noted by the Consultant that we believe the City should take note of and address accordingly. These include the following:

* Unlike on North Shore, the Consultant has not taken exception to the fee request not including "time to process plans through building department. This will be done hourly" . We believe that this point should be clarified since it is unclear why the Consultant would take a position such as this one project but nor the other.

* The Consultant has assumed that they will respond to a maximum of 50 RFIs during the progress of the project. We would anticipate that his number will be readily exceeded and additional services then required.

* The Consultant has not indicated a limitation to either Change Order (Task 4.6) or Contract Document Clarification (Task 4.4) Item processing, yet they do include limitations on RFIs and Shop Drawing Reviews. It is recommended that clarification as to the intention of all parties be verified.

* The Consultant has noted that they will process up to 12 shop drawings and 6 resubmittal. We would anticipate that his number will be readily exceeded and additional services then required.

* The Consultant has allowed for only 12 specialty site visits during a 18 month project. This is equivalent to only one visit every 1.5 months. We anticipate that this allowance will be readily exceeded and additional services then required.

Please take a look at the attached and advise how you would like to proceed.

Thanks
Bert

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

Capital Improvement Projects Office

Telephone 305-673-7071
Facsimile 305-673-7073

July 2, 2004

The Corradino Group
Joseph Corradino
4055 NW 97 AVE
MIAMI, FL 33178

RE: RIGHT OF WAY INFRASTRUCTURE PROGRAM
NEIGHBORHOOD NO. 1 – BISCAYNE POINT

Dear Joe:

The City has carefully and thoroughly reviewed your latest proposal for Professional Services for the Design, Bid, Award and Construction Administration for the above mentioned neighborhood project. Your current proposal is approximately $50,000 higher than the previous proposal, which is surprising given the discussion during the first negotiating session. After careful evaluation and several internal discussions, the City considers the amount of your proposal above the standard expected level of services fee for this type of project and not in keeping with the fees negotiated with other consultants for similar tasks.

In addition, your proposal includes limitations and caveats that are not acceptable to the City. For example, the exclusion of services for the processing of documents through the regulatory agencies expressed in the North Shore Neighborhood proposal is not presented in this proposal. This leads the City to believe that the increase in fee from the previous discussion is at least partly due to this service, but the City will not consider it as such since the regulatory process service is the responsibility of the consultant as defined in the tasks of the standard Agreement.

Similarly, your proposed limitations to the reviews of Requests for Information, and Shop Drawings and Technical Submittals, are also not acceptable since the City believes the allowances you are proposing will be exceeded and therefore additional services would be incurred which the City is not prepared to accept. Again, these are items which are the consultant's responsibility and must be included in the proposal without limitation.

Finally, your allowance of twelve specialty site visits during the construction period of the project is also inadequate for the duration as well as for the expected complexity of the project. Theses site visits are viewed by the City as critical to the appropriate construction of the project and therefore should not be limited to such a small amount.

After our initial negotiating session and the several negotiating sessions on the North Shore Neighborhood, the City expected a more realistic and reasonable approach to this process and that The Corradino Group would present a proposal more in keeping with the discussions held with staff. A fee representing over fourteen percent of the construction value of the project is not what the City

N-BPTROW – 01a – 07022004 – JECH - 01

ATTACHMENT 4

considers competitive and is not comparable to fees for services in projects of higher complexity than the subject project.

It appears that at this time, your firm and the City are unable to agree on a fee more in line with the expectations of both parties and that further negotiations would not be fruitful or conducive to an Agreement acceptable to both. Therefore, the City has decided to reject your latest proposal for this project and to end negotiations on this matter. The City intends to issue promptly a new Request for Qualifications for the design and construction administration of the project.

Consider this letter a termination of the Agreement existing between the City and the Corradino Group for this Project. The Corradino Group shall deliver to the City an electronic version of the completed documents for Phase 1, Planning and Schematic Design, including the Basis of Design Report, any schematic drawings, estimates, and any available calculations as a close out submittal for the Project. The City appreciates your interest on this project and on the City's activities and wishes you and your firm continued success on your future endeavors.

Sincerely,

Jorge E. Chartrand
Assistant Director

c: Tim Hemstreet, Director
Ronnie Singer, Community Information Manager
Alex Rolandelli, Senior Capital Projects Coordinator
Luz Maria Ciccia, Senior Planner
Bert Vidal, Hazen & Sawyer

F:\CAPI\$all\chartrand\Biscayne Point Proposal Rejection.doc

THE CORRADINO GROUP

CORRADINO

ENGINEERS PLANNERS ARCHITECTS CONSTRUCTORS

ARCH. LIC. NO. AA0002957

July 12, 2004

Mr. Jorge Chartrand, Assistant Director
Capital Improvement Project
MIAMI BEACH CITY HALL
1700 Convention Center Drive
Miami Beach, FL 33139

Dear Mr. Chartrand:

While I regret that the City has decided to accept other bids for work on both the North Shore and Biscayne Pointe projects, it is factual that costs provided by Corradino were developed after careful consideration of the City's needs and desires after several meetings and discussions with you and your staff. In short, the costs are for what you asked for. Not only are these costs realistic and reasonable, they are within industry standards for such services. The Corradino Group could not perform the services for less and be profitable doing so.

As you know, The Corradino Group has no existing agreement for the design of these facilities. In addition, the City is currently in possession of all required documentation. The Corradino Group will pursue this matter with the City no further.

Sincerely,
THE CORRADINO GROUP

Joseph M. Corradino, AICP
Executive Vice President

JMC/lt

Cc: Tim Hemstreet, Director
Ronnie Singer, Community Information Manager
Alex Rolandelli, Senior Capital Projects Coordinator
Luz Maria Ciccia, Senior Planner
Bert Vidal, Hazen & Sawyer
Fred P'Pool, The Corradino Group
Steve Sullivan, The Corradino Group

N - NorthROW - Ola 07/12/2004
N - BPTROW - Ola - 07/12/2004 ✓

J:Projects/3048/NorthShore
J:Projects/3097/BiscaynePointe

4055 NW 97th AVENUE • MIAMI, FLORIDA 33178
TEL. 305.594.0735 • FAX 305.594.0755
WWW.CORRADINO.COM

ATTACHMENT 5

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

Capital Improvement Projects Office

Telephone (305) 673-7071
Facsimile (305) 673-7073

September 24, 2004

VIA Facsimile (305) 594-0755 and US Mail

Joseph M. Corradino, AICP
Executive Vice President
The Corradino Group
4055 NW 97 Avenue
Miami, FL 33178

Re: Services for Biscayne Point Neighborhood Project

Dear Mr. Corradino:

In 2003, The Corradino Group completed a Basis of Design Report for the above noted neighborhood in the City of Miami Beach. This work was completed pursuant to a Request for Qualifications that The Corradino Group (Corradino) responded to, and for which, an Agreement for the preparation of the Basis of Design Report (BODR) was executed.

As you are aware, the Agreement contemplated only pre-design services, in other words the preparation of the BODR. The reason for this was based on the uncertainty of the final scope of work that would be designed and then constructed at the time the BODR scope was negotiated. It was always contemplated that the City and Corradino would enter into a negotiation process post-BODR for the remaining phases of work.

Unfortunately, City staff and Corradino were not able to agree on a fee and the City staff sent Corradino a letter ending the negotiations as an impasse.

On September 8, 2004, the City staff recommended that the City Commission issue another Request for Qualifications for the preparation of construction documents, bid and award services, and construction administration services for the implementation of the BODR that Corradino prepared. The City Commission, due to concerns about the time involved with another RFQ process, chose to defer the item until their October 13, 2004 meeting. In the meantime, the Commission requested staff to provide additional information regarding the staff decision to discontinue negotiations with Corradino.

Pursuant to this request, please advise if Corradino is willing to continue with the project in accordance with its last proposed fee for the scope of services provided by the City. Our

N-BPT ROW-01a-09242004-TH-01

ATTACHMENT 6

records indicate the last proposed fee for Design/Bid/Award/Construction Administration services was $832,230, inclusive of reimbursables. Please also advise if Corradino is willing to continue with the project, but would request a change in fee. This is being requested for informational purposes. If Corradino is interested in continuing with the project, please understand that the City Commission would need to make a determination to accept the fee for the scope of work and also award the Agreement.

Thank you for your attention to this matter. Please note that the deadline for City Commission items is October 4, 2004. Please let me know if you have any questions or concerns regarding this issue.

Sincerely,

Tim Hemstreet,
Director

TH

c: Jorge E. Chartrand, Assistant Director

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THE CORRADINO GROUP

CORRADINO

ENGINEERS PLANNERS ARCHITECTS CONSTRUCTORS

ARCH. LIC. NO. AA0002957

RECEIVED

2004 SEP 30 PM 12: 30

CITY OF MIAMI BEACH
CAPITAL IMPROVEMENT
PROJECTS

September 24, 2004

Mr. Tim Hemstreet, CIP Director
CITY OF MIAMI BEACH
1700 Convention Center
Miami Beach, FL 33139

VIA US Mail and
Facsimile No. 305-673-7073

RE: Services for Biscayne Point Neighborhood Project

Dear Mr. Hemstreet:

Thank you for your reconsideration of this matter. Unfortunately, Corradino must decline the offer to continue services on the Biscayne Point Project.

Respectfully,
THE CORRADINO GROUP

Joseph M. Corradino, AICP
Executive Vice President

N-BPT ROW-01a-09302004

J:Projects/3097/Planning/Contract/Decline Ltr THemstreet 9-24-04

4055 NW 97th AVENUE • MIAMI, FLORIDA 33178
TEL. 305.594.0735 • FAX 305.594.0755
WWW.CORRADINO.COM

ATTACHMENT 7

RESOLUTION TO BE SUBMITTED

CITY OF MIAMI BEACH
CITY COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution consenting to a modification of the Letter Agreement between the RDA, the City of Miami Beach and the Courts at South Beach, dated March 25, 2003, extending the closing date to December 31, 2004, subject to certain limitations and conditions and appropriating $42,415.35 in available South Pointe Redevelopment Area Trust Funds towards improvements of the library space.

Issue:

On February 26, 2003, Miami Beach Redevelopment Agency (RDA) adopted Resolution 444-2003, authorizing the RDA to exercise it's option to purchase the 5,000 square foot space (the "Facility") within "The Courts" project (f/k/a The Cobb Project) and to contribute the Facility to the City of Miami Beach for uses including a library and such other public uses as permitted and as mutually agreed to by the parties. The RDA Board further approved a Letter Agreement Modification of Paragraph 4 of the Fourth Extension and Clarification Agreement (the Letter "Agreement") between the Miami Beach Redevelopment Agency, the City of Miami Beach and the Courts (Developer), setting forth the parameters for the RDA to exercise its option. Among the provisions of the Letter Agreement was an extension of time to close on the transaction by September 30, 2004. Due to certain scheduling conflicts as well as remaining Certificate of Occupancy issues, outside of the Developer's control, the parties have mutually agreed to extend the closing date to no later than December 31, 2004. Staff has subsequently drafted a Modification to the Letter Agreement, defining the terms for the proposed extension. A copy is included with the Commission Memorandum.

The Developer has also submitted a cost break-down associated with the build-out of the library space, for which the Developer is seeking reimbursement for certain costs outside of the scope of work, totaling $27,215.25, which the Administration has reviewed and considers reasonable. In addition, pursuant to the Letter Agreement, the RDA must reimburse the Developer for costs associated with the design, preparation of construction documents and permitting, totaling $15,200.10. The combined total due to the Developer is $42,415.35.

Item Summary/Recommendation:

Adopt the Resolution.

Advisory Board Recommendation:

Financial Information:

Source of Funds:		Amount	Account	Approved
S. Pointe TIF	1	$42,415.35		
	2			
	3			
	4			
Finance Dept.	Total			

City Clerk's Office Legislative Tracking:

Christina M. Cuervo/Kent O. Bonde

Sign-Offs:

Department Director	Assistant City Manager	City Manager
	CMC	Jang

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AGENDA ITEM R7H

DATE 10-13-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the Miami Beach City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CONSENTING TO EXECUTE A MODIFICATION OF THE LETTER AGREEMENT BETWEEN THE MIAMI BEACH REDEVELOPMENT AGENCY, THE CITY OF MIAMI BEACH AND THE COURTS AT SOUTH BEACH LIMITED, A FLORIDA LIMITED PARTNERSHIP F/K/A COBB PARTNERS SOUTH BEACH LIMITED, DATED MARCH 25, 2003; SAID MODIFICATION EXTENDING THE CLOSING DATE ON THE LIBRARY FACILITY TO DECEMBER 31, 2004, SUBJECT TO CERTAIN CONDITIONS AND LIMITATIONS EXPRESSED THEREIN; AND FURTHER APPROPRIATING $42,415.35 IN AVAILABLE SOUTH POINTE REDEVELOPMENT AREA TRUST FUNDS TOWARD IMPROVEMENTS TO THE LIBRARY SPACE.**

RECOMMENDATION:

Adopt the Resolution.

ANALYSIS:

On February 26, 2003, Miami Beach Redevelopment Agency (RDA) adopted Resolution 444-2003, authorizing the RDA to exercise it's option to purchase the 5,000 square foot space (the "Facility") within "The Courts" project (f/k/a The Cobb Project) and to contribute the Facility to the City of Miami Beach for uses including a library and such other public uses as permitted and as mutually agreed to by the parties. The RDA Board further approved a Letter Agreement Modification of Paragraph 4 of the Fourth Extension and Clarification Agreement between the Miami Beach Redevelopment Agency, the City of Miami Beach, and the Courts at South Beach Limited, a Florida limited partnership f/k/a Cobb Partners South Beach, Ltd., dated July 26, 2000 (the "Letter Agreement"). The Letter Agreement which was executed on March 25, 2003, sets forth the parameters for the RDA to exercise its option and provided for the following:

- extending the timeframe for the closing of the transaction until September 2004, instead of within 180 days of March 31, 2003;
- delaying payment of the first installment in the amount of $27,500 until the closing date in September, 2004, with each additional nine installment of $27,500 to be paid on the anniversary date of the exercise of the closing of the transaction; and

- Allowing the Developer to remain in the facility and continue its Sales Center use until April 2004, provided that Developer perform the retrofit/build-out of the 5,000 square foot space, which is to be completed by September 2004, and at its sole cost, estimated to be approximately $86,420.

On April 14, 2004, subsequent to extensive community input and support, the RDA Board authorized the Administration to commit the 5,000 square foot facility for use as a Library. Since this time, the Developer has proceeded to build out the space according to plans and specifications provided by the Miami-Dade County Library System, which upon completion, will include a computer facility, an expanded book collection, and a children's area for story-reading programs.

On September 23, 2004, the RDA and the Developer determined that due to conflicting schedules during the last week of September and first week of October, 2004, it would be within the best interest of the parties to extend the closing date to a mutually acceptable date in the future. On September 30, 2004, a meeting was held on-site with the Developer, representatives from the Library System and City staff to conduct a walk-through of the space, which received a TCO on October 1, 2004. Although the space has been completed, a full Certificate of Occupancy (CO), cannot be obtained until the Library System installs the shelving and furnishings, which is anticipated to occur during the first week of December, 2004. Once this happens, Accessibility can sign off on the permit.

Since the CO is not subject to a delay by the Developer, the Administration recommends extending the closing date to no later than December 30, 2004. This will also preclude the City from having to maintain the space until such time that the Library installs the furnishings and the CO is granted.

Staff has subsequently drafted the attached Modification to the Letter Agreement, which shall serve to modify and amend the understanding between parties with respect to the closing provisions stipulated on Page 2, Paragraph 7 of the Letter Agreement. The proposed modifications are as follow:

- The extension of time for closing the transaction is granted so that closing may be delayed until no later than December 30, 2004, instead of September 30, 2004.
- Developer acknowledges and agrees it will remain responsible for obtaining final CO upon Miami-Dade Library System's placement of furnishings within the premises, anticipated to occur around December 1, 2004.
- Closing of the transaction shall be contingent upon completion of improvements to the facility by the Developer and obtaining a final CO.

Pursuant to the terms of the Interlocal Agreement between the City of Miami Beach and Miami-Dade County dated June 20, 1986, the City is responsible to "pay all costs to relocate the library". As such, in March 2003, the City negotiated for the Developer to complete a substantial portion of the retrofit required by the Library in exchange for an extended closing date and their continued use of the space during said period. Accordingly, the Developer has furnished the RDA with a breakdown of costs and back-up for the build-out of the space, totaling $112,858.35, a copy of which is included with this

memorandum. While the retrofit/build-out of the space was the sole responsibility of the Developer, the scope was only to include demolition of the demising walls, installation of electrical lines, lighting, sprinklers, HVAC and conduits with pull strings for computer and data lines. However, in order to finish the space to meet the Library System's criteria as well as to address certain code and regulatory requirements, the Developer had to exceed the defined scope and is seeking reimbursement for this work, in the amount of $27,215.25. This additional scope included installation of a drop ceiling, new flooring and painting. It should be noted that the Developer was also seeking reimbursement for the installation of drywall, but subsequently agreed to incur the cost as part of the construction budget.

Pursuant to the terms of the Letter Agreement, the design, preparation of construction documents and permitting costs are the obligation of the RDA, at a total cost of $15,200.10. As such, the Administration recommends appropriating a total of $42,415.35 from available South Pointe Redevelopment Area Trust Funds, to reimburse the Developer for costs related to the build-out of the library space.

JMG/CMC/KOB/rar
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Enclosures: Modification of Letter Agreement dated March 25, 2003
Library space cost break-down

South Shore Library Cost Break-Down

Developer's Base Scope (per Letter Agreement, dated March 25,2003)

Fire Sprinkler	$ 5,943.00
HVAC	$ 14,000.00
Electrical & Lighting	$ 30,500.00
Fire Security	$ 4,000.00
Total Base Scope:	$ 54,443.00
Addt'l Scope	$ 16,000.00
Total Developer's Costs:	**$ 70,443.00**

Costs To RDA

Addt't Scope:	
Painting	$ 3,780.00
Ceiling	$ 10,500.00
Flooring	$ 12,935.25
Total Addt'l Scope:	$ 27,215.25
Obligations:	
Design Costs	$ 13,500.00
Permit Costs	$ 1,700.10
	$ 15,200.10
Total Cost to RDA:	**$ 42,415.35**
TOTAL COSTS:	**$ 112,858.35**

RESOLUTION NO._____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A MODIFICATION OF THE LETTER AGREEMENT BETWEEN THE MIAMI BEACH REDEVELOPMENT AGENCY, THE CITY OF MIAMI BEACH AND THE COURTS AT SOUTH BEACH LIMITED, A FLORIDA LIMITED PARTNERSHIP F/K/A COBB PARTNERS SOUTH BEACH LIMITED, DATED MARCH 25, 2003; SAID MODIFICATION EXTENDING THE CLOSING DATE ON THE LIBRARY FACILITY TO DECEMBER 31, 2004, SUBJECT TO CERTAIN CONDITIONS AND LIMITATIONS EXPRESSED THEREIN; AND FURTHER APPROPRIATING $42,415.35 IN AVAILABLE SOUTH POINTE REDEVELOPMENT AREA TRUST FUNDS TOWARD IMPROVEMENTS TO THE LIBRARY FACILITY.

WHEREAS, on February 26, 2003, the Chairman and Members of the Miami Beach Redevelopment Agency (RDA) adopted Resolution 444-2003, authorizing the RDA to exercise its option to purchase the 5,000 square foot space within "The Courts" project (f/k/a The Cobb Project) and to contribute the facility to the City of Miami Beach for uses including a library and such other public uses as permitted and as mutually agreed to by the parties (the Library Facility); and

WHEREAS, on March 25, 2003, the parties also execised a Letter Agreement Modification of Paragraph 4 of the Fourth Extension and Clarification Agreement between the Miami Beach Redevelopment Agency, the City of Miami Beach, and the Courts at South Beach Limited, a Florida limited partnership f/k/a Cobb Partners South Beach, Ltd. (the "Parties"), dated July 26, 2000 (the "Letter Agreement"); and

WHEREAS, the Letter Agreement sets forth the parameters for the RDA to exercise its option to purchase the Library Facility and generally provides for the following:

- extending the timeframe for the closing of the transaction until September 2004, instead of within 180 days of March 31, 2003;
- delaying payment of the first installment, in the amount of $27,500, until the closing date in September, 2004, with each additional nine installments of $27,500 to be paid on the anniversary date of the exercise of the closing of the transaction;
- allowing the Developer to remain in the Library Facility and continue its Sales Center use until April 2004, provided that the Developer perform the retrofit/build-out of the 5,000 square foot space, which was to be completed by September 2004, at its sole cost; and

WHEREAS, on April 14, 2004, subsequent to extensive community input and support, the RDA authorized the Administration to commit the 5,000 square foot space for use as a Library Facility; and

WHEREAS, in accordance with the provisions of the Letter Agreement, the Developer has proceeded to build out the Library Facility according to plans and specifications provided by the Miami-Dade County Library System, which upon completion, will include a computer facility, an expanded book collection, and a children's area for story-reading programs; and

WHEREAS, the Library Facility received a Temporary Certificate of Occupancy (TCO) on October 1, 2004, but cannot obtain a full Certificate of Occupancy (CO), until the Library System installs the shelving and furnishings, which is anticipated to occur during the first week of December, 2004; and

WHEREAS on September 23, 2004, the Parties determined that due to conflicting schedules during the last week of September and first week of October, 2004, it would be within the best interest of the parties to extend the closing date to a mutually acceptable date in the future; and

WHEREAS, the City and RDA Administration recommend extending the closing date to no later than December 30, 2004; and

WHEREAS, the City and RDA Administration recommend approving the attached Letter Agreement, which serves to modify and amend the understanding between the Parties with respect to the closing provisions stipulated on Page 2, Paragraph 7 of the Letter Agreement, dated March 25, 2003, as follows:

- the extension of time for closing the transaction is granted so that closing may occur no later than December 30, 2004, instead of September 30, 2004;
- the Developer acknowledges and agrees it will remain responsible for obtaining final CO upon Miami-Dade Library System's placement of furnishings within the premises, anticipated to occur around December 1, 2004;
- closing of the transaction shall be contingent upon completion of improvements to the Library Facility by the Developer and obtaining a final CO; and

WHEREAS, the Developer has furnished the RDA with a breakdown of costs and back-up for the build-out of the Library Facility, totaling $112,858.35; and

WHEREAS, while the retrofit/build-out of the Library Facility was the sole responsibility of the Developer, the scope was only to include demolition of the demising walls, installation of electrical lines, lighting, sprinklers, HVAC and conduits with pull strings for computer and data lines; and

WHEREAS, in order to finish the Library Facility to meet the Library System's criteria as well as to address certain code and regulatory requirements, the Developer had to exceed the defined scope and is seeking reimbursement for this work, in the amount of $27,215.25; and

WHEREAS, pursuant to the terms of the Letter Agreement, the design, preparation of construction documents and permitting costs are the obligation of the RDA, at a total cost of $15,200.10; and

WHEREAS, the Administration recommends appropriating a total of $42,415.35 from available South Pointe Redevelopment Area Trust Funds, to reimburse the Developer for costs related to the build-out of the Library Facility.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve and authorize the City Manager to execute a Modification of the Letter Agreement between the Miami Beach Redevelopment Agency, the City of Miami Beach and the Courts at South Beach Limited, a Florida Limited Partnership, f/k/a Cobb Partners South Beach Limited, dated March 25, 2003; said Modification extending the closing date on the Library Facility to December 31, 2004, subject to certain conditions and limitations; and further appropriating $42,415.35 in available South Pointe Redevelopment Area Trust Funds toward improvements to the Library Facility.

PASSED AND ADOPTED this 13th day of October, 2004.

MAYOR

ATTEST:

CITY CLERK

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 10-6-04
Date

ALL SUPPORTING DOCUMENTS ARE INCLUDED WITH THE REDEVELOPMENT AGENCY (RDA) ITEM

R9

NEW BUSINESS AND
COMMISSION REQUEST

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH FLORIDA 33139

OFFICE OF THE CITY CLERK

CITY HALL
1700 CONVENTION CENTER DRIVE
TELEPHONE: 673-7411

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **BOARD AND COMMITTEES**

BACKGROUND:

Attached are the applicants that have filed with the City Clerk's Office for Board and Committee appointments.

ADMINISTRATION RECOMMENDATION:

That appointments be made as indicated.

VACANCIES

BOARD OR COMMITTEE:	TOTAL MBRS.	APPOINTED BY:	TOTAL VAC.	PAGE
Community Development Advisory Committee	14	Commissioner Matti H. Bower	1	Page 11
		Mayor David Dermer	1	
Convention Center Advisory Board	7	Mayor David Dermer	1	Page 15
Convention Center Capital Projects Oversight Com.	7	Mayor David Dermer	1	Page 16
Design Review Board	7	City Commission	1	Page 18
Fine Arts Board	14	Commissioner Jose Smith	1	Page 19

AGENDA ITEM R9A
DATE 10-13-04

VACANCIES

BOARD OR COMMITTEE:	TOTAL MBRS.	APPOINTED BY:	TOTAL VAC.	PAGE
Hispanic Affairs Committee	7	Mayor David Dermer	1	Page 24
Miami Beach Commission on Status of Women	21	Commissioner Jose Smith	2	Page 29
Miami Beach Florida Sister Cities	24	Mayor David Dermer	4	Page 32
Parks and Recreational Facilities Board	10	Mayor David Dermer	1	Page 35
Personnel Board	10	City Commission	1	Page 36
Safety Committee	14	Commissioner Saul Gross	1	Page 42

Attached is breakdown by Commissioner or City Commission:

JMG:REP/lg

City Commission Committees

Committee	Position	First Name	Appointed by	Appointed
Finance & Citywide Projects Committee				
	Liaison	Patricia Walker	Mayor Dermer	11/25/03
	Alternate	Commissioner Simon Cruz	Mayor Dermer	11/25/03
	Vice-Chair	Commissioner Richard L. Steinberg	Mayor Dermer	11/25/03
	Chairperson	Commissioner Jose Smith	Mayor Dermer	11/25/03
	Member	Commissioner Matti Herrera Bower	Mayor Dermer	11/25/03
Land Use & Development Committee				
	Liaison	Jorge Gomez	Mayor Dermer	11/25/03
	Alternate	Commissioner Jose Smith	Mayor Dermer	11/25/03
	Member	Commissioner Saul Gross	Mayor Dermer	11/25/03
	Chairperson	Commissioner Luis R. Garcia	Mayor Dermer	11/25/03
	Member	Commissioner Matti Herrera Bower	Mayor Dermer	11/25/03
Neighborhood/Community Affairs Committee				
	Liaison	Vivian Guzman	Mayor Dermer	11/25/03
	Alternate	Commissioner Luis R. Garcia	Mayor Dermer	11/25/03
	Member	Commissioner Richard L. Steinberg	Mayor Dermer	11/25/03
	Chairperson	Commissioner Matti Herrera Bower	Mayor Dermer	11/25/03
	Member	Commissioner Saul Gross	Mayor Dermer	11/25/03

NON-CITY COMMISSION COMMITTEES

Commissioner Matti Herrera Bower

- Miami Beach Transportation Management Association (TMA)
- Dade Cultural Alliance
- Tourist Development Council
- Performing Arts Center Trust (PACT)

Commissioner Luis R. Garcia, Jr.

