City of Miami Beach - City Commission Meeting
Commission Chambers, 3rd Floor, City Hall
1700 Convention Center Drive
December 8, 2004

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

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 An Ordinance Amending Chapter 2 Of The City Code Entitled "Administration;" By Amending Article III Entitled "Agencies, Boards And Committees;" By Amending Division 15 Entitled "Florida Sister Cities Program" To Correct The Name To Read The "Miami Beach Sister Cities Program" Throughout Division 15; And By Amending Section 2-181(D), Entitled "Composition," By Amending The Membership Of The Sister Cities' Coordinating Council; Providing For Codification, Repealer, Severability, And An Effective Date. **10:15 a.m. Second Reading, Public Hearing**
(Page 132)

(Requested by Mayor David Dermer)
(First Reading on November 10, 2004)

R5 - Ordinances (Continued)

R5B An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 130 "Off-Street Parking," Article III, "Design Standards," By Permitting Temporary Parking Lots In The MXE, "Mixed Use Entertainment" Zoning District That Face Collins Avenue, An Additional Time Period Of 5 Years; Clarifying Sign Regulations For Temporary Lots And Modifying The Landscape Standards; Providing For Repealer, Severability, Codification And An Effective Date. **10:17 a.m. Second Reading, Public Hearing** (Page 138)
(Planning Department)
(First Reading on November 10, 2004)

R5C 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. **11:00 a.m. Second Reading, Public Hearing** (Page 147)
(Requested by Vice-Mayor Richard L. Steinberg)
(Continued from November 10, 2004)

R5D Single Family Demolition Procedures
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. **5:05 p.m. Second Reading, Public Hearing** (Page 151)
(Planning Department)
(First Reading on October 13, 2004)

R5E 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 Exemption," Establishing Requirements And Procedures For City Tax Abatements For Single Family Homes; Providing For Repealer, Codification, Severability And An Effective Date. **5:06 p.m. Second Reading, Public Hearing** (Page 182)
(Planning Department)
(First Reading on October 13, 2004)

R5F Design Review Board Appeal Procedures
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 VI, "Design Review Procedures," By Amending Section 118-262 To Amend The Requirements For Filing An Appeal To The City Commission; Providing For Codification, Repealer, Severability, And An Effective Date. **First Reading** (Page 195)
(Planning Department)

R5 - Ordinances (Continued)

R5G An Ordinance Amending Ordinance No. 789, The Classified Employees Salary Ordinance, For The Group I Classifications, Being The Classifications Covered By The American Federation Of State, County And Municipal Employees (AFSCME) Local No. 1554, In Accordance With The Negotiated Agreement; Retroactively Increasing On The First Pay Period Beginning April 19, 2004, The Minimum Of The Ranges By Three Percent (3%) And The Maximum Of The Ranges By Three Percent (3%); Increasing The Salary Of Each Employee By Three Percent (3%) Effective With The First Pay Period Beginning April 19, 2004; Bargaining Unit Employees Shall Receive An Across The Board Increase Of Three Percent (3%) With The First Pay Period Beginning April 18, 2005, And A Three Percent (3%) Increase To The Minimum And Maximum Of The Ranges; And An Across The Board Increase Of Three And One Half Percent (3.5%) With The First Pay Period Beginning May 1, 2006, And A Three And One Half Percent (3.5%) Increase To The Minimum And The Maximum Of The Ranges; Providing For A Repealer, Severability, Codification, And Effective Date. **First Reading** (Page 202)

(Human Resources)

R5H An Ordinance Amending Ordinance No. 1335, The Classified Employees' Leave Ordinance, By Amending The Provisions Of Section 16 For Donation Of Annual Leave And Sick Leave; Providing For A Repealer, Severability, Codification, And An Effective Date. **First Reading** (Page 209)

(Human Resources)

R5I An Ordinance Amending Ordinance No. 1613, The Unclassified Employees' Leave Ordinance, By Amending The Provisions Of Section 14 For Donation Of Annual Leave And Sick Leave; Providing For A Repealer, Severability, Codification, And An Effective Date. **First Reading** (Page 214)

(Human Resources)

R7 - Resolutions

R7A A Resolution Following A Duly Noticed Public Hearing, Accepting The Recommendation Of The Historic Preservation Board And Granting A Certificate Of Appropriateness For The Demolition Of Certain Existing Non-Contributing Activity Buildings And Structures Including, But Not Limited To, Restrooms And Access Ramp, In Washington Park, Located At 201 Washington Avenue. **9:00 a.m. Public Hearing** (Page 220)

(Public Works)

R7B A Resolution Granting A Certificate Of Appropriateness For Demolition Of The Existing Structures Located At 7601 Atlantic Way And 7611 Collins Avenue, Respectively; Both Structures Designated As Single Family Contributing Structures In The City Of Miami Beach Historic Properties Database And Located Within The Harding Townsite/Altos Del Mar Local Historic District; Said Demolition Necessary In Order To Proceed With The Development On The Same Site Of The Altos Del Mar Park Project. **10:20 a.m. Public Hearing** (Page 233)

(Capital Improvement Projects)

R7 - Resolutions (Continued)

R7C A Resolution Granting A Certificate Of Appropriateness For The Demolition Of An Existing Restroom Facility Located At 1401 Ocean Drive, In Order To Construct A New Restroom Facility At The Same Site. **10:25 a.m. Public Hearing** (Page 240)
(Capital Improvement Projects)

R7D A Resolution To Hear Public Comment Regarding The Lease Between The Miami Police Federal Credit Union And The City Of Miami Beach, Of Approximately 190 Square Feet Of City-Owned Property, Located At 1100 Washington Avenue, Miami Beach, Florida, For An Initial Thirty Five (35) Month Term, Commencing On November 1, 2004, And Ending On September 30, 2007; Further Consenting To The Negotiated Terms Presented Herein, Subject To A Lease Agreement In A Form Acceptable To The City Attorney And Compliance With The Requirements Of Section 82-36 Through 82-39 Of The Miami Beach City Code; Further Waiving By 5/7ths Vote The Competitive Bidding And Appraisal Requirements. **10:30 a.m. Public Hearing** (Page 255)
(City Manager's Office)

R7E A Resolution Authorizing The Mayor And City Clerk To Execute A Lease Agreement With Hazen And Sawyer For The Lease Of Approximately 2,800 Square Feet Of City-Owned Property, Located At 1701 Meridian Avenue (A/K/A 777 - 17th Street), Penthouse Suite, Miami Beach, Florida, For A Twenty-Three (23) Month Term, Commencing On November 15, 2004, And Ending On September 30, 2006; Further Waiving By 5/7ths Vote The Competitive Bidding And Appraisal Requirements Set Forth In Section 82-36 Through 82-39 Of The Miami Beach City Code, Finding Such Waiver To Be In The Best Interest Of The City. **10:45 a.m. Public Hearing** (Page 262)
(Economic Development)
(Continued from November 10, 2004)

R7F A Resolution Following A Duly Noticed Public Hearing, Approving On First Reading, In Accordance With The Requirements Of Sections 163.3220 - 163.3243, Florida Statutes, Also Referred To As The "Florida Local Government Development Agreement Act," A First Addendum To The Development Agreement Between The City Of Miami Beach And The New World Symphony, Dated January 5, 2004, For The Development Of A Portion Of The Surface Parking Lot, Bounded By 17th Street To The North, North Lincoln Lane To The South, Washington Avenue To The East And Pennsylvania Avenue To The West, For Construction Of An Approximately 50,000 Square Foot Educational, Performance And Internet Broadcast Facility With An Exterior Screen ("Soundspace"), And An Approximately 320-Space (+/-) Public Parking Garage Facility; Said Addendum Specifically Amending The Development Agreement, And Authorizing The Developer To Proceed With The Design And Development Of The Park Project Compromising Of: Zone 1, Comprising The Park And Drexel Avenue Between North Lincoln Lane And 17th Street, At The City's Cost And Expense, Not To Exceed $10,000,000; Zone 2, Comprising The Jackie Gleason Theater Of The Performing Arts (TOPA) Entry Landscaping At The City's Cost And Expense, Not To Exceed $1,150,000; And Zone 3, Comprising North Lincoln Lane Improvements, At The City's Cost And Expense, Not To Exceed $500,000; And Further Setting The Second Public Hearing On January 12, 2005. **5:00 p.m. Public Hearing** (Page 269)
(Economic Development)

R7 - Resolutions (Continued)

R7G A Resolution Approving A Labor Agreement Between The City And The American Federation Of State, County And Municipal Employees' Union (AFSCME), Local No. 1554, For The Period From May 1, 2004, Through April 30, 2007, And Authorizing The Mayor And City Clerk To Execute The Agreement. (Page 276)

(Labor Relations)

R7H A Resolution Approving The City's State Legislative Agenda For The 2005 Session Of The Florida Legislature. (Page 281)

(Economic Development)

R7I A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Parking Companies/Operators Pursuant To Request For Proposals (RFP) No. 18-03/04 For The Selection Of A Parking Companies/Operators To Supply Parking Cashiers/Attendants And Supervisors; Authorizing The Administration To Enter Into Negotiations With The Top-Ranked Firm Of Standard Parking Inc., And Should The Administration Not Be Able To Negotiate An Agreement With The Top-Ranked Firm, Authorizing The Administration To Negotiate With The Second-Ranked Firm Of Central Parking System; And Further Authorizing The Mayor And City Clerk To Execute An Agreement Upon The Completion Of Successful Negotiations By The Administration. (Page 290)

(Parking Department)

R7J A Resolution Accepting Payment In The Amount Of $4.9 Million From St. Paul Fire And Marine Insurance Company As Settlement For The Following Cases: Felix Equities, Inc. Vs. City Of Miami Beach, United States Fidelity & Guaranty, A Foreign Corporation, And St. Paul Fire And Marine Insurance Co.; In Re: Linc. Net. Inc., Et Al.; And City Of Miami Beach Vs. United States Fidelity & Guaranty Company For The Citywide Water And Wastewater Pump Station Upgrades Project; Appropriating The $4.9 Million; Allocating Funds In The Amount Of $2,124,891 To Replace Funding Previously Appropriated For A/E Fees And Contingency For The Project; Allocating $596,692 As Additional Contingency For The Project; And Allocating The Remaining Funding In The Amount Of $2,178,417 To The General Trust Fund For Purposes To Be Determined At A Later Date For Approval By The City Commission. (Page 309)

(Capital Improvement Projects)

R7K A Resolution Relating To The City Attorney; Updating And Revising His Terms Of Engagement; Receiving The City Attorney's Annual Report; Finding His Performance To Be Satisfactory And Approving The Award Of Deferred Compensation Pursuant To The Internal Revenue Code, And Setting An Effective Date. (Page 314)

(City Attorney's Office)

R7 - Resolutions (Continued)

R7L A Resolution Approving, In Substantial Form, The Agreement Between The Greater Miami Convention And Visitor's Bureau (GMCVB) And The City Of Miami Beach, For A Five (5) Year Term, Commencing Retroactively On October 1, 2004 And Ending On September 30, 2009; Further Authorizing The City Manager's Office To Conclude Negotiations With The GMCVB As To The Remaining Points In The Agreement Attached To This Resolution; Providing That The Final Negotiated Agreement Shall Be Subject To The Final Review And Approval Of The City Manager And City Attorney's Office, And That Any Substantive Changes Shall Be Brought Back To The Mayor And City Commission; And Authorizing The Mayor And City Clerk To Execute The Final Negotiated Agreement. (Page 320)

(City Manager's Office)

R7M A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Firms Pursuant To Request For Proposals (RFP) No. 48-03/04 For The Collection And Disposal Of Residential Solid Waste, Yard Trash, And Bulk Waste, And Operation Of The City's Green Waste Facility (The RFP); Authorizing The Administration To Enter Into Negotiations With The Top-Ranked Firm Of Waste Management, Inc. Of Florida; Should The Administration Not Be Able To Negotiate An Agreement With The Top-Ranked Firm, Authorizing The Administration To Negotiate With The Second-Ranked Firm Of World Waste; Should The Administration Not Be Able To Negotiate An Agreement With The Second-Ranked Firm, Authorizing The Administration To Negotiate With The Third Ranked Firm Of BFI; Further Authorizing The Mayor And City Clerk To Execute An Agreement Upon Conclusion Of Successful Negotiations With One Of The Aforestated Firms, Said Agreement Based Upon The Minimum Terms And Conditions As Set Forth In The RFP And The Successful Firm's Proposal In Response Thereto; In The Event That Negotiations Cannot Be Concluded By December 13, 2004, Authorizing The Waiver By 5/7ths Vote, Of The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The City Manager Or His Designee To Negotiate A Short Term Agreement For The Purpose Of Ensuring That There Is No Interruption In Service Relative To The Collection And Disposal Of Residential Solid Waste, Yard Trash, And Bulk Waste, Until Such Time That The Administration Is Able To Conclude Negotiations With One Of The Aforestated Firms And A Contract Is Executed. (Page 463)

(Public Works)

R9 - New Business and Commission Requests

R9A Board and Committee Appointments. (Page 491)
(City Clerk's Office)

R9B(1) Dr. Stanley Sutnick Citizen's Forum. (1:30 p.m.) (Page 497)
R9B(2) Dr. Stanley Sutnick Citizen's Forum. (5:30 p.m.)

R9C Nightlife Industry Task Force - Extension Of Hours For Friday, December 31, 2004 - New Year's Eve 2004. (Page 499)
(Economic Development)

R9D Discussion Regarding The City's Youth Centers Hours Of Operation. (Page 501)
(Requested by Commissioner Matti Herrera Bower)

R9E Discussion Regarding The Boardwalk Safety. (Page 503)
(Requested by Commissioner Jose Smith)

R9F Discussion Regarding Illegal Waste Dumping. (Page 505)
(Requested by Commissioner Richard L. Steinberg)

R9G Discussion Regarding The Term Limits Of The Current Miami Beach Visitor And Convention Authority (VCA) Board. (Page 509)
(Requested by Commissioner Luis R. Garcia, Jr.)

R9H Discussion Regarding Minimizing The Construction Impacts Of The 63rd Street Flyover. (Page 515)
(Requested by Commissioner Richard L. Steinberg)

R9I Discussion Regarding North Shore Park And Youth Center Advisory Board. (Page 517)
(Requested by Commissioner Matti Herrera Bower)

R9J Discussion Regarding Potential Safety Hazard Of The "Traffic Calming Bump-Outs" Being Constructed On Alton Road. (Page 521)
(Requested by Commissioner Luis R. Garcia, Jr.)

R10 - City Attorney Reports

R10A Notice Of Closed Executive Session. (Page 524)
Pursuant To Section 286.011, Florida Statutes, A Closed Executive Session Will Be Held During Lunch Recess Of The City Commission Meeting On December 8, 2004 In The City Manager's Large Conference Room, Fourth Floor, City Hall, To Discuss Settlement On The Following Cases:

City Of Miami Beach V. Miami-Dade County, Micky Biss And USA Express, Inc. Third District Court Of Appeal, Case No. 3D04-1589, Lower Case No. 03-682 AP

Micky Biss And USA Express, Inc. V. City Of Miami Beach. 11th Judicial Circuit Court. Case No. 04-18560 CA 11

Micky Biss And USA Express, Inc. V. City Of Miami Beach. 11th Judicial Circuit Court. Case No. 01-11865 CA 10

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, Chief Deputy City Attorney Donald Papy, First Assistant City Attorneys Debora J. Turner And Gary Held.

Reports and Informational Items

A City Attorney's Status Report. (Page 527)
(City Attorney's Office)

B Parking Status Report. (Page 529)
(Parking Department)

C Status Report On The Rehabilitation Project Of The Existing Building And The Addition To Fire Station No. 2. (Page 567)
(Capital Improvement Projects)

D Status Report On The Rehabilitation Project Of Fire Station No. 4. (Page 569)
(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 571)
(Procurement)

F Non-City Entities Represented By City Commission:

1. Minutes From The Performing Arts Center Trust (PACT) Board Meeting Of September 14, 2004. (Page 573)
(Requested by Commissioner Matti Herrera Bower)

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

2005 CITY COMMISSION AND REDEVELOPMENT AGENCY MEETINGS

Wednesday, January 12	
Wednesday, February 2	Wednesday, February 23
Wednesday, March 16	
Wednesday, April 13	
Wednesday, May 4	Wednesday, May 25
Wednesday, June 8	
Wednesday, July 6	Wednesday, July 27
August, RDA is in recess	
Wednesday, September 7	
Wednesday, October 19	
Wednesday, November 2 *	Wednesday, November 16* (if run-off required)
Wednesday, December 7	

*Election items only

R5
ORDINANCES

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

TO: Mayor David Dermer and Members of the City Commission

DATE: December 8, 2004

SECOND READING PUBLIC HEARING

FROM: Murray H. Dubbin
City Attorney

SUBJECT: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA CORRECTING THE NAME OF THE "FLORIDA SISTER CITIES PROGRAM" TO READ THE "MIAMI BEACH SISTER CITIES PROGRAM;" AND AMENDING THE COMPOSITION OF THE COORDINATING COUNCIL.**

Pursuant to the request of Mayor David Dermer, the above-referenced Ordinance is submitted for consideration by the Mayor and City Commission for second reading and adoption. The proposed Ordinance reflects changes to the name of the Program and to the composition of the coordinating council that were passed on first reading. The charges include eliminating the appointments from the county at-large so that all of the appointments are from the City of Miami Beach. The general requirements for board membership set forth in §2-22(4) of the City Code apply. Also, no special provisions for term limits are provided, thus, the general term limit provisions in §2-22(5) of the City Code apply. The amended language is shaded.

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Agenda Item R5A
Date 12-8-04

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 AMENDING DIVISION 15 ENTITLED "FLORIDA SISTER CITIES PROGRAM" TO CORRECT THE NAME TO READ "MIAMI BEACH SISTER CITIES PROGRAM" THROUGHOUT DIVISION 15; AND BY AMENDING SECTION 2-181(D), ENTITLED "COMPOSITION," BY AMENDING THE MEMBERSHIP OF THE SISTER CITIES' COORDINATING COUNCIL; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, in order to correct certain unintended word substitutions that were made by the firm that codifies the City's Code, changes should be made throughout Division 15 of Chapter 2 of the Code so that the name of the Sister Cities Program will reflect the words "Miami Beach"; and

WHEREAS, in addition, changes in the composition of the sister cities' coordinating council should be made to assure adequate and continued representation of each sister city on the council.

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

SECTION 1. AMENDMENT OF SECTION 2-181.

That Section 2-181 of Division 15 of Chapter 2 of the Miami Beach City Code is hereby amended to read as follows:

CHAPTER 2

ADMINISTRATION

* * *

Article III. Agencies, Boards and Committees

* * *

DIVISION 15. ~~CITY OF~~ MIAMI BEACH ~~FLORIDA~~ SISTER CITIES PROGRAM

Sec. 2-181. Established; powers and duties; composition.

(a) *Established.* There is hereby established the ~~city of~~ Miami Beach ~~Florida~~ ~~s~~Sister ~~c~~Cities ~~p~~Program, whose purposes, power and duties, composition, membership qualification and general governing regulations are as set forth in this section.

(b) *Purpose.* See subsection (c) of this section.

(c) *Powers and duties.* The powers and duties of the program are to:

(1) Cause the people of the city and the people of foreign cities to acquire a consciousness of each other, to understand each other as individuals, as members of their community, as citizens of their country and as part of the family of nations.

(2) Promote, as a consequence of such knowledge and consciousness, a continuing relationship of mutual concern between the people of the city and the people of its sister cities.

(3) Promote art, cultural, educational and business exchanges between the city and its sister cities.

(d) *Composition.* The coordinating council is the governing body of the overall sister cities program. The council shall consist of ~~two~~ one representative~~s~~ per sister city affiliation ~~who shall serve on the council until the expiration of his/her term or until a successor member is appointed, whichever is later.~~ and nine ~~four~~ other members ~~appointed from the county at large~~. All of these members are appointed by the mayor.

(e) *Knowledge and experience.* The members of the coordinating council shall be ~~residents of the county~~ persons who are interested in furthering the purpose of the program. Any person interested in furthering the purpose of the program may become a member of an individual sister city committee upon approval by the coordinating council. To qualify, the person shall present a resume and a letter of interest to the committee chairperson.

(f) *Supporting department.* The supporting department of the program is the office of the mayor and commission.

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 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 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

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney 12-2-04
Date

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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, December 8, 2004, at the times listed below to consider the following:**

at 10:15 a.m.:
AN ORDINANCE AMENDING CHAPTER 2 OF THE CITY CODE ENTITLED "ADMINISTRATION;" BY AMENDING ARTICLE III ENTITLED "AGENCIES, BOARDS AND COMMITTEES;" BY AMENDING DIVISION 15 ENTITLED "FLORIDA SISTER CITIES PROGRAM" TO CORRECT THE NAME TO READ THE "MIAMI BEACH SISTER CITIES PROGRAM" THROUGHOUT DIVISION 15; AND BY AMENDING SECTION 2-181(D), ENTITLED "COMPOSITION," BY AMENDING THE MEMBERSHIP OF THE SISTER CITIES' COORDINATING COUNCIL AND THE PROVISIONS REGARDING TERM OF SERVICE; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

Inquiries may be directed to the Legal Department at (305)673-7470.

at 10:17 a.m.:
AN ORDINANCE AMENDING THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 130 "OFF-STREET PARKING," ARTICLE III, "DESIGN STANDARDS," BY PERMITTING TEMPORARY PARKING LOTS IN THE MXE, "MIXED USE ENTERTAINMENT" ZONING DISTRICT THAT FACE COLLINS AVENUE, AN ADDITIONAL TIME PERIOD OF 5 YEARS; CLARIFYING SIGN REGULATIONS FOR TEMPORARY LOTS AND MODIFYING THE LANDSCAPE STANDARDS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE

at 5:05 p.m.:
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.

at 5:06 p.m.:
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 AD VALOREM TAX ABATEMENT, ESTABLISHING REQUIREMENTS AND PROCEDURES FOR CITY TAX EXEMPTIONS FOR SINGLE FAMILY HOMES; "PROVIDING FOR REPEALER, CODIFICATION, 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).

Ad #0291

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

Permitting temporary parking lots in the MXE, "Mixed Use Entertainment" Zoning District that face Collins Avenue, an additional 5-year time limit; clarifying sign regulations for Temporary Lots and modifying the landscape standards for Temporary Lots.

Issue:

Should the regulations for the Temporary Parking Lot Standards be amended to allow an additional 5-year time limit and improve landscaping standards for these temporary parking lots?

Item Summary/Recommendation:

The Administration recommends that the City Commission adopt the proposed.

Advisory Board Recommendation:

At the September 28, 2004 meeting of the Planning Board, by a vote of 6-0 (one member absent) recommended approval of the proposed ordinance to the City Commission incorporating the suggestions made by the Planning Department staff and other modifications to the ordinance made by the Board. These modifications have been incorporated into the proposed ordinance.

1. As modified by Planning Department staff, the request for a two-year extension after ten years should be reviewed by the Planning Board.
2. Improvement of the landscape standards, including some interior landscaping and in-ground irrigation.
3. Submittal of a recurring maintenance plan.
4. Posting of a sign that indicates the name of the operator, the phone number to call for complaints, and who can use the parking facility.

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Mercy Lamazares/Jorge Gomez

Sign-Offs:

Department Director	Assistant City Manager	City Manager
	CJC	

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AGENDA ITEM R5B

DATE 12-8-04

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: December 8, 2004

From: Jorge M. Gonzalez
City Manager

Second Reading Public Hearing

Subject: **Temporary Parking Lots in the MXE "Mixed Use Entertainment District"**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 130 "OFF-STREET PARKING," ARTICLE III, "DESIGN STANDARDS," BY PERMITTING TEMPORARY PARKING LOTS IN THE MXE, "MIXED USE ENTERTAINMENT" ZONING DISTRICT THAT FACE COLLINS AVENUE, AN ADDITIONAL TIME PERIOD OF 5 YEARS; CLARIFYING SIGN REGULATIONS FOR TEMPORARY LOTS AND MODIFYING THE LANDSCAPE STANDARDS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

ADMINISTRATION RECOMMENDATION

The Administration recommends that the City Commission adopt the proposed ordinance.

BACKGROUND

Currently the City Code permits Temporary commercial or noncommercial parking lots in the MR marine recreational district, GU government use district, MXE Mixed Use Entertainment District or in any commercial district. Temporary, **noncommercial** lots may be located in the R-PS1--4 and in any multifamily residential district or within the architectural district as defined in section 114-1. A noncommercial lot is one where parking is initially approved for a specific use and not offered to the general public.

Temporary parking lots can exist for three years and a request can be made for one initial extension of time for a two-year period, which would be granted by the Planning Board. After the initial extension of time, the planning and zoning director may grant up to five one-year extensions of time.

Because of these existing regulations, Avalon 1201 Collins, LLC, is requesting to amend Section 130-70(8) of the Land Development Regulations of the City Code extending the maximum time period where a Temporary Parking Lot is permitted to exist in the MXE, Mixed Use Entertainment District zoning district when these parking lots face Collins Avenue.

ANALYSIS

The applicant is the owner of the 1201 Collins Avenue property where the current temporary parking facility will expire on September 30, 2004, after a ten-year existence. An affiliate of the applicant also owns the Tides Hotel on Ocean Drive and 12th Street, which uses this parking facility for hotel guests and restaurant patrons.

Currently the City Code allows permanent surface parking lots in the commercial districts throughout the City and in the RM-1, 2, 3 multi-family districts, but not in the MXE. This particular facility will not be able to convert to permanent standards like it would be possible in other districts. The applicant's contention is that by removing this facility from the inventory of parking spaces, the parcel would remain vacant and unsightly because of the inability, at this time, to develop the property. The applicant is also hypothetically questioning the wisdom of removing parking spaces at a time when the general area of South Beach needs it most. Because of all these considerations, this proposal is being made to amend the Land Development Regulations of the Code so that existing and currently licensed temporary parking lots could receive five additional extensions of time of one-year each, granted by the Planning Director for those lots in the MXE that face Collins Avenue.

The boundaries of the MXE district are: 5th and 6th Streets on the south (Ocean Drive and Collins Avenue respectively); Atlantic Ocean on the east and Collins Court on the west; and 16th Street on the north. In this general area, there are three parking garages and two temporary parking lots (inclusive of the property owned by the applicant) on the east side of Collins Avenue; and two surface parking lots on the west side of Collins Avenue – one of which is a municipal parking lot.

While it is true that when this parking facility expired at the end of September (the one across the street, at 1155 Collins Avenue also expired at the same time), in excess of 50 spaces will be removed from the inventory. The administration is concerned about the request because in ten years no development plans have come forward, perhaps because of the comfort level of having a revenue stream from the vacant property. On the other hand, the elimination of parking spaces in the area is also a big concern because of the already existing shortage. This situation is a quagmire of conflicting forces: the MXE district does not permit permanent surface parking facilities versus the acute shortage of parking spaces in the district; and the longer a temporary parking facility is permitted to operate, the longer it will be before permanent development occurs.

Weighing these conflicting forces, and the fact that the applicant, the owner of the 1201 Collins Avenue facility, is not ready to develop the property, the administration would rather see a well-landscaped parking lot than to have an unsightly vacant property in the historic district. To this end, the administration is amenable to extending the time, and recommends that this ordinance be approved but that instead of five one-year extensions of time, that an applicant request the next extension of time from the Planning Board for a period not exceeding two years. After this two-year extension, then three one-year extensions may be requested from the planning director.

PLANNING BOARD ACTION

At the September 28, 2004 meeting of the Planning Board, by a vote of 6-0 (one member absent) the Board recommended approval of the proposed ordinance to the City Commission incorporating the suggestions made by the Planning Department staff and other modifications to the ordinance made by the Board. These modifications have been incorporated into the proposed ordinance.

1. As modified by Planning Department staff, the request for a two-year extension after ten years should be reviewed by the Planning Board.

2. Improvement of the landscape standards, including some interior landscaping and in-ground irrigation.

3. Submittal of a recurring maintenance plan.

4. Posting of a sign that indicates the name of the operator, the phone number to call for complaints, and who can use the parking facility.

FISCAL IMPACT

This proposal has no associated negative fiscal impact upon enactment. Quite the contrary, approval of the proposal will help alleviate the parking shortage in the South Beach area.

CITY COMMISSION ACTION

At the November 10, 2004 meeting the City Commission approved the proposed ordinance on first reading.

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/ML

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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, BY AMENDING CHAPTER 130 "OFF-STREET PARKING," ARTICLE III, "DESIGN STANDARDS," BY PERMITTING TEMPORARY PARKING LOTS IN THE MXE, "MIXED USE ENTERTAINMENT" ZONING DISTRICT THAT FACE COLLINS AVENUE, AN ADDITIONAL TIME PERIOD OF 5 YEARS; CLARIFYING SIGN REGULATIONS FOR TEMPORARY LOTS AND MODIFYING THE LANDSCAPE STANDARDS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, temporary parking lots may be operated in all commercial and multi-family zoning districts, including areas zoned MXE; and

WHEREAS, temporary parking lots can only operate for ten (10) years, after which time they must convert to permanent parking lots or the use shall be abandoned; and

WHEREAS, in all commercial and multi-family districts where temporary parking lots are permitted, except for the MXE district, temporary parking lots may be upgraded to permanent parking lots; and

WHEREAS, that part of South Beach zoned MXE has a severe shortage of available parking; and

WHEREAS, it is in the interest of the City to allow temporary parking lots on Collins Avenue in the MXE district to operate for more than ten (10) years so as to not exacerbate the parking shortage.

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

Section 1. **Findings.** The foregoing recitals and premises are hereby found to be true and correct and are incorporated herein as if set forth in full herein.

Section 2. Chapter 130 of the Code of the City of Miami Beach entitled "Off-Street Parking," Section 130-70, entitled "Temporary Parking Lot Standards," shall be amended as follows:

Sec. 130-70. Temporary parking lot standards.
When permitted, the following standards are established for temporary parking lots:

(1) Temporary commercial or noncommercial parking lots may be operated in the MR marine district, GU government use district, MXE Mixed Use Entertainment District or in any commercial district. These lots may be operated independent of a primary use. Temporary, noncommercial lots may be located in the R-PS1--4 and in any multifamily residential district or within the architectural district as defined in section 114-1. One sign per street frontage is permitted. The maximum size of each sign shall be five square feet per 50 feet of street frontage. This sign shall also include copy that indicates the name of the operator, the phone number of operator to report complaints, and who can use the parking facility; i.e., whether it is open to the general public, private, valet or self-parking.

* * *

(8) Temporary parking lots shall not be permitted to exist for a period of time greater than three years from the date of ~~building permit issuance~~ certificate of occupancy or occupational license, whichever occurs first, regardless of ownership. At the end of this period, or such extensions ~~period(s) which~~ that may be granted as contemplated herein, if the lot continues to be used for the purposes of parking, a permanent lot shall be constructed in conformity with these land development regulations ~~zoning ordinance~~; however, prior to expiration, an applicant may request from the planning board ~~(prior to expiration)~~ one initial extension of time for a period not exceeding two years. In granting the initial extension of time, or considering an appeal from the planning ~~and zoning~~ director's decision regarding an extension of time (as provided below), the board shall consider, among other things, whether the applicant has complied with all of the applicable requirements of these land development regulations ~~zoning ordinance and this Code~~, and any conditions imposed by the planning board, if any, during its period of operation, as well as any landscaping on the property that may not be in compliance with the requirements listed below. The notice of public hearing requirements shall be as set forth in chapter 118, article IV.

After the initial extension of time, and prior to expiration, the applicant may request from the planning ~~and zoning~~ director ~~(prior to expiration)~~ not more than five extensions of time for periods not to exceed one year each. In considering a request for an extension of time, the director shall consider the same criteria considered by the planning board as specified above. Except that in the MXE District, for approved temporary parking lots existing as of September 28, 2004, that face Collins Avenue, an applicant may request from the planning board, a further extension of time for a period not to exceed two years. After this two-year extension, no more than three one-year extensions may be requested from the planning director. The review by the planning board shall consider the extent to which the existing or proposed landscaping on the property satisfies the landscaping review criteria. If existing or proposed landscaping is below the specified criteria, the planning board may determine whether such landscaping is sufficient based upon the characteristics of the property.

The decision of the director with respect to an extension of time may be appealed by the applicant to the planning board. ~~Provided, however, said~~ The appeal shall be in writing and shall be submitted to the planning ~~and zoning~~ director on or before the 20th day after the date of the decision of the planning ~~and zoning~~ director. Review of the decision of the planning board shall be to a court of competent jurisdiction by petition for writ of certiorari.

(9) Landscaping requirements:

A landscape plan that specifies and quantifies the existing and/or proposed plant material inclusive of mature shade trees, hedge material, ground cover and in-ground irrigation shall be submitted for review and approval by the planning department, according to the following criteria.

a. At a minimum, the plan shall indicate a five-foot wide, landscaped area bordering the surface area along a property line, street, alley or sidewalk. The areas fronting a street or alley shall be landscaped with a grouping of three palms every 15 linear feet of frontage or one canopy tree every 20 feet of frontage. All landscaped areas shall utilize St. Augustine Grass or planted material acceptable to the planning department.

b. A hedge that is at least 36 inches in height at the time of planting shall be installed on the entire perimeter of the lot; hedges on street or alley frontages shall not exceed 42 inches in height at maturity. The hedge material planted on any side of the lot that abuts the lot line of another property shall be at least 48 inches (4 feet) in height at time of planting and shall not exceed 60 inches (5 feet) at maturity.

c. For temporary parking lots seeking an extension of time from the planning board, the interior landscaping of lots exceeding 55 feet in width, shall be a minimum of five percent of net interior area. One shade tree or grouping of three palms with a clear trunk of at least six feet shall be provided for each 100 square feet or fraction thereof of required landscaped area. Such landscaped areas shall be located and designed in such a manner as to divide and break up the expanse of paving. Parking lots that are 55 feet wide or less shall not be required to provide interior landscaping.

d. Landscaped areas shall require protection from vehicular encroachment. Car stops shall be placed at least 2 ½ feet from the edge of the paved area.

e. Notwithstanding the dimensions of a parking lot, an in-ground irrigation system that covers 100 percent of the landscaped areas shall be required and shown on the landscape plan.

f. All landscaping that is placed on the lot shall be maintained in good condition so as to present a healthy, neat and orderly appearance. Prior to the issuance of an occupational license for a temporary parking lot, the applicant shall submit a plan

for a recurring maintenance schedule that includes, but is not limited to, cleaning the lot, clipping of hedge material, removing and replacement of dead plant material, fertilization and irrigation. This maintenance plan shall be approved by the planning department.

Section 3. **Inclusion in Code.** It is the intention of the Commission, 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 4. **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

First Reading:
Second Reading:

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

11-3-04
City Attorney Date

Underscore denotes new language

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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, December 8, 2004, at the times listed below to consider the following:**

at 10:15 a.m.:
AN ORDINANCE AMENDING CHAPTER 2 OF THE CITY CODE ENTITLED "ADMINISTRATION;" BY AMENDING ARTICLE III ENTITLED "AGENCIES, BOARDS AND COMMITTEES;" BY AMENDING DIVISION 15 ENTITLED "FLORIDA SISTER CITIES PROGRAM" TO CORRECT THE NAME TO READ THE "MIAMI BEACH SISTER CITIES PROGRAM" THROUGHOUT DIVISION 15; AND BY AMENDING SECTION 2-181(D), ENTITLED "COMPOSITION," BY AMENDING THE MEMBERSHIP OF THE SISTER CITIES' COORDINATING COUNCIL AND THE PROVISIONS REGARDING TERM OF SERVICE; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

Inquiries may be directed to the Legal Department at (305)673-7470.

at 10:17 a.m.:
AN ORDINANCE AMENDING THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 130 "OFF-STREET PARKING," ARTICLE III, "DESIGN STANDARDS," BY PERMITTING TEMPORARY PARKING LOTS IN THE MXE, "MIXED USE ENTERTAINMENT" ZONING DISTRICT THAT FACE COLLINS AVENUE, AN ADDITIONAL TIME PERIOD OF 5 YEARS; CLARIFYING SIGN REGULATIONS FOR TEMPORARY LOTS AND MODIFYING THE LANDSCAPE STANDARDS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE

at 5:05 p.m.:
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.

at 5:06 p.m.:
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 AD VALOREM TAX ABATEMENT, ESTABLISHING REQUIREMENTS AND PROCEDURES FOR CITY TAX EXEMPTIONS FOR SINGLE FAMILY HOMES; "PROVIDING FOR REPEALER, CODIFICATION, 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).

Ad #0291

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: DECEMBER 8, 2004

TO: MAYOR DAVID DERMER AND
MEMBERS OF THE CITY COMMISSION

FROM: MURRAY H. DUBBIN
CITY ATTORNEY

SECOND READING
PUBLIC HEARING

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 Appeal; 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.

While the Ordinance in its current form technically addresses the issue posed by the ACLU, there may be other options available to address these issues as well. Some options are being researched at this point in time for presentation and discussion. It is suggested that a first opportunity to present potential options would be through a referral to the Neighborhood/Community Affairs Committee. At the Neighborhood/Community Affairs meeting potentially impacted sections of the City, such as representatives of the Lincoln Road and Ocean Drive Associations can be invited to participate.

I am waiting for the Neighborhood/Community Affairs committee to discuss this item; therefore, the Public Hearing must be open and continued.

MHD/ag

Agenda Item R5C
Date 12-8-04

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

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

Dorothy M. Payson 10/6/04
City Attorney Date

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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, November 10, 2004, at the times listed below to consider the following:**

at 11:00 a.m.:
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.

Inquiries may be directed to the Legal Department at (305) 673-7470.

at 11:15 a.m.:
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.

at 11:16 a.m.:
AN 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.

at 11:17 a.m.:
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.

at 11:18 a.m.:
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.

Inquiries may be directed to Human Resources at (305) 673-7524.

at 11:30 a.m.:
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.

at 5:01 p.m.:
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.

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

at 5:05 p.m.:
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.

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).

(Ad #0285)

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 Second Reading.

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. The Land Use and Development Committee and Finance Committee reviewed the proposed Ordinance on November 8, 2004 and recommended approval.

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
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 12-8-04

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: December 8, 2004

From: Jorge M. Gonzalez
City Manager

SECOND 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 second reading.

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.

On October 13, 2004, the City Commission approved the subject Ordinance on First Reading and referred the matter to the Land Use and Development Committee and Finance Committee for further discussion on specific areas of concern raised by the Commission. On November 8, 2004, a Joint Meeting of the Land Use and Development Committee and Finance Committee was held; at this meeting, the following modifications to the Ordinance were proposed:

1. The criteria for making a determination of architectural significance was slightly modified, in order to ensure that buildings are not determined to be architecturally significant if alterations are only reversible in an unreasonable manner.

2. The appeal process for neighboring property owners has been modified by requiring that a subject single family home be posted at the time a request for a determination of architectural significance is made. This will put neighboring property owners on notice that the review process for a home has begun, which may potentially result in the demolition of the structure. A property owner within 375' of the subject property would then have 10 days from the rendering of a decision of the Planning Department to appeal such decision; a mail notice requirement was also added.

3. The distinction between homes that are below and above minimum flood plain elevation has been eliminated; the rational behind this change was that virtually all homes constructed prior to 1942 are below minimum flood plain elevation and very few are above it. Additionally, the review process for architecturally significant single family homes that are proposed to demolished has been transferred from the Single Family Residential Review Board (SFRRB) to the Design Review Board (DRB). The reason for this change was to simplify and streamline the review process and the DRB is the most logical Board for such review since they will be reviewing new construction on the site and the single family structures are not part of an historic district.

4. The criteria for partial demolition that can be approved at the administrative level will be expanded to be consistent with criteria already in place within the Design Review and Historic Preservation sections of the City Code.

5. The criteria for the DRB review of a demolition was moved to a different section of the Ordinance.

6. The incentives proposed in the subject ordinance are proposed to be extended to all historic single family homes in the City.

7. All appeals of the DRB under these regulations will go to a Special Master.

The proposal for limiting the lot coverage of new homes on a lot where an Architecturally Significant structure previously existed was discussed extensively. The Committees directed the administration to review recently approved single family homes to see how

different size lots would be impacted by reductions in lot coverage. Some members of the Committee had suggested that the lot coverage requirement revert back to 35% and others suggested that it be reduced further to 25% or lower. The Planning Department has analyzed the lot coverages of nine (9) new single family homes permitted in 2003 and 2004. The bulk of such homes do exceed 30% of lot coverage, but these figures do vary by lot size (see attached survey of new single family construction in 2003 and 2004).

The 2 homes permitted on lots greater than 25,000 square feet in size have lot coverages of 18% and 21%. The 5 new homes on lots between 10,000 square feet and 15,000 square feet have lot coverages ranging from 30% to 35%. In order to distribute modifications to the lot coverage requirements in a more equitable fashion, the Administration has developed a sliding schedule for maximum lot coverage, based upon the size of the site. This sliding scale represents a reasonable compromise and the Administration is confident that is generally representative of the historic, built context.

An additional modification has been made with regard to one-story structures. Given the fact that a one-story structure is going to have far less of an impact on the established context of a single family neighborhood, the Administration is proposing that one-story new construction be permitted to have a lot coverage of 35%.

Attached is a "clean copy" of the proposed ordinance, which is reflective of the latest modifications, pursuant to the joint meeting of the Land Use and Development Committee and Finance Committee on November 8, 2004.

The Administration would also recommend that those applicants who 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, 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 8, 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 second reading.

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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SF Demolition Procedures – **Clean Copy**

Revised as of November 18, 2004

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

(1) Criteria. Pursuant to a request for 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 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, 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 **a manner that cannot be reversed without unreasonable expense.**

c. **Significant** exterior architectural characteristics, features, or details of the subject structure remain 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, any microfilm on record, **and two (2) sets of mailing labels, with the names and addresses of all property owners of land located within 375 ft. of the exterior boundary of the subject property, and an original certified letter stating that the ownership list and mailing labels are a complete and accurate representation of the real property and property owners within 375 ft. of the subject property; such letter must be dated and give the address of the subject property and its legal description, subdivision and plat book number and page and state the source for this information. Within 5 days of the receipt of a request, the planning department shall post a notice on the subject site and notice shall be given by mail to the owners of record of land lying within 375 feet of the property; the mail notification requirement shall be the responsibility of the applicant and must be completed within 3 days of the receipt of the notice.**

(2) Appeals. 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 10 days of the rendering of such decision**. No demolition permit may be issued within any 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 Design Review Board (DRB).

(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.

(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 DRB, that the subject structure is not an architecturally significant home. **A property owner may decide to proceed directly to the DRB, pursuant to Section 142-108(7); in this instance, a demolition permit shall not be issued until a Full Building Permit for new construction has been issued.**

b. A request for such determination by the planning director, or designee, shall be processed by the planning department within ten (10) 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 of the DRB. The DRB 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. The DRB shall not have the authority to deny a request for demolition.**

(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 **any** 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

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 DRB.

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. **Repairs, demolition, alterations and improvements defined below shall be subject to the review and approval of the staff of the design review board. Such repairs, alterations and improvements include the following:**

i. Ground level additions to existing structures, not to exceed two stories in height, which are not substantially visible from the public right-of-way (excluding rear alleys), any waterfront or public parks, provided such ground level additions do not require the demolition or alteration of architecturally significant portions of a building or structure and that the alterations or additions are designed, sited and massed in a manner that is sensitive to and compatible with the existing structure and compatible with the as-built scale and character of the surrounding single-family residential neighborhood.

ii. Replacement of windows, doors, roof tiles, and similar exterior features or the approval of awnings, canopies, exterior surface colors, storm shutters and exterior surface finishes, provided the general design, scale, massing, arrangement, texture, material and color of such alterations and/or improvements are compatible with the as-built scale and character of the subject home and the surrounding single-family residential neighborhood. Demolition associated with facade and building restorations shall be permitted, consistent with historic documentation.

iii. Facade and building restorations, which are consistent with historic documentation, provided the degree of demolition proposed is not substantial or significant and does not require the demolition or alteration of architecturally significant portions of a building or structure.

iv. Demolition and alterations to address accessibility, life safety, mechanical and other applicable code requirements, provided the degree of demolition proposed is not substantial or significant and does not require the demolition or alteration of architecturally significant portions of a building or structure.

v. **The demolition and alteration of rear and secondary facades to accommodate utilities, refuse disposal and storage, provided the degree of demolition proposed does not require the demolition or alteration of architecturally significant portions of a building or structure.**

(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. A demolition permit 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.

(7) 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 the owner proposes to demolish an Architecturally Significant single family home constructed prior to 1942. 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, **Section 251 (a) 1-12,** 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. **(a.) The overall lot coverage of proposed new buildings or structures shall not exceed the building footprint of the original structure on site, or shall be limited to the following, whichever is greater, based upon the overall size of the subject lot:**
   i. For lots less than 10,000 square feet, the lot coverage shall not exceed 30%;

ii. For lots greater than 10,000 square feet, but less than 25,000 square feet, the lot coverage shall not exceed 25%;

iii. For lots greater than 25,000 square feet, the lot coverage shall not exceed 15%.

(b.) The DRB may waive the above noted lot coverage restrictions if it concludes that the retention of the architecturally significant single family home is not practical or feasible, in which case the DRB 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.

4. **In the event a new home does not exceed one-story in height, the lot coverage 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.
5. The above 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.
6. **The above regulations shall also be applicable to any single family home designated as an historic structure by the historic preservation board.**

(c). Appeals. An appeal of any decision of the DRB under this section 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.

(8) 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.

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Survey of New Single Family Construction in 2003 and 2004

JOBSITE ADDRESS			PERMIT NUMBER	PPROVED DAT	Lot Size (Sq. Ft.)	% Lot Coverage
1800		BAY DR	B0400832	06/09/2004	10,524	30%
271	N	HIBISCUS DR	B0402450	08/19/2004	14,000	35%
297	N	HIBISCUS DR	B0403272	08/27/2004	10,500	35%
78		LA GORCE CR	B0402150	02/25/2004	29,229	18%
82		LA GORCE CR	B0402149	02/25/2004	28,839	21%
94		LA GORCE CR	B0304616	10/23/2003	20,918	34%
5360		LA GORCE DR	B0401291	05/04/2004	14,758	32%
2500		LUCERNE AV SUNSET 2	B0401436	03/12/2004	12,500	30%
4442		PRAIRIE AV	B0405000	08/16/2004	9,248	33%

Single Family Demolition Procedures – 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 DRB 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 DRB 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 DRB. The DRB 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 (DRB), 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 DRB, 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 DRB 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 DRB 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 DRB and the city attorney's office shall provide legal counsel.~~

~~The DRB 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 DRB must be filed with the planning department. Hearings before the DRB 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 DRB shall be de novo. An appeal of any decision of the DRB 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 a manner that cannot be reversed without unreasonable expense.

c. ~~A s~~Significant 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, and two (2) sets of mailing labels, with the names and addresses of all property owners of land located within 375 ft. of the exterior boundary of the subject property, and an original certified letter stating that the ownership list and mailing labels are a complete and accurate representation of the real property and property owners within 375 ft. of the subject property; such letter must be dated and give the address of the subject property and its legal description, subdivision and plat book number and page and state the source for this information. Within 5 days of the receipt of a request, the planning department shall post a notice on the subject site and notice shall be given by mail to the owners of record of land lying within 375 feet of the property; the mail notification requirement shall be the responsibility of the applicant and must be completed within 3 days of the receipt of the notice.

(2) Appeals. 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 10 days of the rendering of such decision. No demolition permit may be issued within any 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 Design Review Board (DRB).

~~(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 DRB, that the subject structure is not an architecturally significant home. A property owner may decide agree to proceed directly to the DRB, pursuant to Section 142-108(7); in this instance, a demolition permit shall not be issued until a Full Building Permit for new construction has been issued.

b. ~~An 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 of the DRB. The DRB 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. The DRB shall not have the authority to deny a request for demolition.

~~(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 any 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 DRB.

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:~~ Repairs, demolition, alterations and improvements defined below shall be subject to

the review and approval of the staff of the design review board. Such repairs, alterations and improvements include the following:

i. Ground level additions to existing structures, not to exceed two stories in height, which are not substantially visible from the public right-of-way (excluding rear alleys), any waterfront or public parks, provided such ground level additions do not require the demolition or alteration of architecturally significant portions of a building or structure and that the alterations or additions are designed, sited and massed in a manner that is sensitive to and compatible with the existing structure and compatible with the as-built scale and character of the surrounding single-family residential neighborhood.

ii. Replacement of windows, doors, roof tiles, and similar exterior features or the approval of awnings, canopies, exterior surface colors, storm shutters and exterior surface finishes, provided the general design, scale, massing, arrangement, texture, material and color of such alterations and/or improvements are compatible with the as-built scale and character of the subject home and the surrounding single-family residential neighborhood. Demolition associated with facade and building restorations shall be permitted, consistent with historic documentation.

iii. Facade and building restorations, which are consistent with historic documentation, provided the degree of demolition proposed is not substantial or significant and does not require the demolition or alteration of architecturally significant portions of a building or structure.

iv. Demolition and alterations to address accessibility, life safety, mechanical and other applicable code requirements, provided the degree of demolition proposed is not substantial or significant and does not require the demolition or alteration of architecturally significant portions of a building or structure.

v. The demolition and alteration of rear and secondary facades to accommodate utilities, refuse disposal and storage, provided the degree of demolition proposed does not require the demolition or alteration of architecturally significant portions of a building or structure.

~~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)~~(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 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 DRB 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.~~

(7) 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 the owner proposes to demolish an Architecturally Significant single family home constructed prior to 1942. 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, Section 251(a)1-12 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. (a.) The overall lot coverage of proposed new buildings or structures shall not exceed the building footprint of the original structure on site, or shall be limited to the following, whichever is greater, based upon the overall size of the subject lot:
   i. For lots less than 10,000 square feet, the lot coverage shall not exceed 30%;
   ii. For lots greater than 10,000 square feet, but less than 25,000 square feet, the lot coverage shall not exceed 25%;
   iii. For lots greater than 25,000 square feet, the lot coverage shall not exceed 15%.

   (b.) The DRB may waive the above noted lot coverage restrictions if it concludes that the retention of the architecturally significant single family home is not practical or feasible, in which case the DRB 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.
4. In the event a new home does not exceed one-story in height, the lot coverage 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.
5. The above 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.
6. The above regulations shall also be applicable to any single family home designated as an historic structure by the historic preservation board.

c. Appeals. An appeal of any decision of the ~~SFRRB~~ DRB 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.

(8) ~~(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),~~

(9) 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

12-3-04
City Attorney Date

First Reading: October 13, 2004
Second Reading: December 8, 2004

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

12/03/2004
Underscore denotes new language
~~Strikethrough~~ denotes deleted language

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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, December 8, 2004, at the times listed below to consider the following:**

at 10:15 a.m.:
AN ORDINANCE AMENDING CHAPTER 2 OF THE CITY CODE ENTITLED "ADMINISTRATION;" BY AMENDING ARTICLE III ENTITLED "AGENCIES, BOARDS AND COMMITTEES;" BY AMENDING DIVISION 15 ENTITLED "FLORIDA SISTER CITIES PROGRAM" TO CORRECT THE NAME TO READ THE "MIAMI BEACH SISTER CITIES PROGRAM" THROUGHOUT DIVISION 15; AND BY AMENDING SECTION 2-181(D), ENTITLED "COMPOSITION," BY AMENDING THE MEMBERSHIP OF THE SISTER CITIES' COORDINATING COUNCIL AND THE PROVISIONS REGARDING TERM OF SERVICE; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

Inquiries may be directed to the Legal Department at (305)673-7470.

at 10:17 a.m.:
AN ORDINANCE AMENDING THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 130 "OFF-STREET PARKING," ARTICLE III, "DESIGN STANDARDS," BY PERMITTING TEMPORARY PARKING LOTS IN THE MXE, "MIXED USE ENTERTAINMENT" ZONING DISTRICT THAT FACE COLLINS AVENUE, AN ADDITIONAL TIME PERIOD OF 5 YEARS; CLARIFYING SIGN REGULATIONS FOR TEMPORARY LOTS AND MODIFYING THE LANDSCAPE STANDARDS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE

at 5:05 p.m.:
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.

at 5:06 p.m.:
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 AD VALOREM TAX ABATEMENT, ESTABLISHING REQUIREMENTS AND PROCEDURES FOR CITY TAX EXEMPTIONS FOR SINGLE FAMILY HOMES; "PROVIDING FOR REPEALER, CODIFICATION, 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).

Ad #0291

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 Second Reading.

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. The Land Use and Development Committee and Finance Committee reviewed the proposed Ordinance on November 8, 2004 and recommended approval.

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
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 RSE

DATE 12-8-04

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: December 8, 2004

From: Jorge M. Gonzalez City Manager

SECOND 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 second reading.

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.

On October 13, 2004, the City Commission approved the subject Ordinance on First Reading and referred the matter to the Land Use and Development Committee and

Finance Committee for further discussion on specific areas of concern raised by the Commission. On November 8, 2004, a Joint Meeting of the Land Use and Development Committee and Finance Committee was held; at this meeting, the Joint Committee endorsed the proposed Ordinance, with no changes.

However, both Committees had a question with regard to the determination of which type of improvements would qualify for the historic ad valorem tax exemption for eligible single family homes (e.g. new construction, detached or attached additions, mechanical or electrical upgrades, landscaping, swimming pools, accessory structures, etc.). The administration was directed to seek confirmation from the Miami-Dade County Property Appraiser's Office as to which improvements would typically qualify for the historic tax exemption.

The County was uncomfortable with providing a statement in writing; however, it was verbally explained that they generally follow the definition for "improvements" in Chapter 1A-38, entitled Tax Exemptions for Historic Properties," in the Florida State Statutes. To wit, "'Improvements' means changes in the condition of real property brought about by the expenditure of labor or money for the restoration, renovation or rehabilitation of such property. Improvements shall include additions and accessory structures (i.e. a garage, cabana, guest cottage, storage/utility structure) so long as the new construction is compatible with the historic character of the building and site in terms of size, scale, massing, design and materials, and preserves the historic relationship between a building or buildings, landscape features, and open space."

The County verbally explained that typical qualifying improvements include anything that results in the rehabilitation of an historic structure, such as mechanical and electrical upgrades, window and roof replacement, and attached additions. Improvements that would not qualify for the historic tax exemption for eligible properties include detached additions, new accessory structures, landscaping, swimming pools, and other site improvements. It was further explained that an exception would be for improvements to historically significant site features, such as an historic swimming pool or accessory structure.

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 second reading.

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.

JMG:CMC:JGG:TRM
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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 11-30-04 Date

First Reading: October 13, 2004
Second Reading: December 8, 2004

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

Underscore denotes new language
11/18/2004
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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, December 8, 2004, at the times listed below to consider the following:**

at 10:15 a.m.:
AN ORDINANCE AMENDING CHAPTER 2 OF THE CITY CODE ENTITLED "ADMINISTRATION;" BY AMENDING ARTICLE III ENTITLED "AGENCIES, BOARDS AND COMMITTEES;" BY AMENDING DIVISION 15 ENTITLED "FLORIDA SISTER CITIES PROGRAM" TO CORRECT THE NAME TO READ THE "MIAMI BEACH SISTER CITIES PROGRAM" THROUGHOUT DIVISION 15; AND BY AMENDING SECTION 2-181(D), ENTITLED "COMPOSITION," BY AMENDING THE MEMBERSHIP OF THE SISTER CITIES' COORDINATING COUNCIL AND THE PROVISIONS REGARDING TERM OF SERVICE; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

Inquiries may be directed to the Legal Department at (305)673-7470.

at 10:17 a.m.:
AN ORDINANCE AMENDING THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 130 "OFF-STREET PARKING," ARTICLE III, "DESIGN STANDARDS," BY PERMITTING TEMPORARY PARKING LOTS IN THE MXE, "MIXED USE ENTERTAINMENT" ZONING DISTRICT THAT FACE COLLINS AVENUE, AN ADDITIONAL TIME PERIOD OF 5 YEARS; CLARIFYING SIGN REGULATIONS FOR TEMPORARY LOTS AND MODIFYING THE LANDSCAPE STANDARDS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE

at 5:05 p.m.:
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.

at 5:06 p.m.:
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 AD VALOREM TAX ABATEMENT, ESTABLISHING REQUIREMENTS AND PROCEDURES FOR CITY TAX EXEMPTIONS FOR SINGLE FAMILY HOMES; "PROVIDING FOR REPEALER, CODIFICATION, 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).

Ad #0291

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

Design Review Board Appeals.

Issue:

Amendment to the Design Review Section of the City Code, modifying the procedures for filing an appeal of a Board decision.

Item Summary/Recommendation:

The administration recommends that the Ordinance be approved on First Reading and that a Second Reading Public Hearing should be set for January 12, 2005.

Advisory Board Recommendation:

The Planning Board transmitted the proposed Ordinance, with a favorable recommendation, to the City Commission on October 26, 2004. The Design Review Board evaluated the Ordinance on October 19, 2004 and recommended approval.

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Jorge Gomez or Thomas Mooney

Sign-Offs:

Department Director	Assistant City Manager	City Manager
for JGG		

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AGENDA ITEM RSF

DATE 12-8-04

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: December 8, 2004

From: Jorge M. Gonzalez
City Manager

FIRST READING

Subject: **Design Review Board Appeal Procedures**

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 VI, "DESIGN REVIEW PROCEDURES," BY AMENDING SECTION 118-262 TO AMEND THE REQUIREMENTS FOR FILING AN APPEAL TO THE CITY COMMISSION; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

ADMINISTRATION RECOMMENDATION

Adopt the Ordinance on First Reading and schedule a Second Reading Public Hearing.

ANALYSIS

Appeals of Design Review Board decisions to the City Commission are filed with the City Clerk. Although a notice of appeal must be filed within 20 days of the rendering of the DRB Order, and transcripts of the meeting must be filed, there is no requirement that the appellant provide the reasons for the appeal at the time it is submitted.

In order to address this deficiency, the Design Review section of the City Code is being amended to require that the factual basis and legal argument in support of an appeal be submitted at the time the appeal is filed, and not midway through the appellate process, or at the time the matter is heard by the City Commission. The administration would further recommend that additional language be added to include specific references to the discussion of the record evidence, as well as citations and analysis of controlling cases and other relevant legal authority.

The proposed Ordinance was reviewed by the Design Review Board on October 19, 2004, which recommended that it be approved. The Planning Board transmitted the Ordinance to the City Commission with a favorable recommendation on October 26, 2004.

FISCAL IMPACT:
The proposed Ordinance is not expected to have any fiscal impact

CONCLUSION:

The Administration recommends that the Mayor and City Commission adopt the proposed Ordinance Amendment and schedule a second reading public hearing for January 12, 2005.

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.

JMG/CMC/JGG/TRM
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Design Review Board Appeals

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 VI, "DESIGN REVIEW PROCEDURES," BY AMENDING SECTION 118-262 TO AMEND THE REQUIREMENTS FOR FILINING AN APPEAL TO THE CITY COMMISSION; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach continually seeks to update and clearly define the requirements of the Land Development Regulations of the Code of the City of Miami Beach as they pertain to the City's Development Review Boards; and

WHEREAS, the City of Miami Beach has adopted regulations pertaining to the review of decisions of the Design Review Board by the City Commission; and,

WHEREAS, The City of Miami Beach desires to refine, clarify, expand and enhance the requirements for requesting a review of a decision of the Design Review Board; 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, Entitled "Administration and Review Procedures", Article VI, Entitled "Design Review Procedures", of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended as follows:

Sec. 118-262. Review of design review decisions.

(a) The applicant, or the city manager on behalf of the city administration, or an affected person, Miami Design Preservation League or Dade Heritage Trust may seek review of any order of the design review board by the city commission, except that orders granting or denying a request for rehearing shall not be reviewed by the commission. For purposes of this section, "affected person" shall mean either (i) a person owning property within 375 feet of the applicant's project reviewed by the board, or (ii) a person that appeared before the design review board (directly or represented by counsel), and whose appearance is confirmed in the record of the design review board's

public hearing(s) for such project. The review shall be based on the record of the hearing before the design review board, shall not be a de novo hearing, and no new, additional testimony shall be taken. The request shall be in writing, include all applicable fees, shall be by or on behalf of a named appellant(s), shall state the factual basis and legal argument in support of the appeal, including specific references to and discussion of the record evidence and citations to and analysis of controlling cases and other relevant legal authority, and shall be submitted to the city clerk on or before the twentieth day after the date of rendition of the board's order. However, in the event that a petition for rehearing is filed pursuant to section 118-261, the time for filing a request shall be on or before the twentieth day after the date of rendition of the board's order on the petition. Upon receipt of the request, the city clerk shall place the request for review on the city commission agenda. The city commission shall set a date and time for a hearing. Notice of the review shall be according to section 118-254, except that there shall be no requirement for mailed notification regarding the subject review. A full verbatim transcript of all proceedings which are the subject of the appeal shall be provided by the party filing the petition; the verbatim transcript shall be filed no later than two weeks prior to the first scheduled public hearing to consider the appeal.

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 11-30-04 Date

First Reading: December 8, 2004
Second Reading: January 12, 2005

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

Underscore denotes new language
11/29/2004
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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, amending Ordinance No. 789, the Classified Employees Salary Ordinance, for the Group I classifications, being the classifications covered by the American Federation Of State, County And Municipal Employees (AFSCME), Local No. 1554, in accordance with the negotiated agreement; retroactively increasing on the first pay period beginning April 19, 2004, the minimum of the ranges by three percent (3%) and the maximum of the ranges by three percent (3%); retroactively increasing the salary of each employee by three percent (3%) effective with the first pay period beginning April 19, 2004; bargaining unit employees shall receive an across the board increase of three percent (3%) with the first pay period beginning April 18, 2005, and a three percent (3%) increase to the minimum and maximum of the ranges; and an across the board increase of three and one half percent (3.5%) with the first pay period beginning May 1, 2006, and a three and one half percent (3.5%) increase to the minimum and the maximum of the ranges; providing for a Repealer, Severability, Codification and Effective Date.

Issue:

Shall the City amend the Classified Salary Ordinance to allow for implementation of the COLA salary provision of the AFSCME negotiated bargaining agreement which is before the Commission on December 8, 2004, for approval?

Item Summary/Recommendation:

The Administration recommends that the City Commission approve the Ordinance on first reading and set a second reading, public hearing for January 12, 2005. By amending the Classified Salary Ordinance, the City will implement the COLA salary provision of the negotiated bargaining agreement with AFSCME.

Advisory Board Recommendation:

N/A

Financial Information:

Amount to be expended:

Source of Funds:

	Year-1 cost	3-Year cost	Account	Approved
1	$262,006	$856,161	COLA– Various Departments	
2				
3				
4				
Total	$262,006	$856,161		

Finance Dept.

City Clerk's Office Legislative Tracking:

Sign-Offs:

Department Director	Assistant City Manager	City Manager
Mayra Diaz Buttacavoli Mayra D. Buttacavoli		

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AGENDA ITEM R5G

DATE 12-8-04

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: December 8, 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, FOR THE GROUP I CLASSIFICATIONS, BEING THE CLASSIFICATIONS COVERED BY THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), LOCAL NO. 1554, IN ACCORDANCE WITH THE NEGOTIATED AGREEMENT; RETROACTIVELY INCREASING ON THE FIRST PAY PERIOD BEGINNING APRIL 19, 2004, THE MINIMUM OF THE RANGES BY THREE PERCENT (3%) AND THE MAXIMUM OF THE RANGES BY THREE PERCENT (3%); RETROACTIVELY INCREASING THE SALARY OF EACH EMPLOYEE BY THREE PERCENT (3%) EFFECTIVE WITH THE FIRST PAY PERIOD BEGINNING APRIL 19, 2004; BARGAINING UNIT EMPLOYEES SHALL RECEIVE AN ACROSS THE BOARD INCREASE OF THREE PERCENT (3%) WITH THE FIRST PAY PERIOD BEGINNING APRIL 18, 2005, AND A THREE PERCENT (3%) INCREASE TO THE MINIMUM AND MAXIMUM OF THE RANGES; AND AN ACROSS THE BOARD INCREASE OF THREE AND ONE HALF PERCENT (3.5%) WITH THE FIRST PAY PERIOD BEGINNING MAY 1, 2006, AND A THREE AND ONE HALF PERCENT (3.5%) INCREASE TO THE MINIMUM AND THE MAXIMUM OF THE RANGES; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION AND EFFECTIVE DATE.**

ADMINISTRATION RECOMMENDATION

Approve the Ordinance on first reading and schedule a second reading, public hearing for the Commission meeting on January 12, 2005.

ANALYSIS

The City negotiated a contract with the American Federation of State, County, and Municipal Employees (AFSCME) bargaining unit. This amendment will implement the provisions of the contract to provide a retroactive 3% cost of living adjustment increase for all bargaining unit employees and retroactively increase the minimum of the salary

ranges by 3% and the maximum by 3% for the first pay period beginning April 19, 2004; a 3% cost of living adjustment increase for all bargaining unit employees and increase the minimum of the salary ranges by 3% and the maximum by 3% for the first pay period beginning April 18, 2005; and a 3.5% cost of living adjustment increase for all bargaining unit employees and increase the minimum of the salary ranges by 3.5% and the maximum by 3.5% for the first pay period beginning May 1, 2006. These increases will provide additional incentives and competitiveness to attract and retain new and existing employees in these classifications. Based on current active employees, the estimated cost for the wage increase is approximately $856,161 over the three (3) year period.

CONCLUSION

By amending the Classified Salary Ordinance for classified employees covered by the American Federation of State, County, and Municipal Employees (AFSCME) bargaining unit, the City will implement the negotiated bargaining agreement and ensure that the City has an employee classification and compensation system which is fair and externally competitive.

JMG:MDB:GPL:NJ MDB

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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, FOR THE GROUP I CLASSIFICATIONS, BEING THE CLASSIFICATIONS COVERED BY THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) LOCAL NO. 1554, IN ACCORDANCE WITH THE NEGOTIATED AGREEMENT; RETROACTIVELY INCREASING ON THE FIRST PAY PERIOD BEGINNING APRIL 19, 2004, THE MINIMUM OF THE RANGES BY THREE PERCENT (3%) AND THE MAXIMUM OF THE RANGES BY THREE PERCENT (3%); INCREASING THE SALARY OF EACH EMPLOYEE BY THREE PERCENT (3%) EFFECTIVE WITH THE FIRST PAY PERIOD BEGINNING APRIL 19, 2004; BARGAINING UNIT EMPLOYEES SHALL RECEIVE AN ACROSS THE BOARD INCREASE OF THREE PERCENT (3%) WITH THE FIRST PAY PERIOD BEGINNING APRIL 18, 2005, AND A THREE PERCENT (3%) INCREASE TO THE MINIMUM AND MAXIMUM OF THE RANGES; AND AN ACROSS THE BOARD INCREASE OF THREE AND ONE HALF PERCENT (3.5%) WITH THE FIRST PAY PERIOD BEGINNING MAY 1, 2006, AND A THREE AND ONE HALF PERCENT (3.5%) INCREASE TO THE MINIMUM AND THE MAXIMUM OF THE RANGES; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE.