- Unclassified Employees and Elected Officials Retirement System
- Greater Miami Convention and Visitors Bureau

Commissioner Jose Smith

- Metropolitan Planning Organization

Commissioner Richard L. Steinberg

- Miami-Dade County Homeless Trust Board - Appointed by Miami-Dade League of Cities
- Miami-Dade League of Cities

C: MDB
BP
LC

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO: JORGE M. GONZALEZ
CITY MANAGER

FROM: SIMON CRUZ
COMMISSIONER

DATE: JULY 9, 2004

RE: MARCELO LLORENTE NOMINATION TO THE PERSONNEL BOARD

Please place on the July 28th, 2004 City Commission Agenda an item nominating Mr. Marcelo Llorente to the Personnel Board. His application and resume has been provided to the City Clerk's office.

SC/ml

Agenda Item R9A1
Date 10-13-04

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C: MDB
LC

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO: JORGE M. GONZALEZ
CITY MANAGER

FROM: SAUL GROSS SG
COMMISSIONER

DATE: JULY 21, 2004

RE: ALEX DEGASPERI NOMINATION TO THE PERSONNEL BOARD

Please place on the July 28th, 2004 City Commission Agenda an item nominating Mr. Alex DeGasperi to the Personnel Board. His application and resume has been provided to the City Clerk's office.

SC/ml

Agenda Item R9A2
Date 10-13-04

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R9 - New Business and Commission Requests

R9B(1)	Dr. Stanley Sutnick Citizen's Forum.	(1:30 p.m.)
R9B(2)	Dr. Stanley Sutnick Citizen's Forum.	(5:30 p.m.)

AGENDA ITEM R9B 1+2
DATE 10-13-04

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c: Bob M.
Fred B.
Lilia C.

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CITY MANAGERS OFFICE
BY _____

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO: CITY ATTORNEY

FROM: LUIS R. GARCIA JR.
COMMISSIONER

DATE: AUGUST 18, 2004

RE: AGENDA ITEM

Please place as a discussion item on the October 13, 2004 Commission agenda with a 10:00 a.m. time certain the possibility of updating the ADA code to include innovative forms of vehicles such as a scooter type wheelchair for the disabled population.

Agenda Item R9C
Date 10-13-04

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c: Bob
Lila

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CITY MANAGER'S OFFICE
BY

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO: MURRAY DUBBIN
CITY ATTORNEY

CC: JORGE GONZALEZ
CITY MANAGER

FROM: RICHARD STEINBERG RLS/DM
COMMISSIONER

DATE: September 16, 2004

RE: **Resolution Requesting the Florida State Legislature and the Public Service Commission to Study the Weaknesses in the Power Grid**

Please draft a resolution for the October 13th Commission Meeting requesting that the Florida State Legislature and the Public Service Commission conduct a study to determine the weaknesses in Florida's power grid which cause power outages during hurricanes, including a cost benefit analysis for any alternatives (i.e. underground lines).

If you have any questions, please feel free to contact my Aide, Ms. Dolores Mejia, at extension 6834.

RLS/dm

Attachments: Newspaper Article, Miami Herald 9/15/04

Agenda Item R9D
Date 10-13-04

The Miami Herald
Herald.com

Posted on Wed, Sep. 15, 2004

HURRICANES

Power outages spark outrage

Broward County commissioners urged a study of the state's power grid, to determine why so many people lost power before and during Hurricane Frances.

BY ERIKA BOLSTAD
ebolstad@herald.com

Broward County commissioners did some post-Hurricane Frances cleanup of their own Tuesday, passing a resolution that asks state lawmakers to consider studying weaknesses in Florida's power grid.

Since Hurricane Frances stuck Broward County with only a glancing blow, commissioners asked, why were there record power outages here and in other areas like Miami-Dade County, where the weather was unremarkable?

"If you look at the system, it's archaic," said Commissioner Ben Graber. ``We're still hanging power lines the way Thomas Edison did."

The commission also wants a cost analysis of the expense of placing more power lines underground, something that could be required in new developments and in redevelopment projects, said Commissioner Kristin Jacobs.

"I would think that we may be able to compel new development projects to put their lines underground," Jacobs said. ``I think we ought to take a multipronged approach to this problem, and this is just one way to tackle it."

At the storm's height, an estimated 2.8 million people lost power, said Florida Power & Light spokesman Bill Swank. Some 1.8 million were FPL customers, making the outages the largest the company ever experienced.

FPL officials estimate that power will be restored to everyone by Friday, and defended the company's efforts to turn the lights back on after the one-two punches of Charley and Frances.

"No other utility in the country has ever faced a power outage of such magnitude and has restored the power in such a short period of time," Swank said. ``Everyone thinks of their own situation, and they miss the big picture sometimes."

All Broward County homes had power by Tuesday, but 12 of the 30 Florida counties hit by outages from Frances still had areas without electricity. Of those 129,500 without power, more than 52,000 are in Palm Beach County, which along with the Treasure Coast was hit much harder by the storm.

"We're certainly not the only county that was affected by a power loss," said County Administrator Roger Desjarlais, warning commissioners that they were considering expensive options based on the county's relatively minor brush with the storm.

"Many, many more counties were affected for far more time than we were," he noted.

Underground lines cost about 10 times the amount of traditional poles, Swank said, but became an increasingly popular option after Hurricane Andrew. FPL can install underground lines and tack a surcharge onto the bills of the customers who have them, Swanks said.

About one-third of the company's distribution network is underground -- an estimated 60,000 miles of lines.

Swank pointed out that underground lines have their own problems. They can be flooded in a storm, and it can be difficult to find and repair problems.

As a result, it can take longer to return power to areas with underground lines when they're knocked out.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, REQUESTING THE FLORIDA LEGISLATURE AND THE FLORIDA PUBLIC SERVICE COMMISSION TO CONDUCT A STUDY TO DETERMINE THE WEAKNESSES IN FLORIDA'S POWER GRID THAT CAUSE POWER OUTAGES DURING HURRICANES AND TO INCLUDE A COST BENEFIT ANALYSIS FOR ALTERNATIVES INCLUDING, BUT NOT LIMITED TO, UNDERGROUND POWER LINES.

WHEREAS, for six months every year, the State of Florida experiences a hurricane season in which it is subject to hurricanes, tropical storms, and increased incidents of tornadoes, flooding, and other effects; and

WHEREAS, during the 2004 hurricane season, Florida has suffered catastrophic losses as a result of the effects of Hurricanes Charley, Frances, and Ivan; and

WHEREAS, although Broward and Miami-Dade Counties did not suffer the extent of devastation and property loss suffered throughout other parts of the State during Hurricane Frances, there were record power outages in those counties; and

WHEREAS, after Hurricane Frances alone, an estimated 2.8 million people lost power and after Hurricane Ivan, thousands more continue to suffer the effects of no electricity in addition to other devastating losses; and

WHEREAS, in order to address the problems associated with widespread power outages throughout the State in the event of a natural disaster, such as a hurricane or a tropical storm, the Mayor and City Commission hereby request that the Florida Legislature and the Florida Public Service Commission conduct a study to determine the weaknesses in Florida's power grid which have resulted in massive power outages before, during, and after hurricanes, and, to include in such study, a cost benefit analysis for alternatives such as underground power lines.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA that the Florida Legislature and the Florida Public Service Commission are hereby requested to study the weaknesses in the power grid in Florida, including a cost benefit analysis for any alternatives including, but not limited to, underground power lines.

PASSED and **ADOPTED** this _____ day of September, 2004.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney 9-22-04 Date

F:\atto\TURN\RESOS\power outages study in state.doc

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CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO:	**JORGE GONZALEZ** **CITY MANAGER**
CC:	**DAVID KELSEY**
FROM:	**RICHARD STEINBERG** RLS\DM **COMMISSIONER**
DATE:	**October 8, 2004**
RE:	**Discussion Item regarding the GMCVB Contract and the City's Tourism Needs**

I would like to receive an update on the status of the negotiations between the Administration and GMCVB regarding the proposed five year contract. Please place this as an item for discussion on the October 13th Commission agenda.

If you need anything further, please feel free to contact my Aide, Ms. Dolores Mejia, at extension 6834.

RLS/dm

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BY

Agenda Item R9E
Date 10-13-04

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R9 - New Business and Commission Requests

R9F The City Commission Will Attend A Ground Breaking Ceremony At Fire Station No. 4 After The Executive Sessions At Noon Break.
(City Manager's Office)

AGENDA ITEM R9F
DATE 10-13-04

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CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO: JORGE M. GONZALEZ
CITY MANAGER

FROM: LUIS R. GARCIA, JR. LRG/sm
COMMISSIONER

DATE: OCTOBER 8, 2004

RE: ITEM FOR DISCUSSION ON THE OCTOBER 13, 2004 COMMISSION MEETING AGENDA

Please place on the October 13, 2004 City Commission Meeting Agenda, a discussion item concerning mandatory evacuation of tourists during a hurricane.

LRG/sm

Agenda Item R9G
Date 10-13-04

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R10
CITY ATTORNEY
REPORTS

OFFICE OF THE CITY ATTORNEY
CITY OF MIAMI BEACH

TO: Mayor David Dermer
Members of the City Commission
City Manager Jorge Gonzalez

FROM: Murray H. Dubbin
City Attorney

SUBJECT: **Notice of Closed Executive Session**

DATE: October 8, 2004

Pursuant to Section 286.011, Florida Statutes, a Closed Executive Session will be held during lunch recess of the City Commission meeting on October 13, 2004in the City Manager's large conference room, Fourth Floor, City Hall, to discuss settlement on the following cases:

> Gloria Rosenthal, Trustee of the Gloria Rosenthal Trust u/a/d 5/19/88, vs. The City of Miami Beach, a political subdivision of the State of Florida. Eleventh Judicial Circuit, General Jurisdiction, Case No. 04-10744 CA 31

The following individuals will be in attendance: Mayor David Dermer; Members of the Commission: Matti H. Bower, Simon Cruz, Luis R. Garcia Jr., Saul Gross, Jose Smith and Richard Steinberg; City Attorney Murray H. Dubbin, City Manager Jorge Gonzalez, and First Assistant City Attorney Rhonda Hasan.

Agenda Item R10A
Date 10-13-04

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OFFICE OF THE CITY ATTORNEY
CITY OF MIAMI BEACH

TO: Mayor David Dermer
Members of the City Commission
City Manager Jorge Gonzalez

FROM: Murray H. Dubbin
City Attorney

SUBJECT: **Notice of Closed Executive Session**

DATE: October 8, 2004

Pursuant to Section 286.011, Florida Statutes, a Closed Executive Session will be held during lunch recess of the City Commission meeting on October 13, 2004in the City Manager's large conference room, Fourth Floor, City Hall, to discuss settlement on the following cases:

> Atlantic Civil, Inc., a Florida corporation, vs. Miami Beach Redevelopment Agency, a public body corporate and politic, vs. National Fire Insurance Company of Hartford. Eleventh Judicial Circuit, General Jurisdiction, Case No. 01-23635 CA 09

The following individuals will be in attendance: Mayor David Dermer; Members of the Commission: Matti H. Bower, Simon Cruz, Luis R. Garcia Jr., Saul Gross, Jose Smith and Richard Steinberg; City Attorney Murray H. Dubbin, City Manager Jorge Gonzalez, First Assistant City Attorney Rhonda Hasan and Special Counsel Steve Siegfried..

Agenda Item R10B
Date 10-13-04

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OFFICE OF THE CITY ATTORNEY

City of Miami Beach

F L O R I D A

MURRAY H. DUBBIN
City Attorney

Telephone: **(305) 673-7470**
Telecopy: **(305) 673-7002**

COMMISSION MEMORANDUM

DATE: October 13, 2004

TO: Mayor David Dermer
Members of the City Commission
City Manager Jorge M. Gonzalez

FROM: Murray H. Dubbin
City Attorney

SUBJECT: **City Attorney's Status Report**

I. LAWSUITS FILED BY OR AGAINST THE CITY OF MIAMI BEACH SINCE THE LAST REPORT

1. Mortgage Electronic Registration Systems, Inc. v. Pedro G. Portal, et al., Eleventh Judicial Circuit, General Jurisdiction, Case No. 04-18123 CA31.

   This is a mortgage foreclosure case for real property located at 5216 Fisher Island Drive, Miami, Florida. Although the property is not located on Miami Beach, in order to protect any potential interests the City may have, an Answer was filed on September 20, 2004.

2. Brendan Casey vs. City of Miami Beach and Patrick Quinlan & Robert Silvagni & Sargent Samuel Gam. United States District Court, Southern District, Case No. 04-22093CIV-JORDAN

   Mr. Casey has brought a suit against the City and Miami Beach Police Officers Patrick Quinlan, Samuel Gam and Robert Silvagni in Federal Court under 42 U.S.C. §1983 claiming excessive force during his 2001 arrest for DUI and drug possession. The City is preparing a response and the individual officers are being represented by outside counsel.

Agenda Item A
Date 10-13-04

3. Tanya Rosado vs. City of Miami Beach, a municipal corporation of the State of Florida and State of Florida Department of Transportation. Eleventh Judicial Circuit, General Jurisdiction, Case No. 04-18634 CA32

   The City was served with this complaint on August 31, 2004, wherein the Plaintiff alleges that on May 15, 2002, she stepped in a hole located at 1011 Purdy Avenue, which caused her to trip and fall. She alleges to have sustained injuries which are unknown at this time. A motion to quash the complaint was filed as it was not served on the proper party and subsequent to that an answer and affirmative defenses will be timely filed and discovery propounded

4. Bruce Wade Patterson vs. City of Miami Beach. Eleventh Judicial Circuit, General Jurisdiction, Case No. 04-18583 CA1

   The City was served with this complaint on August 31, 2004, wherein the Plaintiff alleges that on October 12, 2002, Plaintiff was rollerblading on the concrete pathway in Flamingo Park. He was rollerblading on smooth concrete surface until he reached a large eighteen inch section that had been allegedly recently torn up by the City. His injuries are unknown at this time. An Answer and Affirmative Defenses was timely filed and discovery propounded.

5. Bank One, National Association, as Trustee v. Willy H. Taylor, a/k/a Willy Taylor, et al., Eleventh Judicial Circuit, General Jurisdiction, Case No. 04-18697 CA15.

   This is a mortgage foreclosure case for real property located at 124 N.W. 90th Street, Miami, Florida. Although the property is not located on Miami Beach, in order to protect any potential interests the City may have, an Answer was filed on September 20, 2004.

6. Mark and Robert Tax Certificates, a Florida general partnership, d/b/a Yale Mortgage v. REM Real Estate Corp., et al., Eleventh Judicial Circuit, General Jurisdiction Division, Case No. 04-18325 CA09.

   This is a mortgage foreclosure case for real property located at 549 Meridian Avenue. There are monies due the City for Utilities (water, sewer, storm water). An Answer was filed on September 14, 2004.

7. Mortgage Electronic Registration Systems, Inc. v. Nestor Alvarez, et al., Eleventh Judicial Circuit. General Jurisdiction Division, Case No. 04-18350 CA32

   This is a mortgage foreclosure case for real property located at 3050 Alton Road, Miami Beach, Florida. There are monies due the City for Utilities (water, sewer, storm water). An Answer was filed on September 20, 2004.

8. Countrywide Home Loans, Inc. v. Jose Lopez, et al., Eleventh Judicial Circuit. General Jurisdiction. Case No. 04-18925 CA27.

   This is a mortgage foreclosure case for real property located at 3700 Collins Avenue, Miami Beach, Florida. There are monies due the City for Utilities (water, sewer, storm water). An Answer was filed September 27, 2004.

9. Deutsche Bank National Trust Company as Trustee for the Morgan Stanley ABS Capital Inc. Trust 2004-SD2 v. Morris Kleiman, et al., Eleventh Judicial Circuit, General Jurisdiction Division, Case No. 04-18961 CA21.

   This is a mortgage foreclosure case for real property located at 2301 Collins Avenue, Miami Beach, Florida. At this time, all fines, liens and monies owed have been paid by new owner of the Roney Plaza Condominium. An Answer was filed on September 28, 2004.

10. William Goldsmith vs. City of Miami Beach, et al. Eleventh Judicial Circuit, General Jurisdiction, Case No. 04-18927 CA06

    This lawsuit seeks mandamus, declaratory and injunctive relief to require the scheduling of a hearing before the Board of Adjustment on an appeal from the Planning Director's determination that the home at 2500 Bay Avenue is not architecturally significant. The land development regulations delegate appeals on this subject to the Single Family Residential Review Board (SFRRB), but limit appeals to the owners of the subject property, excluding third parties such as the plaintiff in this case. The City Attorney's Office opined that based on the legislative history of the ordinance creating the SFRRB and other applicable ordinances, the Board of Adjustment did not have jurisdiction over the appeal, the appeal was untimely, and this plaintiff didn't have standing to appeal. A settlement has been agreed

to by the disputing property owners subject to other City land use board actions.

11. Center For Immigrant Democracy, doing business as Mi Familia Vota, vs. John C. Shewairy, Chief of Staff, Office of the District Director, U.S. Department of Homeland Security; Thomas Ridge, Secretary, U.S. Department of Homeland Security; U.S. Department of Homeland Security; Jorge Gonzalez, City Manager, City of Miami Beach; and City of Miami Beach, a political subdivision of the State of Florida. United States District Court, Southern District of Florida, Case No. 04-22326 CIV-Jordan Magistrate Judge Brown.

    The Plaintiff, a group that registers voters, sued the Dept. of Homeland Security and the City over the Plaintiff's ability to engage in its activities in front of the Convention Center during naturalization ceremonies. In an emergency hearing on September 16, 2004, the Court entered a temporary injunction allowing the Plaintiff, under certain restrictions, to engage in their activities outside the Convention Center after the naturalization ceremony. The temporary injunction expired at 5:00 p.m. on September 17, after the naturalization ceremonies. The City had acted upon the request of the Department of Homeland Security based on safety and security concerns. The parties are currently involved in settlement discussions to resolve the case.

12. Bank of America, N.A. successor by merger to BA Mortgage, LLC v. Cristina A. Zamora, et al., Eleventh Judicial Circuit, General, Case No. 04-19452 CA21.

    This is a mortgage foreclosure case for real property located at 2955 N.W. 95th Street, Miami, Florida. Although the property is not located on Miami Beach, in order to protect any potential interests the City may have, an Answer was filed on September 28, 2004

13. Mortgage Electronic Registration Systems, Inc. v. Alfredo L. Sanchez, et al., Eleventh Judicial Circuit. General Jurisdiction, Case No. 04-19807 CA11.

    This is a mortgage foreclosure case for real property located at 161 SE 7th Road, Homestead, Florida. Although the property is not located on Miami Beach, in order to protect any potential interests the City may have, an Answer will be filed by October 13, 2004.

14. Michael Haerting, vs. City of Miami Beach, a municipal corporation and political subdivision of the State of Florida. Eleventh Judicial Circuit, General Jurisdiction, Case No. 04-19530 CA20

    The City was served with this complaint on September 28, 2004, wherein the Plaintiff alleges that on August 6, 2003, Plaintiff was walking on the sidewalk and/or seawall walkway at the north end of Miami Beach Marina at Pier One at or near 450 Alton Road, when he tripped and fell on an allegedly uneven defective walkway. His injuries are unknown at this time. An Answer and Affirmative Defenses will be timely filed and discovery propounded.

15. Luz Bravo and Natalie Bravo, minor by Luz Bravo, her next friend vs. City of Miami Beach, a municipal corporation of the State of Florida. Eleventh Judicial Circuit, General Jurisdiction, Case No. 04-20224 CA13

    The City was served with this complaint on September 29, 2004, wherein the Plaintiff alleges that on February 14, 2002, Plaintiff allegedly tripped and fell over a piece of wood on the floor in the City of Miami Beach, City Hall, second floor. Her injuries are unknown at this time. An Answer and Affirmative Defenses will be timely filed and discovery propounded.

16. Deutsche Bank National Trust Co. v. Morris Kleiman, et al., Eleventh Judicial Circuit, General Jurisdiction. Case No. 04-20765 CA10.

    This is a mortgage foreclosure case for real property located at 2301 Collins Avenue, Miami Beach, Florida. At this time, all fines, liens and monies owed have been paid by new owner of the Roney Plaza Condominium. An Answer will be filed by October 21, 2004.

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CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **PARKING STATUS REPORT**

The following comments serve to preface attended parking facilities (garages and lots) performance for the month of July 2004. In July 2004, gross revenues at attended facilities (garage and lots) increased by 9.21% as compared to the prior year's period.

During the month of July 2004, the Parking Department's attended locations earned a net profit of $536,191.39. This is an increase in net profit of $55,352.40 or 11.51% as compared to the same period in the prior year.

A) 17th Street Municipal Parking Garage: July 2004

During the month of July 2004, the 17th Street Garage had net revenues of $173,128.42. Net revenues are total revenues collected, minus sales tax, and are comprised of facility-specific access-card revenues of $58,020.00, transient parking revenues of $108,808.42, and valet rental fees of $6,300.00. Net revenues increased from $164,516.41 in 2003, to $173,128.42 in 2004; a 5.23% increase in net revenues.

After subtracting operating expenses of $69,498.90 the facility had a net profit for the month in the amount of $103,629.52. This represents an increase in net profit for the facility in the amount of $6,050.61 or 6.20% when compared to the same period in the previous year.

B) 7th Street Municipal Parking Garage: July 2004

During the month of July 2004, the 7th Street Municipal Parking Garage had net revenues of $186,676.64. Net revenues are total revenues collected, minus sales tax, and are comprised of facility-specific access-card revenues of $13,800.00 and transient parking revenues of $172,876.64. When compared to the same month in the prior year (July 2003), net revenues increased from $177,151.85 in 2003, to $186,676.64 in 2004; a 5.38% increase in net revenues. After subtracting operating expenses of $66,649.01 and debt service of $59,500.00 the facility had a net profit for the month in the amount of $60,527.63. This is an increase in net profit of $3,296.15 or 5.76% as compared to the same period in the previous year. This increase is primarily attributable to an increase in transient parking revenues of $8,774.79 that was partially offset by an increase in landscape maintenance expenses of $3,966.00

The 7th Street Garage served a total of 38,652 parkers in the month of July, 2004.

Agenda Item B
Date 10-13-04

C) 5-A Municipal Surface Parking Lots (Washington Avenue to Pennsylvania and 17th Street): July 2004

During the month of July 2004, the 5-A Surface Lots had net revenues of $144,301.32. Net revenues are comprised of facility-specific access-card revenues of $17,820.00 and transient parking revenues of $126,481.32. When compared to the same period in the prior year (July 2003), net revenues increased from $127,696.59 in 2003, to $144,301.32 in 2004; representing a 13.00% increase in net revenues. After subtracting operating expenses of $21,647.82, the facility had a net profit for the month in the amount of $122,653.50. This is an increase in net profit of $16,717.32 or 15.78% from July 2003. This increase is primarily attributable to an increase in transient parking revenues of $14,684.73. The 5-A Municipal Surface Parking Lot served a total of 43,069 parkers in the month of July, 2004.

D) 12th Street Municipal Parking Garage: July 2004

During the month of July 2004, the 12th Street Garage had net revenues of $34,727.65. Net revenues are comprised of facility-specific monthly parking revenues of $4,980.00 and transient parking revenues of $29,747.65. When compared to the same month in the prior year (July 2003), net revenues decreased from $35,922.84 in 2003, to $34,727.65 in 2004; a 3.33% decrease in net revenues. After subtracting operating expenses of $16,876.32 the facility had a net profit for the month in the amount of $17,851.33. This is a decrease in net profit of $683.34 or 3.69%. This decrease is primarily attributable to a decrease in transient parking revenues of $955.19. The 12th Street Garage served a total of 5,158 parkers in the month of July 2004.

E) 13th Street Municipal Parking Garage: July 2004

During the month of July 2004, the 13th Street Garage had net revenues of $63,592.86. Net revenues are comprised of facility-specific monthly parking permit revenues of $9,120.00 and transient parking revenues of $54,472.86. Compared to the same month in the prior year (2003), net revenues increased from $56,021.10 in 2003, to $63,592.86 in 2004; representing a 13.52% increase in net revenues. After subtracting operating expenses of $29,569.73, the facility had a net profit for the month in the amount of $34,023.13. This is an increase in net profit of $6,850.55 or 25.21% from July 2003 and is primarily attributable to an increase in transient parking revenues of $6,731.76. The 13th Street Garage served a total of 13,286 parkers in the month of July 2004.

F) 16th Street-Anchor Parking Garage: July 2004

During the month of July, 2004, the 16th Street Garage had net revenues of $156,881.77. Net revenues are comprised of facility-specific monthly parking revenues of $28,250.00, transient parking revenues of $100,624.29, and valet rental fees of $28,007.48. Compared to the same month in the prior year (2003), net revenues increased from $131,526.58 in 2003, to $156,881.77 in 2004; representing a 19.28% increase in net revenues. After subtracting operating expenses of $41,648.10 the facility had a net profit for the month in the amount of $115,233.67. This is an increase in net profit of $21,542.79 or 22.99% from July 2003 and is primarily attributable to an increase in transient parking revenues of $21,542.79. The 16th Street Garage served a total of 23,951 parkers in the month of July, 2004.

G) 42nd Street Municipal Parking Garage: July 2004

During the month of July, 2004, the 42nd Street Garage had net revenues of $38,119.65. Net revenues are comprised of facility-specific monthly parking revenues of $34,500.00 and transient parking revenues of $3,619.65. Compared to the same month in the prior year, 2003, net revenues increased from $37,371.04 in 2003, to $38,119.65 in 2004;

representing a 2.00% increase in net revenues. After subtracting operating expenses of $15,347.04 the facility had a net profit for the month in the amount of $22,772.61. The 42nd Street Garage served a total of 14,429 parkers in the month of July, 2004.

H) Electronic Parking Meter Revenue Comparison: July 2004

This statement compares parking meter revenue collected in July 2004, with revenue collected in July 2003. When comparing revenues for July 2004 in the amount of $911,542.50 to revenues for July 2003 in the amount of $898,700.55, the report reflects an increase of $12,841.95 or 1.43% in revenues collected. Meter revenue collected does not reflect the change in monthly decal parkers (both commercial and residential), valet rental or construction rental of meters, or metered surface lots either taken out of service, or managed differently than the previous year. In the month of July 2004 decal and permit revenue received was $103,362.80 and meter rental revenue (valet, construction, and special events) was $76,093.85 versus $101,820.82 and $78,398.39 respectively in July 2003. The combined total revenue produced at meters for the month of July 2004 was $1,090,999.15. This reflects an increase from the previous year in the amount of $12,079.39 or 1.12%.