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

SECTION 1: That the following lines in Section 1 of the Classified Salary Ordinance No. 789 as heretofore amended shall be amended to read as follows:

PAY GRADES AND SALARIES

A. Salary Grades and Ranges

shall be amended the first pay period beginning April 19, 2004, to read as follows:

GRADE	MINIMUM			MAXIMUM		
	BIWEEKLY	ANNUAL	ANNUAL	BIWEEKLY	ANNUAL	ANNUAL
10	$1,337.81	~~$33,769~~	$34,783	$2,160.62	~~$54,540~~	$56,176
9	$1,231.15	~~$31,078~~	$32,010	$1,988.46	~~$50,195~~	$51,700
8	$1,133.04	~~$28,601~~	$29,459	$1,829.96	~~$46,194~~	$47,579
7	$1,042.69	~~$26,321~~	$27,110	$1,684.08	~~$42,511~~	$43,786
6	$959.62	~~$24,223~~	$24,950	$1,549.85	~~$39,123~~	$40,296
5	$883.12	~~$22,293~~	$22,961	$1,426.27	~~$36,003~~	$37,083
4	$812.73	~~$20,516~~	$21,131	$1,312.65	~~$33,135~~	$34,129
3	$747.92	~~$18,880~~	$19,446	$1,208.04	~~$30,494~~	$31,409
2	$688.35		$17,897	$1,111.73		$28,905
1	$633.46		$16,470	$1,023.08		$26,600

shall be amended the first pay period beginning April 18, 2005, to read as follows:

GRADE	MINIMUM				MAXIMUM			
	BIWEEKLY	BIWEEKLY	ANNUAL	ANNUAL	BIWEEKLY	BIWEEKLY	ANNUAL	ANNUAL
10	~~$1,337.81~~	$1,377.94	~~$34,783~~	$35,826	~~$2,160.62~~	$2,225.43	~~$56,176~~	$57,861
9	~~$1,231.15~~	$1,268.09	~~$32,010~~	$32,970	~~$1,988.46~~	$2,048.12	~~$51,700~~	$53,251
8	~~$1,133.04~~	$1,167.03	~~$29,459~~	$30,343	~~$1,829.96~~	$1,884.86	~~$47,579~~	$49,006
7	~~$1,042.69~~	$1,073.97	~~$27,110~~	$27,923	~~$1,684.08~~	$1,734.60	~~$43,786~~	$45,100
6	~~$959.62~~	$988.40	~~$24,950~~	$25,699	~~$1,549.85~~	$1,596.34	~~$40,296~~	$41,505
5	~~$883.12~~	$909.61	~~$22,961~~	$23,650	~~$1,426.27~~	$1,469.06	~~$37,083~~	$38,195
4	~~$812.73~~	$837.11	~~$21,131~~	$21,765	~~$1,312.65~~	$1,352.03	~~$34,129~~	$35,153
3	~~$747.92~~	$770.36	~~$19,446~~	$20,029	~~$1,208.04~~	$1,244.28	~~$31,409~~	$32,351
2	~~$688.35~~	$709.00	~~$17,897~~	$18,434	~~$1,111.73~~	$1,145.08	~~$28,905~~	$29,772
1	~~$633.46~~	$652.47	~~$16,470~~	$16,964	~~$1,023.08~~	$1,053.77	~~$26,600~~	$27,398

shall be amended the first pay period beginning on May 1, 2006, to read as follows:

GRADE	MINIMUM				MAXIMUM			
	BIWEEKLY	BIWEEKLY	ANNUAL	ANNUAL	BIWEEKLY	BIWEEKLY	ANNUAL	ANNUAL
10	~~$1,377.94~~	$1,426.17	~~$35,826~~	$37,080	~~$2,225.43~~	$2,303.32	~~$57,861~~	$59,886
9	~~$1,268.09~~	$1,312.47	~~$32,970~~	$34,124	~~$2,048.12~~	$2,119.80	~~$53,251~~	$55,115
8	~~$1,167.03~~	$1,207.88	~~$30,343~~	$31,405	~~$1,884.86~~	$1,950.83	~~$49,006~~	$50,722
7	~~$1,073.97~~	$1,111.56	~~$27,923~~	$28,901	~~$1,734.60~~	$1,795.31	~~$45,100~~	$46,678
6	~~$988.40~~	$1,023.00	~~$25,699~~	$26,598	~~$1,596.34~~	$1,652.21	~~$41,505~~	$42,958
5	~~$909.61~~	$941.45	~~$23,650~~	$24,478	~~$1,469.06~~	$1,520.47	~~$38,195~~	$39,532
4	~~$837.11~~	$866.41	~~$21,765~~	$22,527	~~$1,352.03~~	$1,399.35	~~$35,153~~	$36,383
3	~~$770.36~~	$797.32	~~$20,029~~	$20,730	~~$1,244.28~~	$1,287.83	~~$32,351~~	$33,484
2	~~$709.00~~	$733.81	~~$18,434~~	$19,079	~~$1,145.08~~	$1,185.16	~~$29,772~~	$30,814
1	~~$652.47~~	$675.30	~~$16,964~~	$17,558	~~$1,053.77~~	$1,090.65	~~$27,398~~	$28,357

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: EFFECTIVE DATES.

This Ordinance Amendment shall become effective the first pay period beginning April 19, 2004, the first pay period beginning April 18, 2005, and the first pay period beginning May 1, 2006, respectively.

SECTION 5: 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.

PASSED and ADOPTED this _____ day of _____, 2004

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 12-2-04
Date

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

Ordinance amending the Classified Leave Ordinance 1335 to amend provisions for the donation of sick and annual leave to a qualified dependant beneficiary of an employee that has died.

Issue:

Shall the City amend the Classified Leave Ordinance to allow for the donation of sick and/or annual leave to a dependant of a deceased employee?

Item Summary/Recommendation:

Approve the Ordinance on first reading and schedule a second reading and public hearing for the Commission Meeting of January 12, 2005 to amend the Classified Leave Ordinance No. 1335 to allow employees that meet certain criteria to be able to donate sick and/or annual leave to a qualified dependant of an employee of the City that has died. Implementation of these provisions, once approved by Ordinance, is contingent upon negotiation with the City's bargaining units of FOP, IAFF, GSA, CWA and AFSCME.

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 RSH

DATE 12-8-04

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: December 8, 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 OF SECTION 16 FOR DONATION OF ANNUAL LEAVE 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 January 12, 2005.

ANALYSIS

At the Finance and Citywide Projects Committee meeting of September 15, 2004, the Committee requested the Administration to work with Commissioner Luis Garcia in developing a method by which employees could donate annual and sick leave hours to the dependant beneficiary of a deceased employee.

The committee requested that any donation made by an employee be deducted from their leave balance available to be paid when they leave employment with the City. Additionally, the following are some of the stipulations that were added as a result of the Administrations meeting with Commissioner Luis Garcia:

- Donating employees must have at least 5 years of service with the City of Miami Beach;
- The donating employee must maintain a balance of at least 260 combined hours of leave after the donation of time is made;
- The donated time will be computed at the donors current rate of pay in effect at the time of the donation;
- The donating employee will be required to sign an agreement that this donated time will reduce the number of hours available for payment of their final leave settlement.
- The deceased employee must designate a dependant beneficiary.

The Finance and Citywide Projects Committee approved the amended language at their meeting of November 23, 2004 and asked that the Ordinance be brought to the

Commission for approval.

Implementation for the bargaining units of Fraternal Order of Police (FOP), International Association of Fire Fighters (IAFF), Government Supervisors Association (GSA), Communication Workers of America (CWA) and American Federation of State, County, and Municipal Employees (AFSCME) is continent upon negotiation.

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.

JMG:MDB:ph MDB

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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 OF SECTION 16 FOR DONATION OF ANNUAL LEAVE 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 Classified Leave Ordinance No. 1335 shall be amended to add Section 16(a) to read as follows:

SECTION 16 (a): Donation of Annual Leave and Sick Leave on the death of a co-worker

1. In those instances where a regular full time employee, with at least five (5) years of service with the City and a qualified designated dependant beneficiary, dies while in the employ of the City, other City employees may donate a portion of their annual or sick leave to that particular employee's dependant.

2. The donating employee must maintain a balance of at least 260 combined hours of annual and sick leave.

3. The donated time will be computed at the donating employee's current rate of pay at the time of donation.

4. One check of all donations will be issued to the employee's designated dependant beneficiary. If no dependant has been specified, the funds will go to the life insurance beneficiary, if that person meets the beneficiary designation.

5. A designated dependant qualified beneficiary shall mean a spouse, domestic partner, dependant child, or other person that meets that definition of a dependant under Internal Revenue Service (IRS) guidelines.

6. There will be a two (2) week period, immediately following the City's announcement of the employee's death, when employees may donate time. No donations will be accepted after that date.

7. The amount of time donated by the donating employee will reduce that employee's final leave settlement.

8. The donating employee donating will be required to sign a form indicating the hours donated and that these hours will reduce his/her final leave settlement. This signed form will be retained in the donating employee's personnel file.

* * *

17. Collective Bargaining Contingency:
As to employees in classifications governed by union contracts, implementation of the measures hereby amended in Sections 16(a), 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

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 12-3-04 Date

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

Ordinance amending the Unclassified Leave Ordinance 1613 to amend provisions for the donation of sick and annual leave to a qualified dependant beneficiary of an employee that has died.

Issue:

Shall the City amend the Unclassified Leave Ordinance to allow for the donation of sick and/or annual leave to a dependant of a deceased employee?

Item Summary/Recommendation:

Approve the Ordinance on first reading and schedule a second reading and public hearing for the Commission Meeting of January 12, 2005 to amend the Unclassified Leave Ordinance No. 1613 to allow employees that meet certain criteria to be able to donate sick and/or annual leave to a qualified dependant of an employee of the City that has died.

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 RSI

DATE 12-8-04

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: December 8, 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 OF SECTION 14 FOR DONATION OF ANNUAL LEAVE 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 January 12, 2005.

ANALYSIS

At the Finance and Citywide Projects Committee meeting of September 15, 2004, the Committee requested the Administration to work with Commissioner Luis Garcia in developing a method by which employees could donate annual leave/sick time to the dependant beneficiary of an employee that had died.

The committee requested that any donation made by an employee be deducted from their leave balance available to be paid when they leave employment with the City. Additionally, the following are some of the stipulations that were added as a result of the Administrations meeting with Commissioner Luis Garcia:

- Donating employees must have at least 5 years of service with the City of Miami Beach;
- The donating employee must maintain a balance of at least 260 combined hours of leave;
- The donated time will be computed at the donors current rate of pay in effect at the time of the donation;
- The donating employee will be required to sign an agreement that this donated time will reduce the number of hours available for payment of their final leave settlement.

The Finance and Citywide Projects Committee approved the amended language at their

meeting of November 23, 2004 and asked that the Ordinance be brought to the Commission for approval.

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.

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 OF SECTION 14 FOR DONATION OF ANNUAL LEAVE 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 shall be amended to add Section 14(a) to read as follows:

* * *

SECTION 14 (a): Donation of Annual Leave and Sick Leave on the death of a co-worker

1. In those instances where a regular full time employee, with at least five (5) years of service with the City and a qualified designated dependant beneficiary, dies while in the employ of the City, other City employees may donate a portion of their annual or sick leave to that particular employee's dependant.

2. The donating employee must maintain a balance of at least 260 combined hours of annual and sick leave.

3. The donated time will be computed at the donating employee's current rate of pay at the time of donation.

4. One check of all donations will be issued to the employee's designated dependant beneficiary. If no dependant has been specified, the funds will go to the life insurance beneficiary, if that person meets the beneficiary designation.

5. A qualified designated dependant beneficiary shall mean a spouse, domestic partner, dependant child, or other person that meets that definition of a dependant under Internal Revenue Service (IRS) guidelines.

6. There will be a two (2) week period, immediately following the City's announcement of the employee's death, when employees may donate time. No donations will be accepted after that date.

7. The amount of time donated by the donating employee will reduce that employee's final leave settlement.

8. The donating employee donating time will be required to sign a form indicating the hours donated and that these hours will reduce his/her final leave settlement. This signed form will be retained in the donating employee's personnel file.

* * *

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 Date 12-8-04

R7
RESOLUTIONS

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution of the Mayor and Members of the City Commission accepting the recommendations of the Historic Preservation Board granting a Certificate of Appropriateness for the demolition of the existing non-contributing buildings and structures in Washington Park.

Issue:

Shall the City Commission adopt a Resolution of the Mayor and Members of the City Commission granting a Certificate of Appropriateness for the demolition of the existing non-contributing buildings and structures in Washington Park?

Item Summary/Recommendation:

After inspections by the City's Property Management Division, it has been determined that the buildings and structures located within Washington Park have deteriorated to the point that repairs or renovations are no longer recommended or economically feasible.

Pursuant to the City Code for the demolition of properties within a historic district, on September 14, 2004, the Historic Preservation Board (HPB) discussed the Planning Department File No. HPB 2440 and determined the structures in Washington Park to be non-contributing and resolved to unanimously recommend to the City Commission, in their advisory capacity, the demolition of the subject structures.

The Administration recommends that the Mayor and City Commission accept the recommendations of the Historic Preservation Board and adopt a Resolution granting a Certificate of Appropriateness for the demolition of the existing non-contributing buildings and structures in Washington Park.

Advisory Board Recommendation:

On September 14, 2004, the Historic Preservation Board found the subject structures to be non-contributing and recommended the approval of a Certificate of Appropriateness for the demolition of the buildings and structures in Washington Park.

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:

Robert Halfhill – Brad Judd

Sign-Offs:

Department Director	Assistant City Manager	City Manager
FHS		

AGENDA ITEM R7A

DATE 12-8-04

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: December 8, 2004

FROM: Jorge M. Gonzalez
City Manager

SUBJECT: **A RESOLUTION OF THE MAYOR AND MEMBERS OF THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATIONS OF THE HISTORIC PRESERVATION BOARD AND GRANTING A CERTIFICATE OF APPROPRIATENESS FOR THE DEMOLITION OF THE EXISTING NON-CONTRIBUTING BUILDINGS AND STRUCTURES IN WASHINGTON PARK.**

ADMINISTRATION RECOMMENDATION

Approve the Resolution.

ANALYSIS

The buildings and structures in Washington Park have been closed for many years and have been vandalized on many occasions in the past. The buildings and structures currently have no programmed use and their existing condition poses a safety hazard to the community. After inspections by the City's Property Management Division, it has been determined that the buildings and structures located within the Park have deteriorated to the point that repairs or renovations are no longer recommended or economically feasible.

Following discussions on the conditions of the structures and the future use of the property, the Administration recommended the application for a Certificate of Appropriateness for the demolition of the non-contributing buildings and structures within the Park.

Pursuant to the City Code, Certificates of Appropriateness for such sites are granted or denied in accordance with the procedures set forth within the Ordinance. In following the procedures required for granting and denying a request for a Certificate of Appropriateness for demolition of a building in a historic district require that the Historic Preservation Board hold a public hearing and transmit a recommendation to the City Commission, and it is appropriate that the City Commission then hold a hearing and vote on the request.

On September 14, 2004, the Historic Preservation Board (HPB) discussed the Planning Department File No. HPB 2440 and determined the structures to be non-contributing and resolved to unanimously recommend to the City Commission, in their advisory capacity, the demolition of the subject structures.

The Administration recommends that the Mayor and City Commission accept the recommendations of the Historic Preservation Board and approve the Resolution granting a Certificate of Appropriateness for the demolition of the non-contributing buildings and structures in Washington Park.

JMG/RCM/FB/BAJ

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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, ACCEPTING THE RECOMMENDATION OF THE HISTORIC PRESERVATION BOARD AND GRANTING A CERTIFICATE OF APPROPRIATENESS FOR THE DEMOLITION OF CERTAIN EXISTING NON-CONTRIBUTING ACTIVITY BUILDINGS AND STRUCTURES INCLUDING, BUT NOT LIMITED TO, RESTROOMS AND ACCESS RAMP, IN WASHINGTON PARK, LOCATED AT 201 WASHINGTON AVENUE.

WHEREAS, certain buildings and structures located within Washington Park, located at 201 Washington Avenue, including, but not limited to, restrooms and access ramps, have deteriorated to the point that repairs or renovations are no longer economically feasible; and

WHEREAS, following discussions on the condition of the existing buildings and structures and the future use of the Park, the Administration recommended the application for a Certificate of Appropriateness for the demolition of the buildings and structures; and

WHEREAS, the procedures for granting and denying a request for a Certificate of Appropriateness for demolition of a building in a historic district require that the Historic Preservation Board hold a public hearing and transmit a recommendation to the City Commission; it is then appropriate that the City Commission then hold a hearing to consider the request; and

WHEREAS, on October 12, 2004, the Historic Preservation Board (HPB) discussed the Planning Department File No. HPB-2440 and determined the aforestated buildings and structures within Washington Park to be non-contributing; the Board, in its advisory capacity, voted unanimously to recommend to the City Commission the demolition of the subject buildings and structures; and

WHEREAS, on December 8, 2004 the City Commission held a duly noticed public hearing to consider the aforestated request.

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 accept the recommendation of the Historic Preservation Board and grant a Certificate of Appropriateness for the demolition of existing non-contributing buildings and structures

including, but not limited to, restrooms and access ramp, in Washington Park, located at 201 Washington Avenue.

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

ATTEST:

_____ _____

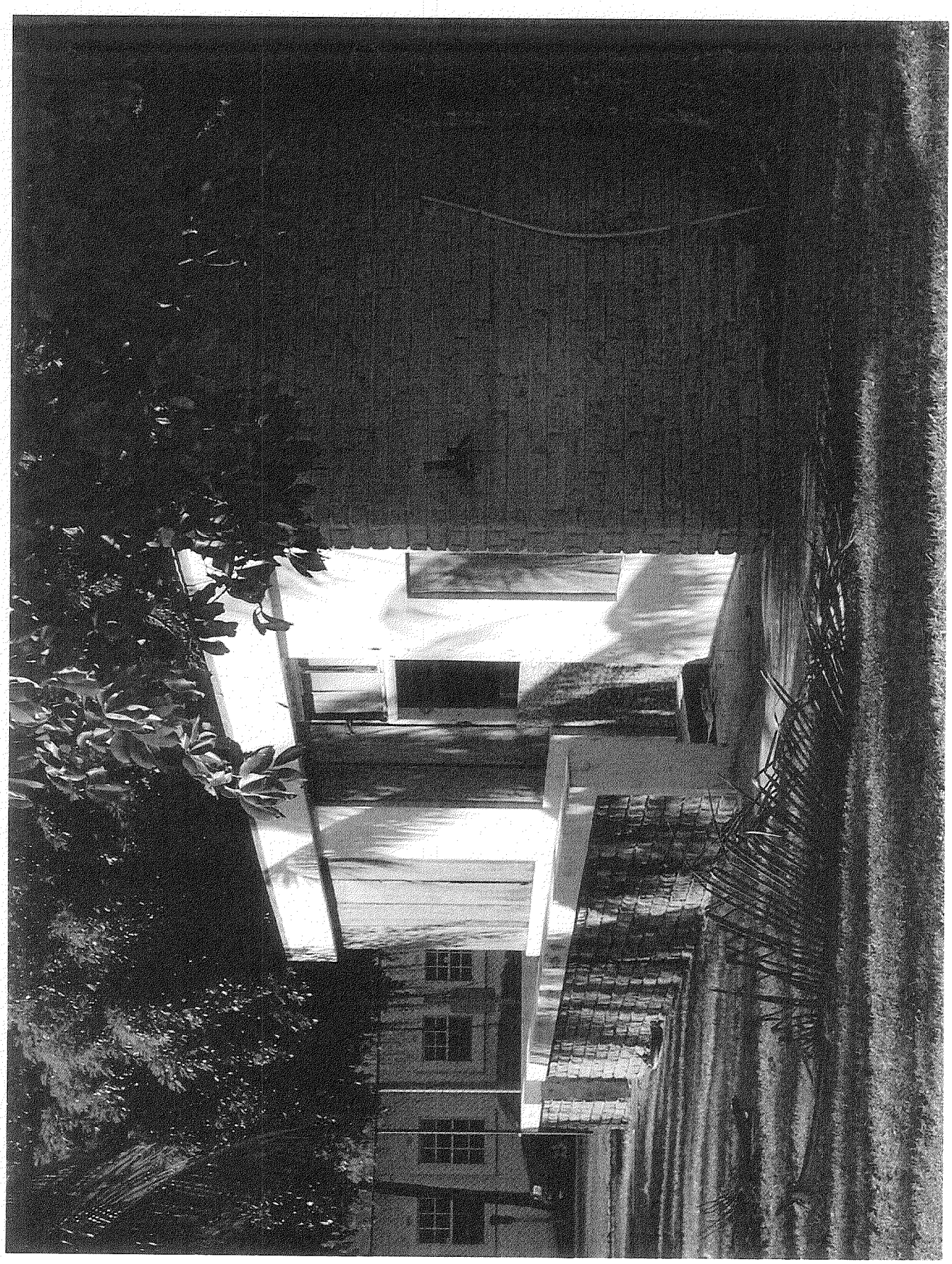
CITY CLERK MAYOR

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney 12-3-04 Date

DEMOLITION SITE PLAN

Buildings to demolish



HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: September 14, 2004

FILE NO: 2440

PROPERTY: 201-225 Washington Avenue - Washington Park

LEGAL: OCEAN BEACH FLA SUB PB 2-38 LOTS 9 TO 12 BLK 8, According to the Plat Thereof, as Recorded in Plat Book 2, Page 38, of the Public Records of Miami-Dade County, Florida.

IN RE: The Application for a Certificate of Appropriateness for the demolition of two vacant ancilliary structures within the park.

ORDER

The applicant, the City of Miami Beach, filed an application with the City of Miami Beach Planning Department for a Certificate of Appropriateness.

The City of Miami Beach Historic Preservation Board makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:

A. The subject structures are not designated in the Miami Beach Historic Properties Database and are located within the Ocean Beach Local Historic District.

B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is not consistent with Certificate of Appropriateness Criteria for Demolition 2, 3, 4, 5, 8 and 9 in Section 118-564(f)(4).

C. The project would be consistent with the criteria and requirements of section 118-564 if the following conditions are met:

1. Any existing trees scheduled to be removed as part of the buildings demolition shall be clearly noted on a demolition plan, and shall be subject to the review and approval of staff. At a minimum, the Jambolan Plum trees shall be removed and the Ficus can remain, but shall be thinned out.

2. The area of the demolished structures shall be replaced with sod.

3. The completed design of Washington Park shall return to the Board for review and approval.

4. A drawn plan and written procedure for the proposed demolition shall be prepared and submitted by a Professional Structural Engineer, registered in the State of Florida, which fully ensures the protection of the public safety, as well as the protection of the existing structure on the subject site and all existing structures adjacent to the subject site during the course of demolition.

5. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations which were amended by the Board, that the Certificate of Appropriateness is GRANTED for the above-referenced project subject to those certain conditions specified in paragraph C of the Findings of Fact (Condition Nos. 1-5, inclusive) hereof, to which the applicant has agreed.

No building permit may be issued unless and until all conditions of approval as set forth herein have been met. The issuance of a Certificate of Appropriateness does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including zoning approval. If adequate handicapped access is not provided, this approval does not mean that such handicapped access is not required or that the Board supports an applicant's effort to seek waivers relating to handicapped accessibility requirements.

When requesting a building permit, three (3) sets of plans approved by the Board, modified in accordance with the above conditions, shall be submitted to the Planning Department. If all of the above-specified conditions are satisfactorily addressed, the plans will be reviewed for building permit approval. Two (2) sets will be returned to you for submission for a building permit and one (1) set will be retained for the Historic Preservation Board's file.

If the Full Building Permit is not issued within eighteen (18) months of the meeting date at which this Certificate of Appropriateness was granted and construction does not commence and continue in accordance with the requirements of the applicable Building Code, the Certificate of Appropriateness will expire and become null and void, unless the applicant, prior to expiration of such period, makes application to the Board for an extension of time; the granting of any such extension of time shall be at the discretion of the Board. At the hearing on any such application, the Board may deny or approve the request and modify the above conditions or impose additional conditions. Failure to comply with this Order shall subject the Certificate of Appropriateness to Section 118-564, City Code, for revocation or modification of the Certificate of Appropriateness.

Dated this 7 day of OCTOBER, 2004.

HISTORIC PRESERVATION BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: _____
THOMAS R. MOONEY, AICP
DESIGN AND PRESERVATION MANAGER
FOR THE CHAIR

STATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 7TH day of OCTOBER 2004 by Thomas R. Mooney, Design and Preservation Manager, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.

Charles A Tarr
My Commission DD233174
Expires July 17, 2007

_____
NOTARY PUBLIC C MARCUS A. TARR
Miami-Dade County, Florida
My commission expires: _____

Approved As To Form:
Legal Department: _____ (10-6-04)

Filed with the Clerk of the Historic Preservation Board on 10/7/04 ( )

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MIAMI BEACH CITY COMMISSION NOTICE TO THE PUBLIC

The Miami Beach City Commission will hold a public hearing at their regularly scheduled meeting on Wednesday, December 8th, 2004, at 9:00 A.M., in the City Commission Chambers, City Hall, 1700 Convention Center Drive, Third Floor, Miami Beach, Florida 33139.

At this meeting, the City Commission will discuss granting final demolition approval to the following City-owned structures:

201-225 Washington Avenue - Washington Park. The applicant, the City of Miami Beach, has received a Certificate of Appropriateness for the demolition of two vacant ancillary structures located in Washington Park from the Historic Preservation Board (HPB File No. 2440) at its September 14, 2004 meeting. The City of Miami Beach Property Management Division is seeking final approval from the City Commission to demolish the two structures.

All persons are invited to appear at this meeting or be represented by an agent, or to express their views in writing addressed to the Miami Beach Historic City Commission c/o the City Clerk's Office, 1700 Convention Center Drive, Ground Floor, City Hall, Miami Beach, Florida 33139. The application for the above project is available for public inspection during normal business hours at the Planning Department, 1700 Convention Center Drive, 2nd Floor, Miami Beach, Florida 33139. Inquiries may be directed to the Department at 305-673- 7550.

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).

(Ad #0294)

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A resolution granting a Certificate of Appropriateness for Demolition of the existing structures located at 7601 Atlantic Way and 7611 Collins Avenue, respectively; both structures designated as single family contributing structures in the City of Miami Beach Historic Properties Database and located within the Harding Townsite / Altos del Mar Local Historic District is hereby granted; said demolition necessary in order to proceed with the development on the same site the Altos del Mar Park Project.

Issue:

Should a Certificate of Appropriateness for Demolition to authorize the demolition of 7601 Atlantic Way and 7611 Collins Avenue be granted?

Item Summary/Recommendation:

The City Commission directed the City Administration to follow the appropriate procedures and processes to demolish 7601 Atlantic Way and 7611 Collins Avenue, both contributing structures on the Miami Beach Historic Properties Database. This direction was provided at the Commission meeting of July 7, 2004.

The Project was presented to the City's Historic Preservation Board (HPB) at its meeting of October 12, 2004. The HPB voted to recommend to the City Commission that the single family structures be demolished.

On November 10, 2004 the City Commission considered the HPB recommendation and, pursuant to City of Miami Beach City Code Section 118-563, approved a resolution setting a public hearing to consider granting a Certificate of Appropriateness for Demolition. This is the same process utilized by the HPB when it considers the demolition of a historic building. The public hearing was held.

It is necessary for the City Commission to grant a Certificate of Appropriateness for Demolition in order to proceed with the present direction on this project. The Administration recommends approval of the HPB recommendation and requests the City Commission granting a Certificate of Appropriateness for Demolition.

Advisory Board Recommendation:

The City's Historic Preservation Board recommended approval and issued Final Order on October 25, 2004.

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

M. Alexandra Rolandelli, CIP Office

Sign-Offs:

Department Director	Assistant City Manager	City Manager

N-AltosPk-02-12082004

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AGENDA ITEM R7B

DATE 12-8-04

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: December 8, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, GRANTING A CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION OF THE EXISTING STRUCTURES LOCATED AT 7601 ATLANTIC WAY AND 7611 COLLINS AVENUE, RESPECTIVELY; BOTH STRUCTURES DESIGNATED AS SINGLE FAMILY CONTRIBUTING STRUCTURES IN THE CITY OF MIAMI BEACH HISTORIC PROPERTIES DATABASE AND LOCATED WITHIN THE HARDING TOWNSITE / ALTOS DEL MAR LOCAL HISTORIC DISTRICT; SAID DEMOLITION NECESSARY IN ORDER TO PROCEED WITH THE DEVELOPMENT ON THE SAME SITE THE ALTOS DEL MAR PARK PROJECT.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

On July 7, 2004, the City Commission directed the City Administration to pursue the demolition of the existing single family structures located at 7601 Atlantic Way and 7611 Collins Avenue. Both structures are designated contributing in the Miami Beach Historic Properties Database and are located within the Harding Townsite / Altos del Mar Local Historic District. The City Commission evaluated the structures relative to their current deteriorated conditions, their potential for adaptive reuse from single family residential buildings to public park use, the requirements of the Building Code and the Florida Coastal Construction Control code, and the projected costs of restoration and adaptive reuse. Following a discussion on the issues, the Commission determined that it was not appropriate to try to preserve and reuse the structures, and directed the Administration to apply for a Certificate of Appropriateness for the demolition.

On October 12, 2004, the Historic Preservation Board (HPB) discussed the Planning Department File No. 2494 and resolved to unanimously recommend to the City Commission, in their advisory capacity, the total demolition of the structures. The vote on the motion was 5 members recommending demolition, with 2 members absent, The Historic Preservation Board Final Order was issued on October 25, 2004.

The Final Order states that "the Historic Preservation Board recommends that a Certificate of Appropriateness be GRANTED for the above-referenced project" subject to the following conditions:

1. The completed design of Altos Del Mar Park shall return to the Historic Preservation Board for review and approval.

2. Revised drawings, with corresponding color photographs, which are separate from the construction documents, drawn to scale and clearly documenting the existing conditions of the subject buildings, shall be submitted. Such drawings and photographs shall include all four elevations and interior floor plans of the building, as well as a site plan.

3. A drawn plan and written procedure for the proposed demolition shall be prepared and submitted by a Professional Structural Engineer, registered in the State of Florida, which fully ensures the protection of the public safety, as well as the protection of the existing structure on the subject site and all existing structures adjacent to the subject site during the course of demolition.

4. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.

If the Demolition Permit is not issued within eighteen (18) months of the meeting date at which the City Commission grants a Certificate of Appropriateness and construction does not commence and continue in accordance with the requirements of the applicable Building Code, the Certificate of Appropriateness will become null and void, unless, prior expiration of such period, a time extension application is submitted to the Board.

It should be noted that Condition Nos. 2 and 3 are being fulfilled by the already submitted report of existing conditions, prepared by BRS, the Project's Structural Engineer and, through the requirements of the City's Building Department at the time of issuing the Demolition permit.

On November 10, 2004 the City Commission considered the HPB recommendation and, pursuant to City of Miami Beach City Code Section 118-563, approved Resolution No. 2004-25729, setting a public hearing to consider granting a Certificate of Appropriateness for Demolition. This is the same process utilized by the HPB when it considers the demolition of a historic building. The public hearing was held on this date.

The Administration recommends approval of the HPB recommendation and requests the City Commission granting a Certificate of Appropriateness for Demolition.

Attachments
JMG/RCM/TH/ar
T:\AGENDA\2004\Dec0804\Consent\Altos del Mar Demolition Memo.doc

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, GRANTING A CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION OF THE EXISTING STRUCTURES LOCATED AT 7601 ATLANTIC WAY AND 7611 COLLINS AVENUE, RESPECTIVELY; BOTH STRUCUTRES DESIGNATED AS SINGLE FAMILY CONTRIBUTING STRUCTURES IN THE CITY OF MIAMI BEACH HISTORIC PROPERTIES DATABASE AND LOCATED WITHIN THE HARDING TOWNSITE / ALTOS DEL MAR LOCAL HISTORIC DISTRICT; SAID DEMOLITION NECESSARY IN ORDER TO PROCEED WITH THE DEVELOPMENT ON THE SAME SITE THE ALTOS DEL MAR PARK PROJECT.

WHEREAS, on July 7, 2004, the City Commission directed the City Administration to pursue the demolition of the existing single family structures located at 7601 Atlantic Way and 7611 Collins Avenue; and

WHEREAS, both structures are designated contributing in the Miami Beach Historic Properties Database and are located within the Harding Townsite / Altos del Mar Local Historic District; and

WHEREAS, the City Commission evaluated the structures relative to their current deteriorated conditions, their potential for adaptive reuse from single family residential buildings to public park use, the requirements of the Building Code and the Florida Coastal Construction Control code, and the projected costs of restoration and adaptive reuse; and

WHEREAS, following a discussion on the issues, the Commission determined that it was not appropriate to try to preserve and reuse the structures, and directed the Administration to apply for a Certificate of Appropriateness for the demolition; and

WHEREAS, on October 12, 2004, the City's Historic Preservation Board (HPB) discussed the Planning Department File No. 2494 and resolved to unanimously recommend to the City Commission, in their advisory capacity, the total demolition of the structures; and

WHEREAS, the vote on the motion was 5 members recommending demolition, with 2 members absent; and

WHEREAS, the City's HPB Final Order was issued on October 25, 2004; and

WHEREAS, the Building Department requires that the structures be demolished by a general contractor or certified demolition contractor approved by the Building Official in accordance with OSHA standards and procedures to ensure the protection of the public safety as well as the protection of structures on adjacent sites; and

WHEREAS, on November 10, 2004 the City Commission considered the HPB recommendation and, pursuant to City of Miami Beach City Code Section 118-563, approved Resolution No. 2004-25729, setting a public hearing to consider granting a Certificate of Appropriateness for Demolition; and

WHEREAS, this is the same process utilized by the HPB when it considers the demolition of a historic building; and

WHEREAS, the public hearing was held on this date.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the request for a Certificate of Appropriateness for Demolition of the existing structures located at 7601 Atlantic Way and 7611 Collins Avenue, respectively; both structures designated as single family contributing structures in the City of Miami Beach Historic Properties Database and located within the Harding Townsite / Altos del Mar Local Historic District is hereby granted; said demolition necessary in order to proceed with the development on the same site the Altos del Mar Park Project.

PASSED AND ADOPTED this _____ day of December, 2004.

ATTEST:

_____ _____

CITY CLERK **MAYOR**

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

11/24/04

City Attorney 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, December 8, 2004, at the times listed below to consider the following:**

at 10:20 a.m.:
TO GRANT A CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION OF THE EXISTING STRUCTURE LOCATED AT 7601 ATLANTIC WAY AND 7611 COLLINS AVENUE, RESPECTIVELY; BOTH STRUCTURES DESIGNATED AS SINGLE FAMILY CONTRIBUTING STRUCTURES IN THE CITY OF MIAMI BEACH HISTORIC PROPERTIES DATABASE AND LOCATED WITHIN THE HARDING TOWNSITE/ ALTOS DEL MAR LOCAL HISTORIC DISTRICT; SAID DEMOLITION NECESSARY IN ORDER TO PROCEED WITH THE DEVELOPMENT ON THE SAME SITE OF THE ALTOS DEL MAR PARK PROJECT.

at 10:25 a.m.:
TO GRANT A CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION OF AN EXISTING RESTROOM FACILITY LOCATED AT 1401 OCEAN DRIVE, IN ORDER TO CONSTRUCT A NEW RESTROOM FACILITY AT THE SAME SITE.

Inquiries may be directed to Capital Improvements Projects at (305)673-7071.

at 10:30 a.m.:
TO HEAR PUBLIC COMMENT REGARDING THE LEASE BETWEEN THE MIAMI POLICE FEDERAL CREDIT UNION AND THE CITY OF MIAMI BEACH, OF APPROXIMATELY 190 SQUARE FEET OF CITY-OWNED PROPERTY, LOCATED AT 1100 WASHINGTON AVENUE, MIAMI BEACH, FLORIDA, FOR AN INITIAL THIRTY FIVE (35) MONTH TERM, COMMENCING ON NOVEMBER 1, 2004, AND ENDING ON SEPTEMBER 30, 2007; FURTHER CONSENTING TO THE NEGOTIATED TERMS PRESENTED HEREIN, SUBJECT TO A LEASE AGREEMENT IN A FORM ACCEPTABLE TO THE CITY ATTORNEY AND COMPLIANCE WITH THE REQUIREMENTS OF SECTION 82-36 THROUGH 82-39 OF THE MIAMI BEACH CITY CODE; FURTHER WAIVING BY 5/7THS VOTE THE COMPETITIVE BIDDING AND APPRAISAL REQUIREMENTS.

Inquiries may be directed to City Manager's Office at (305)673-7010.

at 5:00 p.m.:
TO CONSIDER APPROVING ON FIRST READING, IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 163.3220 - 163.3243 FLORIDA STATUTES, ALSO REFERRED TO AS THE "FLORIDA LOCAL GOVERNMENT DEVELOPMENT AGREEMENT ACT," THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND THE NEW WORLD SYMPHONY, DATED JANUARY 5, 2004, FOR THE DEVELOPMENT OF A PORTION OF THE SURFACE PARKING LOT, BOUNDED BY 17TH STREET TO THE NORTH, NORTH LINCOLN LANE TO THE SOUTH, WASHINGTON AVENUE TO THE EAST AND PENNSYLVANIA AVENUE TO THE WEST, FOR CONSTRUCTION OF AN APPROXIMATELY 50,000 SQUARE FOOT EDUCATIONAL, PERFORMANCE AND INTERNET BROADCAST FACILITY WITH AN EXTERIOR SCREEN ("SOUNDSPACE"), AND AN APPROXIMATELY 320-SPACE (+/-) PUBLIC PARKING GARAGE FACILITY; SAID ADDENDUM SPECIFICALLY AMENDING THE DEVELOPMENT AGREEMENT, REQUIRING THE DEVELOPER TO PROCEED WITH THE DESIGN AND DEVELOPMENT OF ZONE 1, COMPRISING THE PARK AND DREXEL AVENUE BETWEEN NORTH LINCOLN LANE AND 17TH STREET, AT THE OWNER'S COST AND EXPENSE, NOT TO EXCEED $10,000,000; ZONE 2, COMPRISING THE JACKIE GLEASON THEATER OF THE PERFORMING ARTS (TOPA) ENTRY LANDSCAPING AT THE OWNER'S COST AND EXPENSE, NOT TO EXCEED $1,150,000; AND ZONE 3, COMPRISING NORTH LINCOLN LANE IMPROVEMENTS, AT OWNER'S COST AND EXPENSE, NOT TO EXCEED $500,000.

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

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 opened and 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).

Ad #0292

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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, granting a Certificate of Appropriateness for Demolition of an existing restroom facility located at 1401 Ocean Drive, in order to construct a new restroom facility at the same site.

Issue:

Should a Certificate of Appropriateness for the Demolition of 1401 Ocean Drive be granted?

Item Summary/Recommendation:

The City Commission directed the City Administration to follow the appropriate procedures and processes to demolish the restroom facility at 1401 Ocean Drive. The structure is not listed in Miami Beach Historic Properties Database. Further, the Project was presented and approved by the Historic Preservation Board at its meeting of April 8, 2003, and approval extended for an additional year on June 8, 2004. The HPB voted to recommend to the City Commission that the restroom structure be demolished.

On November 10, 2004, the City Commission approved Resolution No. 2004-25730, setting a Public Hearing to consider the issuance of a Certificate of Appropriateness for Demolition of 1401 Ocean Drive. In order for the construction of the Lummus Park Restroom Facilities Project to proceed, the Administration recommends that the City Commission grant a Certificate of Appropriateness for total Demolition of the restroom located at 1401 Ocean Drive.

Advisory Board Recommendation:

The Historic Preservation Board recommended approval at its meeting of April 8, 2003, and extended the approval for an additional one (1) year time extension at the meeting of June 8, 2004.

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Carla Dixon, CIP Office

Sign-Offs:

Department Director	Assistant City Manager	City Manager
TH	RCM	

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S-LummusPk-02-11172004

AGENDA ITEM R7C

DATE 12-8-04

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: December 8, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, GRANTING A CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION OF AN EXISTING RESTROOM FACILITY LOCATED AT 1401 OCEAN DRIVE, IN ORDER TO CONSTRUCT A NEW RESTROOM FACILITY AT THE SAME SITE.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

On February 26, 2003, the City of Miami Beach Capital Improvement Projects Office filed an application with the Historic Preservation Board (HPB) requesting a Certificate of Appropriateness to demolish an existing single story restroom facility located at 1401 Ocean Drive (Attachment "A"), in order to construct a new restroom facility in the same location, to widen certain sidewalks within the park, to plant additional landscaping, and to provide new park amenities such as seating, bike racks, and newspaper vending facilities. The existing restroom structure was designed by architect Alex Lewis and constructed in 1947. Although the structure is located within the Ocean Drive/Collins Avenue Local Historic District, it is not listed in the Miami Beach Historic Properties Database.

On April 8, 2003, the Historic Preservation Board (HPB) discussed the Lummus Park Facilities Project, File No. 1407, containing the Planning Department staff recommendation to grant the Certificate of Appropriateness to demolish the structure. The City Administration, Planning Department Staff, and the Historic Preservation Board evaluated the existing structure, its current deteriorated condition, the need to provide restroom facilities within Lummus Park which is located along Ocean Drive, and the general rehabilitation of the park for public use. The HPB evaluated whether the proposed new restroom structure designed by Bermello, Ajamil and Partners, Inc, was compatible with the surrounding properties. They also considered the criteria set forth in Section 118-564(a) (1), 118-564(a) (2), and 118-564(a) (3), of the Miami Beach Code, as presented in the Historic Preservation Board Staff Report dated April 8, 2003 (Attachment "B"). The Application was approved.

In April 2004, the design and permitting for the Project was ninety percent (90%) complete. However, the City at that time had not yet selected a General Contractor to obtain the necessary Building Permit. Consequently, on June 8, 2004, the Project was again presented to the HPB Board for a one (1) year extension of time to obtain a building permit

for the construction of the new restroom facility to replace the existing restroom at 1401 Ocean Drive. Again, the Planning Department staff reviewed the criteria set forth in Section 118-564(a) (1), 118-564(a) (2), and 118-564(a) (3), of the Miami Beach Code, and found that the requirements were either satisfied or not applicable. The Planning Department staff further recommended that the HPB grant a one (1) year time extension to the original Certificate of Appropriateness. The application was approved as noted in the HPB Final Order (Attachment "C"). In addition, the conditions were also amended to allow the installation of a landscape buffer around the proposed news-racks in lieu of the previously approved oolitic limestone clad enclosures. Granting of the extension is conditioned upon the following, to which the City has agreed:

1. A full building Permit, not a foundation or shell permit, for the project shall be obtained by April 8, 2005.

2. Construction shall commence and continue in accordance with the applicable Building Code.

3. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.

On November 10, 2004, the City Commission approved Resolution No. 2004-25730, setting a Public Hearing to consider the issuance of a Certificate of Appropriateness for Demolition of 1401 Ocean Drive. In order for the construction of the Lummus Park Restroom Facilities Project to proceed, and based on the aforementioned, the Administration recommends that the City Commission grant a Certificate of Appropriateness for total Demolition of the restroom located at 1401 Ocean Drive.

Attachments

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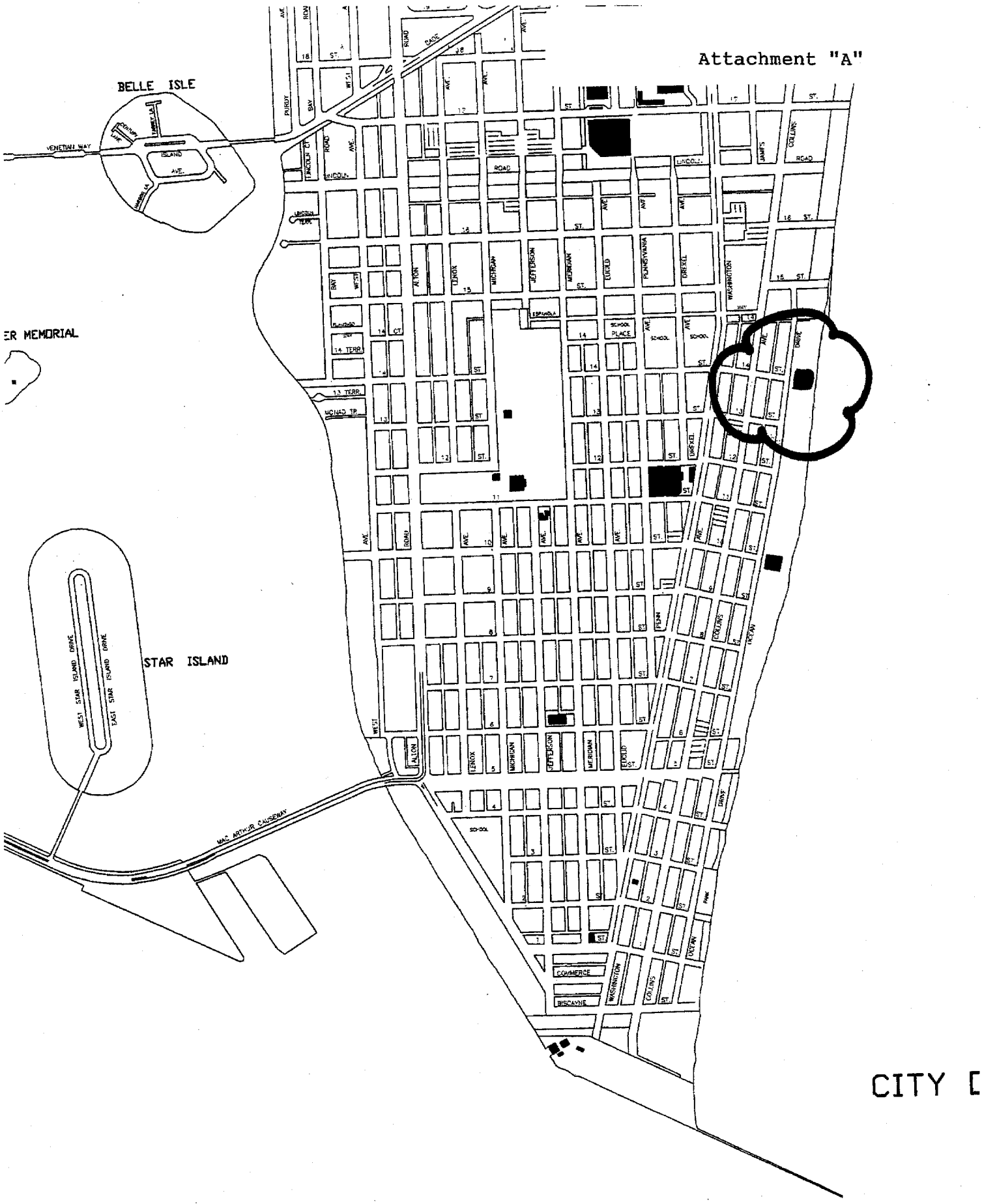
Attachment "A"



Attachment "B"

CITY OF MIAMI BEACH
PLANNING DEPARTMENT

HISTORIC PRESERVATION BOARD
STAFF REPORT

TO: HISTORIC PRESERVATION BOARD

FROM: Jorge G. Gomez, Director
Planning Department

DATE: April 8, 2003 Meeting

RE: Historic Preservation File No. 1407
599 Ocean Drive - Lummus Park Restrooms and Park Improvements

The applicant, the City of Miami Beach, is requesting a Certificate of Appropriateness to demolish an existing restroom facility, to construct new restroom facilities in the same location, to widen certain sidewalks within the park, plant additional landscaping, and install new park amenities such as seating, bike racks and vending stands.

LEGAL DESCRIPTION:
Lots 1 through 6, inclusive, in Block 1, Friedman and Cope Subdivision of Edmund Wilson Tract, According to the Plat Thereof, as Recorded in Plat Book 4, Page 83, of the Public Records of Miami-Dade County, Florida. Together with: Beginning at a point on the South line of the North half of Section 3, Township 54 South of Range 42 East, at the intersection of said South line as aforesaid with the East line of Ocean Drive, as shown on a plat of Ocean Beach Addition No. 1, as Recorded in Plat Book 3, Page 11, of the Public Records of Miami-Dade County, Florida; thence North along the East side of said Ocean Drive, parallel with and 30 Feet East of the West side of said Ocean Drive to the North line of the aforesaid Plat, Plat Book and Page as aforesaid; thence continuing North along the East side of the said Ocean Drive parallel with and 30 Feet East of the West side of said Ocean Drive as shown on a Plat of Ocean Beach Addition No. 2, as Recorded in Plat Book 2, Page 56, of the Public Records of Miami-Dade County, Florida, to the North line of said Plat of Ocean Beach Addition No. 2 as aforesaid, said North line being the South line of the Richard Carney Tract; thence East along the last described line to the Atlantic Ocean; thence southwardly in a meandering line along the shore of said Atlantic Ocean to the South line of Ocean Beach Addition No. 1, Plat Book and Page as aforesaid, if projected easterly into the Atlantic Ocean, said South line being the South line of the North half of Section 3, Township 54 South of Range 42 East, and the North line of the Edmund Wilson Tract; thence West along the last described line to the point and place of beginning, together with all Common Law riparian rights belonging or incident thereto.

EXISTING STRUCTURE:
Constructed in 1947 and designed by architect Alex Lewis, the subject structure is located within the Ocean Drive/Collins Avenue Local Historic District but is not listed in the Miami Beach Historic Properties Database.

a. The Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as revised from time to time.
Satisfied

b. Other guidelines/policies/plans adopted or approved by Resolution or Ordinance by the City Commission.
Satisfied

II. In determining whether a particular application is compatible with surrounding properties, the Board shall consider the following criteria pursuant to Section 118-564(a)(2) of the Miami Beach Code (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):

a. Exterior architectural features.
Not Satisfied; see Condition No. 1 and Staff Analysis
The proposed stepped parapet on the restroom facility has an awkward appearance as viewed from the north and south, adds unnecessary height to the building and has a negative impact on the subject structure and surrounding area.

b. General design, scale, massing and arrangement.
Not Satisfied; see Condition No. 1 and Staff Analysis
The proposed stepped parapet on the restroom facility has an awkward appearance as viewed from the north and south, adds unnecessary height to the building and has a negative impact on the subject structure and surrounding area.

c. Texture and material and color.
Satisfied

d. The relationship of a, b, c, above, to other structures and features of the district.
Satisfied

e. The purpose for which the district was created.
Satisfied

f. The relationship of the size, design and siting of any new or reconstructed structure to the landscape of the district.
Satisfied

g. An historic resources report, containing all available data and historic documentation regarding the building, site or feature.
Not Applicable - Existing Structure Non-Contributing

h. The original architectural design or any subsequent modifications that have acquired significance.
Satisfied

III. The examination of architectural drawings for consistency with the criteria pursuant to Section 118-564(a)(3) of the Miami Beach Code and stated below, with regard to the

designed so as to interfere as little as possible with vehicular traffic flow on these roads and pedestrian movement onto and within the site, as well as permit both pedestrians and vehicles a safe ingress and egress to the site.
Satisfied

g. Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties and consistent with a City master plan, where applicable.
Satisfied

h. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall site plan design.
Satisfied

i. Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from Structures are adequately shielded from public view, adjacent properties and pedestrian areas.
Satisfied

j. Any proposed new structure shall have an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).
Satisfied

k. All buildings shall have, to the greatest extent possible, space in that part of the ground floor fronting a sidewalk, street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a sidewalk street, or streets shall have residential or commercial spaces, or shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of a parking structure from the surrounding area and is integrated with the overall appearance of the project.
Satisfied

l. All buildings shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.
Satisfied

m. Any addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvement(s).
Satisfied

n. All portions of a project fronting a street or sidewalk shall incorporate an amount of transparency at the first level necessary to achieve pedestrian compatibility.
Satisfied

The retention of the subject structure is not critical to developing an understanding of an important Miami Beach architectural style.

6. If the proposed demolition is for the purpose of constructing a parking garage, the Board shall consider it if the parking garage is designed in a manner that is consistent with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, U.S. Department of the Interior (1983), as amended, and/or the design review guidelines for that particular district.
   Not Satisfied
   The demolition proposed in the subject application is not for the purpose of constructing a parking garage.

7. There are definite plans for reuse of the property if the proposed demolition is carried out, the effect of those plans on the character of the Historic District, whether there is a compelling public interest requiring the proposed demolition, and whether the Applicant is willing to bond the completion of the proposed new construction.
   Satisfied
   The applicant is proposing to use the structure as a public restroom facility.

8. The Dade County Unsafe Structures Board has ordered the demolition of a Structure without option.
   Not Satisfied
   The Dade County Unsafe Structures Board has not ordered the demolition of any part of the subject building.

9. The Board determines that retention of the Building/Structure would deny the owner economically viable use of the property.
   Not Satisfied
   The applicant has not submitted a financial feasibility study to determine whether the new project as proposed will make the subject property financially viable.

STAFF ANALYSIS:
Staff is highly supportive of the improvements proposed herein for Lummus Park as they will greatly improve pedestrian movement along the east side of Ocean Drive, further expand the amenities found within the park, and enrich its overall aesthetic appeal.

With regard to the new restroom facility, staff had initial concerns with the location of the facility at a prominent street end because of the potential to block views to Lummus Park and the ocean. But because that is the location of the existing facility, staff can support the proposed siting. With respect to the design of the facility, staff initially believed that the raised and slightly arched design of the front center parapet as shown on the east and west elevations might be appropriate and suggested the applicant consider this approach. Upon review of the perspective rendering submitted with the application, however, staff suggests that the design of the projecting center element facing Ocean Drive would be more appropriate if the slightly arched and raised center element on the east and west elevations is made flat and of equal height with its immediate flanking bay elements on the same elevations. Staff feels that the proposed stepped parapet is somewhat awkward as viewed from the north and south and that it adds unnecessary height to the building. Staff suggests maintaining a consistent parapet height on all sides of the structure and eliminating the arched parapets at the east and west ends.

5. A traffic mitigation plan, which addresses all roadway Level of Service (LOS) deficiencies relative to the concurrency requirements of the City Code, if required, shall be submitted prior to the issuance of a Building Permit and the final building plans shall meet all other requirements of the Land Development Regulations of the City Code.

6. Manufacturers drawings and Dade County product approval numbers for all new windows, doors and glass shall be required, prior to the issuance of a building permit.

7. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and shall be screened from view, in a manner to be approved by staff.

8. Revised drawings, with corresponding color photographs, that are separate from the construction documents, drawn to scale and clearly documenting the existing conditions of the subject building, shall be submitted. Such drawings and photographs shall include all four elevations and interior floor plans of the building, as well as a site plan.

9. All new and altered elements, spaces and areas shall meet the requirements of the Florida Accessibility Code (FAC).

10. The project shall comply with any landscaping or other sidewalk/street improvement standards as may be prescribed by a relevant Urban Design Master Plan approved prior to the completion of the project and the issuance of a Certificate of Occupancy.

11. The Certificate of Appropriateness for Demolition shall only remain in effect for the period of time that there is an active Certificate of Appropriateness for the associated new construction on the subject property.

12. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.

13. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.

14. The applicant shall obtain Final Approval for the Certificate of Appropriateness for Demolition from the City Commission prior to the issuance of a Demolition Permit.

JGG:TRM:LDQ
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Attachment "C"

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

CERTIFICATION
THIS IS TO CERTIFY THAT THE ATTACHED DOCUMENT IS A TRUE AND ACCURATE COPY OF THE ORIGINAL ON FILE IN THE OFFICE OF THE PLANNING DEPARTMENT.
CITY OF MIAMI BEACH
(Signature of Planning Director or Designee) Date 7-6-04
Personally known to me or produced ID: 7/6/04
Notary Public, State of Florida-at Large
Printed Name: CHARLET A. TAFT
My Commission Expires: (Seal)
This document contains 3 pages.

Charles A Taft
My Commission DD233174
Expires July 17 2007

MEETING DATE: June 8, 2004

FILE NO: 1407

PROPERTY: 599 Ocean Drive – Lummus Park

LEGAL: Lots 1 through 6, inclusive, in Block 1, Friedman and Cope Subdivision of Edmund Wilson Tract, According to the Plat Thereof, as Recorded in Plat Book 4, Page 83, of the Public Records of Miami-Dade County, Florida. Together with: Beginning at a point on the South line of the North half of Section 3, Township 54 South of Range 42 East, at the intersection of said South line as aforesaid with the East line of Ocean Drive, as shown on a plat of Ocean Beach Addition No. 1, as Recorded in Plat Book 3, Page 11, of the Public Records of Miami-Dade County, Florida; thence North along the East side of said Ocean Drive, parallel with and 30 Feet East of the West side of said Ocean Drive to the North line of the aforesaid Plat, Plat Book and Page as aforesaid; thence continuing North along the East side of the said Ocean Drive parallel with and 30 Feet East of the West side of said Ocean Drive as shown on a Plat of Ocean Beach Addition No. 2, as Recorded in Plat Book 2, Page 56, of the Public Records of Miami-Dade County, Florida, to the North line of said Plat of Ocean Beach Addition No. 2 as aforesaid, said North line being the South line of the Richard Carney Tract; thence East along the last described line to the Atlantic Ocean; thence southwardly in a meandering line along the shore of said Atlantic Ocean to the South line of Ocean Beach Addition No. 1, Plat Book and Page as aforesaid, if projected easterly into the Atlantic Ocean, said South line being the South line of the North half of Section 3, Township 54 South of Range 42 East, and the North line of the Edmund Wilson Tract; thence West along the last described line to the point and place of beginning, together with all Common Law riparian rights belonging or incident thereto.

IN RE: The Application for a one (1) year Extension of Time to obtain a building permit for a previously issued Certificate of Appropriateness to demolish an existing restroom facility, to construct new restroom facilities in the same location, to widen certain sidewalks within the park, plant additional landscaping, and install new park amenities such as seating, bike racks and vending stands.

ORDER

The applicant, City of Miami Beach, filed an application with the City of Miami Beach Planning Department for an extension of time to obtain a Building Permit for a previously issued Certificate of Appropriateness.

The City of Miami Beach's Historic Preservation Board makes the following FINDING OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:

> The applicant stated that, among other things, there were delays in the preparation of Construction Documents for the project. The foregoing constitutes good cause for granting a one (1) year extension of time to the requirement that a Full Building Permit be obtained within one (1) year of the original Certificate of Appropriateness.

IT IS HEREBY ORDERED, based upon the foregoing finding of fact and the staff report and analysis, which is adopted herein, including the recommendation, that a one (1) year extension of time to obtain a full building permit (which one (1) year period shall run from the expiration date of the original approval, which was April 8, 2004) is GRANTED for the above-referenced project conditioned upon the following, to which the applicant has agreed:

1. A full building permit, not a foundation or shell permit, for the project shall be obtained by April 8, 2005.

2. Construction shall commence and continue in accordance with the applicable Building Code.

3. This order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.

No building permit may be issued unless and until all conditions of approval as set forth in this Order and the Order for the April 8, 2003 approval has been met. The issuance of a Certificate of Appropriateness does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including zoning approval. If adequate handicapped access is not provided, this approval does not mean that such handicapped access is not required or that the Board supports an applicant's effort to seek waivers relating to handicapped accessibility requirements.

When requesting a building permit, three (3) sets of the plans approved by the Board, modified in accordance with the conditions set forth in this Order and the Final Order for the April 8, 2003 meeting, shall be submitted to the Planning Department. If all of the above-specified conditions are satisfactorily addressed, the plans will be reviewed for building permit approval. Two (2) sets will

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be returned to you for submission for a building permit and one (1) set will be retained for the Historic Preservation Board's file. If the Full Building Permit is not issued by April 8, 2005, and construction does not commence and continue in accordance with the applicable Building Code, the approval will expire and become null and void.

Dated this 6 day of JULY, 2004.

HISTORIC PRESERVATION BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: _____
THOMAS R. MOONEY, AICP
DESIGN AND PRESERVATION MANAGER
FOR THE CHAIR

Approved As To Form:
Legal Department: _____ (7-2-04)

Filed with the Clerk of the Historic Preservation Board on 7/6/04 ( )

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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, GRANTING A CERTIFICATE OF APPROPRIATENESS FOR THE DEMOLITION OF AN EXISTING RESTROOM FACILITY LOCATED AT 1401 OCEAN DRIVE, IN ORDER TO CONSTRUCT A NEW RESTROOM FACILITY AT THE SAME SITE.

WHEREAS, on February 26, 2003, the City filed an application with the Historic Preservation Board (HPB) requesting a Certificate of Appropriateness to demolish an existing restroom facility located at 1401 Ocean Drive in order to construct a new restroom facility in the same location; and

WHEREAS, the structure is located within the Ocean Drive/Collins Avenue Local Historic District, but it is not listed in the Miami Beach Historic Properties Database; and

WHEREAS, on April 8, 2003, the Historic Preservation Board (HPB) discussed the Lummus Park Facilities Project, File No. 1407, containing the Planning Department staff recommendation to grant the Certificate of Appropriateness to demolish the structure; and

WHEREAS, the City Administration, Planning Department staff, and the HPB evaluated the existing structure, its current deteriorated condition, the need to provide restroom facilities within Lummus Park which is located along Ocean Drive, and the general rehabilitation of the Park; and

WHEREAS, the HPB also evaluated whether the proposed new restroom structure was compatible with the surrounding properties, and recommended that a Certificate of Appropriateness for demolition be granted; and

WHEREAS, in April 2004, the City had not yet selected a general contractor to obtain the building permit specified in the approval; and

WHEREAS, on June 8, 2004, the Project was presented to the HPB for a one (1) year extension of time to obtain a building permit for the construction of the new restroom facility to replace the existing restroom at 1401 Ocean Drive; and

WHEREAS, the extension was granted, and the conditions amended to allow the installation of a landscape buffer around the proposed newsracks in lieu of the previously approved oolitic limestone clad enclosures; and

WHEREAS, on November 10, 2004, the City Commission approved Resolution No. 2004-25730, setting a Public Hearing as of this date, to consider the issuance of a Certificate of Appropriateness for Demolition of 1401 Ocean Drive.

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 grant a Certificate of Appropriateness for Demolition of an existing restroom facility, located at 1401 Ocean Drive, in order to construct a new restroom facility at the same site.

PASSED and ADOPTED this _____ day of December, 2004.

ATTEST:

_____ _____

CITY CLERK MAYOR

T:\AGENDA\2004\Dec0804\Consent\Lummus Park-14th Street Restroom Public Hearing Demolition Reso.doc

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

11-29-04

City Attorney 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, December 8, 2004, at the times listed below to consider the following:**

at 10:20 a.m.:
TO GRANT A CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION OF THE EXISTING STRUCTURE LOCATED AT 7601 ATLANTIC WAY AND 7611 COLLINS AVENUE, RESPECTIVELY; BOTH STRUCTURES DESIGNATED AS SINGLE FAMILY CONTRIBUTING STRUCTURES IN THE CITY OF MIAMI BEACH HISTORIC PROPERTIES DATABASE AND LOCATED WITHIN THE HARDING TOWNSITE/ ALTOS DEL MAR LOCAL HISTORIC DISTRICT; SAID DEMOLITION NECESSARY IN ORDER TO PROCEED WITH THE DEVELOPMENT ON THE SAME SITE OF THE ALTOS DEL MAR PARK PROJECT.

at 10:25 a.m.:
TO GRANT A CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION OF AN EXISTING RESTROOM FACILITY LOCATED AT 1401 OCEAN DRIVE, IN ORDER TO CONSTRUCT A NEW RESTROOM FACILITY AT THE SAME SITE.

Inquiries may be directed to Capital Improvements Projects at (305)673-7071.

at 10:30 a.m.:
TO HEAR PUBLIC COMMENT REGARDING THE LEASE BETWEEN THE MIAMI POLICE FEDERAL CREDIT UNION AND THE CITY OF MIAMI BEACH, OF APPROXIMATELY 190 SQUARE FEET OF CITY-OWNED PROPERTY, LOCATED AT 1100 WASHINGTON AVENUE, MIAMI BEACH, FLORIDA, FOR AN INITIAL THIRTY FIVE (35) MONTH TERM, COMMENCING ON NOVEMBER 1, 2004, AND ENDING ON SEPTEMBER 30, 2007; FURTHER CONSENTING TO THE NEGOTIATED TERMS PRESENTED HEREIN, SUBJECT TO A LEASE AGREEMENT IN A FORM ACCEPTABLE TO THE CITY ATTORNEY AND COMPLIANCE WITH THE REQUIREMENTS OF SECTION 82-36 THROUGH 82-39 OF THE MIAMI BEACH CITY CODE; FURTHER WAIVING BY 5/7THS VOTE THE COMPETITIVE BIDDING AND APPRAISAL REQUIREMENTS.

Inquiries may be directed to City Manager's Office at (305)673-7010.

at 5:00 p.m.:
TO CONSIDER APPROVING ON FIRST READING, IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 163.3220 - 163.3243 FLORIDA STATUTES, ALSO REFERRED TO AS THE "FLORIDA LOCAL GOVERNMENT DEVELOPMENT AGREEMENT ACT," THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND THE NEW WORLD SYMPHONY, DATED JANUARY 5, 2004, FOR THE DEVELOPMENT OF A PORTION OF THE SURFACE PARKING LOT, BOUNDED BY 17TH STREET TO THE NORTH, NORTH LINCOLN LANE TO THE SOUTH, WASHINGTON AVENUE TO THE EAST AND PENNSYLVANIA AVENUE TO THE WEST, FOR CONSTRUCTION OF AN APPROXIMATELY 50,000 SQUARE FOOT EDUCATIONAL, PERFORMANCE AND INTERNET BROADCAST FACILITY WITH AN EXTERIOR SCREEN ("SOUNDSPACE"), AND AN APPROXIMATELY 320-SPACE (+/-) PUBLIC PARKING GARAGE FACILITY; SAID ADDENDUM SPECIFICALLY AMENDING THE DEVELOPMENT AGREEMENT, REQUIRING THE DEVELOPER TO PROCEED WITH THE DESIGN AND DEVELOPMENT OF ZONE 1, COMPRISING THE PARK AND DREXEL AVENUE BETWEEN NORTH LINCOLN LANE AND 17TH STREET, AT THE OWNER'S COST AND EXPENSE, NOT TO EXCEED $10,000,000; ZONE 2, COMPRISING THE JACKIE GLEASON THEATER OF THE PERFORMING ARTS (TOPA) ENTRY LANDSCAPING AT THE OWNER'S COST AND EXPENSE, NOT TO EXCEED $1,150,000; AND ZONE 3, COMPRISING NORTH LINCOLN LANE IMPROVEMENTS, AT OWNER'S COST AND EXPENSE, NOT TO EXCEED $500,000.

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

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 opened and 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).

Ad #0292

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution approving and authorizing the Mayor and City Clerk, to execute a lease agreement between the City and the Miami Police Federal Credit Union, for use of approximately 196 square feet of City-owned property located at 1100 Washington Avenue; and further waiving, by 5/7ths vote, the competitive bidding and appraisal requirements.