I) Parking and Transportation Smart Card Sales: July 2004

In the month of July 2004, the Parking Department sold 3,369 Parking Meter Cards to merchants, vendors, hoteliers, and the public, for revenues in the amount of $82,575.00.

J) Hotel Hangtag Sales: July 2004

In the month of July 2004, the Parking Department sold 2,850 hotel hangtags to hoteliers in the amount of $17,100.00.

K) Multi-Space Parking Meter Pilot Program: July 2004

Parkeon (formerly known as Schlumberger-Sema), at no cost to the City, has provided six (6) multi-space parking meters on an experimental basis for an on-street (Ocean Drive) and off-street (777-17th Street Lot) application. Both applications are configured in a "pay-and-display" mode. Upon receipt of payment, the multi-space meter issues a receipt that is displayed on the vehicles' dashboard. The multi-space meters were installed in January 2003. Year to date the multi-space meters on Ocean Drive have yielded a 14.27% increase over the prior year and the machine installed in the parking lot at 777 17th Street has earned an 8.45% increase.

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CITY OF MIAMI BEACH
PARKING DEPARTMENT
FINANCIAL REPORT SUMMARY
July 2004

LOCATION	REVENUE 2003 July	REVENUE 2004 July	REVENUE Increase/ (Decrease)	REVENUE Percent of Increase/ (Decrease)	EXPENSES 2003 July	EXPENSES 2004 July	EXPENSES Increase/ (Decrease)	EXPENSES Percent of Increase/ (Decrease)	PROFIT/(LOSS) 2003 July	PROFIT/(LOSS) 2004 July	PROFIT/(LOSS) Increase/ (Decrease)	PROFIT/(LOSS) Percent of Increase/ (Decrease)
17 St. Garage	164,516.41	173,128.42	**8,612.01**	**5.23%**	66,937.50	69,498.90	**2,561.40**	**3.83%**	97,578.91	103,629.52	**6,050.61**	**6.20%**
7th St. Garage	177,151.85	186,676.64	**9,524.79**	**5.38%**	60,420.37	66,649.01	**6,228.64**	**10.31%**	116,731.48	120,027.63	**3,296.15**	**2.82%**
17th St. Lots	127,696.59	144,301.32	**16,604.73**	**13.00%**	21,760.42	21,647.82	**(112.60)**	**-0.52%**	105,936.17	122,653.50	**16,717.33**	**15.78%**
12th St. Garage	35,922.84	34,727.65	**(1,195.19)**	**-3.33%**	17,388.17	16,876.32	**(511.85)**	**-2.94%**	18,534.67	17,851.33	**(683.34)**	**-3.69%**
13th St. Garage	56,021.10	63,592.86	**7,571.76**	**13.52%**	28,848.52	29,569.73	**721.21**	**2.50%**	27,172.58	34,023.13	**6,850.55**	**25.21%**
42nd St. Garage	37,371.04	38,119.65	**748.61**	**2.00%**	16,176.74	15,347.04	**(829.70)**	**-5.13%**	21,194.30	22,772.61	**1,578.31**	**7.45%**
16th St. - Anchor	131,526.58	156,881.77	**25,355.19**	**19.28%**	37,835.70	41,648.10	**3,812.40**	**10.08%**	93,690.88	115,233.67	**21,542.79**	**22.99%**
Totals	**730,206.41**	**797,428.31**	**67,221.90**	**9.21%**	**249,367.42**	**261,236.92**	**11,869.50**	**4.76%**	**480,838.99**	**536,191.39**	**55,352.40**	**11.51%**

	Revenue Per Space	Expenses Per Space	Profit/(Loss) Per Space	
17 St. Garage	118.58	47.60	70.98	The 17th Street Garage has 1,460 spaces.
7th St. Garage	288.97	103.17	185.80	The 7th Street Garage has 646 spaces.
17th St. Lots	285.18	42.78	242.40	The 17th Street Lots have 506 spaces.
12th St. Garage	259.16	125.94	133.22	The 12th Street Garage has 134 spaces.
13th St. Garage	222.35	103.39	118.96	The 13th Street Garage has 286 spaces.
42nd St. Garage	61.48	24.75	36.73	The 42nd Street Garage has 620 spaces.
16th St. - Anchor	195.37	51.87	143.50	The 16th Street - Anchor Garage has 803 spaces.

CITY OF MIAMI BEACH
PARKING DEPARTMENT
FINANCIAL REPORT SUMMARY - Year To Date
October 2003 - July 2004

LOCATION	REVENUE 2003 July YTD	REVENUE 2004 July YTD	REVENUE Increase/ (Decrease)	REVENUE Percent of Increase/ (Decrease)	EXPENSES 2003 July YTD	EXPENSES 2004 July YTD	EXPENSES Increase/ (Decrease)	EXPENSES Percent of Increase/ (Decrease)	PROFIT/(LOSS) 2003 July YTD	PROFIT/(LOSS) 2004 July YTD	PROFIT/(LOSS) Increase/ (Decrease)	PROFIT/(LOSS) Percent of Increase/ (Decrease)
17 St. Garage	1,971,672.08	2,081,564.48	**109,892.40**	**5.57%**	726,811.09	779,828.10	**53,017.01**	**7.29%**	1,244,860.99	1,301,736.38	**56,875.39**	**4.57%**
7th St. Garage	1,702,572.52	1,749,841.97	**47,269.45**	**2.78%**	541,674.87	542,278.02	**603.15**	**0.11%**	1,160,897.65	1,207,563.95	**46,666.30**	**4.02%**
17th St. Lots	1,390,751.90	1,581,671.36	**190,919.46**	**13.73%**	262,242.80	251,196.38	**(11,046.42)**	**-4.21%**	1,128,509.10	1,330,474.98	**201,965.88**	**17.90%**
12th St. Garage	339,766.91	342,484.26	**2,717.35**	**0.80%**	184,314.30	177,882.03	**(6,432.27)**	**-3.49%**	155,452.61	164,602.23	**9,149.62**	**5.89%**
13th St. Garage	581,624.94	602,666.31	**21,041.37**	**3.62%**	312,511.59	299,500.35	**(13,011.24)**	**-4.16%**	269,113.35	303,165.96	**34,052.61**	**12.65%**
42nd St. Garage	377,925.38	390,396.61	**12,471.23**	**3.30%**	159,727.82	162,613.13	**2,885.31**	**1.81%**	218,197.56	227,783.48	**9,585.92**	**4.39%**
16th St. - Anchor	184,756.89	1,497,145.75	**1,312,388.86**	**710.33%**	65,472.58	419,234.04	**353,761.46**	**540.32%**	119,284.31	1,077,911.71	**958,627.40**	**803.65%**
Totals	**6,549,070.62**	**8,245,770.74**	**1,696,700.12**	**25.91%**	**2,252,755.05**	**2,632,532.05**	**379,777.00**	**16.86%**	**4,296,315.57**	**5,613,238.69**	**1,316,923.12**	**30.65%**

	Revenue Per Space	Expenses Per Space	Profit/(Loss) Per Space	
17 St. Garage	1,425.73	534.13	891.60	The 17th Street Garage has 1,460 spaces.
7th St. Garage	2,708.73	839.44	1,869.29	The 7th Street Garage has 646 spaces.
17th St. Lots	3,125.83	496.44	2,629.40	The 17th Street Lots have 506 spaces.
12th St. Garage	2,555.85	1,327.48	1,228.37	The 12th Street Garage has 134 spaces.
13th St. Garage	2,107.22	1,047.20	1,060.02	The 13th Street Garage has 286 spaces.
42nd St. Garage	629.67	262.28	367.39	The 42nd Street Garage has 620 spaces.
16th St. - Anchor	1,864.44	522.08	1,342.36	The 16th Street - Anchor Garage has 803 spaces.

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
17th Street Garage - 2G
July 2004

LOCATION	ACCOUNTING CODE	2003 July	2004 July	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
17th Street Garage - 2G						
Revenue						
Revenue-Ticket	480-8000-344583	102,296.41	108,808.42	6,512.01		
Revenue - Valet	480-8000-344583	6,300.00	6,300.00	0.00		
Revenue-Monthly Permits	480-8000-344514	55,920.00	58,020.00	2,100.00		
	17th Street - 2G REVENUE (Sales Tax Excluded)	**164,516.41**	**173,128.42**	**8,612.01**	**5.23%**	**$118.58**
Expenses						
Security Personnel		16,480.25	16,095.17	(385.08)		
Attendant/Cashier Labor		35,809.78	37,865.26	2,055.48 (1).		
FP&L		6,473.39	6,473.39	0.00 (2).		
Revenue Control Equipment Maintenance		1,666.67	2,516.67	850.00 (3).		
Armed Guard Revenue Pickup		455.00	420.00	(35.00)		
Elevator Maintenance		613.00	425.00	(188.00)		
Landscape Maintenance		108.33	108.33	0.00		
Garage Cleaning/Maintenance		5,331.08	5,595.08	264.00 (4).		
	17th St. Garage - 2G EXPENSES	**66,937.50**	**69,498.90**	**2,561.40**	**3.83%**	**$47.60**
	17th St. Garage PROFIT/(LOSS)	**97,578.91**	**103,629.52**	**6,050.61**	**6.20%**	**$70.98**
					Number of Spaces	**1460**

Notes:
The 17th Street Garage has 1460 spaces. Approximately 40% of the annual revenue is from monthly parkers including valet rentals. The remainder of income is derived from Lincoln Road, Conventions, TOPA, and the New World Symphony.

(1). The average hourly rate for Attendant/Cashier Labor in July 2003 was $10.64; whereas the average hourly rate for Attendant/Cashier Labor in July 2004 was $11.14.

(2). July 2003 FP&L invoice was unable to be obtained. Therefore, the figure used is an estimate based on the average of the FP&L charges from October 2002 through February 2003. Additionally, July 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is a previously established estimate.

(3). July 2004 Revenue Control Equipment Maintenance figure reflects the regular monthly service charge of $1,666.67 and an additional charge of $850 for a folding gate arm kit.

(4). July 2004 Garage Cleaning/Maintenance charge reflects the regular monthly service charge of $5,331.08 and a charge of $264 for 32 additional hours of cleaning services.

City of Miami Beach
Parking Department
Daily Revenue Report
17th Street Garage - 2G **July 2004**

Date	Day	Total Vehicle Entries	Peak Period	Peak Vehicle Count	Daily Ticket Revenue
1	Thursday	2,052	17:00 - 17:59	321	2,331.78
2	Friday	2,633	22:00 - 22:59	353	4,193.46
3	Saturday	2,965	20:00 - 20:59	607	7,336.45
4	Sunday	2,029	00:00 - 00:59	432	4,481.31
5	Monday	1,652	15:00 - 15:59	298	3,971.03
6	Tuesday	1,693	17:00 - 17:59	259	1,782.24
7	Wednesday	1,824	17:00 - 17:59	280	2,114.02
8	Thursday	1,975	17:00 - 17:59	295	2,305.61
9	Friday	2,422	17:00 - 17:59	327	3,516.82
10	Saturday	2,947	22:00 - 22:59	613	7,153.27
11	Sunday	1,865	00:00 - 00:59	423	3,806.54
12	Monday	1,649	17:00 - 17:59	258	1,692.52
13	Tuesday	1,778	17:00 - 17:59	298	1,854.21
14	Wednesday	1,837	17:00 - 17:59	275	1,873.83
15	Thursday	2,162	17:00 - 17:59	341	2,601.87
16	Friday	2,540	17:00 - 17:59	349	3,709.35
17	Saturday	3,075	22:00 - 22:59	647	8,593.46
18	Sunday	1,841	00:00 - 00:59	385	3,647.66
19	Monday	1,746	17:00 - 17:59	291	1,621.50
20	Tuesday	1,935	17:00 - 17:59	334	2,100.00
21	Wednesday	2,015	17:00 - 17:59	322	2,201.87
22	Thursday	2,416	17:00 - 17:59	337	2,878.50
23	Friday	2,571	22:00 - 22:59	361	3,935.51
24	Saturday	2,593	22:00 - 22:59	476	5,628.04
25	Sunday	1,862	00:00 - 00:59	372	3,528.97
26	Monday	1,775	17:00 - 17:59	276	1,630.84
27	Tuesday	1,800	17:00 - 17:59	285	1,741.12
28	Wednesday	1,877	17:00 - 17:59	298	2,067.29
29	Thursday	2,167	17:00 - 17:59	327	2,549.53
30	Friday	2,892	21:00 - 21:59	452	4,496.26
31	Saturday	3135	21:00 - 21:59	603	7,463.56
	TOTAL	**67,723**			**$108,808.42**

MONTHLY PERMIT REVENUE	**$58,020.00**
VALET REVENUE	**$6,300.00**
TOTAL NET REVENUE	**$173,128.42**

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
7th Street Garage - 1G
July 2004

LOCATION	ACCOUNTING CODE	2003 July	2004 July	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
7th Street Garage - 1G						
Revenue						
Revenue-Ticket	142-8000-344404	164,101.85	172,876.64	8,774.79		
Revenue-Monthly Permits	142-8000-344404	13,050.00	13,800.00	750.00		
	7th Street - 1G REVENUE (Sales Tax Excluded)	**177,151.85**	**186,676.64**	**9,524.79**	**5.38%**	**$288.97**
Expenses						
Security Personnel		21,024.44	22,052.26	1,027.82 (1).		
Attendant/Cashier Labor		16,835.01	17,998.44	1,163.43 (2).		
Landscape Maintenance		10,438.67	14,404.67	3,966.00 (3).		
FP&L		3,067.37	3,067.37	0.00 (4).		
Revenue Control Equipment Maintenance		700.00	700.00	0.00		
Garage Cleaning/Maintenance		4,864.00	5,111.50	247.50 (5).		
Armed Guard Revenue Pickup		455.00	420.00	(35.00)		
Elevator Maintenance		1,180.88	2,360.17	1,179.29 (6).		
Surveillance System Maintenance		1,855.00	534.60	(1,320.40) (7).		
	7th Street - 1G EXPENSES	**60,420.37**	**66,649.01**	**6,228.64**	**10.31%**	**$103.17**
	7th St. Estimated Debt Service	**59,500.00**	**59,500.00**	**0.00**	**0.00%**	**$92.11**
	7th St. PROFIT/(LOSS)	**57,231.48**	**60,527.63**	**3,296.15**	**5.76%**	**$93.70**
					Number of Spaces	**646**

Notes:
Generators for this garage are local workers, restaurants, hotels, construction, visitors to SOBE, local beach goers, restaurant patrons, and nightclub patrons.

(1). July 2003 Security Personnel charge was comprised of 1,713.48 hours of service, whereas the July 2004 Security Personnel charge consisted of 1,802.75 hours of service.

(2). The average hourly rate for Attendant/Cashier Labor in July 2003 was $10.59; whereas the average hourly rate for Attendant/Cashier Labor in July 2004 was $11 11.

(3). July 2003 Landscape Maintenance charge reflects the regular monthly service charge of $918.67 and an additional charge of $9,520 for trimming the south and east sides of the Garage. July 2004 Landscape Maintenance charge reflects the regular monthly service charge of $918.67 and three additional charges of $6,545, $5,846, and $935 to trim trees away from power lines of the west side of the Garage, on the north side of the Garage, and to trim twelve palm trees of the Collins Avenue side of the Garage respectively.

(4). July 2003 FP&L invoice was unable to be obtained. Therefore, the figure used is an estimate based on the average of the FP&L charges from October 2002 through February 2003. Additionally, July 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is a previously established estimate.

(5). July 2004 Garage Cleaning/Maintenance charge reflects the regular monthly service charge of $4,864 and a charge of $247.50 for 30 additional hours of cleaning services.

(6). July 2003 Elevator Maintenance charge reflects the regular monthly service charge of $985 and an additional charge of $195.88 for a service call. July 2004 Elevator Maintenance charge reflects the regular monthly service charge of $985 and two additional service calls of $310 and $1065.17.

(7). July 2003 Surveillance System Maintenance charge reflects the regular monthly service charge of $495 and an additional charge of $1,360 for the replacement of the intercom desk set.

City of Miami Beach
Parking Department
Daily Revenue Report
7th Street Garage - 1G

July 2004

Date	Day	Total Vehicle Entries	Peak Period	Peak Vehicle Count	Daily Space Rental Goldman - No Tax	Daily Space Rental Other - Incl. Tax	Daily Revenue Including Tax
1	Thursday	879	15:00 - 15:59	154	375.00	75.07	2,752.00
2	Friday	1,613	23:00 - 23:59	258	375.00	75.07	10,436.00
3	Saturday	2,206	12:00 - 12:59	291	375.00	75.07	12,556.00
4	Sunday	1,938	23:00 - 23:59	277	375.00	75.07	11,595.00
5	Monday	1,748	16:00 - 16:59	313	375.00	75.07	6,300.00
6	Tuesday	710	15:00 - 15:59	124	375.00	75.07	2,152.00
7	Wednesday	767	15:00 - 15:59	160	375.00	75.07	2,281.00
8	Thursday	855	14:00 - 14:59	142	375.00	75.07	2,573.00
9	Friday	1,378	23:00 - 23:59	252	375.00	75.07	9,276.00
10	Saturday	2,153	23:00 - 23:59	302	375.00	75.07	13,192.00
11	Sunday	1,930	15:00 - 15:59	318	375.00	75.07	7,435.00
12	Monday	636	17:00 - 17:59	106	375.00	75.07	2,138.00
13	Tuesday	625	13:00 - 13:59	115	375.00	75.07	1,698.00
14	Wednesday	754	15:00 - 15:59	135	375.00	75.07	2,183.00
15	Thursday	865	15:00 - 15:59	142	375.00	75.07	2,682.00
16	Friday	1,370	23:00 - 23:59	298	375.00	75.07	9,902.00
17	Saturday	2,089	23:00 - 23:59	293	375.00	75.07	12,281.00
18	Sunday	1,891	13:00 - 13:59	307	375.00	75.07	7,405.00
19	Monday	620	13:00 - 13:59	114	375.00	75.07	1,629.00
20	Tuesday	604	20:00 - 20:59	94	375.00	75.07	1,892.00
21	Wednesday	753	16:00 - 16:59	155	375.00	75.07	2,310.00
22	Thursday	885	16:00 - 16:59	155	375.00	75.07	2,560.00
23	Friday	1,368	23:00 - 23:59	261	375.00	75.07	9,286.00
24	Saturday	2,254	00:00 - 00:59	296	375.00	75.07	12,583.00
25	Sunday	1,057	01:00 - 01:59	238	375.00	75.07	4,520.00
26	Monday	802	15:00 - 15:59	132	375.00	75.07	2,349.00
27	Tuesday	682	15:00 - 15:59	122	375.00	75.07	2,013.00
28	Wednesday	640	14:00 - 14:59	110	375.00	75.07	1,975.00
29	Thursday	739	15:00 - 15:59	186	375.00	75.07	2,712.00
30	Friday	1,669	23:00 - 23:59	253	375.00	75.07	10,180.00
31	Saturday	2,172	16:00 - 16:59	288	375.00	75.07	12,132.00
	TOTAL	**38,652**			**$11,625.00**	**$2,327.25**	**$184,978.00**

TOTAL GROSS REVENUE	**$11,625.00**	**$2,327.25**	**$184,978.00**
SALES TAX	**$0.00**	**$152.25**	**$12,101.36**
TOTAL NET REVENUE	**$11,625.00**	**$2,175.00**	**$172,876.64**

Monthly Budgeted Revenue Needed to Break Even - FY 03/04 (Includes Debt Service)			**$138,601.25**
Less Current Month Net Revenue			**$186,676.64**
Over/(Short)			**$48,075.39**
Monthly Space Rental			
Goldman Properties - 155	**$11,625.00**	No tax included	
Other - 29	**$2,327.25**	Tax included	

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
17th Street Lots - 5A - East and West
July 2004

LOCATION	ACCOUNTING CODE	2003 July	2004 July	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
17th Street Lots - 5A East & West						
Revenue						
Revenue-Ticket	480-8000-344515	111,796.59	126,481.32	14,684.73		
Revenue-Monthly Permits	480-8000-344596	15,900.00	17,820.00	1,920.00		
	17th Street Lots - 5A REVENUE (Sales Tax Excluded)	**127,696.59**	**144,301.32**	**16,604.73**	**13.00%**	**$285.18**
Expenses						
Security Personnel		1,743.98	828.23	(915.75) (1).		
Attendant/Cashier Labor		17,290.61	18,258.77	968.16 (2).		
Revenue Control Equipment Maintenance		1,831.67	1,666.67	(165.00) (3).		
Landscape Maintenance		502.67	502.67	0.00		
FP&L		391.48	391.48	0.00 (4).		
	17th St. Lots - 5A EXPENSES	**21,760.41**	**21,647.82**	**(112.59)**	**-0.52%**	**$42.78**
	17th St. Lots - 5A PROFIT/(LOSS)	**105,936.18**	**122,653.50**	**16,717.32**	**15.78%**	**$242.40**
					Number of Spaces	**506**

Notes:

(1). July 2003 Security Personnel charge was comprised of 142.14 hours of service, whereas the July 2004 Security Personnel charge consisted of 75.50 hours of service.

(2). The average hourly rate for Attendant/Cashier Labor in July 2003 was $9.95; whereas the average hourly rate for Attendant/Cashier Labor in July 2004 was $10.45.

(3). July 2003 Revenue Control Equipment Maintenance charge reflects the regular monthly charge of $1,667.67 and an additional charge of $165 to repair damage caused by a power surge.

(4). July 2003 FP&L invoice was unable to be obtained. Therefore, the figure used is an estimate based on the average of the FP&L charges from October 2002 through February 2003. Additionally, July 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is a previously established estimate.

City of Miami Beach
Parking Department
Day Revenue Report
17th Street Lots - 5A East and West **July 2004**

Date	Day	East Total Vehicle Entries	East Daily Ticket Revenue	West Total Vehicle Entries	West Daily Ticket Revenue	TOTAL Daily Ticket Revenue
1	Thursday	764	1,965.42	362	968.22	2,933.64
2	Friday	950	3,285.98	515	1,971.03	5,257.01
3	Saturday	896	3,495.33	619	3,407.48	6,902.81
4	Sunday	828	3,217.76	755	2,428.04	5,645.80
5	Monday	624	1,869.16	421	976.64	2,845.80
6	Tuesday	735	1,530.84	366	679.44	2,210.28
7	Wednesday	802	1,507.48	424	803.74	2,311.22
8	Thursday	836	2,125.23	389	1,073.83	3,199.06
9	Friday	976	3,275.70	565	2,084.11	5,359.81
10	Saturday	892	4,024.30	527	2,687.85	6,712.15
11	Sunday	894	1,990.65	560	936.45	2,927.10
12	Monday	737	1,418.69	392	700.00	2,118.69
13	Tuesday	749	1,512.15	389	740.19	2,252.34
14	Wednesday	832	1,555.14	430	714.02	2,269.16
15	Thursday	872	2,458.88	550	1,488.79	3,947.67
16	Friday	998	3,331.78	711	2,672.90	6,004.68
17	Saturday	997	3,883.18	779	3,546.73	7,429.91
18	Sunday	835	1,839.25	580	1,000.00	2,839.25
19	Monday	799	1,620.56	359	609.35	2,229.91
20	Tuesday	820	1,671.96	470	921.50	2,593.46
21	Wednesday	805	1,557.94	440	827.10	2,385.04
22	Thursday	1,016	2,748.60	728	2,295.33	5,043.93
23	Friday	1,003	3,561.68	698	2,810.28	6,371.96
24	Saturday	1,038	4,048.60	772	3,210.28	7,258.88
25	Sunday	862	1,904.67	616	1,256.07	3,160.74
26	Monday	715	1,475.70	358	590.65	2,066.35
27	Tuesday	753	1,670.09	440	854.21	2,524.30
28	Wednesday	810	1,636.45	382	616.82	2,253.27
29	Thursday	885	2,582.24	478	1,250.47	3,832.71
30	Friday	1,003	3,718.69	701	2,725.23	6,443.92
31	Saturday	937	4,017.76	630	3,132.71	7,150.47
	TOTAL	**26,663**	**$76,501.86**	**16,406**	**$49,979.46**	**$126,481.32**
			MONTHLY PERMIT REVENUE			**$17,820.00**
			TOTAL NET REVENUE			**$144,301.32**

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
12th Street Garage - 2A
July 2004

LOCATION	ACCOUNTING CODE	2003 July	2004 July	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
12th Street Garage - 2A						
Revenue						
Revenue-Ticket	480-8000-344504	30,702.84	29,747.65	(955.19)		
Revenue-Monthly Permits	480-8000-344593	5,220.00	4,980.00	(240.00)		
	12th Street - 2A REVENUE (Sales Tax Excluded)	**35,922.84**	**34,727.65**	**(1,195.19)**	**-3.33%**	**$259.16**
Expenses						
Security Personnel		8,241.55	7,938.69	(302.86)		
Attendant/Cashier Labor		7,497.33	7,113.84	(383.49)		
FP&L		108.54	108.54	0.00 (1).		
Elevator Maintenance		0.00	125.00	125.00 (2).		
Garage Cleaning/Maintenance		1,540.75	1,590.25	49.50 (3).		
	12th Street - 2A EXPENSES	**17,388.17**	**16,876.32**	**(511.85)**	**-2.94%**	**$125.94**
	12th Street - 2A PROFIT/(LOSS)	**18,534.67**	**17,851.33**	**(683.34)**	**-3.69%**	**$133.22**
					Number of Spaces	**134**

Notes:
The 12th Street Garage achieves 16% of it revenue from permits, the balance is from transients arriving for court appearances, local workers, beachgoers, and nightclub patrons.

(1). July 2003 FP&L invoice was unable to be obtained. Therefore, the figure used is an estimate based on the average of the FP&L charges from October 2002 through February 2003. Additionally, July 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is a previously established estimate.

(2). Elevator out of service in July 2003. Therefore, no maintenance fee incurred.

(3). July 2003 Garage Cleaning/Maintenance charge reflects the regular monthly service charge of $1,285 and a charge of $255.75 for 31 additional hours of cleaning services. July 2004 Garage Cleaning/Maintenance charge reflects the regular monthly service charge of $1,285 and a charge of $305.25 for 37 additional hours of cleaning services.