Issue:

Shall the Mayor and City Commission approve the lease agreement with Miami Police Federal Credit Union and waive the competitive bidding and appraisal requirements?

Item Summary/Recommendation:

The Credit Union has been Providing service to the employees of the Miami Beach Police Department. The Credit Union currently operates an ATM in the lobby of the Police building and come on-site once a week to provide service for the members. The Credit Union has requested to expand their service by establishing an office on-site. The space that they will occupy is currently vacant. The parties mutually agreed to an initial 35 month lease commencing November 1, 2004, and ending September 30, 2007. Upon expiration of the initial term, this agreement may be renewed, at the City's sole discretion, for an additional three (3) year term. The Miami Police Federal Credit Union agrees to pay the City $15.00 per square foot as consideration for use of the designated space.

Administration recommends adoption of the Resolution.

Advisory Board Recommendation:

N/A

Financial Information:

Amount to be expended: None

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

Sign-Offs:

Department Director	Assistant City Manager	City Manager

AGENDA ITEM R7D

DATE 12-8-04

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: December 8, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK, FOLLOWING A DULY NOTICED PUBLIC HEARING, TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY AND THE MIAMI POLICE FEDERAL CREDIT UNION, FOR USE OF APPROXIMATELY 196 SQUARE FEET OF CITY-OWNED PROPERTY LOCATED AT 1100 WASHINGTON AVENUE, MIAMI BEACH, FLORIDA; AND FURTHER WAIVING, BY 5/7THS VOTE, THE COMPETITIVE BIDDING AND APPRAISAL REQUIREMENTS; AS REQUIRED BY SECTION 82-39 OF THE MIAMI BEACH CITY CODE, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

For the past year and a half the Miami Police Federal Credit Union (Credit Union) has been servicing the employees of the Miami Beach Police Department. The credit union currently operates an ATM and has its employees come to the police building once a week to service its members. The Miami Police Credit Union has been interested in establishing a full service office on-site to provide better service to its members.

The space that they will occupy is currently vacant. The parties mutually agreed to an initial 35 month lease commencing November 1, 2004, and ending September 30, 2007. Upon expiration of the initial term, this agreement may be renewed, at the City's sole discretion, for an additional three (3) year term. The Miami Police Federal Credit Union agrees to pay the City its proportionate share of operating expenses, insurance, and real estate taxes.

The Administration deems the proposed agreement with the Credit Union is in the City's best interest. Furthermore, since the Credit Union's operation is viewed as an amenity and benefit to the City and its employees, it is recommended and deemed in the City's best interest to waive the competitive bidding and appraisal requirements.

Section 82-39 of the Miami Beach City Code, governing the sale/lease of public property, provides that the lease of any City-owned property, including option periods, requires the following:

1) a public bidding process
2) a Planning Department analysis
3) an independent appraisal to determine the value of the leasehold interest
4) a public hearing to obtain citizen input

Section 82-39 further provides for the waiver of the competitive bidding and appraisal requirements, by 5/7ths vote of the Mayor and City Commission, upon a finding by the Mayor and City Commission that the public interest would be served by waiving such conditions.

On November 17, 2004, the City Commission adopted Resolution No. 2004-25732, setting a public hearing on December 8, 2004.

Based on the foregoing, the Administration recommends that the Mayor and City Commission, following the duly noticed public hearing, approve and authorize the Mayor and City Clerk, to execute a Lease Agreement between the City and the Miami Police Federal Credit Union, for use of approximately 196 square feet of City-owned property located at 1100 Washington Avenue, Miami Beach, Florida; and further waiving, by 5/7ths vote, the competitive bidding and appraisal requirements; as required by Section 82-39 of the Miami Beach City Code, finding such waiver to be in the best interest of the City.

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CITY OF MIAMI BEACH
Planning Department
Interoffice Memorandum

To: Cristina M. Cuervo
Assistant City Manager

Date: December 1, 2004

From: Jorge G. Gomez
Planning Director

Subject: **PLANNING ANALYSIS PURSUANT TO SHAPIRO ORDINANCE**

The following is the Planning analysis pursuant to Section 82-38 of the City Code for the use of 196 square feet of space on the first floor of Police Headquarters at 1100 Washington Avenue, which is owned by the City. This analysis is for the lease with the Credit Union.

1. **Whether or not the proposed ordinance is in keeping with City Goals and objectives and conforms to the Comprehensive Plan.**

   The use contemplated in the above mentioned lease is not inconsistent with the Comprehensive Plan.

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 the 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 use is not expected to have any detrimental impact on any adjacent properties. This use in a limited portion of the existing structure is not foreseen to have any increase in traffic or other infrastructure needs, as most of the patrons will be employees working inside the building.

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.**

   The Credit Union provides a valuable service for City employees and retirees, and provides employment for the employees of the Credit Union.

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 lease agreement is for office space within an existing structure and the use is not expected to create environmental intrusions into the community.

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

   There are no negative impacts to the criteria items from this project. The lease for an individual office use within an existing structure do not create any additional impacts, as all those needs were met or mitigated during construction of the overall building.

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.**

   It is possible that the rental of office space to the Credit Union could be accomplished in other places within the City; however no other readily available site provides as much convenience to City employees as the proposed location within the Police Department.

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.**

   As detailed above, jobs are created and a significant amenity for City employees and retirees is provided. Other issues are not applicable.

8. **Such other issues as the Planning Department may deem appropriate in analysis of the proposed disposition.**

   None.

JGG/RGL RL

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CITY OF MIAMI BEACH
NOTICE OF PUBLIC HEARINGS

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at 10:25 a.m.:
TO GRANT A CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION OF AN EXISTING RESTROOM FACILITY LOCATED AT 1401 OCEAN DRIVE, IN ORDER TO CONSTRUCT A NEW RESTROOM FACILITY AT THE SAME SITE.

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

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 opened and 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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Ad #0292

MB www.herald.com | THE HERALD | SUNDAY, NOVEMBER 21, 2004 | 41

RESOLUTION AND AGREEMENT
TO BE SUBMITTED

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

Resolution of the Mayor and City Commission authorizing the Mayor and City Clerk to execute a Lease Agreement with Hazen and Sawyer for approximately 2,800 Square feet of City-owned property, located at 1701 Meridian Avenue (a/k/a 777 - 17th Street), for a term of approximately 23 months, commencing November 15, 2004, and ending September 30, 2006; further waiving by 5/7ths vote the competitive bidding and appraisal requirements of Section 82-36 through 82-39 of the City Code, finding such waiver to be In the City's best interest.

Issue:

Shall the Mayor and City Commission adopt the Resolution?

Item Summary/Recommendation:

On November 10, 2004, this item was opened and continued in order to allow the Administration additional time to finalize negotiations with Hazen and Sawyer.

Subsequently, Hazen and Sawyer have opted to remain at their current location and are not currently interested in leasing office space from the City.

The Administration recommends that the Mayor and City Commission withdraw the Resolution and take no further action at this time.

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:

Christina M. Cuervo, Jose Damien

Sign-Offs:

Department Director	Assistant City Manager	City Manager

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AGENDA ITEM R7E

DATE 12-8-04

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: December 8, 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 MAYOR AND CITY CLERK TO EXECUTE A LEASE AGREEMENT WITH HAZEN AND SAWYER, PC, FOR THE LEASE OF APPROXIMATELY 2,800 SQUARE FEET OF CITY-OWNED PROPERTY, LOCATED AT 1701 MERIDIAN AVENUE (A/K/A 777 - 17TH STREET), PENTHOUSE SUITE, MIAMI BEACH, FLORIDA, FOR A TWENTY-THREE (23) MONTH TERM, COMMENCING ON NOVEMBER 15, 2004, AND ENDING ON SEPTEMBER 30, 2006; FURTHER WAIVING BY 5/7THS VOTE THE COMPETITIVE BIDDING AND APPRAISAL REQUIREMENTS SET FORTH IN SECTION 82-36 THROUGH 82-39 OF THE MIAMI BEACH CITY CODE, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY**

ADMINISTRATION RECOMMENDATION

Withdraw the Resolution and take no further action at this time.

ANALYSIS

In January of 2002, the City of Miami Beach acquired the property located at 1701 Meridian Avenue, also known as 777-17th Street (the "Property"). At that time, Bratter, Calvo, Kreiger LLP/Playground Maps, Inc. (Bratter Kreiger) was occupying the penthouse area containing approximately 2,800 square feet of office space, more particularly, the Penthouse Suite (the "Demised Premises"), pursuant to the provisions of an existing Lease Agreement that was set to expire on August 31, 2005.

On March 10, 2004, Bratter Kreiger notified the City it was vacating the premises and ceasing payment of rent purportedly due to the condition of the Demised Premises, most specifically the maintenance and repairs of the elevators. This notice arrived after months of discussion and deliberations between the City and Bratter Kreiger to address their concerns and reach an amicable resolution regarding elevator repairs, and amidst the City's good faith efforts to procure new elevators for the Property, as authorized by City Commission on September 10, 2003.

On April 10, 2004 Bratter Kreiger abandoned the Demised Premises. As a result thereof, on April 16, 2004, the City sent Bratter Kreiger notice terminating their Lease, and the City has since resumed possession of the Demised Premises (This was properly accomplished pursuant to Paragraph 27 of the Lease Agreement). Additionally, the City notified Bratter Kreiger that, as a result of its default and subsequent termination of their Lease, it had forfeited its Security Deposit ($10,000).

Pursuant to Paragraph 27 of the Lease Agreement, the City may re-let the premises upon termination of the Lease; therefore the City has been actively marketing the vacated Demised Premises. In order to substantiate whatever damages the City incurs with respect to the termination of the Lease, specifically, pursuant to Paragraph 27 (b) of the Lease Agreement, one of the City's (as Landlord) remedies following termination is to "...resume possession and re-lease or re-rent the Premises for the remainder of the Term for the account of Tenant and recover from Tenant, at the end of the Term or at the time each payment of rent comes due under this Lease, as the Landlord may choose, the difference between the rent provided for in this Lease and the rent received on the re-lease or re-rental, together with all costs and expenses of the Landlord on connection with the re-leasing or re-rental and collection of rent and the costs of all repairs or renovations reasonably necessary in connection with the re-leasing or re-rental;...."

As a result of the "soft" office space market in Miami Beach, only minor interest has been expressed in the space abandoned by Bratter Kreiger. Hazen and Sawyer, the City's city-wide program management contractor, has approached the City and expressed interest in leasing the space due to its proximity to the City's Capital Improvement Project office, which they currently work closely with in a consulting capacity, pursuant to its Program Management contract with the City. As an additional incentive to attract Hazen and Sawyer, who currently have an existing leasing arrangement at the "Giller Building", located on Arthur Godfrey Road, the City offered the aforementioned rent abatement, with the intent of possibly recapturing the revenues Hazen and Sawyer may derive from the potential subleasing of the Giller Building space, if said sublease were to commence earlier than the expiration of the six (6) month rent abatement period. However, said provision was not incorporated in the lease agreement due to the fact that the Program Management contract Hazen and Sawyer has in place with the City, requires that the City reimburse Hazen and Sawyer for any costs they incur for rental of office space to house operations associated with the services they are providing to the City under said Program Management contract. As such, if a sublease is executed for the Giller space, the City will incur savings in the form of a reduced rental reimbursement under the Program Management Contract the non-inclusion of said provision should result in a savings to the City under its Program Management contract.

On October 13, 2004, the Administration presented to the Mayor and City Commission the substantive terms and conditions negotiated with Hazen and Sawyer, at which time a public hearing was set for November 10, 2004, and the Administration received authorization to finalize negotiations and present the Lease Agreement on November 10, 2004. Negotiations have been concluded and the Administration and Hazen and Sawyer have agreed to the conditions of a short-term Lease Agreement substantially in accordance with the following:

<u>Demised Premises:</u> The leased premises shall consist of the penthouse suite, encompassing approximately 2,800 square feet, on the fifth floor of the City-owned property located at 1701 Meridian Avenue (a/k/a 777-17th Street), Miami Beach, Florida 33139.

Term: The initial term of the Lease Agreement shall be for a period of approximately twenty-three (23) months, commencing on November 15, 2004, and ending on September 30, 2006.

Option to Renew: The City, at its sole discretion, may allow for Hazen and Sawyer to extend the term of the Lease Agreement to run concurrent with any extension the City may grant to Hazen and Sawyer pursuant to their City-wide program management contract, but not to exceed a period of five (5) years in total (as provided in the Shapiro Ordinance) from the initial Lease Commencement Date

Use: Hazen and Sawyer shall use the Demised Premises as an engineering office to serve as the City's program manager and for other engineering activities and operations

Total Rent: 6 month rent abatement[1]; Rent commencement on May 1, 2005, at a rate of $5,366.67 per month, ($23.00 per square foot gross, annually), with a 3% increase in the second year.

Sales/Use Tax: Hazen and Sawyer shall also be responsible for all applicable sales and use tax.

Parking: Hazen and Sawyer may request, from the City's Parking Department, the use of parking spaces, if available, at Municipal Parking Garage 2-G located on 17th Street and Meridian Court. Rates for said spaces are subject to change, and are currently $60.00 per month, plus applicable sales and use tax per space.

Security Deposit: Hazen and Sawyer will provide the City with a security deposit in the amount of $5,366.67.

The Mayor and City Commission's authorization to purchase the Property in January 2002, would serve to address the City's ongoing need for administrative office expansion on a graduated basis. While the Administration has begun implementing the aforestated objective, it also considers that allowing this short term office tenancy, at this time, will allow the City to maintain its revenue stream from the Property until such time as the subject space is required for City office expansion. Additionally, accommodating Hazen and Sawyer is deemed to be in the City's best interest and will facilitate interaction with the City's Capital Improvement Projects Office, which is situated in the same building.

The proposed lease is subject to the requirements of Sections 82-36 through 82-39 (a/k/a

1 In light if the "soft" office space market, and the recommended pursuit of litigation associated with Bratter Kreiger's abandoning of the penthouse suite (which if successful would serve to offset portions of the abated rent) concessions were made in order to lease the space and allow for more expeditious pursuit of litigation.

Shapiro Ordinance) of the Miami Beach City Code, governing the sale/lease of public property, provides that the lease of any City-owned property for a period of five years or less, including option periods, requires the following:

- a competitive public bidding process
- a Planning Department analysis
- an independent appraisal to determine the value of the leasehold interest
- a public hearing to obtain citizen input

As previously stated above, on October 13, 2003, the Mayor and City Commission set the required public hearing for today. A copy of the required Planning Department analysis is attached hereto and reflects a favorable recommendation. Notwithstanding the rent abatement provided, due to the "soft" office space market, acceptance of the negotiated rate of $23.00 per square foot is considered to be in keeping with current market rate, while allowing for more expeditious pursuit of litigation with Bratter Kreiger to recover the respective rents due under their previously existing lease. The housing of Hazen and Sawyer in the same building as the City's Capital Improvement Projects Office, is also considered to serve the City well. As such, the waiving of the appraisal and competitive bid requirements is considered to be in the best interest of the City.

On November 10, 2004, this item was opened and continued in order to allow the Administration additional time to finalize negotiations with Hazen and Sawyer. Subsequently, Hazen and Sawyer have opted to remain at their current location and are not currently interested in leasing office space from the City.

Based on the foregoing, the Administration recommends that the Mayor and City Commission withdraw the attached Resolution and take no further action at this time.

JMG\CMC\JD\rd

N:\$ALL\ASSET\777-17th Street\HazenSawyer\Lease.MEM2.DOC

RESOLUTION NO._____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A LEASE AGREEMENT WITH HAZEN AND SAWYER, PC, FOR THE LEASE OF APPROXIMATELY 2,800 SQUARE FEET OF CITY-OWNED PROPERTY, LOCATED AT 1701 MERIDIAN AVENUE (A/K/A 777 - 17TH STREET), MIAMI BEACH, FLORIDA, FOR A TWENTY-THREE (23) MONTH TERM, COMMENCING ON NOVEMBER 1, 2004, AND ENDING ON SEPTEMBER 30, 2006; FURTHER WAIVING, BY 5/7THS VOTE, THE COMPETITIVE BIDDING AND APPRAISAL REQUIREMENTS AS SET FORTH IN SECTIONS 82-36 THROUGH 82-39 OF THE MIAMI BEACH CITY CODE, FINDING SUCH WAIVERS TO BE IN THE BEST INTEREST OF THE CITY

WHEREAS, in January of 2002, the City acquired the property located at 1701 Meridian Avenue (a/k/a 777-17th Street), Miami Beach Florida (the "Property"); and

WHEREAS, at that time, Bratter, Calvo, Kreiger LLP/Playground Maps, Inc. (Bratter Kreiger) was occupying approximately 2,800 square feet of office space, more particularly, the Penthouse Suite (the "Demised Premises"), pursuant to the provisions of an existing Lease Agreement that was set to expire on August 31, 2005; and

WHEREAS, on March 10, 2004, Bratter Kreiger notified the City it was vacating the premises and ceasing payment of rent, purportedly due to certain conditions of the Property; specifically, the maintenance and repairs of the elevators; and

WHEREAS, on April 10, 2004, Bratter Kreiger abandoned the Demised Premises and, as a result thereof, on April 16, 2004, the City sent Bratter Kreiger notice terminating the subject Lease Agreement, at which time the City resumed possession of the Demised Premises; and

WHEREAS, the Lease Agreement provides that the City may re-let the Premises upon termination of the Lease, and as such the City has been actively marketing the vacated Demised Premises; and

WHEREAS, as a result of the "soft" office space market in Miami Beach, there has been only minor interest expressed in the vacated space, and the City had yet been able to re-let same; and

WHEREAS, Hazen and Sawyer, one of the City's program management contractor, has approached the City and expressed interest in leasing the space, and has reached agreement with the City to lease the Demised Premises for a term of approximately

twenty–three (23) months, the conditions of which are reflected in the attached Lease Agreement; and

WHEREAS, the lease of City-owned property, for a term of more than one year, requires compliance with the applicable requirements of Sections 82-36 through 82-39 of the City Code (a/ka/ Shapiro Ordinance); and

WHEREAS, on October 13, 2004, the Mayor and City Commission set a public hearing (as required by the Shapiro Ordinance) for November 10, 2004; and

WHEREAS, the Mayor and City Commission originally authorized the purchase of the Property to address the City's ongoing need for administrative office expansion on a graduated basis; and

WHEREAS, the Administration has begun implementing the aforestated objective; it also considers that allowing for this short term office tenancy, at this time, will allow the City to maintain its revenue stream from the Property until such time as the subject space is required for City office expansion; and

WHEREAS, accommodating Hazen and Sawyer is deemed to be in the City's best interest and will facilitate their interaction with the City's Capital Improvement Projects Office, situated in the same building.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that following a public hearing to hear comment on same, the Mayor and City Clerk are hereby authorized to execute the attached Lease Agreement between the City of Miami Beach and Hazen and Sawyer, PC, for the lease of approximately 2,800 square feet of City-owned property, located at 1701 Meridian Avenue (a/k/a 777 - 17th Street), Penthouse Suite, Miami Beach, Florida, for a twenty-three (23) month term, commencing on November 1, 2004, and ending on September 30, 2006; further, the Mayor and City Commission waive, by 5/7ths vote, the competitive bidding and appraisal requirements as set forth in Sections 82-36 through 82-39 of the Miami Beach City Code, finding said waivers to be in the best interest of the City.

PASSED and ADOPTED this _____ day of _____, 2004.

ATTEST:

_____ _____

CITY CLERK **MAYOR**

JMG\CMC\JD\rlr

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APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney 11-2-04 Date

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution following a duly noticed public hearing approving on first reading an amendment to Section 23.4 of the Development Agreement between the City of Miami Beach and the New World Symphony (NWS), requiring the Developer to proceed with the design and development of Zone 1, comprising the Park and Drexel Avenue between North Lincoln Lane and 17th Street and site improvements adjacent to the new garage, at the Owner's cost and expense, not to exceed $10,000,000; Zone 2, comprising the Theater of the Performing Arts entry landscaping at the Owner's cost and expense, not to exceed $1,150,000; and Zone 3, comprising North Lincoln Lane improvements, at the Owner's cost and expense, not to exceed $500,000, further setting the second public hearing on January 12, 2005.

Issue:

Shall the City Commission set the Public Hearing to consider the proposed amendment to the Development Agreement between the City of Miami Beach and the NWS for the Park Project?

Item Summary/Recommendation:

Pursuant to the direction of the City Commission on September 8, 2004 and consistent with the Planning Board's August 24, 2004 recommendation that the entire two (2) blocks, including the Park, be designed as an integrated site, Gehry Partners LLP was asked to submit a proposal and cost estimate to undertake design services for the proposed Park. The proposal was submitted for review by the Finance and Citywide Projects Committee at its meeting on October 26, 2004. The Committee recommended in favor of amending the Development Agreement between the City and NWS to expand the NWS' scope to include the design and development of Zone 1, comprising the park, Drexel Avenue between North Lincoln Lane and 17th Street and site improvements adjacent to the new garage, at the Owner's cost and expense, not to exceed $10,000,000; Zone 2, comprising the Theater of the Performing Arts entry landscaping at the Owner's cost and expense, not to exceed $1,150,000; and Zone 3, comprising North Lincoln Lane improvements, at the Owner's cost and expense, not to exceed $500,000. Pursuant to Sections 163.3220-163.3243, Florida Statutes, before entering into, amending, or revoking a development agreement, a local government shall conduct at least two public hearings. As such, the Administration recommends approving the Resolution at this first public hearing and setting the second public hearing on January 12, 2005.

Advisory Board Recommendation:

Planning Board – August 24, 2004 – Recommended designing NWS and park (east and west lots) as an integrated project.
Finance and Citywide Projects Committee – Oct 26, 2004 – Motion in favor of amending Development Agreement.

Financial Information:

Source of Funds:		Amount	Account	Approved
TBD	1	$11,650,000	TBD (City Center RDA)	
	2			
	3			
	4			
Finance Dept.	Total	$11,650,000		

City Clerk's Office Legislative Tracking:

Christina M. Cuervo, Kent O. Bonde

Sign-Offs:

Redevelopment Coordinator	Assistant City Manager	City Manager
KOB _____	CMC CMC	JMG CMC For

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AGENDA ITEM R7F
DATE 12-8-04

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: December 8, 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 ON FIRST READING, IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 163.3220 – 163.3243, FLORIDA STATUTES, ALSO REFERRED TO AS THE "FLORIDA LOCAL GOVERNMENT DEVELOPMENT AGREEMENT ACT," A FIRST ADDENDUM TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND THE NEW WORLD SYMPHONY, DATED JANUARY 5, 2004, FOR THE DEVELOPMENT OF A PORTION OF THE SURFACE PARKING LOT, BOUNDED BY 17TH STREET TO THE NORTH, NORTH LINCOLN LANE TO THE SOUTH, WASHINGTON AVENUE TO THE EAST AND PENNSYLVANIA AVENUE TO THE WEST, FOR CONSTRUCTION OF AN APPROXIMATELY 50,000 SQUARE FOOT EDUCATIONAL, PERFORMANCE AND INTERNET BROADCAST FACILITY WITH AN EXTERIOR SCREEN ("SOUNDSPACE"), AND AN APPROXIMATELY 320-SPACE (+/-) PUBLIC PARKING GARAGE FACILITY; SAID ADDENDUM SPECIFICALLY AMENDING THE DEVELOPMENT AGREEMENT, REQUIRING THE DEVELOPER TO PROCEED WITH THE DESIGN AND DEVELOPMENT OF ZONE 1, COMPRISING THE PARK AND DREXEL AVENUE BETWEEN NORTH LINCOLN LANE AND 17TH STREET, AT THE OWNER'S COST AND EXPENSE, NOT TO EXCEED $10,000,000; ZONE 2, COMPRISING THE JACKIE GLEASON THEATER OF THE PERFORMING ARTS (TOPA) ENTRY LANDSCAPING AT THE OWNER'S COST AND EXPENSE, NOT TO EXCEED $1,150,000; AND ZONE 3, COMPRISING NORTH LINCOLN LANE IMPROVEMENTS, AT OWNER'S COST AND EXPENSE, NOT TO EXCEED $500,000; AND FURTHER SETTING THE SECOND PUBLIC HEARING ON JANUARY 12, 2005.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

On September 8, 2004, the Mayor and City Commission adopted Resolution No. 2004-25681, approving Concept Plan #4 presented by the NWS; referring the issue of the Park design to the Finance and Citywide Projects Committee; requesting the Design Review Board to do a preliminary design review and send it back to City Commission for review and approval; and addressing the parking space issue.

By way of background, Concept Plan #4 provides for Soundspace and related support structures, including the garage, to be situated on the surface parking lot west of Drexel Avenue and for a park and function/performance space area 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 to enhance the facility's visibility from Lincoln Road and the surrounding area, the main entrance is characterized by a 65-75ft-high architectural element. 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 a true public plaza-type feel and providing the ability to close the street during certain Park-related events. As part of Concept Plan #4, an integrated park component was incorporated in the project site.

Pursuant to the direction of the City Commission on September 8, 2004 and consistent with the Planning Board's August 24, 2004 recommendation that the entire two (2) blocks, including the Park, be designed as an integrated site, Gehry Partners LLP was asked to submit a proposal and cost estimate to undertake design services for the proposed Park. The proposal was submitted for review by the Finance and Citywide Projects Committee at its meeting on October 26, 2004.

It should be noted that as basis for preparing the cost estimate, a coordination meeting was held between Gehry Partners and Chen and Associates, the firm engaged by the City to undertake the City Center right-of-way (ROW) improvement program. The purpose of the meeting was to define the respective firms' scope of work relative to those street improvements immediately surrounding the 17th Street Surface lots. For the purpose of this discussion, Gehry Partners developed a site plan, dividing the site and the immediate area surrounding the site into a series of seven zones, in order to come up with add-alternate pricing for the City's consideration. A site map reflecting these zones is included in the attached cost proposal. The proposal comprises add-alternate pricing for Zone 1, comprising the east surface lot and Drexel Avenue; Zone 2, comprising the area adjacent to TOPA; and Zone 3, encompassing Lincoln Lane. The areas in Zones 4 through 7, either fall under Chen & Associates' scope of work, or shall be decided upon as part of Chen's internal visioning/planning process, to be completed in January, 2005.

The total cost for Zone 1, comprising the park, Drexel Avenue and improvements adjacent to the new garage, has been estimated at $10 Million in 2008 dollars. It is important to note that this number represents a "build-to" number rather than a set cost for the entire Project.

Zone 2, comprising the TOPA entry landscaping has been estimated a $1,150,000 and Zone 3, comprising Lincoln Lane improvements, at $500,000.

During the Finance and Citywide Projects Committee meeting, Commissioner Gross emphasized the importance of enhancing the connection between Convention Center Drive and Lincoln Road via Pennsylvania Avenue.

The City Manager emphasized the fact that even though Gehry Partners was engaged by the NWS, the City will retain discretion over the design of the Project. Furthermore, the NWS has committed to using a Basis of Design (BODR) process, to include community design workshops in developing its plans for the Project, and requiring City Commission approval of the final Park Project Design.

The Committee recommended in favor of amending the Development Agreement between the City and NWS to expand the NWS' scope to include the design and development of the Zone 1, comprising the park, Drexel Avenue between North Lincoln Lane and 17th Street and improvements adjacent to the new garage, at the Owner's cost and expense, not to exceed $10,000,000; Zone 2, comprising the Theater of the Performing Arts entry landscaping at the Owner's cost and expense, not to exceed $1,150,000; and Zone 3, comprising North Lincoln Lane improvements, at the Owner's cost and expense, not to exceed $500,000. Pursuant to Sections 163.3220-163.3243, Florida Statutes, before entering into, amending, or revoking a development agreement, a local government shall conduct at least two public hearings. As such, the Administration recommends approval of the proposed amendment at today's public hearing, on first reading and setting the second and final public hearing on Wednesday, January 12, 2005.

JMG/CMC/KOB
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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, December 8, 2004, at the times listed below to consider the following:**

at 10:20 a.m.:
TO GRANT A CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION OF THE EXISTING STRUCTURE LOCATED AT 7601 ATLANTIC WAY AND 7611 COLLINS AVENUE, RESPECTIVELY; BOTH STRUCTURES DESIGNATED AS SINGLE FAMILY CONTRIBUTING STRUCTURES IN THE CITY OF MIAMI BEACH HISTORIC PROPERTIES DATABASE AND LOCATED WITHIN THE HARDING TOWNSITE/ ALTOS DEL MAR LOCAL HISTORIC DISTRICT; SAID DEMOLITION NECESSARY IN ORDER TO PROCEED WITH THE DEVELOPMENT ON THE SAME SITE OF THE ALTOS DEL MAR PARK PROJECT.

at 10:25 a.m.:
TO GRANT A CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION OF AN EXISTING RESTROOM FACILITY LOCATED AT 1401 OCEAN DRIVE, IN ORDER TO CONSTRUCT A NEW RESTROOM FACILITY AT THE SAME SITE.

Inquiries may be directed to Capital Improvements Projects at (305)673-7071.

at 10:30 a.m.:
TO HEAR PUBLIC COMMENT REGARDING THE LEASE BETWEEN THE MIAMI POLICE FEDERAL CREDIT UNION AND THE CITY OF MIAMI BEACH, OF APPROXIMATELY 190 SQUARE FEET OF CITY-OWNED PROPERTY, LOCATED AT 1100 WASHINGTON AVENUE, MIAMI BEACH, FLORIDA, FOR AN INITIAL THIRTY FIVE (35) MONTH TERM, COMMENCING ON NOVEMBER 1, 2004, AND ENDING ON SEPTEMBER 30, 2007; FURTHER CONSENTING TO THE NEGOTIATED TERMS PRESENTED HEREIN, SUBJECT TO A LEASE AGREEMENT IN A FORM ACCEPTABLE TO THE CITY ATTORNEY AND COMPLIANCE WITH THE REQUIREMENTS OF SECTION 82-36 THROUGH 82-39 OF THE MIAMI BEACH CITY CODE; FURTHER WAIVING BY 5/7THS VOTE THE COMPETITIVE BIDDING AND APPRAISAL REQUIREMENTS.

Inquiries may be directed to City Manager's Office at (305)673-7010.

at 5:00 p.m.:
TO CONSIDER APPROVING ON FIRST READING, IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 163.3220 - 163.3243 FLORIDA STATUTES, ALSO REFERRED TO AS THE "FLORIDA LOCAL GOVERNMENT DEVELOPMENT AGREEMENT ACT," THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND THE NEW WORLD SYMPHONY, DATED JANUARY 5, 2004, FOR THE DEVELOPMENT OF A PORTION OF THE SURFACE PARKING LOT, BOUNDED BY 17TH STREET TO THE NORTH, NORTH LINCOLN LANE TO THE SOUTH, WASHINGTON AVENUE TO THE EAST AND PENNSYLVANIA AVENUE TO THE WEST, FOR CONSTRUCTION OF AN APPROXIMATELY 50,000 SQUARE FOOT EDUCATIONAL, PERFORMANCE AND INTERNET BROADCAST FACILITY WITH AN EXTERIOR SCREEN ("SOUNDSPACE"), AND AN APPROXIMATELY 320-SPACE (+/-) PUBLIC PARKING GARAGE FACILITY; SAID ADDENDUM SPECIFICALLY AMENDING THE DEVELOPMENT AGREEMENT, REQUIRING THE DEVELOPER TO PROCEED WITH THE DESIGN AND DEVELOPMENT OF ZONE 1, COMPRISING THE PARK AND DREXEL AVENUE BETWEEN NORTH LINCOLN LANE AND 17TH STREET, AT THE OWNER'S COST AND EXPENSE, NOT TO EXCEED $10,000,000; ZONE 2, COMPRISING THE JACKIE GLEASON THEATER OF THE PERFORMING ARTS (TOPA) ENTRY LANDSCAPING AT THE OWNER'S COST AND EXPENSE, NOT TO EXCEED $1,150,000; AND ZONE 3, COMPRISING NORTH LINCOLN LANE IMPROVEMENTS, AT OWNER'S COST AND EXPENSE, NOT TO EXCEED $500,000.

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

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 opened and 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).

Ad #0292

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RESOLUTION TO BE SUBMITTED

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution to ratify the three (3) year labor agreement between the City of Miami Beach and the American Federation of State, County and Municipal Employees (AFSCME) for the period from May 1, 2004 through April 30, 2007.

Issue:

Shall the City of Miami Beach ratify the three (3) year labor agreement between the City of Miami Beach and the American Federation of State, County and Municipal Employees (AFSCME)?

Item Summary/Recommendation:

Adopt the Resolution. This Resolution will provide AFSCME Employees with an across the board cost-of-living increase of three percent (3%) retroactive to April 19, 2004, three percent (3%) starting April 25, 2005, and three and one half percent (3.5%) starting April 24, 2006, and will include the same increases to the minimum and maximum of the salary ranges. Additionally, there will be ten (10) days of Union Convention Time paid by the City.

Advisory Board Recommendation:

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1	$856,161	COLA - Several Departments	
2	$7,386	Union Convention Time – Several Departments	
3			
4			
5			
6			
Total	$863,547		

City Clerk's Office Legislative Tracking:

Linda Gonzalez

Sign-Offs:

Department Director	Assistant City Manager	City Manager

AGENDA ITEM R7G

DATE 12-8-04

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: December 8, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA APPROVING A THREE YEAR LABOR AGREEMENT BETWEEN THE CITY AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES UNION, AFSCME LOCAL NO. 1554, FOR THE PERIOD FROM MAY 1, 2004, THROUGH APRIL 30, 2007, AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT.**

ADMINISTRATION RECOMMENDATION:

Adopt the Resolution.

BACKGROUND:

On October 27, 2004, after thirteen sessions, negotiators for the City and the American Federation of State, County and Municipal Employees, AFSCME Local No. 1554, successfully concluded negotiations for a three year collective bargaining agreement. The AFSCME bargaining unit has 292 employees in 39 classifications in the following departments throughout the City: Building, Fleet Management, Parks and Recreation, Parking, Police, Fire and Public Works which includes the Property Management and Sanitation Divisions.

The Union membership has reviewed and voted to ratify the proposed Agreement. While negotiators for the City and AFSCME were obliged to represent the best interests of their clients, the shared goal was to produce an agreement that provided equitable and competitive compensation and working conditions. In addition, the Administration worked to include flexibility to the contract to allow for creative and innovative approaches to address changes in the workforce and marketplace in an expeditious manner. Language has been developed that will preserve management rights and create reasonable methods to meet recruitment and retention challenges.

The following is a summary of the most significant issues in the Agreement:

Wages

The AFSCME bargaining unit will get a three percent (3%) across the board cost of living (COLA) increase effective retroactively with the pay period beginning April 19, 2004, an across the board increase of three percent (3%) beginning April 18, 2005, and an across the board increase of three and one half percent (3.5%) beginning May 1, 2006.

The minimums and maximums of the ranges will also be adjusted each year per the COLA increase.

This contract also negotiated ten working days of Union Convention time per fiscal year for three delegates for the purpose of attendance at state and international conventions.

The anticipated cost for the 2004 cost of living (COLA) increase is approximately $262,006. The anticipated cost for the second year COLA increase is approximately $269,866 and the anticipated cost for the third year COLA is approximately $324,289.

There is also a "me-too" clause in this contract for an early-out pension proposal in the event that such a benefit is negotiated with the Communications Workers of America (CWA).

The total cost of the wage proposal for the first year will be approximately $265,397.

Major Non-Economic Issues

Health Insurance

In order to allow the City flexibility for negotiating the best health insurance rates possible for the City, language was added to the contract to allow for changes in carriers and/or the scope and level of benefits in the health plan. This further allows the City the option to change the percentage of premium paid by the City from year to year, (provided that it remains at least 50%). This will also allow AFSCME members to participate in the five (5) current Health plans offered, instead of only the three (3) base plans, which they can currently participate in.

Retiree Health Insurance

The parties agreed that any bargaining unit member who elected/s to participate in the 401-A retirement program shall be required to work at least (10) years before becoming eligible for any retiree health benefits from the City. Ten (10) years of employment is already required for those employees who elected to participate in the City's pension plan.

Flexible and Voluntary Benefits

The City will also allow AFSCME's participation in the flexible and voluntary benefits plans which currently includes short term disability, U.S. Legal plan (legal services), universal life insurance, cancer, and critical care. These are optional plans that the employee can participate in at their own expense, while utilizing the packages available for City employees. The flexible benefits plan allow the employee to have money deducted pre-tax for the purposes of child care or additional medical expense as defined by the Internal Revenue Service (IRS) regulations.

Election of Remedies

The parties agreed that the grievance/arbitration process set forth in the Agreement, and the use of a Hearing Office shall be the methods available for resolving grievances regarding disciplinary matters filed by the bargaining unit. The Personnel Board will no longer have jurisdiction to hear any grievances or appeals filed by AFSCME members regarding disciplinary matters.

Hurricane/Emergency Pay
Contract language will be added to reflect the practice of paying time and one half (1.5) to those employees required to work should the City declare an emergency such as a hurricane, for up to three (3) days.

Labor-Management Meetings
In order to strengthen the parties' labor-management relations, AFSCME agrees to participate with the City Management in Labor-Management Committees to address issues or concerns from either side.

Re-openers
Effective January 1, 2006, the City reserves the right to re-open the article on uniform cleaning allowance and explore the possibility of a cleaning service in an effort to consider using a cleaning service for those positions involved in working with hazardous substances.

Upon the conclusion of the Richard McKinnon pension benefit lawsuit (but no earlier than January 1, 2006), AFSCME may request a pension re-opener.

Pension
This contract will allow those AFSCME employees who are promoted to an Unclassified position to have an option to remain in the Classified pension system or move to the Unclassified pension system.

Other articles
AFSCME will adopt CWA's language on "Out of Class" pay which allows an employee to be paid out of class after one hour, instead of the current language which permits out of class pay after one quarter day of performing duties at a higher class. Out of Class is giving the employee an extra $1 per hour when they are working in a higher classification (as directed by management).

AFSCME will adopt CWA's language for bereavement leave which allows for four (4) days off for employees who must attend out of state funerals.

AFSCME will adopt GSA's language on stand-by pay which closely defines the employee's responsibilities should they be put on stand-by status. Stand-by pay is when and employee agrees to stand-by (come back to work) on a regularly scheduled day off.

CONCLUSION:

This negotiated contract ensures that the City of Miami Beach will meet its goals of continuing fiscal responsibility, hiring and retention of the best employees, maintaining the best pay and benefits available, while providing for an equitable contract for both the City and the AFSCME members. The Administration recommends that the Mayor and City Commission adopt the Resolution to implement the collective bargaining adjustments negotiated between the City of Miami Beach and American Federation of State, County and Municipal Employees (AFSCME) for the period covering May 1, 2004 through April 30, 2007.

JMG\RI\LG\mr F:\HUMA\LABORREL\Labor Relations\Commission Memos\afscme 2004-2007 commission memo.doc

RESOLUTION NO.

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING A LABOR AGREEMENT BETWEEN THE CITY AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES' UNION (AFSCME), LOCAL NO. 1554, FOR THE PERIOD FROM MAY 1, 2004, THROUGH APRIL 30, 2007, AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT.

WHEREAS, the City Manager is hereby submitting to the Mayor and City Commission a Labor Agreement (Labor Agreement) recently negotiated between the City and the American Federation of State, County and Municipal Employees Union (AFSCME), Local No. 1554, the bargaining agent certified by the Public Employees Relations Commission (PERC) for the employees covered by said Agreement; and

WHEREAS, the previous labor agreement was for a three year term, from May 1, 2001, through April 30, 2004, and has expired; and

WHEREAS, the attached Labor Agreement is for a three year term, commencing on May 1, 2004, through April 30, 2007; and

WHEREAS, the AFSCME bargaining unit ratified the attached Labor Agreement, and the City Manager recommends that the Mayor and City Commission approve and authorize the Mayor and City Clerk to execute the Agreement.

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 Mayor and City Clerk to execute the attached Labor Agreement between the City and the American Federation Of State, County And Municipal Employees Union (AFSCME), Local No. 1554, for the period from May 1, 2004, through April 30, 2007.

PASSED AND ADOPTED this _____ day of December, 2004.

ATTEST:

_____ APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION _____

CITY CLERK **MAYOR**

JMG/ RI/LG

F:\HUMA\LABORREL\Labor Relations\Commission Memos\Resolutions\AFSCME Contract Resolution.doc

11-12-04

City Attorney Date

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

Approval of the 2005 State Legislative Priorities

Issue:

Approval by the Mayor and City Commission of the Legislative, Administrative, Funding and Educational priorities that the City will pursue as part of its Legislative Agenda in Tallahassee during the upcoming year.

Item Summary/Recommendation:

Approve the Resolution.

Advisory Board Recommendation:

N/A

Financial Information:

Amount to be expended: N/A

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Kevin Crowder – Economic Development

Sign-Offs:

Department Director	Assistant City Manager	City Manager
	CHC	

T:\AGENDA\2003\dec1003\regular\State Legislative Prioritiesr-ITEM SUMMARY.doc

AGENDA ITEM R7H

DATE 12-8-04

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: December 8, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, APPROVING THE CITY'S STATE LEGISLATIVE AGENDA FOR THE 2005 SESSION OF THE FLORIDA LEGISLATURE.**

ADMINISTRATION RECOMMENDATION:

Adopt the Resolution.

ANALYSIS:

Each year, the Mayor and City Commission adopt the City's legislative priorities that will be pursued by the City's representatives in Tallahassee during the regular session of the Florida Legislature. The attached list of priorities was developed by the Administration in consultation with the City's lobbyists, and by meetings held on October 6, 2004 between the City's lobbyists and the Mayor and each Commissioner.

The proposed Legislative Agenda includes issues that have appeared on prior agendas, specifically the Bert J. Harris Act, the Consultants Competitive Negotiation Act, the Convention Center Sales Tax Refund, Executive Session, and the Convention Development Tax. New issues include the sale of City rights-of-way, hurricane related legislation, and addressing the City's concerns in the upcoming Article V "glitch bill." More information on each issue is included in the attached Legislative Agenda. Additionally, the City will monitor issues such as community redevelopment, windstorm insurance, outdoor advertising, public notices, and other issues that impact local authority.

Issues on the Administrative Agenda include working with the Florida Department of Environmental Protection for approval of the Beachfront Rules and Regulations, and monitoring the progress of discussions and studies related to the undergrounding of utilities.

The Funding Agenda includes funding for local water projects, historic preservation, cultural arts, and beach renourishment, as well as funding of the Entertainment Industry Incentive program that the Legislature passed during the 2003 session. Additionally, the City will continue efforts to identify a funding source for canal cleanup and the stabilization of the shoreline.

Priorities on the Educational Agenda are preventing additional reduction to Miami-Dade County's funding through the District Cost Differential, and working to attempt to reinstate the funding formula to pre 2004 levels; unification of the state and federal accountability systems, workforce development funding, operational and capital funding.

Further information on each of these items is included in the attachment, which is included for Commission review, comment and approval. Although the 2005 Session does not begin until March, there is a need for the Commission to consider this item at this time, since local government legislative packages will be presented to the Miami-Dade Delegation on January 6th. This list of 2005 priorities may be amended prior to or during the 2005 Session as other issues arise.

The Administration recommends that the Mayor and City Commission review the proposed legislative package, establish the priorities and adopt the attached Resolution.

JMG:CMC:kc

Attachment

T:\AGENDA\2004\Dec0804\Regular\State Legislative Priorities CM.doc

Exhibit "A"

CITY OF MIAMI BEACH

Preliminary Priorities for the State of Florida 2005 Legislative Session

LEGISLATIVE AGENDA

- **Bert J. Harris Act**
- **Resort Tax Issues**
- **Consultants' Competitive Negotiation Act**
- **Convention Center Sales Tax Refund**
- **Record Retention Timeframes / Digital Imaging**
- **Executive Session**
- **Convention Development Tax**
- **Article V (glitch bill)**
- **Allow municipalities to sell easements and rights-of-way for fair market value**
- **Hurricane-Related Legislation**
  - Double Deductible
  - Coverage of seawalls and docks
  - Impact of Beach Renourishment on Insurance Rates
- **Issues to Monitor**
  - Tort Reform
  - Underground Utilities
  - Community Redevelopment Agencies
  - Windstorm Insurance
  - Condominiums
  - Outdoor Advertising
  - Red Light Photo Enforcement
  - Public Notices
  - Cell Phone Tower Siting
  - Retain/Increase Local Authority

ADMINISTRATIVE AGENDA

- **Department of Environmental Protection**
  - Beachfront Rules and Regulations
- **Public Service Commission**
  - Underground Utilities

FUNDING AGENDA

- **Canal Cleanup and Shoreline Stabilization**
- **Statewide Budget Issues**
  - Funding for Local Water Projects
  - Funding for Entertainment Industry Incentives
  - Funding for Historic Preservation and Cultural Programs
  - Funding for Beach Renourishment
  - Funding Support for Senior Centers and Programs
- **Grant Support**

EDUCATION AGENDA

- **District Cost Differential**
- **Universal Pre-K**
- **Operating and Capital Needs**
- **Unify State and Federal Accountability systems**
- **Workforce Development Funding**
- **Local Control / Municipal Charters**

Legislative Agenda

Bert J. Harris Act

The City opposes legislation that weakens or removes the sovereign immunity provision in the Bert Harris Act, and further will work to support legislation that not only maintains, but strengthens the sovereign immunity provision.

Resort Tax Issues

The City strongly supports legislation that ensures that the Resort Tax and Convention Development Tax are collected on hotel room sales that occur over the internet, and that the tax is distributed to the appropriate taxing jurisdiction.

Additionally, the City strongly support legislation that ensures that the Resort Tax and Convention Development tax is collected on "per-use" fees paid by owners of hotel/condominium units, that cover hotel services during an owner-designated stay.

Consultant's Competitive Negotiation Act – Amend Section 287.055, Florida Statutes

The selection criteria as outlined in Section 287.055(4)(b) states that "in determining whether a firm is qualified, the agency shall consider such factors as the ability of professional personnel; whether a firm is a certified minority business enterprise; past performance; willingness to meet time and budget requirements; location; recent, current and projected workloads of the firms, and the volume of work previously awarded to each firm by the agency, with the object of effecting an equitable distribution of contracts among qualified firms, provided such distribution does not violate the principle of selection of the most highly qualified firms."

The required criteria results in confusion and/or feedback from both committee members and participating Architectural and Engineering (A/E) firms as to the applicability or validity of the following factors:

1. Willingness to meet time and budget requirements. When A/Es find themselves in a competitive process, they all state on the record without any hesitation, that they are willing to meet time and budget requirements. It is recommended that this criterion be deleted. The true test should be the A/Es past performance in meeting time and budget requirements.
2. Recent, current and projected workloads of the firms. This very subjective criterion has resulted in confusion by the various evaluation committee members. If a firm has been successful, and as a result of said success has a long list of recent, current, and projected projects, should that be used to penalize the firm? Should committee members judge an A/E firm's ability to take on additional work? A firm's workload should not have any impact on whether the firm is capable of performing on the project. The firm's capabilities should be based on their experience, qualifications, knowledge, skills, abilities, and the knowledge, skills and abilities of their project team
3. Location. Most evaluation committees have agreed that this criterion should be allocated a low weight. On at least one occasion, there existed a very contentious protest by a local A/E firm who was a close second to an out-of-state A/E. Whether a firm receives points on their location should be a local policy decision made by the City Commission.

The proposed change significantly reduces the City's exposure to lawsuits and/or protests. It provides local governments the authority to determine its best interest, and which factors should be considered in the selection of A/E firms.

Convention Center Sales Tax Refund – Amend Sections 212.20 and 288.1171, F.S.

This program will return 50% of the revenues remitted to the State from taxes on sales and use at the Convention Center to the City for business recruitment and retention purposes. The prior proposal was for the recruitment of high-tech, research and development, manufacturing and tourism industries. The City of Miami Beach desires that this program be eligible for the recruitment of all industries listed on the targeted industry list of the State's

QTI Tax Refund Program.

This legislation was introduced during the 2002 and 2003 Legislative Sessions. Approval of this program will generate approximately $250,000 annually for the City's economic development and tourism initiatives. The City of Miami Beach supports the introduction and passage of this legislation during the 2004 Florida Legislative Session.

Record Retention Timeframes / Digital Imaging

Currently, State statute establishes mandatory retention periods for various types of records that are kept by municipalities. Some types of personnel records must be maintained for 50 years after employment. The retention of these and other types of records require that sometimes significant costs be borne by the City. The City of Miami Beach supports legislation that reduces the time periods that records must be retained or enhances the digital imaging option for the City's record keeping.

Executive Session – Amend Section 286.011, Florida Statutes

Currently, Florida Statute that governs Executive Session limits the persons that are authorized to attend. The City supports legislation that will allow the appropriate Assistant City Manager and/or Department Director to attend when their attendance is deemed necessary. The following amendment language is proposed:

286.011
(8) Notwithstanding the provisions of subsection (1), any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision, and the chief administrative or executive officer of the governmental entity, and the assistant manager and department director responsible for the matter, may meet in private with the entity's attorney to discuss pending litigation to which the entity is presently a party before a court or administrative agency, provided that the following conditions are met...

Convention Development Tax – Amend Section 212.0305, Florida Statutes

Currently, Florida Statutes define the types of projects that the Convention Development Tax may be utilized for. The Statute further provides a separation of the collections into 1/3 and 2/3 amounts. The City supports a conforming amendment to the Convention Development Tax Act that expands the eligible uses of the 2/3 portion of the revenues, to include the project types that are currently authorized for the 1/3 portion.

212.0305 Convention development taxes; intent; administration; authorization; use of proceeds.—
(4) AUTHORIZATION TO LEVY; USE OF PROCEEDS; OTHER REQUIREMENTS.—
(b) Charter county levy for convention development.—
2. All charter county convention development moneys, including any interest accrued thereon, received by a county imposing the levy shall be used as follows:

a. Two-thirds of the proceeds shall be used to extend, enlarge, and improve the largest existing publicly owned convention center in the county.

b. One-third of the proceeds shall be used to construct a new multipurpose convention/coliseum/exhibition center/stadium or the maximum components thereof as funds permit in the most populous municipality in the county.

c. After the completion of any project under sub-subparagraph a., the tax revenues and interest accrued under sub-subparagraph a. may be used to acquire, construct, extend, enlarge, remodel, repair, improve, plan for, operate, manage, or maintain one or more convention centers, stadiums, exhibition halls, arenas, coliseums, ~~or~~ auditoriums, golf courses, or related buildings and parking facilities and may be used to acquire and construct an intercity light rail transportation system as described in the Light Rail Transit System Status Report to the Legislature dated April 1988, which shall provide a means to transport persons to and from the largest existing publicly owned convention center in the county and the hotels north of the convention center and to and from the downtown area of the most populous municipality in the county as determined by the county.

d. After completion of any project under sub-subparagraph b., the tax revenues and interest accrued under sub-subparagraph b. may be used, as determined by the county, to operate an authority created pursuant to subparagraph 4. or to acquire, construct, extend, enlarge, remodel, repair, improve, operate, or maintain one or more convention centers, stadiums, exhibition halls, arenas, coliseums, auditoriums, golf courses, or related buildings and parking facilities in the most populous municipality in the county.

Article V

Follow up legislation to the Article V legislation passed during the 2004 Session is expected this year as a "glitch bill." The City will support changes that further clarify costs that are to be paid by the City, and further supports changes that will reduce the City's overall costs.

Easements and Rights-of-Way

The City supports legislation that will allow municipalities to sell easements and rights-of-way at fair market value, if the municipality determines that the easement/ROW is no longer needed and its vacation/sale is in the public interest.

Hurricane Related Legislation

The City will monitor hurricane-related legislation and respond to it depending on its impact to the City. Specific emphasis will be on the following items:

1. Elimination of the double deductible for multiple storms during the same hurricane season.
2. Expansion of coverage to include seawalls and docks.
3. Study the effects of beach renourishment on losses, and how added beach erosion control/protection could impact rates.
4. Studies related to underground utilities.

Monitor Legislation of Importance

Every Legislative Session, issues arise that are of importance to the City. The Administration and its representatives monitor these issues as they develop in order to respond in the best interest of the City. For the 2005 Florida Legislative Session, issues that the Administration has identified are tort reform, underground utilities, Community Redevelopment Agencies, windstorm insurance, condominiums, outdoor advertising, red light photo enforcement, public notices, cell phone tower siting. The Administration and its representatives will also work with the Florida League of Cities to monitor issues of local authority as they develop in order to respond in the best interest of the City.

Administrative Agenda

Department of Environmental Protection

The Plan renewal has been approved by the Department of Environmental Protection and the Acquisition and Restoration Council with certain conditions. The Administration is in the process of incorporating those conditions into the plan, which will be resubmitted to DEP. The City's lobbyists will continue to work with the City and DEP on this item through its completion.

Public Service Commission

The City will monitor activities related to electrical utilities and service, including, but not limited to, the undergrounding of utilities.

Funding Agenda

Canal Cleanup and Shoreline Stabilization

The City will continue efforts to identify funding sources for canal cleanup and shoreline stabilization, working with the Florida Department of Environmental Protection, FEMA's Hazard Mitigation Program, the South Florida Water Management District, Miami-Dade County, and other agencies.

Funding for Local Water Projects

Retain and increase the level of funding for the State's water projects. Work with the South Florida Water Management District to secure eligibility of City projects for State funding.

Funding for Entertainment Industry Incentives

Retain and increase level of funding for the State's entertainment industry/production incentive program.

Funding for Historic Preservation and Cultural Programs

The City seeks reinstatement of the trust fund and full funding for Historic Preservation and Cultural Programs.

Funding for Beach Renourishment

The City supports continued full funding of beach renourishment and restoration of the amount in the trust fund for beach renourishment to $30 million during the 2005 Session. The City further supports Miami-Dade County's request for $5,500,000 for the Miami-Dade Alternative Sand Test Beach Project.

Grant Support

The City's representatives in Tallahassee will continue to assist the City in the identification, pursuit, and acquisition of grants that are submitted for State funds for City projects and priorities.

Education Agenda

District Cost Differential

The City supports the reinstatement of the District Cost Differential funding formula to 2003 levels in order to compensate for a higher district cost of living and will oppose any legislation to further reduce or eliminate the formula.

Universal Pre-K

Appropriately fund Universal Pre-K to ensure the ability to hire quality certified teachers.

Operating and Capital Needs

Appropriately fund operating and capital needs of school districts to ensure the delivery of quality educational programs.

Unify State and Federal Accountability Systems

If the State has an accountability plan that is approved by the United States Department of Education as meeting the intent of NCLB, then that state plan determines whether a school is meeting annual yearly progress. The City urges the State to pursue acceptance of the State program as an alternative to the federal accountability requirements.

Workforce Development Funding

Increase workforce development funding, ensure it remains a separate funding category, and support continuation funding for adults with disabilities. Provide increased funding weights and mandate industry certification for secondary technical education programs.

Municipal Charter

The City will monitor activities regarding Municipal Charter Schools.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, APPROVING THE CITY'S STATE LEGISLATIVE AGENDA FOR THE 2005 SESSION OF THE FLORIDA LEGISLATURE.

WHEREAS, the City must avail itself of all potential sources of funds; and

WHEREAS, State legislation may need to be enacted to protect and enhance the City's interests; and

WHEREAS, it is imperative that the City's legislative consultant is aware of, and has a list of, City priorities; and

WHEREAS, the City's State legislative team has met with the Mayor, City Commissioners, and the Administration relative to the City's needs and priorities with regard to the 2005 Session of the Florida Legislature; and

WHEREAS, the City's numerous State-level needs have been assessed and prioritized to produce the most effective use of its legislative team.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the recommended State Legislative Agenda for the 2005 Session of the Florida Legislature be approved, as more specifically set forth in the attached Exhibit A.

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

_____
Mayor

ATTEST:

_____
City Clerk

T:\AGENDA\2004\DEC0804\REGULAR\STATE LEGISLATIVE PRIORITIES RESO.DOC

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney 12/3/04
Date

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Parking Companies/Operators Pursuant To Request For Proposals (RFP) No. 18-03/04 For The Selection Of A Parking Company/Operator To Supply Parking Cashiers Attendants And Supervisors; Authorizing The Administration To Enter Into Negotiations, And Further Authorizing The Mayor And City Clerk To Execute An Agreement Upon The Completion Of Successful Negotiations By The Administration.

Issue:

Shall the City Commission adopt the resolution?

Item Summary/Recommendation:

The Mayor and City Commission at its January 14, 2004 meeting adopted Resolution No. 2004-25452 which authorized the issuance of a Request for Proposal (RFP) for parking cashiers, attendants, and supervisors for the City of Miami Beach Parking Department.

On February 6, 2004, RFP No. 18/03-04 was issued and notices sent to 26 individuals or firms, which resulted in the receipt of five qualifications packages from the following firms:1) Standard Parking Inc.; 2) Central Parking Systems; 3) AAA Parking; 4) Imperial Parking; and 5) Quik Park.

On August 6, 2004, proposals submitted by Imperial Parking, Quik Park and AAA Parking in response to RFP No. 18-03/04 were deemed non-responsive after review by the Parking Department, the City Attorney's Office and the Procurement Division. The three proposals failed to conform to the Minimum Requirements/Qualifications as set forth in Section IIIB.A. of the RFP.

Quik Park filed a protest which argued that Standard Parking's proposal should be disqualified for violating the Vendor Campaign Contribution Ordinance and failing to complete the required documentation as a joint venture proposal. Quik Park's protest was denied after thorough research by the City Attorney's Office and the Miami-Dade County Ethics Commission.

On May 10, 2004, the City Manager via Letter to Commission No. 114-2004 appointed an Evaluation Committee (the "Committee"). The Committee unanimously ranked Standard Parking as the most qualified firm to provide parking cashiers, attendants and supervisors.

APPROVE THE RECOMMENDATION.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:		Amount	Account	Approved
	1	$1,694,802	480-0463-000-312	
	2	$333,051	142-6976-000-312	
	3	$280,525	463-1990-000-312	
	4			
Finance Dept.	Total	$2,308,378		

City Clerk's Office Legislative Tracking:

Saul Frances, ext. 6483.

Sign-Offs:

Department Director	Assistant City Manager	City Manager
SF_____	CMC_____	JMG_____

T:\AGENDA\2004\Dec0804\Regular\ParkgCashiersItem Summary.doc

AGENDA ITEM R7I

DATE 12-8-04

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: December 8, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER PERTAINING TO THE RANKING OF PARKING COMPANIES/OPERATORS PURSUANT TO REQUEST FOR PROPOSALS (RFP) NO. 18-03/04 FOR THE SELECTION OF A PARKING COMPANY/OPERATOR TO SUPPLY PARKING CASHIERS ATTENDANTS AND SUPERVISORS; AUTHORIZING THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS WITH THE TOP-RANKED FIRM OF STANDARD PARKING INC., AND SHOULD THE ADMINISTRATION NOT BE ABLE TO NEGOTIATE AN AGREEMENT WITH THE TOP-RANKED FIRM, AUTHORIZING THE ADMINISTRATION TO NEGOTIATE WITH THE SECOND-RANKED FIRM OF CENTRAL PARKING SYSTEM; ANDFURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT UPON THE COMPLETION OF SUCCESSFUL NEGOTIATIONS BY THE ADMINISTRATION.**

ADMINISTRATIVE RECOMMENDATION

Adopt the Resolution.

AMOUNT AND FUNDING

$2,308,378 Funds are available in the following Parking Department accounts:

Parking Enterprise Fund	480-0463-000-312
7th Street Garage	142-6976-000-312
Anchor Garage (RDA)	463-1990-000-312

LIVING WAGE IMPACT

The fiscal impact of the Living Wage Ordinance requirements on this project is $603,494. The City currently pays $1,704,884 annually for parking cashiers, attendants and supervisors. As a direct result of the living wage requirements, the cost under the new contract may (subject to negotiations) equate to $2,308,378 annually. Attached is a cost comparison between the current contract with APCOA/Standard (living wage is not applicable) with the recommended firm's (Standard Parking) billing rates.

ANALYSIS

The Mayor and City Commission at its January 14, 2004 meeting adopted Resolution No. 2004-25452 which authorized the issuance of a Request for Proposal (RFP) for parking cashiers, attendants, and supervisors for the City of Miami Beach Parking Department.

The Parking Department (the"Department") has collaborated with private industry and through a partial privatization of services accomplished a "partnership approach" to managing its parking facilities. The Department has been very successful using the concept of private sector expertise with public sector oversight. The Department has a management team in place consisting of an Assistant Director (Project Manager), an Operations Manager, and five facility supervisors, all of who are employed by the City.

As a "partnership", the Department has competitively bid for contract services including, cashiers/attendants/supervisors, security services, janitorial services, and landscaping services. To this end, the existing labor pool contract for cashiers, attendants, and supervisors with APCOA/Standard and VIP's Parking Systems is in its final term, expiring on August 4, 2004, with no options for renewal. This necessitates a competitive bidding process vis-à-vis the issuance of an RFP in order to procure this service.

RFP PROCESS

On February 6, 2004, RFP No. 18/03-04 was issued and notices sent to 26 individuals or firms, which resulted in the receipt of five qualifications packages from the following firms:

1) Standard Parking Inc.
2) Central Parking Systems
3) AAA Parking
4) Imperial Parking
5) Quik Park

IMPERIAL PARKING'S DISQUALIFICATION

On August 6, 2004 proposals submitted by Imperial Parking, Quik Park and AAA Parking in response to RFP No. 18-03/04 were deemed non-responsive after review by the Parking Department, the City Attorney's Office and the Procurement Division. The three proposals failed to conform to the Minimum Requirements/Qualifications as set forth in Section IIIB.A. on page 19 of the RFP, which states:

> *The Firm(s) shall have a record of satisfactory performance within the State of Florida in the past three consecutive years providing hourly trained personnel with experience in gated parking revenue control equipment, preferably Federal APD equipment, to a public agency and/or private concern of comparable size and magnitude to the City of Miami Beach.*

As it relates to Imperial Parking, none of their State of Florida references were of comparable size and magnitude to the City of Miami Beach.

1060 Brickel Avenue -- 106 stalls
Derm Lot -- 120 stalls
Kapustin Lot -- 87 stalls

QUIK PARK'S DISQUALIFICATION

As it relates to Quik Park, none of their State of Florida references were of comparable size and magnitude to the City of Miami Beach. On page 4 of Quik Park response, the following references are listed, none of them meeting the minimum required qualifications set by the City:

- The Royal Palm Hotel: Valet Operation and 95 spaces
- Westin Diplomat Hotel: Valet Operation, 2,000 spaces self park, 1,000 valet, and started Nov 2001
- Ocean Steps: Small parking garage at 1501 Collins Ave, 206 spaces.
- Sagamore Hotel: Valet Operation
- Opium Garage: Small self park lot across from Opium. No Garage, 50 space lot
- Tuscan Garage: 167 spaces No public parking permitted.

None of the aforementioned references meet the minimum requirements of three consecutive years providing hourly trained personnel with experience in gated parking revenue control equipment, preferably Federal APD equipment to a public agency and or private concern of comparable size and magnitude to the City of Miami Beach.

All of the other references are commercial garages and lots that may have at best three attendants and possibly one supervisor overseeing multiple daytime (business district) operations that are not in any way similar/comparable to our RFP requirements.

AAA PARKING'S DISQUALIFICATION

As it relates to AAA Parking, none of their State of Florida references were within the past three consecutive years of providing hourly trained personnel with experience in gated parking revenue control equipment. The only comparable size reference, Centroplex Facilities, Orlando, Florida, reflects a start date which the City confirmed, of August 1, 2003. The Florida reference Centroplex had a start date of August 2003 thereby making them non-responsive under the minimum three years of continued operation.

QUIK PARK'S PROTEST REGARDINGSTANDARD PARKING

In filing its Protest, Quik Park:

- Alleged non-responsiveness of Standard Parking Corporation's (Standard) proposal in response to the subject RFP; and
- Alleged violation of City of Miami Beach Code Section 2-487 entitled "Prohibited Campaign Contributions by Vendors".

Herein below follows the City's findings and conclusions on the issues presented based upon the facts and information made available to the City Attorney's Office.

I. Alleged Non-responsiveness of Standard's proposal in response to the subject RFP.

Quik Park's Bid Protest alleges that the proposal submittal by Standard in response to the RFP (the "Standard Proposal") is non-responsive based on the following:

- The RFP requires proposers to complete and execute a Questionnaire (see pages 29 through 32 of the RFP). Said Questionnaire requires proposers to identify the proposer's name, and whether the proposer is an individual, partnership or corporation. Quik Park alleges that, as the Standard Proposal identifies the proposer as Standard Parking Corporation (and not as a joint venture between Standard Parking and Frank Pintado), the Proposal is "... materially non-responsive on its face...

- Quik Park further alleges that the Standard Proposal is also materially deficient in that it fails to procure the signature of Frank Pintado at the end of the Questionnaire.

The City's review of the Standard Proposal, and the supporting documentation submitted with the Proposal, indicates that the proposer entity is Standard Parking Corporation. This is evidenced by the following:

- Standard's execution, through its Regional Manager-State of Florida Operations, of the Proposer Information form.

- Standard is identified as the proposer in the Declaration form, which is also executed by the Regional Manager.

- Standard is identified as the proposer in the Questionnaire; said Questionnaire is executed by the Executive Vice President of Standard, and attested to by an Assistant Corporate Secretary.

- All references to the "proposer" by Standard in the text of its Proposal refer to and/or directly name Standard Parking Corporation.

The Standard Proposal discloses and identifies Frank Pintado as a "joint venture". Mr. Pintado is also disclosed and identified as a member of Standard's Management Team.

The issue of non-responsiveness turns on whether the relationship between Standard and Mr. Pintado, as disclosed in the Standard Proposal, evidences such an interest in the work product as would require Mr. Pintado to join with Standard in submitting the response, and whether the failure of such join makes the Standard Proposal non-responsive.

CITY ATTORNEY'S OFFICE REVIEW

The City Attorney's Office investigation of the facts alleged in Quik Park's Bid Protest consisted of review of the RFP; review of the Standard Proposal; interview of Mr. Pintado; communication with Mr. Pintado's legal counsel; and review of the portions of an instrument, the "Joint Venture Agreement" between Apcoa/Standard Parking, Inc. and VIP's Parking Systems, Inc. (the Joint Venture Agreement, referred to in the following paragraphs), as provided to the City by Mr. Pintado's counsel.

A review of those portions of the Joint Venture Agreement provided to the City Attorney's Office showed Standard Parking Corporation (as successor in interest to Apcoa/Standard Parking, Inc.) and VIP's Parking Systems, Inc., (a corporation which is 50% owned by Frank Pintado and 50% owned by Maria Pintado), are parties to an agreement to form a joint venture, dated June 6, 2000 (the "Joint Venture Agreement").

The Joint Venture Agreement was ostensibly entered into to perform services pursuant to the award of the proposal submitted jointly by Apcoa/Standard-VIP's Parking Systems, pursuant to Request for Proposals No. 62-98/99, dated May 13, 1999. The award was for a two (2) year contract (with an option for three (3) additional one (1) year terms) to supply parking cashiers/attendants and supervisors for the City of Miami Beach parking system (the 1999 RFP).