City of Miami Beach
Parking Department
Daily Revenue Report
12th Street Garage - 2A

July 2004

Date	Day	CMB	Armor	P.O	Employee	Court	Best	Hand.	Other	Daily Tickets	TOTAL Entries	Daily Ticket Revenue
1	Thursday	4	0	2	1	1	0	2	2	104	116	566.36
2	Friday	3	1	2	0	0	0	2	2	200	210	1,327.10
3	Saturday	0	1	2	0	0	0	1	0	181	185	1,368.22
4	Sunday	0	1	0	0	0	0	4	0	211	216	1,590.65
5	Monday	0	2	0	0	0	0	0	0	131	133	893.46
6	Tuesday	1	2	0	0	1	0	1	5	103	113	450.47
7	Wednesday	3	3	0	0	0	0	1	22	96	125	463.55
8	Thursday	0	1	2	1	0	0	0	3	113	120	547.66
9	Friday	1	3	8	1	4	0	3	1	224	245	1,338.32
10	Saturday	1	1	1	0	0	0	2	0	219	224	1,663.55
11	Sunday	0	1	0	0	0	0	0	1	144	146	1,099.07
12	Monday	1	1	0	1	6	0	1	0	150	160	594.39
13	Tuesday	1	2	1	1	0	0	0	3	119	127	545.79
14	Wednesday	3	2	2	0	0	0	2	16	121	146	564.49
15	Thursday	1	1	2	1	0	0	0	13	123	141	671.03
16	Friday	1	2	0	0	0	0	3	5	199	210	1,325.23
17	Saturday	0	2	7	0	0	0	1	1	191	202	1,482.24
18	Sunday	0	1	0	0	0	0	0	1	118	120	953.27
19	Monday	1	2	0	2	3	0	1	10	109	128	480.37
20	Tuesday	0	1	2	0	2	0	1	9	159	174	719.63
21	Wednesday	0	1	0	0	1	0	2	17	123	144	641.12
22	Thursday	3	1	0	1	2	0	3	22	159	191	822.43
23	Friday	4	2	2	0	0	0	2	9	209	228	1,353.27
24	Saturday	0	2	0	0	0	0	2	0	216	220	1,674.77
25	Sunday	0	1	0	0	0	0	1	0	138	140	1,063.55
26	Monday	0	1	1	1	2	0	2	0	112	119	527.10
27	Tuesday	0	1	2	1	0	0	2	1	114	121	549.53
28	Wednesday	0	1	0	0	1	0	1	8	127	138	654.21
29	Thursday	2	2	2	1	1	0	0	4	178	190	867.29
30	Friday	2	1	4	0	1	0	4	1	197	210	1,269.16
31	Saturday	0	1	1	0	0	0	1	0	213	216	1,680.37
	TOTAL	**32**	**44**	**43**	**12**	**25**	**0**	**0**	**156**	**4,801**	**5,158**	**$29,747.65**

MONTHLY PERMIT REVENUE	**$4,980.00**
TOTAL NET REVENUE	**$34,727.65**

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
13th Street Garage - 17A
July 2004

LOCATION	ACCOUNTING CODE	2003 July	2004 July	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
13th Street Garage - 17A						
Revenue						
Revenue-Ticket	480-8000-344566	47,741.10	54,472.86	6,731.76		
Revenue-Monthly Permits	480-8000-344527	8,280.00	9,120.00	840.00		
	13th Street - 17A REVENUE (Sales Tax Excluded)	**56,021.10**	**63,592.86**	**7,571.76**	**13.52%**	**$222.35**
Expenses						
Security Personnel		10,423.37	9,993.91	(429.46)		
Attendant/Cashier Labor		14,556.50	15,186.57	630.07 **(1).**		
Landscape Maintenance		216.67	216.67	0.00		
FP&L		1,404.98	1,404.98	0.00 **(2).**		
Revenue Control Equipment Maintenance		30.00	750.00	720.00 **(3).**		
Elevator Maintenance		312.00	279.60	(32.40) **(4).**		
Armed Guard Revenue Pickup		455.00	420.00	(35.00)		
Garage Cleaning/Maintenance		1,450.00	1,318.00	(132.00) **(5).**		
	13th Street - 17A EXPENSES	**28,848.52**	**29,569.73**	**721.21**	**2.50%**	**$103.39**
	13th Street - 17A PROFIT/(LOSS)	**27,172.58**	**34,023.13**	**6,850.55**	**25.21%**	**$118.96**
					Number of Spaces	**286**

Notes:

The 13th Street Garage achieves 15% of its revenue from permits, the balance is transient revenue. The generators are residents, local workers, construction, visitors to SOBE, beachgoers, and restaurant patrons.

(1). The average hourly rate for Attendant/Cashier Labor in July 2003 was $10.71, whereas the average hourly rate for Attendant/Cashier Labor in July 2004 was $11.23.

(2). July 2003 FP&L invoice was unable to be obtained. Therefore, the figure used is an estimate based on the average of the FP&L charges from October 2002 through February 2003. Additionally, July 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is a previously established estimate.

(3). July 2003 Revenue Control Equipment Maintenance fee reflects a service charge of $30 to repair damage caused by a power surge.

(4). July 2004 Elevator Maintenance charge reflects the regular monthly service charge of $170 and a charge of $109.60 for an additional service call.

(5). July 2003 Garage Cleaning/Maintenance charge reflects the regular monthly service charge of $1,318 and a charge of $132 for 16 hours of pressure cleaning.

City of Miami Beach
Parking Department
Daily Revenue Report
13th Street Garage - 17A

July 2004

Date	Day	Residential Decals (Art Deco)	Monthly Permits	Handicap	City Vehicles	Standard Attendants	Armor Security	Best Maintenance	Daily Tickets	TOTAL Entries	Daily Ticket Revenue
1	Thursday	15	62	1	0	9	4	0	304	395	$1,284.11
2	Friday	17	71	1	0	7	5	0	445	546	2,328.97
3	Saturday	14	25	1	0	4	6	0	498	548	2,467.29
4	Sunday	12	5	3	1	6	5	0	347	379	2,188.79
5	Monday	22	18	0	0	5	2	0	489	536	2,784.11
6	Tuesday	27	53	1	0	3	2	1	257	344	1,206.54
7	Wednesday	16	62	1	0	8	3	0	247	337	1,156.07
8	Thursday	17	63	1	0	6	2	0	274	363	1,300.00
9	Friday	19	57	0	0	6	3	0	405	490	2,117.76
10	Saturday	28	8	2	0	8	4	0	518	568	2,728.97
11	Sunday	21	6	2	0	5	4	0	504	542	2,500.93
12	Monday	26	47	2	0	6	3	1	231	316	1,197.20
13	Tuesday	26	50	1	0	4	2	0	208	291	1,106.54
14	Wednesday	19	55	1	0	5	2	0	251	333	1,122.43
15	Thursday	19	68	0	0	6	2	0	249	344	1,284.11
16	Friday	26	59	1	1	6	3	0	376	472	1,923.36
17	Saturday	26	15	0	1	7	4	0	491	544	2,512.15
18	Sunday	15	9	0	1	6	5	0	434	470	2,228.04
19	Monday	19	43	2	1	5	4	1	215	290	1,068.22
20	Tuesday	22	56	1	1	3	3	0	244	330	1,091.59
21	Wednesday	17	61	2	1	4	3	0	249	337	1,157.01
22	Thursday	20	73	0	2	5	2	0	316	418	1,290.65
23	Friday	26	66	1	2	5	3	0	384	487	1,769.16
24	Saturday	15	30	1	0	8	5	0	470	529	2,311.21
25	Sunday	17	15	1	0	4	5	0	443	485	2,184.11
26 *	Monday	22	57	1	0	5	3	0	282	370	1,518.69
27	Tuesday	19	58	2	0	5	1	1	249	335	1,156.07
28	Wednesday	14	78	2	0	5	4	0	270	373	1,402.80
29	Thursday	17	71	0	0	7	2	0	377	474	1,624.30
30	Friday	22	68	1	0	8	3	0	420	522	2,170.09
31	Saturday	16	30	0	1	6	5	0	460	518	2,291.59
	TOTAL	**611**	**1,439**	**32**	**12**	**177**	**104**	**4**	**10,907**	**13,286**	**$54,472.86**
								MONTHLY PERMIT REVENUE			**$9,120.00**
								TOTAL NET REVENUE			**$63,592.86**

Note:

* No Daily Account Report for July 26, 2004. Therefore, the corresponding figures for Residential Decals, Handicap, City Vehicles, Standard Attendants, Armor Security, and Best Maintenance are averages of the three other Mondays in July 2004.

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
42nd Street Garage - 8A
July 2004

LOCATION	ACCOUNTING CODE	2003 July	2004 July	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
42nd St. Garage - 8A						
Revenue						
Revenue-Ticket	480-8000-344531	2,871.04	3,619.65	748.61		
Revenue-Monthly Permits	480-8000-344595	34,500.00	34,500.00	0.00		
	42nd Street Garage- 8A REVENUE (Sales Tax Excluded)	**37,371.04**	**38,119.65**	**748.61**	**2.00%**	**$61.48**
Expenses						
Security Personnel		9,140.34	8,245.44	(894.90) (1).		
Attendant/Cashier Labor		2,897.94	3,027.89	129.95		
FP&L		1,805.96	1,805.96	0.00 (2).		
Revenue Control Equipment Maintenance		0.00	0.00	0.00		
Elevator Maintenance		536.00	430.00	(106.00)		
Landscape Maintenance		0.00	0.00	0.00		
Garage Cleaning/Maintenance		1,796.50	1,837.75	41.25 (3).		
	42nd St. Garage - 8A EXPENSES	**16,176.74**	**15,347.04**	**(829.70)**	**-5.13%**	**$24.75**
	42nd St. Garage PROFIT/(LOSS)	**21,194.30**	**22,772.61**	**1,578.31**	**7.45%**	**$36.73**
					Number of Spaces	**620**

Notes:
The primary users of this facility are monthly parkers engaged in local business.

(1). July 2003 Security Personnel charge was comprised of 744.93 hours of service, whereas the July 2004 Security Personnel charge consisted of 672 hours of service.

(2). July 2003 FP&L invoice was unable to be obtained. Therefore, the figure used is an estimate based on the average of the FP&L charges from October 2002 through February 2004. Additionally, July 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is a previously established estimate.

(3). July 2003 Garage Cleaning/Maintenance charge reflects the regular monthly service charge of $1,285 and an additional charge of $511.50 for an additional 62 hours of cleaning services. July 2004 Garage Cleaning/Maintenance charge reflects the regular monthly service charge of $1,285 and an additional charge of $552.75 for an additional 67 hours of cleaning services.

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
16th Street - Anchor Garage
July 2004

LOCATION	ACCOUNTING CODE	July 2003 Actual	July 2004 Actual	2004 Actual Over (Under) 2003 Actual		Actual Percent Over (Under)	Revenue / Expense Per Space
16th Street - Anchor Garage							
Revenue							
Revenue-Ticket	463-8000-344911	78,888.26	100,624.29	21,736.03			
Revenue -Valet-Loew's	463-8000-344587	27,238.32	26,958.88	(279.44)			
Revenue-Valet-Royal Palm	463-8000-344587	0.00	1,048.60	1,048.60	(1).		
Revenue-Monthly Permits	463-8000-344903	25,400.00	28,250.00	2,850.00			
	16th St. - Anchor Garage REVENUE (Sales Tax Excluded)	**131,526.58**	**156,881.77**	**25,355.19**		**19.28%**	**$195.37**
Expenses							
Security Personnel		13,912.95	13,312.95	(600.00)	(2).		
Attendant/Cashier Labor		15,087.01	16,122.14	1,035.13	(3).		
FP&L		3,800.00	3,800.00	0.00	(4).		
Revenue Control Equipment Maintenance		775.00	1,450.00	675.00	(5).		
Armed Guard Revenue Pickup		566.67	420.00	(146.67)			
Elevator Maintenance		0.00	1,097.97	1,097.97	(6).		
Landscape Maintenance		164.67	152.00	(12.67)			
Garage Cleaning/Maintenance		2,924.40	4,864.00	1,939.60	(7).		
Sanitation (Waste Removal)		175.00	179.04	4.04	(8).		
Fire Alarm Service		430.00	250.00	(180.00)	(9).		
	16th St. - Anchor Garage EXPENSES	**37,835.70**	**41,648.10**	**3,812.40**		**10.08%**	**$51.87**
	16th St. Garage PROFIT/(LOSS)	**93,690.88**	**115,233.67**	**21,542.79**		**22.99%**	**$143.50**
						Number of Spaces	**803**

Notes:
Garage contract awarded effective June 9, 2003.

(1). July 2004 Royal Palm Valet Revenue includes a negative revenue amount of ($77.57) to correct over-revenues in February and March of 2004.

(2). July 2003 Security Personnel charge was comprised of 1,133.90 hours of service, whereas the July 2004 Security Personnel charge consisted of 1,085 hours of service.

(3). The average hourly rate for Attendant/Cashier Labor in July 2003 was $10.66; whereas the average hourly rate for Attendant/Cashier Labor in July 2004 was $11.19.

(4). July 2003 FP&L invoice was unable to be obtained. Therefore, the figure used is an estimate based on the average of the FP&L charges from October 2002 through February 2003. Additionally, July 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is a previously established estimate.

(5). July 2003 Revenue Control Equipment Maintenance invoice was not received. Therefore, the figure used is an estimate based on the standing order. July 2004 Revenue Control Equipment Maintenance figure reflects the monthly service charge of $775 and an additional charge of $675 for the purchase of 100 control cards.

(6). July 2003 Elevator Maintenance fee was paid by RDA. No invoice received for July 2004 Elevator Maintenance. Therefore, the figure used is based on the standing order.

(7). A portion of the July 2003 Garage Maintenance/Cleaning invoice was previously paid by the RDA.

(8). July 2003 Sanitation (Waste Removal) invoice was not received. Therefore, the figure used is an estimate based on the budget.

(9). July 2003 Fire Alarm Service figure reflects the regular monthly service charge of $250 and a charge of $180 for an additional service call.

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City of Miami Beach
Parking Department
Daily Revenue Report
16th Street - Anchor Garage **July 2004**

Date	Day	Total Vehicle Entries	Peak Period	Peak Vehicle Count	Daily Ticket Revenue
1	Thursday	652	17:00 - 17:59	306	1,802.80
2	Friday	909	16:00 - 16:59	108	3,532.71
3	Saturday	1,412	23:00 - 23:59	197	7,042.06
4	Sunday	1,294	14:00 - 14:59	189	7,345.79
5	Monday	733	12:00 - 12:59	142	4,208.41
6	Tuesday	415	18:00 - 18:59	73	1,288.79
7	Wednesday	495	15:00 - 15:59	110	1,256.07
8	Thursday	611	18:00 - 18:59	103	1,821.50
9	Friday	842	23:00 - 23:59	100	3,920.56
10	Saturday	1,023	23:00 - 23:59	149	6,055.14
11	Sunday	554	00:00 - 00:59	150	2,129.91
12	Monday	477	18:00 - 18:59	75	1,296.26
13	Tuesday	541	19:00 - 19:59	83	1,271.03
14 *	Wednesday	508	17:00 - 17:59	92	1,561.68
15	Thursday	765	18:00 - 18:59	115	2,813.08
16	Friday	1,079	23:00 - 23:59	139	5,004.67
17	Saturday	1,109	23:00 - 23:59	145	7,114.02
18	Sunday	801	01:00 - 01:59	170	2,835.51
19	Monday	641	16:00 - 16:59	94	1,324.30
20	Tuesday	610	18:00 - 18:59	107	1,288.79
21	Wednesday	527	19:00 - 19:59	89	1,449.53
22	Thursday	906	21:00 - 21:59	153	3,371.03
23	Friday	930	16:00 - 16:59	111	4,357.94
24	Saturday	947	00:00 - 00:59	124	6,028.97
25	Sunday	708	00:00 - 00:59	142	2,697.20
26	Monday	482	15:00 - 15:59	79	1,290.65
27	Tuesday	511	18:00 - 18:59	80	1,410.28
28	Wednesday	501	17:00 - 17:59	76	1,173.83
29	Thursday	692	17:00 - 17:59	96	1,940.19
30	Friday	1,090	17:00 - 17:59	123	4,680.37
31	Saturday	1,186	23:00 - 23:59	158	7,311.22
	TOTAL	**23,951**			**$100,624.29**
	MONTHLY PERMIT REVENUE				**$28,250.00**
	VALET REVENUE **				**$28,007.48**
	TOTAL NET REVENUE				**$156,881.77**

Notes: Garage contract awarded effective June 9, 2003.

* Lot Counts were unable to be obtained for Wednesday, July 14, 2004. Therefore, the above figures are the averages of the three other Wednesdays during the month of July 2004.

** The July 2004 Valet Revenue includes a negative revenue amount of ($77.57) to correct over-revenues at the Royal Palm in February and March of 2004.

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CITY OF MIAMI BEACH
PARKING DEPARTMENT
ELECTRONIC METER REVENUE COMPARISON
July 2004

LOCATION	ACCOUNTING CODE	2004 July # of Meters	2003 July	2004 July	Increase/ (Decrease)	Percent of Increase/ (Decrease)
1X - (Washington - 4th & Lincoln) - On Street	480-8000-344501	291	50,429.03	49,596.43	(832.60)	-1.65%
1A - (1st Street & Ocean Dr.) - Off Street	480-8000-344502	57	12,088.74	8,353.62		
1A - (1st Street & Ocean Dr.) - Attended	480-8000-344502	0	0.00	7,266.36		
Total		57	12,088.74	15,619.98	3531.24	29.21%
1B - (78 Washington Avenue) - Off Street	480-8000-344617	12	0.00	496.91	496.91	#DIV/0!
2X - (Washington - 5th & Lincoln) - On Street	480-8000-344503	370	51,245.24	49,596.43	(1648.81)	-3.22%
2B - (6/7 & Meridian) - Off Street	480-8000-344505	22	319.71	176.46	(143.25)	-44.81%
3X - (Collins & Euclid Ave.) On Street	480-8000-344507	68	7,516.20	8,008.78	492.58	6.55%
4X - (Alton 7th St.- Dade Blvd.) - On Street	480-8000-344509	491	67,569.19	69,487.35	1918.16	2.84%
4B - (Alton & 20th St.-Purdy-Dade Blvd.) - On Street	480-8000-344511	213	14,620.42	15,742.21	1121.79	7.67%
4C - (West Ave & 17th St.) - Off Street	480-8000-344512	66	13,702.69	11,583.05	(2119.64)	-15.47%
4D - (West Ave & Lincoln Rd.) - Off Street	480-8000-344513	30	3,599.48	3,845.90	246.42	6.85%
5C - (Convention Ctr. Dr. & 17th Street) - Off Street	480-8000-344517	85	4,088.48	2,463.49		
5C - (Convention Ctr. Dr. & 17th Street) - Attended	480-8000-344517	0	0.00	0.00		
Total		85	4,088.48	2,463.49	(1624.99)	-39.75%
5F - (Meridian Ave & 18th Street) - Off Street	480-8000-344519	97	236.87	263.98		
5F - (Meridian Ave & 18th Street) - Attended	480-8000-344519	0	0.00	0.00		
Total		97	236.87	263.98	27.11	11.45%
5H - (19th Street & Meridian Ave) - Off Street	480-8000-344521	27	1,234.00	1,033.74	(200.26)	-16.23%
5M - (17th & Meridian Ave) - Off Street	480-8000-344506	27	2,127.38	1,970.76	(156.62)	-7.36%
6X - (Collins - 20th to 24th St) - On Street	480-8000-344522	236	23,860.05	33,385.05	9525.00	39.92%
6A - (22nd Street & Park)- Off Street	480-8000-344523	14	512.58	1,093.31	580.73	113.30%
6B - (Collins Ave & 21st Street) - Off Street	480-8000-344524	190	19,465.46	23,402.43		
6B - (Collins Ave & 21st Street) - Attended	480-8000-344524	0	0.00	0.00		
Total		190	19,465.46	23,402.43	3936.97	20.23%
7X - (Ocean - Biscayne - 15th St) - On Street	480-8000-344525	442	79,099.77	79,002.30	(97.47)	-0.12%
7A - (Collins Ave. 4th to 15th St) - On Street	480-8000-344526	591	144,090.90	141,291.18	(2799.72)	-1.94%
7C - (Collins Ave & 6th St) - Off Street	480-8000-344528	14	789.58	465.47		
7C - (Collins Ave & 6th St) - Attended	480-8000-344528	0	717.77	0.00		
Total		14	1,507.35	465.47	(1041.88)	-69.12%
8X - (Pinetree-Alton - 40th to 42nd St) - On Street	480-8000-344530	386	19,321.69	13,763.01	(5558.68)	-28.77%
8A - (42nd Street Garage) - Off Street Meters	480-8000-344531	11	374.72	268.30	(106.42)	-28.40%
8B - (42nd Street & Royal Palm) - Off Street	480-8000-344532	173	2,360.24	2,289.61		
8B - (42nd Street & Royal Palm) - Attended	480-8000-344532	0	0.00	0.00		
Total		173	2,360.24	2,289.61	(70.63)	-2.99%
8C - (40/41 Street & Chase) - Off Street	480-8000-344533	88	1,064.13	778.94	(285.19)	-26.80%
8D - (47th Street & Pinetree) - Off Street	480-8000-344534	16	79.82	44.33	(35.49)	-44.46%
8E - (41st Street & Alton) - Off Street	480-8000-344535	40	2,290.18	1,398.59	(891.59)	-38.93%
8F - (41st Street & Jefferson) - Off Street	480-8000-344536	30	380.90	224.88	(156.02)	-40.96%
9X - (Collins - 64th to 79th St) - On Street	480-8000-344537	527	36,737.34	36,500.57	(236.77)	-0.64%
9A - (Harding & 71st St) - Off Street	480-8000-344538	48	1,715.12	858.50	(856.62)	-49.95%
9B - (72nd St. & Collins) - Off Street - Attended	480-8000-344539	0	1,373.83	11,928.95	10555.12	768.30%
9C (Carlyle & 71st St) - Off Street	480-8000-344540	14	518.34	33.69	(484.65)	-93.50%

CITY OF MIAMI BEACH
PARKING DEPARTMENT
ELECTRONIC METER REVENUE COMPARISON
July 2004

LOCATION	ACCOUNTING CODE	2004 July # of Meters	2003 July	2004 July	Increase/ (Decrease)	Percent of Increase/ (Decrease)
9D - (Collins & 76th St) - Off Street	480-8000-344541	33	1,162.67	1,030.25	(132.42)	-11.39%
9E - (71st St. & Harding) - Off Street	480-8000-344542	31	356.08	317.16	(38.92)	-10.93%
9F - (75th & Collins) - Off Street	480-8000-344543	106	4,970.13	4,153.90	(816.23)	-16.42%
10A - (Lincoln Lane & Lenox) - Off Street	480-8000-344544	70	11,973.14	12,944.58	971.44	8.11%
10B - (Lincoln Lane & Michigan) - Lease	480-8000-344545	0	14,583.33	14,583.33		
10B - (Lincoln Lane & Michigan) - Attended	480-8000-344545	0	0.00	0.00		
Total		0	14,583.33	14,583.33	0.00	0.00%
10C - (Lincoln Lane & Meridian) - Off Street	480-8000-344546	141	28,360.59	27,944.98	(415.61)	-1.47%
10D - (Lincoln Lane & Jefferson - W) - Off Street	480-8000-344547	62	10,796.68	10,506.39	(290.29)	-2.69%
10E - (Lincoln Lane & Jefferson - E) - Off Street	480-8000-344548	19	3,374.35	3,122.16	(252.19)	-7.47%
10F - (Lincoln Lane & Euclid) - Off Street	480-8000-344549	36	6,670.02	7,104.72	434.70	6.52%
10G - (Lincoln Lane & Michigan) - Off Street	480-8000-344550	21	3,257.76	2,926.88	(330.88)	-10.16%
11X - (Collins & 11th Street) - Off Street	480-8000-344551	0	0.00	0.00		
11X - (Collins & 11th Street) - Attended	480-8000-344551	0	0.00	0.00		
Total		0	0.00	0.00	0.00	#DIV/0!
12X - (Washington & 9th Street) - Off Street	480-8000-344552	23	4,369.50	3,312.25		
12X - (Washington & 9th Street) - Attended	480-8000-344552	0	0.00	0.00		
Total		23	4,369.50	3,312.25	(1057.25)	-24.20%
13X - (Washington & 10th Street) - Off Street	480-8000-344553	33	6,188.14	5,649.98		
13X - (Washington & 10th Street) - Attended	480-8000-344553	0	0.00	0.00		
Total		33	6,188.14	5,649.98	(538.16)	-8.70%
15X - (16th to 18th East of Collins) - On Street	480-8000-344556	43	9,149.67	12,727.70	3578.03	39.11%
15A - (Washington, 17th to 20th) - On Street	480-8000-344557	91	16,113.33	14,013.64	(2099.69)	-13.03%
15B - (Convention Center Drive) - On Street	480-8000-344558	46	2,975.96	1,626.23	(1349.73)	-45.35%
16X - (25th to 32nd, E of Collins) - On Street	480-8000-344559	78	8,313.96	8,109.81	(204.15)	-2.46%
16A - (35th to 43rd, E of Collins) - On Street	480-8000-344560	117	13,403.91	14,598.48	1194.57	8.91%
16B - (Indian Crk Dr, 27th to 32nd) - On Street	480-8000-344561	219	7,371.02	6,571.19	(799.83)	-10.85%
16C - (Indian Crk - 33rd to 43rd) - On Street	480-8000-344562	230	12,956.75	13,231.72	274.97	2.12%
16D - (Collins Ave & 34th St) - Off Street	480-8000-344563	64	2,885.93	2,796.15		
16D - (Collins Ave & 34th St) - Attended	480-8000-344563	0	0.00	0.00		
Total		64	2,885.93	2,796.15	(89.78)	-3.11%
16E - (Collins Ave & 35th St) - Off Street	480-8000-344564	72	3,806.89	3,049.80		
16E - (Collins Ave & 35th St) - Attended	480-8000-344564	0	0.00	0.00		
Total		72	3,806.89	3,049.80	(757.09)	-19.89%
17X - (Collins & 13th Street) - Off Street	480-8000-344565	54	6,389.40	5,313.98		
17X - (Collins & 13th Street) - Attended	480-8000-344565	0	9,682.24	11,446.72		
Total		54	16,071.64	16,760.70	689.06	4.29%
18X - (Indian Crk & 65th St) - Off Street	480-8000-344567	53	505.29	423.27	(82.02)	-16.23%
18A - (Collins & 64th St) - Off Street	480-8000-344568	67	6,973.66	6,490.77		
18A - (Collins & 64th St) - Attended	480-8000-344568	0	0.00	0.00		
Total		67	6,973.66	6,490.77	(482.89)	-6.92%
19X - (Collins & 46th Street) - Off Street	480-8000-344569	449	16,285.28	14,567.90		
19X - (Collins & 46th Street) - Attended	480-8000-344569	0	19,224.29	20,014.02		
Total		449	35,509.57	34,581.92	(927.65)	-2.61%
19A - (Collins & 46th Street) - On Street	480-8000-344570	19	2,210.85	1,206.99	(1003.86)	-45.41%