Paragraph 2 of the Joint Venture Agreement states that, in addition to the 1999 contract between the City and Apcoa/Standard-VIP's Parking Systems, as the number one ranked proposer pursuant to the 1999 RFP, any future project in which the joint venture is a participant shall be entered into in the name of the joint venture, which is set forth in Paragraph 2 therein as the "Apcoa/Standard Parking/VIP Joint Venture."

In the instant case, the pre-existence of a separate "joint venture agreement" between Apcoa/Standard Parking and VIP's Parking Systems does not, in and of itself, determine the question of whether Standard's Proposal to the City should be considered a submittal by a joint venture, and not a submittal solely by Standard Parking Corporation.

In *Kislak v. Kreedian*, 95 So.2d 510, 515 (Fla. 1957), the Florida Supreme Court set forth the necessary elements to be proven in order to establish the existence of a joint venture agreement.

In addition to the essentials of an ordinary contract, in contracts creating joint ventures there must be (1) a community of interest in the performance of the common purpose, (2) joint control or right of control, (3) a joint proprietary interest in the subject matter, (4) a right to share in the profits and (5) a duty to share in any losses which may be sustained.

See also, *Browning v. Peyton*, 918 F.2d 1516 (11th Cir. 1990).

For purposes of determining whether the Standard Proposal is responsive and materially complies with the requirements of the 2004 RFP, this Office reviewed the Joint Venture Agreement to determine whether there was anything on its face or in any other factual evidence that would indicate that the proposer entity was or should be construed to include any entity other than Standard.

The plain language on the face of the Standard Proposal evidences that the proposer entity is Standard Parking Corporation, not the same entity as the one named in the Joint Venture Agreement (Apcoa/Standard Parking/VIP Joint Venture). The Standard Proposal is distinguishable from the response submitted pursuant to the 1999 RFP, where the proposer entity was identified as Apcoa/Standard-VIP's Parking Systems; the response and supporting documentation was

submitted by Apcoa/Standard-VIP's Parking Systems; and the subsequent contract with the City was entered into with Apcoa/Standard-VIP's Parking Systems.

Additionally, Section 21 of the Joint Venture Agreement provides for a "first refusal" right and procedure for the exercise of that right. The net effect is that either party upon notification of a parking contract and its terms will have seventy two (72) hours to notify the other party in writing of its willingness to go forward with the contract under the terms of the Joint Venture Agreement. There is no evidence that VIP/ Mr. Pintado opted to participate as a joint venture in the subject transaction contemplated by the 2004 RFP.

The documentation reviewed by this office, taken as a whole (i.e. the Joint Venture Agreement, the Proposal and their respective attachments) do not create a presumption that the proposer, the one responsible to the City, was any entity but Standard.

The City can only review evidence available to it and it has no subpoena power in the instant situation. It cannot substitute its own judgment as to the intent of the parties in an agreement to which the City is not a party to and which is outside the scope of the RFP. It is this Office's opinion that, notwithstanding the disclosure of Mr. Pintado's services as a "joint venture partner and management team member", Mr. Pintado is not a proposer under the 2004 RFP and was not required to join in the response to said RFP.

II. <u>Alleged Violation of City's Ordinance Prohibiting Campaign Contributions by Vendors.</u>

As established above, inasmuch as Mr. Pintado is not a "proposer" for purposes of the subject pending bid award, he is therefore similarly not a City "vendor" regarding the subject award. The only relevant inquiry is with regards to Mr. Pintado's existing contract with the City of Miami Beach (the 1999 contract).

City Code Section 2-487 prohibits "Vendors" from directly or indirectly giving campaign contributions to a candidate for the offices of Mayor or Commissioner. The term "Vendor" is defined as: "a person and/or entity who has been selected by the City as the successful bidder on a present or pending bid for goods, equipment or services, or has been approved by the City on a present or pending awards of goods, equipment or services, prior to or upon execution of a contract, purchase order or standing order". The term "Vendor" further includes "...natural persons and/or entities who hold a controlling financial interest in a vendor entity." Miami Beach City Code Section 2-487 A(4)(a). The ordinance further states that a "...person or entity who directly or indirectly makes a contribution to a candidate who is elected to the office of the Mayor or Commissioner shall be disqualified for a period of twelve (12) months following the swearing in of the subject elected official from serving as a vendor with the City." Code Section 2-487 A(3). The Protest alleges that vendor Frank Pintado, as a joint proposer with Standard Parking, made a contribution to a candidate who was elected at last November 2003's General Election in the City of Miami Beach, thus disqualifying both Mr. Pintado and Standard Parking from serving as a vendor with the City in connection with the pending bid award.

The Protest further alleges that Mr. Pintado made the following contributions to candidates during last November's election:

1) Construction of campaign signs;
2) Organization of campaign workers;
3) Going to low cost housing facilities and soliciting votes;
4) Sending e-mails for the purpose of soliciting campaign contributions;
5) The storage of political literature and other campaign materials at 1674 Meridian Avenue, Suite 106, Miami Beach, Florida, which address is alleged to be the current offices of Standard Parking and VIP Parking Systems; and
6) Arranging for transportation to bring voters to the poll and using Standard employees as drivers.

All allegations have been denied by Mr. Pintado, with his further qualification that "campaign activities, if any, performed by Mr. Pintado as a volunteer for no compensation, would not be a violation of the City's Code."

In adopting Code Section 2-487, the City Commission adopted the definition of "contribution" as contained in Chapter 106, Florida Statutes. Pursuant to Section 106.011(3), Florida Statutes, the meaning of "contribution", "...shall not be construed to include services ....provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate... ."

Accordingly, in as much as voluntary services are exempt from the Code's prohibition, even if Mr. Pintado had performed services 1 – 4 listed in the Protest, as a volunteer and without contributing money or other things of value, they would not, as a matter of law, amount to a City Code violation.

As for the remaining allegations of non service-related contributions (providing poll drivers and storage of campaign material), inasmuch as said contributions would have a monetary value to the candidate, if the allegations are proven, a violation of the City's ordinance might have occurred. The factual disputes regarding these issues are the subject of Mr. Pintado's request for investigation by the County Ethics Commission.

MIAMI DADE COUNTY COMMISSION ON ETHICS AND PUBLIC TRUST

On October 6, 2004, the Miami-Dade County Commission on Ethics and Public Trust (The Ethics Commission ") closed out the investigation into whether or not Mr. Frank Pintado violated Section 2-487 of the City's Code regarding prohibited campaign contributions by vendors.

The Ethics Commission concluded that there is not enough evidence to demonstrate that Mr.Pintado violated the code by making payments or contributions in kind during the 2003 campaigns of candidates that were elected to the Office Commission.

On May 10, 2004, the City Manager via Letter to Commission No. 114-2004 appointed an Evaluation Committee (the "Committee"), consisting of the following individuals:

Chester Escobar, Assistant Parking Director/ On-Street Parking
Arthur Noriega, Executive Director/ Miami Parking Authority
Jerry Libbin, North Beach Resident
Diana Egozi, AYUDA
Eva Barreto, Ocean Bank
Scott Needleman, South Beach Resident
Steve Clark, SMG Operation Manager
Ray Breslin, Resident/Neighborhood Leadership Academy Graduate
Marlo Courtney, Transportation and Parking Committee

Ray Breslin and Marlo Courtney were unable to serve on the Committee, due to prior commitment.

The Committee convened on November 3, 2004 and was provided with an overview of the project, information relative to the City's Cone of Silence Ordinance, and the Government in the Sunshine Law. The Committee then listened to project overview by Saul Frances, Parking Director and Evaluation Criteria by Gus Lopez, Procurement Director. After evaluation the proposals, the Committee engaged in deliberations of the given proposals.

The Committee was instructed to rank and score each proposal pursuant to the evaluation criteria established in the RFP, which was as follows (total possible 100%):

Evaluation Criteria/Factors:	Weight
Professional experience and past performance:	25%
Hourly Billing Rate (Unit Cost)	25%:
Approach to the project and staffing strategies:	20%
Financial Stability:	15%
Personnel resources, oversight, and management plan:	15%
Total:	**100%**

The Committee then scored and ranked the firms as follows:

COMMITTEE MEMBER	STANDARD PARKING SCORE	CENTRAL PARKING SYSTEM SCORE
BARRETO, EVA	99(1)	84(2)
CLARK, STEVE	99(1)	94(2)
EGOZI, DIANA	100(1)	70(2)
ESCOBAR,CHESTER	100(1)	90(2)
LIBBIN, JERRY	95(1)	85(2)
NEEDELMAN, SCOTT	96(1)	70(2)
NORIEGA, ART	97(1)	87(2)

The Committee unanimously ranked Standard Parking as the most qualified firm to provide parking cashiers, attendants and supervisors.

The cost comparison of Standard's and Central Parking's follows on the next page:

	CENTRAL PARKING *Hourly Rate*	*x*	*Number of Hours*	*Total*
CASHIERS/ ATTENDANTS	**$13.95**	*	**119549.25**	$1,667,712.04
SUPERVISORS	**$18.20**	*	**42141.5**	$766,975.30
			Grand Total	**$2,434,687.34**

	STANDARD PARKING *Hourly Rate*	*x*	*Number of Hours*	*Total*
CASHIERS/ ATTENDANTS	**$14.43**	*	**119549.25**	$1,725,095.68
SUPERVISORS	**$15.62**	*	**42141.5**	$658,250.23
			Grand Total	**$2,383,345.91**

Standard Parking will provide the following services pursuant to the RFP and any subsequent contract:

1. To provide trained and uniformed parking cashiers, attendants, and supervisors at each of the designated parking facilities, Monday through Sunday, including holidays and during Special Events. The parking facilities are located at:

   A. 7th Street & Collins Avenue Garage (24 hours per day)
   B. 17th Street Garage (24 hours per day)
   C. 13th Street Garage (24 hours per day)
   D. 42nd Street Garage (12 hours per day)
   E. 12th Street & Drexel Garage (24 hours per day)
   F. 17th Street & Washington Ave Surface Parking Lots (16 hours per day)

G. Preferred Parking Surface Lot (Convention Center Lot/180 days per year).
H. Anchor Garage (16th Street and Collins Avenue/24 Hours per day).
I. Municipal surface parking lots during special events and/or seasonally.

2. The parking cashiers, attendants, and supervisors must:

A. Maintain a neat, well-groomed appearance at all times.
B. Collect parking fees, validate tickets, and perform related duties.
C. Provide financial and ticket reports at the conclusion of each shift to the satisfaction of the City.
D. Submit monies representative of the shift's activity to the shift/facility supervisor, and assist in the recordation and deposit of the daily shift cash receipts.
E. Maintain a clean work area including the adjacent booth area and access control equipment. Each shift shall be responsible to maintain the fee computer as to cleanliness, dust and appropriate use.
F. Provide directions and general information to the public.
G. Maintain a friendly, courteous and service-oriented attitude at all times.
H. Consistently demonstrate the ability to communicate effectively in the English language with the general public, supervisors, and City management.
I. Perform all other related duties as assigned by the City.
J. All cashiers, attendants, and supervisors shall be qualified to complete all required cash and ticket reports. Such qualification shall be to ensure the accurate and complete recordation of such reports. Ability to add, subtract, multiply, and divide in a consistent and accurate manner is essential.
K. All cashiers, attendants, and supervisors must be trained in CPR and emergency procedures.
L. All cashiers, attendants, and supervisor are required to know City parking policies pertinent to:

1. Monthly Parking Program
2. City Decals and Permit Parkers
3. Special Event Parking
4. Parking Meter Smart Card Program
5. Hotel Hang-Tag Program; and
6. All programs implemented by the City

M. All cashiers, attendants, and supervisors must be familiar with the location, hours of operation, and rates of all City parking facilities.
N. All cashier, attendants, and supervisors shall be trained in operating Federal APD revenue control equipment.

3. The Firm shall provide and require its employees to wear a uniform: Sport/polo shirt or collared shirt (no t-shirts), dark pants, shorts or skirt. The Firm's employees will be issued official City of Miami Beach photo identifications and these shall be required to be worn daily as part of the employee's official uniform. The Firm must include its name on the badge or uniform. The City reserves the right for final approval of the uniform selected by the Firm.

4. The Firm shall provide a full-time on-site Project Manager with experience handling the type of services requested by the City who will have full authority to act on behalf of the Firm. The Firm will also provide one (1) trained working supervisor per location as requested on each shift. The responsibilities of the supervisors will be:

   a. Attendance verification: Verify at the beginning of each shift that all booths are staffed. If personnel are absent or call in sick, it is the responsibility of the supervisor to replace the parking cashier immediately. The supervisor shall issue a bank for each cashier/attendant per shift.
   b. Scheduling of shift locations and replacements for daily and weekly schedule and scheduling for vacations and emergencies.
   c. The shift supervisors shall be an employee of the Firm and shall serve as the City contact for any problems or questions during each shift.
   d. Provide required assistance to parking cashiers and attendants during shift closeout procedures. Prepare all deposits for shift cash receipts as required by the City.

   e. Perform the duties of a parking cashier and/or attendant.
   f. Perform related duties as requested by City staff.

5. The Firm shall schedule monthly performance meetings with City management to review performance issues.
6. The Firm shall notify the City of a 24 hour contact via telephone and/or pager. A minimum of two contact names must remain on file with the City at all times.
7. The Firm shall respond to any complaint received from the general public or the City of Miami Beach, in writing, within 24 hours of receipt of complaint.
8. All training of new personnel will be the responsibility of the Firm. The Firm will provide written rules of conduct for its personnel. All rules of conduct for the Firm must be approved by the City's Parking Director.
9. The Firm must provide a Facilities Operation Manual to each employee and a permanent manual containing standard operating procedures shall be stored in each cashier booth and central facility office.
10. All employees of the Firm shall be bonded and insured. Smoking and/or eating on the job or in a parking facility is strictly prohibited.
11. The Firm must supply a $100.00 bank for each shift at each facility. The $100.00 bank shall consist of sufficient variety of currency and/or coin to properly provide change. The City reserves the right to alter the composition of the $100 bank; however, typically, eighty one-dollar bills and two rolls of quarters will be required.
12. The Firm shall maintain a trained and courteous workforce.
13. The Firm shall ensure that each cashier booth and facility office is equipped with the following:

A. City of Miami Beach Parking Guide
B. Chamber of Commerce Visitor Guide
C. CMB ELECTROWAVE Guide
D. Any other materials provided by the City.

14. The firm shall be responsible for any cash shortages or missing tickets. Missing tickets shall be calculated at the maximum daily parking rate. All shortages shall be delivered to the City of Miami Beach Parking Department c/o the Finance Manager within 72 hours of notice of the shortage by the City to the Firm.
15. The Firm shall provide continuous and on-going procedural and equipment training to its employees assigned to the City of Miami Beach. The Firm shall provide a roster of all trained employees to the City. Employees receiving training at the City's parking facilities must be scheduled to work at City parking facilities, at a minimum of fifty percent (50%) of their total weekly hours. Under no circumstances is the Firm to train employees at City parking facilities and relocate the employee to another contract or client for any period of time without the expressed written consent of the City.
16. The Firm shall provide sufficient vehicles, as determined by the City, for their employees to ensure the effective and efficient transport of cashiers, attendants, and supervisors to assigned locations throughout all shifts.
17. The Firm shall perform a background check, firm/type of background check to be approved by the City, on all of its employees, including psychological and/or aptitude examinations as part of their employment process. The employee must agree to submit to the successful completion of these screening processes as a condition of their employment within the first thirty (30) days of said employment. The Firm may also be required to conduct other screening and/or investigative measures, at the request of the City.

CONCLUSION

The Administration recommends that the Mayor and City Commission approve the attached resolution, which recommends the acceptance of the ranking of the parking companies/operators pursuant to Request for Proposals (RFP) No. 18-03/04 for the selection of a parking company/operator to supply parking cashiers attendants and supervisors; authorizing the administration to enter into negotiations with the top-ranked firm of Standard Parking Inc., and should the Administration not be able to negotiate an agreement with the top-ranked firm, authorizing the administration to negotiate with the second-ranked firm of Central Parking System; and further authorizing the Mayor and City Clerk to execute an agreement upon the completion of successful negotiations by the administration.

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CITY OF MIAMI BEACH PARKING DEPT. ATTENDANT HOURS COMPARISON PREVIOUS CONTRACT VS NEW CONTRACT	TOTAL HOURS	CURRENT HOURLY RATE	TOTAL CURRENT $ YEAR	NEW HOURLY RATE	NEW CONTRACT $ YEAR	11/23/2004 INCREASE $ YEAR
7TH STREET GARAGE						
SUPERVISOR						
24 HRS X 7 DAYS X 52 WKS	8736	12.02	$105,007	15.62	$136,456	
TOTAL	**8,736**		**$105,007**		**$136,456**	**$31,450**
ATTENDANTS						
ATTENDANT- 24HRS X 7 DAYS X 52 WKS	8736	10.45	$91,291	14.43	$126,060	
ATTENDANT - 8 HRS X 4 DAYS X 52 WKS (THURS, FRI, SAT, SUN, 2P-10P)	1664	10.45	$17,389	14.43	$24,012	
ATTENDANT - 8 HRS X 4 DAYS X 52 WKS (THURS, FRI, SAT, SUN, 10P-6A)	1664	10.45	$17,389	14.43	$24,012	
ATTENDANT - 10 HRS X 3 DAYS X 52 WKS (MON, TUE, WED, 12P-10P)	1560	10.45	$16,302	14.43	$22,511	
TOTAL	**13,624**		**$142,371**		**$196,594**	**$54,224**
GRAND TOTAL	**22,360**		**$247,378**		**$333,051**	**$85,673**

16TH STREET GARAGE						
SUPERVISOR						
24 HRS X 7 DAYS X 52 WKS	8736	12.02	$105,007	15.62	$136,456	
TOTAL	**8,736**		**$105,007**		**$136,456**	**$31,450**
ATTENDANTS						
ATTENDANT- 24HRS X 7 DAYS X 52 WKS	8736	10.45	$91,291	14.43	$126,060	
ATTENDANT - 8 HRS X 3 DAYS X 52 WKS (THURS, FRI, SAT, SUN, 7P-3:30P)	1248	10.45	$13,042	14.43	$18,009	
TOTAL	**9,984**		**$104,333**		**$144,069**	**$39,736**
GRAND TOTAL	**18,720**		**209,340**		**280,525**	**$71,186**
GRAND TOTAL COMPARISON - ALL LOCATIONS	**156,106**		**1,704,884**		**2,308,378**	**603,494**

CITY OF MIAMI BEACH PARKING DEPT. ATTENDANT HOURS COMPARISON PREVIOUS CONTRACT VS NEW CONTRACT	TOTAL HOURS	CURRENT HOURLY RATE	TOTAL CURRENT $ YEAR	NEW HOURLY RATE	NEW CONTRACT $ YEAR	11/23/2004 INCREASE $ YEAR
PROJECT MANAGER & BOOKKEEPERS						
8 HRS X 5 DAYS X 52 WKS	2080	12.02	$25,002	15.62	$32,490	
3 BOOKKEEPERS X 8 HRS X 5 DAYS X 52 WKS	6240	12.02	$75,005	15.62	$97,469	
TOTAL	**8,320**		**$100,006**		**$129,958**	**$29,952**
2G - 17TH STREET GARAGE						
ATTENDANT- 24HRS X 7 DAYS X 52 WKS	8736	10.45	$91,291	14.43	$126,060	
SUPERVISOR - 24HRS X 7 DAYS X 52 WKS	8736	12.02	$105,007	15.62	$136,456	
ATTENDANT - 12P-8P - 8 HRS X 7 DAYS X 52WKS	2912	10.45	$30,430	14.43	$42,020	
ATTENDANT - 11A-7P - 8 HRS X 7 DAYS X 52WKS	2912	10.45	$30,430	14.43	$42,020	
ATTENDANT - 11A-7P - 8 HRS X 5 DAYS X 52WKS	2080	10.45	$21,736	14.43	$30,014	
1 EXIT ATTENDANT - 10A-6P X 7 DAYS X 52WKS	2912	10.45	$30,430	14.43	$42,020	
1 EXIT ATTENDANT - 6P-12A X 7 DAYS X 52WKS	2184	10.45	$22,823	14.43	$31,515	
TOTAL	**30,472**		**$332,148**		**$450,107**	**$117,959**
5A EAST - 17TH STREET LOT						
ATTENDANT - MON -FRI - 6:30A-12MID - 17.5HRS X 5 DAYS X 52 WKS	4550	10.45	$47,548	14.43	$65,657	
ATTENDANT - SAT & SUN - 8A-3A - 19HRS X 2 X 52 WKS	1976	10.45	$20,649	14.43	$28,514	
2 ATTENDANTS - FRI & SAT - 6P - 3A - 9 HRS X 2 X 52 WKS	1872	10.45	$19,562	14.43	$27,013	
TRAFFIC ATTENDANT - FRI, SAT & SUN - 6P-3A X 52 WKS	1404	10.45	$14,672	14.43	$20,260	
ATTENDANT - MON-FRI - 3P-7P-4HRS X 5 DAYS X 52 WKS	1040	10.45	$10,868	14.43	$15,007	
TOTAL	**10,842**		**$113,299**		**$156,450**	**$43,151**
5A WEST - 17TH STREET LOT						
ATTENDANT - MON -FRI - 6:30A-12MID - 17.5HRS X 5 DAYS X 52 WKS	4550	10.45	$47,548	14.43	$65,657	
ATTENDANT - SAT & SUN - 8A-3A - 19HRS X 2 X 52 WKS	1976	10.45	$20,649	14.43	$28,514	
2 ATTENDANTS - FRI & SAT - 6P - 3A - 9 HRS X 2 X 52 WKS	1872	10.45	$19,562	14.43	$27,013	
TRAFFIC ATTENDANT - FRI, SAT & SUN - 6P-3A X 52 WKS	1404	10.45	$14,672	14.43	$20,260	
ATTENDANT - MON-FRI - 3P-7P-4HRS X 5 DAYS X 52 WKS	1040	10.45	$10,868	14.43	$15,007	
TOTAL	**10,842**		**$113,299**		**$156,450**	**$43,151**
17A - 13TH STREET GARAGE						
ATTENDANT-24HRS X 7 DAYS X 52 WKS	8736	10.45	$91,291	14.43	$126,060	
SUPERVISOR - 24HRS X 7 DAYS X 52 WKS	8736	12.02	$105,007	15.62	$136,456	
TOTAL	**17,472**		**$196,298**		**$262,517**	**$66,219**
17X LOT - 13TH STREET & COLLINS AVENUE						
2 ATTENDANTS - FRIDAY - 6P -3A - 9HRS X 52 WKS	936	10.45	$9,781	14.43	$13,506	
ATTENDANT - SATURDAY - 8A - 3A - 19 HRS X 52 WKS	988	10.45	$10,325	14.43	$14,257	
ATTENDANT - SATURDAY - 6P - 3A - 9 HRS X 52 WKS	468	10.45	$4,891	14.43	$6,753	
ATTENDANT - SUNDAY - 8A - 4P - 8 HRS X 52 WKS	416	10.45	$4,347	14.43	$6,003	

CITY OF MIAMI BEACH PARKING DEPT. ATTENDANT HOURS COMPARISON PREVIOUS CONTRACT VS NEW CONTRACT	TOTAL HOURS	CURRENT HOURLY RATE	TOTAL CURRENT $ YEAR	NEW HOURLY RATE	NEW CONTRACT $ YEAR	11/23/2004 INCREASE $ YEAR
TOTAL	**2,808**		**$29,344**		**$40,519**	**$11,176**
2A - 12TH STREET GARAGE						
ATTENDANT - 24HRS X 7DAYS X 52 WKS	8736	10.45	$91,291	14.43	$126,060	
ATTENDANT - THURS - SAT - 9P-4A - 7HRS X 3 DAYS X 52 WKS	1092	10.45	$11,411	14.43	$15,758	
ATTENDANT - SAT - SUN - 12P - 6P - 6 HRS X 2 DAYS X 52 WKS	624	10.45	$6,521	14.43	$9,004	
TOTAL	**10,452**		**$109,223**		**$150,822**	**$41,599**
42ND STREET GARAGE						
ATTENDANT- 12.5 HRS X 5 DAYS X 52 WKS	3250	10.45	$33,963	14.43	$46,898	
TOTAL	**3,250**		**$33,963**		**$46,898**	**$12,935**
11X LOT - COLLINS & 11TH STREET (LIFEGUARD LOT)						
ATTENDANT- FRI & SAT - 6P-12A - 6 HRS X 2 DAYS X 52 WKS	624	10.45	$6,521	14.43	$9,004	
TOTAL	**624**		**$6,521**		**$9,004**	**$2,484**
19X & 19B LOTS - 46TH AND 53RD STREET & COLLINS AVENUE						
2 ATTENDANTS - SATURDAY - 8A - 6P - 10 HRS X 26 DAYS (MAY-SEPT)	520	10.45	$5,434	14.43	$7,504	
2 ATTENDANTS - SUNDAY - 8A - 6P - 10 HRS X 26 DAYS (MAY-SEPT)	520	10.45	$5,434	14.43	$7,504	
TOTAL	**1,040**		**$10,868**		**$15,007**	**$4,139**
PREFERRED LOT - CONVENTION CENTER						
3 ATTENDANTS - 7A-5P - 10HRS X 180 EVENT DAYS	5400	10.45	$56,430	14.43	$77,922	
4 TRAFFIC ATTENDANTS - 7A-5P - 10HRS X 180 EVENT DAYS	7200	10.45	$75,240	14.43	$103,896	
2 SUPERVISORS - 7A-5P - 10HRS X 180 EVENT DAYS	3600	12.02	$43,272	15.62	$56,232	
TOTAL	**16,200**		**$174,942**		**$238,050**	**$63,108**
4E LOT - 18TH STREET & PURDY AVENUE						
2 ATTENDANTS - FRIDAY & SATURDAY - 6P-2A - 16HRS X 2 X 52	1664	10.45	$17,389	14.43	$24,012	
TOTAL	**1,664**	**10.45**	**$17,389**	**14.43**	**$24,012**	**$6,623**
SPECIAL EVENTS						
VARIOUS LOCATIONS - SEE ATTACHED DETAIL	1040	10.45	$10,868	14.43	$15,007	
TOTAL	**1,040**	**10.45**	**$10,868**	**14.43**	**$15,007**	**$4,139**
GRAND TOTAL	**115,026**		**$1,248,167**		**$1,694,802**	**$446,635**

CITY OF MIAMI BEACH PARKING DEPT. ATTENDANT HOURS COMPARISON PREVIOUS CONTRACT VS NEW CONTRACT	TOTAL HOURS	CURRENT HOURLY RATE	TOTAL CURRENT $ YEAR	NEW HOURLY RATE	NEW CONTRACT $ YEAR	11/23/2004 INCREASE $ YEAR
SPECIAL EVENTS DETAIL						
6B LOT						
2 ATTENDANTS - 8A-6P - 10 HRS X 10 DAYS	200	10.45	$2,090	14.43	$2,886	
TOTAL	**200**		**$2,090**		**$2,886**	**$796**
7C LOT						
ATTENDANT - 8A-6P - 10HRS X 6 DAYS	60	10.45	$627	14.43	$866	
TOTAL	**60**		**$627**		**$866**	**$239**
9B & 9F LOTS						
2 ATTENDANTS - 8A-8P - 12 HRS X 2 DAYS	48	10.45	$502	14.43	$693	
2 ATTENDANTS - 8A-8P - 12 HRS X 2 DAYS	48	10.45	$502	14.43	$693	
TOTAL	**96**		**$1,003**		**$1,385**	**$382**
16D & 16E LOTS						
2 ATTENDANTS - 8A-6P - 10 HRS X 10 DAYS	200	10.45	$2,090	14.43	$2,886	
2 ATTENDANTS - 8A-6P - 10 HRS X 10 DAYS	200	10.45	$2,090	14.43	$2,886	
TOTAL	**400**		**$4,180**		**$5,772**	**$1,592**
18A LOT						
2 ATTENDANTS - 8A-9P - 13HRS X 4 DAYS	104	10.45	$1,087	14.43	$1,501	
TOTAL	**104**		**$1,087**		**$1,501**	**$414**
SCHOOL LOT						
2 ATTENDANTS - 10A-7P - 9 HRS X 10 DAYS	180	10.45	$1,881	14.43	$2,597	
TOTAL	**180**		**$1,881**		**$2,597**	**$716**
GRAND TOTAL - SPECIAL EVENTS	**1,040**		**$10,868**		**$15,007**	**$4,139**

RESOLUTION TO BE SUBMITTED

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution Accepting Payment In The Amount Of $4.9 Million From St. Paul Fire And Marine Insurance Company As Settlement For The Following Cases: Felix Equities, Inc. Vs. City Of Miami Beach, United States Fidelity & Guaranty, A Foreign Corporation, And St. Paul Fire And Marine Insurance Co.; In Re: Linc. Net. Inc., Et Al.; And City Of Miami Beach Vs. United States Fidelity & Guaranty Company For The Citywide Water And Wastewater Pump Station Upgrades Project; Appropriating The $4.9 Million; Allocating Funds In The Amount Of $2,124,891 To Replace Funding Previously Appropriated For A/E Fees And Contingency For The Project; Allocating $596,692 As Additional Contingency For The Project; And Allocating The Remaining Funding In The Amount Of $2,178,417 To The General Trust Fund For Purposes To Be Determined At A Later Date For Approval By The City Commission.

Issue:

Shall the City Commission accept and appropriate payment in the amount of $4.9 million As Settlement For The Following Cases: Felix Equities, Inc. Vs. City Of Miami Beach, United States Fidelity & Guaranty, A Foreign Corporation, And St. Paul Fire And Marine Insurance Co.; In Re: Linc. Net. Inc., Et Al.; And City Of Miami Beach Vs. United States Fidelity & Guaranty Company For The Citywide Water And Wastewater Pump Station Upgrades Project?

Item Summary/Recommendation:

In 1992, the City initiated a citywide infrastructure improvement program to address rehabilitation and upgrades to the water, sewer and storm water systems. On August 8, 1998, the City issued Invitation to Bid for the Water and Wastewater Pump Station Upgrades Project (Bid No. 99-97/98) ("Project"), and on February 3, 1999, awarded the construction contract for the Project to Felix Equities, Inc. ("Contractor") in the amount of $17,692,568. On June 7, 2002, as a result of Felix Equities default, the City was required to terminate the contract, and shortly thereafter, Felix Equities and its parent corporation, Linc. Net, Inc. filed its Petition for Relief under Chapter 11 of the Bankruptcy Act. The City was engaged in litigation against the contractor and its surety bonding company. During the course of the litigation, all sides agreed to settle the cases, in the amount of $4.9 million payable to the City of Miami Beach by St. Paul Fire and Marine Insurance Company. The City has received said settlement payment, and now must appropriate and allocate the funds.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1	$4.9 million	Settlement Agreement	
2			
3			
4			
Total	$4.9 million		

City Clerk's Office Legislative Tracking:

Kristin L. McKew, Capital Projects Administrator

Sign-Offs:

Department Director	Assistant City Manager	City Manager

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AGENDA ITEM R7J

DATE 12-8-04

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: December 8, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING PAYMENT IN THE AMOUNT OF $4.9 MILLION FROM ST. PAUL FIRE AND MARINE INSURANCE COMPANY AS SETTLEMENT FOR THE FOLLOWING CASES: FELIX EQUITIES, INC. VS. CITY OF MIAMI BEACH, UNITED STATES FIDELITY & GUARANTY, A FOREIGN CORPORATION, AND ST. PAUL FIRE AND MARINE INSURANCE CO.; IN RE: LINC. NET. INC., ET AL.; AND CITY OF MIAMI BEACH VS. UNITED STATES FIDELITY & GUARANTY COMPANY FOR THE CITYWIDE WATER AND WASTEWATER PUMP STATION UPGRADES PROJECT; APPROPRIATING THE $4.9 MILLION; ALLOCATING FUNDS IN THE AMOUNT OF $2,124,891 TO REPLACE FUNDING PREVIOUSLY APPROPRIATED FOR A/E FEES AND CONTINGENCY FOR THE PROJECT; ALLOCATING $596,692 AS ADDITIONAL CONTINGENCY FOR THE PROJECT; AND ALLOCATING THE REMAINING FUNDING IN THE AMOUNT OF $2,178,417 TO THE GENERAL TRUST FUND FOR PURPOSES TO BE DETERMINED AT A LATER DATE FOR APPROVAL BY THE CITY COMMISSION.**

ADMINISTRATION RECOMMENDATION:

Adopt the Resolution.

FUNDING:

Funds in the amount of $4.9 million from St. Paul Fire and Marine Insurance Company are available for appropriation for these purposes.

ANALYSIS:

In 1992, the City initiated a citywide infrastructure improvement program to address rehabilitation and upgrades to the water, sewer and storm water systems. On August 8, 1998, the City issued Invitation to Bid for the Water and Wastewater Pump Station Upgrades Project (Bid No. 99-97/98) ("Project"), and on February 3, 1999, awarded the construction contract for the Project to Felix Equities, Inc. ("Contractor") in the amount of $17,692,568.

On June 7, 2002, as a result of Felix Equities default, the City was required to terminate the contract, and shortly thereafter, Felix Equities and its parent corporation, Linc. Net, Inc. filed its Petition for Relief under Chapter 11 of the Bankruptcy Act. The City was engaged

in the following related litigation against the contractor and its surety bonding company (United States Fidelity & Guaranty Company): FELIX EQUITIES, INC. VS. CITY OF MIAMI BEACH, UNITED STATES FIDELITY & GUARANTY, A FOREIGN CORPORATION, AND ST. PAUL FIRE AND MARINE INSURANCE CO.; IN RE: LINC. NET. INC., ET AL.; AND CITY OF MIAMI BEACH VS. UNITED STATES FIDELITY & GUARANTY COMPANY.

During the course of the litigation, all sides agreed to settle the cases, in the amount of $4.9 million payable to the City of Miami Beach by St. Paul Fire and Marine Insurance Company. The City has received said settlement payment, and now must appropriate and allocate the funds.

The City has since procured a new contractor to resume the work that Felix Equities had started, and funding in the amount of $2,124,891 was used from previously appropriated Water and Sewer Bond funds to pay for A/E fees to CDM and establish a new contingency for the project. The Administration recommends that $2,124,891 of the $4.9 million settlement be allocated toward these costs, replacing the Water and Sewer Bond funds.

There are several construction items that were foreseen during the re-procurement effort, for which funds were not set aside, due to final dollar amounts for those items not being available at the time. Since the re-procurement was completed, the City, assisted by the Consultant (Camp Dresser and McKee, Inc.) and the contractor (Widell, Inc.), has defined the costs for these necessary items. These items include the purchase of electronic devices that control the speed of the motor by controlling the frequency of the voltage called Variable Frequency Drives (VFDs), directly from the manufacturer; an allowance originally set as a fixed amount for Wet Well repairs for which costs were estimated by the contractor but were not final until the Wet Wells were actually opened and inspected (Wet Wells are wells inside pump stations where all incoming flows are directed to a single flow before screens separate solids prior to reaching the pumps); replacement of an existing valve which was found to be not operational by the Public Works Department; and a Change Order which includes safety enhancements required to correct code or operational deficiencies, such as:

- Replacement of steps in lieu of refurbishing existing steps into the station pits,
- Concrete Trench at Miami Beach Convention Center with cover for underground fuel pipes,
- Additional fencing around some stations,
- Connection of smoke alarms to SCADA system,
- Increased lighting within the stations, and
- Stainless steel sluice gates which control the flow of water through the pipes.

The Administration also recommends that $596,692 be allocated toward these costs so as not to further reduce the contingency for these items.

The Administration recommends that the remaining funding in the amount of $2,178,417 be allocated to the General Trust Fund (fund 601). Funds would remain in this Trust Fund until a suitable use was determined, at which time, the Administration would seek allocation

of the funds by the City Commission.

CONCLUSION:

The Administration recommends that the Mayor and City Commission adopt the Resolution, accepting payment in the amount of $4.9 million from St. Paul Fire and Marine Insurance Company as settlement for the following cases: FELIX EQUITIES, INC. VS. CITY OF MIAMI BEACH, UNITED STATES FIDELITY & GUARANTY, A FOREIGN CORPORATION, AND ST. PAUL FIRE AND MARINE INSURANCE CO.; IN RE: LINC. NET. INC., ET AL.; AND CITY OF MIAMI BEACH VS. UNITED STATES FIDELITY & GUARANTY COMPANY for the Citywide Water and Wastewater Pump Station Upgrades project and appropriating the funds, allocating funds in the amount of $2,124,891 to replace funding previously appropriated for A/E fees and Contingency for the project, allocating $596,692 as additional contingency for the project; and allocating the remaining funding in the amount of $2,178,417 to the General Trust Fund for purposes to be determined at a later date for approval by the City Commission.

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RESOLUTION TO BE SUBMITTED

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: **City Manager Jorge M. Gonzalez**

FROM: **Mayor David Dermer**

DATE: **December 1, 2004**

SUBJECT: **City Attorney's Annual Evaluation**

On October 16, 2004, Murray H. Dubbin completed his ninth year of permanent service as City Attorney. Pursuant to the terms of his employment, the City shall annually review and evaluate the performance of the City Attorney and "upon satisfactory performance review, the City shall award the City Attorney deferred compensation approved as such by Federal Law under the Internal Revenue Code . . . up to the maximum allowable amount . . ."

The City Attorney has heretofore provided the Mayor and Commission with a comprehensive report setting forth significant accomplishments of the City Attorney's Office over the past year. Further, the Mayor and Members of the City Commission have had the opportunity to work with the City Attorney and the City's legal staff and have had the opportunity to evaluate the performance of the City Attorney and the City Attorney's Office.

The Proposed Resolution of Engagement reflects proposed modifications of previous provisions as follows: the City Attorney has waived a cost of living adjustment; deferred income under Sec. 457 has been changed to comply with changes in the Internal Revenue Code and the Resolution reflects an adjustment in method of deferred income; and annual leave time has been increased. Upon adoption by the Commission, the Resolution containing such changes will become the City's contract with the City Attorney for the forthcoming year and until changed.

Accordingly, I am transmitting the accompanying Resolution declaring the City Attorney's performance to meet the terms of his engagement and amending the terms of his engagement, for Commission consideration at its meeting on December 8, 2004.

Encl.

cc: Members of the City Commission

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Agenda Item R7K
Date 12-8-04

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, RELATING TO THE CITY ATTORNEY; UPDATING AND REVISING HIS TERMS OF ENGAGEMENT; RECEIVING THE CITY ATTORNEY'S ANNUAL REPORT; FINDING HIS PERFORMANCE TO BE SATISFACTORY AND APPROVING THE AWARD OF DEFERRED COMPENSATION PURSUANT TO THE INTERNAL REVENUE CODE, AND SETTING AN EFFECTIVE DATE.

WHEREAS, Murray H. Dubbin was appointed City Attorney on September 27, 1995, effective October 16, 1995, pursuant to a Memorandum of Engagement, which on October 9, 1996 was incorporated in Resolution No. 96-22164; and

WHEREAS, the City Attorney's terms of engagement have been modified from time to time, the latest being Resolution No. 2003-25437, adopted December 10, 2003 which is made a part of this Resolution by reference; and

WHEREAS, allowable deferred income under Section 457 of the Internal Revenue Code has increased, the City Attorney has waived COLA increase for the year, and has requested an amendment to his leave time entitlement and the adjustment of deferred income, whereby it is appropriate that the terms of the City Attorney's engagement be updated and revised to conform to said factual changes; and

WHEREAS, the Mayor and Members of the Commission have reviewed the Attorney's Report and have personally related with and observed the City Attorney during the preceding year and upon such review and observation find and determine that his performance has been satisfactory and that he should be awarded the deferred compensation in the maximum amount allowed by the Internal Revenue Code and additional annual leave time as set forth hereafter; and

WHEREAS, it is the desire of the Mayor and Commission to continue Mr. Dubbin's engagement under the terms and conditions hereafter set forth.

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

Section 1. The findings set forth are true and correct and adopted as part of this Resolution.

Section 2. The City Attorney's Memorandum of Engagement is hereby revised and updated and Resolution No. 2003-25437 is hereby amended as follows:

A. In Section 2, Subsection 1. Base Salary is hereby amended to read:

1. Base Salary.

The City Attorney's base salary shall be annually set and budgeted by the City Commission. He waives consideration for annual cost of living adjustments (COLA).

B. In Section 2, Subsection 2 - Annual Performance Review is hereby amended to read:

2. Annual Performance Review

For satisfactory performance the City shall award the City Attorney deferred compensation approved as such by Federal Law under the Internal Revenue Code, or such other Federal or State laws which are applicable, up to the maximum allowable amount by the IRS for an employee in his category, commencing the first pay period of the calendar year 2005 and continuing as hereafter described. The City shall automatically deposit in City Attorney's account equal deposits of deferred compensation on a bi-weekly basis coincident with the City's payroll cycle, in lieu of one time lump sum payments at the end of each calendar year.

C. In Section 2, Subsection 3 is hereby amended to read:

3. Annual Leave

Commencing January 1, 2005, the City Attorney shall be entitled to the accrual of annual leave as prescribed for unclassified employees with ten years of service, plus an additional eight hours for each year of creditable service.

Section 3. The City Attorney is awarded deferred compensation for the year 2004 in the maximum amount allowed by IRS.

Section 4. In all other respects the provisions of Resolution No. 2003-25437 shall remain in full force and effect.

Section 5. Mr. Dubbin's engagement as City Attorney shall continue under and pursuant to the terms of this Resolution until the same are modified, amended or terminated by action of the Mayor and Commission.

Section 6. This Resolution shall become effective upon adoption.

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

ATTEST:

_____
MAYOR

_____
CITY CLERK

MHD:lm

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APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney 12/3/04 Date

CITY OF MIAMI BEACH
OFFICE OF THE CITY ATTORNEY

TO: **Honorable David Dermer, Mayor**
Vice Mayor Simon Cruz
Commissioner Matti Herrera Bower
Commissioner Luis R. Garcia, Jr.
Commissioner Saul K. Gross
Commissioner Jose Smith
Commissioner Richard L. Steinberg

FROM: **Murray H. Dubbin**
City Attorney

DATE: **December 2, 2004**

SUBJECT: **Annual Review and Evaluation of the Performance of the City Attorney**

My service as City Attorney on an interim basis commenced in June 1995 and as permanent City Attorney on October 16, 1995 pursuant to a Memorandum of Engagement which on October 9, 1996 was incorporated in Resolution No. 96-22164 and which then became my Contract of Employment.

That Memorandum of Engagement provided in part that prior to the end of each calendar year of service, my performance would be evaluated and if my evaluation was satisfactory, I would be awarded deferred compensation in the maximum amount allowable under Section 457 of the Internal Revenue Code (at the time $7,500). Since the adoption of Resolution No. 2000-24194, the IRS has allowed an increase in maximum compensation under Section 457.

My Compensation Plan has been revised and updated throughout my years of service, the latest update being adopted on December 10, 2003 and incorporated into Resolution No. 2003- 25437, a copy being attached to and made a part of this memorandum. This plan has been followed for the past year.

When COLA was provided to unclassified employees, I received COLA adjustments. I have voluntarily waived COLA adjustments for the year 2003 and again for the year 2004. Due to budget limitations at the adoption of the 2004-2005 Department Budget, I did not request a base salary increase. Accordingly, for the current and prior fiscal year (2003-2004) my base salary has remained unchanged.

For the current calendar year, I request your approval of the maximum deferred compensation under the Internal Revenue Code and that for the forthcoming year the maximum deferred compensation be deposited in my Section 457 account on a bi-weekly basis. I request that my annual leave time be amended to calculate annual leave based upon ten years of service plus eight hours for each year of creditable service.

2003-2004 Evaluation. If you consider my performance for the above period to have been satisfactory, I request that you adopt the proposed Resolution which declares such satisfactory evaluation, acknowledges my waiver of Cost of Living adjustments and approves award of the maximum deferred compensation allowed by the Internal Revenue Service. The Resolution further grants an increase in accrual of annual leave time, and readjusts the method of accrual of future deferred income under Section 457 to a bi-weekly basis.

To assist in evaluating this request, I have submitted separately my Annual Report of performance by the City Attorney's Office of significant matters, in the multiplicity of disciplines it has handled this past year.

MHD:lm

Encl.

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution approving, in substantial form, the Agreement between the Greater Miami Convention and Visitor's Bureau (GMCVB) and the City of Miami Beach, for a five (5) year term, commencing retroactively on October 1, 2004 and ending on September 30, 2009; further authorizing the City Manager's Office to conclude negotiations with the GMCVB as to the remaining points in the Agreement attached to this Resolution; providing that the final negotiated Agreement shall be subject to the final review and approval of the City Manager and City Attorney's Office, and that any substantive changes shall be brought back to the Mayor and City Commission; and authorizing the Mayor and City Clerk to execute the final Agreement.

Issue:

Shall the City Commission approve and authorize the execution of the Agreement?

Item Summary/Recommendation:

As discussed on September 1, 2004 and November 23, 2004, the parties have been negotiating in accordance with the parameters provided by the Finance and Citywide Capital Projects Committee. On September 13 and 27, 2004 and November 18, 2004, the parties met to further discuss these parameters. The Bureau presented a financial analysis outlining funding requirements over the term of the proposed contract (i.e. 5 years) to maintain the current level of services provided and implementation of some of the identified strategic initiatives.

On November 23, 2004, The Finance and Citywide Projects Committee directed the Administration to tie the contract remuneration to the Bureau's performance. If the City Commission concurs with this directive, then the Administration would recommend the CPI adjustment to the annual $5 million contribution be contingent upon achievement of mutually agreed upon performance measures. With the exception of this aforementioned clause, the parties reached agreement on the following terms, which are included in the attached contract.

Based on the foregoing, it is recommended that the Mayor and City Commission adopt the attached resolution and authorize execution of a new five (5) year contract between the GMCVB and the City of Miami Beach.

Advisory Board Recommendation:

Finance and Citywide Projects Committee – September 1, 2004 and November 23, 2004.

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Christina M. Cuervo

Sign-Offs:

Department Director	Assistant City Manager	City Manager
	CMC	CMC FOR

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AGENDA ITEM R7L

DATE 12-8-04

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: December 8, 2004

From: Jorge M. Gonzalez City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, IN SUBSTANTIAL FORM, THE AGREEMENT BETWEEN THE GREATER MIAMI CONVENTION AND VISITOR'S BUREAU (GMCVB) AND THE CITY OF MIAMI BEACH, FOR A FIVE (5) YEAR TERM, COMMENCING RETROACTIVELY ON OCTOBER 1, 2004 AND ENDING ON SEPTEMBER 30, 2009; FURTHER AUTHORIZING THE CITY MANAGER'S OFFICE TO CONCLUDE NEGOTIATIONS WITH THE GMCVB AS TO THE REMAINING POINTS IN THE AGREEMENT ATTACHED TO THIS RESOLUTION; PROVIDING THAT THE FINAL NEGOTIATED AGREEMENT SHALL BE SUBJECT TO THE FINAL REVIEW AND APPROVAL OF THE CITY MANAGER AND CITY ATTORNEY'S OFFICE, AND THAT ANY SUBSTANTIVE CHANGES SHALL BE BROUGHT BACK TO THE MAYOR AND CITY COMMISSION; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE FINAL NEGOTIATED AGREEMENT.**

ANALYSIS

On May 22, 2002, the Mayor and City Commission adopted Resolution No. 2002-24854, authorizing the renewal of the Agreement between the City of Miami Beach and the Greater Miami Convention and Visitors Bureau (the "Bureau") conditioned upon the issuance of a Request for Proposals (RFP) to review and assess the current Bureau governance, structure, processes and overall operations, and make recommendations as to what model and/or structure should provide the services to achieve optimal sales, marketing, and public relations efforts to enhance the City's Tourism and Convention Industries.

On July 31, 2002, the Mayor and City Commission discussed whether the City of Miami Beach should participate with Miami-Dade County and the City of Miami in a collaborative study and evaluation of the Bureau, and elected to conduct its own study.

On November 13, 2002 the Mayor and City Commission adopted Resolution No. 2002-25072 and authorized a contract with ERA to:

- Review and assess the Bureau governance, structure, processes and overall operations;
- Make recommendations as to what type of model/structure should exist to enhance the City of Miami Beach's tourism and convention industries;
- Compare and provide a comprehensive report on Bureau operations relative to

industry standards;
- Evaluate and recommend strategic approaches for the CMB to meet objectives identified in the Market Assessment; and
- Assess any adverse/positive impact as a result of the Bureau's efforts to market Greater Miami versus Miami Beach only.

On January 14, 2004 the City Commission referred discussion regarding the ERA study to Finance and Citywide Projects Committee.

On March 15, 2004, the Finance & Citywide Projects Committee discussed the City's review assessment and recommended structure of the GMCVB conducted by ERA. The Committee instructed the Administration to review and analyze the GMCVB's latest contract to rate how they have fulfilled their obligations and compare the City's consultant report in conjunction with Miami-Dade County's and the GMCVB's strategic plan. On July 28, 2004, the GMCVB's Strategic Plan was submitted to the Mayor and City Commission for their review and as required pursuant to the current contract.

Outlined below is a summary of the ERA Report and the GMCVB Strategic Plan which serves to consolidate the various findings and recommendations contained in the reports and studies conducted by the City, the GMCVB and the County, over the past year. Additionally, a summary of the GMCVB's contract performance and a summary of a City initiated survey conducted of Miami Beach Hoteliers and stakeholders vis-à-vis the GMCVB is also provided. Collectively, this information should be utilized to provide guidance relative to ongoing contract negotiations.

<u>ERA Study</u>
As stated above, ERA performed an analysis of the GMCVB for the City of Miami Beach. In summary, ERA's findings reflect the following:

Issue: Review and assess the Bureau governance, structure, processes and overall operations
Finding: GMCVB is performing professionally and effectively however, some immediate improvements are needed, namely improving the quality of the relationship between the Bureau and the City, completing the strategic plan and strengthening the governance of the Bureau.

Issue: Make recommendations as to what type of model/structure should exist to enhance the City of Miami Beach's tourism and convention industries
Finding: The GMCVB is the appropriate model/structure however there is room for improvement.

Issue: Compare and provide a comprehensive report on Bureau operations relative to industry standards.
Finding: Benchmarking the GMCVB against seven peer bureaus found operations in Miami to be comparable to those in other major tourist destination metropolitan areas.

Issue: Evaluate and recommend strategic approaches for the CMB to meet objectives identified in the Market Assessment.
Finding: The Strategic Plan should address targeting and positioning. The CMB can gain the most leverage on the invested effort by working through the regional bureau and yet maintain a local capability for ongoing tourism product development and community relations.

Issue: Assess any adverse/positive impact as a result of the Bureau's efforts to market Greater Miami versus Miami Beach only.
Finding: An attempt on the part of the CMB to "go it alone" independent of the GMCVB would have an adverse impact on Miami Beach. It is in the best interest of the CMB to continue to participate in the regional marketing structure provided by the GMCVB, but retain responsibility for some local tourism programs as well.

Strategic Plan
As required pursuant to the existing contract between the City of Miami Beach and the Greater Miami Convention and Visitor's Bureau (GMCVB) and serving as a consolidating document of the City of Miami Beach's Economic Research Associates (ERA) study, the Miami-Dade performance review and evaluation prepared by CSL/Marshall Murdaugh, research finding/recommendations by Ernst & Young, the attached Strategic Plan and Stated Goals is submitted as the GMCVB's future strategic work plan. The Strategic Plan was approved by the GMCVB Board and Executive Committee on July 21, 2004 and serves to consolidate the various findings and recommendations contained in each of the aforementioned studies/reports.

In summary, the Strategic Plan incorporates the findings and recommendations of the independent studies performed and the recommended priorities adopted by the GMCVB Board. The plan sets forth the GMCVB Shared Vision for the destination which is to be America's Premier Tropical, Cosmopolitan Destination and it lists 5 specific goals as follows:

- Enhance the Destination's Tourism and Related Infrastructure and Continue to Develop and Expand Attraction Assets
- Enhance the Visitor Experience
- Optimize Sales and Marketing Activities Resulting in Maximum Performance and Results
- Position the GMCVB as "True Stewards" and "Voice" of the Visitor Industry
- Establish Measurement Criteria for Each Element of the Strategic Plan (both for the GMCVB and the Community) including Clearly defined Leadership Roles, Time-Lines and Funding Requirements.

As the Strategic Plan is prepared in fulfillment of a contract requirement, future performance will be tied to the deliverables and performance measures contained therein.

GMCVB Performance
The Administration and GMCVB staff have reviewed the contract terms specified in the Amended Agreement between the City of Miami Beach and the Greater Miami Convention

and Visitors Bureau (GMCVB). Attached hereto and pursuant to my request, the GMCVB has prepared a Contract Performance Analysis for the contract period of October 1, 2002 through September 30, 2004 (to date) with regard to the key elements included in the contract. The analysis indicates that the GMCVB complied with all contract terms, including but not limited to, the Advertising RFQ requirements and maintaining Miami Beach's representation on the GMCVB Boards and Committees at 40% of the total. Additionally, a summary of the deliverables relative to the sub-market initiatives is included. A further review of the GMCVB performance in the area of Convention Sales and Marketing has been requested. Specifically, performance in the area of bookings, estimated economic impact and the resultant return on investment as well as a comparative visitor profile depicting growth in overnight visitors and in shoulder season occupancy will be provided.

I would rate the GMCVB's performance over the contract period to be generally positive. As in past years, we struggle with determining the direct and indirect outcome of their efforts but there is no doubt that tourism (in its broadest definition) in Miami Beach has prospered over the past two (2) years. Resort tax collection, average daily room rates and occupancy rates all indicate strong performance for the industry. While not completely or directly a function of the GMCVB's efforts, these indicators are influenced by their activities. A key indicator, however, is our focus on the summer festival season and the GMCVB has made and continues to make significant efforts to improve tourism during this period. Indications are that we have made great strides as a destination in generating business during the summer months.

While generally the industry and the destination has performed well during the past two (2) years, there are certain initiatives which I believe the GMCVB could have and should have been handled in a better manner. The issue of the office relocation is one example. It is my belief that this review was mishandled by the GMCVB leading to a greater strain on the relationships between the GMCVB and the City. While I am disappointed in the outcome, I am more troubled with the process. A decision of that significance should not have been considered and voted on by the Board in such a rushed manner with little or no sensitivity to the concerns of certain Miami Beach partners.

Another example is the entire Strategic Planning Process. While I am pleased with the final product, it should be noted that the plan was adopted by the GMCVB in July 2004, nearly one year later than its contractual deadline, and after significant input and modification from the City of Miami Beach.

<u>Stakeholder Survey</u>
As part of the City's review of the GMCVB's performance, in addition to the evaluation of their performance, the Administration solicited input from a variety of sources. This input included, but was not limited to, distributing a questionnaire to the following organizations:

Miami Beach Hoteliers
Stu Blumberg, Chair, Greater Miami and Beaches Hotel Association
Grace Calvani, Latin Chamber of Commerce
Elsie Howard, Chair, Visitors and Convention Authority

David Kelsey, South Beach Hotel & Restaurant Association
Lilliam Lopez, South Beach Hispanic Chamber
Michael Milberg/Bruce Singer, Miami Beach Chamber of Commerce
Steve Polisar, Chair, Nightlife Industry Task Force
Doug Tober, General Manager, SMG, Miami Beach Convention Center
Ada Llerandi, Chair, Cultural Arts Council

The questionnaire sought input as to the GMCVB's performance, strengths, weaknesses, effectiveness in promoting tourist services, key tourism industry needs, recommended future initiatives or enhancements and rating on member services.

Consistent themes in the survey included the GMCVB's ability to quickly respond to situations, leverage resources and partnerships and its increased representation of Miami Beach businesses. Areas for future focus include strengthening the small and boutique hotel program, increased marketing off-season, improving the image of destination, and continuing to improve convention center bookings. While some respondents rated member services excellent, some expressed the desire for better outreach and a greater Miami Beach presence by the GMCVB.

CONCLUSION:

As discussed on September 1, 2004 and November 23, 2004, the parties have been negotiating in accordance with the parameters provided by the Finance and Citywide Capital Projects Committee. On September 13 and 27, 2004 and November 18, 2004, the parties met to further discuss these parameters. The Bureau presented a financial analysis outlining funding requirements over the term of the proposed contract (i.e. 5 years) to maintain the current level of services provided and implementation of some of the identified strategic initiatives. The Bureau also identified the need for incremental funding of $7.1 million to implement additional identified strategic initiatives in the areas of convention sales and marketing and tourism that are not currently part of the work plan.

On November 23, 2004, The Finance and Citywide Projects Committee directed the Administration to tie the contract remuneration to the Bureau's performance. If the City Commission concurs with this directive, then the Administration would recommend the CPI adjustment to the annual $5 million contribution be contingent upon achievement of mutually agreed upon performance measures with the exception of this aforementioned clause, the parties reached agreement on the following terms, which are included in the attached contract:

Term:	-	5 years, termination for convenience with 60 day notice.
Funding:	-	$5 million base; commencing in the 2nd year of the contract, the base will be adjusted annually by the lesser of CPI-U or 3%, subject to Bureau's achievement of the agreed upon performance measures **(pending concurrence from GMCVB)**;

- GMCVB to provide funding for the CAC as follows:
  - Year 1 - $200,000
  - Year 2 - $100,000
  - Year 3 -5 $ 50,000, annually; and
- City allocation as Submarket Initiatives funded at $950,000 annually, within the base.
- $20,000 annually for scholarship fund **(not included in negotiated terms and conditions)**;

Performance Measures - Mandatory reporting benchmarks established in contract.

Governance Structure - New governance plan to be implemented by end of the first contract year (September 30, 2005).

Incentive: - Referenced above in the CPI clause; Bureau may contract for additional services, approved at sole discretion of the City, to be funded by City Resort Tax Contingency for Resort Tax related initiatives.

Watson Island Fund: - Estimated at $1,000,000 to be disbursed as follows: 2/3rd portion to be redirected to the Bureau's Business Recovery Fund, amortized over 5 year period, and the remaining 1/3rd portion to be reimbursed to City upon execution of agreement, to be reserved for use by the City for initiatives consistent with the purpose of the Agreement.

Based on the foregoing, it is recommended that the Mayor and City Commission adopt the attached resolution and authorize execution of a new five (5) year contract between the GMCVB and the City of Miami Beach; further authorizing the City Manager's office to conclude negotiations with the GMCVB as to the remaining points in the agreement attached to this resolution; providing that the final negotiated agreement shall be subject to the final review and approval of the City Manager and City Attorney's office, and that any substantive changes shall be brought back to the Mayor and City Commission; and authorizing the Mayor and City Clerk to execute the final negotiated agreement.

JMG/CMC/rar
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RESOLUTION NO._____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, IN SUBSTANTIAL FORM, THE AGREEMENT BETWEEN THE GREATER MIAMI CONVENTION AND VISITOR'S BUREAU (GMCVB) AND THE CITY OF MIAMI BEACH, FOR A FIVE (5) YEAR TERM, COMMENCING RETROACTIVELY ON OCTOBER 1, 2004 AND ENDING ON SEPTEMBER 30, 2009; FURTHER AUTHORIZING THE CITY MANAGER'S OFFICE TO CONCLUDE NEGOTIATIONS WITH THE GMCVB AS TO THE REMAINING POINTS IN THE AGREEMENT ATTACHED TO THIS RESOLUTION; PROVIDING THAT THE FINAL NEGOTIATED AGREEMENT SHALL BE SUBJECT TO THE FINAL REVIEW AND APPROVAL OF THE CITY MANAGER AND CITY ATTORNEY'S OFFICE, AND THAT ANY SUBSTANTIVE CHANGES SHALL BE BROUGHT BACK TO THE MAYOR AND CITY COMMISSION; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE FINAL NEGOTIATED AGREEMENT.

WHEREAS, on May 22, 2002, the Mayor and City Commission adopted Resolution No. 2002-24854, authorizing the renewal of the Agreement between the City of Miami Beach and the Greater Miami Convention and Visitors Bureau (the "Bureau" and/or "GMCVB"), conditioned upon the issuance of a Request for Proposals (RFP) to review and assess the current Bureau governance, structure, processes and overall operations, and make recommendations as to what model and/or structure should provide the services to achieve optimal sales, marketing, and public relations efforts to enhance the City's Tourism and Convention Industries; and

WHEREAS, on November 13, 2002 the Mayor and City Commission adopted Resolution No. 2002-25072, and authorized a contract with Economics Research Associates (ERA) to:

- Review and assess the Bureau governance, structure, processes and overall operations;
- Make recommendations as to what type of model/structure should exist to enhance the City of Miami Beach's tourism and convention industries;
- Compare and provide a comprehensive report on Bureau operations relative to industry standards;
- Evaluate and recommend strategic approaches for the City to meet objectives identified in the Market Assessment;
- Assess any adverse/positive impact as a result of the Bureau's efforts to market Greater Miami versus Miami Beach only; and

WHEREAS, on January 14, 2004, the City Commission referred discussion regarding the ERA study to the Finance and Citywide Projects Committee; and

WHEREAS, on March 15, 2004, the Finance & Citywide Projects Committee discussed the City's review assessment and recommended structure of the GMCVB conducted by ERA; and

WHEREAS, the Committee instructed the Administration to review and analyze the GMCVB's latest contract to rate how it has fulfilled its obligations and compare the ERA report, in conjunction with Miami-Dade County's findings and the GMCVB's strategic plan; and

WHEREAS, on July 28, 2004, the GMCVB's Strategic Plan was submitted to the Mayor and City Commission for their review and as required pursuant to the current contract; and

WHEREAS, based on the various findings and recommendations contained in the reports and studies conducted by the City, the GMCVB and the County, over the past year, recommend the Bureau model; and

WHEREAS, a summary of the GMCVB's contract performance and a summary of a City-initiated survey conducted of Miami Beach hoteliers and stakeholders vis-à-vis the GMCVB has also been reviewed; and

WHEREAS, the Bureau presented a financial analysis outlining funding requirements over the term of the proposed contract (i.e. 5 years) to maintain the current level of services provided and implementation of some of the identified strategic initiatives; and

WHEREAS, it is recommended that the Mayor and City Commission approve the attached Agreement, in the attached substantial form, subject to final negotiations with the GMCVB; the final Agreement should be subject to further review and approval by the City Manager and City Attorney's Office, and any unresolved substantive changes shall be brought back to the Mayor and City Commissioner for their consideration.

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 of the City of Miami Beach, Florida, approve, in substantial form, the attached Agreement between the Greater Miami Convention and Visitor's Bureau (GMCVB) and the City of Miami Beach, for a five (5) year term, commencing retroactively on October 1, 2004 and ending on September 30, 2009; further authorizing the City Manager's Office to conclude negotiations with the GMCVB as to the remaining points in the Agreement attached to this Resolution; provided that the final negotiated Agreement shall be subject to the final review and approval of the City Manager and City Attorney's Office, and that any substantive changes shall be brought back to the Mayor and City Commission; and authorizing the Mayor and City Clerk to execute the final negotiated Agreement.

PASSED and ADOPTED this 8th day of December, 2004.

ATTEST:

CITY CLERK

MAYOR

JMG/CMC/rar
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APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney 12-3-04 Date

CITY OF MIAMI BEACH
CITY ATTORNEY'S OFFICE

TO: **Jorge M. Gonzalez**
City Manager

Christina M. Cuervo
Assistant City Manager

FROM: **Murray H. Dubbin**
City Attorney

Raul J. Aguila
First Assistant City Attorney

DATE: **December 3, 2004**

SUBJECT: **Agreement between City of Miami Beach and Greater Miami Convention and Visitors Bureau (October 1, 2004 – September 30, 2009).**

The attached Agreement represents the City's final revisions as of December 1, 2004. The redlined portions of the Agreement indicate unresolved language that is still pending negotiations with the GMCVB.

Should you recommend that the Mayor and City Commission approve the attached Agreement, in the attached substantial form, subject to final negotiations with the GMCVB, the final Agreement should be subject to further review by this Office, and any unresolved substantive changes should be brought back to the Mayor and City Commissioner for their consideration.

RJA:lm.

Encl.

KEVISED
12-1-04

AGREEMENT
BETWEEN CITY OF MIAMI BEACH AND
THE GREATER MIAMI CONVENTION AND VISITORS BUREAU

THIS AGREEMENT, is made and executed as of this ____ day of _____, 2004 by and between the **CITY OF MIAMI BEACH**, a municipal corporation organized and existing under the laws of the State of Florida (the City or Miami Beach), and the **GREATER MIAMI CONVENTION AND VISITORS BUREAU, INC.**, a Florida not-for-profit corporation (the Bureau).

RECITALS:

WHEREAS, the City was formally a party to an Interlocal Agreement, dated September 30, 1993, by and among the Bureau and Miami-Dade County, the City of Miami Beach, the City of Miami, and the Village of Bal Harbour; and

WHEREAS, on January 6, 1999, the Mayor and City Commission negotiated a one year Agreement with the Bureau, with a term commencing on December 1, 1998, and ending on September 30, 1999; and

WHEREAS, following extensive meetings with the City's Blue Ribbon Committee on Conventions and Tourism, the Mayor and City Commission negotiated a new agreement with the Bureau, said agreement having a term commencing on October 1, 1999 and ending on September 30, 2002; and

WHEREAS, on May 22, 2002, the Mayor and City Commission adopted Resolution No. 2002-24854, authorizing the execution of a renewal of the aforestated Agreement between the City and the Bureau; said renewal having a term commencing on October 1, 2002, and ending on September 30, 2004, and further conditioned upon the issuance of a Request for Proposals (RFP) to review and assess the current Bureau's governance, structure, processes and overall operations, and make recommendations as to what model and/or structure should provide the services to achieve optimal sales, marketing, and public relations efforts to enhance the City's tourism and convention industries; and

WHEREAS, on July 31, 2002, the Mayor and City Commission discussed whether the City should participate with Miami-Dade County and the City of Miami in a collaborative study and evaluation of the Bureau; the City elected to conduct its own study; and

WHEREAS, on November 13, 2002 the Mayor and City Commission adopted Resolution No. 2002-25072, and authorized a contract with Economics Research Associates (ERA) to review and assess the current Bureau governance, structure, processes and overall operations, and make recommendations as to what model and/or structure should provide the services to achieve optimal sales, marketing, and public relations efforts to enhance the City's tourism and convention industries; and

WHEREAS, on March 15, 2004, the City's Finance & Citywide Projects Committee discussed the findings of the ERA report; the Committee instructed the Administration to review and analyze the Bureau's latest contract to rate how it had fulfilled its obligations, and compare the ERA report in conjunction with Miami-Dade County's findings and the Bureau's Strategic Plan; and

WHEREAS, on July 28, 2004, the Bureau's Strategic Plan, dated July 21, 2004, was submitted to the Mayor and City Commission for their review, as required pursuant to its current contract; and

WHEREAS, on September 1, 2004, a report was submitted by ERA, dated February 7, 2004, to the Finance and Citywide Projects Committee rating the Bureau's performance over the contract period to be generally positive, and recommended that the City Administration be directed to negotiate terms of a new agreement with the Bureau; and

WHEREAS, accordingly the City and the Bureau have negotiated the foregoing Agreement, with a proposed five (5) year term, commencing on October 1, 2004, and ending on September 30, 2009, and further subject to the foregoing terms and conditions, as set forth below.

NOW THEREFORE, the parties agree as follows:

SECTION 1 CONTRACT WITH THE BUREAU.

SECTION 1.01 Bureau Functions. Miami Beach hereby contracts with the Bureau for the following tourism and convention sales and promotion functions:

(a) To develop, promote, market, book and secure conventions, trade shows and group business;

(b) To expand, develop and promote tourism in the City of Miami Beach in the domestic and world markets, through consumers, travel agents, tour

operators, wholesales, airline marketing, media, advertising, and other modalities determined by the Bureau, including, but not limited to, expansion, development, and promotion of tourism in the City during the "off season", as said term is customarily defined within that industry;

(c) To maintain programs and services, in connection with the marketing and promotion of conventions and tourism, including convention services, tourist reservation services, and other operational and administrative programs in connection therewith; to prepare and distribute brochures, pamphlets and other advertising information, in a manner generally accepted in the tourism and convention industry, disseminating information about Miami Beach; to cooperate with segments of the private tourism and convention business community for the booking of hotel reservations, tour packages, car rentals, and other such services; and conducting activities normally provided by like convention and visitors bureaus in other parts of the nation;

(d) To engage in tourism and convention research and planning, and to conduct campaigns of information, advertising, publicity, marketing or sales relating to tourism, and conventions;

(e) To conduct or assist in the conducting and carrying out of any program or project designed to attract visitors and conventions within the market area of the City of Miami Beach, and to encourage and cooperate with public and private organizations or groups, hotels, motels, restaurants and other tourist related entities in their efforts to promote and attract tourists and conventions to and in Miami Beach;

(f) To employ, engage, compensate and discharge sufficient qualified personnel necessary to carry out the functions of this Agreement, and to budget, administer and implement the funds received by it;

(g) To actively seek out, raise, and increase private sector monies, gifts, fees, revenues and donations, in addition to the public funds transferred to it by the terms of this Agreement;

(h) To enter into contracts with agencies, corporations, persons, or other entities to accomplish any or all of the above;

(i) To the maximum extent possible, provide economic opportunities to Miami Beach businesses and vendors through the Bureau's procurement of goods and services, and to proactively market, promote and disseminate information to Miami Beach businesses and vendors with regard to the Bureau's procurement policies in an effort to provide increased competition and awareness as to new and future prospective bids, proposals, and other procurement opportunities;

(j) To implement the "Strategic Plan for Greater Miami and the Beaches Visitor Industry", dated July 21, 2004, and attached hereto and incorporated herein as Exhibit "A" (the Strategic Plan), subject to availability of funds [See Note in Section 1.03], as further provided in Section 1.03 of the Agreement;

(k) To involve in Bureau activities, to the maximum extent possible, policy makers of Miami Beach;

(l) In addition to actively seeking out and raising funding from the private sector, as set forth in subsection 1.01(g) herein, to do increased partnering, as well as co-promotions, with hotels, restaurants, retail venues, and other tourist draws and attractions within the City of Miami Beach;

(m) To continue to emphasize Miami Beach as a "destination resort" by way of campaigns of information, advertising, publicity, marketing and/or sales, and/or event production and promotion;

(n) To aggressively pursue and "court" television and other comparable media events including, but not limited to, the Super Bowl; Latin Grammys; MTV Video Music Awards, etc., that will air from, or host events from, the City of Miami Beach, and draw national and international media attention to the City;

(o) To support and contribute funds for the Miami Beach Convention Center Market Incentive Fund; and

(p) To perform any other function reasonably related to the policy and purpose of this Agreement.

Miami Beach acknowledges that priority for bookings shall be given to convention and group business that results in hotel room occupancy, in accordance with the Miami Beach Convention

Center Booking Policies, as same may be amended from time to time.

SECTION 1.02 Sub-market Initiatives.

Sub-market initiatives have been developed by the City, in partnership with the Bureau, and are detailed in Exhibit ____, which is attached and incorporated hereto. These initiatives are organized in a manner that meets the new established goals for the Bureau, as set forth in the Strategic Plan. The Bureau will be responsible for implementing these identified initiatives during the first contract year, (October 1, 2004 – September 30, 2005), of the Agreement. These initiatives will be revisited annually and established by the City, at its reasonable discretion, on an annual basis; such updated/re-established initiatives shall be evidenced each contract year with an updated Exhibit _____, and shall be implemented by the Bureau during the respective contract year.

The Bureau agrees that no less than ~~$1,000,000~~ $950,000 will be targeted annually during the Term of the Agreement to support and implement the sub-market initiatives in Exhibit ____, and as may be revisited and re-established by the parties.

Additionally, the Bureau hereby agrees to re-structure its Marketing and Tourism committee to fully reflect and be representative of the sub-market initiatives referenced in this Section 1.02 and in Exhibit ___ attached hereto, as same may be revisited and re-established by the parties.

SECTION 1.03 Implementation of Strategic Plan.

The Bureau has developed the Strategic Plan, attached as Exhibit A hereto, and hereby agrees, subject to availability of funding, to implement the recommendations set forth in said Plan **[Note: Need to provide language which references initiatives which are being implemented in current work plan]**. Additionally, the Bureau hereby agrees to further perform and conduct such additional research, as is identified in Task 4 of the Market Assessment prepared by ERA, dated August 25, 2003, and attached as Exhibit ___, which is attached and incorporated hereto.

SECTION 2 TERM

The term of this Agreement shall commence on October 1, 2004, and terminate on September 30, 2009 (the Term).

Notwithstanding the foregoing, the City may terminate this Agreement at any time, upon sixty (60) days written notice to the Bureau, in the event that the Bureau, in the sole discretion of the

City, fails to comply with any of the terms and conditions set forth in this Agreement. Upon receipt of said written notice from the City, the Bureau shall have thirty (30) days within which to cure the default(s) set forth therein. In the event that said default(s) is not cured within the aforestated cure period, this Agreement shall terminate with no further notice from the City required; said termination effective thirty (30) days from the date of the City's written termination notice; and the City shall have no further liability under this Agreement.

In the event of termination of this Agreement pursuant to this Section, or otherwise prior to the expiration of the Term herein, the City shall have no further obligation to fund and/or otherwise allocate and/or appropriate any remaining funds pursuant to this Agreement. Additionally, in the event of termination or other early expiration of this Agreement, the Bureau shall immediately remit back to the City any and all unencumbered ~~unearned~~ City funds allocated to the Bureau ~~for the remaining Term of the Agreement~~ including, but not limited to, the City's Contribution (as set forth in Section 4.01) and the funds allocated by the City toward the Bureau's Business Recovery Fund (as set forth in Section 4.02(c)).

~~In the event of termination of this Agreement any Bureau funding obligation regarding events in the City of Miami Beach, including but not limited to, Meeting Professional Industry, "Pow Wow", and Super Bowl, shall be assumed by the City.~~ [Note: City does not agree. Have to insert language stating that City shall have no liability for or obligation to fund beyond date of termination, unless City expressly agrees to do so].

SECTION 3 CITY PARTICIPATION ON BUREAU BOARD OF DIRECTORS, EXECUTIVE COMMITTEE, COMMITTEES AND/OR SUB- COMMITTEES

The Bureau shall be managed by a Board of Directors (Board), having such number of members and such composition as may be determined from time to time by the Bureau. Such Board shall be representative of the hotel and visitor industry and shall reflect the ethnic and multi-cultural diversity of the community, ~~and~~ be gender representative, and recognize that industry involvement is critical.

The Bureau shall act through an Executive Committee which shall meet between meetings of the Board. The composition of the Executive Committee shall be determined by the ~~Bureau~~ Board .

The Bureau shall also establish, as it deems appropriate, working committees and/or sub-

committees, which may include, but not be limited to, a Finance Committee; Marketing and Tourism Committee; Convention Sales Committee; Nominating Committee, and Community Relations Committee. The composition of such committees and sub-committees shall be determined by the Board.

Notwithstanding the foregoing, the Bureau herein recognizes the significant financial contributions made by the City of Miami Beach pursuant to this Agreement; accordingly, the Bureau and the City herein agree that, throughout the Term of this Agreement, the City's representation and membership on the Board, Executive Committee, and any and all committees and/or sub-committees, respectively, shall be as follows:

(a) Board of Directors.

The City's representation and membership on the Board shall be a number proportionate to the percentage amount of the City's total annual financial contribution to the Bureau, as set forth in this Agreement, in relation to the Bureau's total operating budget; but in no event shall said percentage be less than 30%. ~~[Note: GMCVB will provide new percentage based upon CMB's contribution; GMCVB says "30%" is no longer correct base minimum]~~ **[Note: Per City – percentage minimum must stay at 30%]** The aforestated members shall be voting members of the Board, selected by the ~~Bureau~~ Board from a slate submitted by the City Manager, and shall be

(i) residents of Miami Beach; and/or

(ii) representative of the hotel and visitor industry in Miami Beach; and

(iii) reflect the ethnic and multi-cultural nature of the City of Miami Beach, and be gender representative.

(b) Executive Committee.

The City's representation and membership on the Executive Committee shall be a number proportionate to the percentage amount of the City's total annual financial contribution to the Bureau, as set forth in this Agreement, in relation to the Bureau's total operating budget; but in no event shall said percentage be less than thirty percent (30%). ~~[Note: GMCVB will provide new percentage based upon CMB's contribution; GMCVB says "30%" is no~~

~~longer correct base minimum]~~ **[Note: Per City – percentage minimum must stay at 30%]**The aforestated members shall be voting members of the Executive Committee, selected by the ~~Bureau~~ Board from those members of the Board selected from the City's slate for the Board; however, the City's proportionate representation and membership on the Executive Committee must include the following:

(i) At the option of the City, the Mayor of Miami Beach or his/her designated representative (who shall be a member of the Miami Beach City Commission); and

(ii) the City Manager of Miami Beach.

(c) Committees and/or Sub-Committees.

The City's representation and membership on any and all Bureau committees and/or sub-committees, respectively, shall be a number proportionate to the percentage amount of the City's total annual financial contribution to the Bureau, as set forth in this Agreement, in relation to the Bureau's total annual operating budget; but in no event shall said percentage be less than 30%. ~~[Note: GMCVB will provide new percentage based upon CMB's contribution; GMCVB says "30%" is no longer correct base minimum]~~ **[Note: Per City – percentage minimum must stay at 30%]** The aforestated committees and/or sub-committee members shall be voting members and shall be

(i) residents of Miami Beach; and/or

(ii) representative of the hotel and visitor industry in Miami Beach; and

(iii) reflect the ethnic and multi-cultural diversity of the City of Miami Beach, and be gender representative.

Notwithstanding the above, throughout the Term of this Agreement

(i) the City Manager or his designee shall be a voting member of the Finance Committee; and

(ii) the General Manager of the Miami Beach Convention Center shall be a voting member of the Convention Sales Committee.

SECTION 3.01 Re-structure of Bureau, Board, Executive Committee, and/or Committees and Sub-Committees.

The parties acknowledge that on October 28, 2004, the Bureau approved a new governance plan, as recommended and set forth in the Strategic Plan (Exhibit A), and the March 5, 2004 Final Report prepared for the City by ERA; accordingly, by the end of the first contract year of the Term of the Agreement (September 30, 2005) the Bureau shall also implement the re-structure and make-up of the Board, Executive Committee, and any and all committees and/or subcommittees, as the aforestated Final Report relates to recommendations as to "Board Size" (page 4, IV-13 of the Report), and as attached and incorporated as Exhibit ____ hereto.

Notwithstanding the preceding paragraph, any new governance plan and re-structure shall, at a minimum, maintain the City participation, representation and membership on the Board, Executive Committee, and committees and/or sub-committees, respectively, as referenced and required by this Section 3.

SECTION 4 FUNDING.

SECTION 4.01 Contribution from Miami Beach (the City's Contribution).

(a) The City's total annual contribution to the Bureau for the Term of this Agreement shall be $5 million dollars. Said $5 million dollar amount shall be paid from the Municipal Resort Tax revenues levied and collected by the City pursuant to Chapter 67-930, Laws of Florida, and the respective ordinances applicable thereto, as amended from time to time (the Tax).

For purposes of this Agreement, the Tax shall be further defined as derived only from the two percent (2%) portion of the Municipal Resort Tax collections generated from the sale of hotel rooms, food and beverage, and alcohol throughout the City of Miami Beach.

(b) The City shall distribute the City's contribution to the Bureau after the following distributions and deductions have been made:

(i) Less four percent (4%) of the total gross revenues collected from the Municipal Resort Tax, for collection costs; and

(ii) All payments shall be junior and subordinate in all respect to any and all obligations of the City required under any resolutions or ordinances pursuant to which bonds or other indebtedness of the City of Miami Beach are issued which are secured by the Municipal Resort Tax.

(c) At the commencement of the 4th ~~and 5th~~ 2nd contract years of the Agreement, and at the beginning of every contract year thereafter, ~~respectively,~~ the annual City's Contribution will be adjusted by ~~2 ½%~~ 3% or the increase in the CPI-U, whichever is less; subject to and conditioned upon the Bureau's achievement of the agreed upon performance measures, as set forth in Exhibit ____ [Note: Bureau and City to insert Exhibit].

(d) The City's Finance Director shall be responsible for making such debits and credits, collection costs, and monies pledged to bonds or other indebtedness of the City, as set forth in this Section 4.

(e) The sole funding authority for payment of the City's Contribution pursuant to this Agreement shall be from the Tax revenues, and the City shall have no obligation to continue to pay the City's Contribution to the Bureau, or to provide an alternate funding source, in the event that adequate funds from the Tax revenues do not become available at any time during the Term of this Agreement.

~~(f) City agrees to expand the Miami Beach Convention Center, subject to funding availability, in accordance with CSL Report, dated _____.~~

(f) The Bureau and City herein agree and acknowledge that any unexpended portion of the City's total annual contribution to the Bureau during a respective contract year shall, within thirty (30) days of the commencement of the following contract year be either:

(i) utilized by the Bureau toward the annual sub-market initiatives referenced in Section 1.02 and Exhibit ____ (as same may be amended) to the Agreement (over and above the $950,000 targeted amount); or

(ii) reimbursed to the City.

SECTION 4.02 Public Funds. The Bureau shall maintain the City's Contribution and any and all other public funds allocated and/or appropriated to the Bureau pursuant to the Agreement, in an account or accounts segregated from and not commingled with any privately raised funds.

(a) Method of Payment and Disbursement. Throughout the Term of this Agreement, Miami Beach shall transfer to the Bureau its required share of the revenues described herein within thirty (30) days after the last day of the month in which Miami Beach received the funds.

(b) Prohibited Expenditures from Public Funds. The Bureau shall not expend public funds for the following: Bureau staff travel and entertainment, except that travel and entertainment expenses for up to eighteen (18) persons whose Bureau positions appear in Exhibit ____ [Note: Bureau to provide Exhibit], will be permitted when soliciting or promoting a major Convention or Corporate meeting, booking, or travel trade; any matters relating to the Bureau's function as an association, including but not limited to membership dues and salaries of personnel whose duties relate to membership marketing; the salary, benefits and prerequisites of the Chief Executive Officer; interest expenses on loans to the Bureau; and any and all other expenses relating to activities beyond the scope of this Agreement.

(c) Disposition of City Funds Formerly Pledged for Watson Island Visitor Center Facility. Pursuant to Section 2.02 of the Agreement between the City and the Bureau, dated _____, 1999, the City agreed to the use of certain City funds, currently estimated by the parties to be a minimum of $1,000,000, but said final exact amount to be verified by the City's chief financial officer, for the construction of the Bureau's proposed headquarters and visitor center, which was to be located on Watson Island, in the City of Miami Beach (the visitor center or the Facility). The City agreed to the use of said public funds solely for that purpose. Any change in use of the proposed Facility could not be made without the prior written consent of the City; which consent has heretofore not been given by the City.

The Bureau has since advised the City, and hereby represents, that it has

determined not to proceed with the construction of the Facility. Accordingly, in reliance on the Bureau's representation, the City hereby consents to the use of the City funds formerly pledged by the City toward the construction of the Facility as follows:

(i) An amount equal to the two thirds (2/3rds) portion of any and all City funds formerly pledged by the City toward the Facility, and currently held by the Bureau in that certain separate account/fund referred to by the parties as the "Watson Island Trust", shall be re-directed to a separate fund/account, to be maintained by the Bureau and referred to by the parties as the "Business Recovery Fund" (the 2/3rds portion).

(ii) While the parties agree and acknowledge that the entire 2/3rds portion shall be placed in the Business Recovery Fund, the Bureau agrees that its ability to access the 2/3rds portion shall be limited to five equal installments, each installment available for access to the Bureau at the commencement of each contract year (October 1st) during the Term of the Agreement (in this way, and notwithstanding the placement of the entire 2/3rds portion into the Business Recovery Fund, the net effect would be such that the City were essentially allocating a one-fifth (1/5) of the 2/3rds portion per contract year, for access and use by the Bureau).

(iii) In the event of termination or other early expiration of this Agreement, the Bureau shall immediately refund to the City, the unearned remaining balance of the 2/3rds portion due for the remainder of the Agreement.

(iv) An amount equal to the remaining one third portion of the City funds formerly pledged by the City for the construction of the Facility shall be reimbursed by the Bureau to the City concurrent with the Bureau's execution of this Agreement.

(the 1/3rd portion)

(v) The City, at its discretion, shall reserve the 1/3rd portion, to be used at a future date(s) by the City, in its reasonable discretion, toward initiatives, studies, projects, and/or other activities consistent with the purpose of this Agreement.

(vi) The Bureau agrees to amortize and accrue the 2/3rds portion over the Term of the Agreement. However, if an event, as defined in the Business Recovery Fund, and as attached and incorporated as Exhibit ____ hereto, were to occur during the Term of the Agreement which necessitated the use of all or a portion of the 2/3rds portion then, and only then, shall the Bureau be entitled to the use of said funds. Additionally, in the event that the Bureau is required to use all or a portion of the 2/3rds portion, it will immediately advise and notify the City Manager of any proposed use prior to allocation of same, and shall obtain the prior written consent of the City Manager prior to such use/allocation.

(d) Contribution from the Bureau to City

In consideration of the City's participation in this Agreement, throughout the Term herein, the Bureau shall make the following annual contributions to the City, as follows:

(i) $200,000 for the first Contract year, ~~and thereafter~~ $100,000 for the second contract year, and thereafter $50,000 per year - the first annual payment due upon execution of this Agreement and, thereafter, each year throughout the Term of this Agreement, payable on October 1st of the fiscal year then in effect; said contribution to be used by the City to provide continued funding for the City of Miami Beach Cultural Arts Council; and

(ii) $20,000 per year - the first annual payment due upon execution of this Agreement and, thereafter, each year

throughout the Term of this Agreement, payable on October 1st of the fiscal year then in effect; said contribution to be used by the City toward the establishment of a scholarship fund for qualified, in need Miami Beach residents or graduates of Miami Beach high schools pursuing a career in the Tourism Industry and/or Hospitality Management.

SECTION 4.03 No Impairment of Bond Obligations. In the event Miami Beach determines that the allocation of Tax revenues required to be made under Section 4.01 may impair the obligation of any contractual arrangement between Miami Beach and the holders of its bonds secured by said Tax revenues, Miami Beach's participation in this Agreement shall be forthwith terminated; provided, however, that in the event of such termination, Miami Beach shall continue to be bound by any prior committed contract, convention reservation or other commitment duly made by the Bureau up to the date of termination of this Agreement.

SECTION 4.04 Additional Services. Throughout the Term of this Agreement, the City may elect at its sole discretion, to contract with the Bureau for additional services, which may be funded from the City's Resort Tax Contingency Fund, or such other source of funding that the City may deem appropriate, and upon prior approval by Mayor and City Commission.

SECTION 5 INSURANCE.

The Bureau shall not commence any work and/or services pursuant to this Agreement until all insurance required under this Section has been obtained and such insurance has been approved by the City's Risk Manager. The Bureau shall maintain and carry in full force during the term of this Agreement the following insurance:

1. Consultant General Liability in the amount of $1,000,000.
2. Consultant Professional Liability/Errors and Omissions in the amount of $1,000,000.
3. Workers Compensation & Employers Liability, as required pursuant to Florida Statute.
4. Crime Insurance/Employee Dishonesty which provides third party or subscribes

liability in the amount of $ _____.

5. The insurance must be furnished by insurance companies authorized to do business in the State of Florida and approved by the City's Risk Manager.

6. Original certificates of insurance for the above coverage must be submitted to the City's Risk Manager for approval prior to any work commencing. These certificates will be kept on file in the Office of the Risk Manager, 3rd Floor, City Hall, Miami Beach, Florida.

All insurance policies must be issued by companies authorized to do business under the laws of the State of Florida. The companies must be rated no less than "B+" as to management and not less than "Class VI" as to strength by the latest edition of Best's Insurance Guide, published by A.M. Best Company, Oldwick, New Jersey, or its equivalent, subject to the approval of the City's Risk Manager. Compliance with the foregoing requirements shall not relieve the Bureau of the liabilities and obligations under this Section or under any other portion of this Agreement, and the City shall have the right to obtain from the Bureau specimen copies of the insurance policies in the event that submitted certificates of insurance are inadequate to ascertain compliance with required overage.

SECTION 5.01 Endorsements.

All of Bureau's certificates, above, shall contain endorsements providing that written notice shall be given to the City at least thirty (30) days prior to termination, cancellation or reduction in coverage in the policy.

SECTION 5.02 Certificates.

Unless directed by the City otherwise, the Bureau shall not commence any work and/or services pursuant to this Agreement until the City has received and approved, in writing, certificates of insurance showing that the requirements of this Section (in its entirety) have been met and provided for.

SECTION 6 INDEMNIFICATION.

The Bureau agrees to indemnify and hold harmless the City of Miami Beach and its officers, employees and agents, from and against any and all actions, claims, liabilities, losses, and expenses, including, but not limited to, attorneys' fees, for personal, economic or bodily injury, wrongful death,

loss of or damage to property, at law or in equity, which may arise or be alleged to have arisen from the negligent acts, errors, omissions or other wrongful conduct of the Bureau, its employees, Board members, committee and/or sub-committee members, agents, sub-consultants, or any other person or entity acting under Bureau's control, in connection with the Bureau's performance of any work and/or services pursuant to this Agreement; and to that extent, the Bureau shall pay all such claims and losses and shall pay all such costs and judgments which may issue from any lawsuit arising from such claims and losses, and shall pay all costs and attorneys' fees expended by the City in the defense of such claims and losses, including appeals. The parties agree that one percent (1%) of the total compensation to the Bureau for performance of the work and/or services under this Agreement is the specific consideration from the City to the Bureau for the Bureau's Indemnity Agreement.

The Bureau's obligation under this Section shall not include the obligation to indemnify the City of Miami Beach and its officers, employees and agents, from and against any actions or claims which arise or are alleged to have arisen from negligent acts or omissions or other wrongful conduct of the City and its officers, employees and agents. The parties each agree to give the other party prompt notice of any claim coming to its knowledge that in any way directly or indirectly affects the other party.

The City and Bureau hereby agree and acknowledge that the provisions of this Section 6 shall survive the Term of this Agreement.

SECTION 7 REPORTS, RECORDS AND EVALUATION.

The Bureau agrees, each contract year during the Term of this Agreement: (i)to provide to Miami Beach, through its City Manager, within ninety (90) days after the end of its fiscal year, an annual audited report covering the receipt and expenditure of public and private funds, prepared by an independent certified public accountant, in accordance with generally accepted accounting principles and practices consistently applied; (ii) to prepare and submit to Miami Beach, through its City Manager, a copy of the Bureau's annual budget, prior to approval of said budget by the Bureau, for said fiscal year; (iii) to submit an Annual Report to Miami Beach before the end of October of each year; (iv) to permit Miami Beach to carry out monitoring and evaluation activities in such manner as will effectively insure the cooperation of the Bureau in the performance of its functions, so long as such inspection and monitoring does not unreasonably impede or interfere with the functions of the Bureau, and such monitoring and evaluation activities may include inspection of

records of all expenditures from public and private funds; (v) to provide to Miami Beach such reports as may be reasonably requested by it (including, but not limited, to the IACVB containing annual comparisons of similar bureaus throughout the country); (vi) to provide, not less often than quarterly, an activity and financial report, setting forth generally the activities of the Bureau during the previous quarter; and (vii) to permit Miami Beach to conduct, at its own expense, a full and detailed annual audit of the Bureau's records to determine how the Bureau utilized public monies contributed under this Agreement and to permit Miami Beach to conduct, at its own expense, quarterly inspections of the Bureau's records, to the extent that those records relate to public funds. Any such audits or inspections shall be conducted in such manner and at such times so as not to unreasonably interfere with the day to day operations of the Bureau.

In order to satisfy the provisions of this Section 7.02, the City and the Bureau hereby agree and acknowledge that said provisions shall survive the Term of this Agreement, as set forth herein.

SECTION 7.01 In addition to the reports, records and evaluations set forth in the preceding Section 7, the City, at all times during the Term, reserves the right, at its sole option and discretion, to engage an independent consultant to review and assess the Bureau's governance, structure, process and operations, particularly with an emphasis on the impact of same related to the Bureau's performance pursuant to the Agreement. Accordingly, the Bureau herein warrants and represents to the City that it shall grant said consultant full and complete access to any and all records, documents, correspondence, as the Bureau may maintain throughout the normal course of its business, for inspection by the consultant, at the Bureau's main place of business, during normal working hours.

SECTION 7.02 Public Records and Open Meeting Policy. The Bureau shall adhere to the policy attached as Exhibit ____ to this Agreement regarding access to its Board, Executive Committee, and committee and/or sub-committees meetings, as well as its corporate records.

SECTION 7.03 Performance Reports ~~Measurements (Establishment of Measurement Criteria)~~. The Bureau agrees to provide the City with monthly and annual reports

measuring and benchmarking the Bureau's success as identified in the Strategic Plan. These reports shall include, but not be limited to, the following categories:

Operating Policies & Procedures:

Visitor Center Guidebook

Convention Sales Standard Operating Procedures

Convention Services Standard Operating Procedures

SMG/MBCC & GMCVB Marketing Agreement

Tourism Sales:

New leisure visitor generated and estimated visitor receipts

New tour operator sales leads generated and attendant dollar value

GMCVB Membership:

Increase Private Membership participation

Leverage and In-kind Support

ROI Analysis:

Conventions & Meetings

(annual number of conventions/meetings booked, anticipated delegates/visitors, room nights and total estimated delegates/visitors receipts)

Advertisings

(conversion analysis estimating actual new visitors, hotel room nights and visitors receipts)

GMCVB Website (hotel booking results)

Tourism Sales

Revenue Per Available Rooms (Rev Par)

Total Number of Positive Media Impressions

Resource Reports to be submitted:

Lost Business Reports

Cancelled Business Reports

In-kind Partnership Report

Conversion of Sales Leads to Business Booked

Convention Income Survey

Convention Summary Reports

E-Autofeedback Sample Survey

A more detailed list of required reports is provided in Exhibit _____, attached and incorporated hereto.

SECTION 8 PROCUREMENT OF GOODS & SERVICES.

In addition to the provisions of 1.01(i), the Bureau shall procure goods and services on a competitive basis and shall provide opportunities for African American, Hispanic American and women owned businesses and services. In order to promote a broader outreach and encourage new and diverse potential bidders and proposers, the Bureau shall use its best efforts in cooperating with the City to establish a broader-based "pool" from which to procure said goods and services. This may include, but not be limited to, workshops to be co-sponsored by the City and the Bureau for that purpose, said workshop(s) and to be held on Miami Beach.

SECTION 9 NOTICES.

All notices, demands and requests which are given by the parties shall be in writing and shall be deemed to be properly given if sent by United States mail, postage prepaid, addressed as follows:

As to Miami Beach: Attention: City Manager
City of Miami Beach
1700 Convention Center Drive
Miami Beach, FL 33139

As to the Bureau: Attention: President
Greater Miami Convention & Visitors Bureau
701 Brickell Avenue, Suite 2700
Miami, FL 33131

Any such names and addresses may be changed at any time upon the giving of written notice of such change sent by United States mail, postage prepaid, to the other parties affected by the change. A copy of any notice sent by one party to another shall be sent to all other parties noted above.

SECTION 10 STATUS OF BUREAU AS INDEPENDENT CONTRACTOR.

The parties hereto understand and agree that the relationship of the Bureau and Miami Beach is that of an independent contractor. In carrying out its functions under this Agreement, the Bureau is not, nor shall it ever be construed as, the agent or representative of Miami Beach, and this Agreement is not intended to establish a partnership, a joint venture, or the relationship of principal agent.

SECTION 11 GOVERNING LAW AND EXCLUSIVE VENUE.

This Agreement shall be governed by, and construed in accordance with, the laws of the State of Florida, both substantive and remedial, without regard to principles of conflict of laws. The exclusive venue for any litigation arising out of this Agreement shall be Miami-Dade County, Florida, if in state court, and the U.S. District Court, Southern District of Florida, if in federal court. BY ENTERING INTO THIS AGREEMENT, THE CITY AND THE BUREAU EXPRESSLY WAIVE ANY RIGHTS EITHER PARTY MAY HAVE TO A TRIAL BY JURY OF ANY CIVIL LITIGATION RELATED TO, OR ARISING OUT OF, THIS AGREEMENT.

IN WITNESS WHEREOF, Miami Beach and the Bureau have caused this Agreement to be duly executed in their name and on their behalf by their duly constituted officers, and the Bureau has caused this Agreement to be duly executed by its duly authorized corporate officers, all as of this _____ day of _____, 2004.

Attest:

CITY OF MIAMI BEACH

_____
City Clerk

_____
Mayor

Attest:

GREATER MIAMI CONVENTION & VISITORS BUREAU

_____
Secretary

_____
President

_____
Print Name

_____
Print Name

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STATE OF FLORIDA)
) SS:
COUNTY OF DADE)

The foregoing instrument was acknowledged before me this _____ day of _____, 2004, by Mayor David Dermer and Robert Parcher, City Clerk, or their designees respectively, on behalf of the CITY OF MIAMI BEACH, known to me to be the persons described in and who executed the foregoing instrument, and acknowledged to and before me that they executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this _____ day of _____, 2004.

_____
Notary Public, State of Florida at Large
Commission No.:
My Commission Expires:

STATE OF FLORIDA)
) SS:
COUNTY OF DADE)

The foregoing instrument was acknowledged before me this _____ day of _____, 2004, by _____, President, and _____, Secretary, or their designees respectively, on behalf of the GREATER MIAMI CONVENTION& VISITORS BUREAU, known to me to be the persons described in and who executed the foregoing instrument, and acknowledged to and before me that they executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this _____ day of _____, 2004.

_____
Notary Public, State of Florida at Large
Commission No.:
My Commission Expires:

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Exhibits

A Shared Vision:

To Be America's Premier

Tropical, Cosmopolitan Destination

A Strategic Plan for Greater Miami and the Beaches' Visitor Industry

Prepared by:

GREATER MIAMI CONVENTION & VISITORS BUREAU

in collaboration with:

Marshall Murdaugh Marketing / CSL International

Economics Research Associates (ERA) / Tourism Development Associates (TDA)

Ernst & Young

July 21, 2004

Greater Miami Convention & Visitors Bureau
Strategic Work Plan

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- Enhance Infrastructure and Attractions Assets
- Enhance the Visitor Experience
- Optimize Sales & Marketing Activities and Performance
- Stewardship and Voice of Visitor Industry
- Measurement Criteria and Return on Investment

I. Introduction

The Greater Miami Convention & Visitors Bureau's Executive Committee conducted its annual retreat on March 19-20, 2004. The primary focus of this retreat was to review and discuss the findings and recommendations of two separate and independent performance audits/reviews conducted by consultants engaged by Miami-Dade County and the City of Miami Beach, as well as a summary of findings, issues and recommendations identified by a team of consultants engaged by the Bureau to assist in the development and adoption of a Strategic Plan moving forward.

During the retreat, all three teams of consultants presented the written reports (on file and used extensively in the preparation of this report) and discussed with the Executive Committee the various components within.

The Executive Committee also conducted a review and discussion of each report and worked to establish a set of key priority issues facing the organization. At the conclusion of the retreat, the Executive Committee instructed staff to compile a comprehensive draft consolidating the findings and the issues identified, as well as to develop a formal outline and foundation for the adoption of an organizational Strategic Work Plan moving forward.

Staff also reviewed and incorporated in this report the findings and recommendations of the most recent Strategic Plan conducted in 1992/93, and provided an update on the goals stated within.

In addition, this strategic workplan incorporates findings, recommendations and issues identified to provide a outline for the adoption of the next phase of the Greater Miami Convention & Visitors Bureau Sales & Marketing Plan including the upcoming planning and prioritization cycle for the preparation and adoption of the Program of Work and Budget for FY 2004/05.

This report outlines a series of options and methodologies for the Bureau to incorporate in the establishment of performance measures as well as the calculation of Return on Investment formulas to track performance and impact. The report further identifies financial implications for the organization and industry stakeholders to consider in moving forward, as well as a summary of key issues addressing the destination's tourism product and visitor service levels.

The conclusion of this report also outlines five (5) specific Goals for the Greater Miami Convention & Visitors Bureau to adopt and advocate for in the implementation of strategies and programs moving forward.

The Visitor Industry Plan (VIP):
After Hurricane Andrew devastated South Dade in August 1992, the Greater Miami Convention & Visitors Bureau (GMCVB) was awarded a grant for tourism recovery activities from the U.S. Department of Commerce's Economic Development Administration (EDA). The South Dade EDA Executive Committee, working with the GMCVB, recommended spending part of the grant on a tourism strategic plan. Understanding that South Dade's tourism is intertwined with visitation to other areas of the county, it was agreed that the plan would include all of Dade County. This proved to be a key decision because tourism crime became a serious problem for the industry and directly contributed to the first declines in visitor numbers in the past 10 years. The consulting firm of Arthur Andersen was selected to facilitate the 10-month strategic planning process which resulted in the Visitor Industry Plan (VIP).

More than 300 visitor industry and community representatives from throughout Dade County participated in a strategic planning process from March-December 1994. A Working Group of 70 leaders crafted the initial vision, mission and goals, and elected a Steering Committee. More than 250 participants affirmed the goals and recommended objectives and strategies at a day-long conference and in dozens of subsequent Task Force meetings. Five town hall meetings, a government briefing, a legislative summit, and a private sector leadership focus group were held to get input from the public, as well as community and business leaders and appointed and elected officials.

Key Findings/Trends:
Observations and assessments of industry trends over the period from 1989-93 concluded that the tourism industry was being threatened. Significant challenges remained as the community recovered from the impact of Hurricane Andrew in 1992. And while the number of overnight visitors was again increasing, their average daily expenditures were on a decline. The percentage of overnight visitors coming for the purpose of "leisure and vacation" was also down slightly. Most significantly, there was a significant decline in the number of visitors from domestic markets (4.8 million in 1989 declining 28.4% to only 3.4 million domestic visitors in 1993).

Conversely, international visitors increased significantly during this period (an 86.6% increase from 1989-93) primarily due to booming Latin American economies and travel patterns. This resulted in a major shift in Miami's visitor mix from 62% domestic visitors in 1989 to 61% international visitors in 1993. There was also an increasing dependence on Latin American markets versus European markets as the region was dealing with the impacts of visitor safety and highly publicized crimes against tourist.

Visitor satisfaction levels continued to decline during this period with a corresponding decline in their likelihood to return.

Consumer and trade research in major markets also showed that key competitors for both leisure and convention business were perceived as offering a better product with a higher value. In addition, there was a perception that our competitors were offering newer products and better service.

Another concerning trend was our continued competitive disadvantage due to the significantly larger sizes of advertising budgets of many of our competitors that were outspending us, most notably the Caribbean region as a whole and many of its components. Miami's advertising budget was also lagging behind several in-state destinations.

Four primary goals were established in the final report of the VIP:

1. Maintain and Grow the Visitor Industry.
2. By Working Together.
3. Provide a Friendly, High-Quality, Safe Experience.
4. In a Unique Tropical, Cosmopolitan Setting.

As outlined in the full report and highlighted in the Executive Summary, a number of specific initiatives were recommended. They included, by Goal Area:

- Seeking passage of an additional 1% Food and Beverage Tax to significantly increase the GMCVB's advertising budget to competitive levels.
- Develop a new positioning and marketing theme.
- Expand cooperative marketing programs.
- Improve communications with the public.
- Review where and how public funds from industry taxes are currently being used.
- Form a special Task Force to work with South Dade and Key Biscayne on continuing post Hurricane Andrew recovery efforts.
- Develop strategic alliances with other community groups such as the Beacon Council and the newly formed Coalition of Dade County Chambers.
- Improving the quality of the visitor experience including service/hospitality, transportation and safety.
- Assist existing attractions/appeals with support for improvements and expansion plans.
- Develop multicultural and ethnic neighborhoods and appeals.
- Maximize opportunities for tie-ins with the arts and special events.

Update On Goals Stated/Overview 2004

Goal: **Seeking passage of an additional 1% Food and Beverage Tax to significantly increase the GMCVB's advertising budget to competitive levels.**

Outcome: There has been no successful implementation or resolution as to passage of additional dedicated resort taxes in support of destination marketing and promotion.

Goal: **Develop a new positioning and marketing theme.**

Outcome: The Bureau adopted a new position and marketing theme in 1997 that took advantage of the destination's unique positioning as one of the world's only "tropical" yet "cosmopolitan" destinations. The current advertising program expands on the foundation of this theme capitalizing on the aspirational characteristics of the visitor experience with images and strategies focused on the destination's "high value" target audience.

Goal: **Expand cooperative marketing programs.**

Outcome: Since 1994, the Bureau has launched a number of cooperative advertising programs both leveraging traditional placed advertising in consumer and trade publications as well a as number of strategic alliances with several industry partners including tour operators, airlines, credit card companies and car rental agencies. In 1999, the Bureau launched a major "summer cooperative" program designed to leverage dollars with industry partners at the most critical period of the year including a formal cooperative menu for member partners to participate in. The program has averaged approximately an additional $2 million leveraged with GMCVB advertising each year since (with the exception of FY 01/02, when a total of $5.2 million was generated cooperatively as a response to 9/11).

Goal: **Improve communications with the public.**

Outcome: The Bureau conducted a "Tourism is Everybody's Business" campaign in response to this goal, including a very successful PSA campaign featuring local ambassador Nestor Torres. Even though a number of continuous programs designed to communicate with Bureau constituent groups exist (news coverage of the success of the industry and related events, newsletters, on-line communiqués, etc.) there remains a significant opportunity for expansion in this area – especially with the public at large.

Goal: **Review where and how public funds from industry taxes are currently being used.**

Outcome: No formal or collaborative process for this review has been implemented by the Bureau, the industry or the public sector.

Goal: **Form a special Task Force to work with South Dade and Key Biscayne on continuing post Hurricane Andrew recovery efforts.**

Outcome: The Bureau secured an EDA grant in partnership with the Beacon Council in 1993 to support an initiative designed to focus on this goal. A comprehensive program was executed assisting in the reintroduction of the South Miami Dade/Key Biscayne community including promotional brochures, video and targeted advertising.

Goal: **Develop strategic alliances with other community groups such as the Beacon Council and the newly formed Coalition of Dade County Chambers.**

Outcome: The Bureau has enjoyed a partnership with the Beacon Council, the ongoing work of the Coalition of Chambers, as well as working directly with over 33 chambers, associations, and non-profit groups. The Bureau and the Beacon Council have conducted a number of joint sales missions, co-hosting familiarization tours and special events as well as occasional cooperative advertising efforts. There remains an opportunity for growth in this area as well as coalition-building opportunities within these groups for destination marketing, service training and joint membership services.

Goal: **Improving the quality of the visitor experience including service/hospitality, transportation and safety.**

Outcome: There have been a number of significant accomplishments in this area, most notably new and improved legislation and monitoring of the quality of the taxi cab industry and a continuation of the reduction of crime statistics related to the visitor industry and this community over the past decade. The Greater Miami and the Beaches Hotel Association organized the Volunteer Education Service Training Trust (VESTT) in 1995. At its conclusion in 1998, the program had interacted with over 10,000 employees in our local hotels. The VESTT Program was then incorporated by the Greater Miami Chamber of Commerce, and in subsequent years, a specially designed "train the trainer" manual was created to support hotels and to complement in-house and corporate training programs. In recent years, the City of Miami Beach and the Miami Beach VCA have partnered with the Bureau in a grass-roots industry Service & Attitude rally. The Bureau also has partnered with Miami International Airport in its commitment to customer service. There remains, however, the opportunity to expand greatly in this area.

Goal: **Assist existing attractions/appeals with support for improvements and expansion plans.**

Outcome: There have been a number of specific accomplishments in this area including major expansions of MetroZoo and the relocation to new venues for Parrot Jungle Island and The Miami Children's Museum. There have also been a number of major expansions of arts centers and museums as well as the ongoing construction of the new Performing Arts Center of Greater Miami. Such "city" attractions that have evolved since 1994 include the Lincoln Road pedestrian mall. The Bureau also has played a leadership role in studying and advocating for the expansion of the Miami Beach Convention Center.

Goal: **Develop multicultural and ethnic neighborhoods and appeals.**

Outcome: One of the most significant accomplishments in recent years has been the creation of the Bureau's Cultural Tourism Program including the creation of an in-house administrative staff assigned to facilitate the program. This has led to a more interactive relationship between the visitor industry and cultural institutions, as well as the continued emphasis on multicultural and heritage assets such as the Bureau's recent Heritage Guide and a new tour guide training program in partnership with Miami Dade College.

Goal: **Maximize opportunities for tie-ins with the arts and special events.**

Outcome: A fundamental objective of the Bureau's current advertising and public relations programs revolves around the promotion of special events held in this community. This includes a number of on-line and collateral materials designed to educate visitors and potential visitors alike. The Bureau's current primary sales and advertising program for the key months of the Summer/Shoulder - Festival Season, has at its heart this objective.

In the coming sections, several of these goals are revisited and expanded upon.

II. Audit & Research Reports - Summaries, Outcomes and Vision

Brief Summaries

1. **Marshall Murdaugh Marketing and CSL International,** *Greater Miami Convention & Visitors Bureau – Performance Review and Evaluation.* November 18, 2003.

   Retained by Miami-Dade County to assist in evaluating the operations of the Greater Miami Convention & Visitors Bureau (GMCVB). The objective of the study was to: "Independently assess the effectiveness of GMCVB Operations in serving its public sector partners, Miami-Dade County and cities of Miami and Miami Beach."

   The study incorporated the collection of significant amounts of data, outreach to individuals and organizations within the community, and the development of recommendations that could have a significant impact on the ability of the GMCVB to promote convention and tourism activity for all stakeholders and within all sectors of the Destination.

2. **Economics Research Associates (ERA) and Tourism Development Associates (TDA)** were retained by the City of Miami Beach to assess the structure of the GMCVB and its relationship to the City. The final report was submitted March 5, 2004.

   The team analyzed substantial amounts of research and interviewed stakeholders to generate its final report. A five-fold charge was required by the City of Miami Beach which was fully addressed in the ERA report. Recommendations were made for GMCVB best practices to optimize marketing and promotion results for the City of Miami Beach.

3. **Ernst & Young (E&Y)** was engaged by the Greater Miami Convention & Visitors Bureau to assist in the Strategic Planning Exercise.

   The team was retained to provide analysis of Miami as a destination, competitive markets, and visitor demand. As part of the Strategic Planning Exercise, the team identified target markets, brand positioning and marketing strategy. They also identified product enhancement opportunities and recommended further research initiatives.

   The team's activities included interviews with GMCVB representatives, lodging, attraction, and convention representatives. A series of syndicated research was purchased to assist in the analysis in collaboration with **Yesawich, Pepperdine,**

Brown and Russell (YPB&R). The team also conducted a strategy workout to discuss their findings, observations and conclusions.

4. **GMCVB Executive Committee Retreat.** In March 2004, the Greater Miami Convention & Visitors Bureau gathered for a two-day retreat. The purpose of the retreat was to analyze and evaluate the GMCVB audits from Marshall Murdaugh Marketing and Economics Research Associates plus the Strategic Planning Exercise from Ernst & Young. After evaluation and discussion, the Executive Committee determined key priorities and defined tasks for GMCVB staff to complete and to publish a GMCVB Strategic Plan for 2005 and beyond.

Summary of Findings and Recommendations from the Audits and Planning Phase Including Trend Analysis and Research Findings.

A. Marshall Murdaugh Marketing and CSL International

The Process:
The study incorporated the collection of available data, outreach to individuals and organizations within the community, and the development of recommendations that could have a significant impact on the ability of the GMCVB to promote convention and tourism activity for all stakeholders and within all sectors of the Destination. Key tasks included assessing the GMCVB's:

- Strengths, weaknesses, opportunities and challenges.
- Performance against stated goals and work plan and position when compared to similar organizations.
- Areas of improvement and recommendations.
- Quality level of sales, marketing, customer service, administration/management and support services.
- Research's impact on initiatives and available resources.
- Measurement and Performance reporting.
- Ideal model/structure to provide optimal public relations, sales and marketing efforts.
- Operations relative to industry standards.
- Marketing and Promotion efforts.
- Impact should a separate entity be created to promote just Miami Beach.

Key Findings:

- Annual increases in GMCVB funding have not kept pace with the competition which may be affecting the organization's ability to build brand awareness and motivate convention and leisure travel business.
- The current funding arrangement between Miami Beach and the GMCVB does not provide funding increases commensurate with tourism increases.
- Motivated by budgetary limitations, GMCVB has kept down costs on salaries and wages which could negatively affect overall performance.
- GMCVB's competent staff produces significant work volume while remaining professional and exhibiting high ethical standards.
- GMCVB responds well to changing conditions.
- GMCVB has doubled advertising budget through successful partnership programs.
- Miami is the umbrella brand. Other cities and municipalities should be used as descriptor assets.

Recommendations:

1. **Funding of GMCVB:** Annual increases in GMCVB funding have not

kept pace with the competition. GMCVB may be falling behind in its ability to build brand awareness and motivate convention and leisure travelers to the destination.

- Restructure the funding arrangement with Miami Beach to keep pace with the Destination's growth.

2. Advertising and Marketing:

- Use one marketing organization for the Greater Miami area to maximize and centralize consumer branding and destination message.
- Conduct research including Strengths/Weakness Analysis with the Miami customer to pretest and validate advertising plan.
- Create a new mission statement.
- Develop and implement an integrated annual marketing plan.
- Independently evaluate and compare the Web marketing program with competitive Bureaus for both functionality and ability to drive travel decisions.
- $500,000 budget should be devoted to worldwide Public Relations plus hire a top tourism PR firm.
- Launch a new community-wide branding campaign.

3. Operations:

- Execute internal monthly and annual marketing reports.
- Institute a monthly Miami Tourism Barometer, plus national tourism comparative analysis.
- Overall evaluation and return-on-investment reporting for all marketing efforts.
- Develop a value statement demonstrating GMCVB's return on investment.
- Expand the staff training program to include marketing sales leadership.
- Implement a periodic operational performance assessment.
- Have the department of Finance and Administration provide independent validation of GMCVB performance.

4. GMCVB Board:

- Should be more proactive in government relations.
- Restructure based on industry best practices.

5. Staff:

- Create published sales and marketing procedures and manuals.
- Change sales compensation to elevate sales staff recognition.

6. Convention Sales:

- Hire a third party telemarketing sales firm.
- Solicit major international conventions.
- Initiate a new marketing agreement with Miami Beach Convention Center.

- Create a formalized convention development fund; analyze why convention business is lost.
- Enhance convention service by benchmarking and analyzing future conventions.
- Develop an operation plan for the proposed visitor center.

7. **Membership:**
   - Expand membership especially in the restaurant category.
   - Membership needs assessment survey implemented.

8. **Community:**
   - Implement a comprehensive public affairs plan to include customer, community, and stakeholder relations and crisis management plans.

Research:
Marshall Murdaugh Marketing executed a focus group covering discussion questions about Greater Miami's strengths, weaknesses and challenges, how to maximize opportunities to achieve greater results for the future, and whether the GMCVB responds effectively to strengths to maximize visitor levels. The focus group was made up of approximately 35 senior community tourism industry leaders.

1. **Focus Group to discuss Miami's strengths, weaknesses, and challenges:**
   - **Destination Strengths include:** Varied and diverse attractions; South Beach; community is tolerant of diversity; sophisticated; electric atmosphere; nightlife and dining; weather; beach; brand.

The Destination's strengths are vast and diverse. And, the destination's strengths transcend governmental boundaries. Visitors to the area are most successfully motivated when outreach appeals directly to the visitor's individual desires.

- **GMCVB Strengths include:** highly ethical and fiscally responsible; successful at leveraging private sector marketing dollars; proactive crisis management; the organization's ability to generate incremental additional visitation; the organization's active role in major events; focus on niche marketing.

Focus group participants offered positive perceptions about the GMCVB's ability to generate incremental visits to the area, ethical integrity, proactive role in many areas and its ability to successfully leverage public dollars to generate private sector contributions.

- **Infrastructure Weaknesses:** Roads; taxis; public transportation interconnect; airport visitor information; signage (way-finding); parking; crime perception; lack of low cost carriers to market.

- **Visitor Industry Resource Weaknesses:** Hotel/restaurant customer service; language barriers; poor convention hotel block; condition of Miami Beach Convention Center.
- **Perception Weaknesses:** Two tourism seasons (January-April and May-December); convention competition.

Participants honed in on not providing a "visitor-friendly environment" because of infrastructure and service weaknesses. The group cited poor way-finding and internal roadway transportation, parking limitations, a lack of information outlets and low-cost carriers, and inconsistent customer service at hotels and restaurants.

- **GMCVB Weaknesses:** Limited funding for competitive marketing; no clear destination identity; leadership and industry fragmentation; community doesn't appreciate tourists; lack of political support; short-term nature of GMCVB funding structure.

The GMCVB's inability to consolidate its role as the primary marketer for the convention and visitor industry was identified as the organization's greatest weakness. GMCVB performance may be undermined by lack of appreciation for tourism by the community and governmental leaders. This lack of appreciation could be undermining the Bureau's effectiveness in interacting with governmental stakeholders. Likewise, the current funding structure used by Miami Beach works against long-term strategic and budgetary planning, both of which are necessary for optimal Bureau performance.

- **Challenges include:** Increase drive market; increase pre and post-cruise activity; fill the significant increase in hotel capacity; sustain gay/lesbian market; address politics and member in-fighting; improve Miami Beach Convention Center; address visitor industry infrastructure; improve Internet marketing; sustain competitive GMCVB budget; address stakeholder needs.

Addressing political and member in-fighting is a critical challenge. Strategic improvement recommendations to the Miami Beach Convention Center should be followed. Other areas that need to be addressed are consistent GMCVB funding streams, opening dialogue for stakeholder issues, improving the Destination's internet marketing and improving visitor appeal at the Airport.

- **Opportunities include:** Regional marketing program (include other communities in S. Florida); identify GMCVB as lead marketing agency for the Destination; train and educate visitor industry employees; plan to improve the visitor industry infrastructure; improve niche/seasonal marketing; empower the GMCVB through dedicated funding stream with longer-term commitments.

2. Benchmarking and Comparative Analyses

Benchmarking cities: Anaheim, CA, Atlanta, GA, Boston, MA, Charlotte, NC, Dallas, TX, Houston, TX, New Orleans, LA, Orlando, FL, Philadelphia, PA, San Antonio, TX, San Diego, CA, San Francisco, CA, Tampa, FL, Washington, DC.

- **Comparison of overall budget rank:** Orlando has the largest operating budget of the group at $39.4 million, double that of Miami. Miami ranks toward the upper end of the set reviewed.
- **Ratio of budget resources to hotel rooms:** Report indicates that the current GMCVB budget is somewhat proportional to the capacity of the hotel industry. If geographical and political diversity were also taken into account, the results may be different.
- **Ratio of budget resources to convention/trade show space:** Miami's resources are about in the middle of the comparative set. San Antonio, Tampa, Philadelphia and San Diego operate at substantially higher resource levels. This analysis demonstrates the resources available to effectively generate leads for area convention and tradeshow facilities.
- **History of budget increases:** For the comparative set, Bureau funding average increases are 37 percent. GMCVB's funding increase over the past five years is only 13 percent. Only three of the 14 other bureaus evaluated have experienced a lower total increase in budget resources over the past five years than Miami. The report indicates that the GMCVB is not being properly funded to effectively promote and market the Destination in a competitive convention and tourism market.
- **Miami Beach Resort Tax collections and GMCVB funding levels:** GMCVB funding has remained relatively flat while Miami Beach's gross resort tax collections have increased. GMCVB's funding must remain consistent with gross receipts in order to properly market the area. The current agreement does not allow for funding consistent with tax receipt increases.
- **Advertising budget comparison:** Data were available for only seven bureaus. Of the seven bureaus, Miami's budget was second highest after Orlando. This indicates that even during difficult times, GMCVB is maintaining a significant portion of it's total budget for advertising.
- **Comparison of Tourism/Convention budget allocation:** Within the comparative set, Miami spends the smallest percentage (25%) on convention marketing. Murdaugh suggests that this lower budget allocation is because of limitations with the Miami Beach Convention Center including a lack of committable hotel rooms near the Center and lack of dedicated general session/ballroom space.
- **Comparison of total Bureau staff:** Comparable bureaus have 23 percent more staff. GMCVB's staffing is comparable to bureaus with

substantially lower annual budgets. Low pay levels pose turnover and staff quality challenges.

- **Staffing trends over the past five years:** Only two bureaus, Miami and Philadelphia, reduced staff. Over the past five years, average staff increases have been 16 percent, or ten full-time positions. In the case of Miami, staff was reduced 20 percent, or 15 full-time positions. Without added personnel, sales and marketing efforts will eventually be impacted.
- **Comparison of total tax on hotel rooms:** Miami's 13 percent tax rate ranks toward the lower end of the major market set. This may indicate there is room for a modest rate increase with the funds dedicated exclusively to maximizing room night generation.

B. Economics Research Associates (ERA) and Tourism Development Associates (TDA)

The Process:
The team analyzed substantial amounts of research and interviewed stakeholders to generate its final report.

Five-fold charge was required by the City of Miami Beach:

1. Review and assess the current GMCVB governance, structure, processes and overall operations.
2. What type of model/structure should exist to provide the services necessary to achieve the optimal public relations and sales and marketing efforts to enhance the City of Miami Beach's tourism and convention industries.
3. Compare and provide a comprehensive report on GMCVB operations relative to industry standards.
4. Evaluate and recommend strategic approaches for the City of Miami Beach to meet marketing objectives identified in the Market Assessment, including targeting, positioning and communicating.
5. Assess adverse/positive impact as a result of GMCVB's efforts to market Greater Miami versus Miami Beach only. Evaluate how those efforts impact and maximize the assets and attributes of smaller communities through broad destination-wide sales and marketing approaches. Formulate recommendations for increasing overall effectiveness that unify and consider all stakeholders, creating a collective atmosphere in which to promote Miami Beach as a premier convention and tourist destination.

Key Findings:

- The GMCVB's governance, structure, processes and overall operations are performed professionally and effectively.
- The relationship between the City of Miami Beach and the GMCVB has deteriorated. Poor communication could be the cause.

- Governance – the City of Miami Beach provides one-third of the GMCVB's funding from the public interlocal partners. Representation on the board and key committees is proportional to this one-third financial support.
- Both the GMCVB's Board of Directors and Executive Committee are more than double the average size of its peers.
- GMCVB accounting practices, organizational structure, and size of membership are in keeping with its peer group.
- GMCVB differs from its peer group by operating with a smaller staff, spends less on payroll and spends more than average on direct promotion.
- GMCVB generates less than the average funding from private sources.
- GMCVB is the appropriate model/structure to maximize the City of Miami Beach's tourism and convention industries.
- Using one advertising agency for the region's marketing efforts is the optimal model.
- The City of Miami Beach can gain the most leverage on its marketing investment by working through the regional bureau.
- "Going it alone," independent of the GMCVB, will have an adverse impact on the Miami Beach economy.
- Miami is the brand identity for the region.

Recommendations:

- A Strategic Plan with shared goals and objectives could help in improving relations. The Strategic Plan should include: target markets for attracting visitors; position the various Greater Miami (and Miami Beach) tourism products within the field; suggest what new tourism and convention products to develop; prioritize improvements in the tourism infrastructure.
- Set a formula-based contribution with a long-term agreement to provide funding to the GMCVB.
- Let the GMCVB pursue its mission of marketing all of Greater Miami to the larger world.
- Reduce the size of the Executive Committee to give each remaining member greater influence.
- Rather than expect the GMCVB to undertake specific City of Miami Beach initiatives, the City should identify the programs that would remain under the full control of the City and would be in addition to GMCVB activities.
- Adopt the International Association of Convention and Visitor Bureaus (IACVB) Board set of standards for evaluating the GMCVB's performance.
- To improve communication, assign one person at the City of Miami Beach and the GMCVB to communicate directly with each other.
- Additions to Existing Research - cross-tabulations from existing research tools are requested including: convention vs. leisure visitors; breakout

boutique hotel stay; expand media preferences; income; international market; *High-Value Customers*.

- New Research – Opposition research; conversion studies; non-converted travelers.

C. Ernst & Young (E&Y) with Yesawich, Pepperdine, Brown & Russell (YPB&R)

The Process:
The context for the strategic planning exercise included a GMCVB planning session and strategy recommendations discussion, review of existing research, interviews with market stakeholders and representatives in selected competitive destinations, and consumer interviews with individuals interested and not interested in Miami.

Key Findings:
Regional Assessment:

- Results of destination assessment summary matrix.
- Results of demand segment analysis (leisure, corporate, group).

Competition:
Among adults interested in visiting Miami, key Sunbelt leisure competitors are Key West, Orlando and Ft. Lauderdale. Other Sunbelt destinations of interest are California and the Caribbean.

The Caribbean poses formidable competition since 87% of visitors interested in visiting Miami are also interested in visiting the Caribbean.

In rank order, Orlando, Atlanta and New Orleans are primary convention business competitors, while Ft. Lauderdale and Tampa represent secondary competition.

- Orlando's strengths are that it is a more convenient drive-to destination, has air access on low fare carriers which reduces the cost of getting to the destination, web site offers vacation packages and planning services, positive visitor experience at the airport. However, Orlando does not have the beach nor is it a cosmopolitan metropolis, both of which benefit Miami as a destination.

- Ft. Lauderdale is making significant improvements including those at the seaport and airport. Low-cost carrier access offers an alternative to traveling into Miami. Recent service enhancement programs have been performed and the convention facilities have recently been expanded. The destination's weaknesses include a lack of international flights and a lingering Spring Break image.

- Key West competes with Miami for a niche of the leisure segment especially among drive-to and gay visitors.

According to D.K. Shifflet, when compared to key leisure and convention competitors as a destination (Orlando, Ft. Lauderdale, Las Vegas and New Orleans), Miami received lower ratings for overall satisfaction, value for money, overall satisfaction with accommodations, and service satisfaction with accommodations. It was also rated low by visitors who took a getaway weekend or a general vacation.

Miami was rated the highest of the competitive group by visitors who came to Miami to visit friends or relatives.

Visitor Demand Research:
According to original research conducted by YPB&R, the following trends were noted:

- Leisure travelers interested in visiting Miami have some college education, have children who are under 18 years old, are white non-Hispanic and live in metropolitan areas.
- Among those not interested in visiting Miami, over 40% are not interested because of the perception of crime; other reasons are because the destination is perceived to be overpopulated, and too hot and humid. Only 10% are not interested because of the destination's diversity.
- Of particular concern, 69% of those not interested in Miami have already visited. More recent visitors are more predisposed to revisit Miami.
- Miami's highly desirable attributes are: beautiful scenery; offers fun/exciting experiences; the beach; its tropical/cosmopolitan atmosphere.
- Three-quarters of leisure travelers interested in visiting Miami use the Internet to obtain travel information or make travel reservations.
- Target market (geographic) – 48% are international, 52% are domestic (70% out of state, 30% in-state).
- Target market (demographics) - 25-54 adult, $75K+ household income (skewing to $100K+), the strong majority are white non-Hispanic couples or married, and are college graduates. Twenty-one percent are families. Five to 10 percent of the couples are gay. About one in five come from diverse ethnic backgrounds. This situation provides a sound foundation for a diversity marketing program for the destination. D.K. Shifflet research indicates that 50% of the domestic market arrives by car. This contradicts the GMCVB intercept surveys that indicate nearly 96% of visitors arrive by air.

Recommendations:
1. Brand Positioning

- Recommend "A Thriving Tropical Metropolis" as the evolution of the Tropicool brand. Miami is the only major U.S. city that compares with New York and Los Angeles as an urban vacation destination.

This brand evokes urban sophistication, and a multicultural tropical vacation experience.

- Create Miami as the umbrella brand. Within the brand architecture, Miami's communities should be treated as the sub-brands.

2. Product Development Initiatives

- Improve way-finding and brand environmentalism (support beautification efforts around the Performing Arts Center, development of pedestrian-friendly waterfront corridor and implementation of Miami River Commission recommendations).
- Become a first-class meeting destination by expanding Miami Beach Convention Center to include a banquet hall and integrating into Lincoln Rd. Mall. Execute a MBCC headquarter hotel study, beautify the Washington-Collins Avenue corridor and improve Bay-link transportation.
- Improve Miami Knight Center consistent with CSL Study.
- Demolish Coconut Grove Expo Center, analyze other potential uses.

3. Attraction Enhancement

- Create a branded city pass to include transportation and admission to sites.
- Seaquarium - relocate park and enhance waterfront activities.
- Miami Beach - more public beach access, enable pedestrians to see the ocean.
- A new baseball stadium is not a major priority.

4. Service and Value Perception Enhancement

- Create a service quality Task Force to develop a service program (Ft. Lauderdale's branded service program is SUNsational ™).
- Miami International Airport Task force to keep expansion focused on customer needs and making the facility customer-friendly.

5. Marketing Strategy Initiatives

- Use dedicated marketing funds to address the needs of the primary markets and co-op funds for vertical markets.
- Create a pool of incentive funds specific to attracting meeting and convention business in order for Miami to remain competitive.
- Re-allocate advertising funds. Current advertising levels are insufficient to sustain meaningful presence in media. 2002/2003 advertising expenditures declined 32 percent from 2001/2002.
    - Increase trade media 20%.
    - Increase online advertising and merchandising to at least 20% of total.
    - Allocate available advertising funds to broader target market.
    - Allocate future advertising funds to vertical markets.
    - $750,000 for additional trade advertising (international).

- $2 million additional for television advertising in key domestic markets.
- $500,000 additional for online media and Internet.
- More money for advertising production to support media expenditure.
- Off season marketing devoted to vertical markets.
- Consider promoting other available activities such as nature and sporting experiences.

6. Integrated Promotional Strategy

- Review and update sales promotion and collateral.
- Refocus publicity and public relations programs to counter crime perception.

7. E-marketing Initiatives

- Enhance GMCVB website, drive visitors through Miami into communities.
- Review URL and explore alternate addresses.
- Enhance website interface and design to be more interactive and destination-driven.
- Review booking tools.
- Ensure brand control and consistency (online message consistent with off-line communication).
- Keep content fresh.

8. Research Initiatives

- Use D.K. Shifflet to track visitor profiles and Synovate intercepts for guest activities.
- Implement measurement programs for: actual advertising performance (copy testing); awareness testing; cost per inquiry tracking analysis; and semi-annual conversion studies.
- Execute semi-annual Destination Awareness, Interest and Perception Research.
- Execute annual meeting planner and travel agent research.
- Execute tourism economic impact research.

9. GMCVB Sustainable Funding

- Create a task force to explore alternatives to current funding protocol that provides for predictable and sustainable funding over the long term. This will enable the Bureau to better plan, implement and evaluate multi-year programs.

Recommendation Additions:

- Cultural Diversity Program Development.

- Expand GMCVB presence in vertical markets (spa and gay).
- Conduct analysis of other high-interest Sunbelt destinations.

D. GMCVB Executive Committee Retreat

The Greater Miami Convention & Visitors Bureau Executive Committee gathered for a two-day retreat in March 2004. The purpose of the retreat was to analyze and evaluate the GMCVB audits from Marshall Murdaugh Marketing and Economic Research Associates, plus the Strategic Planning Exercise from Ernst & Young. After evaluation and discussion, the Executive Committee determined key priorities and defined tasks for GMCVB staff to complete and to publish a GMCVB Strategic Plan for 2005 and beyond.

The Executive Committee reached a consensus on the following priorities to be addressed in the GMCVB strategic plan:

- Find ways to attract more private sector funding over and above membership dues.
- Create a public funding model that correlates with and provides for GMCVB funding as tourism dollars increase. In particular, a formula for shared resort tax monies should be fully investigated.
- To address improving community affairs, explore adding a position of Senior Vice President of Public Affairs at the GMCVB.
- Better inform the public of the GMCVB's economic contribution to the Greater Miami community. Increased tourism directly contributes to local and state taxes and increased jobs, which in turn improves the quality of life of Greater Miami residents and individual communities.
- A strategic plan will be drafted in May 2004 with a final document published by mid-July 2004. The Bureau will develop the plan with input from select consultants, strategic alliance partners and all stakeholders.
- Goals for the Greater Miami destination will include:

    1. Minimize the effects of seasonality.

    2. Expand market base.

    3. Expand and improve the quality of the Miami Beach Convention Center.

    4. Eradicate negative visitor and resident perceptions of the destination.

    5. Improve the product of the destination.

    6. Continue to improve overall level of customer service.

    7. Improve the "Attraction" infrastructure.

8. Identify and grow customers' value proposition.

9. Implement an ongoing community-based education program promoting the value of tourism.

10. Improve way–finding.

11. Define the stakeholders and increase stakeholder base.

12. Retain market share and keep the repeat visitor.

13. Improve the marketing of our submarkets.

14. Include residents in the marketing of the destination.

15. Explore methodologies along with the destination's capacity to increase overnight visitors by 5-10% every year, for the next three years.

III. Sales & Marketing Strategies to Produce Desired Outcomes

Convention Sales

Mission Statement:
The mission of the Convention Sales Department is to serve as the community's convention, trade show and meeting development marketing arm, aggressively marketing Convention Centers and hotels and generating economic growth through convention development and room nights booked, while building total meetings business for the city as a convention destination.

Current year achievements will be updated at the end of 2004 and will include definitive statements quantifying:

- Conventions booked by year-end, number of room nights generated and economic impact in future dollars.
- 2004 major citywide convention bookings for the Convention Centers and the community and estimated room nights.
- 2004 total hotel bookings and total room nights.
- Details of how the Convention Sales Department sold the community in 2004 through other marketing activities including trade shows, conventions and sales forums, sales missions conducted, clients hosted on major destination familiarization reviews and site inspections conducted.
- Details of 2004 partnerships with key industry associations.
- Details of 2004 convention development funds used to book and develop new accounts and accounts in transition.
- Industry publication awards received.
- 2004 details of planned and executed sales blitzes and resulting leads.