CITY OF MIAMI BEACH
PARKING DEPARTMENT
ELECTRONIC METER REVENUE COMPARISON
July 2004

LOCATION	ACCOUNTING CODE	2004 July # of Meters	2003 July	2004 July	Increase/ (Decrease)	Percent of Increase/ (Decrease)
19B - (Collins & 53rd Street) - Off Street	480-8000-344571	158	2,959.60	3,677.21		
19B - (Collins & 53rd Street) - Attended	480-8000-344571	0	9,495.32	9,210.27		
Total		158	12,454.92	12,887.48	432.56	3.47%
20X - (Collins Ave & 27th St) - Off Street	480-8000-344572	121	2,376.29	7,105.11		
20X - (Collins Ave & 27th St) - Attended	480-8000-344572	0	0.00	0.00		
Total	Total	121	2,376.29	7,105.11	4728.82	199.00%
22X - (Carlyle & 72nd St) - Off Street	480-8000-344574	45	0.00	238.97	238.97	#DIV/0!
23X - (83rd & Abbott) - Off Street	480-8000-344575	25	82.76	28.28	(54.48)	-65.83%
24X - (Normandy Isle & Bay Dr) - On Street	480-8000-344576	102	3,835.26	5,647.98	1812.72	47.26%
24A - (Normandy Isle & Bay Dr) - Off Street	480-8000-344577	26	242.82	389.43	146.61	60.38%
24B - (Normandy Isle & Vendome) - Off Street	480-8000-344578	22	475.09	321.70	(153.39)	-32.29%
24C - (Normandy Isle & Bay Rd S/S) - Off Street	480-8000-344579	33	886.36	584.88	(301.48)	-34 01%
25X - (Bonita Drive & 71st St) - Off Street	480-8000-344580	15	502.06	323.71	(178.35)	-35.52%
26X - (Collins, 79th to 87th Terr) - On Street	480-8000-344581	283	6,034.04	5,227.86	(806.18)	-13.36%
26Z - (Collins & 87th Street) - Off Street	480-8000-344616	15	0.00	595.41	595.41	#DIV/0!
10X - (Lincoln Lane & Lenox - Off Street)	480-8000-344582	99	16,871.21	18,286.90		
10X - (Lincoln Lane & Lenox - Attended	480-8000-344582	0	0.00	0.00		
Total		99	16,871.21	18,286.90	1415.69	8.39%
26A - (Collins & 80th Street) - Off Street	480-8000-344584	62	1,414.30	1,395.22	(19.08)	-1.35%
26B - (Collins & 84th Street) - Off Street	480-8000-344585	62	1,090.74	699.54	(391.20)	-35.87%
4E (Purdy & 18th Street) - Off Street	480-8000-344586	39	4,020.34	4,360.00		
4E (Purdy & 18th Street) - Attended	480-8000-344586	0	3,028.03	3,961.69		
Total		39	7,048.37	8,321.69	1273.32	18.07%
8G - (40th Street & Royal Palm) - Off Street	480-8000-344592	43	1,877.10	1,929.60	52.50	2.80%
8H - (40th Street & Prairie) - Off Street	480-8000-344594	71	2,302.14	2,610.64	308.50	13.40%
26C - (Collins & 79th Street) - Off Street	480-8000-344600	34	558.16	408.01	(150.15)	-26.90%
26D - (Collins & 83rd Street) - Off Street	480-8000-344601	95	960.09	467.82	(492.27)	-51.27%
SLSP00 - (South Point Lot) - Off Street	480-8000-344602	108	11,075.43	8,125.41		
SLSP00 - (Southpoint Lot) - Attended	480-8000-344602	0	11,932.21	10,328.05		
Total		108	23,007.64	18,453.46	(4554.18)	-19.79%
4th & Alton Lot - Off Street	480-8000-344604	21	757.20	1,135.95	378.75	50.02%
4A - 1833 Bay Road - Off Street	480-8000-344608	0	0.00	0.00	0.00	#DIV/0!
7D - 10-11th & Collins (Lease)	480-8000-344529	0	3,500.00	3,500.00	0.00	0.00%
10H - (Lincoln Rd. So. & Lenox) - Off Street	480-8000-344611	0	0.00	0.00	0.00	#DIV/0!
14A - 16th Street & Washington (Lease)	480-8000-344555	0	14,583.33	14,583.33	0.00	0.00%
TOTAL		**8,332**	**$898,700.55**	**$911,542.50**	**$12,841.95**	**1.43%**

CITY OF MIAMI BEACH
PARKING DEPARTMENT
DEBIT CARD REVENUE: July 2004

VENDOR	$10	$25	$25 CARDS w/10% Discount $22.50	MACHINE SALES $ AMOUNT	REFUNDS	COLLECTOR CARDS $20	COLL. CARDS w/10% Discount $18	TOTALS
BAY SUPERMARKET	0	0	0			0	0	$0.00
BRIGHAM GARDENS	0	0	0			0	0	$0.00
D'VINE CYBER LOUNGE	0	0	0			0	0	$0.00
COMPASS MARKET	0	0	0			0	0	$0.00
CHAMBER OF COMMERCE	0	0	20			0	0	$450.00
CLEAN MACHINE	0	0	0			0	0	$0.00
FINANCE DEPARTMENT	0	60	85			0	0	$3,412.50
KOSHER WORLD	0	0	0			0	0	$0.00
LEE ANN DRUGS	0	0	50			0	0	$1,125.00
NEWS CAFE	0	0	0			0	0	$0.00
PARKING DEPT. - Customer Service	0	168	93		$0.00	0	0	$6,292.50
PARKING DEPT. - Garages	0	13	0			0	0	$325.00
PUBLIX SUPERMARKET	0	0	2,840			0	0	$63,900.00
SUNSET CAFÉ	0	0	0			0	0	$0.00
BEACH BANK	0	0	0			0	0	$0.00
PARKING MACHINE - Cash	0	0	0	$3,140.00		0	0	$3,140.00
PARKING MACHINE - Credit	0	0	0	$3,030.00		0	0	$3,030.00
ZELICK'S TOBACCO	0	0	40			0	0	$900.00
WOLFSONIAN	0	0	0			0	0	$0.00
SHEMTOV'S	0	0	0			0	0	$0.00
TOTAL # OF CARDS	**0**	**241**	**3,128**			**0**	**0**	**3,369**
TOTAL $ AMOUNT	**$0.00**	**$6,025.00**	**$70,380.00**	**$6,170.00**	**$0.00**	**$0.00**	**$0.00**	**$82,575.00**

CITY OF MIAMI BEACH
PARKING DEPARTMENT
DEBIT CARD REVENUE - YTD: October 2003 - July 2004

VENDOR	$10	$25	$25 CARDS w/10% Discount $22.50	MACHINE SALES $ AMOUNT	REFUNDS	COLLECTOR CARDS $20	COLL. CARDS w/10% Discount $18	TOTALS
BAY SUPERMARKET	0	0	40			0	0	$900.00
BRIGHAM GARDENS	0	0	0			0	0	$0.00
D'VINE CYBER LOUNGE	0	0	10			0	0	$225.00
COMPASS MARKET	0	0	0			0	0	$0.00
CHAMBER OF COMMERCE	0	0	100			0	0	$2,250.00
CLEAN MACHINE	0	0	0			0	0	$0.00
FINANCE DEPARTMENT	0	681	736			0	0	$33,585.00
KOSHER WORLD	0	0	0			0	0	$0.00
LEE ANN DRUGS	0	0	405			0	0	$9,112.50
NEWS CAFE	0	0	80			0	0	$1,800.00
PARKING DEPT. - Customer Service	0	2,416	1,203		$0.00	0	0	$87,467.50
PARKING DEPT. - Garages	0	62	0			0	0	$1,550.00
PUBLIX SUPERMARKET	0	0	24,921			0	0	$560,722.50
SUNSET CAFÉ	0	0	6			0	0	$135.00
BEACH BANK	0	0	50			0	0	$1,125.00
PARKING MACHINE - Cash	0	0	0	$24,340.00		0	0	$24,340.00
PARKING MACHINE - Credit	0	0	0	$23,860.00		0	0	$23,860.00
ZELICK'S TOBACCO	0	0	127			0	0	$2,857.50
WOLFSONIAN	0	0	50			0	0	$1,125.00
SHEMTOV'S	0	0	0			0	0	$0.00
TOTAL # OF CARDS	**0**	**3,159**	**27,728**			**0**	**0**	**30,887**
TOTAL $ AMOUNT	**$0.00**	**$78,975.00**	**$623,880.00**	**$48,200.00**	**$0.00**	**$0.00**	**$0.00**	**$751,055.00**

CITY OF MIAMI BEACH
PARKING DEPARTMENT
MULTI -SPACE PARKING METER REVENUE COMPARISON

LOCATION	Number of Spaces	2002 July	2003 July	Increase/ (Decrease)	2004 July	Increase/ (Decrease)
Ocean Drive	47	$8.47	$10.92	28.93%	$12.95	18.59%
777 17th Street	27	$0.00	$2.54	#DIV/0!	$2.35	-7.48%

YEAR TO DATE REVENUE COMPARISON

LOCATION	Number of Spaces	Fiscal 2001/2002	Fiscal 2002/2003	Increase/ (Decrease)	Fiscal 2003/2004	Increase/ (Decrease)
Ocean Drive	47	$6.13	$9.74	58.89%	$11.13	14.27%
777 17th Street	27	$0.00	$2.84	#DIV/0!	$3.08	8.45%

Method of Payment Distribution Year to Date for All Collections

Currency	**67.60%**
Coin	**21.87%**
Credit Card	**10.53%**
Total	**100.00%**

Multispace meters were installed in January 2003. Fiscal year 2002 data has been included to show the effect on revenue of the multi-space meters versus the single-space meters.

The 777 17th Street Lot did not contain meters in July 2002.

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
17th Street Garage - 2G

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
17th Street Garage - 2G														
Revenue-Ticket	480-8000-344583	126,299.54	162,005.37	140,671.96	158,906.54	210,057.03	154,691.53	127,139.34	153,750.35	114,394.40	108,808.42	0.00	0.00	1,456,724.48
Revenue - Space Rental	480-8000-344583	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	0.00	0.00	63,000.00
Revenue-Monthly Permits	480-8000-344514	53,760.00	56,760.00	54,960.00	54,000.00	53,760.00	57,360.00	57,780.00	57,660.00	57,780.00	58,020.00	0.00	0.00	561,840.00
	17th St. - 2G REVENUE (Sales Tax Excluded)	186,359.54	225,065.37	201,931.96	219,206.54	270,117.03	218,351.53	191,219.34	217,710.35	178,474.40	173,128.42	0.00	0.00	2,081,564.48
Expenses														
Security Personnel		15,896.40	16,574.30	16,802.34	15,494.05	17,601.32	16,653.45	15,804.17	19,951.32	15,922.37	16,095.17	0.00	0.00	166,794.89
Attendant/Cashier Labor		41,511.91	48,342.11	40,772.36	36,234.53	52,732.42	40,835.62	45,314.47	46,946.34	44,991.49	37,865.26	0.00	0.00	435,546.51
FP&L		6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	0.00	0.00	64,733.90
Revenue Control Equipment Maintanance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	2,516.67	0.00	0.00	17,516.70
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	0.00	0.00	4,200.00
Elevator Maintenance		738.00	613.00	613.00	800.50	613.00	613.00	425.00	425.00	30,453.50	425.00	0.00	0.00	35,719.00
Landscape and Lot Maintenance		108.33	108.33	108.33	108.33	108.33	108.33	108.33	312.33	108.33	108.33	0.00	0.00	1,287.30
Garage Cleaning/Maintenance		5,331.08	5,331.08	5,331.08	5,331.08	5,331.08	5,331.08	5,331.08	5,421.08	5,696.08	5,595.08	0.00	0.00	54,029.80
	17th St. - 2G EXPENSES	72,145.78	79,528.88	72,187.17	66,528.55	84,946.21	72,101.54	75,543.11	81,616.13	105,731.83	69,498.90	0.00	0.00	779,828.10
	17th St. PROFIT/(LOSS)	114,213.76	145,536.49	129,744.79	152,677.99	185,170.82	146,249.99	115,676.23	136,094.22	72,742.57	103,629.52	0.00	0.00	1,301,736.38

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
17th St. Garage - 2G														
Revenue-Ticket	480-8000-344583	105,641.20	159,877.65	136,339.53	153,112.01	199,421.53	147,306.63	99,839.26	135,459.72	92,178.14	102,296.41	106,516.89	91,325.39	1,529,314.36
Revenue - Space Rental	480-8000-344583	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	75,600.00
Revenue-Monthly Permits	480-8000-344514	60,000.00	61,560.00	59,820.00	56,760.00	57,960.00	58,740.00	58,680.00	53,460.00	54,300.00	55,920.00	53,160.00	53,220.00	683,580.00
	17th St. - 2G REVENUE (Sales Tax Excluded)	171,941.20	227,737.65	202,459.53	216,172.01	263,681.53	212,346.63	164,819.26	195,219.72	152,778.14	164,516.41	165,976.89	150,845.39	2,288,494.36
Expenses														
Security Personnel		16,561.95	16,616.47	16,549.18	20,680.62	17,432.22	16,471.66	20,612.78	16,448.34	20,600.10	16,480.25	20,599.69	16,233.62	215,286.88
Attendant/Cashier Labor		33,192.78	56,286.32	36,137.49	39,265.13	48,329.64	37,381.35	32,521.25	34,321.57	59,870.88	35,809.78	34,812.81	42,009.65	489,938.65
FP&L		5,352.35	5,507.51	6,007.59	5,672.16	9,827.33	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	77,680.67
Revenue Control Equipment Maintanance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,860.67	1,666.67	1,666.67	1,851.67	1,666.67	20,379.04
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	455.00	525.00	420.00	6,054.62
Elevator Maintenance		613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	6,376.75	13,119.75
Landscape and Lot Maintenance		108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	1,299.96
Garage Cleaning/Maintenance		3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	5,331.08	5,331.08	5,578.58	5,331.08	5,331.08	5,331.08	51,985.98
	17th St. - 2G EXPENSES	61,304.26	84,607.48	64,891.44	71,815.09	81,786.37	66,523.58	67,843.68	65,673.56	95,428.13	66,937.50	70,314.97	78,619.49	875,745.55
	17th St. PROFIT/(LOSS)	110,636.94	143,130.17	137,568.09	144,356.92	181,895.16	145,823.05	96,975.58	129,546.16	57,350.01	97,578.91	95,661.92	72,225.90	1,412,748.81

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
17th Street Garage - 2G

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
17th St. Garage - 2G														
Revenue-Ticket	480-8000-344583	105,641.20	159,877.65	136,339.53	153,112.01	199,421.53	147,306.63	99,839.26	135,459.72	92,178.14	102,296.41	106,516.89	91,325.39	1,529,314.36
Revenue - Space Rental	480-8000-344583	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	75,600.00
Revenue-Monthly Permits	480-8000-344514	60,000.00	61,560.00	59,820.00	56,760.00	57,960.00	58,740.00	58,680.00	53,460.00	54,300.00	55,920.00	53,160.00	53,220.00	683,580.00
	17th St. - 2G REVENUE (Sales Tax Excluded)	171,941.20	227,737.65	202,459.53	216,172.01	263,681.53	212,346.63	164,819.26	195,219.72	152,778.14	164,516.41	165,976.89	150,845.39	2,288,494.36
Expenses														
Security Personnel		16,561.95	16,616.47	16,549.18	20,680.62	17,432.22	16,471.66	20,612.78	16,448.34	20,600.10	16,480.25	20,599.69	16,233.62	215,286.88
Attendant/Cashier Labor		33,192.78	56,286.32	36,137.49	39,265.13	48,329.64	37,381.35	32,521.25	34,321.57	59,870.88	35,809.78	34,812.81	42,009.65	489,938.65
FP&L		5,352.35	5,507.51	6,007.59	5,672.16	9,827.33	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	77,680.67
Revenue Control Equipment Maintanance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,860.67	1,666.67	1,666.67	1,851.67	1,666.67	20,379.04
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	455.00	525.00	420.00	6,054.62
Elevator Maintenance		613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	6,376.75	13,119.75
Landscape and Lot Maintenance		108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	1,299.96
Garage Cleaning/Maintenance		3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	5,331.08	5,331.08	5,578.58	5,331.08	5,331.08	5,331.08	51,985.98
	17th St. - 2G EXPENSES	61,304.26	84,607.48	64,891.44	71,815.09	81,786.37	66,523.58	67,843.68	65,673.56	95,428.13	66,937.50	70,314.97	78,619.49	875,745.55
	17th St. PROFIT/(LOSS)	110,636.94	143,130.17	137,568.09	144,356.92	181,895.16	145,823.05	96,975.58	129,546.16	57,350.01	97,578.91	95,661.92	72,225.90	1,412,748.81

LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/2002 TOTAL
17th St. Garage - 2G														
Revenue-Ticket	480-8000-344583	95,980.84	88,650.62	117,454.92	129,924.57	193,183.71	173,980.26	137,297.11	123,415.47	109,810.52	97,670.31	100,261.80	101,232.96	1,468,863.09
Revenue - Space Rental	480-8000-344583	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	75,600.00
Revenue-Monthly Permits	480-8000-344514	46,380.00	49,200.00	50,040.00	48,780.00	49,200.00	50,940.00	58,260.00	54,360.00	54,000.00	59,760.00	59,880.00	60,180.00	640,980.00
	17th St. - 2G REVENUE (Sales Tax Excluded)	148,660.84	144,150.62	173,794.92	185,004.57	248,683.71	231,220.26	201,857.11	184,075.47	170,110.52	163,730.31	166,441.80	167,712.96	2,185,443.09
Expenses														
Security Personnel		12,311.04	12,073.41	11,853.44	12,243.49	12,971.98	11,674.27	12,081.92	11,200.98	13,739.92	16,653.15	19,575.84	17,759.89	164,139.33
Attendant/Cashier Labor		36,820.66	30,740.16	30,863.50	35,009.60	44,561.13	32,597.89	38,714.70	38,742.83	35,232.98	31,239.96	32,357.63	34,965.22	421,846.26
FP&L		5,519.53	5,106.15	5,446.66	5,793.30	5,678.30	5,251.72	5,381.93	5,279.30	5,704.54	5,485.43	5,460.87	6,099.82	66,207.55
Revenue Control Equipment Maintanance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	20,000.04
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	6,206.16
Elevator Maintenance		613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	7,356.00
Landscape and Lot Maintenance		108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	1,299.96
Garage Cleaning/Maintenance		3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	39,504.00
	17th St. - 2G EXPENSES	60,848.41	54,116.90	54,360.78	59,243.57	69,408.59	55,721.06	62,375.73	61,420.29	60,874.62	59,575.72	63,591.52	65,022.11	726,559.30
	17th St. PROFIT/(LOSS)	87,812.43	90,033.72	119,434.14	125,761.00	179,275.12	175,499.20	139,481.38	122,655.18	109,235.90	104,154.59	102,850.28	102,690.85	1,458,883.79

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
7th Street Garage - 1G

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/200 TOTAL
7th Street Garage - 1G														
Revenue-Ticket	142-8000-344404	139,529.56	139,842.06	130,241.12	167,042.06	164,871.96	219,217.76	169,714.95	173,072.90	138,058.07	172,876.64	0.00	0.00	1,614,467.0
Revenue-Monthly Permits	142-8000-344404	13,050.00	13,237.50	13,462.50	13,500.00	13,800.00	13,725.00	13,725.00	13,350.00	13,725.00	13,800.00	0.00	0.00	135,375.0
	7th Street Garage - 1G REVENUE (Sales Tax Excluded)	152,579.56	153,079.56	143,703.62	180,542.06	178,671.96	232,942.76	183,439.95	186,422.90	151,783.07	186,676.64	0.00	0.00	1,749,842.0
Expenses														
Security		21,049.40	21,816.06	24,181.09	21,727.10	20,960.22	23,119.75	21,349.80	28,211.80	21,233.24	22,052.26	0.00	0.00	225,700.7
Attendant/Cashier Labor		17,797.52	17,668.48	17,422.60	17,959.47	17,642.05	18,282.80	17,863.50	17,748.27	17,815.82	17,998.44	0.00	0.00	178,198.9
Landscape Maintenance		918.67	1,114.00	918.67	918.67	848.00	918.67	918.67	918.67	918.67	14,404.67	0.00	0.00	22,797.3
FP&L		3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	0.00	0.00	30,673.7
Revenue Control Equipment Maintenance		700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	0.00	0.00	7,000.0
Garage Cleaning/Maintenance		4,864.00	4,699.00	4,765.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	5,111.50	0.00	0.00	48,623.5
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	0.00	0.00	4,200.0
Elevator Maintenance		1,729.00	1,202.00	2,271.50	985.00	1,460.42	985.00	1,202.00	2,817.42	2,592.67	2,360.17	0.00	0.00	17,605.1
Surveillance System Maintenance		534.60	534.60	744.60	534.60	534.60	534.60	534.60	534.60	2,457.18	534.60	0.00	0.00	7,478.5
	7th St. Garage - 1G EXPENSES	51,080.56	51,221.51	54,490.83	51,176.21	50,496.66	52,892.19	50,919.94	59,282.13	54,068.95	66,649.01	0.00	0.00	542,277.9
	7th St. - 1G Estimated Debt Service	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	0.00	0.00	595,000.0
	7th St. - 1G PROFIT/(LOSS)	41,999.00	42,358.05	29,712.79	69,865.85	68,675.30	120,550.57	73,020.01	67,640.77	38,214.12	60,527.63	0.00	0.00	612,564.0

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/200 TOTAL
7th Street Garage - 1G														
Revenue-Ticket	142-8000-344404	136,186.19	137,501.35	140,246.61	148,182.44	153,858.76	221,547.82	161,549.46	174,847.57	133,750.47	164,101.85	178,871.59	120,362.30	1,871,006.4
Revenue-Monthly Permits	142-8000-344404	13,125.00	13,125.00	13,125.00	13,125.00	13,125.00	13,050.00	13,050.00	13,050.00	12,975.00	13,050.00	13,200.00	13,200.00	157,200.0
	7th Street Garage - 1G REVENUE (Sales Tax Excluded)	149,311.19	150,626.35	153,371.61	161,307.44	166,983.76	234,597.82	174,599.46	187,897.57	146,725.47	177,151.85	192,071.59	133,562.30	2,028,206.4
Expenses														
Security		21,087.06	20,743.70	20,245.12	26,257.88	21,150.87	21,933.85	26,125.51	22,612.39	25,778.86	21,024.44	27,128.97	21,014.42	275,103.0
Attendant/Cashier Labor		16,755.52	25,273.02	16,806.12	17,276.43	16,664.70	17,694.64	16,755.04	16,893.83	25,407.34	16,835.01	17,385.71	17,618.06	221,365.4
Landscape Maintenance		984.00	984.00	984.00	984.00	984.00	984.00	918.67	1,067.67	918.67	10,438.67	7,363.67	918.67	27,530.0
FP&L		2,667.70	2,747.44	2,709.51	2,462.61	4,749.59	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	36,808.4
Revenue Control Equipment Maintenance		700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	8,400.0
Garage Cleaning/Maintenance		4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	5,111.50	4,864.00	4,864.00	4,864.00	58,615.5
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	455.00	525.00	420.00	6,054.6
Elevator Maintenance		985.00	985.00	985.00	985.00	985.00	985.00	1,180.88	1,264.84	1,936.44	1,180.88	1,180.88	1,295.00	13,948.9
Surveillance System Maintenance		437.00	437.00	437.00	437.00	437.00	437.00	495.00	495.00	495.00	1,855.00	580.00	2,810.60	9,352.6
	7th St. Garage - 1G EXPENSES	48,997.46	57,251.34	48,247.93	54,484.10	51,052.34	51,183.04	54,623.65	51,482.28	63,932.36	60,420.37	62,795.60	52,708.12	657,178.5
	7th St. - 1G Estimated Debt Service	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	714,000.0
	7th St. - 1G PROFIT/(LOSS)	40,813.73	33,875.01	45,623.68	47,323.34	56,431.42	123,914.78	60,475.81	76,915.29	23,293.11	57,231.48	69,775.99	21,354.18	657,027.8

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
7th Street Garage - 1G

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
7th Street Garage - 1G														
Revenue-Ticket	142-8000-344404	136,186.19	137,501.35	140,246.61	148,182.44	153,858.76	221,547.82	161,549.46	174,847.57	133,750.47	164,101.85	178,871.59	120,362.30	1,871,006.41
Revenue-Monthly Permits	142-8000-344404	13,125.00	13,125.00	13,125.00	13,125.00	13,125.00	13,050.00	13,050.00	13,050.00	12,975.00	13,050.00	13,200.00	13,200.00	157,200.00
	7th Street Garage - 1G REVENUE (Sales Tax Excluded)	149,311.19	150,626.35	153,371.61	161,307.44	166,983.76	234,597.82	174,599.46	187,897.57	146,725.47	177,151.85	192,071.59	133,562.30	2,028,206.41
Expenses														
Security		21,087.06	20,743.70	20,245.12	26,257.88	21,150.87	21,933.85	26,125.51	22,612.39	25,778.86	21,024.44	27,128.97	21,014.42	275,103.07
Attendant/Cashier Labor		16,755.52	25,273.02	16,806.12	17,276.43	16,664.70	17,694.64	16,755.04	16,893.83	25,407.34	16,835.01	17,385.71	17,618.06	221,365.42
Landscape Maintenance		984.00	984.00	984.00	984.00	984.00	984.00	918.67	1,067.67	918.67	10,438.67	7,363.67	918.67	27,530.02
FP&L		2,667.70	2,747.44	2,709.51	2,462.61	4,749.59	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	36,808.44
Revenue Control Equipment Maintenance		700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	8,400.00
Garage Cleaning/Maintenance		4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	5,111.50	4,864.00	4,864.00	4,864.00	58,615.50
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	455.00	525.00	420.00	6,054.62
Elevator Maintenance		985.00	985.00	985.00	985.00	985.00	985.00	1,180.88	1,264.84	1,936.44	1,180.88	1,180.88	1,295.00	13,948.92
Surveillance System Maintenance		437.00	437.00	437.00	437.00	437.00	437.00	495.00	495.00	495.00	1,855.00	580.00	2,810.60	9,352.60
	7th St. Garage - 1G EXPENSES	48,997.46	57,251.34	48,247.93	54,484.10	51,052.34	51,183.04	54,623.65	51,482.28	63,932.36	60,420.37	62,795.60	52,708.12	657,178.59
	7th St. - 1G Estimated Debt Service	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	714,000.00
	7th St. - 1G PROFIT/(LOSS)	40,813.73	33,875.01	45,623.68	47,323.34	56,431.42	123,914.78	60,475.81	76,915.29	23,293.11	57,231.48	69,775.99	21,354.18	657,027.82

LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/2002 TOTAL
7th Street Garage - 1G														
Revenue-Ticket	142-8000-344404	98,891.68	105,333.01	144,735.13	153,866.18	138,843.74	240,191.44	171,039.15	163,294.17	139,551.83	163,218.25	175,770.79	135,339.42	1,830,074.79
Revenue-Monthly Permits	142-8000-344404	15,975.00	16,350.00	15,825.00	16,800.00	14,550.00	14,700.00	14,700.00	14,550.00	14,550.00	13,800.00	13,725.00	13,800.00	179,325.00
	7th Street Garage - 1G REVENUE (Sales Tax Excluded)	114,866.68	121,683.01	160,560.13	170,666.18	153,393.74	254,891.44	185,739.15	177,844.17	154,101.83	177,018.25	189,495.79	149,139.42	2,009,399.79
Expenses														
Security		15,394.28	15,695.07	14,460.29	15,772.87	15,146.88	17,041.38	15,881.17	15,768.28	17,513.64	22,057.41	25,611.88	22,611.97	212,955.12
Attendant/Cashier Labor		15,209.20	15,854.69	16,107.91	16,346.08	16,018.67	15,976.15	16,429.77	16,357.45	15,943.55	15,952.92	16,684.59	17,149.19	194,030.17
Landscape Maintenance		984.00	984.00	984.00	984.00	984.00	984.00	984.00	984.00	984.00	984.00	984.00	984.00	11,808.00
FP&L		3,153.54	2,599.76	2,754.67	2,964.55	2,773.25	2,567.84	2,733.33	2,574.07	2,891.16	2,700.17	2,849.96	3,069.84	33,632.14
Revenue Control Equipment Maintenance		700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	8,400.00
Garage Cleaning/Maintenance		4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	58,368.00
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	6,206.16
Elevator Maintenance		985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	11,820.00
Surveillance System Maintenance		437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	5,244.00
	7th St. Garage - 1G EXPENSES	42,244.20	42,636.70	41,810.05	43,570.68	42,425.98	44,072.55	43,531.45	43,186.98	44,835.53	49,197.68	53,633.61	51,318.18	542,463.59
	7th St. - 1G Estimated Debt Service	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	714,000.00
	7th St. - 1G PROFIT/(LOSS)	13,122.48	19,546.31	59,250.08	67,595.50	51,467.76	151,318.89	82,707.70	75,157.19	49,766.30	68,320.57	76,362.18	38,321.24	752,936.20

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
17th Street Lots - 5A East and West

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
17th Street Lots - 5A East and West														
Revenue-Ticket	480-8000-344515	123,301.93	135,390.66	142,474.77	153,204.65	157,831.80	163,559.82	141,769.18	149,018.68	120,878.55	126,481.32	0.00	0.00	1,413,911.36
Revenue-Valet	480-8000-344515	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Revenue-Monthly Permits	480-8000-344596	16,800.00	18,360.00	15,960.00	16,200.00	15,660.00	15,660.00	16,560.00	16,800.00	17,940.00	17,820.00	0.00	0.00	167,760.00
	17th Lots - 5A REVENUE (Sales Tax Excluded)	140,101.93	153,750.66	158,434.77	169,404.65	173,491.80	179,219.82	158,329.18	165,818.68	138,818.55	144,301.32	0.00	0.00	1,581,671.36
Expenses														
Security Personnel		1,404.71	738.66	880.37	662.58	1,319.03	883.44	953.99	1,128.84	883.44	828.23	0.00	0.00	9,683.29
Attendant/Cashier Labor		20,826.85	24,230.94	20,510.75	20,463.71	23,729.34	22,161.85	21,289.27	22,812.35	21,621.06	18,258.77	0.00	0.00	215,904.89
Revenue Control Equipment Maintenance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	0.00	0.00	16,666.70
Landscape and Lot Maintenance		502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	0.00	0.00	5,026.70
FP&L		391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	0.00	0.00	3,914.80
	17th Lots - 5A EXPENSES	24,792.38	27,530.42	23,951.94	23,687.11	27,609.19	25,606.11	24,804.08	26,502.01	25,065.32	21,647.82	0.00	0.00	251,196.38
	17th Lots PROFIT/(LOSS)	115,309.55	126,220.24	134,482.83	145,717.54	145,882.61	153,613.71	133,525.10	139,316.67	113,753.23	122,653.50	0.00	0.00	1,330,474.98

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
17th Street Lots - 5A East and West														
Revenue-Ticket	480-8000-344515	105,889.88	120,891.93	120,890.56	132,337.75	139,792.51	139,949.44	111,002.09	127,300.47	107,680.68	111,796.59	110,433.27	99,008.57	1,426,973.74
Revenue-Valet	480-8000-344515	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Revenue-Monthly Permits	480-8000-344596	17,820.00	18,120.00	17,700.00	18,360.00	16,500.00	17,700.00	16,560.00	18,840.00	15,720.00	15,900.00	16,560.00	16,980.00	206,760.00
	17th Lots - 5A REVENUE (Sales Tax Excluded)	123,709.88	139,011.93	138,590.56	150,697.75	156,292.51	157,649.44	127,562.09	146,140.47	123,400.68	127,696.59	126,993.27	115,988.57	1,633,733.74
Expenses														
Security Personnel		1,883.74	1,884.70	1,797.93	2,334.72	1,591.97	1,750.52	2,157.89	1,786.10	2,172.81	1,743.98	1,863.20	1,687.74	22,655.30
Attendant/Cashier Labor		17,939.85	30,340.05	19,183.60	21,628.82	22,409.89	20,603.96	18,238.36	18,745.80	30,790.29	17,290.61	17,265.92	20,813.79	255,250.94
Revenue Control Equipment Maintenance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,860.67	1,666.67	1,831.67	1,666.67	1,666.67	20,359.04
Landscape and Lot Maintenance		502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	6,032.04
FP&L		386.87	350.40	332.23	322.18	565.72	391.48	391.48	391.48	391.48	391.48	391.48	391.48	4,697.76
	17th Lots - 5A EXPENSES	22,379.80	34,744.49	23,483.10	26,455.06	26,736.92	24,915.30	22,957.07	23,286.72	35,523.92	21,760.41	21,689.94	25,062.35	308,995.08
	17th Lots PROFIT/(LOSS)	101,330.08	104,267.44	115,107.46	124,242.69	129,555.59	132,734.14	104,605.02	122,853.75	87,876.76	105,936.18	105,303.33	90,926.22	1,324,738.66

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
17th Street Lots - 5A East and West

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
17th Street Lots - 5A East and West														
Revenue-Ticket	480-8000-344515	105,889.88	120,891.93	120,890.56	132,337.75	139,792.51	139,949.44	111,002.09	127,300.47	107,680.68	111,796.59	110,433.27	99,008.57	1,426,973.74
Revenue-Valet	480-8000-344515	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Revenue-Monthly Permits	480-8000-344596	17,820.00	18,120.00	17,700.00	18,360.00	16,500.00	17,700.00	16,560.00	18,840.00	15,720.00	15,900.00	16,560.00	16,980.00	206,760.00
	17th Lots - 5A REVENUE (Sales Tax Excluded)	123,709.88	139,011.93	138,590.56	150,697.75	156,292.51	157,649.44	127,562.09	146,140.47	123,400.68	127,696.59	126,993.27	115,988.57	1,633,733.74
Expenses														
Security Personnel		1,883.74	1,884.70	1,797.93	2,334.72	1,591.97	1,750.52	2,157.89	1,786.10	2,172.81	1,743.98	1,863.20	1,687.74	22,655.30
Attendant/Cashier Labor		17,939.85	30,340.05	19,183.60	21,628.82	22,409.89	20,603.96	18,238.36	18,745.80	30,790.29	17,290.61	17,265.92	20,813.79	255,250.94
Revenue Control Equipment Maintenance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,860.67	1,666.67	1,831.67	1,666.67	1,666.67	20,359.04
Landscape and Lot Maintenance		502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	6,032.04
FP&L		386.87	350.40	332.23	322.18	565.72	391.48	391.48	391.48	391.48	391.48	391.48	391.48	4,697.76
	17th Lots - 5A EXPENSES	22,379.80	34,744.49	23,483.10	26,455.06	26,736.92	24,915.30	22,957.07	23,286.72	35,523.92	21,760.41	21,689.94	25,062.35	308,995.08
	17th Lots PROFIT/(LOSS)	101,330.08	104,267.44	115,107.46	124,242.69	129,555.59	132,734.14	104,605.02	122,853.75	87,876.76	105,936.18	105,303.33	90,926.22	1,324,738.66

LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/2002 TOTAL
17th Street Lots - 5A East and West														
Revenue-Ticket	480-8000-344515	84,476.22	86,054.63	129,752.12	132,730.72	133,767.55	155,170.88	123,970.06	119,955.85	116,868.05	108,329.32	115,012.11	102,521.07	1,408,608.58
Revenue-Valet	480-8000-344515	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Revenue-Monthly Permits	480-8000-344596	17,760.00	16,080.00	16,140.00	14,940.00	15,780.00	17,460.00	17,040.00	16,680.00	16,800.00	16,080.00	17,760.00	17,760.00	200,280.00
	17th Lots - 5A REVENUE (Sales Tax Excluded)	102,236.22	102,134.63	145,892.12	147,670.72	149,547.55	172,630.88	141,010.06	136,635.85	133,668.05	124,409.32	132,772.11	120,281.07	1,608,888.58
Expenses														
Security Personnel		857.65	726.48	726.48	728.00	489.20	964.75	955.32	1,327.81	1,471.71	1,554.13	1,691.61	1,559.16	13,052.30
Attendant/Cashier Labor		17,436.09	16,120.74	17,827.14	18,512.07	19,388.97	20,846.52	21,119.07	19,675.74	17,955.12	17,566.44	19,212.48	20,566.65	226,227.03
Revenue Control Equipment Maintenance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	20,000.04
Landscape and Lot Maintenance		502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	6,032.04
FP&L		457.83	601.13	483.88	354.56	335.36	324.34	348.11	343.62	362.67	362.54	417.81	404.38	4,796.23
	17th Lots - 5A EXPENSES	20,920.91	19,617.69	21,206.84	21,763.97	22,382.87	24,304.95	24,591.84	23,516.51	21,958.84	21,652.45	23,491.24	24,699.53	270,107.64
	17th Lots PROFIT/(LOSS)	81,315.31	82,516.94	124,685.28	125,906.75	127,164.68	148,325.93	116,418.22	113,119.34	111,709.21	102,756.87	109,280.87	95,581.54	1,338,780.94

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8/10/2004

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
12th Street Garage - 2A

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
12th Street Garage - 2A														
Revenue-Ticket	480-8000-344504	26,360.74	25,345.79	24,450.45	29,463.54	29,428.03	38,480.37	31,798.13	32,760.77	25,388.79	29,747.65	0.00	0.00	293,224.26
Revenue-Monthly Permits	480-8000-344593	5,220.00	5,100.00	5,040.00	4,740.00	4,740.00	4,800.00	4,920.00	4,860.00	4,860.00	4,980.00	0.00	0.00	49,260.00
	12th St. - 2A REVENUE (Sales Tax Excluded)	31,580.74	30,445.79	29,490.45	34,203.54	34,168.03	43,280.37	36,718.13	37,620.77	30,248.79	34,727.65	0.00	0.00	342,484.26
Expenses														
Security Personnel		8,219.46	8,844.80	9,107.41	8,233.17	10,306.80	8,013.11	8,245.44	10,395.76	8,230.11	7,938.69	0.00	0.00	87,534.75
Attendant/Cashier Labor		7,247.08	7,241.85	7,200.05	7,215.73	7,184.37	7,226.18	7,210.50	7,602.38	7,354.19	7,113.84	0.00	0.00	72,596.17
FP&L		108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	0.00	0.00	1,085.40
Elevator Maintenance		125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	0.00	0.00	1,250.00
Garage Cleaning/Maintenance		1,540.75	1,532.50	1,540.75	1,540.75	1,524.25	1,540.75	1,532.50	1,532.50	1,540.75	1,590.25	0.00	0.00	15,415.75
	12th St. - 2A EXPENSES	17,240.83	17,852.69	18,081.75	17,223.19	19,248.96	17,013.58	17,221.98	19,764.18	17,358.59	16,876.32	0.00	0.00	177,882.07
	12th St. - 2A PROFIT/(LOSS)	14,339.91	12,593.10	11,408.70	16,980.35	14,919.07	26,266.79	19,496.15	17,856.59	12,890.20	17,851.33	0.00	0.00	164,602.19

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
12th Street Garage - 2A														
Revenue-Ticket	480-8000-344504	23,808.81	26,646.02	27,241.35	27,276.87	28,087.39	39,739.49	29,315.86	33,756.05	22,192.23	30,702.84	31,246.72	22,452.33	342,465.96
Revenue-Monthly Permits	480-8000-344593	5,340.00	5,520.00	5,220.00	4,860.00	4,920.00	5,100.00	5,040.00	4,920.00	4,860.00	5,220.00	5,400.00	5,400.00	61,800.00
	12th St. - 2A REVENUE (Sales Tax Excluded)	29,148.81	32,166.02	32,461.35	32,136.87	33,007.39	44,839.49	34,355.86	38,676.05	27,052.23	35,922.84	36,646.72	27,852.33	404,265.96
Expenses														
Security Personnel		8,245.44	8,232.15	8,235.63	10,779.20	8,166.92	8,233.17	10,238.91	8,237.06	10,302.50	8,241.55	10,299.64	8,252.59	107,464.76
Attendant/Cashier Labor		7,054.55	10,280.84	6,892.87	7,315.74	6,912.77	7,052.06	6,810.78	6,945.10	10,775.85	7,497.33	7,173.01	7,672.92	92,383.82
FP&L		102.79	81.67	98.93	90.60	168.69	108.54	108.54	108.54	108.54	108.54	108.54	108.54	1,302.46
Elevator Maintenance		125.00	125.00	125.00	125.00	125.00	125.00	0.00	0.00	0.00	0.00	166.67	125.00	1,041.67
Garage Cleaning/Maintenance		1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,557.25	1,532.50	1,763.50	1,540.75	1,540.75	1,532.50	19,101.75
	12th St. - 2A EXPENSES	17,133.53	20,325.41	16,958.18	19,916.29	16,979.13	17,124.52	18,715.48	16,823.20	22,950.39	17,388.17	19,288.61	17,691.55	221,294.46
	12th St. - 2A PROFIT/(LOSS)	12,015.28	11,840.61	15,503.17	12,220.58	16,028.26	27,714.97	15,640.38	21,852.85	4,101.84	18,534.67	17,358.11	10,160.78	182,971.50

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
12th Street Garage - 2A

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
12th Street Garage - 2A														
Revenue-Ticket	480-8000-344504	23,808.81	26,646.02	27,241.35	27,276.87	28,087.39	39,739.49	29,315.86	33,756.05	22,192.23	30,702.84	31,246.72	22,452.33	342,465.96
Revenue-Monthly Permits	480-8000-344593	5,340.00	5,520.00	5,220.00	4,860.00	4,920.00	5,100.00	5,040.00	4,920.00	4,860.00	5,220.00	5,400.00	5,400.00	61,800.00
	12th St. - 2A REVENUE (Sales Tax Excluded)	29,148.81	32,166.02	32,461.35	32,136.87	33,007.39	44,839.49	34,355.86	38,676.05	27,052.23	35,922.84	36,646.72	27,852.33	404,265.96
Expenses														
Security Personnel		8,245.44	8,232.15	8,235.63	10,779.20	8,166.92	8,233.17	10,238.91	8,237.06	10,302.50	8,241.55	10,299.64	8,252.59	107,464.76
Attendant/Cashier Labor		7,054.55	10,280.84	6,892.87	7,315.74	6,912.77	7,052.06	6,810.78	6,945.10	10,775.85	7,497.33	7,173.01	7,672.92	92,383.82
FP&L		102.79	81.67	98.93	90.60	168.69	108.54	108.54	108.54	108.54	108.54	108.54	108.54	1,302.46
Elevator Maintenance		125.00	125.00	125.00	125.00	125.00	125.00	0.00	0.00	0.00	0.00	166.67	125.00	1,041.67
Garage Cleaning/Maintenance		1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,557.25	1,532.50	1,763.50	1,540.75	1,540.75	1,532.50	19,101.75
	12th St. - 2A EXPENSES	17,133.53	20,325.41	16,958.18	19,916.29	16,979.13	17,124.52	18,715.48	16,823.20	22,950.39	17,388.17	19,288.61	17,691.55	221,294.46
	12th St. - 2A PROFIT/(LOSS)	12,015.28	11,840.61	15,503.17	12,220.58	16,028.26	27,714.97	15,640.38	21,852.85	4,101.84	18,534.67	17,358.11	10,160.78	182,971.50

LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/2002 TOTAL
12th Street Garage - 2A														
Revenue-Ticket	480-8000-344504	19,351.18	20,201.87	24,554.47	26,555.85	27,769.02	43,802.33	28,116.91	29,947.18	25,610.78	29,315.51	29,535.22	20,867.59	325,627.91
Revenue-Monthly Permits	480-8000-344593	8,040.00	6,960.00	8,160.00	8,160.00	5,100.00	5,280.00	5,280.00	5,280.00	5,280.00	5,340.00	5,160.00	4,320.00	72,360.00
	12th St. - 2A REVENUE (Sales Tax Excluded)	27,391.18	27,161.87	32,714.47	34,715.85	32,869.02	49,082.33	33,396.91	35,227.18	30,890.78	34,655.51	34,695.22	25,187.59	397,987.91
Expenses														
Security Personnel		5,626.00	5,647.95	4,077.36	6,053.88	5,471.53	5,445.92	5,466.54	6,157.30	6,871.50	8,471.54	9,914.88	8,846.72	78,051.12
Attendant/Cashier Labor		6,349.23	6,522.24	7,031.79	7,057.86	6,517.50	6,538.83	6,640.74	7,730.94	6,538.83	7,145.55	6,980.04	6,960.03	82,013.58
FP&L		73.28	88.02	82.31	85.34	77.11	68.73	64.09	56.51	60.30	60.94	49.38	105.95	871.96
Elevator Maintenance		125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	1,500.00
Garage Cleaning/Maintenance		1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	19,269.00
	12th St. - 2A EXPENSES	13,779.26	13,988.96	12,922.21	14,927.83	13,796.89	13,784.23	13,902.12	15,675.50	15,201.38	17,408.78	18,675.05	17,643.45	181,705.66
	12th St. - 2A PROFIT/(LOSS)	13,611.92	13,172.91	19,792.26	19,788.02	19,072.13	35,298.10	19,494.79	19,551.68	15,689.40	17,246.73	16,020.17	7,544.14	216,282.25

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CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
13th Street Garage - 17A

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
13th Street Garage - 17A														
Revenue-Ticket	480-8000-344566	48,388.34	47,130.86	40,100.44	50,649.52	53,792.55	66,648.56	57,641.13	54,078.51	46,663.54	54,472.86	0.00	0.00	519,566.31
Revenue-Monthly Permits	480-8000-344527	7,740.00	7,680.00	8,520.00	8,100.00	8,580.00	8,280.00	7,500.00	8,460.00	9,120.00	9,120.00	0.00	0.00	83,100.00
	13th St. - 17A REVENUE (Sales Tax Excluded)	56,128.34	54,810.86	48,620.44	58,749.52	62,372.55	74,928.56	65,141.13	62,538.51	55,783.54	63,592.86	0.00	0.00	602,666.31
Expenses														
Security Personnel		9,865.08	10,533.80	10,736.25	8,648.94	9,770.00	9,855.68	9,779.19	12,638.10	9,865.08	9,993.91	0.00	0.00	101,686.03
Attendant/Cashier Labor		15,303.89	15,397.71	15,269.80	15,170.25	15,470.86	15,516.07	15,327.27	15,273.85	15,144.77	15,186.57	0.00	0.00	153,061.04
Landscape Maintenance		216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	0.00	0.00	2,166.70
FP&L		1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	0.00	0.00	14,049.80
Revenue Control Equipment Maintenance		0.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	0.00	0.00	6,750.00
Elevator Maintenance		737.00	312.00	312.00	312.00	312.00	312.00	170.00	467.18	170.00	279.60	0.00	0.00	3,383.78
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	0.00	0.00	4,200.00
Garage Cleaning/Maintenance		1,450.00	1,450.00	1,483.00	1,450.00	1,450.00	1,483.00	1,318.00	1,318.00	1,483.00	1,318.00	0.00	0.00	14,203.00
	13th St. - 17A EXPENSES	29,397.62	30,485.16	30,592.70	28,372.84	29,794.51	29,958.40	29,386.11	32,488.78	29,454.50	29,569.73	0.00	0.00	299,500.35
	13th St. -17A PROFIT/(LOSS)	26,730.72	24,325.70	18,027.74	30,376.68	32,578.04	44,970.16	35,755.02	30,049.73	26,329.04	34,023.13	0.00	0.00	303,165.96

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
13th Street Garage - 17A														
Revenue-Ticket	480-8000-344566	44,400.00	45,402.69	45,391.52	51,063.89	53,442.14	67,925.37	52,972.45	49,388.78	43,317.00	47,741.10	52,219.62	39,794.83	593,059.39
Revenue-Monthly Permits	480-8000-344527	8,280.00	8,640.00	8,100.00	7,320.00	7,380.00	7,620.00	7,860.00	8,520.00	8,580.00	8,280.00	7,800.00	7,800.00	96,180.00
	13th St. - 17A REVENUE (Sales Tax Excluded)	52,680.00	54,042.69	53,491.52	58,383.89	60,822.14	75,545.37	60,832.45	57,908.78	51,897.00	56,021.10	60,019.62	47,594.83	689,239.39
Expenses														
Security Personnel		10,242.93	10,602.13	10,541.72	13,658.91	10,514.70	10,220.71	12,820.10	10,737.48	12,861.21	10,423.37	13,306.82	10,177.97	136,108.05
Attendant/Cashier Labor		14,601.28	21,909.69	14,624.04	15,326.91	14,675.83	14,744.77	14,598.18	14,460.50	21,779.99	14,556.50	14,996.27	15,185.54	191,459.50
Landscape Maintenance		216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	2,600.04
FP&L		1,150.96	1,172.72	1,276.13	1,245.87	2,179.24	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	16,859.78
Revenue Control Equipment Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	239.00	0.00	30.00	0.00	0.00	269.00
Elevator Maintenance		304.00	304.00	304.00	304.00	304.00	304.00	0.00	0.00	0.00	312.00	624.00	3,139.50	5,899.50
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	455.00	525.00	420.00	6,054.62
Garage Cleaning/Maintenance		1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,450.00	1,598.50	1,450.00	1,450.00	1,483.00	17,812.50
	13th St. - 17A EXPENSES	28,516.02	36,205.39	28,962.74	32,752.54	29,890.62	28,891.31	31,040.11	29,025.81	38,378.53	28,848.52	32,523.74	32,027.66	377,062.99
	13th St. -17A PROFIT/(LOSS)	24,163.98	17,837.30	24,528.78	25,631.35	30,931.52	46,654.06	29,792.34	28,882.97	13,518.47	27,172.58	27,495.88	15,567.17	312,176.40

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
13th Street Garage - 17A

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
13th Street Garage - 17A														
Revenue-Ticket	480-8000-344566	44,400.00	45,402.69	45,391.52	51,063.89	53,442.14	67,925.37	52,972.45	49,388.78	43,317.00	47,741.10	52,219.62	39,794.83	593,059.39
Revenue-Monthly Permits	480-8000-344527	8,280.00	8,640.00	8,100.00	7,320.00	7,380.00	7,620.00	7,860.00	8,520.00	8,580.00	8,280.00	7,800.00	7,800.00	96,180.00
	13th St. - 17A REVENUE (Sales Tax Excluded)	52,680.00	54,042.69	53,491.52	58,383.89	60,822.14	75,545.37	60,832.45	57,908.78	51,897.00	56,021.10	60,019.62	47,594.83	689,239.39
Expenses														
Security Personnel		10,242.93	10,602.13	10,541.72	13,658.91	10,514.70	10,220.71	12,820.10	10,737.48	12,861.21	10,423.37	13,306.82	10,177.97	136,108.05
Attendant/Cashier Labor		14,601.28	21,909.69	14,624.04	15,326.91	14,675.83	14,744.77	14,598.18	14,460.50	21,779.99	14,556.50	14,996.27	15,185.54	191,459.50
Landscape Maintenance		216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	2,600.04
FP&L		1,150.96	1,172.72	1,276.13	1,245.87	2,179.24	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	16,859.78
Revenue Control Equipment Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	239.00	0.00	30.00	0.00	0.00	269.00
Elevator Maintenance		304.00	304.00	304.00	304.00	304.00	304.00	0.00	0.00	0.00	312.00	624.00	3,139.50	5,899.50
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	455.00	525.00	420.00	6,054.62
Garage Cleaning/Maintenance		1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,450.00	1,598.50	1,450.00	1,450.00	1,483.00	17,812.50
	13th St. - 17A EXPENSES	28,516.02	36,205.39	28,962.74	32,752.54	29,890.62	28,891.31	31,040.11	29,025.81	38,378.53	28,848.52	32,523.74	32,027.66	377,062.99
	13th St. -17A PROFIT/(LOSS)	24,163.98	17,837.30	24,528.78	25,631.35	30,931.52	46,654.06	29,792.34	28,882.97	13,518.47	27,172.58	27,495.88	15,567.17	312,176.40

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LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/2002 TOTAL
13th Street Garage - 17A														
Revenue-Ticket	480-8000-344566	35,899.53	39,704.67	48,733.70	54,790.14	54,390.32	77,671.33	59,950.29	54,383.08	47,829.10	49,161.20	53,615.90	40,880.78	617,010.04
Revenue-Monthly Permits	480-8000-344527	9,180.00	8,940.00	8,760.00	8,820.00	8,220.00	7,980.00	7,620.00	7,320.00	8,340.00	7,260.00	7,980.00	8,220.00	98,640.00
	13th St. - 17A REVENUE (Sales Tax Excluded)	45,079.53	48,644.67	57,493.70	63,610.14	62,610.32	85,651.33	67,570.29	61,703.08	56,169.10	56,421.20	61,595.90	49,100.78	715,650.04
Expenses														
Security Personnel		7,142.75	7,108.79	7,166.41	7,119.48	6,997.61	7,147.96	7,195.87	8,245.09	8,637.02	10,823.70	12,883.59	11,049.26	101,517.53
Attendant/Cashier Labor		13,937.21	14,172.20	14,461.81	14,696.96	13,857.82	14,075.59	14,164.58	14,765.85	13,999.64	14,581.81	14,755.44	14,789.62	172,258.53
Landscape Maintenance		216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	2,600.04
FP&L		1,280.63	921.48	1,494.51	1,596.48	1,530.93	1,387.84	1,244.67	1,138.47	1,255.03	1,171.78	1,162.33	1,327.70	15,511.85
Elevator Maintenance		304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	3,648.00
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	6,206.16
Garage Cleaning/Maintenance		1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	17,796.00
	13th St. - 17A EXPENSES	24,881.44	24,723.32	25,643.58	25,933.77	24,907.21	25,132.24	25,125.97	26,670.26	26,412.54	29,098.14	31,322.21	29,687.43	319,538.11
	13th St. -17A PROFIT/(LOSS)	20,198.09	23,921.35	31,850.12	37,676.37	37,703.11	60,519.09	42,444.32	35,032.82	29,756.56	27,323.06	30,273.69	19,413.35	396,111.93