Situation Analysis:
Convention Sales Situation Analysis will be detailed during the GMCVB's budget and goal-setting process in the 3rd and 4th quarters of 2004. As applicable, detail will be provided on:

- The Convention Center was built to attract the lucrative convention, trade show and meetings market.

- The percentage of the Center's total business that trade shows, conventions and public shows represent.

- The total number of first-class hotel rooms that Miami currently has and the projected committable room base.

- The Convention Sales Department will continue to aggressively target trade show/convention business while generating corporate, association, labor and social group leads for the hotel community and convention center. Marketing goals, objectives, tactics and competitive factors will be outlined in this plan.

- Factors influencing our aggressive sales approach include the construction of new attractions, shopping, dining and entertainment options, as well as the increase in the room inventory. This will help support citywide conventions and drive renewed interest in the destination.

Convention Sales Goals

Convention sales goals will be determined during the GMCVB's budget and goal-setting process in the 3rd and 4th quarters of 2004. As applicable, detail will be provided on:

- Convention and trade show bookings and confirmations, the resulting room nights and the anticipated results comparison to 2003/04.

- Bookings of meetings and conventions for hotels, the total room nights and the anticipated percentage increase over 2003/04.

- Annual bookings, room nights, number of attendees and revenue totals from delegate spending, plus gross square footage used.

- Lead generation goals through the Washington, DC office.

- Solicitation of Industry-related convention and meetings in the trade show and convention market, tourism market and communications field.

- Conduct special projects to generate leads for the Convention Centers and hotel community during off peak and shoulder season.

- The Convention Sales staff will implement a plan to join committees and boards of key industry organizations. This will heighten the city's exposure to clients, as well as create an equal professional plane, which will help build relationships that will develop into leads and bookings.

- Convention Sales will continue to develop superior communication with city hotels and other key business partners.

- Produce new promotional material enhancing the brand to promote the destination's hotels and the Convention Centers.

- Explore relationships with representative firm(s) that specializes in producing new contacts and helps to generate leads for trade shows at the Convention Centers.

- Explore relationships with a hotel telemarketing organization to generate leads for the hotels.

2004 Convention Sales Objectives

Objective One: **Increase long-term bookings of conventions, meetings and trade shows for 2004 and beyond for the Convention Center and citywide hotel business. Book and confirm such commitments, generating a specified number of hotel stay nights and Convention Center square footage usage.**

Strategy 1:
Generate Convention Center leads (totaling an estimated number of room nights) by targeting cities in select geographic areas and businesses in key categories. Trade show companies, associations and corporations are a prime source of new business in these lucrative markets. Target meeting, convention and trade show business that will use peak room nights and a minimum of gross square feet to fill the Convention Center and support growing room inventory.

Tactics:

- Generate communications via telemarketing contacts and e-mail.
- Conduct sales missions generating personal sales calls. Individual sales managers will be assigned missions in their respective markets.
- Increase exposure to the destination via site visits. Marketing efforts are targeted at producing site visitations by individual decision-makers, boards of directors, site committees, trade show management teams and key exhibitors. Comprehensive tours of the Convention Center, marketing partner facilities and the city are aimed at stimulating interest and securing commitments.
- Participate in industry trade shows, conventions and sales forums. The Action Calendar details the department's schedule of industry conventions and trade shows.

- Work directly with SMG's corporate offices to identify top corporate customers and major trade show companies to market the Convention Center.
- Use Internet marketing to send quarterly messages and images of the destination to target prospects and current customers from our database.

Strategy 2:
Continue to generate excitement about new city developments by participating as a destination at major trade shows and meetings and by continuing our aggressive convention destination familiarization review program, sponsorships at industry functions, conducting small dinner destination events and taking our showcase events on the road to tell the destination's story.

Tactics:

- Host exciting destination reviews corresponding with special events and mini-familiarization tours for prospective buyers to showcase the Convention Center and surrounding area.
- Sponsor two industry chapter luncheons and events to showcase Miami and its regional attractions, Convention Center and hotels.
- Conduct showcase events in key target cities.
- Organize and implement sales blitzes.
- Sponsor events at key industry annual conventions or trade shows in which we will be able to spotlight Miami.
- Conduct small dinner programs by hosting 10 to 12 clients in key cities to update them on Miami's new developments.

Strategy 3:
Continue to target major multi-management and trade show companies which represent a significant number of organizations that can generate new business for the Convention Center and individual hotel properties in order to support the increasing hotel inventory.

Tactics:

- Continue to solicit multi-management and trade show companies to host their executive management retreat meetings in the Convention Center.
- Solicit the three major third-party companies - Conferon, Conference Direct and Helms Briscoe - and make presentations and participate at their trade shows. The Washington, DC office will cover Washington, DC, Virginia and Maryland. All other states will be covered by a salesperson for each of these three third-party companies.

Strategy 4:
Utilize convention development funds to defray operation costs or to assist in marketing efforts for conventions and trade shows, particularly those with strong growth potential.

Tactics:

- When appropriate, negotiate funds to offset costs associated with a major citywide convention using the Convention Center.
- When appropriate, negotiate Convention Center waivers. These waivers will help book organizations for citywide conventions that will fill hotel rooms.

Strategy 5:
Advertise in key trade publications to position Miami, highlighting new developments that will draw attendees for trade shows and conventions.

Tactics:

- Advertisements will be placed in select industry publications.
- Advertise in selected local chapters of industry organizations such as PCMA Washington, DC.
- Work with Communications Department to develop media publicity approaches.

Objective Two: **Continue to develop short-term business opportunities next year and beyond, targeting corporate and association meeting planners with short-term meeting needs by confirming hotel convention bookings.**

Strategy 1:
Position Miami as a premier meeting destination by highlighting site benefits through an Internet-based RFP program. It is estimated that hotel sales leads for 2005 will exceed last year's numbers by ____% with more than ____room nights, at an estimated conversation rate of ____%.

Tactics:

- Use the e-mail blasts to promote value periods and hotel availability. These e-mails will be sent to a database of corporate, state and regional association meeting planners on a monthly basis. The database will consist of past Internet RFP users and members of various meetings organizations.
- Develop a quarterly newsletter to be e-mailed to all Internet RFP customers that will update them on community developments and other news. The list of hot dates will be included with this e-mail.

Strategy 2:
Advertise in key trade publications to impress upon corporate, regional and association planners new developments promoting short-term hotel and Convention Center business.

Tactics:

- Place ads in industry publications.

- Use testimonials from previous meeting planners who have used the Meetings Express program.
- Place ads in local chapter newsletters and on the website to generate regional business.
- Work with Communications to develop new advertising and publicity.

Strategy 3:
Target select major cities for corporate, union and association meeting and convention center business.

Tactics:

- Use showcase events to help generate short-term hotel and Convention Center business.
- Conduct a small dinner program by hosting 10 to 12 clients in key cities to update them on new developments.

Objective Three: **Maintain and confirm a defined number of annual long-term Convention Center bookings of conventions, to generate a defined number of room nights and projected number of attendees resulting in ____ delegate spending.**

Strategy 1:
Maintain and strengthen relationships with annual citywide conventions and trade shows that have made the Convention Center their home. Solicit their input to identify industry-wide trends and suggestions for making Miami more of an attractive convention destination. Confirm the room nights produced for public shows to generate a target total of hotel room nights.

Tactics:

- Host an annual Advisory Board meeting. This group is made up of annual clients and other top industry trade show and meeting executives.
- Maintain relationships for endorsements, testimonials and promotional opportunities.

Objective Four: **Produce new business through the Washington, DC office. We will determine the Washington, DC sales office's projected number of leads for 2004 and beyond representing a defined number of room nights.**

Strategy 1:
The Washington, DC sales office will accomplish these sales objectives through personal and telephone sales, existing accounts and prospecting for new business sources. The DC office will do extensive networking at Washington, DC industry events. The sales staff in DC will participate with Miami clients on City familiarization trips and send clients for individual site inspections.

Tactics:

- Conduct in-person sales.
- Generate client contacts through e-mail and telephone to existing database accounts and new prospects.
- Attend monthly meetings of local chapters of IAEM, PCMA, GWSAE, MPI, AMPs, SGMP and UMPS.
- Participate on committees of major industry organization local chapters, as well as select national level committees to heighten exposure of Washington, DC office representatives.
- Represent the destination in DC marketplace trade shows, such as IACVB Destinations Showcase, GWSAE Springtime in the Park and HSMAI Affordable Meetings.
- Participate in selected national meetings and trade shows where the DC client base is present, such as PCMA, ASAE, MPI and SGMP.

Strategy 2:
Develop and expand programs to heighten the value and visibility of the Washington, DC office to both customers and marketing partners. These programs will aid in achieving the stated office goals by increasing the likelihood for clients to contact and interact with the DC office.

Tactics:

- Make sales calls with the destination's hotel marketing partners upon request.
- Develop relationships and make presentations to third-party companies for Washington, DC, Virginia and Maryland events.

Strategy 3:
Conduct small client dinners of 10 to 12 association and trade show clients to update them on Miami developments.

Tactics:

- Target select union meeting planners and executive officers for dinners and luncheons.

Objective Five: **Solicit key convention and tourism industry conventions and trade shows.**

Strategy 1:
Bid on key industry convention and tourism industry annual, mid-year and leadership conferences. Bringing these key industry conferences into Miami provides an opportunity to showcase the destination, Convention Center and the city's development and area attractions. These organizations will produce other meetings, trade shows and conventions.

Tactics:

- We will detail the business we will be bidding on.

Objective Six: **Conduct special projects to generate leads for the Greater Miami hotel community during off peak and shoulder seasons.**

Strategy 1:
Assign specific projects to Convention Sales staff to increase lead generation.

Tactics:

- Continue to use the "Miami Magnet" program — or Miami convention industry ambassadors — to draw attention to local/state associations for their support on national convention bids.
- Organize and execute a telephone sales blitz targeting all market segments both regionally and nationally. This program will incorporate hotel marketing partners, GMCVB and Convention Center sales staff, in a telephone blitz to produce bookings for the hotels and the Convention Center.
- Target, solicit and book conventions or trade shows for the short and long term to occupy Convention Center exhibit space and peak room nights.

Objective Seven: **The Convention Sales staff will join committees and boards of key industry organizations. This will heighten Miami exposure to clients, as well as create an equal professional plane, which will help build relationships that will develop into leads and bookings.**

Strategy 1:
Convention Sales staff will attend monthly industry organization meetings and participate on organization committees and boards.

Tactics:

- Staff will volunteer to work on at least one committee or board of select organizations.

- Each salesperson will attend at least two chapter meetings a year for select chapters of national organizations.

Objective Eight: **Convention development will continue to develop superior communication with the destination's hotels and other key business partners.**

Strategy 1:
Roundtable meetings will be conducted with key hotels as well as other business partners to listen to ideas and discuss marketing opportunities. These meetings will keep key

business partners informed on the Bureau's responsibilities to the community while discussing current and future goals.

Tactics:

- Continue to conduct monthly key hotel business partner meetings.
- Continue to hold quarterly Director of Sales business partner meetings.
- Release, in conjunction with Communications and Tourism, bi-monthly faxes on convention projects.

Objective Nine: Produce new promotional material to promote the destination's hotels and the Convention Center.

Strategy 1:
Develop and produce, in conjunction with Communications and Marketing, new branded promotional information that will have a similar look and feel, which will be used to promote the destination and the Convention Center.

Tactics:

- Redesign/produce a bid book for conventions and trade shows.
- Redesign/produce an Internet RFP brochure.
- Redesign/produce a new Meeting Planner Guide.
- Reprint single hotel booklet to be used to promote the Convention Centers and hotel rooms.
- Produce/redesign an Airport Passenger Guide.
- Maintain an annual Convention Calendar that is easily accessible to meeting planners.

Objective Ten: Work with SMG and their trade show generation organization to help produce more convention center business.

Strategy 1:
Work with the SMG representative with leads on trade show companies considering Miami as a prime site for trade shows. This company will help us target trade show business that can fit the Convention Center.

Tactics:

- Identify leads.
- Work with SMG representative firm to qualify leads.
- Host clients for familiarization tours.

Objective Eleven: Contract with a telemarketing lead generation organization to produce hotel lead business.

Strategy 1:
Use a telemarketing organization to generate leads to help fill in holes for small meeting business at hotels and the Convention Center.

Tactics:

- Track leads and conversion rate.
- Target group size and peak room nights.
- Target mid-week business in August and September.
- Use this process to help cleanse database.

Convention Services

Mission Statement:
The mission of the Convention Services Division is to support the efforts of the Convention Sales team by facilitating the meeting planner's efforts and serving as the liaison with the community's products and services, and to enhance the meeting delegate's destination experience with the goal of increasing the likelihood the business will rebook in Greater Miami.

Current year achievements will be updated at the end of 2004 and will include definitive statements quantifying:

Convention Services provided support to conventions, meetings and trade shows via attendance building, registration personnel and provision of promotional materials.

- Customer service evaluation rating and previous year comparison.
- The number of familiarization tours, site visits and industry events that Conventions Services supported through the Program of Work.
- The number of hours that Convention Services provided registration personnel to the Convention Center and hotel-based meetings and conventions.
- The reservation increase produced by the complimentary restaurant reservations. The percentage of reservations placed with member businesses.
- The number of shows, room nights and reservations produced by The Housing Bureau services, powered by Housing 3000.
- Expanded the array of marketing materials and information available to meeting planners via our website "Planners Tool Kit."
- The number of hotel meetings and conferences supported by Convention Services through the distribution of promotional materials, internet leads and event planning.

Situation Analysis:
The Convention Services Department is responsible for providing the highest level of customer service to positively influence first-time and rotation shows to return and insure the retention of annual clients.

Convention Services is responsible for implementing Bureau events, industry related sponsorships, and maintenance of all display components, which matches the responsibilities of our competitor CVB services departments.

Our challenge is to surpass service levels of our competitors whose budgets, staffing levels and destination amenities exceed our own.

2004 Convention Services Objectives

Objective One: **Provide support to conventions, meetings and trade shows via attendance building, transportation leads and information, partner leads, event planning, spouse programs and provision of promotional material. Total number of clients served will be detailed.**

Strategy 1:
Continue to utilize all methods to promote early awareness of key services programs through active participation with the client site visits and maintenance of a proactive relationship with annual and first-time planners and show managers. This will assure clients a successful event and position the area as a viable convention destination.

Tactics:

- Provide attendance-building services for first-time shows.
- Maintain a successful partnership with Convention Center event managers (SMG).
- Provide promotional materials, support and amenities to shows and events annually.
- Contact annual clients during the year.
- Work with Sales to secure supplemental rooms for annual clients as needed.
- Actively participate in pre- and post-convention meetings.
- Coordinate outbound gifts and amenities.
- Continue to use the Welcome Program to promote awareness through citywide signage and banners for qualified events.

Strategy 2:
Refine systems in place to support citywide, short-term conventions and meetings in the Convention Center and greater hotel community, thus reaching a broader base of potential repeat business.

Tactics:

- Include shows and events booked by the Convention Center/SMG.
- Include hotel shows booked by property sales staff.
- Coordinate collection and inclusion of citywide promotional items to fulfill client requests.
- Form partnerships with citywide hotel sales team to further identify and service client needs.

Objective Two: **Actively promote our Housing Bureau services as a viable sales option. The number of shows, room nights and reservations resulting from the department's housing support will be detailed.**

Strategy 1:
Establish and promote a new program to provide first-year incentive to select repeat shows to introduce them to value of the Housing System.

Tactics:

- Identify four to five shows that match program parameters but have to date been reluctant to use the housing system.
- Provide one-on-one demonstration of the housing system, stressing aspects that match their particular needs.
- Explore options to encourage planners to utilize the housing system for a one-year evaluation period.

Strategy 2:
Promote new program qualification parameters to include shows and events utilizing two or more hotels.

Tactics:

- Promote to short-term Convention Center business booking dates within 18 months of event through partnership with SMG sales staff.
- Make use of planner contact during site visits, familiarization tours and other special events to promote awareness of the expanded program.
- Actively participate with sales staff in promoting the assets of the housing program.

Strategy 3:
Provide superior housing service to qualified shows with our in-house software Housing System.

Tactics:

- Maintain open communication with planners to continually assess the program's ability to meet their needs.
- Meet regularly with key hotel sales and reservations staff to address new services and property issues.

- Attend industry educational sessions focusing on new developments in convention housing.

Objective Three: **Provide planners with professional, experienced on-site registration staffing support inclusive of computer operators, lead retrieval, show office support and booth personnel for all Convention Center and hotel shows to facilitate the show experience for planners and attendees.**

Strategy 1:
Recruit and train qualified registrars to provide effective show support.

Tactics:
- Maintain a network of skilled men and women.
- Conduct interview and skills assessment.
- Maintain uniform inventory and distribution procedures.
- Recommend and coordinate skills training.
- Oversee registrar orientation.
- Coordinate quarterly supervisor and annual full staff meetings.
- Conduct CVB services assessment surveys.
- Establish a network among industry peers through membership and participation in ACOM and other industry organizations and forums.

Strategy: 2:
Work directly with show management to design a viable show support schedule.

Tactics:
- Develop and maintain relationships with planners and property sales teams to actively promote the registrar program.
- Work directly with show management during shows to make adjustments as needed.
- Attend pre- and post-convention meetings.

Objective Four: **Effectively coordinate Bureau showcase events, familiarization tours, sponsorships and special events as directed.**

Strategy 1:
Meet with relevant staff to brainstorm and design events specific to their defined goals.

Tactics:
- Select site and coordinate all elements including menu, floral, entertainment, rooms, travel, invitation process and client participation.
- Develop and manage event budget.
- Establish and orchestrate event timelines.
- Maintain communication among departments, SMG and partners.

- Conduct pre-meeting and post-event critique.

Strategy 2:
Implement Program of Work Calendar and trade show activities to enable consistent, productive marketing of Greater Miami to the convention and meeting industry.

Tactics:

- Coordinate storage, maintenance and enhancements of trade show booth components including roll-ups, tabletops and 10 x 10s, interface with exposition companies.
- Direct project management of new proposed trade show booth to include drafting RFP, interfacing with selected exposition companies and all related budgeting.

Strategy 3:
Maintain and distribute inventory of themed promotional items used to reinforce Greater Miami.

Tactics:

- Maintain network of qualified vendors seeking appropriate products.
- Recommend and secure items.
- Maintain POS inventory system.
- Coordinate fulfillment.
- Oversee budget.

2004 Tourism Sales Objectives

Objective One: **Influence and educate travel planners and travel trade decision makers that Miami is the destination of choice for their clients and successfully meets their sales objectives.**

Strategy 1:
Design and direct and annual international and domestic sales program designed to interact with and support top travel planners and travel trade colleagues targeting top producing markets as well as emerging markets.

Tactics:

- Identify optimum trade shows conducted in target markets in which to participate/exhibit.
- Leverage the Miami message and provide cost-effective partnerships with participating member organizations in organizing "Miami Areas" in relevant trade shows to support business to business commerce (participated in 41 trade shows in 2003).
- Organize and conduct targeted sales missions and blitzes in target markets (conducted 13 international sales missions and 40 domestic sales blitzes/missions in 2003).
- Organize and conduct hosted familiarization tours to Miami providing travel planners and buyers with direct exposure to the destination and its products (hosted 50 familiarization tours in 2003).

Strategy 2:
Design supporting programs designed to target a variety of *High-Value Customers* based on creating consumer and trade awareness and demand.

Tactics:

- To induce and facilitate summer/shoulder travel, conduct an annual Summer Festival Season sales blitz targeting in-state and national feeder markets (33 cities blitzed in 2003).

- Design and implement a Boutique Hotel Program representing approximately 100 Boutique Hotels in targeted sales blitzes as well as specialty trade and consumer shows such as film, fashion, entertainment and design events.

- Design and implement a targeted Cultural Tourism and Heritage Travel Program including hosting and facilitating familiarization tours, industry presentations and collateral support.

- Design and implement a targeted Gay & Lesbian Travel Program including participation in related trade shows, conferences and special events (14 programs conducted in 2003).

- Design and implement a targeted Shop Miami Program providing sales and collateral support for local shopping malls and outlets.

- Promote pre- and post-cruise visitor activity, working closely with Cruise Line International Association (CLIA), the American Society of Travel Agents (ASTA) and local cruise lines and the Port of Miami (hosted three CLIA conferences, two ASTA Cruisefest conferences and co-sponsored annual Sea Trade event as well as 15 pre- and post-cruise travel agent familiarization tours in 2003).

- Promote family travel to the destination by designing and distributing to travel buyers the annual Attractions Pass program.

2004 Media Relations Objectives

Objective One: **Influence consumer perceptions about Miami as a fashion-forward, tropical and cosmopolitan destination of choice to the *high-value customer* through placement of editorial stories in a variety of consumer and travel media outlets.**

Strategy 1:
Direct an informative, targeted press release schedule of 40 GMCVB press releases, alerts, advertorials and industry releases which reinforce the brand.

Tactics:

- Provide the most up-to-date, positive information to all audiences with "What's Happening" press releases on a regular basis.
- Utilize press releases to highlight travel trends, events, new developments, financial news, festival information and other news in a timely, accurate and targeted fashion.

Strategy 2:
Reach out to key consumer travel editors, contributing editors and freelance writers who represent major publications within our target markets which reinforce the brand.

Tactics:

- Host at least 130 travel editors/writers on a one-on-one basis throughout the year.
- Host at least 17 media tours from key feeder markets, each tour themed after niche pitches and featuring multiple media.
- Leverage select niche events such as the South Beach Wine & Food Festival, Calle Ocho, Gay & Lesbian Film Festival and Art Basel to bring in media to cover the destination.
- Personally visit key markets to present the message and products to consumer and trade media.
- Service at least 2,000 media inquiries seeking editorial, logistical and collateral support.

Strategy 3:
Host at least 25 production crews from major broadcast and cable networks and 10 live radio broadcasts from the destination, plus any additional promotions.

Tactics:

- Conduct outreach with producers and travel correspondents at national, regional and cable news programs as well as key drive market affiliates, to develop destination feature stories.
- Pitch Miami coverage to locally based Latin American media giants such as Univision to assure optimum cost effectiveness.

- Research and pitch syndicated and regional radio shows/TV programs to broadcast live from Miami throughout the year, with special emphasis on summer visits where possible to help boost summer business.

Strategy 4:
Publicize and promote new developments for the community.

Tactics:

- Identify the key person in each company for new developments and expansions.
- Maintain a current resource file on all new developments.
- Pitch key consumer media outlets in target markets.
- Provide ongoing updates to key media on destination news and developments through a series of press releases and postcards showcasing diverse "slices" of the product, from the beaches, to gaming and golfing, dancing, dining, shopping and spas (i.e. What's New release).
- Work with trade media in relation to retail development, architectural development and financial issues.

Objective Two: **Promote Miami as the preferred venue for meetings, trade shows and public shows to increase meeting business.**

Strategy 1:
Direct a press release program promoting meeting facilities, development updates and new tourism products to targeted meeting planner publications.

Tactics:

- Identify and distribute updates regularly to appropriate trade media outlets (i.e. What's New release).
- Develop an evergreen press release that Convention Sales managers can use as a sales piece.
- Ensure that press releases on the web site are current and accurate.
- Develop advertorials for key meetings trade magazines to be used to leverage additional publicity from advertising or accomplishments.

Strategy 2:
Publicize and promote new developments in Miami to meeting planners through meeting trade publications.

Tactics:

- Identify the key person in each company for new developments and expansions.
- Keep Convention Sales Managers current with updated What's New releases via e-mail and the web site for use with clients.

- Include trade writers in media tours and sales familiarization tours, or host them for individual visits in conjunction with the Convention Sales Department where appropriate.
- Approach major business and consumer media on the positive economic impact of meetings and conventions and how new developments make the city more attractive to meeting planners and attendees.

Strategy 3:
Provide advertorial content to trade publications.

Tactics:

- Work with convention development to develop specific story angles that are best suited for each publication and date.
- Maintain a current inventory of advertorials regarding those story angles.
- Invite key editors and writers from meetings publications to visit Miami.

Objective Three: **Increase awareness of Miami as a visitor destination for the multicultural or niche traveler through targeted media placements.**

Strategy 1:
Target the following multicultural and lifestyle markets: African-American, Hispanic, Gay & Lesbian, Family, Arts & Culture, Food & Wine, Eco-Tourism, Shopping, and Film/Fashion & Entertainment.

Tactics:

- Conduct media visits with niche publications and broadcast outlets, focusing on activities in and around areas that will interest consumers in these target markets.
- Develop specific consumer travel information for each market in the press kit.
- Maintain current key press releases in Spanish and other appropriate languages on the web site and paper media kits.
- Where appropriate, use leaders in those areas as destination spokespeople

Strategy 2:
Develop and maintain multicultural press releases on the online media kit.

Tactics:

- Develop, distribute and post releases on the web site that target these niche areas.

Strategy 3:
Pitch multicultural and niche media in key markets.

Tactics:

- Work with the PR agency to identify and pitch key media.
- Maintain updated databases of targeted media.
- Provide story angles to Univision, BET, Tom Joyner and other major multicultural media as well as other niche outlets.
- Host writers from key publications or broadcast media within the target markets, wherever possible tying in local events which reinforce the brand.

Objective Four: **Continue to update the media kit on paper and online to reflect new marketing themes and destination developments.**

Strategy 1:
Incorporate new images and B-Roll into the online media kit.

Tactics:

- Work with the PR agency and PR Committee on an ongoing basis to update the media kit where appropriate.
- Work with Marketing Services to streamline photography and obtain new images and footage.

Strategy 2:
Update the press kit contents to reflect the new branding.

Tactics:

- Work with the PR agency, taking media comments into consideration, to determine any changes to the new media kit on an ongoing basis.
- Continue to revise or write new press releases and feature stories which reinforce the brand and cater to the various niche markets.

Strategy 3:
Maintain the online press kit.

Tactics:

- Work with the web master on an ongoing basis to make sure the kit is as updated and user friendly as possible.
- Work with the PR agency and PR Committee on an ongoing basis to determine the content to include online.

Objective Five: **Implement an improved system of monitoring and managing clippings and media contacts.**

Strategy 1:
Enhance the clipping management to offer more details on impressions and media value where available.

Tactics:

- Increase commitment with Burrelle's clipping service to include monthly clip value analysis.

Objective Six: **Implement media missions in key markets to pitch positive stories about the destination.**

Tactics:

- Conduct at least 12 missions in key markets. Develop or leverage events in key feeder markets and invite top media (i.e. GMCVB's annual NYC media event or the recent New World Symphony performance at Carnegie Hall).
- Where appropriate, partner with GMCVB members to help sponsor these events and raise the profile of the destination.
- Conduct individual media calls while in these cities to pitch destination updates.

Objective Seven: **Monitor with PR agencies and partners any issues which may impact positive publicity about the destination.**

Tactics:

- Work with PR agency on appropriate responses to negative stories about the destination.
- Work with industry partners such as Visit Florida and TIA to stay on the same message points on issues where appropriate.
- Keep members informed about the GMCVB position to keep the media message unified.

2004 Consumer Marketing Objectives

1. Increase visitor bed tax and sales tax through optimum occupancy and highest possible room rates.
2. Continue to develop and implement a brand image. Educate high-value consumers about the diversity of the destination.
3. Enhance the GMCVB's website as an outreach, fulfillment and sales and conversion tool.
4. Develop and maintain strategic alliances for efficiency and expanded revenue/resources.
5. Collect more data about the County's market position.

Primary Target:
The primary target visitor for Miami-Dade County is a sophisticated, well-educated, affluent consumer who is looking for the opportunity to experience Miami's unique variety of activities and to return with stories to tell about the uniqueness of Miami.

- Ages 25 to 54, with emphasis on 25-44.
- Highly educated.
- Above average income.
- Active lifestyle, fashion-conscious.
- "High-energy Socialites."
- "Tropical Relaxers."

Primary Geographic Targets:

1. Northeast corridor of the United States and Canada (a line drawn northward from Baltimore through Philadelphia and New York and up to Toronto).
    - Heavy emphasis on New York.

2. South Florida drive markets (including Miami-Dade County) for summer and neighborhood promotions.

3. International
    - Sophisticated cities in Latin America.
    - Key markets in Europe.

Objective One: **Increase visitor bed tax and sales tax.**

All programs undertaken should include an objective designed to increase ADR and occupancy performance.

Objective Two: **Continue to develop and implement a brand image. Educate *high-value consumers* about the diversity of the destination.**

To continue to produce the optimum program for tourism results requires the continued employment of the community-wide branding initiative that is both memorable and effective in building new destination awareness and resulting business.

This marketing communications initiative will continue to strengthen the selling cycle, assisting the movement of the potential customer through the travel decision process of:

- Creating positive customer awareness of the destination.
- Producing stronger visitor interest.
- Stimulating consumer desire.
- Combating inroads from competing destinations.
- Ultimately assisting in the customer's action decision to visit.

The Brand:

Branding or brand identity is the total sum of the words, images and associations that form the customer's perception of the destination.

The brand, therefore, is the conveyed personality of the visitors' experience. It is the promise, the link, or the bridge between the customer and the visitor product.

Although the GMCVB cannot be responsible or accountable for every customer's perception of the destination, it should fulfill its role as a community tourism leader in crafting a brand development program that supports the industry through a fully coordinated, effective marketing communications plan.

Steps include the following (to be guided by research):

- **Define the Unique Selling Propositions** that separate the destination from the competition.
- **Produce and prioritize a series of motivational messages** for consumers and providers that address the positive visitor characteristics of the area.
- **Continue to craft Market Positioning** that separates the destination from competitors.

This program guides development of the GMCVB's array of collateral communications programs including direct mail, advertising, Web site positioning, media publicity programs, exhibits, etc.

To further strengthen the program, we should seek the proactive participation and exponential use from the destination's constituents in their own marketing communications delivery systems.

As part of this process, a clearly defined priority of message that will best motivate visitors from all market segments should be addressed. This is best accomplished through a process that generates communications recommendations from key staff and other community stakeholders to enhance the existing messaging.

Following this analysis, the conclusions could be tested through the use of *Promise Testing Groups* that ascertain the potential visitor's willingness to accept, and act on,

the presented messages. Next, communications messages would be added to existing messages for consistent use in ongoing communications vehicles:

- Web site
- Publications
- Direct mail programs
- Trade show displays
- Media publicity
- Advertising
- Sales solicitation programs, etc.

Finally, the creative platforms that result form the priority messages should be tested using Internet-based consumer procedures.

Strategy 1:
Continue to support the Tropical/Cosmopolitan image while creating an aspirational fashion image with influential people, trendsetters and others who will present the status of a Miami vacation to potential visitors.

Tactics:

- Present Miami's image in publications that influence the style-conscious and trend-setters.
- Use creative techniques (fashion photography, music video style videography, etc.) to present a Miami image different that most destinations.
- Look for partnering opportunities with fashion brands, restaurants and nightclubs.

Strategy 2:
Establish the area as a unique and desirable leisure destination within the travel planner community.

Tactics:

- Make presentations to reservation planners booking packages into Miami.
- Demonstrate vacation opportunities available in Miami that are not available elsewhere. Feature a unique mix of entertainment options including:
    - Shopping
    - Nightlife
    - Two national parks
    - Multicultural opportunities
- Attend travel planner shows as appropriate.

- Create road show for presentations at Travel Planner offices.
- Develop unique itinerary suggestions to attract more diverse visitors.

Objective Three: Enhance the GMCVB's website as an outreach, fulfillment and sales and conversion tool.

Our website should be the central "meeting place" for all inquiries about a trip to Miami-Dade County.

- Search engine hits should be optimized.
- Data collection from visitors to the website must define the various profiles of our visitors and help to continually refine the marketing campaign to meet specific needs.
- The site must tell the full Miami story in order to reinforce the brand image and support various neighborhoods and sub-brands.
- The site must tell the full Miami story in order to provide all the information visitors need to make informed decisions for their visit.
- The website should provide purchase and conversion opportunities.
    - Online booking
    - Ticket purchase for events, attractions, etc.
    - Restaurant and show reservations

Strategy 1:

Establish friendlier consumer and travel planner web pages.

Tactics:

- Optimize the site.
- Establish a permission-marketing program to boost registered users.
- Continue to obtain new e-mail addresses through collection at on-site promotions.
- Send quarterly e-newsletter to consumer database.
- Implement "free gift" booking incentive for booking hotel rooms.
- Monitor other travel related websites for advertising promotional opportunities.
- Monitor competitive websites for best practices.
- Develop a travel planner section.
- Send quarterly newsletter to travel planner database.
- Offer itinerary suggestions for 2-3 day and 6-7 day trips.

- Present Pre- and Post-Cruise program opportunities.

Objective Four: **Develop and maintain strategic alliances.**

- Developers.
- Private funding sources.
- More co/op programs specifically tailored to:
    - Golf
    - Spa
    - Attractions
    - Boutiques

Objective Five: **Collect more data about the County's market position.**

Membership

Mission Statement:
The mission of the Membership Partnership Program is to establish a core base of Bureau members to provide visitors and convention attendees with a broad base of services. Furthermore, the program generates vital private revenue and support of GMCVB operations. The Membership Division provides partners with key benefits, services and marketing opportunities as well as leveraging marketing initiatives for the GMCVB.

2003 Achievements:

- Realized an 80% retention rate from 2002 going into 2003.
- As of September 30, 2003 a total of 215 new partners joined the Bureau's Membership Partnership Program (exceeding the annual goal).
- Hosted over 1,800 partners at 14 different member partnership functions through 2003.
- Expanded multi-department features in the "What's Happening" and "Member" Newsletters to enable immediate communication with partners via e-mail.
- Increased e-mail addresses on file for partners from 40% of all members in October 2002 to now include 65% of all members in July 2003. This is an ongoing process that will continue in 2004.

2003 Goals-Membership:

- Generate $180,000 in new member revenue through an aggressive recruitment effort with a focus on the marketing subcommittees established this year.
- Retain the vast majority of the current membership base resulting in a net new and renewal revenue goal of $1,331,400.
- Execute a Program of Work designed to foster active participation between the Bureau and its members as well as the active promotion of member products and services.
- Continue to support the expansion of the Bureau's use of Internet and website technologies to provide additional marketing opportunities for GMCVB members and partners.

2004 Membership Objectives

Objective One: Recruit new member partners by making area businesses and organizations aware of economic advantages of the program.

Strategy 1:
Utilize sales blitz campaigns throughout the year to reach out to prospective partners.

Tactics:

- Coordinate sales outreach efforts with printing of pertinent publications to use as leverage.
- Send at least 350 direct mail letters as initial outreach to targeted potential partners.
- Schedule a minimum of 250 one-on-one meetings with potential partners throughout the year.

Strategy 2:
Review current benefits and services offered to membership partners and implement changes making the partnership program appealing to a targeted range of businesses.

Tactics:

- Evaluate benefits and services offered in each partner classification to ensure benefits and services will meet the needs of potential partners.
- Attend conferences and seminars directed at GMCVB membership to obtain information on new ideas and tactics used by industry.
- Continue evaluation throughout the year; recommend additional changes in November 2004 for the 2005 package.

Strategy 3:
Develop new inserts and forms for the solicitation package that are accurate, eye catching and easy to read.

Tactics:

- Present fee schedule in chart format allowing a quick comparison of benefits and services between classifications.
- Revise current solicitation package to utilize colorful and eye catching letterhead, fliers and forms.

Strategy 4:
Continue to recruit minority owned businesses as marketing partners.

Tactics:

- Survey key Greater Miami businesses as to their multicultural marketing efforts.
- Provide added value through links from multicultural page on website.

Strategy 5:
Attend community luncheons and other functions to network with potential partners.

Tactics:

- Using reciprocal memberships with various community groups get on mailing list to be notified of functions and events.

- Attend five community functions throughout the year as appropriate.

Objective Two: Retain 85% of base partners in the coming year.

Strategy 1:
Evaluate and implement changes, where feasible, to current benefit and services package offered to partners, to enhance the value of partnership participation.

Tactics:

- Each member of the membership sales team (four in total) will speak with approximately 12 existing partners on a weekly basis to discuss their needs and evaluate the GMCVB's performance as to benefits promised.
- Host 2-3 educational seminars and programs for partners during the year.
- Expand advertising and marketing opportunities for partners on the web site and in printed material.
- Review major and minor category choices to improve web site listings, making visitor searches easier and more accurate.
- Encourage membership partners to ask how visitors found them and include this as a question on the survey.

Strategy 2:
Maintain open communication with members at all times to encourage their active participation in partnership programs and marketing opportunities.

Tactics:

- Send "verification of information" request to partners at least twice a year to coincide with printing of publications.
- Include a reminder in a monthly mailing of benefits and services available to the partners.
- Use "What's Happening" and "Member" Newsletters to educate partners about the benefits of the web by providing them with statistics on unique users per month and the benefits of participating in the various web-based marketing programs the GMCVB provides.
- Educate members about the new brand image and the markets the Bureau is pursuing to encourage community buy-in.
- Notify partners of scheduled activities in a timely manner with follow-up reminders close to the date of the event/function.

Strategy 3:
Evaluate the current New Member Orientation Program and re-design with the goal of educating partners on how to use the materials the GMCVB provides to them to ensure they get the maximum value from the program.

Tactics:

- Create an introduction that summarizes the Bureau's functions, primary markets and new brand image to educate new partners about our direction.

- Focus on how partners and the Bureau work together rather than speaking about what the staff does and what our mission statements are.
- Determine which departments should have representatives at the orientation to give the partners the best advice on benefits and services they provide.
- Provide sample packets of information and forms that will be sent to them throughout the year, and have slides during the presentation that explain what they are and how they can be used.

IV. Accountability: Performance Measures and Return on Investment

Introduction:
The GMCVB commissioned Marshall Murdaugh Marketing to develop a comprehensive state-of-the-art industry Return on Investment (ROI) model to monitor and quantify economic impact results of the GMCVB's marketing programs on behalf of the community.

These recommendations incorporate ROI methodologies, benchmarking and additional supportive and evaluative recommendations for GMCVB market and marketing research.

In addition, a separate directional plan to secure foundation funding was provided for exploring the opportunities for grant development to fund hospitality training, signage, web enhancement, package tour development and relevant cultural programs.

ROI Plan Deliverables

This program is intended to enhance GMCVB operations and ultimately the economic productivity of marketing initiatives for the greater good of the entire community.

It provides the most effective method for producing a broad-based, ongoing statistical analysis of the significant, measurable incremental economic returns to the community from the resulting delivery of productive tourism marketing initiatives of the GMCVB.

This program is arguably the state-of-the-art model for ROI throughout the destination management/convention and visitor bureau industry.

The plan measures the dollar return to the community from visitors who have been motivated by the GMCVB to come to Miami. Specifically, it includes the estimated number of incremental visitors influenced, along with their economic impacts in terms of hotel room night generation, total estimated visitor expenditures made during their stays, and resulting tax revenue provided to the community and state.

The ROI Plan requires, whenever possible, all economic impact results to be provided by independent third party analysis to ensure reliability and confidence throughout the community.

It is important to note that while this Return on Investment impact is substantial, it is but the tip of the proverbial iceberg.

Since its inception, the Bureau has been at work delivering sales and marketing programs that produce long-term equity in the marketplace for Miami – umbrella advertising, media publicity and sales efforts on a worldwide basis that, albeit difficult to fully

quantify, have stimulated substantial positive visitor awareness, interest and ultimately, millions of new visitors that provided incremental business to the tourism industry.

Also included in this report are recommended research initiatives for enhancing future marketing efforts. And a research model is provided for community use in valuing the economic impacts of events.

These recommended methodologies are intended to provide broad-based direction and will be thoroughly evaluated during the GMCVB's 2005 budget and goal-setting process in the third and fourth quarters of 2004. Each may require additional adjustment and refinement before implementation from third party research firms. Also, the staff's research findings regarding average visitor trip expenditures, party size, etc., needs to be input for each formula. Thus, estimated economic impacts in this report are intended merely as desired outcomes.

The Bureau Value Statement:

After this model ROI Plan is developed and estimates are made, the incremental value of quantified tourism contributions made by Bureau marketing to the community should approximate a quantifiable value statement like:

"Last year, operating with an $18 million dollar marketing budget, the GMCVB produced new advertising, web site and convention/leisure tourism sales programs that generated an estimated 478,000 incremental visitors, producing $412 million in new out-of-town visitor spending from leisure visitors and future conventions booked, and filling 735,000 room nights. Thus, for every marketing dollar invested, it produced a twenty-three-to-one return for the community. This visitor spending also produced about $41 million in state and local tax revenue and generated or sustained employment opportunities for more than 5,000 local residents."

Principal ROI Program Components:

The principal programs currently recommended for annual measurement of ROI, along with the evaluative criteria and techniques used for each, include:

- **Conventions/Meetings:** Annual conventions booked (produced) for the community by the sales staff, including anticipated convention delegates/visitors, room nights produced, and the delegates' total estimated visitor receipts while in Miami.

- **Advertising:** The medium's conversion of consumer interest to new visitors, hotel room night generation and estimated visitor receipts for the community. Traditional and non-traditional models are included.

- **The GMCVB Website:** The portal's results in producing new visitors, hotel room night reservations, and estimated visitor receipts for the community.

- **Tourism Sales:** The Bureau's global program impact in converting new or renewed visitors, and resulting estimated visitor receipts for the community.

As a result of these program analyses, the Bureau will be able to report the total estimated dollar ratio of return from each marketing/sales dollar invested for the Greater Miami area.

In addition, local and state taxes paid by visitors to support the economy and local jobs generated and sustained from this visitor spending can be extrapolated for reporting purposes.

Measuring Other Bureau Marketing Benefits for Miami:
Two other major bureau programs – while unable to quantify specific and measurable direct ROI – are significant for the contributions they make to the local tourism industry and require reporting subordinately with the ROI information. They are:

- **Media Publicity Generated:** The worldwide initiative should report the total number of positive media impressions made by the Bureau through its proactive publicity efforts that reach millions of people annually, producing top-of-mind awareness of the destination, and ultimately persuading untold numbers of consumers to visit Greater Miami. The dollar value of this media coverage, as measured in the related cost of advertising in lineage inches and broadcast exposure, is also significant and should be tracked and publicly reported.

- **Bureau Partnership Alliances Created:** Those business partnerships that leverage bureau marketing resources, along with the in-kind services and financial/manpower resources provided by businesses to support tourism efforts should be noted, nurtured and expanded whenever practical.

Timelines

Some ROI program results can be returned within a three-month period. The comprehensive analysis can be delivered within a 12 month period and should be continued thereafter.

Major Productivity Programs for Return on Investment Analysis:

Program 1. Conventions Booked: Annual number of conventions produced for the community by the sales staff, including anticipated convention delegates/visitors, room nights produced and the delegates' total estimated visitor receipts while in Miami.

This information is now being assembled, analyzed and provided by the Convention Sales Department.

Each convention's meeting planner provides the estimated number of anticipated room nights to the Bureau. Then the numbers are validated, based on Miami hotel contracts, as well as the past history of each organization as provided by the Meetings Information

Network System (MINT) of the International Association of Convention and Visitor Bureaus (IACVB). This system requires that other IACVB cities that have hosted the convention in the past five years, provide actual room pickup totals to the MINT Report, which is then made available to Miami.

The Miami Bureau then determines the estimated total economic impact of convention delegate visitor stays, based on an industry formula developed by IACVB. This methodology is considered quite conservative; it is based on current dollar cost estimates, rather than applying inflationary factors for future convention expenditures.

Current Annual Conventions Booked Results:
"Four hundred forty-six future conventions booked by the Bureau for both the Convention Center and individual hotels, will produce an estimated 344,000 delegate visitors, filling an estimated 428,093 hotel room nights throughout the community and providing total delegate spending in Greater Miami of an estimated $208 million."

This analysis should continue to be made monthly and annually, and incorporated in new annual ROI Reports.

Program 2. Advertising: The Bureau's ad program that converts consumer interest to actual new visitors, hotel room night generation, and new estimated visitor receipts for the community.

Although this analysis is not currently available, the Bureau has wisely incorporated a toll-free number and the website address in all advertising, providing measurement response mechanisms for future evaluation.

For the potential use of future research, there were 26,770 phone calls made to the call center last year, and the web reports 394,096 web users, which have produced about 35,000 registered users who have signed up for additional information.

Analysis Implementation

A recognized third-party independent research company can provide consumer conversion analyses.

The firm of Alan Newman Research is recommended. The company has extensive background in work for the tourism industry, provides a qualified approach and can meet sole source requirements for this work. Recent clients include Visit Florida Tourism, the North Carolina Division of Tourism, Walt Disney Parks and Resorts On-line, etc.

The firm would contact phone respondents via phone and Internet respondents via email, with a lapse of about six months since their calls to receive information on Greater Miami.

Respondents would be queried on whether they came to Miami, and other relevant information including party size, length of stay, type of accommodations, etc. From this data, trip expenditures could be extrapolated by Bureau staff research.

Anticipated Annual Results

With more than 25,000 call center customers and another 35,000 registered web users for a universe of about 60,000 inquirers – who subsequently received visitor travel information about Greater Miami that stimulated their interest to visit – it would not be unusual for actual travelers to have been motivated to visit Miami at the average industry conversion rate of 35 to 40 percent.

This would mean that the ad program could have produced in the range of 21,000 to 24,000 visitor parties last year. By applying an average visitor party expenditure figure of $2,000 and a three-night stay, this would have produced between $42 million and $48 million in estimated new visitor receipts for Miami, and generated between 63,000 and 72,000 room nights.

Anticipated Traditional Advertising Results:
Current results that would be verified by conversion research may conclude that:

"An estimated 22,000 visitor parties, who were among the millions who saw Bureau advertising last year, requested information and were motivated to actually visit – spending an estimated $44 million here and generating more than 67,000 hotel room nights throughout the community."

Thus, for every ad dollar expended on the GMCVB's $5 million campaign, it produced about a $9 to $1 return in visitor receipts.

This analysis should be conducted now and every three years, and the formula applied annually to verify positive yearly ROI impacts from the ad program.

The cost for this study is in the $20,000-$30,000 range, certainly a modest and appropriate research investment for the multi-million dollar annual ad program.

Non-Traditional Advertising

The GMCVB should investigate a new ad medium that guarantees the delivery of new visitors via the Internet and can fill special short-term needs, such as summer travel.

Developed by Ebrains of metro Washington, DC, the alternative ad initiative is being used today by about 50 cities and states. The Orlando CVB, for example, first tested the concept with a limited toe-in-the-water investment. Due to dramatic results achieved in producing significant volumes of new visitors, Orlando's bureau has spent $300,000 this past year on the program.

Ebrains has negotiated arrangements with about 100 major national tourism related websites, such as greeting cards, map/information services, etc.

When visitors request an offer on one of these sites, the destination's message then also appears and visitors are invited to inquire. Consumers opt-in to receive destination information, but are screened to ensure tourism destinations that they are only receiving qualified inquiries. Then consumers are sent travel information and the names are then "owned" by the destination for potential repeat mailings.

Destinations purchase the service based on the cost per inquiry. For a $25,000 fee, Ebrains guarantees about 5,050 highly qualified inquirers at a cost of $4.95 each. Fully 30% of these inquirers are then guaranteed to convert to actual visits. Ebrains also provides an independent third party conversion analysis to confirm visitors generated and their economic impact spending results.

Anticipated Non-Traditional Advertising Results:
Economic impact visitor results for this program that would be verified by conversion research are anticipated to confirm that:

"An estimated 1,515 visitor parties who were attracted to Greater Miami through quick turnaround website marketing initiatives were motivated to come during the slower summer period – and spent an estimated $3 million, while purchasing about 4,545 hotel room nights throughout the community. For every dollar spent on this program, it generated about $121 in visitor receipts."

For every dollar expended on this effort ($25,000 investment), it would provide about a one hundred-to-one return for the community.

Again, the room night estimates and dollar volume expenditure will be determined by the actual conversion study.

It is recommended that an initial $25,000 effort be initiated by the Bureau, which includes the conversion analysis to track results. Pending anticipated success, additional ad funds should then be reallocated to take advantage of special opportunity marketing, anticipating periods of visitation downturn, etc.

Program 3. The GMCVB Website: The portal's results in producing new visitors, hotel room night reservations, and estimated new visitor receipts for the community.

Hotel Booking Results:
Results for the direct booking of hotel rooms via the website have been minimal, producing just several hundred room nights annually.

However, the website has actually been a positive factor in producing web bookings for area hotels when the consumer bypasses the bureau's booking engines and goes straight to properties that are directly linked to the site.

According to a recent analysis of the Bureau website by USDM.NET, the technology provider to the International Association of Convention and Visitor Bureaus (IACVB), an estimated 10,000 hotel reservations were made in this way during the past 12 months.

Current Annual Hotel Booking Results:
By incorporating an average length of stay of three days from the leisure market, and an average of $2000 per party visit, a major benefit should be attributed to the Bureau as follows:

"An estimated 10,000 Visitors to Miami who were motivated by the Bureau's website, booked more than 30,000 visitor party room-nights with area hotels this past year and contributed an estimated $20 million in visitor receipts."

While this is a viable and important economic impact, it pales in comparison to much more significant benefits provided by an enhanced website portal for Miami and the GMCVB, as outlined next.

Producing New Visitors Via the Web:
The GMCVB is now embarking on a significant marketing initiative to optimize its web site to draw much higher volumes of potential visitors and actually convert them to visitation.

A major component of this plan is a "My Miami" permission-marketing component, where web site visitors request periodic updates and new information on their personal travel interests.

This tactic has a track record of exponentially increasing destination awareness, interest and desire to visit. It produces a large universe of new registered users that have the potential to convert visitors at a significantly higher rate than traditional methods.

The industry leader in this field is USDM.Net, which has produced viable programs for many of the top bureaus throughout the industry, including Las Vegas and Atlanta. And their conversion rate of destination visitation, through website registered users, is currently in the astounding 60-80% range.

They project that this program for the GMCVB will produce an estimated 100,000 new registered users in the next 12 months, and that these visitors will convert to actual visitation for Greater Miami at about 70% – or an estimated 70,000 new visitors during the first year.

Anticipated Hotel Booking with Web Initiative Results:
By developing this new web initiative, and using average party expenditures of $2,000, this would provide one of the Bureau's most significant programs of productivity on behalf of the community as follows:

"An estimated 70,000 new visitors were motivated to visit Miami last year through the Bureau's website, contributing an estimated $140 million in new visitor receipts and filling about 210,000 additional room nights for area hotels."

This program should be implemented and monitored for success in producing additional user sessions and new registered users. And USDM.Net should develop a full conversion analysis annually to track and report ongoing success.

Special note: The conversion from existing web registered users, web hotel reservations and future website results may not be mutually exclusive and must be analyzed in this regard, rather than just adding them to the total ROI for future years.

However, when the 100,000 anticipated new registered users are added to the existing 35,000 and the Bureau website is optimized for success factors, the conversion rate will significantly increase. Thus, its impacts on visitation and travel expenditures should greatly exceed all current estimates.

Program 4. Tourism Sales: The Bureau's global sales force reach and convert new or renewed visitors, resulting in estimated visitor receipts for the community.

Interfacing with tour operators to produce sales leads and potential new and renewable business for Miami is an important Bureau initiative. But in the ROI Analysis picture, its economic results may be comparatively less. A two-tiered approach is recommended for the evaluation of efforts that lead to Return on Investment results.

Year One Analysis:
Initially, it is recommended that the staff evaluate all future sales leads – and possibly those previously produced – estimating their individual economic impact potential for the community.

This estimate should be based on the actual tour operator requirements and specifications, including number of estimated participants and attendant room nights that would be produced by the leads if converted into actual business.

This information would be then provided in monthly and annual report totals as:

- Estimated value of tour operator sales leads in new visitor business for Miami.

Year Two Analysis:
The results of the past year should then be analyzed for total estimated impacts. And a new evaluation step should be introduced, by having a staff member call tour operators within a three to four month period after the dissemination of each sales lead to determine what actually converted as a booking. The Bureau can then assign appropriate economic impacts for each converted lead, based on the tour operator's information.

If it is determined that this program is not cost effective because it requires substantial labor-intensive evaluation, 20% of all leads may be randomly selected for conversion analysis and the results extrapolated to the total universe of leads generated.

In any case, minimal measurement of this ongoing effort should be introduced to review the benefits of this million-dollar marketing initiative for the community and its tourism business partners. Here in abbreviated form are the anticipated major results:

Conventions Booked:

- 446 for the future.
- An estimated 344,000 delegate visitors.
- 428,000 estimated hotel room nights.
- $208 million dollars in total delegate spending.

Web Hotel Bookings:

- 10,000 Visitor parties or 20,000 actual visitors.
- Booked more than 30,000 room nights.
- $20 million dollars in est. visitor receipts.

Bureau Website (for future):

- Delivered 70,000 new visitors.
- $140 million dollars in estimated new visitor receipts.
- 210,000 room nights.

The Bureau's New Value Statement:

As a result of these Program Analyses (incorporating leisure tour sales for the future) the Bureau will be able to report the total estimated dollar ratio of return from major programs delivered for the Greater Miami area as follows:

"Last year, operating with an $18 million marketing budget, the Greater Miami Convention & Visitors Bureau produced new advertising, web site and convention/leisure tourism sales programs that generated an estimated 478,000 incremental visitors, producing $412 million in new out of town visitor spending from leisure visitors and future conventions booked, and filling 735,000 room nights. Thus, for every marketing dollar invested, GMCVB produced a twenty-three-to-one return on investment for the community."

Few, if any, business enterprises can match these business return on investment benefits.

Taxes Produced, Jobs Delivered:

In addition, local and state taxes paid by these visitors to support the economy can also be extrapolated, along with jobs generated or sustained. It can be added to the value statement that:

"This visitor spending also produced about $41 million in state and local tax revenue and generated or sustained employment opportunities for more than 5,764 local residents."

A 10% state and local tax average on $412 million would produce an estimated $41 million in state and local taxes. In addition, the Travel Industry Association of America currently estimates (2002) that a local job is generated or sustained for every $71,478 in tourism visitor spending. Thus, an expenditure of $412 million would generate or sustain about 5,764 local jobs.

Dissemination of the Value Statement

This is a powerful statement in fostering a strong reputation for the Bureau's work and response to its mission statement.

It should be used prominently for the Bureau's annual report, marketing plan and other purposes such as a subordinate message at the end of Community Relations press releases, member newsletter, etc.

The supportive detailed methodologies that validate this statement should always be readily available for inquiry.

ROI Measurement Costs

The estimated start-up costs to execute this program, excluding web site optimization, are minimal:

- Ad conversion analysis – $20,000-$30,000 (with analysis repeated in three years).
- Burrelle's ad value analysis of print publicity – $2,400 annually.
- Reallocation of ad budget to fund $25,000 Ebrains Internet initiative.
- Staff manpower requirements to analyze the value of tour operator leads.

Other Potential Opportunities For Delivering ROI

Tourism Event Marketing:
Special cultural events, such as long-term theater offerings and blockbuster art exhibitions, provide a strong potential for maximizing visitor impacts. And a major Bureau alliance with tourism business partners, including credit card companies, can assure success and evaluate it as well.

One example is Los Angeles' recent launching of several cooperative marketing programs with American Express. The latest was their "Get a hotel room and Lion King ticket" campaign. According to American Express estimates, produced using cardholder expenditure data, an estimated 33,000 visitors participated in the campaign and spent in excess of $128 million.

Based on past reviews of comparable programs, it can be reasonably assumed that at least 70 percent of these visitors, and related expenditures, were indeed motivated by this campaign. This provided benefits to Los Angeles in new visitation of at least 23,000 visitors and an estimated $89.6 million in visitor revenue. Similar concepts can be explored for Miami.

Measuring and Valuing Other Important Bureau Marketing Benefits for Miami:
Two other major Bureau programs (Media Relations and Membership), while unable to quantify specific and measurable direct ROI, are significant for contributions they make to the local tourism industry and require annual reporting:

1. Media Publicity Generated: The worldwide initiative should report the total number of positive media impressions made by the bureau through its proactive publicity efforts that reach millions of people annually, producing top-of-mind awareness of the destination, and ultimately persuading untold numbers of consumers to visit Greater Miami.

This however, is not an easy task. The Google search engine can report all mentions of "Miami tourism," for example, but it does not incorporate photos, which are significant portions of publicity generated by the Bureau, the actual size of the article, nor does it include non-print media.

Burrelle's Media clipping service provides numbers of articles and their circulation (or readership). But clipping services can miss up to 50% of all editorial placements.

As to the value of Public Relations and Travel Publicity, members of the Society of American Travel Writers have anecdotally reported that the value of publicity is three times that of advertising because it is produced by independent third party sources and not paid for by the destination. But there are no recognized research conclusions to support this belief.

Still, there is great industry recognition and acceptance for the inherent value and reputation of editorial media coverage in producing top-of-mind travel publicity that positively affects visitor decisions. And the GMCVB has one of the country's most effective programs at work developing this important coverage.

Evaluating Media Publicity Success:
The staff estimates that last year it produced media publicity coverage that totaled about 650 million impressions through TV, radio and print. In comparison, Bureau advertising reach was estimated at about 37 million.

However, this burgeoning potential audience, as measured in print media circulation, viewing and listening audiences of the various media, cannot be classified as actual viewers or listeners – only as potential audiences.

The staff should continue to evaluate its media publicity success through Burelle's clipping service and supplement the analysis by purchasing Burelle's evaluation of the value of bureau coverage based on what this publicity would have cost if purchased in advertising lineage rates. According to staff management, this service will add about $200 a month to the contract, a worthwhile investment for the Bureau.

The staff should also begin to estimate its annual goal for publicity development audience reach (as delivered in viewing audience, print circulation and listenership). Then the ad equivalent evaluation can be added at year's end to track the value of the publicity. (Current estimates for advertising equivalent cost are now in the $20 million range).

Add this supporting statement to the value statement:
"The bureau produces strong top-of-mind publicity about Miami and its diverse visitor appeals through its worldwide media relations program that produced publicity coverage exceeding 650 million positive impressions on TV, radio and print media. (If purchased in equivalent ad costs, this media coverage would be valued at $____)."

2. Membership Benefits: The Bureau's membership program does so much more than just produce member dues revenue. Membership fosters Bureau partnership alliances that leverage Bureau-marketing resources, along with the in-kind services provided by businesses to support tourism efforts. They should be noted, nurtured and expanded whenever practical.

The dollar value of Bureau member program support for advertising, sales initiatives, along with in-kind services for familiarization program support for customers, is in the $ ____ range.

The total amount, including member dues, statement follows:
" ____ Miami tourism businesses today provide more than $____ in annual financial support to leverage new bureau marketing efforts. This is in addition to direct revenue from visitors who stay in hotels and pay lodging tax that is reinvested in tourism marketing to produce new visitors".

Other Tracking and Program Evaluation Methods

A number of marketing research methodologies were reviewed with senior management for evaluating and creating advertising, measuring customer awareness/interest to visit, and delivering consumer perceptions about the destination. They include:

- **Ad Campaign Awareness/Brand Effectiveness Studies:** E-mailed to a projectable sample of those meeting the demographic profile of Miami leisure visitors.

- **Specific Ad Testing:** It tests ad impact, customer empathy, copy points, brand retention, etc.

- **Destination Strengths/Weaknesses:** Provides a profile of major visitor benefits and challenges based on a projectable e-mail survey.

Each of these surveys can be designed and produced in the $8,000-$12,000 range. Equation Research is a recommended supplier.

- **Ad Development Testing:** A directional process employs focus groups, sometimes of both visitors and non-visitors, to review approaches, gauge destination awareness and develop consensus on the priority motivational messages, benefits and appeals of the destination that should be the focus of communications efforts. Costs for two focus groups, analysis, video of the sessions, and expenses usually are in the $10,000-$12,000 range. Alan Newman Associates is a recommended supplier.

Making Advertising Work Harder
Another proven method of research, designed to strengthen ongoing ad efforts, is to measure ad interest based on inquiry returns.

Here, two identical ads are employed, except that one of them incorporates a different element or approach. That new element, for example, may be a different motivational appeal delivered through a photo, or a copy block containing sensory destination appeal allure copy.

Both ads employ the same call to action, but use different call center toll-free numbers to track reader response.

Then the ads are run in publications that can allow every other reader to receive either the first or second ad. If one ad significantly outdraws the other ad in raw inquiries, this indicates the ad concepts relative winning advantage and strength in producing customer awareness, readership and interest.

The Benchmarking Process

Measuring Bureau Performance and Resulting Success:
To consistently measure its ongoing success, the Bureau should institute a comprehensive monthly and annual analysis of all activity and productivity.

This report becomes the Bureau's mirror. It is the measurement response to the agency's mission statement. It is singularly the most important tool used for measuring ongoing bureau performance. It should also be employed as the genesis for developing the Bureau's goal-setting process (forecasting the pre-determined delivery of Bureau productivity measurements).

The document should report categories by month, compared to the previous month; and year-to-date, culminating with an annual report that compares final results to past years' efforts.

This process and recommended deliverables have been reviewed with all senior managers at the Bureau and there is agreement on everyone's ability to deliver and report all categories as provided herein. In addition, administration confirms the ability of the Destination 3000 software program to administer this report.

This report should be disseminated to all staff, portions drawn from to highlight the bureau's annual report, marketing plan and other communications programs for the community.

For background, the Bureau can better measure its ongoing success by consistently delivering and reporting:

- Promotional activity.
- Marketing productivity.

Promotional Activity includes such work as literature distributed, sales calls made and publicity releases issued. As more promotional activity is produced and targeted appropriately, over time, there should be corresponding increases in marketing productivity.

Marketing Productivity is the most important output. These business measurements include business booked and resulting room night revenue, hotel reservations made and resulting economic impacts, as well as other important indicators of the Bureau's successful selling efforts on behalf of the community. In all cases, Bureau productivity can and should be forecast and stated as goals to be delivered in the annual marketing plan.

The most important annual productivity measurements should be:

- **The number of conventions/meetings booked**, resulting room nights and economic impact.

- **New leisure visitors generated** via advertising impressions and web site registered users/inquiry conversion and resulting economic impact.

- **Tour operator group sales generated** plus potential economic impact.

- **Positive media publicity impressions produced** of credible travel stories to influence travel decisions and resulting dollar value in comparable advertising space costs.

- **Bureau member support**, including dues, alternate funding from business partners and additional non-dues revenue provided for expanded marketing initiatives.

These represent the key performance indicators to be reported at the Board level.

The Goal Setting Process

This comprehensive report above will deliver annual results that should then be used as the initial benchmarking step in developing goals for the upcoming year. This entire goal-setting process should be clarified in writing for the entire marketing staff.

There are numerous other resource reports that support the Benchmarking efforts. Some of the more important reports include:

- **Conversion Analyses:** To determine consumer visitation/response to major initiatives including advertising and web programs.

- **Lost Business Reports:** An annual analysis of convention business – based on lead generation and/or bid proposals and solicitation requests – that decides not to book.

- **Cancelled Business Reports:** An annual analysis of conventions cancelled following their confirmed booking with the Bureau.

- **In-kind Partnership Report:** An annual analysis of partnership and alliance financial support provided to the Bureau. A companion report should quantify the number of partnerships or alliances formed throughout the year, compared to past efforts.

- **Conversion of Sales Leads to Business Booked:** An annual assessment of how well the Bureau is doing in this major area that tracks activity to resulting productivity.

- **Convention Income Survey:** The method produced for quantifying the value of booked convention business used in the benchmarking analysis.

- **Convention Summary Reports:** Including actual room pick up and resulting economic impacts for the community.

Following the Monthly Marketing Report and the development of relevant productivity goals, Bureau management needs a quick way to analyze performance throughout the

year against each pre-determined goal. One method is through The Consolidated Marketing Analysis (CMA).

This one-page senior management report tracks all productivity categories, comparing the annual goal for each program against monthly and year-to-date results.

The (CMA) serves as a comprehensive management tool for the CEO in tracking and reviewing ongoing success of actual work against goals on a monthly and quarterly basis.

Measuring the Economic Impact of Miami Events and Festivals

Miami plays host to numerous popular events and the Bureau is often called upon for advice in determining the economic impacts of various events.

As a service to the industry, Bureau leadership may wish to recommend a standard, low cost, highly effective research tool for event impacts.

The International Events Association (IFEA), comprised of worldwide festival and event professionals dedicated to promotion and strengthening of the events industry, provides this service.

Their economic impact consultants provide comprehensive economic impact studies for events, including spending and tax impacts, demographic and local profiles of visitors, etc. The cost is an extremely low $2,000.

V. Budget and Related Implications for Implementation

There are obvious budget and resource implications to designing and implementing strategies in support of the Strategic Work Plan and adopted goals. The variety of issues to consider include but are not limited to:

- Current GMCVB operating budget.
- Increases and/or reallocation of sales and promotional dollars.
- Diminution of traditional promotional efforts.
- Professional staff capacity/assignments.
- Private sector support.
- Pubic sector support.
- Specific programs, activities, services conducted by the GMCVB for or on behalf of its customers and constituents.
- Priority focus versus vertical and niche markets.

After consolidating and evaluating the varied input and priorities plus numerous observations and recommendations from the two independent performance audits, the strategic planning exercise, the Bureau's Executive Committee, and the draft template for an integrated Marketing Plan, the following points highlight projected costs related to implementing select initiatives.

1. Website:
There is resounding agreement that this initiative is a top priority. Bureau staff, the Executive Committee, and the consultants executing the audits and the strategic planning exercise all cite the need for and benefits of a re-engineered website. Briefly, the site improvements include providing dynamic one-to-one functionality, deep and current experiential content, from lifestyle-to-community specific, more revenue opportunities, enhanced online booking capability, in-depth data collection for consumer profiling, etc. There will also be additional staff resources needed to fully manage this process. As a follow-up to the audit and strategic planning process, staff obtained "best practices" options from the consulting firm representing the International Association of Convention & Visitors Bureaus (IACVB):

Estimated Costs:

Redesign	**$155,000 (Non Re-Occurring)**
Management & Training	**$170,000**
Expanded Web Marketing	**$300,000 - $350,000**

2. Public Relations/Media Relations:
Public Relations Program Expansion - due to advertising budget restrictions and the cost of general market advertising (both print and electronic media), the value of media placements continues to grow. A solid investment in an expanded Public Relations campaign would pay dividends in tourism dollars and related sales locally, regionally,

nationally and internationally. Plus, improved exposure to top government officials will enhance the Bureau's overall Community Relations efforts. The current GMCVB Media Relations Budget is approximately $846,000 and includes a full-time professional staff of 4 media relations executives and 1 support staff (salary budget of $320,000). The Division has a promotional budget of approximately $527,000 including a domestic PR contract currently valued at $85,000 and two contracts with firms in the United Kingdom ($66,000) and Germany ($56,000). The current contract for our domestic firm in New York is significantly under market value. Retaining a full-service PR firm has with it a significant budget implication.

Projected Cost to Support Major Expansion: $500,000

3. Meetings & Convention Incentives:

In the face of increased competition for major city-wide conventions and special events, destinations and facilities are becoming increasingly creative and aggressive to create incentive funds/pools to attract bookings. Although the GMCVB currently has a modest pool and enjoys a strong partnership with both a City of Miami/Downtown Miami Hotel Task Force and a City of Miami Beach/Miami Beach Hotel Task Force, an expanded incentive pool may be required to remain competitive. Competitive incentives vary from actual cash contributions to waiver of rental and usage fees for meetings facilities.

Projected Cost for Expanded Incentive Pool: $ 500,000 (Plus In-Kind Consideration)

4. Research:

All of the summary reports have advocated for the important role that research can play in targeting markets, defining *High–Value Customers*, designing and evaluating advertising and promotional messages, converting new customers, as well as calculating and evaluating performance and Return on Investment. A number of examples and options have been recommended for consideration. They include:

Advertising Testing	**$ 12,000 - $15,000**
Brand Awareness/Conversion Effectiveness	**$ 30,000**
Additional Syndicated Research	**$ 50,000**
Supporting Travel Agent and/ or Meeting Planner Research	**$ 25,000 - $50,000**

5. Way-Finding

A number of observations and research efforts have revealed the important service and branding roles that can benefit from a comprehensive community-wide way finding and signage program. Historically, the burden and responsibilities of designing and funding such programs rests with the public sector and is overlapping by jurisdiction be it federal, state or local highways or municipal governments or facilities. With a destination so diverse, geographically distinct, spread-out and welcoming of millions of international visitors annually, a comprehensive way finding program is critically needed.

Projected Costs: Without a comprehensive inventory and study of the existing and needed system, a cost cannot yet be projected. It is safe to say that a dedicated funding source and better coordination of public sector responsibilities would need to be identified beyond existing budgets.

VI. Stated Goals

In response to the coordination of two performance audits, a strategic planning exercise coordinated with outside consultants, priorities and objectives established by the Bureau's Executive Committee, and coordinated performance and accountability standards established by Bureau staff, a series of desired outcomes and specific goals should be established to provide a guide for future planning and strategic partnerships. As a blueprint for implementing a comprehensive Strategic Planning process, specific goals have been recommended and grouped in five (5) strategic areas:

1. Enhance the Destination's Tourism and Related Infrastructure and Continue to Develop and Expand Attraction Assets.

A. Miami Beach Convention Center.

1.A.1. The GMCVB should continue to support and advocate for the planned expansion of the Miami Beach Convention Center as well as provide collaborative input and assessment of the facility as possessing the latest and emerging state-of-the-art services/facilities designed to meet the needs of current and new customers.

1.A.2. The GMCVB should continue to monitor industry trends, best practices as well as competitive challenges to provide and support incentives required in order to effectively compete for the solicitation of group meetings and conventions.

B. Other Meetings Facilities.

1.B.1. The GMCVB should continue to support and advocate for the optimum use and promotion of other meetings venues within the community including earlier noted trends, best practices and competitive challenges.

C. Airport/Seaport Productivity.

1.C.1. The GMCVB should continue to support strategic alliances with Miami International Airport and the Port of Miami designed to maximize the number of overnight visitors that can be generated from business activity including but not limited to route development.

D. Attractions

1.D.1 The GMCVB should take an active role in monitoring the competitiveness of its "attractions" assets and their relevance to the expectations of current or potential visitor profiles. This monitoring role should include all range of attractions including private facilities, public facilities/parks, performing arts and cultural facilities/museums, historic sites and districts and entertainment districts.

E. Beach Renourishment and Revitalization

1.E.1 As the current primary visitor attraction to the region, the maintenance, protection and optimum accessibility of the region's beaches is of critical importance. In recognition of natural and man-made challenges adversely impacting this resource, the GMCVB should take an active role in working with local municipalities, county, state and federal agencies to ensure that a proper and coordinated plan is in place as well as the important roles private beachfront facilities including hotels can work closely to maintain and service this important visitor amenity.

F. Way Finding and Transportation

1.F.1. The GMCVB should encourage, advocate and support the development and expansion of a community-wide way-finding program fostering a collaborative effort between the public and private sector. Way-finding systems should include highway and street signage, location and on-premise signage, public and private transportation systems, key gateways and transfer points for the destination, as well as supporting collateral and promotional materials. Such materials should strive to strengthen and reinforce brand assets and brand identity. To support in the advocacy of such a system, a comprehensive review of the current systems and service levels in place should be conducted.

1.F.2. The GMCVB should encourage, advocate and support the development and expansion of Public/Private Transportation services that assist in serving visitor needs including the important coordination of visitor parking and accessibility to visitor attractions/services.

1.F.3. Concurrent with a review of current systems, a public/private partnership should be forged with stakeholders to design an optimum and efficient funding mechanism to support in the development of such systems and services.

2. Enhance the Visitor Experience

A. Service & Attitude.

2.A.1. The GMCVB should support and advocate for the creation and establishment of a collaborative "Service & Attitude" culture within the broadest possible scope of the hospitality industry ensuring that service levels and customer perceptions exceed leading industry standards. Specific strategies should include a comprehensive survey of current service levels and perceptions, a review of best practices and the use of current and expanded research methodologies to determine specific program recommendations.

B. Taxi Service.

2.B.1. The GMCVB should continue to take an active and supportive role in the ongoing commitment of ensuring the highest levels of taxi and for-hire service including operating standards, service & attitude, and distribution systems including maximizing the arrival and departure of visitors at Ft. Lauderdale/Hollywood International Airport.

C. Repeat Visitors.

2.C.1. The GMCVB should incorporate strategies in both research as well as service & attitude programs designed to support the maximum generation of repeat visitors to the destination.

3. Optimizing Sales & Marketing Activities Resulting in Maximum Performance and Results.

A. Leisure Sales & Marketing.

3.A.1. Design and implement a fully integrated Sales & Marketing Plan in support of this desired outcome while defining and targeting *High-Value Customers* that will optimize available resources.

3.A.2. Continue to grow domestic and international overnight visitors while maintaining optimum average daily room rates and occupancy performance for area hotels.

3.A.3. Continue to focus on growing summer and shoulder overnight visitation.

B. Convention Sales & Services.

3.B.1. Design and implement a convention sales and service strategy that targets the optimum conventions, meetings and events utilizing area Convention Centers as well as specific meetings venues in partner hotels. Strategy efforts will include targeting groups that can be attracted to take advantage of the variety and diversity of area hotels, meetings venues and destination products.

3.B.2. Expand current programs and strategies designed to stimulate and support generation of leads and bookings of shoulder and summer business. Such programs should incorporate emerging trends for non-traditional business, meetings and events.

3.B.3. Design and implement a comprehensive Convention Services Plan that provides optimum service and coordination to meet the needs of meeting planners, delegates and vendors resulting in the achievement of desired service levels and fostering repeat bookings.

C. Research.

3.C.1. Expand upon current research methods (intercept surveys) to validate and further define and profile visitors and potential visitors including additional syndicated research and focus groups.

3.C.2. Develop research models that help define and delineate *High-Value Customers* including areas of interest, visitor expectations, seasonal travel patterns, party size and composition, related activities and competitive destinations.

3.C.3. Develop research models that further identify current "non-visitors" to the destination including qualitative analysis of perceptions and interests in decision-making for vacation and travel planning and to assist in the development and distribution of motivational messages.

3.C.4. Develop research models that test and evaluate the effectiveness of current and proposed GMCVB advertising strategies including targeted niche market segments. Methodologies should include conversion studies as well as pre- and post-promise testing.

3.C.5. Develop GMCVB website capabilities and menus and page-view options to assist in developing "profiles" of visitors, both in terms of quantitative traffic to and within the site and qualitative interests of users.

D. Funding.

3.D.1. Strengthen interlocal partnerships and maximize prioritization, use and leverage of tax dollars in support of destination sales and marketing including but not limited to funding of GMCVB efforts.

3.D.2. Building upon the current success of the GMCVB's Membership Program and utilizing best practices from other comparable or applicable organizations, evaluate the current dues and services structure identifying opportunities to increase member participation and investment.

3.D.3. Develop and implement a comprehensive "sponsorship" program designed to generate private investment/sponsorship opportunities including but not limited to special events including title sponsorships, collateral and promotional materials, website promotion and exposure as well as leveraged advertising opportunities.

3.D.4. Develop appropriate in-kind formulas to maximize partner investment and support.

3.D.5. Develop a grant-seeking and foundation solicitation program with the optimum goal of linking grant-giving organizations (both private and public) with programs and activities in support of the overall mission of GMCVB and/or industry partners. Consideration should be given to leveraging grant-seeking efforts with partners in the public sector.

3.D.6. Expand current cooperative advertising programs and solicitation efforts to optimize investment and leveraged opportunities for cooperative partners (including public and private sectors).

E. Marketing.

3.E.1. Based on the findings and recommendations outlined in Section II and current and expanded research capabilities and methodologies outlined in Section VI – 3 (Research), produce a Market Assessment that will assist in identification and targeting of *High-Value Customers* for sales and marketing efforts.

3.E.2. Design and adopt a fully integrated marketing plan for all sales and marketing initiatives as part of the upcoming FY 04/05 budgeting and planning cycle incorporating the findings and recommendations outlined in Section III as well as the findings of the Market Assessment.

3.E.3. Continue evolution and expansion of "cosmopolitan/tropical" themes for the destination's Miami brand while expanding opportunities to take advantage of strong brand attributes of the variety and diversity of Miami's "neighborhoods" and sub-brands. Utilize fulfillment tools to educate customers and potential customers to tell the complete "Miami" story while ensuring brand integrity and consistency, not only advertising but supporting brand elements in visitor guides, website, special collateral materials, sales and promotional materials and media relations efforts.

3.E.4. Utilize expanded research methodologies to test and pre-test brand strategies and motivational messages.

F. Internet/Website Marketing.

3.F.1. Continue the expansion and evolution of the GMCVB website including incorporating the findings and recommendations outlined in Section II. End goals of this initiative included but are not limited to:

- Search Engine Optimization.
- Strategic Listings and Linkings.
- Direct email promotions to drive year round and seasonal business.
- Niche Programming (Gay & Lesbian, Boutique, Heritage, Adventure Travel, as well as activities/customer needs i.e. Golf, Spa, Dining, Special Events, Nightlife, etc.).
- Affinity and Cross-Marketing Campaigns.
- Expanded Media Placement Strategy.
- On-Line Public Relations.
- Supporting strategies for Brand Imaging and Sub-Brand Diversity.
- On-Line Research.
- E-Commerce Options/Opportunities.

3.F.2. Expand "interactive" components resulting in a change from an informational channel to a deliverable product for the consumer/visitor.

G. Professional Staff.

3.G.1. Utilize International Association of Convention & Visitors Bureau standards as well as best practices of other unique criteria identified as impacting the local industry, review and evaluate current GMCVB personnel policies (including compensation and staff development) that ensure maximum staff professionalism and performance.

4. Position GMCVB as "True Stewards" and the "Voice" for the Visitor Industry.

A. Community Relations.

4.A.1. The GMCVB should design, adopt and implement a comprehensive Community Relations Program incorporating the findings and recommendations outlined in Section II, as well as continuing to promote the impact and importance of the Visitor Industry and its partners. The GMCVB should continue to be a forum for the Visitor Industry including taking a leadership position on issues of importance to the industry and its partners. The comprehensive community relations plan should also incorporate newly developed Return on Investment methodologies. Such a program should incorporate strategies that target:

- Local Visitor Industry including Strategic Alliance Partners.
- Miami-Dade County Residents.
- Public Sector and Interlocal Partners.
- Other Community Based Service Organizations.
- Local Education and Hospitality Training Institutions.
- Opportunities to collaborate on a Regional, State and National Level.

B. Governance.

4.B.1. Executive Committee, Board of Directors and Standing Committees should be representative and foster interaction with the key sectors of the visitor industry and the community while providing for an efficient and responsible oversight of GMCVB operations and direction. Utilizing International Association of Convention & Visitors Bureau standards as well as best practices of other uniquely diverse governing bodies, review and evaluate current GMCVB by-laws and nominating committee procedures designed to foster optimum representation of industry and community stakeholders while resulting in a governing structure that is manageable and efficient including necessary checks and balances that protect the interests of the stakeholders and the mission of the organization.

5. **Establish Measurement Criteria for each element of the Strategic Plan (Both within the GMCVB and the community) including clearly defined leadership roles, time-lines, funding requirements.**

A. Timelines for Implementation.

5.A.1. It is recommended that such criteria be designated as Short-Term, Mid-Term or Long-Term Steps.

B. Return on Investment Criteria.

5.B.1. Establish Return on Investment criteria and monitoring systems that supervise results and the impact of each of the Bureau's programs including a specific emphasis on defining *High-Value Customers* including Convention and Leisure Sales, Marketing & Tourism including Advertising, Research, Publishing, Internet and Web Marketing, Media Relations, Membership and specific niche programming.

5.B.2. Return on Investment Criteria should be established to:

- Evaluate programs for their effectiveness based on established performance goals.
- Establish a "Value Position" formula for the return on community resources invested and leveraged with the Bureau and other partners.

Implementation Phasing

Goal #1 - Enhance the Destination's Tourism and Related Infrastructure and Continue to Develop and Expand Attraction Assets

Responsible Parties	Strategy	Short-Term Steps	Mid-Term Steps	Long-Term Steps
GMCVB City of Miami Beach SMG Miami-Dade County	A. Miami Beach Convention Center 1.A.1. Continue to support and advocate for the planned expansion of the Miami Beach Convention Center as well as providing collaborative input and assessment of the facility as possessing the latest and emerging state-of-the-art services/facilities.	• Secure Funding • Finalize Design Plan • Assess Facility Competitiveness/ Needs		
GMCVB City of Miami Beach SMG Miami-Dade County City of Miami GMCVB Member Hotels	A. Miami Beach Convention Center 1.A.2. Continue to monitor industry trends, best practices as well as competitive challenges to provide and support incentives required in order to effectively compete.	• Assess Industry Trends/Needs • Develop Appropriate Incentive Packages • Develop Criteria to Monitor Effectiveness		
GMCVB City of Miami Beach SMG Miami-Dade County City of Miami GMCVB Member Hotels	B. Other Meetings Facilities 1.B.1. Continue to support and advocate for the optimum use and promotion of other meetings venues within the community.	• Assess Industry Trends/Needs • Assess Facility Competitiveness/ Needs • Profile & Target "High Value" Customers		
GMCVB Miami-Dade County Miami International Airport Port of Miami Miami Airline Carriers GMCVB Member Cruise Lines GMCVB Member Hotels	C. Airport/Seaport Productivity 1.C.I. Continue to support strategic alliances with Miami International Airport and the Port of Miami designed to maximize the number of overnight visitors generated.	• Assess Industry Trends/Needs • Solidify Strategic Alliance Partners • Develop & Implement Integrated Sales & Customer Service Marketing Plans Involving All Partners		
GMCVB Attractions Alliance	D. Attractions 1.D.1 Take an active role in monitoring the competitiveness of "attractions" assets and their relevance to the expectations of current or potential visitor profiles.	• Conduct Assessment of Current "Attractions Package" (SWOT) • Profile & Target "High Value" Customers		

Implementation Phasing

Goal #1 - Enhance the Destination's Tourism and Related Infrastructure and Continue to Develop and Expand Attraction Assets

Responsible Parties	Strategy	Short-Term Steps	Mid-Term Steps	Long-Term Steps
Miami-Dade County State of Florida Coastal Communities Beachfront Properties GMCVB	E. Beach Renourishment and Revitalization 1.E.1 Ensure the maintenance, protection and optimum accessibility of the region's beaches by working with local municipalities, County, State and Federal agencies to ensure that a proper and coordinated plan is in place.	• Establish/Strengthen "Coalition" • Review/Assess Current Plan • Establish Consensus on Next Steps		
Miami-Dade County State of Florida DOT Local Municipalities GMCVB	F. Way Finding and Transportation 1.F.1. Encourage, advocate and support the development and expansion of a community-wide way-finding program.	• Establish/Strengthen "Coalition" • Review/Assess Current System(s) including Signage and Collateral Materials • Establish Consensus on Next Steps		
Miami-Dade County State of Florida DOT Local Municipalities GMCVB Private Transportation	F. Way Finding and Transportation 1.F.2. Encourage, advocate and support the development and expansion of Public/Private Transportation services that assist in serving visitor needs.	• Establish/Strengthen "Coalition" • Concurrent with 1.F.1, Review/Assess Current System/Services • Establish Consensus On Next Steps		
Miami-Dade County State of Florida DOT Local Municipalities	F. Way Finding and Transportation 1.F.3. Forge a public/private partnership with stakeholders to design an optimum and efficient funding mechanism to support transportation systems and services.	• Establish/Strengthen "Coalition" • Identify Funding Source • Based on Findings/ Recommendations of 1.F.1. & 1.F.2 Develop Overall Funding Requirements		

Implementation Phasing

Goal #2 - Enhance the Visitor Experience

Responsible Parties	Strategy	Short-Term Steps	Mid-Term Steps	Long-Term Steps
GMCVB GMCVB Member Hotels Related Hospitality Industry Associations	A. Service & Attitude 2.A.1. Support and advocate for the creation and establishment of a collaborate "Service & Attitude" culture within the broadest possible scope of the hospitality industry ensuring that service levels and customer perceptions exceed leading industry standards.	• Establish/Strengthen "Coalition" • Survey/Evaluate Current Service Levels/Needs • Identify/Review "Best Practices" • Collaborate with Stakeholders to Develop Action Plan for Next Steps		
Miami-Dade County GMCVB Taxi & For Hire Vendors GMCVB Member Hotels Miami International Airport Port of Miami Greater Ft. Lauderdale CVB Ft. Lauderdale/Hollywood International Airport	B. Taxi Service 2.B.1. Continue to take a active and supportive role in the ongoing commitment of ensuring the highest levels of Taxi and for-hire service including operating standards, service & attitude and distribution systems including maximizing the arrival and departure of visitors at Ft. Lauderdale/Hollywood International Airport.	• Establish/Strengthen "Coalition" • Survey/Evaluate Current Service Levels/Needs • Identify/Review "Best Practices" • Collaborate with Stakeholders to Develop Action Plan for Next Steps		
GMCVB GMCVB Members Miami International Airport Port of Miami	C. Repeat Visitors 2.C.1. Incorporate strategies in both research as well as service & attitude programs designed to support the maximum generation of "repeat visitors" to the destination.	• Develop/Implement Research Methodologies to Establish/Expand "Repeat Visitor" Profile Including Strengths, Weakness, Opportunities & Threats. • Evaluate Funding and Develop Recommendations to Support Program to Target & Attract "Repeat Visitor"		

Implementation Phasing

Goal #3 - Optimize Sales Marketing Activities Resulting in Maximum Performance and Results

Responsible Parties	Strategy	Short-Term Steps	Mid-Term Steps	Long-Term Steps
GMCVB	A. Leisure Sales & Marketing 3.A.1. Design and implement a fully- integrated Sales & Marketing Plan in support of this desired outcome while defining and targeting High Value Customers that will optimize available resources.	• Design Plan for FY 04-05 in conjunction with Development of Program of Work Utilizing Template Outlined in SP Section III.		
GMCVB Industry Stakeholders	A. Leisure Sales & Marketing 3.A.2. Continue to grow domestic and international overnight visitors while maintaining optimum average daily room rates and occupancy performance for area hotels.	• Incorporate Specific Strategies in Fully-Integrated Marketing Plan & Program of Work • Monitor Results		
GMCVB Industry Stakeholders	A. Leisure Sales & Marketing 3.A.3. Continue to focus on growing summer and shoulder overnight visitation.	• Incorporate Specific Strategies in Fully-Integrated Marketing Plan & Program of Work • Monitor Results		
GMCVB City of Miami Beach SMG City of Miami	B. Convention Sales & Services 3.B.1. Design and implement a convention sales and service strategy that targets the optimum conventions, meetings and events utilizing area Convention Centers as well as specific meetings venues in partner hotels.	• Incorporate Specific Strategies in Fully-Integrated Sales & Marketing Plan & Program of Work		
GMCVB Industry Stakeholders City of Miami	B. Convention Sales & Services 3.B.2. Expand current programs and strategies designed to stimulate and support generation of leads and bookings of shoulder and summer business.	• Incorporate Specific Strategies in Fully-Integrated Sales & Marketing Plan & Program of Work		
GMCVB	B. Convention Sales & Services 3.B.3. Design and implement a comprehensive Convention Services Plan that provides optimum service and coordination to meet the needs of meeting planners, delegates and vendors.	• Incorporate Specific Strategies in Fully-Integrated Sales & Marketing Plan & Program of Work		

Implementation Phasing

Goal #3 - Optimize Sales Marketing Activities Resulting in Maximum Performance and Results

Responsible Parties	Strategy	Short-Term Steps	Mid-Term Steps	Long-Term Steps
GMCVB	C. Research 3.C.1. Expand upon current research methods (intercept surveys) to validate and further define and profile visitors and potential visitors.	• Evaluate Current Research Models • Design Additional Research Methodologies • Implement Program • Monitor & Evaluate Results		
GMCVB	C. Research 3.C.2. Develop research models that help define and delineate High Value Customers including High Value Customers including areas of interest, visitor expectations, seasonal travel patterns, party size and composition, related activities and competitive destination.	• Identify, Revised, Expanded and/or New Research Methodologies in support of Strategy • Incorporate Current & New Research Models in FY 04-05 Program of Work		
GMCVB	C. Research 3.C.3. Develop research models that further identify current "non-visitors" to the destination.	• Identify Expanded and/or New Research Methodologies • Incorporate Current & New Research Models in FY 04-05 Program of Work		
GMCVB	C. Research 3.C.4. Develop research models that test and evaluate the effectiveness of current and proposed GMCVB advertising strategies including targeted niche markets segments.	• Identify & Implement Current, Expanded and/or New Research Methodologies • Incorporate Current & New Research Models in FY 04-05 Program of Work		
GMCVB On-Line Partners	C. Research 3.C.5. Develop GMCVB website capabilities and menus and page-view options to assist in developing "profiles" of visitors both in terms of quantitative traffic to and within the site and qualitative interests of users.	• Design and Implement Capabilities As Part of New Website Expansion & Redesign		
GMCVB Interlocal Partners Industry Stakeholders	D. Funding 3.D.1. Strengthen interlocal partnerships and maximize prioritization, use and leverage of tax dollars in support of destination sales and marketing.	• Identify & Strengthen Coalition • Develop Process for Establishing Prioritization and Leveraging of Resources		

Implementation Phasing

Goal #3 - Optimize Sales Marketing Activities Resulting in Maximum Performance and Results

Responsible Parties	Strategy	Short-Term Steps	Mid-Term Steps	Long-Term Steps
GMCVB	D. Funding 3.D.2. Evaluate the current Membership dues and services structure identifying opportunities to increase member participation and investment.	• Design & Implement Assessment • Research & Identify "Best Practices" • Develop Recommendations for Next Steps		
GMCVB	D. Funding 3.D.3. Develop and implement a comprehensive "sponsorship" program designed to generate private investment/ sponsorship opportunities.	• Research & Identify "Best Practices" • Identify & Prioritize "Menu" of Opportunity • Identify & Recruit Cooperative Partners • Design & Implement Comprehensive Plan		
GMCVB	D. Funding 3.D.4. Develop appropriate in-kind formulas to maximize partner investment and support.	• Research & Identify "Best Practices" • Identify Opportunities to Expand Current "In Kind" Sources • Identify New "In Kind" Source		
GMCVB	D. Funding 3.D.5. Develop a grant-seeking and foundation solicitation program.	• Research & Identify "Best Practices" • Identify & Recruit Cooperative Partners		
GMCVB	D. Funding 3.D.6. Expand current cooperative advertising programs and solicitation efforts to optimize investment and leveraged opportunities for cooperative partners.	• Evaluate Current Programs & "Cooperative Menu" • Research & Identify "Best Practices" • Develop & Implement Expanded Program Offerings		
GMCVB	E. Marketing 3.E.1. Produce a Market Assessment that will assist identification and targeting of High Value Customers for sales and marketing efforts.	• Evaluate Current Research Methodologies & Finding • Identify & Incorporate Additional Methodologies • Produce Assessment		

Implementation Phasing

Goal #3 - Optimize Sales Marketing Activities Resulting in Maximum Performance and Results

Responsible Parties	Strategy	Short-Term Steps	Mid-Term Steps	Long-Term Steps
GMCVB	E. Marketing 3.E.2. Design and adopt a fully-integrated marketing plan for all sales and marketing initiatives as part of the upcoming FY 04/05 budgeting and planning cycle.	• Develop Plan (Using Template in SP Section III) as Part of FY 04-05 Program of Work		
GMCVB	E. Marketing 3.E.3. Continue evolution and expansion of "cosmopolitan/tropical" themes for the destination's Miami brand while expanding opportunities to take advantage of strong brand attributes of the variety and diversity of Miami's "neighborhoods" and sub-brands.	• Design & Incorporate Supporting Strategies as part of FY 04-05 Program of Work • Integrate "Theme" Strategy Throughout All Supporting Programs Including Advertising, Publishing and Website		
GMCVB	F. Internet/Website Marketing 3.F.1. Continue the expansion and evolution of the GMCVB website.	• Assess Current Website & Internet Marketing Strategies • Based on Findings – Design & Implement Comprehensive Program		
GMCVB	F. Internet/Website Marketing 3.F.2. Expanding "interactive" components resulting in a change from an informational channel to a deliverable product for the consumer/visitor.	• Incorporate Specific Strategy into Overall Assessment & Expanded Program		
GMCVB	G. Professional Staff 3.G.1. Review and evaluate current GMCVB personnel policies (including compensation and staff development) that ensure maximum staff professionalism and performance.	• Conduct Assessment • Based on Findings, Recommend Next Steps		

Implementation Phasing

Goal #4 - Position GMCVB as "True Stewards" and "Voice" for Visitor Industry

Responsible Parties	Strategy	Short-Term Steps	Mid-Term Steps	Long-Term Steps
GMCVB	A. Community Relations 4.A.1 Design, adopt and implement a comprehensive Community Relations Program as well as continuing to promote the impact and importance of the Visitor Industry and its partners.	• Identify & Recruit "Strategic" Partners • Design Program and Incorporate in FY 04-05 Program of Work		
GMCVB	B. Governance 4.B.1 Ensure that GMCVB Executive Committee, Board of Directors and Standing Committees are representative and foster interaction with the key sectors of the visitor industry and the community while providing for an efficient and responsible oversight of GMCVB operations and direction.	• Review IACVB Standards & "Best Practices" • Assess Current Structure		

Implementation Phasing

Goal #5 - Establish Measurement Criteria for each element of the Strategic Plan (both within GMCVB and the community) including clearly defined leadership roles, timelines, funding requirements

Responsible Parties	Strategy	Short-Term Steps	Mid-Term Steps	Long-Term Steps
GMCVB	A. Establish timelines for Implementation 5.A.1. Develop and periodically monitor Short-Term strategies leading to Mid-Term and Long-Term Strategies.	• Develop & Adopt Short-Term Steps & Monitoring Methodologies • Based on Findings, Establish Time-Line & Work-Plan for the Identification of Mid-Term Steps		
GMCVB	B. Return on Investment Criteria 5.B.1. Establish Return on Investment criteria and monitoring systems that supervise results and the impact of each of the Bureau's Programs.	• Design & Implement Systems Based on Findings Outlined in SP Section IV.		
GMCVB	B. Return on Investment Criteria 5.B.2. Evaluate programs for their effectiveness based on established performance goals.	• Based on Findings and Performance, Establish a "Value Position" for Return on Community and Bureau Resources.		

TARGET MARKET INITIATIVES/REDEPLOYMENT FY 04/05

		2006 BUDGET
GOAL 1:		
ENHANCE THE DESTINATION'S TOURISM INFRASTRUCTURE AND EXPAND ATTRACTION ASSETS	$	40,000
RESEARCH		
Visit Florida quantitative research partnership "Miami Beach Experience"		
Visit Florida - Small Cities/Small Town Campaign		
National Heritage Area-Feasibility Study		
ERA Market Assessment Findings		
GOAL2:		
ENHANCE THE VISITOR EXPERIENCE		
Funding for Miami Beach Visitor Center currently operated by the Miami Beach Chamber	$	40,000
Customer Service Initiatives	$	50,000
Targeted Year long Service and Attitude Program for taxis and hospitality industry		
GOAL 3:		
OPTIMIZE SALES & MARKETING		
Targeted Initiatives	$	310,000
Boutique Hotel Program		
Gay & Lesbian Tourism Research & Co-op Advertising		
Convention Sales Contract		
Tourism Sales Activities/Entertainment Representation		
Advertising Co-op		
Retail District Ad Campaign w/ parking - targeted distribution		
Year Long Cultural Marketing: Bass Museum Marketing		
Cultural Leverage		
Cultural Tourism	$	110,000
Collateral Support	$	40,000
Miami Beach visitor guides		
Press kits & Facilities Guides		
FILM, FASHION & ENTERTAINMENT	$	50,000
Trade Shows		
Funds budgeted to support production of Black Book and travel to select industry trade shows or events. In leveraged partnership with Miami-Dade County Office of Film & Entertainment, City of Miami Beach Film Office and others. Specific shows to be coordinated by the Film, Fashion & Entertainment Committee.		
Events/Festival Season	$	150,000
Funds for the development and promotion of events that will stimulate summer and shoulder season visitation.		
Camp Miami Beach Brochure		
Art Basel Miami Beach	$	60,000
GOAL 4:		
POSITION GMCVB AS "TRUE STEWARDS" AND "VOICE" OF THE VISITOR INDUSTRY		
Marketing-Public Relations (local marketing initiative)	$	100,000
TOTAL	$	950,000

ERA

Economics Research Associates

Second Draft Memorandum Report

Date: August 25, 2003

To: Al West, Greater Miami Convention and Visitors Bureau

From: Economics Research Associates Team

RE: Task 4 - Identification of Additional Research Needs

In the Market Assessment Report resulting from Tasks 1 through 3 of our Scope of Services, the ERA Team presented tourism market characteristics for Miami Beach, and compared them to visitor patterns in other areas of Greater Miami. In addition, ERA also compared some of the Miami Beach and Greater Miami visitor data to national and state trends. It was expected at the outset of our consulting study that the Market Assessment Report might receive relatively wide public distribution.

Task 4 of the Scope of Services anticipated that there might be suggestions for additional research that could be conducted in the future, and directed the consulting team to prepare a memorandum for the staff of the GMCVB and the City. The consultant team raised approximately half a dozen issues in an initial draft of this memorandum. Through in-person discussions with City and GMCVB staff during the week of July 14th, several other issues were added. This Task 4 memorandum identifies the additional research that could be conducted by the GMCVB in order to prepare future market assessments, as well as to inform the GMCVB's strategic planning process.

For the vast majority of market research issues, the ERA Team discovered that relevant information has indeed been collected in recent years by the GMCVB that allows for quantitative analysis of the Miami Beach market as distinct from the Greater Miami area. By requesting specific crosstabulations of the existing data bases from the GMCVB's research contractor, most of the issues of concern to the City could be adequately addressed in the Market Assessment Report.

There were six issues identified by the ERA Team in the initial draft of this memorandum that suggested additional research considerations. In no particular order, they are:

1. Better tracking of the convention segment in the ongoing visitor surveys;
2. Collection of information regarding the boutique hotel market in Miami Beach;

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3. More information on media preferences and influences on travel decisions;
4. Need for indicators of lifestyle segmentation in the visitor market;
5. Possibility of collecting income data as part of the demographic profile; and
6. Identification of the potential market that is not currently coming to Miami Beach.

During the consultant visit to Miami Beach in mid-July, several additional research needs were added to the list for consideration. They include the following:

7. Greater emphasis on economic value of various visitor market segments;
8. Focus on the international visitors;
9. Opposition research;
10. Conversion studies; and
11. Strategic planning issues.

Convention Visitors

As the visitor characteristics data is currently collected through the intercept surveys, it is difficult to quantify the convention visitor market separately from the business traveler market. The convention visitor is treated as a subset of the business visitor, relying on a follow-up question to separate out convention purposes for travel, and therefore may be undercounted. The ERA Team reviewed survey instruments from other Convention and Visitors Bureaus to determine how the purpose of visit question could be changed to better assess convention visitation. The following is an example of a sample question addressing purpose of visit:

> "What is the **main** purpose of your visit to The Greater Miami Area? (INT: ACCEPT ONLY ONE (1) RESPONSE)
>
> a. Vacation/ Pleasure
> b. Attending convention, corporate/group meeting, seminar or conference
> c. Business only (other than any of the responses in b.)
> d. Visit Friends and Relatives
> e. Personal Reasons
> f. Cruise
> g. Sporting Event
> h. Medical Reasons
> i. Special Event
> j. Shopping
> k. Other Reason (specify _____)"

Boutique Hotels

Miami Beach's inventory of hotels and motels is unique due to the high number of small boutique hotels, and the current method of data collection does not capture this nuance in the Miami Beach market. The survey may be modified to specify the type of hotel/motel establishment so that the number of visitors staying in boutique hotels can

be quantified. This would require some type of recognition by tourists of the term "boutique hotel."

Media preferences

The City of Miami Beach is interested in the media preferences of visitors to help determine where advertising dollars can have the greatest impact. The questionnaire could be expanded to include a question or two on the types of magazines and periodicals read by the visitors, and their use of the internet, TV/radio, and other media when making discretionary travel decisions.

Lifestyle Segmentation

The City of Miami Beach is also interested in lifestyle segmentation of the visitor market. There is a commonly held perception that the lesbian, gay, bisexual and transgender (LGBT) visitor market is significant to Miami Beach. ERA has worked with the City of San Francisco in the past; a destination for which the LGBT market is also commonly held to be significant. In our experience to date, we have found that this segment is not conducive to quantification through use of survey instruments. On the other hand, marketing programs to address lifestyle segments can be designed and implemented without requiring statistical documentation of segment size or dynamic.

Income

Many visitor surveys routinely ask tourists about their income. However, this demographic factor is not currently in use in the GMCVB survey. This could provide useful information about target market characteristics and could be gained through a relatively simple addition to the current survey instrument.

Competitiveness and Targeting Non-Converted Travelers

There are several issues raised by the City of Miami Beach that generally fall into the broad topic of destination competitiveness and reaching out to market segments that are not currently coming to South Florida. One aspect is identifying which destinations are competing with Miami Beach and Greater Miami in the minds of the market place. One indicator of this could be the inclusion of a question in the existing survey research effort asking what other destinations the discretionary traveler considered before coming to Miami. While that might provide some interesting information, it will also miss the portion of the market that made a similar comparison but then decided on another destination. To reach beyond the existing visitor base in Greater Miami, a totally different research methodology would be required. On a one-time basis, it may make sense to engage a firm that conducts omnibus surveys (e.g., Market Facts, NFO Research) with an ongoing panel of respondents across North America. The sample could be restricted to geographic locations that are known to be good source markets for Greater Miami in order to increase the efficiency of the effort. Respondents could be asked to compare a few similar sunbelt destinations, and then rate preferences. Those not choosing Miami could be asked specifically why not.

"High Value" Customers

The GMCVB has been attentive to the economic value of different market segments in the past. For example, as Internet usage has grown in the tourism business, the GMCVB identified early on that those making reservations through the Internet tended to be more affluent customers and responded appropriately. Estimating the relative value of different market segments needs to continue and once the "high value" customers have been identified, the GMCVB should communicate which segments to target to the City of Miami Beach and the other partners in tourism promotion.

International Customers

Similarly, due to the high proportion of international visitors in the Greater Miami tourism mix, ongoing tracking of the various international segments needs to be done and communicated to the GMCVB's tourism promotion partners.

Opposition Research

On a broad national basis, the City of Miami Beach is interested in trends in competitive leisure destinations as a subject of future research efforts. At a more immediate level, the concern is with opposition research into such locally competitive destinations as Key West and Fort Lauderdale, and why potential customers are traveling there instead of Miami.

Conversion Studies

The City of Miami Beach has also suggested greater use of conversion studies. For example, a number of vendors specialize in studies of the rate of conversion of parties responding to paid advertising into actual visitors to the target area.

Strategic Planning Issues

The primary focus of the ERA Team's Market Assessment was on the analysis of Miami Beach visitation as distinct from other areas in Greater Miami. The City of Miami Beach would like the segregation of Miami Beach data from Greater Miami to continue to be carried forward (along with region-wide analyses) as the GMCVB's strategic plan is formulated. Other strategic planning issues include: identification of the target market segment(s) and how to position to capture the target clients; and an assessment of the adequacy of the GMCVB's research budget, including any need to purchase additional research.

Recap

Besides these few issues, the current survey research effort being conducted by the GMCVB produces the majority of market information sought by the City of Miami Beach. The types of cross tabulations conducted for the ERA Team's Market Assessment Report should definitely be run in future years to continue monitoring the Miami Beach market in addition to that for the Greater Miami area as a whole.

Recommendations

Board Size. The Bureau board is relatively large. Reducing the size of the Board, or more importantly the Executive Committee, could possibly make Board participation more meaningful.

Governance. In the context of the last couple of contract renewals the City has negotiated increased representation on the Bureau's Board and on the Executive Committee. Miami Beach provides approximately one-third (ranging from 30 to 35 percent) of funding from the public interlocal partners, and representation on the Board and key committees is proportional to this one-third financial support. Even so, the City feels their influence over Bureau direction is still insufficient. On the one hand, the Bureau cannot cede majority control of the Bureau to a minority partner, for example functioning like a department of the City of Miami Beach, without alienating the other interlocal partners and the private contributors (both financial and in-kind) that are so essential to an effective national and international sales effort. On the other hand, Miami Beach also invests financially in the tourism industry by being the host to the majority of visitors (and bearing the General Fund cost impacts of visitation). The consultants recommend an implementation process to an optimal state would be to:

1) Agree to specific goals and objectives through a shared strategic planning process, and measure progress towards those goals over time;
2) Establish a level of Bureau funding, reserving other portions of the $20+ million in visitor-generated funds for General Fund costs and local Miami Beach programs;
3) Set a long term automatic formula to provide that funding to the Bureau;
4) With influence in proportion to financial support participate enthusiastically in the Bureau governance process, but on a daily operating basis let the Bureau pursue its mission of marketing all of Greater Miami to the larger world; and
5) Enhance the tourism industry development function within the City to handle those initiatives that are of most interest at the local Miami Beach level.

<u>Issue: GMCVB Operations and Evaluation</u>

Findings

The GMCVB is within the norm for major bureaus in terms of:

- Organizational structure,
- Accounting practices,
- Use of satellite marketing offices,
- Size of membership, and

EXHIBIT A

Title	Number of Persons Holding Positions
Vice President, Convention Sales	1
Senior Associate Vice President, Convention Sales	1
Associate Vice President, Convention Sales	2
Regional Convention Sales Manager (Washington, D.C.)	1
Convention Sales Manager	6
Vice President, Tourism	1
Director, Travel Trade Promotion	1
Assistant Director, Travel Trade Promotion	1
Travel Trade Manager	3
Travel Trade Coordinator	1

DISPOSITION OF WATSON ISLAND TRUST

INTRODUCTION

In 1997 the Greater Miami Convention & Visitors Bureau (Bureau) created the Watson Island Trust to set aside funds for the design and construction of a world class visitor center, Bureau support offices, an air museum and airport terminal. Matching funds were also to be received from the Florida Department of Transportation. In 2003, the Bureau's board of directors decided to terminate the project due to significant increases in the cost of the project and continued uncertainties beyond the Bureaus control.

Trust assets are currently managed in a separate account and are not part of the Bureaus on-going operations. Because the trust funds will not be used as originally intended, the Bureau would like to re-direct them to serve the interests of our Interlocal partners, stake holders and the citizens of Miami-Dade County.

The Bureau has identified the following alternatives for re-directing the trust assets, which as of June 30, 2004 were valued at approximately $3,000,000.

- Expansion of marketing initiatives identified in the Bureaus Strategic Tourism Plan and other Bureau operations.
- Reserve for future host city events such as the International Association of Exhibition Managers (IAEM), POW WOW and Super Bowl.
- Increase the Bureau's "Business Recovery Fund", currently at $900,000.

08 09

FINDINGS

Bureau staff has analyzed various notable events, including on going Bureau operations, other CVB's and organizations. The following are the findings of this analysis.

- Act of terrorism (September 2001)
    - Resort tax revenue directed to the Bureau from Miami-Dade County and the City of Miami Beach declined 16.1% or $1,600,000 in the first six months. The reduction in revenue grew to $1,800,000 after twelve months.

- Two years later, resort tax revenue directed to the Bureau from Miami-Dade County and the City of Miami Beach would decline almost $1,000,000.
- For the two year period after the act of terrorism, the overall reduction in revenue directed to the Bureau from Miami-Dade County and the City of Miami Beach was $2,800,000.
- Immediately after the act of terrorism, the Bureau trimmed its personnel costs by $1,800,000 and program spending by 15% across the board.

- Hurricane (August 1992)

  - Seven months after Hurricane Andrew slammed into South Dade, resort tax collections from Miami-Dade County and the City of Miami Beach increased by 24.6% and 20.5% respectively. The Miami-Dade 2% Food & Beverage Surtax declined by 1.8%.
  - One year later, gross resort tax collections had increased by approximately 18% for the area, while the Miami-Dade 2% Food & Beverage Surtax remained unchanged over the prior year.
  - Revenue to the Bureau one year after the hurricane had increased by over $1,500,000.
  - The area saw an influx of relief workers, government employees, insurance agents and dislocated residents staying at our hotels which were mostly unaffected by the hurricane.
  - If a "worst-case-doomsday" hurricane were to occur and wipe out South Beach and downtown Miami, there would be no point in promoting visitors to the area in the short term. The emphasis would instead be focused on survival and restoring basic services and infrastructure to our community.
  - While the county and other municipalities plan for disasters, it is done as business or service continuity planning. Monetary funds are generally established to cover a month or two of operations. As an example, Miami-Dade County has established a $100 million fund to be funded through the budget over an eight year period.

- Civil Unrest or Other Negative "Image" of Destination

  - Overnight visitors to Greater Miami have generally responded by staying away after major negative events. Such events as the Mariel Boat Lift, Liberty City Riots and Tourist murders, remind us how fragile our industry is to these events.

- Bureau Operating Expenses (FY 2003-2004)

  - The Bureau's current average monthly operating expenses, consisting of personnel costs, rent, equipment leases, maintenance, telephone, postage,

supplies and other monthly expenses run approximately $600,000 per month.

- Other Bureau monthly expenses, consisting of our Interlocal Commitments and retainers with our advertising and public relations firms domestically and internationally run approximately $150,000 per month.
- The Bureau "average" program of work expenses run approximately $650,000 per month.
- The average monthly cost to run the Bureau approximates $1,400,000.

- Other CVB's & Organizations

  - The Orlando Convention & Visitors Bureau has formally set aside approximately $3 million dollars as an emergency reserve. Immediately after the Terrorism Acts, the Orlando CVB dipped into the fund and used it for very targeted advertising initiatives. Several years ago the CVB used the reserve funds to reach out to visitors who were staying away because of the brush fire smoke that covered the Orlando area. Currently their fund stands at around $1.2 million and they are budgeting annual installments of $250,000 to bring the fund back to the $3 million dollar target.
  - The Atlanta Convention & Visitors Bureau has a contingency fund of $1.8 million dollars to cover operating expenses for approximately two months. The reserve was developed over ten years ago and was funded through the budget.
  - The Dallas Convention & Visitors Bureau established an $800,000 contingency reserve eighteen months ago in response to 9-11. The reserve policy calls for replenishing the fund from operations at $200,000 per year if the fund falls below $800,000. Dallas considers this significant in that approximately 45% of their business is convention related which would require funds spent primarily to manage customer relations.
  - The Palm Beach Convention & Visitors Bureau sets aside 1% or approximately $80,000 annually as a business recovery reserve. They are currently formulating a plan to increase their reserve in light of 9-11, hurricanes and their need to ensure business is driven to the new convention center.
  - The Beacon Council reserves five to six months of operations. Their future goal is to reserve one year of operations.
  - Bank of America and Mellon United National Bank both advised that their focus is on business continuity and safeguarding their processing operations. These organizations have not set aside specific funds as a disaster recovery contingency.
  - Miami-Dade County has formally set aside, as part of their annual budget, approximately .105 mill of the countywide millage to establish and build a separate and distinct Emergency Contingency Fund which would grow to over $100 million over the next eight years. The Emergency Contingency Fund would provide a one-month operating reserve.

CONCLUSION & RECOMMENDATION

The Bureau is very aware of how fragile our very important visitor industry is to the local economy. Our findings indicate that for the most part, other CVB's throughout the country feel they are not adequately prepared to address the effects of a major disaster to their local visitor industry. As such, several are at different stages of trying to increase their reserves to protect against a business downturn such as they experienced after 9-11. By addressing this issue now, the GMCVB is again leading the industry by its attempt to protect the visitor industry against a future down-turn due to a disaster.

In conclusion, it is our recommendation that the funds in the Watson Island Trust be redirected to increase the current "Business Recovery Fund" by two million dollars for a total of $2.9 million. This is the equivalent of two months of operations to do target marketing and manage customer relations and help our partners in case of a disaster. The Business Recovery Fund would be limited in use to only the most unusual of circumstances, such as addressing natural disasters or unexpected revenue reductions that occur mid-year that cannot be absorbed through normal operations. Additionally, we would further recommend setting aside the remaining one million dollars to fund future host city event commitments.

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Listed below are recommendations for the major performance measures for the monthly and annual marketing report.

RECOMMENDATIONS FOR MONTHLY GMCVB PERFORMANCE REPORT

REPORT HIGHLIGHTS
Total Meetings Booked
Total Est. Economic Impact
Total Estimated Room Nights
Leisure Visits as a Result of the Conversion of Inquiries to Call Center and Website
Total Est. Economic Impact
Number of Members
Membership dollar value
Media Publicity Generated
Audience Impressions
Impression dollar value
Bookings/Meetings
Convention Center Bookings/Meetings
Estimated Room Nights
Estimated Economic Impact
Hotel Bookings/Meetings
Estimated Room Nights
Estimated Economic Impact
Special Event Bookings
Estimated Room Nights
Estimated Economic Impact
Total meetings
Estimated Room Nights
Estimated Economic Impact
Group Tour/Motorcoach Bookings
Estimated Room Nights
Estimated Economic Impact
Total Bookings
Estimated Room Nights
Estimated Economic Impact
Client Contacts/Calls Made
Meeting Planners - Contacts/Calls
Tour Operators - Contacts/Calls
Travel Writers - Contacts/Calls
Media Inquiries Serviced

Leads Generated
Convention Center Leads Generated
Estimated Room Nights
Hotel Leads Generated
Estimated Room Nights
Tour Operator Leads Generated
Estimated Room Nights
Total Leads Generated
Estimated Room Nights
Fam Tours
Meeting Planner Events
Meeting Planner Clients
Tour Operator Events
Tour Operator Clients
Travel Writer/Media events
Travel Writer/Media participants
Site Inspections
Meeting Planners
Tour Operators
Travel Writers/Media
Convention Services
Meetings Serviced (8)
Total Delegates for Meetings Serviced
Housing Nights Serviced
Housing Revenue Generated
Registration Events
Registration Revenue
Total Housing and Registration Revenue
Communications
Travel Media Audience Impressions Generated
$ Value Ad Equivalency
Travel Releases Issued
Inquiries generated
Advertising Audience Impressions
Call Center Inquiries (phone, labels, mail)
Website User Sessions
Total Inquiries (Website, Calls)
Total Visits as a Result of Conversion
Resulting Economic Impact
Website Registered Users
Visitor Services
Visitor Center Patrons
Visitor Center Restaurant Reservations Made
Reservation Web Page Visits

Room Night Reservations Made
Room Night Reservations (est. value)
Ticket Purchases Made
Ticket Purchases (est. value)
Membership
Total Members
Total Dues Revenue
Renewal - Number of Members
Renewal Revenue
Retention Rate
Loss Rate
Number of New Members
New Member Revenue
Member Listing Fees (additional. and web)
Event Income to Defray Costs of Planning and Operating Membership Initiatives
Total Membership Dollars
Member Partnership Development
Number of Partners-Meeting Sales Events
Number of Partners-Group Tour Events
In-kind Services
Total In-kind Services

This comprehensive report will deliver annual results that should then be used as the initial benchmarking step in developing goals for the year ahead.

Following the Monthly Marketing Report and the development of relevant productivity goals, the GMCVB should have a quick way for analyzing performance throughout the year against each predetermined goal.

To this end, a Consolidated Marketing Analysis (CMA) is recommended. This one-page senior management report tracks all productivity categories, comparing the annual goal for each program, against monthly and year-to-date results.

The CMA serves as a comprehensive management tool for the CEO in tracking and reviewing ongoing success of actual work against goal on a monthly and quarterly basis. In the final analysis, the marketing budget should allocate budgeted resources against each market based on each segment's prioritized return on investment.

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Page	Section	Term/Conditions	Status
1	1	The Bureau, in coordination with the City's Procurement Director, shall issue and award a Request for Qualifications (RFQ) or Request for Proposals (RFP) for Advertising Agency Services, prior to commencement of the Renewal Term of this Agreement. The Selection Committee that is to evaluate proposals in response to said RFQ or RFP will be established in conformance with Section 1.05 of the Agreement, which sets forth the City Participation on the Bureau Board of Directors, Executive Committee, and Sub-Committees.	Extensive RFQ and RFP designed and implemented. Selcection Committee representation included nine (9) Miami Beach representatives (40% of total).
2	2	The Bureau agrees that no less than $1,000,000 will be targeted by it during the Renewal Term to support and implement sub-market initiatives, including, but not limited to, initiatives identified in the Mayor's Blue Ribbon Tourism Task Force (MBRTTF) Report, attached as Exhibit "B" hereto. Prior to commencement of the Renewal Term, the Bureau shall provide a letter evidencing, to the City's satisfaction, that said funds have been identified for such purpose(s).	Over $1 Million earmakred for "Target Market Initiatives" designed in implemented in FY 02-03 and FY 03-04
2	3	The Bureau shall implement the following sub-market initiatives identified in the Mayor's Blue Ribbon Tourism Task Force Report:	See 2-A through 2-J
2	2-A	Cultural/Special Events: A Cultural Tourism Committee shall be established and maintained throughout this Renewal Term. Its mission statement shall contain a goal to focus on the continued development, promotion and support of cultural events, including but not limited to the "Festival Season" and special events that occur within and directly benefit the City of Miami Beach. Furthermore, the Bureau shall support and develop incentives for "Festival Season".	Summer Festival Season program successfully implemented. Partnership formed with the Miami Beach VCA to promote and develop special events hosted by Miami Beach. Comprehensvie advertising, public relations and collateral support tools developed in support of program.
2	2-B	Sales/Marketing: The Bureau shall expand its public relations efforts, including the hiring of a "wrangler" to focus on the "star power" and "edginess" which will aggressively promote the identity of Miami Beach as a "happening place."	In lieu of specific "wrangler" position, Bureau has partnered with the City of Miami to solicit and host media fams, visits and special promotions to suport Festival Season concept.

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Page	Section	Term/Conditions	Status
2	2-C	Film/Fashion: A Film/Fashion/Entertainment Committee shall be established and maintained throughout the Renewal Term and the Bureau shall, prior to the commencement of the Renewal Term, provide evidence satisfactory to the City, of a financial commitment, in the amount of $27,000 to be used to advertise and promote the City's Production Industry Access Program in Select Magazine	Film, Fashion & Entertainment Committee formed and active over contract period. Highlights have included numerous cooperative advertisment, sponsorship, trade show particiaption opprotunities working closely with city staff as well as the creation of B-Roll footage needed to support industry.
2	2-D	Small/Boutique Hotels: The Bureau shall support and develop a marketing/collateral piece and web program to ensure targeted marketing for small and boutique hotels primarily in the City of Miami Beach.	Small Boutique Hotel Program has been in place for length of contract including the creation of dedicated staff director, extensive sales and trade show participation, public relations support and the creation of Boutique Hotel brouchre and website promotional tools featuring over 86 Miami Beach Boutique hotels.
3	2-E	Airport Initiatives: The Bureau shall continue an ongoing partnership with the Miami International Airport to enhance the visitor experience.	Airport Partnership Task Force in place during contract period. Highlights include creation of Airport Arrival Guide as well as Bureau sponsorship of Customer Service Program.

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3	2-F	Gay & Lesbian: The Bureau shall expand its co-op advertising programs, continue collateral publications, and conduct research related to trends in gay and lesbian tourism. Furthermore, it shall continue to support and collaborate with the GoGayMiami.com website and with the Miami-Dade Gay and Lesbian Chamber of Commerce. A Gay and Lesbian Committee shall be established and maintained throughout the Renewal Term to oversee the marketing initiatives.	Gay & Lesbian Task force in place during contract period. Highlights include targeted research, cooperative advertising, trade show participation at over 26 shows in past two years and a partnership with the Miami-Dade Gay & Lesbian Chamber of Commerce including design and hosting of "GoGayMiami.com" site.
3	2-G	Service/Attitude: The Bureau shall work with the Miami Beach Visitor and Convention Authority (VCA) to develop a service and attitude plan. It shall assist in the development of a training video for hospitality employees and support a Citywide Customer Service/Attitude Campaign featuring such initiatives including, but not limited to, the "secret shopper."	Bureau has successfully partnered with the Miami Beach VCA to sponsor annual commitment to service program including sponsorship of annual service employee rally and training video.
3	2-H	Administration: The Bureau shall assist and use best efforts in attaining and maximizing use of the "MiamiBeach.com" website.	MiamiBeach.com site currently owned by Miami Herald (i.e. Miami.com). Bureau remains a cooperative partner with the Herald including our ongoing work with Herald Custom Publishing.
3	2-I	Residential: The Bureau shall implement a resident-focused public awareness campaign in Miami Beach, emphasizing tourism's benefits to the community.	
3	2-J	All Committees established, or to be established pursuant to this Section 3, shall be established in conformance with Section 1.05 of the Agreement, which sets forth City participation on the Bureau Board of Directors, Executive Committee, and Sub-Committees.	All committee including the Board and Executive Committee have at least a percent equivalent to the renewal break down and in most cases the percentage exceed the target minimum.
3	4	The Bureau shall:	

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Page	Section	Term/Conditions	Status
3	4-A	Restructure its Marketing and Tourism Committee to better reflect and be more representative of the sub-market initiatives referenced in Section 3 herein.	The Marketing & Tourism Committee has been restructured to including a number of sub-committees to assist in the design and implementation of the Target Market Initiatives and the blueprint of the Mayor's Blue Ribbon Committee initiatives including the Boutique Hotel Committee, the Gay & Lesbian Task Foce, the Film, Fashion & Entertainemnt Committee, The Heritage & Cultural Tourism Task Force, the Public Relations Committee and the Festival Season Summer promotion partnership with the Miami Beach VCA.
3	4-B	Appoint the City Manager, or his designee, as a voting member of its Finance Committee.	The Miami Beach CFO has been sitting on the Finance Committee at the request of the city manager for the entire contract period.
4	4-C	Appoint the Miami Beach Convention Center General Manager to its Convention Sales Committee.	
4	5	The Bureau shall contribute $20,000, annually, towards the establishment of a scholarship fund for qualifying, in-need Miami Beach residents pursuing a career in the Tourism Industry and/or Hospitality Management. Prior to the commencement of the Renewal Term, the Bureau shall evidence, to the City's satisfaction, said financial commitment.	The bureau has honored it, commitment and has participated on the city's sselection committee during the contract period.
4	6	The Bureau shall contribute to the City, for use by the Miami Beach Cultural Arts Council (CAC), 6% of the Municipal Resort Tax revenues collected by the City and distributed to the Bureau annually, on or before the fiscal years beginning October 1, 2002 and October 1, 2003, respectively. The Bureau shall distribute a portion of the 6% equivalent to $300,000 to the City, for use by the CAC. The Bureau shall distribute balance of the 6% at the end of each respective fiscal year herein	Pursuant to the contract, the Bureau has rewritten contract amount including 6% growth amount.

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4	7	The City, at all times during the Renewal Term, reserves the right, at its sole option and discretion, to engage an independent consultant to review and assess the Bureau's governance, structure, process and operations, particularly with an emphasis on the impact of same related to the Bureau's performance pursuant to the Agreement, as amended herein. Accordingly, the Bureau herein warrants and represents to the City that it shall grant said consultant full and complete access to any and all records, documents, correspondence, as the Bureau may maintain throughout the normal course of its business, for inspection by the consultant, at the Bureau's main place of business, during normal working hours. Additionally, and conditioned further upon the findings of said consultant, the City and the Bureau agree that they may consider negotiation of a longer term relationship. However, said negotiations shall be solely at the option and discretion of the parties, and nothing in this Agreement, either express or implied, shall bind or otherwise commit either the City or the Bureau to a longer term, unless so memorialized in a subsequent agreement and approved by the Mayor and City Commission and Bureau, respectively.	The Bureau has made staff available to assist ERA with both the performance review as well as the sub market analysis of Miami Beach.
5	8	The Bureau will develop a new Strategic Tourism Plan (the Plan), to be completed on or before October 1, 2003. The Plan shall include the results of an independent market assessment, based upon the scope of services set forth in Exhibit "C," attached hereto. As part of this Plan, the market assessment will include and clearly identify the demographics, travel patterns, and characteristics of the Miami Beach marketplace; particularly comparing the Miami Beach traveler with the Miami-Dade County/South Florida Region traveler.	The Bureau's Executive Committee adopted a new Stategic Plan at its meeting of July 21, 2004. The plan incorporated the findings and recommendations of a independent audit and review conducted by the City of Miami Beach as well as a separate audit conducted on behalf of Miami-Dade County and the City of Miami as well as the research findings and recommendations of an independent firm. The Plan also incorprates the recomendations and priorities established by the Bureau's Executive Committee (including the specific recommenations of the City Manager of Miami Beach).

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Page	Section	Term/Conditions	Status
5	9	The Bureau and the City agree to add the following new Section 2.02(d) to the Agreement: Notwithstanding Section 2.02(c), the Bureau herein acknowledges that the City has satisfied its proportionate contribution toward the construction of the Bureau's facility, as same is defined in Section 2.02(c) of the Agreement, and that no further City contribution shall be required for same. Accordingly, prior to the commencement of the Renewal Term herein, the Bureau shall confirm same in writing to the City, and release the City from any further obligations relating to same. Additionally, in the event of cost overruns the Bureau shall promptly provide written notice to the City, and represent that such overrun shall in no way impair or cause a diminution in the services contemplated by this Agreement With respect to the payment of operating expenses for the facility, the City and the Bureau further agree as follows:	The Bureau through action by the Board of Directors, abandoned efforts to relocate to Watson Island. Instead the Bureau renewed and leased at present location of 701 Brickell Avenue.
5	9 (I)	For purposes of Subsections 9 and 10 only, the defined terms, where referenced herein, shall have the same meaning as in that certain Sublease and Operating Agreement between the Miami Sports and Exhibition Authority and Greater Miami Convention and Visitors Bureau, dated November 3, 1997, and attached as Exhibit "D" hereto (the MSEA Agreement).	see above
5--6	9 (II)	With respect to the payment of Airport Operating Expense Rent (as is defined in the MSEA Agreement) for the facility, the Bureau herein agrees to limit its use of any monies for same, from the City's contribution(s) under the Agreement, as same are defined in Sections 2.01 and 2.02, respectively, to an amount equal to the City's pro rata share of said Airport Operating Expense Rent, and limited exclusively to that area/space in the facility representing the square footage directly occupied by the Bureau's supporting offices (as defined in the MSEA Agreement). At the City's discretion, and prior to the commencement of the Renewal Term, the City may request written confirmation of said square footage area from the Bureau.	see above
6	9 (III)	The City's pro rata share of the Airport Operating Expense Rent, as determined in (ii) above, shall specifically exclude any Airport Operating Expense Rent costs resulting from any vacancy or loss of subtenants (other than the Bureau) under the MSEA Agreement.	see above
6	9 (IV)	Notwithstanding anything to the contrary in this Subsection, the City's pro rata share of the Airport Operating Expense Rent shall be calculated and determined upon the assumption of a net annual base rent (as same is estimated by the Bureau) to be paid by the Bureau in the facility of $475,000. City funds for this purpose will not exceed the City's pro rata share of said net annual base rent cost.	see above
6	9 (V)	In no event shall any shortfalls in the Airport Operating Expense Rent be recovered by the Bureau from any funds budgeted, planned, or set aside for advertising, promotion, marketing, and/or other services pursuant to this Agreement, as amended, and, in no way shall such shortfall diminish or otherwise dilute the anticipated service levels required pursuant to this Agreement, as amended, and as present in the Bureau's annual operating budget, or in no way shall such shortfall be reflected in future budgets submitted by the Bureau pursuant to same.	see above
6--7	10	The Bureau herein agrees that any amendment to the MSEA Agreement that would alter or in any way impact or affect the costs and other items to the City, as set forth in this Subsection 2.02(d)(i)-(v), or in the Agreement shall first require the prior written consent of the City.	see above

Greater Miami Convention Visitors Bureau

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Page	Section	Term/Conditions	Status
7	11	The City of Miami Beach agrees to exercise its option for renewal under the Agreement, said Renewal Term commencing on October 1, 2002, and ending on September 30, 2004.	

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution Of The Mayor And City Commission Of The City Of Miami Beach, Florida, Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Firms Pursuant To Request For Proposals (RFP) No. 48-03/04 For The Collection And Disposal Of Residential Solid Waste, Yard Trash, And Bulk Waste, And Operation Of The City's Green Waste Facility; Authorizing The Administration To Enter Into Negotiations. Authorizing The Mayor And City Clerk To Execute An Agreement Upon The Completion Of Successful Negotiations By The Administration; And In The Event That Negotiations Are Not Finalized By December 13, 2004, Further Authorizing The Waiver Of The Competitive Bidding Process By 5/7ths Vote, And Authorizing The City Manager Or Designee To Select, Negotiate And Award A Short Term Contract Until Such Time That A Contract Is Entered Into Pursuant To RFP No. 48-03/04.

Issue:

Shall the City Commission adopt the Resolution?

Item Summary/Recommendation:

A residential solid waste collection contract was awarded to Browning Ferris Industries Waste Systems of North America (BFI) on October 18, 2000, and expiring on October 31, 2002. Under the terms of the contract, the City has the option, at its sole discretion, to renew the contract for up to three (3) consecutive one-year terms by giving the contractor written notice of renewal at least sixty (60) days prior to renewal of the term. BFI notified the City on March 11, 2004, that they were not interested in renewing the contract for the last one-year term under the current terms and conditions. The current contract does not allow the City to negotiate different terms and conditions; it only allows adjustments to price due to increases in Consumer Price Index and increases in disposal costs.

On October 11, 2004, RFP No. 48/03-04 was issued and notices sent to 45 individuals or firms, which resulted in the receipt of four proposal packages from the following firms: 1) All Services Miami-Dade; 2) BFI Waste Systems of North America, Inc.; 3) Waste Management Inc. of Florida; and 4) World Waste Services, Inc. The Evaluation Committee (the Committee) unanimously ranked Waste Management Inc. of Florida number one (1), BFI number two (2), and World Waste Services as number three (3). The Committee recommended that the Administration negotiate lower costs relative to the operation of the Green Waste Facility.

The City Manager was briefed on the Committee's recommendation and based on the following cost comparison, concurs with the committee's recommendation that Waste Management is the top ranked firm. However, since the difference (5%) in the overall percentage between BFI (76.6%) and World Waste (71.2%) is minimal and with BFI's inability to provide consistent high quality service to the City's residents based on past performance, the City Manager is recommending World Waste as the second ranked firm and BFI as the third ranked firm.

Advisory Board Recommendation:

N/A

Financial Information:

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

City Clerk's Office Legislative Tracking:

Fred Beckmann

Sign-Offs:

Department Director	Assistant City Manager	City Manager
GL FB	RCM	JMG

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AGENDA ITEM R7M

DATE 12-8-04

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: December 8, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER PERTAINING TO THE RANKING OF FIRMS PURSUANT TO REQUEST FOR PROPOSALS (RFP) NO. 48-03/04 FOR THE COLLECTION AND DISPOSAL OF RESIDENTIAL SOLID WASTE, YARD TRASH, AND BULK WASTE, AND OPERATION OF THE CITY'S GREEN WASTE FACILITY (THE RFP); AUTHORIZING THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS WITH THE TOP-RANKED FIRM OF WASTE MANAGEMENT, INC. OF FLORIDA; SHOULD THE ADMINISTRATION NOT BE ABLE TO NEGOTIATE AN AGREEMENT WITH THE TOP-RANKED FIRM, AUTHORIZING THE ADMINISTRATION TO NEGOTIATE WITH THE SECOND-RANKED FIRM OF WORLD WASTE; SHOULD THE ADMINSTRATION NOT BE ABLE TO NEGOTIATE AN AGREEMENT WITH THE SECOND-RANKED FIRM, AUTHORIZING THE ADMINSTRATION TO NEGOTIATE WITH THE THIRD RANKED FIRM OF BFI; FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT UPON CONCLUSION OF SUCCESSFUL NEGOTIATIONS WITH ONE OF THE AFORESTATED FIRMS, SAID AGREEMENT BASED UPON THE MINIMUM TERMS AND CONDITIONS AS SET FORTH IN THE RFP AND THE SUCCESSFUL FIRM'S PROPOSAL IN RESPONSE THERETO; IN THE EVENT THAT NEGOTIATIONS CANNOT BE CONCLUDED BY DECEMBER 13, 2004, AUTHORIZING THE WAIVER BY 5/7THS VOTE, OF THE COMPETITIVE BIDDING REQUIREMENT, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY, AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO NEGOTIATE A SHORT TERM AGREEMENT FOR THE PURPOSE OF ENSURING THAT THERE IS NO INTERRUPTION IN SERVICE RELATIVE TO THE COLLECTION AND DISPOSAL OF RESIDENTIAL SOLID WASTE, YARD TRASH, AND BULK WASTE, UNTIL SUCH TIME THAT THE ADMINISTRATION IS ABLE TO CONCLUDE NEGOTIATIONS WITH ONE OF THE AFORESTATED FIRMS AND A CONTRACT IS EXECUTED.**

ADMINISTRATIVE RECOMMENDATION

Adopt the Resolution.

ANALYSIS

A residential solid waste collection contract was awarded to Browning Ferris Industries Waste Systems of North America (BFI) on October 18, 2000, expiring on October 31, 2002. Under the terms of the contract, the City has the option, at its sole discretion, to renew the contract for up to three (3) consecutive one-year terms by giving the contractor written notice of renewal at least sixty (60) days prior to renewal of the term.

On September 26, 2002, the Mayor and Commission authorized the first one-year term renewal, expiring October 31, 2003. On October 15, 2003, the Mayor and Commission authorized the second one-year term renewal, expiring October 31, 2004.

Under the terms of the contract, one-year term renewals shall be at the same cost to the City as the previous terms, except for any rate adjustments authorized in accordance with increase in Disposal Costs and Consumer Price Index.

After the second one-year term renewal, in early 2004, the local BFI Senior Management Team was replaced. Since the management change, the City has experienced a decrease in quality of service including timeliness in responding to complaints.