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
42nd Street Garage - 8A

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
42nd Street Garage - 8A														
Revenue-Ticket	480-8000-344531	3,350.48	2,763.56	3,415.88	3,842.04	10,966.37	3,644.84	3,200.92	4,165.41	3,907.46	3,619.65	0.00	0.00	42,876.61
Revenue-Monthly Permits	480-8000-344595	34,620.00	34,980.00	35,760.00	33,780.00	35,040.00	35,100.00	35,100.00	34,440.00	34,200.00	34,500.00	0.00	0.00	347,520.00
	42nd St. - 8A REVENUE (Sales Tax Excluded)	37,970.48	37,743.56	39,175.88	37,622.04	46,006.37	38,744.84	38,300.92	38,605.41	38,107.46	38,119.65	0.00	0.00	390,396.61
Expenses														
Security Personnel		8,206.59	8,797.59	9,113.55	8,728.04	9,214.77	8,245.44	8,245.44	10,306.80	8,245.44	8,245.44	0.00	0.00	87,349.10
Attendant/Cashier Labor		3,255.18	3,257.79	3,077.53	2,837.18	4,731.24	3,317.88	3,210.77	3,537.33	3,195.09	3,027.89	0.00	0.00	33,447.88
FP&L		1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	0.00	0.00	18,059.60
Revenue Control Equipment Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Elevator Maintenance		536.00	536.00	536.00	536.00	536.00	536.00	430.00	1,190.80	430.00	430.00	0.00	0.00	5,696.80
Landscape Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	136.00	0.00	0.00	0.00	136.00
Garage Cleaning/Maintenance		1,796.50	1,780.00	1,796.50	1,796.50	1,763.50	1,796.50	1,780.00	1,780.00	1,796.50	1,837.75	0.00	0.00	17,923.75
	42nd St. - 8A EXPENSES	15,600.23	16,177.34	16,329.54	15,703.68	18,051.47	15,701.78	15,472.17	18,620.89	15,608.99	15,347.04	0.00	0.00	162,613.13
	42nd St. PROFIT/(LOSS)	22,370.25	21,566.22	22,846.34	21,918.36	27,954.90	23,043.06	22,828.75	19,984.52	22,498.47	22,772.61	0.00	0.00	227,783.48

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
42nd Street Garage - 8A														
Revenue-Ticket	480-8000-344531	2,068.55	1,661.97	1,616.89	2,474.77	6,040.17	2,375.90	2,602.80	3,376.65	2,976.64	2,871.04	2,828.05	2,622.43	33,515.86
Revenue-Monthly Permits	480-8000-344595	36,300.00	35,940.00	35,640.00	34,680.00	35,160.00	34,320.00	34,440.00	34,200.00	34,680.00	34,500.00	34,500.00	34,740.00	419,100.00
	42nd St. - 8A REVENUE (Sales Tax Excluded)	38,368.55	37,601.97	37,256.89	37,154.77	41,200.17	36,695.90	37,042.80	37,576.65	37,656.64	37,371.04	37,328.05	37,362.43	452,615.86
Expenses														
Security Personnel		10,877.14	8,244.21	8,143.74	10,305.98	8,690.43	8,230.10	10,989.83	8,988.60	11,395.97	9,140.34	11,484.72	8,883.48	115,374.54
Attendant/Cashier Labor		2,639.24	3,696.43	2,477.56	2,507.41	3,984.97	2,718.84	2,631.78	2,989.97	4,430.24	2,897.94	3,182.84	3,082.75	37,239.97
FP&L		1,539.31	1,459.55	1,341.18	1,510.98	3,178.78	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	21,671.52
Revenue Control Equipment Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	217.50	-217.50	0.00	0.00	0.00	0.00	0.00
Elevator Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	536.00	536.00	536.00	536.00	536.00	536.00	3,216.00
Landscape Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	182.00	0.00	0.00	0.00	182.00
Garage Cleaning/Maintenance		1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,796.50	1,796.50	1,780.00	16,938.00
	42nd St. - 8A EXPENSES	16,340.69	14,685.19	13,247.48	15,609.37	17,139.18	14,039.90	17,466.07	15,388.03	19,635.17	16,176.74	18,806.02	16,088.19	194,622.03
	42nd St. PROFIT/(LOSS)	22,027.86	22,916.78	24,009.41	21,545.40	24,060.99	22,656.00	19,576.73	22,188.62	18,021.47	21,194.30	18,522.03	21,274.24	257,993.83

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
42nd Street Garage - 8A

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
42nd Street Garage - 8A														
Revenue-Ticket	480-8000-344531	2,068.55	1,661.97	1,616.89	2,474.77	6,040.17	2,375.90	2,602.80	3,376.65	2,976.64	2,871.04	2,828.05	2,622.43	33,515.86
Revenue-Monthly Permits	480-8000-344595	36,300.00	35,940.00	35,640.00	34,680.00	35,160.00	34,320.00	34,440.00	34,200.00	34,680.00	34,500.00	34,500.00	34,740.00	419,100.00
	42nd St. - 8A REVENUE (Sales Tax Excluded)	38,368.55	37,601.97	37,256.89	37,154.77	41,200.17	36,695.90	37,042.80	37,576.65	37,656.64	37,371.04	37,328.05	37,362.43	452,615.86
Expenses														
Security Personnel		10,877.14	8,244.21	8,143.74	10,305.98	8,690.43	8,230.10	10,989.83	8,988.60	11,395.97	9,140.34	11,484.72	8,883.48	115,374.54
Attendant/Cashier Labor		2,639.24	3,696.43	2,477.56	2,507.41	3,984.97	2,718.84	2,631.78	2,989.97	4,430.24	2,897.94	3,182.84	3,082.75	37,239.97
FP&L		1,539.31	1,459.55	1,341.18	1,510.98	3,178.78	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	21,671.52
Revenue Control Equipment Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	217.50	-217.50	0.00	0.00	0.00	0.00	0.00
Elevator Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	536.00	536.00	536.00	536.00	536.00	536.00	3,216.00
Landscape Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	182.00	0.00	0.00	0.00	182.00
Garage Cleaning/Maintenance		1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,796.50	1,796.50	1,780.00	16,938.00
	42nd St. - 8A EXPENSES	16,340.69	14,685.19	13,247.48	15,609.37	17,139.18	14,039.90	17,466.07	15,388.03	19,635.17	16,176.74	18,806.02	16,088.19	194,622.03
	42nd St. PROFIT/(LOSS)	22,027.86	22,916.78	24,009.41	21,545.40	24,060.99	22,656.00	19,576.73	22,188.62	18,021.47	21,194.30	18,522.03	21,274.24	257,993.83

LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/2002 TOTAL
42nd Street Garage - 8A														
Revenue-Ticket	480-8000-344531	1,601.88	1,333.32	1,521.14	1,880.75	12,211.58	1,915.21	2,176.52	3,171.84	1,733.32	2,189.65	2,268.56	1,882.57	33,886.34
Revenue-Monthly Permits	480-8000-344595	21,540.00	19,200.00	19,500.00	18,060.00	16,380.00	17,040.00	18,120.00	17,760.00	18,660.00	18,300.00	36,360.00	35,700.00	256,620.00
	42nd St. - 8A REVENUE (Sales Tax Excluded)	23,141.88	20,533.32	21,021.14	19,940.75	28,591.58	18,955.21	20,296.52	20,931.84	20,393.32	20,489.65	38,628.56	37,582.57	290,506.34
Expenses														
Security Personnel		5,790.16	8,179.71	7,737.08	7,429.88	7,516.66	7,530.52	7,768.30	7,628.81	9,240.26	11,182.27	13,105.58	12,017.45	105,126.68
Attendant/Cashier Labor		3,050.19	2,474.28	2,320.23	2,242.02	4,680.24	2,737.35	2,471.91	2,628.33	2,479.02	2,381.85	2,526.02	2,522.32	32,513.76
FP&L		1,471.76	1,480.00	744.79	1,423.20	1,433.94	1,850.98	1,647.89	1,655.88	1,650.65	1,629.72	1,358.53	1,597.13	17,944.47
Garage Cleaning/Maintenance		1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	15,420.00
	42nd St. - 8A EXPENSES	11,597.11	13,418.99	12,087.10	12,380.10	14,915.84	13,403.85	13,173.10	13,198.02	14,654.93	16,478.84	18,275.13	17,421.90	171,004.91
	42nd St. PROFIT/(LOSS)	11,544.77	7,114.33	8,934.04	7,560.65	13,675.74	5,551.36	7,123.42	7,733.82	5,738.39	4,010.81	20,353.43	20,160.67	119,501.43

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
16th Street - Anchor Garage

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
16th Street - Anchor Garage														
Revenue-Ticket	463-8000-344911	76,425.24	85,206.68	86,298.69	94,582.18	118,038.51	164,273.90	101,423.32	99,099.99	74,747.67	100,624.29	0.00	0.00	1,000,720.47
Revenue - Valet	463-8000-344587	20,015.89	20,326.63	26,858.41	14,436.45	37,707.01	20,244.86	13,807.94	20,236.91	21,732.25	28,007.48	0.00	0.00	223,373.83
Revenue-Monthly Permits	463-8000-344903	26,750.00	28,200.00	23,050.00	23,550.00	28,100.00	29,494.86	28,300.00	28,200.00	29,100.00	28,250.00	0.00	0.00	272,994.86
	16th St. Anchor - REVENUE (Sales Tax Excluded)	123,191.13	133,733.31	136,207.10	132,568.63	183,845.52	214,013.62	143,531.26	147,536.90	125,579.92	156,881.77	0.00	0.00	1,497,089.16
Expenses														
Security Personnel		12,428.89	10,171.83	13,395.77	13,665.72	9,837.47	13,607.43	13,622.77	17,009.29	15,641.13	13,312.95	0.00	0.00	132,693.25
Attendant/Cashier Labor		15,887.24	16,050.82	15,831.23	16,378.83	16,584.62	17,423.33	16,028.61	16,430.45	16,116.40	16,122.14	0.00	0.00	162,853.67
FP&L		3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	0.00	0.00	38,000.00
Revenue Control Equipment Maintanance		775.00	775.00	775.00	775.00	775.00	775.00	775.00	775.00	775.00	1,450.00	0.00	0.00	8,425.00
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	0.00	0.00	4,200.00
Elevator Maintenance		1,278.82	1,743.82	155.00	1,015.32	1,015.32	1,015.32	1,015.32	1,097.97	1,206.47	1,097.97	0.00	0.00	10,641.33
Landscape and Lot Maintenance		164.67	152.00	164.67	164.67	164.67	164.67	164.67	152.00	152.00	152.00	0.00	0.00	1,596.02
Garage Cleaning/Maintenance		2,924.40	2,924.00	2,924.00	2,924.00	2,924.00	2,924.00	22,325.40	4,869.00	4,864.00	4,864.00	0.00	0.00	54,466.80
Sanitation (Waste Removal)		171.64	171.64	171.43	181.96	181.96	174.34	171.64	179.01	179.01	179.04	0.00	0.00	1,761.67
Fire Alarm Service		250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	346.30	250.00	0.00	0.00	2,596.30
	16th St. - Anchor EXPENSES	38,100.66	36,459.11	37,887.10	39,575.50	35,953.04	40,554.09	58,573.41	44,982.72	43,500.31	41,648.10	0.00	0.00	417,234.04
	16th St. PROFIT/(LOSS)	85,090.47	97,274.20	98,320.00	92,993.13	147,892.48	173,459.53	84,957.85	102,554.18	82,079.61	115,233.67	0.00	0.00	1,079,855.12

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
16th Street - Anchor Garage														
Revenue-Ticket	463-8000-344911	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	41,602.27	78,888.26	78,940.89	60,237.40	259,668.82
Revenue - Valet	463-8000-344587	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11,528.04	27,238.32	20,904.67	20,751.40	80,422.43
Revenue-Monthly Permits	463-8000-344903	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00	25,400.00	26,250.00	26,300.00	78,050.00
	16th St. Anchor - REVENUE (Sales Tax Excluded)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	53,230.31	131,526.58	126,095.56	107,288.80	418,141.25
Expenses														
Security Personnel		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9,645.65	13,912.95	16,779.23	13,115.19	53,453.02
Attendant/Cashier Labor		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11,497.82	15,087.01	15,440.52	17,158.12	59,183.47
FP&L		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,850.00	3,800.00	3,800.00	3,800.00	14,250.00
Revenue Control Equipment Maintanance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	775.00	775.00	775.00	975.00	3,300.00
Armed Guard Revenue Pickup		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	517.18	566.67	525.00	420.00	2,028.85
Elevator Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,561.00	1,542.74	3,103.74
Landscape and Lot Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	450.00	164.67	164.67	164.67	944.01
Garage Cleaning/Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,657.16	2,924.40	3,024.40	2,924.40	10,530.36
Sanitation (Waste Removal)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	131.25	175.00	168.27	168.71	643.23
Fire Alarm Service		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	180.00	430.00	250.00	250.00	1,110.00
	16th St. - Anchor EXPENSES	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	27,704.06	37,835.70	42,488.09	40,518.83	148,546.68
	16th St. PROFIT/(LOSS)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	25,526.25	93,690.88	83,607.47	66,769.97	269,594.57

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CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **STATUS REPORT ON THE REHABILITATION OF THE EXISTING BUILDING AND CONSTRUCTION OF THE NEW FIRE STATION NO. 2.**

The improvements being made to Fire Station No. 2 include full historic renovation of the existing building, and construction of a new facility that will include three apparatus bays and living quarters for the fire crews, as well as an Emergency Operations Center.

The 25th Street water storage tanks and pumping station project was added to the Jasco Construction Company (Jasco) Construction Manager at Risk Contract. STA Architectural Group (STA) is the architect/engineer (A/E) for the Fire Station components and Camp Dresser & McKee (CDM) is the A/E for the water tanks/pump station components.

Construction on the Water Tanks and Pumping Station Project began on June 9, 2003. Jasco substantially completed the tanks and pump station on June 16, 2004. The tanks are now in use, and the pumps are working as designed. CDM has issued a "punch-list" of items needing final touch-up in the pump station, and Jasco is working to complete the items on this list.

On November 25, 2003, Jasco presented to the City their Guaranteed Maximum Price (GMP) for the Fire Station portion of the project, which includes the construction of a new fire station, including an Emergency Operations Center (EOC), renovation of the existing building for use as administrative offices, and needed modifications to the site drainage. On December 10, 2003, the Mayor and City Commission approved the GMP in the amount of $8,096,580, awarded a contract to Jasco, and appropriated the funding necessary to complete the Project.

Parking at the Fire Station #2 site, is extremely limited. Construction of the new Fire Station will require use of a substantial portion of the existing Fire Station parking area for the new building foundation, plus an additional area for construction staging. Therefore, construction of the building cannot begin until the alternate parking area is completed for the Fire Department staff. This parking area consists in part of the area formerly occupied by the old steel water tank.

The old steel tank has been demolished, and work to backfill the area of the tank foundation has been completed. Once the additional drainage is installed to service this area, the parking lot will be graded, compacted and fenced for use by Fire Department personnel, the contractor's vehicles, and some Public Works vehicles.

Agenda Item C
Date 10-13-04

Prior to final completion of the water tanks and pumping station project, two segments of storm drainage must be completed: one to resolve a conflict with an existing force main, and the other, a section that was recently added to provide drainage for the proposed temporary parking area. The C.I.P. Office issued a directive to the contractor to proceed with this work and it is anticipated that it will be completed in November 2004. It should be noted that the unforeseen site condition related to the conflict between the force main and the storm drain has added 120 days to the project.

Although construction of the new Fire Station building cannot begin until the above-mentioned drainage work is complete, the City will issue a first Notice to Proceed for the Fire Station #2 Project during this time to allow the contractor to schedule pre-construction activities, prepare the project schedule, the submittal schedule, the schedule of values, and to submit the proper bond and insurance. This will allow construction of the Fire Station to commence promptly after completion of the drainage work. A groundbreaking ceremony will be scheduled to take place just prior to the beginning of construction activities for the new fire station building.

Construction of the new Fire Station is expected to require 15 months. Following this, renovation of the historic Fire Station building, and its conversion into administrative offices, will require an estimated 13 months to be substantially complete.

JMO/RCM/TH/JEC/MB

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CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **STATUS REPORT ON THE CONSTRUCTION OF FIRE STATION NO. 4**

Past Events

The City Commission, on July 2, 2003, issued a directive to the Administration to pursue the Certificate of Appropriateness for Demolition of the existing building. The Historic Preservation Board (HPB) approved a motion to recommend to the City Commission that the building be demolished. The HPB also approved a motion authorizing the revisions to the previously approved new building, and added some requirements with regard to landscaping, breeze block, monument, and curb/swale/sidewalk configuration. On October 15, 2003, the City Commission held a public hearing and voted to approve a Certificate of Appropriateness for the demolition of the fire station.

The seawall restoration at the Fire Station No. 4 site has also been added to the project. On April 14, 2004, the City's Public Works Department confirmed sufficient funding for the costs of the seawall restoration and associated repair scope of work. This portion of the project is being funded by the Shoreline and Seawall Rehabilitation Program portion of the General Obligation Bond.

The Designer, Coastal Planning Engineers, has prepared the construction drawings for the seawall restoration and completed the permitting process through both Miami-Dade County DERM and the City's Building Department.

Status Update

The new construction plans were approved by the City's Building Department on June 14, 2004. Carivon Construction has completed the demolition of the existing structure as of July 30, 2004.

On August 4, 2004, the CIP Office issued a Notice-to-Proceed to Carivon (JOC Program Contractor) to initiate the seawall construction. Carivon submitted a schedule that showed mobilization by the end of the month, but due to extreme weather conditions (hurricane watches for hurricanes Charlie, Frances, and Ivan), the mobilization to the site was completed on September 23, 2004. The scope of this portion of the Project is expected to complete the repairs within 120 calendar days.

Agenda Item D
Date 10-13-04

In the meantime, Carivon has submitted a proposal for the new building, which has been negotiated by the City and its Consultants. A First Notice to Proceed for this portion of the Project will be issued to obtain building permits and prepare all the required schedules, including the schedule of values and time table. This phase should take a maximum of 45 calendar days. Once completed and agreed to, the CIP Office will issue a Second Notice-to-Proceed, which will then require mobilization and commencement of work.

The Administration had to reschedule the Project's construction groundbreaking ceremony to the end of October 2004, due to the recent weather phenomena.

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CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **INFORMATIONAL REPORT TO THE MAYOR AND CITY COMMISSION, ON FEDERAL, STATE, MIAMI-DADE COUNTY, U.S. COMMUNITIES, AND ALL EXISTING CITY CONTRACTS FOR RENEWAL OR EXTENSIONS IN THE NEXT 180 DAYS.**

The City Commission adopted Resolution No. 2000-24141, which provided that all existing city contracts for renewal or extensions, which by their terms or pursuant to change orders exceed $10,000, and all extensions or renewals of such contracts, shall be presented as an informational report to the Mayor and City Commission, at least 180 days prior to the contract extension or renewal date. Subsequent thereto, the City Commission adopted Resolution No. 2001-24332, changing the reporting requirement from $10,000 to $25,000.

The administration in addition to reporting on all existing City contracts, will now report information relative to Miami-Dade County, State of Florida, U.S. Communities and Federal GSA contracts that are approved for utilization by the City Manager. Pursuant to information contained in Miami-Dade County, State of Florida, U.S. Communities and Federal General Services Administration (GSA) bid list, the following are contracts that will expire within the next 180 days:

	DESCRIPTION	VENDOR	EXPIRATION DATE	RENEWAL TERMS
1.	Mobile Equipment, Parts and Services (MDCC)	Rechtien Int. Truck, Clarks Waste System, Old Dominion Brush, Nextran Truck	01/31/2005	None
2.	Automotive Truck Parts & Accessories (MDCC)	Various	11/30/2004	None
3.	Claims Admin Serv. for the City of Miami Beach Self-Insured Workers Compensation Program	Johns Eastern Company Inc	01/31/2005	None

AGENDA ITEM E

DATE 10-13-04

4.	Silk Screen And Embroidered Apparel	Designlab and Swago T-Shirt	02/04/2005	Option to renew 2 years on year to year basis
5.	E-Procurement	Bidnet	01/07/2005	Option to renew 2 years on year to year basis-
6.	Tire(GSA)	Martino Tire Co and Wingfoot Inc.	02/28/2005	None

JMG:PDW:GL

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C: Lilia

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO: MAYOR AND COMMISSIONERS

CC: JORGE GONZALEZ
CITY MANAGER

FROM: MATTI H. BOWER
COMMISSIONER

DATE: September 8, 2004

RE: For Your Information-Provided by the Performing Arts Center Trust

Attached please find the minutes of the July 20, 2004 PACT Board Meeting.

MB/lw

RECEIVED
2004 SEP -8 PM 1:50
CITY MANAGER'S OFFICE
BY

Agenda Item F1
Date 10-13-04

Minutes of the Board
Performing Arts Center Trust
July 20, 2004
TEMPLE ISRAEL of GREATER MIAMI
137 NORTHEAST 19TH STREET
THE KAHN ROOM
8:30 AM

NOTE: In the absence of a quorum, this meeting of the Trust was held for informational purposes only, and no formal actions were taken.

IN ATTENDANCE:

Stanley Arkin
Bruce Davidson
T. Willard Fair
James Herron
I. Stanley Levine
Florene Lithcutt
Robert Ingram
Susie Krajsa
Mario Ernesto Sanchez
Richard Shack
Penny Thurer
David Wilson
Velia Yedra

PACT:
Michael Hardy
Yadira Boada
Etain Connor
Gail Eaton
Elaiza Irizarry
Judy Litt
Mara Luzzo
Justin Macdonnell
Luis Palomares
Adriana Perez
Teresa Randolph
Katy Richardson
Valerie Riles Robinson

PACF:
Richard Miller
Shebah Carfagna

PACMO:
Ola Aluko
Mercedes Sosa

ABSENT:

Matilde Aguirre
J. Ricky Arriola
Sonia Burini
Stuart Blumberg
Roger Carlton
Ruth Greenfield
Matti Herrera-Bower
Nancy Liebman
Juan Loumiet
Elizabeth Ruth Johnston
Betsy Kaplan
Denise Mincey-Mills
Jay Pons
Antonio Roca
Rosa Sugrañes
Carole Ann Taylor
Marco Rubio
Parker Thomson
Judy Weiser
Cindi Zilber

OTHERS IN ATTENDANCE:

Dr. Barbara Carey Shuler, Chairwoman, Board of County Commissioners, Miami-Dade County
Mike Roan, Office of the Chair, Miami-Dade County
Gilbert Cabrera, Office of the Chair, Miami-Dade County
Bill Johnson, Assistant County Manager, Miami-Dade County
Ron Austin, Director of Construction Services
Randy Volenec, Cesar Pelli & Associates
Fred Tasker, Miami Herald Publishing Co.
Doug Tober, Jackie Gleason Theater
Tim Ackert, URS
Tom Coll, IATSE
Patrick Coll, IATSE
Judy Drucker, Concert Association of Florida
Adrienne Arsht, Total Bank
Ann McNeal
Julie Palm, for Betsy Kaplan
Tania Valderrama, Reporter, Sun Sentinel

Performing Arts Center Trust Vice-Chairman, James Herron, called the meeting to order.

Request for Excused Absences

In the absence of a quorum, excused absences were not presented to the Board.

Construction Committee

Stanley Arkin reported that the Construction Committee is waiting for the Miami-Dade County Recreation Culture Affairs Committee to meet and the Board of County Commissioners' approval of the restructuring contracts. At the last meeting, Bill Laramie reported that there were in excess of 1,000 deficiencies in quality control. Now only 61 major deficiencies remain to be resolved. There are no major design issues. Ron Austin informed the Committee that installation of reverberation doors will begin the first week in August. As soon as the doors are installed, closing of the exterior will begin.

Bill Johnson updated the Board with a report on the latest restructuring developments. He recognized Chairwoman Barbara Carey-Shuler's support for the project and proceeded to distribute a chart to Board Members depicting the new organizational structure created after the recent resignation of Gail Thompson. A new Program Manager will supervise the PACMO staff and Ron Austin is now on board as Director of Construction Services. Mr. Johnson stated that he himself will be working weekly at the site, henceforth. Newly restructured contracts with CP&A, ARTEC and PACB and a request for additional resources in the amount of $67.7 million, will be presented to the Board of County Commissioners for their approval at their next meeting. Thirty five million dollars of this amount will be allocated to resolution of past issues with the contractors, and $15+ million will be kept as contingency. CP&A and PACB have agreed to go on payroll until August 4, 2006. Fisher Dachs will receive $560,000. in additional compensation and will continue to provide services up to nine months after the Center opens. Both Fisher Dachs and ARTEC have agreed to work at no cost should the project be delayed after August of 2006. Until a competitive procurement process for a Program Manager is completed, the County Manager will request that URS continue managing the project. Mr. Burgess' office is discussing budget and FF&E matters with PACT, as well as issues relating to pre-opening, post opening, and operating expenses.

Dr. Robert Ingram expressed concern regarding safeguards the County has established in case the Contractor does not complete the project by August 4, 2006, and/or abandons the job. Bill Johnson replied that the firms' professional reputations would be the driving force to ensure that they remain with the project through completion. If the project is not completed as agreed upon, the Contractor could be banned from working on Miami-Dade County projects t for an extended period of time.

Chairwoman Barbara Carey-Shuler indicated that since the County has assumed more liability with this new contract, appropriate language should be included in the document stipulating that the contractor must complete the project or suffer great consequences. Mr. Johnson agreed to obtain a separate letter of agreement from each of the parties.

David Wilson inquired if the $67.7 million addressed telecommunications and security issues. Bill Johnson responded that both of those issues are included in the FF&E of $2.2 million.

Chairwoman Carey-Shuler asked for a breakdown of the line items contained in the $67.7 million additional funds requested and insisted that the agenda include wording explaining that the contractors are NOT working "at cost".

The members were informed that a meeting of the Recreation and Cultural Affairs Committee is scheduled for tomorrow in the Commission Chambers at 2:00 p.m. Parker Thomson has asked that Board members show their support by attending.

President's Report

Michael Hardy reported on the following items:

- The Foundation's Executive Committee voted unanimously to increase their fundraising goal by $5 million. The County Manager will accept the additional contribution from the Foundation.
- Dr. Hardy has met several times with Mike Iturrey, Budget Analyst for Miami-Dade County, in an effort to reduce pre-opening operating expenses.
- FF&E is still unfunded. Some items can be acquired through private sector contributions. Consideration has been given to hiring a sponsorship staff person or contracting to sponsorship firm for assistance with this effort.
- A proposal has been submitted to the County Manager and to Commissioners to allocate Convention Development Tax (CDT) money, or funds from the general County budget to help PACT meet its financial needs. Dr. Hardy will be meeting with the County Manager later this week to discuss these issues.
- PACT's CFO position is expected to be filled in October. The search has not commenced for the Executive Director of the Foundation. Guarantees of financial support from the County are needed by the end of July to avoid a September PACT & PACF cash flow melt down that will force operations to be ceased. Dr. Hardy stressed the seriousness of the situation.
- Two grand opening timelines have been created. The first schedule has the grand opening date of September of 2006. If final completion of the buildings is delayed by a month or two the second schedule would be implemented; with a grand opening in early December 2006 and full programming commencing in the New Year 2007.
- A meeting is set up at the end of this month with the Cisneros Group and Claxon Companies to discuss digital innovative plans for the Center. The development of business model projections and sponsorship possibilities will be discussed, for ideas that resulted from MIT research. The MIT Media Lab has expressed interest in establishing a laboratory in Miami. That would help position PAC as a Beta site for some of the leading technological innovation that would continue to take place in digital arts and entertainment.
- The PAC Website is expected to be launched in the fall. Websites from the Foundation and the County will merge onto this website for uniformity.
- The Knight Foundation Grant package has been submitted requesting phase II funding in the amount of $1 million. Resident companies will share equal benefits along with the PACT.
- The Florida Grand Opera, the New World Symphony and PACT are partnering to purchase a ticketing and fundraising system which will allow data sharing and cross marketing. Licensing agreements for the ticketing system will be signed at the end of the month pending PACT's financial capabilities.

Chairwoman Barbara Carey-Shuler reiterated her support of the project and encouraged Foundation personnel to reach out to minority communities for collaboration. Dr. Hardy assured the Board that such programs are designed and expected to be launched in the fall.

Urban Development Committee

Michael Hardy reported that the Urban Development Committee met and discussed the proposed re-design of I-395 and the redevelopment of Biscayne Blvd. Members of the FDOT were present at the meeting. Two redesign concepts exist for I-395 which are still in the planning stages. Redevelopment of Biscayne Blvd. from 5th to 13th street will begin construction fairly soon, with the remaining of the road construction occurring over a period of time.

During the Committee meeting, Stuart Blumberg inquired as to the feasibility of closing Biscayne Boulevard permanently. The Committee also discussed re-routing traffic periodically during outdoor festivals. After discussion, members agreed to explore the weekend option since that is when a considerably lesser amount of vehicles travel Biscayne Blvd. Regular weekend closure of portion of the Blvd. would enhance our programmatic capacity and allow a great amount of community festivals to occur regularly.

Dr. Hardy stated that Jose Abreu, Secretary of FDOT, has been extremely supportive to the Center. FDOT is in the process of revising banner hanging regulations to meet the Center's needs.

Other Business

Chairwoman Barbara Carey-Shuler mentioned that a developer is seeking approval to build a 57-story residential unit on a parcel of land between the Concert Hall and I-395. She stated that the City has agreed to defer the development of the parcel and work with the Metropolitan Planning Organization (MPO) and PACT before the property is developed.

The Downtown Development Authority (DDA), City of Miami Community Redevelopment Agency (CRA), City of Miami Parking Authority, Miami-Dade County School Board, and PACT Board members are working effectively on moving the parking issues forward. The Parking Committee expects to break ground in November of this year.

Mario Ernesto Sanchez inquired about Gail Thompson. Chairwoman Barbara Carey-Shuler recognized Ms. Thompson's professionalism and integrity during her tenure and said she had thanked her personally for her contributions. A farewell celebration has been planned in Gail Thompson's honor on July 26th, at Adrienne Arsht's home. Chairwoman Carey-Shuler invited members to attend.

In the absence of a quorum, no actions were taken during this meeting.

Meeting adjourned at 9:30 a.m.

Reported by

Yadira E. Boada
Administrative Assistant
to the President/CEO

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO: MAYOR AND COMMISSIONERS

CC: JORGE GONZALEZ
CITY MANAGER

FROM: MATTI H. BOWER
COMMISSIONER

DATE: September 20, 2004

RE: **For Your Information-Provided by the Miami Beach Transportation Management Association, Inc.**

Attached please find the minutes for the Miami Beach Transportation Management Association Executive Board Meeting on May 10, 2004. I have also included the agenda for the September 20, 2004 meeting.

MB/lw

RECEIVED
2004 SEP 20 AM 10: 20
CITY CLERK'S OFFICE
BY

Agenda Item F2
Date 10-13-04

MIAMI BEACH TMA

Minutes of the May 10, 2004 Board Meeting - 12 noon Miami Beach Convention Center

Meeting Attendees:

Gerald K. Schwartz	MB Chamber of Commerce	Erika Brigham	Resident
Amelia Johnson	City of Miami Beach	Jennifer Ryan	SFCS
Comm. Mattie Bower	City of Miami Beach	Jim Udvardy	SFCS
Steve Clark	MB Convention Center	Robert Warren	Linc. Rd. Assoc.
Ed Carson	FDOT	Judy Evans	MBTMA
Rebecca Schwartz	MBTMA	Jeff Bechdel	MBTMA
David Vaughn	MBCDC		

Excused: Marlo Courtney, Saul Francis, Jesus Guerra, Elise Lipoff, Jim Tisdale, Fred Beckmann, Lynn Bernstein, Carl Filer; unexcused: Syed Zafar, Randy Hilliard

The meeting was called to order at noon. The meeting sign-in-sheet is attached and incorporated into the minutes as the official record of those in attendance. The Board Meeting was held at the Miami Beach Convention Center 4th Floor, Conference Room, Miami Beach, Florida.

Gerald K. Schwartz, Miami Beach TMA President chaired the May 10, 2004 meeting.

DISCUSSION & DECISION:

Mr. Schwartz introduced David Vaughn, a new Board Member who will be representing Alliance for Reliable Transportation.

A motion was made to approve the minutes of the March 8, 2004 Board Meeting. The motion was seconded and the minutes were approved.

Ms. Evans advised the Board their meeting packet includes Financial Reports for the ***ELECTROWAVE*** for March and April but not the TMA's report, however the TMA is in line with the budget. Ms. Evans also advised the Board that Mr. Tisdale, Vice President/Treasurer has resigned from the Board effective today. Mr. Tisdale has taken a job in Martin County and it would be too far for him to commute.

Ms. Evans advised the Board the ***ELECTROWAVE*** is doing good and has received its 3rd quarterly payment from the City.

Ms. Evans advised the Board the status report is in the packet and ridership is substantially up from last year averaging 2100 passengers per day. This is attributed to new sinage shuttle information tubes. Ridership should exceed 700,000 passengers for the year.

Mr. Vaughn asked how passengers are counted and Ms. Evans explained they are done with clickers(manually), however with the new buses that are being ordered there is an automatic counting system that will document departures , boardings and all stops.

Mr. Schwartz advised the Board that the buses are maintained better than they ever have been.

Ms. Evans advised the Board that the City Manager requested Miami Dade Transit submit a proposal to take over the ***ELECTROWAVE*** service and combine with Miami Dade Transit Route "W" service. The request is for a two way circulator with ten buses. The county operates two buses and route "W" for $500,000. The majority of Route "W" ridership are Golden Passport users and it was suggested by the City that the County do this proposal. The

Citys' contribution would be $450,000 -$500,000 from the Peoples Transportation Bill that was passed. The City also requested that the buses have their own separate identity, the County said the buses would have to look like Miami Dade Transit. There was a request made to keep the shuttle fare at $.25 and Miami Dade Transit said it has to be $1.25 just like their other buses. This proposal is on the table, so far Miami Dade Transit has not submitted anything to the City.

Mr. Warren advised the Board on behalf of the Parking and Transportation Committee, the committee supports the City running the shuttle and keeping the fare at $.25.

Ms. Evans advised the Board starting June 1, 2004 a passenger van will be leased from First Transit . A driver will be hired to transport shuttle drivers, maintenance crew and dispatchers between Terminal Island and Watson Island. The cost is $23.50 per month for each employee. This is being done due to loss of parking on Terminal Island for construction of a pump station.

Mr. Bechdel advised the Board on Thursday May 13, 2004 RE:Group is having a Shuttle Branding Session. Aprils' Workshop program was sent out to everyone who was at the meeting, only 4 responses have been returned.

Commissioner Bower advised the Board that the Commission should know possible names for the shuttle before they vote on it.

Ms. Evans advised the Board that the TMA's Lease Agreement at 777-41st Street, Suite 330 has expired and needs approval from the Board to lease month to month at the same rate starting July 1, 2004. A motion was made, seconded and approved for the extension of the lease.

Ms. Evans advised the Board that over the past few years the funding period and contract agreement with FDOT has not coincided with the funding schedule with the City. We are trying to bring it together so the budget period is October 1 through the end of September. Mr. Carson was able to set it up so the TMA would receive an additional $40,000 for the remainder of this budget year and it would put the TMA in the schedule it needs to be in. It includes $100,000 from the City for the TMA. A motion was made and seconded to approve the FDOT and JPA budget/contract..

Commissioner Bower advised the Board that visitors need to be educated on how to use the ***ELECTROWAVE*** - need more than brochures.

Mr. Schwartz thanked everyone for attending the Board Meeting.

OTHER BUSINESS:

The next Board Meeting will be Monday, July 12, 2004.

There being no further business on this date the meeting was adjourned.

Minutes recorded, transcribed and submitted by:

Roz Zuccone, Administrative Assistant, MBTMA
Roz Zuccone, Administrative Assistant, MBTMA

EXECUTIVE BOARD MEETING
Miami Beach Transportation Management Association, Inc.

Monday, September 20, 2004
12:00pm

Miami Beach Convention Center
4th Floor Conference Room

AGENDA

ROLL CALL: *MBTMA* Board & Ex-Officio Members
Introduction of New Board Member

Maria Paulsen, Branch Sales Manager
Colonial Bank - 41st Street
(Note: Will serve on Board of Directors as Treasurer)

DISCUSSION & DECISION:

1. Approval of May 2004 Board Meeting Minutes
2. Approval of *MBTMA* Financial Reports (May, June, July, August.)
3. Approval of ***ELECTROWAVE*** Financial Reports (May, June, July, August)
4. ***ELECTROWAVE*** 2003/04 Report - Evans
5. ***ELECTROWAVE*** FY 02/03 - FY 03/04 Ridership Comparison Report - Evans
6. MBTMA 2003/04 Report - Evans
7. New Shuttle Name and Bus Exterior Design - Schwartz/Bechdel
8. Status Report on Procurement of New Shuttle Buses - Evans
9. Review of September 28, 2004 Commission Meeting Agenda Items - Evans
10. Review of CUTR Study/Report for Miami Dade Transit - Bechman/Evans

OTHER BUSINESS:

1. Special Commission Meeting... Tuesday, Sept. 28, 2004
2. Next Board Meeting... Monday, November 8, 2004

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO:	**MAYOR & COMMISSIONERS**
CC:	**JORGE GONZALEZ** **CITY MANAGER** **MURRAY DUBBIN** **CITY ATTORNEY**
FROM:	**RICHARD STEINBERG** RLS/dm **VICEMAYOR**
DATE:	**September 27, 2004**
RE:	**For Your Information- Miami Dade Homeless Trust Board July 23, 2004 Meeting Minutes**

Attached please find the minutes for the July 23, 2004 meeting of the Miami Dade Homeless Trust Board for your information and review.

RLS/dm

RECEIVED
2004 SEP 27 AM 9:31
CITY MANAGER'S OFFICE
BY

Agenda Item F3
Date 10-13-04

MIAMI-DADE COUNTY HOMELESS TRUST BOARD
MEETING MINUTES
JULY 23, 2004

The following members were in attendance:

Sergio González, Esq., Vice Chairman
Xavier Hughes Mayor Alex Penelas
Ronald L. Book, Esq.
Stephen Alvarez for Danny Alvarez
Bradley Simon for Joe Arriola
Olga Golik for
Yvonne Grassie, Esq.
Pauline Clarke-Trotman
Commissioner Richard Steinberg
Councilwoman Daisy Black
Commissioner Richard Steinberg
Lauren Lazarus, Esq. for
Judge Jeffrey Rosinek
Rondy Johnson
David Mulder
Shelley Llorente
Kametra Driver
Karen Mahar
Gonzálo DeRamón
Carole Todini
for Dr. Arthur Fournier
Judge Steven Leifman
Dr. Rudolph F. Crew

The following persons were in attendance:

Beth Von Werne
Danny Ronlan
Bruce Netter
Dan Ricker
Sharon Crippen
Torquill Smith
Wilton Escarmont
Rogers DeLaughter
Roger Soman
Tim Coffey
Ben Burton
Dan Vincent
Chuck Resnick
Manuel Sarria
Michael Cox
Alicia Apfel, Esq.
Cynthia Johnson-Stacks, Esq.
David Raymond
Julie Edwards
César Deville
Barbara M. Golphin
Terrell Thomas
Kimberley Green
Maggie Olano

WELCOME AND INTRODUCTIONS

Mr. Sergio González called the meeting to order at 10:43 a.m. Mr. González welcomed everyone and self-introductions were made. Mr. González stated for the record there was a quorum present and proceeded to consider the meeting agenda.

David Raymond stated that thanks to the intervention and efforts of Mr.s Ron Book. Alvah Chapman, George Burgess, Tony Crapp, and the County Commission, the General Obligation Bond $100 million request for permanent supportive housing, the HAC land purchase, and CPHI Capital Reserve, that had been removed, was reinstated with a $15 million request. David expressed appreciation for their efforts and to Mr. Burgess and the Commission. David introduced Mr. Tony Crapp, Sr., Assistant County Manager, who is now over the Homeless Trust. This will be item seven on the ballot in the November election. David clarified some questions concerning the language in the request regarding the allocation of these funds should it pass (Dr. Rudolph Crew joined the meeting at approximately 10:53 a.m.). Mr. Gonzalez introduced Dr. Rudolph Crew, the new School Board Superintendent and new Trust Board member. There was a brief discussion concerning the CPHI School Board lease and land ownership. Mr. Gonzalez stated there needs to be grassroots work to support the GOB and should these funds become available, it will be discussed further at the appropriate time.

APPROVAL OF MINUTES

Mr. González asked if there were any questions or comments concerning the June meeting minutes. Not being any Commissioner Steinberg made a motion to approve the June minutes. Mr. Johnson seconded the motion. All members present approved the motion set forth unanimously.

(Mr. Ron Book joined the meeting at 11:02 a.m., and given a round of applause; Mr. Gonzalez provided an update of matters already discussed). Mr. Book provided some highlights of the GOB negotiations and expressed his appreciation to Mr. Burgess, the Commission, as well as the people that were key for this accomplishment. It was well received and supported by Mr. Burgess and several commissioners. Mr. Book welcomed Dr. Crew to the community and made some additional comments regarding the significant benefit to the community should this item pass. Mr. Gonzalez on behalf of the Board, staff, and the benefactors of these negotiations thanked Mr. Book for his leadership role.

SUPER NOFA SELECTION COMMITTEE RECOMMENDATIONS – RATIFICATION

David Raymond stated that the RFA for the HUD 2004 SuperNOFA received Board approval and referred members and guests to the memos and spreadsheets detailing the Selection Committee recommendations in the meeting packages. There is up to one billion Federal dollars available for Supportive Housing and Shelter Plus Care programs. The Selection Committee met for two full days to review 71 proposals, totaling $28,267,663. There were 67 applications selected, including 7 new projects totaling a $23 million request. David reviewed the scoring criteria and methodology in the selection process. David explained the strategy shift for next year of implementing performance evaluations and utilization requirements for renewal projects; new HUD strategies and requirements were also explained, particularly stressing timelines on new development projects. Better Way did not apply for renewal funding and the Catholic Charities application arrived late and could not be accepted. The consolidated application went out to the HUD Office yesterday. There was a brief discussion on this unexpected development. Mr. Book expressed his disappointment. David stated that this matter is being investigated by Catholic Charities. Staff, as approved by this Board proceeded with a letter of intent process for the Better Way and Catholic Charities programs before the SuperNOFA deadline. There were no responses received. Some of the feedback indicted that due to the population this serves, no providers could take over the program. This not only displaces the residents, but regrettably also obligates us to lose future allocations from HUD, $137,000 for Better Way and $170,000 for Catholic Charities. There was a brief discussion concerning the displacement of the residents, and what contractual rules and/or laws may apply within the SuperNOFA, and/or provider applications and contracts in order for them to receive assistance under the Uniform Relocation Act (URA) since there are Federal funds involved. It was agreed that perhaps language should be inserted into contracts addressing further obligations of providers to displaced residents should they choose not to renew an application or extend a contract. Ms. Johnson-Stacks stated that her office is researching this matter carefully and diligently in this specific situation, including contacting the HUD Office that handles tenant displacements and relocations. Also the concept of the contract language is being considered.

David referred members to the spreadsheets outlining the HUD application priorities listed, the categorizations, the organizations and programs, and the funding requests and recommendations. Some program descriptions and guidelines, anticipated HUD scoring and criteria were reviewed, as well as comparisons made to last years application. This year we have met the 30% pro rata share for permanent housing. Thanks to the efforts of Mr. DeRamon, our Housing Committee Chair and the Committee itself, there is a $2 million set aside from OCED for homeless programs.

Mr. González stated that due to conflicts, the motion would be bifurcated. Commissioner Richard Steinberg, David Mulder, Olga Golik, Rondy Johnson, and Pauline Clarke-Trotman were recused. Judge Leifman made a motion to approve the Selection Committee recommendations for the 2004 HUD SuperNOFA, excluding Camillus House and the City of Miami Homeless Program. Mr. Gonzalo DeRamon seconded the motion. All members present approved the motion unanimously. Recused members re-joined the meeting and Bradley Simon, Karen Mahar, and Shelley Llorente were recused. Mr. Ron Book made a motion to approve Camillus House and the City of Miami Homeless Program. Mr. Gonzalo DeRamon seconded the motion. All members present approved the motion unanimously. The recused members re-joined the meeting.

2004-05 BUDGET PRESENTATION
INCLUDING CONTINGENCY FUND RECOMMENDATIONS

David Raymond by way of introduction thanked the Finance Committee and everyone involved in the budget preparation and highlighted some anticipated budget adjustments. In the meeting package for the review and consideration of the Trust Board members is the Homeless Trust Operational Budget for the fiscal year 2004-05, beginning October 1, 2004 through September 30, 2005, which has been approved by the Finance and Executive Committees with the inclusion of a new Contingency Fund (memo provided in meeting materials). Staff has worked closely with the budget office, the County Manager's Office, the Finance Committee, Chair, and CPHI in the preparation of the budget.

David explained the County process for the budget approval, the budget structure, and the budget format, which is based on 95% of the projected revenue, as required by State guidelines. Certain planning assumptions must be made in the preparation of the budget and that key factors for these assumptions: are earlier and current year activities, prior fiscal year-end revenues and expenditures, and trends. David continued with some of the changes in strategies.

This was followed by reviewing the General Departmental Summary by primary activity with the same planning assumptions, these includes: Administration, Emergency Housing, Transitional Housing, Advanced Care (Permanent Housing), Other Services (outreach, outpatient substance abuse and mental illness services, health care, legal, employment, and food recovery services), and the grand totals. These figures are by total expenses and revenues. The current projected total for FY 04-05 is $28,099,600 with 1,947,900 in carryover and $8.6 million in Food and Beverage dollars (not including operating non-capital reserve). The operational administrative costs stand at 5.0% of the overall budget, this includes reimbursement to the County.

This year the Trust received generous contributions: In collaboration with FPL's retirement festivities doe Mr. Sid Levin, the Trust received $25,000, which staff is proposing to utilize for FPL deposits, via a Housing First Model. CPHI also has donated $200,000 that will be allocated towards the specialized outreach concept and housing first model. Lastly, DCF funds were increased from 270,000 due to negotiations with DCF to expand the Crisis Outplacement Beds to $320,000. A 3% increase has been budgeted for primary care fund and a 4.82% for CPHI. David described the negotiation process with CPHI that resulted in this increase. David explained the objective and purpose of the Operating Reserve Fund contains two new components for contingency reserves for the Food and Beverage tax and a contingency reserve for errors as a result of closing down active grants.

David stated that staff recommendations to establish Contingency Funds was recently presented to the both the Finance and Executive Committee where it received approval. The purpose and objective was explained. The amount recommended by staff and approved by the committees was $217,664. David explained the formula for arriving at this figure. This is a fiscally conservative and responsible measure that would enable for contractual operation to continue without interruption should the tax trend falter or there should be an unexpected expense in the general contract-related operations and/or unbalanced grants being closed out.

David explained some of the scenarios where this precautionary measure would be utilized; specifically recently due to an unforeseeable circumstance, funds had to be repaid. To date, these funds have been or are being collected from providers that owe this money back. Staff recommends as well that $43,109 be held in a grant contingency reserve starting in FY 04-05. David presented the request for an additional staff member to perform accounting functions related to contracts. David also explained the rationale for shifting money from non-treatment transitional housing to the advanced care component. Programming will continue from October 04 through March 05. Meetings with the Services Committee, providers, and the community will be held to design the new program and develop and RFA. A similar community planning process will take place related to the new outreach funding.

Following some discussion and clarification concerning the providers inability to expend hotel/motel funds due to the pending of the contract execution, Mr. Book made a motion to approve the 04-05 budget with a revision to transfer any unexpended hotel/motel funds into the capital reserve account provided there is no legal impediment or public policy contradiction. Commissioner Steinberg seconded the motion. Additional clarifications were made regarding the amounts of the reserve allocations.

Ms. Olga Golik voiced a criticism of the distribution process and availability of the information being presented; and her inability to properly review all the information. Mr. Book reassured that the budget, as well as other issues presented before this Board and its committees are public processes where information is delivered upon request, staff and the Finance Chair are always readily available. This is a lengthy process that is carefully scrutinized and discussed throughout the process, with plenty of time and opportunity for questions, comments, and input for staff. To imply otherwise and impair this ratification process is unfair and "intellectually dishonest."

Ms. Golik clarified that normally she receives all Trust communications, however, not this. Consequently, she did not have time to adequately review it and cannot vote. Mr. Gonzalez inquired if there were any questions,

comments, if anyone felt that this was not an open process, or that they did not have the opportunity to review the budget and Mr. Gonzalez asked David to review the process and committees that have reviewed the budget; not being any responses, the questioned was called and the budget was approved: eighteen (18) in favor to approve and one (1) vote in opposition. Mr. Gonzalez thanked Mr. Book for overseeing this process.

CPHI REPORT

- Mr. Daniel Vincent announced a 70.5% outplacement at the North HAC, 74.8% at the South HAC for the month of June, and a life to date of 58.48%. The 42,000 threshold of clients served was surpassed.
- The next media market campaign has commenced on behalf of CPHI and all other homeless providers with 40 ads being placed in the Miami Herald and cable television as well. WMCU is broadcasting live from the Chapman Center on July 8th. Last Friday, Channel 10 took ten of the center's children to Dadeland Mall and to the JC Penney hair cuttery, and to the Chick Fillet and not only gave them a great day out but also supplied them with new clothes and shoes.
- At the invitation of the Mayor of Fort Worth, Texas, Mr. Vincent made a two-hour presentation to their committee on homelessness (forty-eight member panel). There were extremely impressed with the Dade County Homeless Plan.
- The Third Annual CPHI Gala plans are complete, the event will take place on Friday, October 22, 2004 at the Marriott Hotel; all tables have been sold.

Mr. Book on behalf of the entire Trust Board and the Mayor, thanked CPHI, their Board, and their contributors.

APPLE TREE PERSPECTIVE REPORT

Alicia Apfel referred members and guests to the housing report in the meeting package and reviewed the progress of projects in development and the ones that are experiencing delays. Mr. Book strongly suggested that the report have more specific data in a more journalistic style of daily proceedings that contribute to the project development that can be verified in order that undue delays can be remedied more effectively. David and Alicia clarified that the status of these projects changes constantly and that Mr. Book did no thave the opportunity to review the revised report contained in today's Board packet. David and Alicia will be meeting with Mr. Book shortly to review all projects. Any further inquiries please contact the Homeless Trust.
(Mr. Book assumed chair duties)

ECONOMIC INDICATOR REPORT

Tax Collection Report for the Most Recent Collection Period: Deferred due to time constraints.

EXECUTIVE DIRECTOR'S REPORT

David Raymond made the following announcements and/or updates:
HAC Tour: Staff in conjunction with CPHI senior staff will be inviting Dr. Crew for a tour of the HAC to provide him with better insight as to the lease and property arrangement.
HUD Application: Congratulations and appreciation for the team effort in preparing the application.
City of Miami Street Feeding: Ben Burton handling the mediation process through community meeting and is developing a plan. There is a City Commission meeting that will be addressing this issue. The Trust will be working closely with Mr. Burton.
Key West Homeless: Mr. Book and David will be traveling to Key West on August 4th to discuss the travel arrangements being made by Key West for their homeless to Dade County. City and County officials, as well as the Sheriff's office will be in attendance.
Villa Aurora: We are working with the County Manager and Attorney's offices to resolve the pending issues with this project as referenced earlier.
Channel Ten News: Story this week surrounding accused murder suspects arrested that allegedly belong to an extremist group. Terrorist and security training will continue with Bruce Netter concerning similar issues without transgression of people's rights.
Award Presentation: Mr. Ben Burton of the Miami Coalition for the Homeless, Inc. honored Ms. Elizabeth Von Werne of Lutheran Services of Florida and the director of the South Dade Housing and Services Coalition for her

dedication and commitment to the community. Ms. Von Werne is a strong advocate for the neediest in the community and has served the South Dade community unselfishly for many years.
Earnston Young Audit: The Trust had no negative reports on this single audit, everything was found to be in order. David congratulated Cesar on his accounting skills.

OTHER ITEMS
Criminal Activity-HAC Perimeter: Mr. Book stated that he is aware of the continuing problem of drug-related transactions and use in the HAC area. Other channels have been pursued through the County Manager to remedy this problem. David stated that Mr. Brown and Mr. Vincent are monitoring the situation.
Homeless/Formerly Homeless Forum, Inc.: Mr. Rondy Johnson that the forum has been awarded a media spot on the cable network addressing homeless issues and extended an invitation to David Raymond as a guest on the show.

Mr. Book inquired if there was any further business, questions, or comments. Not be any further business, Commissioner Steinberg made a motion to adjourn. Mr. Book seconded the motion. The meeting was adjourned at 12:12 p.m.

Sergio González, Esquire
Vice-Chairman