BFI notified the City on March 11, 2004, that they were not interested in renewing the contract for the last one-year term under the current terms and conditions. Their contract does not allow the City to negotiate different terms and conditions; it only allows adjustments to price due to increases in Consumer Price Index (CPI) and increases in disposal costs. BFI was interested in a significant price adjustment above and beyond CPI and disposal costs. BFI management and the City Sanitation Director spoke on several occasions regarding BFI's letter of March 11, 2004, and service quality concerns. Based on the discussions with BFI, and believing that BFI had agreed to extend the contract month-to-month if needed in order to make the transition, the Administration concluded that it would not be in the City's best interest to force BFI to renew the agreement under the current terms and conditions of the contract. Forcing a renewal created the potential of further service degradation and would put the City in a position of having to default the existing contractor. At that time, a recommendation to issue a RFP was made.

On July 28, 2004, the City Commission approved a Resolution authorizing the City Manager to issue a Request for Proposals to secure a new provider for the collection and disposal of residential solid waste, yard trash and bulk waste, and the operation of the green waste facility.

On August 4, 2004, the Administration met with BFI's senior management to discuss the necessity of a month-to-month extension of the contract and to address quality concerns. After the meeting the Administration was certain that BFI had agreed to extend the contract on a month-to-month basis in order to facilitate an orderly transition.

On August 27, 2004 the Administration met with BFI's senior management to discuss the terms of the month-to-month contract extension and was informed by BFI that a 40% increase in monthly fees would be needed in order to agree to the contract extension. The administration rejected the proposal.

On September 23, 2004, another meeting was held between the Administration and BFI senior management to discuss the terms for a month-to-month extension of the agreement. During the discussion BFI agreed to extend the contract until December 31, 2004, at a ten percent (10%) increase in price per residential unit.

RFP PROCESS

After the Commission authorized the issuance of a RFP, the Administration took the following actions in order to develop a Scope of Work and the RFP documents.

- Obtained residential solid waste collection contracts from other municipalities to compare Scope of Services and prices against the current City of Miami Beach contract.
- Developed improved Scope of Work based on information obtained from other municipalities and our own experience in administering the solid waste collection contract over the last four years.
- Defined additional service requirements such as monthly bulk waste pick up.
- Adjusted Scope of Work to reduce the number of holidays where services were not being provided from four days a year to only one day.
- Defined equipment requirements at the start of the contract.
- Required two days per week of yard waste pick up.

When completed the RFP required continuation of the following services:

- Collect residential garbage at least two (2) times per week at the house backyard or side yard.
- Collect yard trash at the house curbside two (2) times per week on the same days scheduled for garbage pick up
- Provide bulk waste pick-up a maximum of four (4) times per calendar year. Residents must call in to schedule this service.

As an option, the RFP required the bidders to bid a price for a monthly bulk waste pick-up on a fixed schedule in lieu of the four (4) times per week.

The bulky waste collection option was requested as a means to help address a noticeable increase in illegal bulky dumping in the community. The increase in illegal dumping occurred shortly after the closure of the Community Materials Recovery Facility (MRF) located in Middle Beach as directed by the Commission on October 15, 2003. The illegal dumping was the subject of a November 19, 2004 LTC, which is attached.

When the MRF stopped accepting bulky materials effective January 2, 2004, an average of 132 tons of bulk waste per month, 87 tons of construction and demolition debris, and 89 tons of green waste was being handled at the facility. In the first 10 months of 2004 since the closure of the MRF. Sanitation has collected on the average around 217 tons of illegally dumped bulk waste per month at a cost of $21,450 per month. This represents an increase of about 85 tons per month of illegally dumped bulk waste, representing an increase of $9,090 per month or projected to be an increase in cost to the Sanitation fund of over $109,067 per year.

In addition to other mitigating measures taken by the Administration, the RFP included an add alternate bid item to provide a monthly bulk pick up versus the four pick ups a year provided under the current contract. The Administration believes that providing a monthly

bulk pick up that will be scheduled for the same day every month would reduce the amount of illegal dumping that occurs through the City, since residents will have more opportunities to discard on the same day of every month remodeling and home repairs trash, household furniture, and white goods. In addition to the potential reduction on illegal dumping, a monthly bulk waste pick up would also improve the City appearance and therefore quality-of-life, since the bulk waste will stay curbside for less time. Compliance will be much easier to enforce since any bulk waste outside the area of the City scheduled for bulk waste pick up on that day will be easily spotted by City inspectors and residents.

On October 11, 2004, RFP No. 48/03-04 was issued and notices sent to 45 individuals or firms, which resulted in the receipt of four proposal packages from the following firms:

1) All Services Miami-Dade
2) BFI Waste Systems of North America, Inc.
3) Waste Management Inc. of Florida
4) World Waste Services, Inc.

On October 19, 2004, the City Manager via Letter to Commission No. 276-2004 appointed an Evaluation Committee (the "Committee"), consisting of the following individuals:

- Kathie Brooks, Director, Office of Budget and Performance Improvement, City of Miami Beach, Committee Chair
- Daniel Cabrera, Mid-Beach Resident
- Mark Butcher, Director of Food and Beverage for the Eden Roc Hotel, and Mid-Beach Resident
- Rhonda McPherson, Sanitation Assistant Director, City of Miami Beach
- Andrew Terpak, City of Miami Beach Fleet Management Director and a North Beach resident.
- Mike Thompson, North Beach resident.
- Dimas Dominguez, North Beach resident.

The Committee convened on November 16, 2004, and was provided with an overview of the project, information relative to the City's Cone of Silence Ordinance, and the Government in the Sunshine Law. Committee members Cabrera and Dominguez were not in attendance. After evaluating the proposals, the Committee engaged in discussions relative to the proposals submitted. The Committee agreed that sufficient information was submitted in the proposals, therefore presentations were not needed.

The Committee ranked and scored each proposal pursuant to the evaluation criteria established in the RFP, which was as follows (total possible 100%):

Evaluation Criteria/Factors:	Weight
1) Cost to the City:	40%
2) Ability to provide high-quality service to the City's residents, as evidenced by type and amount of equipment, personnel and procedures.	30%

3) Prior experience in the industry, and prior service to City or to other groups of residents in a high-quality manner: 30%

Total: **100%**

In assessing the cost implications of the bid proposals the committee was able to evaluate and consider the following information. The table illustrates the annualized cost for the services bid.

ANNUAL SERVICE COST PER PROPOSER				
PROPOSER	RESIDENTIAL GARBAGE SERVICE	OPERATION OF CITY'S GREEN WASTE FACILITY	ADD ALTERNATE-BULK COLLECTION MONTHLY IN LIEU OF FOUR TIMES PER YEAR	YEARLY GRAND TOTAL
ALL SERVICE MIAMI-DADE	**$1,937,137.08**	**$300,000.00**	**$96,000.00**	**$2,333,137.08**
BFI WASTE SYSTEM	**$1,993,729.32**	**$53,640.00**	**$229,380.00**	**$2,276,749.32**
WORLD WASTE SREVICES	**$1,583,052.00**	**$175,884.00**	**$504,732.00**	**$2,263,668.00**
WASTE MANAGEMENT	**$1,667,176.80**	**$76,476.00**	**$225,000.00**	**$1,968,652.80**

The Committee scored and ranked the firms as follows:

COMMITTEE MEMBERS	**ALL SERVICES**	**BFI**	**WASTE MANAGEMENT**	**WORLD WASTE SERVICES**
Brooks, Kathie	55% (4)	78% (3)	96% (1)	83% (2)
Butcher, Mark	20% (4)	70% (2)	90% (1)	50% (3)
McPherson, Rhonda	58% (4)	80%(2)	100% (1)	73% (3)
Terpak, Andrew	40% (4)	60% (3)	100% (1)	70% (2)
Thompson, Mike	75% (4)	95% (2)	100% (1)	80% (3)
AVERAGE	49.6%	76.6%	97.2%	71.2%

The Committee unanimously ranked Waste Management Inc. of Florida number one (1). The Committee ranked BFI number two (2) and World Waste Services as number three (3). The Committee also recommended that the Administration negotiate lower costs relative to the operation of the Green Waste Facility.

Waste Management is considered the lowest and best bidder based on the following factors:

1. **Cost.** Waste Management's total cost was significantly lower (by more than $295,000) than the next lowest bidder. The impact of the proposal to our residents is as follows (cost comparison to other cities attached):
   - Current cost of services per month, $34.09
   - Cost of proposed service per month at current service level, $38.53
   - Cost of proposed service per month at expanded service level, $41.47
   - Cost per month of monthly bulk pick up that is included in the expanded service level, $2.94

2. **Operations and equipment**. Waste Management proposed four (4) brand new rear load packer-type collection vehicles, while all other bidders offered three (3) brand new trucks. By providing four (4) rear loaders, service areas are reduced, routes shortened and service improved. Trips to the disposal sites are also minimized thus providing for a more efficient and effective operation.

3. **Waste Management's Management Team.** The Route Supervisor, Mr. Jonathon Wyche has over 18 years experience in the solid waste industry, all with Waste Management. Mr. Wyche has previously served as Route Supervisor in Miami Beach for more than two (2) years and is familiar with the unique operating requirements in Miami Beach. Attached is a complete listing of Waste Management's proposed management team and their respective experience and qualifications.

4. **Experience and Resources.** Waste Management has more than 20 million residential and commercial customers, 289 active landfills, 366 transfer stations, 17 waste-to-energy facilities,138 material recovery facilities, 25,000 collection and transfer vehicles, and more than 51,000 employees.

   In South Florida, Waste Management has more than 800 employees and more than 500 dispatched trucks that service more than 200,000 residents, many of which are "backdoor" service, similar to the services needed in Miami Beach.

5. **Favorable References**. Reference checks were conducted by Procurement Division staff which resulted in the following favorable responses:

   City of Florida City
   Sylvester Jackson

   Their business professionalism has been very impressive during the 15 year contract relationship with them. Outstanding business expertise.

   City of Lauderdale Lakes
   Melissa Smith – Public Works
   No overall comments provided, however all positive responses to all questions asked.

   City of Hialeah
   Maria Joffee
   Good rates, Good Service.

   City of Coral Gables
   Dan Keys
   Very responsive company, well run.

The City Manager was briefed on the Committee's recommendation and concurs with the Committee's recommendation relative to Waste Management being the top ranked firm. However, since the difference (5%) in the overall percentage between BFI (76.6%) and World Waste (71.2%) is minimal, with BFI's inability to provide consistent high-quality service to the City's residents based on past performance, the City Manager is

recommending World Waste as the second ranked firm and BFI as the third ranked firm.

CONCLUSION

The Administration recommends that the Mayor and City Commission approve the attached resolution, which accepts the recommendation of the City Manager pertaining to the ranking of firms pursuant to Request for Proposals (RFP) No. 48-03/04 for the Collection and Disposal of Residential Solid Waste, Yard Trash, and Bulk Waste, and Operation of the City's Green Waste Facility (the RFP); authorizes the Administration to enter into negotiations with the top-ranked firm of Waste Management, Inc. of Florida.

The resolution recommends that the contract for services be negotiated to include the bulky waste monthly collection option. This option should assist in addressing a community problem with illegal dumping, while providing for an expanded service to our residents. The incremental cost of the option to the resident at $2.94 per month is reasonable. The option may also provide cost savings in the sanitation fund. A report will be made to the City Commission after a 6 month and 1 year period to enable the Commission to determine if future resident collection rates can or should be adjusted in light of any savings that may materialize.

In the event that negotiations with the first ranked bidder are not successful the resolution authorizes negotiation with the second and third ranked bidders in succession.

The resolution further authorizes the Mayor and City Clerk to execute an agreement upon conclusion of successful negotiations with one of the aforestated firms, said agreement based upon the minimum terms and conditions set forth in the resolution.

In the event that negotiations cannot be concluded by December 13, 2004, the resolution authorizes the waiver by 5/7ths vote, of the competitive bidding requirement, finding such waiver to be in the best interest of the city, and authorizes the City Manager or his designee to negotiate a short term agreement for the purpose of ensuring that there is no interruption in service to the residents relative to the collection and disposal of residential solid waste, yard trash, and bulk waste. This provision is intended to recognize that without a contract by the December 13 date, it will not be possible for a vendor to begin service as anticipated at the beginning of the year. In the event this short term contract were necessary, it would last only until such time that the Administration is able to conclude negotiations with one of the aforestated firms pursuant to the RFP, and a contract is executed.

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CITY OF MIAMI BEACH
Office of the City Manager
Letter to Commission No. 295-2004

To: Mayor David Dermer and Members of the City Commission

Date: November 19, 2004

From: Jorge M. Gonzalez City Manager

Subject: **ILLEGAL WASTE DUMPING**

As directed by the Commission on October 15, 2003 the Community Materials Recovery Facility (MRF) located in Middle Beach stopped accepting effective January 2, 2004, construction and demolition debris and bulk waste defined as: household furniture, household trash, remodeling and home repair trash, and white goods. The MRF was collecting an average of 132 tons of bulk waste per month, 87 tons of construction and demolition debris, and 89 ton of green waste. As I committed at the October 15, 2003, Commission meeting this letter provides information regarding the amounts of increased illegal dumping we have experienced in our City, especially in North Beach since the closure of the MRF.

In 2003, the Public Works Department Sanitation Division collected from City streets and alleys on the average around 140 tons of illegally dumped bulk waste per month at a cost of $12,200 per month. In the first 10 months of 2004, Sanitation has collected on the average around 217 tons of illegally dumped bulk waste per month at a cost of $21,450 per month. This represents an increase of about 85 tons per month of illegally dumped bulk waste, representing an increase of $9,090 per month or projected to be an increase in cost to the Sanitation fund of over $109,067 per year. In addition 4,100 cubic yards of hurricane debris was collected during the month of September.

As a way of mitigating the impact of closing the MRF the City partnered with Browning Ferris International (BFI) the City's residential solid waste collection contractor, and established a program called Neighborhood Pride Weekend. Under this program BFI and Waste Management of Dade provide 20 cubic yard containers in North Beach and South Beach, where bulk waste can be disposed free of charge on the first weekend of every month. The program started with one container at both location but the need of North Beach recently forced the program to expand from one to five 20 cubic yard containers at the 75th Street collection point. The South Beach location at 6th Street has remained fairly constant and only demands one 20 cubic yard container. The current total volume of bulk waste being collected on the first weekend of every month is around 120 cubic yards, equivalent to around 20 tons of waste by weight.

Other mitigating measures taken by the Administration include:

- Enhanced Code Compliance efforts;
- Increased Police enforcement;

- Partnership with Teen Job Corp; and
- Include in the current Request for Proposals for Residential Solid Waste Collection an add alternate bid item to provide a monthly bulk pick up vice the four pick ups a year provided under the current contract

For your information, in order to obtain a permit for the facility, as part of a consent agreement with DERM, the City just completed the screening of the existing berm soil at a cost of $161,000. In addition to the berm screening costs, the total estimated cost to permit and make construction improvements to operate a Green Waste Facility only, is $200,000.

Reopening of the MRF to accept bulk waste will require us to obtain a waiver from the Florida Department of Environmental Protection (FDEP). We anticipate incurring legal fees to obtain this waiver in the amount of $50,000. In addition, we expect to incur construction costs in the range of $500,000 to $750,000 to make modifications to the facility. This construction estimate is only an order of magnitude estimate based on previous discussions with the County Department of Environmental Management and FDEP, it is not an engineering estimate based on a basis of design criteria.

There is a demonstrated increase in illegal dumping that has occurred since the bulk waste option was removed from our waste facility. Efforts to mitigate have only been partially effective to date. We will continue to monitor and report back to the Commission on the growing illegal dumping issue. Further, we will continue to adjust our mitigation measures to address this problem.

Unless I hear from you differently and since the current direction from the Commission is to use the facility for green waste only, I intend to obtain an operating permit from DERM for a Green Waste Facility.

Please feel free to contact me if you have any other concerns or questions.

JMG\RCM\FHB\II

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CITY CLERK'S OFFICE

Miami Beach Public Works Department
LOCAL CITIES SOLID WASTE COLLECTION SERVICES COMPARISON
December 3, 2004

Cities	*Type of Service*	*Yard Waste*	*Bulk Waste*	*Total Monthly Cost*
Coral Gables	Back door Twice a week	Once a week	Once per month at $50 per item	$ 45.83
Miami Beach *(Proposed)*	***Back door Twice a week***	***Twice a week***	***Once a month unlimited***	***$ 41.47***
Village of Key Biscayne	Curb side Twice a week	Twice a week	Once a month	$ 41.67
Miami-Dade County	Curb side Twice a week	Twice a week	Twice a year	$ 33.25
North Miami Beach	Curb side Twice a week	Twice a week	Twice a month	$ 35.35
Miami	Curb side Twice a week	Twice a week	Depending on area	$ 27.08

About Waste Management

Local Management, Local Employees

While the vast resources of Waste Management have made it the most recognized company in the industry, it is important to understand how decisions that will affect Miami Beach are made. In a word, the answer is "locally". **All decisions affecting the South Florida Market Area (which includes the tri-county area of Miami-Dade, Broward, and Monroe) are made by the local management team, and all operations are conducted and managed by local employees.** These are people who live in, work in, care about, and support the local community. The people who work in Miami-Dade County, and the people who help out in times of emergency, such as when Miami Beach requested emergency assistance with cleanup and recovery efforts in the aftermath of the busy 2004 hurricane season.

Disposal Facilities

Waste Management owns and operates the ONLY private class 1 landfills in Miami-Dade and Broward Counties: Medley Landfill (Medley, FL) and Central Landfill (Pompano, FL). The capacity of our landfills is such that Waste Management can service the residences in Miami Beach along with hundreds of thousands other local customers for many years in the future, well beyond the terms of the franchise agreements.

Yard Waste Processing and Recycling Facilities

In addition to the above, Waste Management also owns and/or operates four (4) local yard waste processing facilities, one each in the Cities of Hialeah, Homestead, Davie, and Pompano. The ability to process yard waste and recycle it for other end uses such as mulch, ground cover, etc., at its own facilities means that the City of Miami Beach's "Green Waste" will be put to good use.

About Waste Management

Rather than treating Green Waste as a regular municipal solid waste, Waste Management's sites will recycle it in the most environmentally friendly and responsible manner, preserving important natural resources and offering the residents the best solution to their Green Waste handling needs.

Each of these yard waste processing and recycling sites is properly permitted to accept yard waste, and each operates in accordance with all local, state, and federal laws, rules, and regulations in an environmentally safe manner, the same way that Waste Management will operate the City of Miami Beach's Green Waste Facility. This is an extremely important point, as the liabilities to the City of Miami Beach in the event its contractor should fail to comply with all relevant regulations can be open-ended.

By selecting Waste Management, the City is indemnified of all liabilities in this otherwise risky area. What's more, the indemnification is backed by a financially stable and secure Fortune 500 Corporation and undisputed leader in the industry. Waste Management is not an undercapitalized "startup" company with an uncertain future commitment to South Florida, and certainly not a company that would improperly handle any of the waste materials collected from Miami Beach, jeopardizing the City and its residents. Chartered by the State of Florida in 1964, Waste Management has a long history of service in Miami Beach, South Florida, and throughout the U.S., and the company has no intention of "selling out" or vacating the South Florida market.

Financial Stability, Strength, and Resources

A review of the Waste Management 2003 Annual Report (located in the back binder pocket) and the Corporate Profile Fact Sheet will show the tremendous amount of resources offered by the largest solid waste service provider in the world. No other firm can claim to service over 20 million customers, own and operate over 25,000 collection and transfer vehicles, employ over 51,000 employees, and operate over 800 landfills, transfer stations, waste-to-energy plants, and materials recovery facilities throughout the U.S. and Canada.

About Waste Management

While these resources are an important indicator of overall stability and company capabilities, the City should not lose sight of the fact that Miami Beach residents will be serviced by the local South Florida Market Area Team, making local decisions and using local resources such as:

- **Over 800 employees in South Florida**
- **Over 500 trucks in South Florida**
- **A local Customer Service Center in South Florida**
- **Local dispatch, repair, and operational support facilities**
- **More local experience than any other hauler in South Florida**
- **The largest management team in South Florida, and**
- **MORE RESIDENTIAL FRANCHISES (directly comparable to Miami Beach) than any other hauler in South Florida**

With the resources of a Fortune 500 nationwide corporation and the flexibility and expertise of a locally managed operation, Waste Management offers the "best of both worlds" to the City of Miami Beach and its residents.

About Waste Management

In addition to the two (2) local company owned landfills, Waste Management's wholly owned subsidiary, Wheelabrator Technologies, has two waste-to-energy plants in Broward County that can accept municipal solid waste as well. With access to all of the facilities owned by Miami-Dade County as well it's own, Waste Management offers unmatched disposal capacity and locally managed resources to the City of Miami Beach.

Yard Waste Processing Facilities

In addition to the above, Waste Management also owns and/or operates four (4) local yard waste processing facilities, one each in the Cities of Miami, Homestead, Davie, and Pompano. The ability to process yard waste and recycle it for other end uses such as mulch, ground cover, etc., at its own facilities means that the City of Miami Beach's "Green Waste" will be put to good use.

Each of these yard waste processing cites is properly permitted to accept yard waste, and each operates in accordance with all local, state, and federal laws, rules, and regulations in an environmentally safe manner, the same way that Waste Management will operate the City of Miami Beach's Green Waste Facility. This is an extremely important point, as the liabilities to the City of Miami Beach in the event its contractor should fail to comply with all relevant regulations can be open-ended.

By selecting Waste Management, the City is indemnified of all liabilities in this otherwise risky area. What's more, the indemnification is backed by a financially stable and secure Fortune 500 Corporation and undisputed leader in the industry. Waste Management is not an undercapitalized "startup" company with an uncertain future commitment to South Florida, and certainly not a company that would improperly handle any of the waste materials collected from Miami Beach, jeopardizing the City and its residents. On the contrary, Waste Management has a long history of service in Miami Beach, South Florida, and throughout the U.S., and the company has no intention of "selling out" or vacating the South Florida market.

About Waste Management

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With the resources of a Fortune 500 nationwide corporation and the flexibility and expertise of a locally managed operation, Waste Management offers the "best of both worlds" to the City of Miami Beach and its residents.

Waste Management's Miami Beach Management Team

The Route Supervisor directly responsible for overseeing operations in Miami Beach is Jonathon Wyche. Mr. Wyche has over eighteen (18) years experience in the solid waste industry, all with Waste Management. Having served in this capacity in Miami Beach for over two years, he is already familiar with the unique operating requirements in Miami Beach, and in fact was the main Supervisor appointed for the emergency debris removal that Waste Management performed for the City of Miami Beach recently.

Like all members of the operations team, Mr. Wyche has extensive and continuous training not just in basic operations but also in critical support functions including safety, employee screening, diversity, productivity, and human relations.

Mr. Wyche earned an Associate in Arts degree from Miami-Dade Community College and a Bachelor in Arts in Human Resources & Management from Florida International University. He is the front-line supervisor responsible for delivering the service quality rightfully expected in Miami Beach, and along with support and direct assistance from the rest of the team, will ensure "Gold Level" performance from all crews as part of Waste Management's industry leading Service Machine program. Mr. Wyche will be interacting directly with all of the Waste Management work crews in the City as well as with residents and City staff on a daily basis to proactively ensure 100% satisfaction with all services, and he will be available not just during regular working hours but also nights, weekends, and holidays if needed. (Please see detailed resume at end of this section).

At the next level, Jonathon Wyche reports to Assistant District Manager Luigi Pace, another industry veteran with over fifteen (15) years solid waste experience. While employed as Operations Manager by Industrial Waste Service, Mr. Pace was a key member of the management team that implemented the comprehensive curbside recycling program for Miami-Dade County and for the City of Miami Beach. He also served as General Manager in Broward and Palm Beach Counties, overseeing more than fifty residential routes.

In his current capacity, Mr. Pace is the "go to" person for several front-line Route Supervisors, including Jonathon Wyche. He is also available at any time for consultation, operations support, meetings, or any other purposes to further ensure effective communications and excellence in service delivery at all times.

Luigi Pace reports to District Manager George Ruiz, who has over twenty-one (21) years solid waste experience with Waste Management, seventeen (17) years of which are managerial, and all of which are right here in Miami-Dade County. Mr. Ruiz served as Route Manager for over twelve (12) years in Miami Beach, and was actually directly involved with the first "pilot" program transitioning the residential service from the City to Waste Management when the Miami Beach first began privatization of the residential franchise over ten years ago. In addition, Waste Management was among the first crews to assist with the cleanup in the aftermath of Hurricane Andrew in 1992, and as the project leader, Mr. Ruiz was directly involved in all aspects of that large scale cleanup and recovery effort. He is very familiar with the streets and operating conditions in both the residential and commercial sectors of Miami Beach, and in particular, with the challenging service requirements inherent in providing back door residential solid waste service. Mr. Ruiz will assist in the initial implementation of service at the onset of the new contract, and will remain closely involved from that point on in order to ensure a seamless transition and ongoing continuity in service.

Two community relations/government specialists (Alex Gonzalez and Jason Neal) will serve as liaisons to City staff and officials to further ensure timely communications on all matters as appropriate. Mr. Neal has over nine (9) years industry experience, all in Miami-Dade County with Waste Management. Having held various positions including Major Account Executive, District Sales Manager, and currently, Government Affairs Director, he is well rounded and able to effectively interact with a wide range of "customers", whether they are residents, commercial businesses, City staff, or elected officials. A resident of Miami-Dade County for over thirty-five years, Mr. Neal earned a Bachelor's degree in Marketing and

International Business as well as an MBA from Florida International University.

Mr. Gonzalez has over thirty (30) years experience in the solid waste industry, primarily with Waste Management. He served as Vice President of several international divisions while he was overseas, directly responsible for every aspect of numerous multi-million dollar operations. This diverse experience and international background provides the knowledge and insight of a seasoned executive while retaining the sensitivity required in dealing with very diverse groups of people. In his current capacity, Mr. Gonzalez serves as Government Affairs Director, and both he and Mr. Neal will interact on a daily basis with City staff, elected officials, residents, and members of the Miami Beach business community.

As the largest, most experienced firm in South Florida, Waste Management has a large talent pool from which to call upon in the event of emergencies, vacations, or any other additional coverage needs. Over fifteen (15) experienced and highly trained Route Supervisors are available in South Florida alone. Combined with the additional support from other management levels, there will never be a situation in which Miami Beach is lacking qualified managerial supervision for its solid waste service, irrespective of vacation schedules or other issues. To put it bluntly, the City's residents do not go on vacation just because a Route Supervisor does, and Waste Management proactively deals with such contingencies in order to eliminate problems before they occur.

As Market Area General Manager, John Casagrande is ultimately responsible for ensuring 100% satisfaction among all customers in South Florida, including the residents in Miami Beach. In fact, Mr. Casagrande has direct operating experience with this very contract as owner of Industrial Waste Services, the first firm to have serviced and maintained a long-term residential solid waste franchise in the City of Miami Beach. He was directly involved in the initial implementation as well as ongoing day-to-day operations thereafter and is fully aware of the unique needs of the Miami Beach community.

Waste Management's Miami Beach Management Team

With first-hand experience in Miami Beach (as well as over thirty-years (30) industrial experience) Mr. Casagrande will ensure an absolutely seamless service transition for the residents.

Customer Service and Complaint Resolution Overview

Waste Management is a firm believer in the "ounce of prevention is worth a pound of cure" philosophy. The very heart of our "Service Machine" Gold Certification is in minimizing the factors that cause problems before they even occur. Everything from surveying a customer's location to observing the strictest safety standards in the industry to pre-employment and random drug testing to hourly, daily, weekly, and monthly reporting reduces the likelihood of service problems.

While the goal is to always deliver *flawless* service, it is inevitable that there will be at least a minimal number of customer concerns, which in many cases are not necessarily service complaints. Irrespective of issue or fault, however, all customers' calls on the telephone number specially designated as the Miami Beach Residential Hotline will be handled in the most professional manner by well-trained, bilingual Customer Service Representatives from Waste Management's City of Miami-based facility. This nearby facility, located at 2125 NW 10 Court, is staffed by seven (7) experienced Customer Service Representatives, and is fully operational Monday through Friday from 7 am until 5 pm and, although not required by the RFP, also on Saturday from 8 am until 12 noon.

As with most of the RFP criteria items, Waste Management will not just meet the RFP minimum standard for Customer Service but actually exceed it in order to consistently deliver top notch service to the residents of Miami Beach.

After the regular Customer Service operating hours referenced above, all callers have the option of leaving messages that will be answered the following day, with complete resolutions. The Miami Beach Route Supervisor is notified of all such calls and will ensure that each and every one is answered, resolved, and tracked.

Customer Service and Complaint Resolution Overview

The Customer Service Center is managed by Cheryl Burchette, who has ten (10) years experience in this capacity, all with Waste Management in Miami Dade County. Ms. Burchette ensures that all of the ultra-high standards of Service Machine are met or exceeded, measuring and managing everything from the number of seconds allowed to answer the telephone to a near zero missed pickup rate.

As with all employees, Waste Management's Customer Service Representatives are all carefully screened before they are hired, and from then on their training and development is ongoing throughout their careers so that the importance of customer service is never lost or forgotten. In addition, each Customer Service Representative's inbound calls are monitored on a regular basis so that Ms. Burchette can coach the customer staff as needed based on real-life situations and resolutions.

Proper call handling is critical to any customer service function, but even more so in the high profile area of solid waste management. The strategy of Waste Management is to first eliminate the need for most calls by being proactive and efficient, and second, to ensure consistent and timely resolution of any customer issues that are called in.

After the Customer Service Representative determines the nature of a call, an appropriate and immediate response is initiated. Since the Customer Service Representatives all have direct radio contact not only with the actual Drivers but also Supervisors, Managers, and support staff, the vast majority of calls are resolved while the customer is on the telephone.

Real-time Global Positioning System (GPS) capabilities further supplement the Customer Service Representatives efficiency by allowing them to immediately locate the exact location of the residential service Drivers at any given time. Through GPS and other programs, Waste Management utilizes the latest technological advances to lead the industry not just in customer service but also in safety and efficiency.

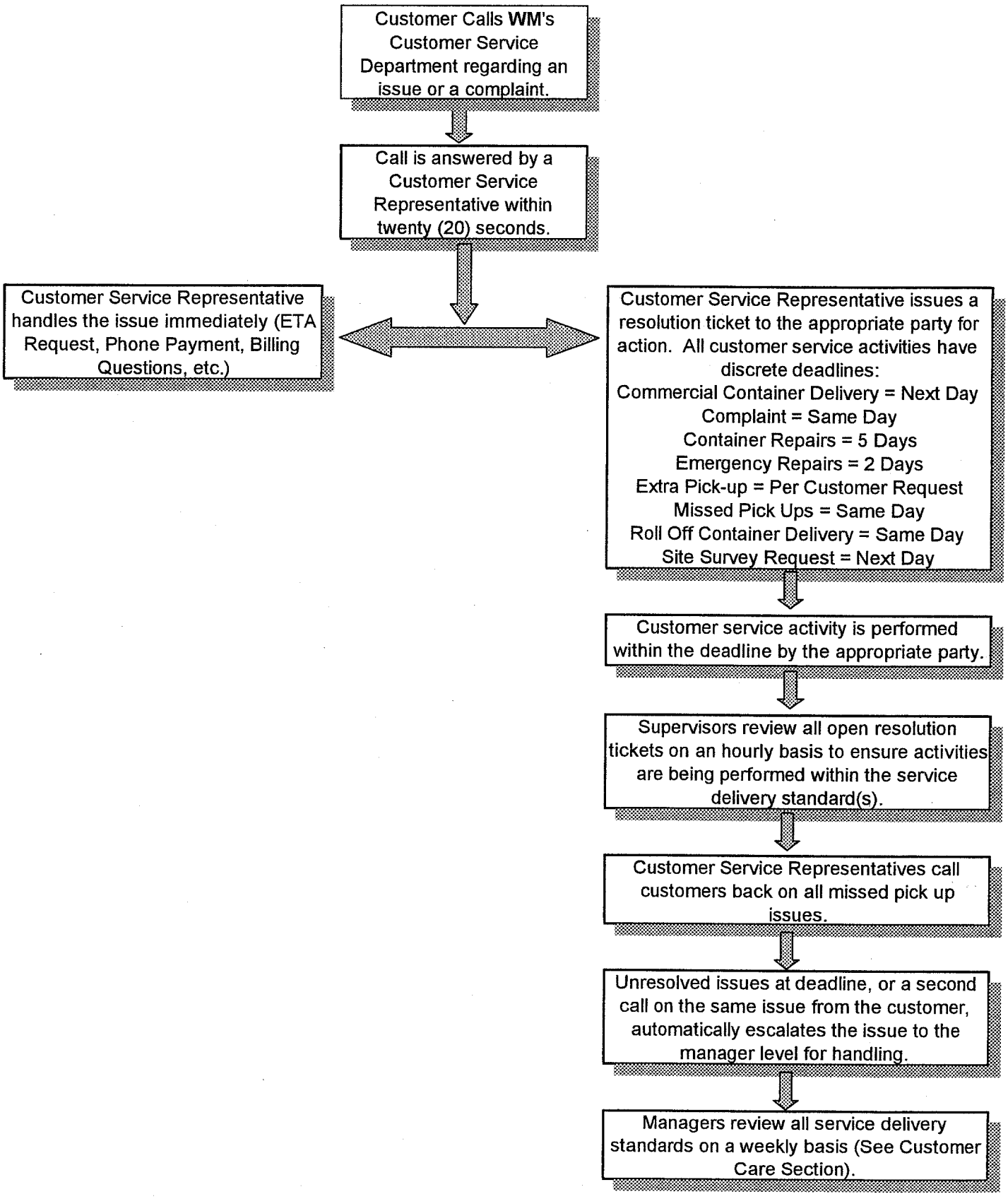
Customer Service and Complaint Resolution Overview

Should there be an unusual or complex situation requiring more time or a physical site visit, the appropriate Supervisor or Manager is notified and is then held accountable to resolve the issue and subsequently report back to Customer Service the same day, at which point the customer is called back to ensure that whatever the issue or concern is, it is fully resolved. A daily listing of any and all complaints filed and of their dispositions will be provided to the City every day, and of course the entire management team is always available for meetings upon request.

Every customer call is tracked from inception to resolution and becomes an integral part of the Service Machine database for follow-up by Management. Statistics are constantly reviewed at all levels, from local to regional to Corporate, and mandatory adherence to the "Gold" standard of less than 1 missed pick up per 1,000 customers. The Service Machine discipline is not optional, it is the only acceptable manner of conducting business at Waste Management.

The Service Machine concept and processes are further detailed in the section that follows. Waste Management is confident that, after a thorough review of Service Machine, the City of Miami Beach will agree that this proprietary Waste Management enhanced quality assurance program will deliver service that is second to none.

CUSTOMER SERVICE PLAN



Community Support

Waste Management is not just a "proposer," but a member of the local community.

The following is a brief sampling of Waste Management Inc. of Florida's Community involvement through its participation and sponsorship of various civic and community events in Miami-Dade County:

Martin Luther King Day Celebration-FL City/Homestead
Hose Painting/Beautification Projects-FL City
New Years Eve–FL City
Circus Event-FL City
Senior Ct. Program-FL City
Palmetto Optimist-South Dade
United Way-Greater Miami
AIDS Help-Greater Miami
Music Fest Miami
Haitian-American Carnival and Parade
Salute to the Troops – Miami-Dade
Second Wind – Homestead
Fourth of July – Coral Gables
Arabian Nights – Opa Locka
Optimist Club - Opa Locka
Thanksgiving Turkey Giveaway – Opa Locka
Magnolia Gardens Homeowners Association – Opa Locka
Walk for Life – Homestead
Five Mile Walk-a-Thon – North Bay Village
Boy Scouts – South Florida Council
Chamber of Commerce – All Major Chambers including Miami Beach
YMCA – Allapattah
Big Brothers-Big Sisters – Greater Miami
Sunrise Community – Miami-Dade
Miami Bach Society – Miami and Coral Gables
Miami Project to Cure Paralysis – Greater Miami
Coral Gables Crime Watch – Coral Gables
Recordings for the Blind- Greater Miami
Community Cleanups in Numerous Cities and Throughout County

RESOLUTION TO BE SUBMITTED

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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: December 8, 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
		Commissioner Saul Gross	1	
		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

AGENDA ITEM R9A
DATE 12-8-04

VACANCIES

BOARD OR COMMITTEE:	TOTAL MBRS.	APPOINTED BY:	TOTAL VAC.	PAGE
Design Review Board	7	City Commission	1	Page 18
Fine Arts Board	14	Commissioner Jose Smith	1	Page 19
Health Facilities Authority Board	6	City Commission	1	Page 23
Hispanic Affairs Committee	7	Commissioner Luis R. Garcia, Jr. Commissioner Saul Gross Mayor David Dermer	1 1 1	Page 24
Housing Authority	5	Mayor David Dermer	1	Page 26
Miami Beach Commission on Status of Women	21	Commissioner Jose Smith	1	Page 29
Miami Beach Florida Sister Cities	24	Mayor David Dermer	4	Page 32
Parks and Recreational Facilities Board	10	Commissioner Jose Smith Commissioner Simon Cruz	1 1	Page 35

VACANCIES

BOARD OR COMMITTEE:	TOTAL MBRS.	APPOINTED BY:	TOTAL VAC.	PAGE
Safety Committee	14	Commissioner Saul Gross	1	
				Page 42

Attached is breakdown by Commissioner or City Commission:

REP

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

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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 R9B1+2
DATE 12-8-04

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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: December 8, 2004

From: **Jorge M. Gonzalez City Manager**

Subject: **NIGHTLIFE INDUSTRY TASK FORCE - EXTENSION OF HOURS FOR FRIDAY, DECEMBER 31, 2004 - NEW YEARS EVE 2004.**

The Nightlife Industry Task Force (NITE) was established in October 2001 in an attempt to provide greater communication and enhanced interaction between the nightlife industry and City staff.

At their November 9, 2004 meeting, the NITE requested that the City Commission consider granting an extension of hours for nightclubs to operate on Friday, December 31, 2004 during New Years Eve 2004 through Monday, January 3, 2004 in recognition that New Year's Eve falls on Friday (weekend) evening and coinciding with the championship Orange Bowl game that will certainly attract many of out of town visitors. Over the past year, the NITE has not requested any extensions of hours in recognition of the overburdened Police Department staffing demands and respecting the community's public safety needs and enjoyment of quality of life. As was done for New Years Eve 2000, 2001, 2002 and 2003, if the City Commission is desirous of implementing the extension of club hours for Friday evening only, New Year's Eve, the following motion should be adopted:

> Motion to extend the hours of operation for those clubs with existing City Occupational Licenses that have a 5:00 am liquor license to extend their hours of operation to 7:00 am on Saturday, January 1, 2005 and to be allowed to serve alcohol. Any club which will remain open must notify the Police Department and Code Compliance by letter, by Thursday, December 23, 2004, and must provide off-duty police officers if the Police Department deems appropriate and must comply with the following additional criteria:
>
> 1. No pending violations
> 2. Do not owe the City money
> 3. No outdoor entertainment or open-air entertainment
> 4. No permission granted to violate the noise ordinance
>
> If there are any problems during the weekend, this action may be rescinded by the City Manager.

JMG/CMC/rar
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AGENDA ITEM R9C

DATE 12-8-04

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c: Bob
Kevin
Lilia

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO: JORGE M. GONZALEZ
CITY MANAGER

FROM: MATTI H. BOWER
COMMISSIONER

DATE: NOVEMBER 10, 2004

RE: DISCUSSION ITEM- YOUTH CENTER HOURS OF OPERATION

Please place a discussion item on the December 8th 2004 Commission meeting agenda regarding the hours of operation of the City's Youth Centers.

I thank you in advance for your cooperation in this matter. If you have any questions, please do not hesitate to contact my Aide, Ms. Lorna Mejia at extension 6627.

Thank you.

MHB/ldm

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Agenda Item R9D
Date 12-8-04

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C: Bob
Cmc
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CITY OF MIAMI BEACH

OFFICE OF THE MAYOR & COMMISSION

CITY MANAGER'S OFFICE

BY _____

MEMORANDUM

TO: JORGE M. GONZALEZ
CITY MANAGER

FROM: JOSE SMITH
COMMISSIONER JS

DATE: November 23, 2004

RE: AGENDA ITEM
BOARDWALK SAFETY

The boardwalk is one of the City's most precious public amenities. Prior discussions not withstanding, we are still witnessing robberies, drug-trafficking, public intoxication and delinquency. The elderly and parents with children also complain about the lack of enforcement of the no bicycles/no skateboards ordinances.

Private security is hopelessly ineffective. While I see police officers south of 21st Street, it is rare to see one between 21st and 46th street.

I would like to see a plan of action and a commitment from the administration that these problems will be addressed.

Please schedule a discussion of this matter at the December 8, 2004 Commission meeting.

Thank you.

JS/els

Agenda Item R9E
Date 12-8-04

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CITY MANAGERS OFFICE
BY

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO: JORGE GONZALEZ
CITY MANAGER

FROM: RICHARD STEINBERG RLS/DM
COMMISSIONER

DATE: November 23, 2004

RE: December 8th Commission Agenda- Discussion Item regarding Illegal Waste Dumping

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Attached please find LTC 295-2004 regarding Illegal Waste Dumping.

Please place the issue of illegal waste dumping for discussion on the December 8th Commission agenda.

If you need anything further, please feel free to contact my Aide, Ms. Dolores Mejia, at extension 6834.

RLS/dm

Agenda Item R9F
Date 12-08-04

CITY OF MIAMI BEACH
Office of the City Manager
Letter to Commission No. 295-2004

To: Mayor David Dermer and Members of the City Commission

Date: November 19, 2004

From: Jorge M. Gonzalez, City Manager

Subject: **ILLEGAL WASTE DUMPING**

As directed by the Commission on October 15, 2003 the Community Materials Recovery Facility (MRF) located in Middle Beach stopped accepting effective January 2, 2004, construction and demolition debris and bulk waste defined as: household furniture, household trash, remodeling and home repair trash, and white goods. The MRF was collecting an average of 132 tons of bulk waste per month, 87 tons of construction and demolition debris, and 89 ton of green waste. As I committed at the October 15, 2003, Commission meeting this letter provides information regarding the amounts of increased illegal dumping we have experienced in our City, especially in North Beach since the closure of the MRF.

In 2003, the Public Works Department Sanitation Division collected from City streets and alleys on the average around 140 tons of illegally dumped bulk waste per month at a cost of $12,200 per month. In the first 10 months of 2004, Sanitation has collected on the average around 217 tons of illegally dumped bulk waste per month at a cost of $21,450 per month. This represents an increase of about 85 tons per month of illegally dumped bulk waste, representing an increase of $9,090 per month or projected to be an increase in cost to the Sanitation fund of over $109,067 per year. In addition 4,100 cubic yards of hurricane debris was collected during the month of September.

As a way of mitigating the impact of closing the MRF the City partnered with Browning Ferris International (BFI) the City's residential solid waste collection contractor, and established a program called Neighborhood Pride Weekend. Under this program BFI and Waste Management of Dade provide 20 cubic yard containers in North Beach and South Beach, where bulk waste can be disposed free of charge on the first weekend of every month. The program started with one container at both location but the need of North Beach recently forced the program to expand from one to five 20 cubic yard containers at the 75th Street collection point. The South Beach location at 6th Street has remained fairly constant and only demands one 20 cubic yard container. The current total volume of bulk waste being collected on the first weekend of every month is around 120 cubic yards, equivalent to around 20 tons of waste by weight.

Other mitigating measures taken by the Administration include:

- Enhanced Code Compliance efforts;
- Increased Police enforcement;

- Partnership with Teen Job Corp; and
- Include in the current Request for Proposals for Residential Solid Waste Collection an add alternate bid item to provide a monthly bulk pick up vice the four pick ups a year provided under the current contract

For your information, in order to obtain a permit for the facility, as part of a consent agreement with DERM, the City just completed the screening of the existing berm soil at a cost of $161,000. In addition to the berm screening costs, the total estimated cost to permit and make construction improvements to operate a Green Waste Facility only, is $200,000.

Reopening of the MRF to accept bulk waste will require us to obtain a waiver from the Florida Department of Environmental Protection (FDEP). We anticipate incurring legal fees to obtain this waiver in the amount of $50,000. In addition, we expect to incur construction costs in the range of $500,000 to $750,000 to make modifications to the facility. This construction estimate is only an order of magnitude estimate based on previous discussions with the County Department of Environmental Management and FDEP, it is not an engineering estimate based on a basis of design criteria.

There is a demonstrated increase in illegal dumping that has occurred since the bulk waste option was removed from our waste facility. Efforts to mitigate have only been partially effective to date. We will continue to monitor and report back to the Commission on the growing illegal dumping issue. Further, we will continue to adjust our mitigation measures to address this problem.

Unless I hear from you differently and since the current direction from the Commission is to use the facility for green waste only, I intend to obtain an operating permit from DERM for a Green Waste Facility.

Please feel free to contact me if you have any other concerns or questions.

JMG\RCM\FHB\II

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Lilia

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BY _____

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO: JORGE M. GONZALEZ
CITY MANAGER

FROM: LUIS R. GARCIA JR.
COMMISSIONER

DATE: NOVEMBER 23, 2004

RE: AGENDA ITEM

The Miami Beach VCA Board is an essential component in the continued success of our City's tourist industry. The current VCA Board is composed of a group of competent and dedicated individuals with vast experience in the field. In the past five years they have excelled in meeting the needs, goals and enhancement of our City's image.

Due to the important role that this Board plays in the continual development of our City, I am requesting that a discussion item be placed on the December 8, 2004 agenda regarding the term limits of the current Board.

Attached for your review is a list indicating the numerous accomplishments and met goals of the existing Board members during their five year tenure.

Thank you.

Attachment

Agenda Item R9G
Date 12-8-04

MIAMI BEACH VCA

Creating Tourism Partnerships

November 23, 2004

RECEIVED
2004 NOV 23 AM 10:07
MAYOR/COMMISSION
BY

Mayor and Commission
City of Miami Beach
1700 Convention Center Drive
Miami Beach, Florida 33139

Dear Mayor and Commission,

The Miami Beach Visitor and Convention Authority (VCA), for the past five years, has accomplished numerous goals and developed strategic plans to further enhance the image of the City of Miami Beach. It is through the leadership and assistance of our dedicated board members that these goals have been realized and our destination benefited. We began by reforming the institution and feel we have come a long way in doing so.

There are however some things left undone that require the institutional knowledge and dedication of its current members. The VCA, by ordinance, does not have term limits imposed on its members, therefore the strategic vision and plan did not revolve around a specific time frame. Those strategic plans are as follows:

- Develop a strategic list of promoters and producers in the seven core initiatives to entice to Miami Beach
- Develop collaborative plan with the City of Miami Beach and GMCVB to entice these producers to Miami Beach
- Assist in developing a family friendly summer product
- Future collaboration with promoters, television and nightlife industries.
- Expand relationship with Expedia
- Assist the Film & Print office in facilitating an informational handout on Miami Beach to be given out at trade shows
- Increase visibility through a multi-faced approach including advertising, talk shows, syndicated shows, feature placements, partnerships and other efforts and initiatives.
- Michael Aller's Ambassador Program to Hotel General Managers where the Service and Attitude video will be presented and distributed

555 Seventeenth Street
Miami Beach, FL 33139
Ph: 305.673.7050
Fax: 305.673.7063
miamibeachvca.com

- Use resident focus groups to determine message and images to update Citywide "My Beach" Campaign banners, consider placing VCA logo
- Increase collaboration and coordination with cultural anchors to develop cultural tourism events
- Collaborations with Art in Public Places
- Collaborations with the Miami Beach Cultural Arts Council
- Future collaboration with arts and culture promoters

Due to the fact that our by-laws do not impose a term limit on our board members, the City's six year term limit for boards and committees has been imposed on the VCA and its members. It is our request that an extension of the VCA's board members' terms be granted either for a total term limit of eight years for all members, current and future, or solely for those currently serving on the board. Thereafter any board member who is appointed would have the City's six year term limit imposed.

We have also included a list of the VCA's accomplishments, by year, for your perusal.

Thank you for your continued support and we look forward to receiving your thoughts and decision on this matter at the next Commission meeting scheduled for December 8, 2005.

Kind regards,

Elsie S. Howard
Elsie Sterling Howard
Chair

Jeff Lehman
Vice Chair

Steven Haas
Board Member

Steve Hertz by Elsie Howard
Stephen Hertz, Esq.
Board Member

Leslie Zigel, Esq.
Board Member

Melanie Muss
Board Member

Diego Lowenstein
Board Member

Cc: Harold Rosen, Esq.

enc.

2000

- Purchased Computers
- Established shared computer system
- Moved into 555 building
- Established Archival storage system
- Established Automated payroll system
- Establish the Festival Season Grant Category and Campaign
- Produced a Miami Beach Summer Destination Brochure with the GMCVB
- Implemented a multi level grant review process
- Established VCA website
- Created Operations Manual
- Initiated Wayfinding Project for the City of Miami Beach
- Started noticing previous grant applicants of deadlines via email
- Established Annual Program of Work

2001

- Reconfigured Grant Applications
- Establish joint CAC/VCA Cultural Tourism Grant Category
- Increased visibility of grants in local papers
- Established Quarterly Report to Partners
- Assisted with Miami Spice Month
- Established declining scale for recurring projects
- Established Marketing Plan attachment requirement
- Established quantitative and qualitative measures on final report
- Established written confirmation of hotel room nights for grant applicants
- Established a correction period for grant applicants
- Applications became available on the web
- Created Board Orientation Manual

2002

- Established Point System
- Established Electronic Weekly Updates for members
- Established Executive Summaries
- Established 5 Core Initiatives
- Facilitated Museum Pass
- Initiated Architectural Guide
- Co-funded the Civic Pride Campaign
- Museum Pass
- Increased number of press releases to local newspapers

2003

- Enhanced the Executive Summary to include previous year analysis
- Established Summer Events Producer RFP jointly with the GMCVB/**Event Charette**
- Members chaired various Blue Ribbon Task Force Committee
- Established the Service & Attitude Program jointly with the GMCVB
- Initiated new mission statement
- Increased core initiatives to eight
- Established Impact tracking
- Established Economic Impact evaluation of funded projects
- Revamped Final Report
- Created PSA
- CAC
- Began requirement of audited or reviewed financial statements as part of grant application process
- Implemented Exit interviews
- Added meeting minutes to website
- Added Special Projects grant category
- Established Agenda Reviews with Board members

2004

- Enhanced Weekly Updates to members
- Established electronic Monthly Update format to Partners
- Established 414(h) Retirement Options for employees
- Established Visibility Plan
- Helped initiate Gay & Lesbian summer event
- Created Lincoln Road Directory
- Rack Card
- Developed new VCA logo
- Added Calendar of Events link to website
- Development of commission video presentation and upload to website
- Employees trained on creating and updating websites

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c: Murray
Bob
Lilia

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2004 NOV 24 AM 11:14
CITY MANAGERS OFFICE
BY

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO: JORGE GONZALEZ
CITY MANAGER

FROM: RICHARD STEINBERG RLS/DM
COMMISSIONER

DATE: November 24, 2004

RE: 63rd Street Flyover - Minimizing the Construction Impacts

Now that the removal of the 63rd Street Flyover appears inevitable, I would like to ensure that focus is turned to minimizing the construction impacts. There are items that must be addressed immediately given the timeframe and method in which FDOT plans to bid the job (January, 2005, based on price and time).

I would like to place a discussion item on the December 8th Commission Agenda to discuss the following issues:

(1) Considering allowing construction for as many hours a week as possible (i.e. 7 days a week; 16 or 24 hours per day);
(2) Increasing the financial incentives/bonuses for bidders to reduce the duration and impacts of the project;
(3) Creating a method of community involvement in the MOT plan both before and during construction; and
(4) Requesting that FDOT go forward with the Harding Project at the same time in order to minimize impact on residents.

I would also like your administration to bring forth any other means to minimize the impacts of construction. Also, please place on the December 8th Commission Agenda for Commission action any ordinances or resolutions necessary in order to address these points and the additional points your administration finds worthy of consideration to accomplish the goal of minimizing the construction duration and impacts.

RLS/dm

Agenda Item R9H
Date 12-8-04

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c: Bob
Kevin
Lilia

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO: JORGE M. GONZALEZ
CITY MANAGER

FROM: MATTI H. BOWER
COMMISSIONER

DATE: NOVEMBER 22, 2004

RE: NORTH SHORE PARK AND YOUTH CENTER ADVISORY BOARD

I would like the City Commission to reconsider a vote taken at the October 13th 2004 Commission Meeting regarding the North Shore Park and Youth Center Advisory Board (R5L). Please place the item on the December 8th 2004, Commission Agenda. Please advise.

I thank you in advance for your cooperation in this matter. If you have any questions, please do not hesitate to contact my Aide, Ms. Lorna Mejia at extension 6627.

Thank you.

MHB/ldm

RECEIVED
2004 DEC 21 PM 3:29
CITY MANAGER'S OFFICE
BY

Agenda Item R9I
Date 12-8-04

October 13, 2004 Commission Meeting / REGULAR AGENDA / R5 - Ordinances
3:57:17 p.m.
Supplement: (Additional Information):
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.**(City Manager's Office)
ACTION: Ordinance not approved. Motion made by Commissioner Bower to approve the City Manager's recommendation; seconded by Vice-Mayor Steinberg; Voice vote: 6-0; Absent: Commissioner Cruz.

Administration's Recommendation
Jorge Gonzalez, City Manager, suggested that the Ad Hoc Committee remains in place, with the same duties, for 60 days past the issuance of the Certificate of Occupancy. As it relates to programming, the Administration has professionals handling the programming; however, if there is a need or desire by the City Commission to have some oversight of the activities programming, the Parks and Recreational Facilities Board already exists and could be used. The Administration will do the analysis on how to structure the Parks advisory boards as a whole. **Robert Middaugh to handle.**

Jorge Gonzalez, City Manager, introduced the item.

Motion made by Commissioner Bower to approve the Ordinance on first reading; seconded by Commissioner Smith.

Commissioner Gross stated that by adding this board, it will take additional staff time and there is already another way of handling.

Discussion was held.

Joe Fontana, member of the North Shore Youth Center Oversight Committee Ad Hoc Committee, gave an overview of the Board and Committee Review Committee's work back in 1996/97. He recommended that the North Shore Youth Center Oversight Committee Ad Hoc Committee stay in place with the proviso that they be involved in not only construction but in the programming of activities as well. The Parks and Recreational Facilities Board should be involved with the North Shore Park only and let the Ad Hoc Committee, the same as Scott Rakow Committee, handles the Youth Center.

Commissioner Bower withdrew her motion.

Jorge Gonzalez, City Manager, suggested that the Ad Hoc Committee remain in place, with the

same duties, for 60 days past the issuance of the Certificate of Occupancy. As it relates to programming, the Administration has professionals handling the programming, however, if there is a need or desire by the City Commission to have some oversight of the activities programming, the Parks and Recreational Facilities Board already exists and could be used. The Administration will do the analysis on how to structure the Parks advisory boards as a whole.

Motion made by Commissioner Bower to approve the City Manager's recommendation.

Commissioner Garcia suggested that the North Shore Youth Center Oversight Committee Ad Hoc Committee and the Parks and Recreational Facilities Board meet jointly to familiarize themselves with the project.

Joe Fontana suggested that the Ad Hoc Committee continue with the programming and that as citizens they want to have input in the programming, make suggestions as to having chess or dance, etc., and they do not have that input as of right now.

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2004 DEC 2 AM 10:52
CITY MANAGERS OFFICE
BY

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO: JORGE M. GONZALEZ
CITY MANAGER

FROM: LUIS R. GARCIA JR.
COMMISSIONER

DATE: DECEMBER 1, 2004

RE: AGENDA ITEM

Due to several complaints regarding the potential safety hazard of the "traffic calming bump-outs" being constructed on Alton Road, I am requesting that this be placed as a discussion item on the next Commission meeting agenda of December 8th.

Thank you.

Agenda Item R9J
Date 12-8-04

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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: December 1, 2004

Pursuant to Section 286.011, Florida Statutes, a Closed Executive Session will be held during lunch recess of the City Commission meeting on December 8, 2004 in the City Manager's large conference room, Fourth Floor, City Hall, to discuss settlement on the following cases:

City of Miami Beach v. Miami-Dade County, Micky Biss and USA Express, Inc. Third District Court of Appeal, Case No. 3D04-1589, Lower Case No. 03-682 AP

Micky Biss and USA Express, Inc. v. City of Miami Beach. 11th Judicial Circuit Court. Case No. 04-18560 CA 11

Micky Biss and USA Express, Inc. v. City of Miami Beach. 11th Judicial Circuit Court. Case No. 01-11865 CA 10

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, Chief Deputy City Attorney Donald Papy, First Assistant City Attorneys Debora J. Turner and Gary Held.

Agenda Item R10A
Date 12-8-04

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INFORMATION ITEMS

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: December 8, 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. vs. Maria O. Gonzalez et al. Eleventh Judicial Circuit, General Jurisdiction, Case No. 04-23410 CA 06

   This is a mortgage foreclosure case for real property located at 1452 Washington Avenue, Miami Beach, Florida. There are monies for Resort Tax owed to the City. An Answer was filed on November 19, 2004.

2. Nautica Yacht Sales, Inc. vs. Elio Mora et al. Eleventh Judicial Circuit, General Jurisdiction, Case No. 04-23985 CA 06

   Plaintiff has filed a quiet title suit to remove Miami-Dade County and Miami Beach liens of record on property Plaintiff purchased through issuance of a tax deed. The City will seek to have the Code Compliance liens paid.

Agenda Item A
Date 12-8-04

3. Jillian Santiesteban and Luis Santiesteban vs. Sebring Marine Industries d/b/a Monterey Boats, National Marine Manufacturers Association and City of Miami Beach. Eleventh Judicial Circuit, General Jurisdiction, Case No. 04-24003 CA 27

   The City was served with this complaint on November 17, 2004, wherein the Plaintiff alleges that on February 17, 2004, she was severely injured on the ramp heading to Seabring's boat display, and fell through an opening or space between the boats and the opening ramp/walkway. This City has requested that National Marine Mfrs. Association take over the defense of the lawsuit as the City is an additional insured.

4. Sandra Sanchez as parent and legal guardian of Jonathan Martinez, a minor, and Glorymar Rodriguez, as parent and legal guardian of Chardier Rivera, a minor vs. City of Miami Beach. Eleventh Judicial Circuit, General Jurisdiction, Case No. 04-24011 CA 23

   The City was served with this complaint on November 22, 2004. The City will be filing a Motion to Dismiss since this attorney has filed one complaint for two separate accidents. The accident location was the same but the accidents took place on separate dates. The injuries are unknown at this time for either party.

5. Laura Krumm vs. City of Miami Beach, a political subdivision of the State of Florida. Eleventh Judicial Circuit, General Jurisdiction, Case No. 04-17499 CA 05

   The City was served with this complaint on November 29, 2004, wherein the Plaintiff alleges that on June 22, 2003, Plaintiff was roller-skating on Third Street between Collins Avenue and Washington Avenue when her right foot and leg went down an uncovered storm drain on the surface of the street. Her injuries are unknown at this time. An Answer and Affirmative Defenses will be timely filed and discovery propounded.

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: December 8, 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 October 2004. In October 2004, gross revenues at attended facilities (garage and lots) increased by 10.53% as compared to the prior year's period.

During the month of October 2004, the Parking Department's attended locations earned a net profit of $515,871.29. This is an increase in net profit of $36,317.63 or 7.57% as compared to the same period in the prior year.

A) 17th Street Municipal Parking Garage: October 2004

During the month of October 2004, the 17th Street Garage had net revenues of $209,577.18. Net revenues are total revenues collected, minus sales tax, and are comprised of facility-specific access-card revenues of $55,980.00, transient parking revenues of $147,297.18, and valet rental fees of $6,300.00. Net revenues increased from $186,359.54 in 2003, to $209,577.18 in 2004; a 12.46% increase in net revenues. After subtracting operating expenses of $82,070.55 the facility had a net profit for the month in the amount of $127,506.63. This represents an increase in net profit for the facility in the amount of $13,292.87 or 11.64% when compared to the same period in the previous year. This increase is primarily attributable to an increase in transient parking revenues of $20,997.64 that was partially offset by an increase in security personnel labor expense of $5,195.72 and an increase in garage cleaning expenses of $5,488.92. The 17th Street Garage served a total of 79,787 parkers in the month of October, 2004.

B) 7th Street Municipal Parking Garage: October 2004

During the month of October 2004, the 7th Street Municipal Parking Garage had net revenues of $169,450.01. Net revenues are total revenues collected, minus sales tax, and are comprised of facility-specific access-card revenues of $13,650.00 and transient parking revenues of $155,800.01. When compared to the same month in the prior year (October 2003), net revenues increased from $152,579.56 in 2003, to $169,450.01 in 2004; an 11.06% increase in net revenues. After subtracting operating expenses of $61,703.73 and debt service of $59,500.00 the facility had a net profit for the month in the amount of $48,246.28. This is an increase in net profit of $6,247.28 or 14.87% as compared to the same period in the previous year. This increase is primarily attributable to an increase in transient parking revenues of $16,270.45 that was partially offset by an increase in security personnel labor expense of $5,999.81 and an increase in garage cleaning expenses of

Agenda Item B
Date 12-8-04

$4,378.00. The 7th Street Garage served a total of 34,442 parkers in the month of October, 2004.

C) 5-A Municipal Surface Parking Lots (Washington Avenue to Pennsylvania and 17th Street): October 2004

During the month of October 2004, the 5-A Surface Lots had net revenues of $165,840.55. Net revenues are comprised of facility-specific access-card revenues of $18,300.00 and transient parking revenues of $147,540.55. When compared to the same period in the prior year (October 2003), net revenues increased from $140,101.93 in 2003, to $165,840.55 in 2004; representing an 18.37% increase in net revenues. After subtracting operating expenses of $24,595.44, the facility had a net profit for the month in the amount of $141,245.11. This is an increase in net profit of $25,935.56 or 22.49% from October 2003. This increase is primarily attributable to an increase in transient parking revenues of $24,238.62. The 5-A Municipal Surface Parking Lot served a total of 49,681 parkers in the month of October, 2004.

D) 12th Street Municipal Parking Garage: October 2004

During the month of October 2004, the 12th Street Garage had net revenues of $35,286.16. Net revenues are comprised of facility-specific monthly parking revenues of $4,860.00 and transient parking revenues of $30,426.16. When compared to the same month in the prior year (October 2003), net revenues increased from $31,580.74 in 2003, to $35,286.16 in 2004; an 11.73% increase in net revenues. After subtracting operating expenses of $18,562.46 the facility had a net profit for the month in the amount of $16,723.70. This is an increase in net profit of $2,383.79 or 16.62%. This increase is primarily attributable to an increase in transient parking revenues of $4,065.42 that was partially offset by an increase in security personnel expense of $1,148.69. The 12th Street Garage served a total of 5,162 parkers in the month of October 2004.

E) 13th Street Municipal Parking Garage: October 2004

During the month of October 2004, the 13th Street Garage had net revenues of $49,324.28. Net revenues are comprised of facility-specific monthly parking permit revenues of $8,400.00 and transient parking revenues of $40,924.28. Compared to the same month in the prior year (2003), net revenues decreased from $56,128.34 in 2003, to $49,324.28 in 2004; representing a 12.12% decrease in net revenues. After subtracting operating expenses of $32,950.85, the facility had a net profit for the month in the amount of $16,373.43. This is a decrease in net profit of $10,357.29 or 38.75% from October 2003 and is primarily attributable to a decrease in transient parking revenues of $7,464.06. The 13th Street Garage served a total of 10,460 parkers in the month of October 2004.

F) 16th Street-Anchor Parking Garage: October 2004

During the month of October, 2004, the 16th Street Garage had net revenues of $138,065.63. Net revenues are comprised of facility-specific monthly parking revenues of $28,760.00, transient parking revenues of $88,600.95, and valet rental fees of $20,704.68. Compared to the same month in the prior year (2003), net revenues increased from $123,191.13 in 2003, to $138,065.63 in 2004; representing a 12.07% increase in net

revenues. After subtracting operating expenses of $48,265.85 the facility had a net profit for the month in the amount of $89,799.78. This is an increase in net profit of $4,709.31 or 5.53% from October 2003 and is primarily attributable to an increase in transient parking revenues of $12,175.71 that was partially offset by an increase in garage cleaning expenses of $6,317.60. The 16th Street Garage served a total of 21,893 parkers in the month of October, 2004.

G) 42nd Street Municipal Parking Garage: October 2004

During the month of October, 2004, the 42nd Street Garage had net revenues of $37,016.27. Net revenues are comprised of facility-specific monthly parking revenues of $34,020.00 and transient parking revenues of $2,996.27. Compared to the same month in the prior year, 2003, net revenues decreased from $37,970.48 in 2003, to $37,016.27 in 2004; representing a 2.51% decrease in net revenues. After subtracting operating expenses of $20,539.91 the facility had a net profit for the month in the amount of $16,476.36. This is a decrease in net profit of $5,893.89. This decrease is primarily attributable to an increase in security personnel labor expense of $2,101.21, an increase in elevator maintenance expense of $1,283.16, and an increase in garage cleaning expenses of $1,595.50. The 42nd Street Garage served a total of 18,901 parkers in the month of October, 2004.

H) Electronic Parking Meter Revenue Comparison: October 2004

This statement compares parking meter revenue collected in October 2004, with revenue collected in October 2003. When comparing revenues for October 2004 in the amount of $696,560.73 to revenues for October 2003 in the amount of $732,715.56, the report reflects a decrease of $36,154.83 or 4.93% 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 October 2004 decal and permit revenue received was $92,495.95 and meter rental revenue (valet, construction, and special events) was $63,321.24 versus $110,679.12 and $130,330.53 respectively in October 2003. The combined total revenue produced at meters for the month of October 2004 was $852,377.92. This reflects a decrease from the previous year in the amount of $121,347.29 or 12.46%.

I) Parking and Transportation Smart Card Sales: October 2004

In the month of October 2004, the Parking Department sold 2,521 Parking Meter Cards to merchants, vendors, hoteliers, and the public, for revenues in the amount of $62,352.50.

J) Hotel Hangtag Sales: October 2004

In the month of October 2004, the Parking Department sold 1,950 hotel hangtags to hoteliers in the amount of $11,700.

K) Multi-Space Parking Meter Pilot Program: October 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 12.27% decrease over the prior year and the machine installed in the parking lot at 777 17th Street has earned a 15.99% increase. The 12.27% decrease for the Ocean Drive pay stations is primarily attributed to the Ocean Drive Streetscape Project whereby two block segments (5th to 7th Streets) were refurbished with expanded sidewalks. The construction area included the parking bay where parking is not allowed.

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JMG/CMC/SF

CITY OF MIAMI BEACH
PARKING DEPARTMENT
FINANCIAL REPORT SUMMARY
October 2004

LOCATION	REVENUE 2003 October	REVENUE 2004 October	REVENUE Increase/ (Decrease)	REVENUE Percent of Increase/ (Decrease)	EXPENSES 2003 October	EXPENSES 2004 October	EXPENSES Increase/ (Decrease)	EXPENSES Percent of Increase/ (Decrease)	PROFIT/(LOSS) 2003 October	PROFIT/(LOSS) 2004 October	PROFIT/(LOSS) Increase/ (Decrease)	PROFIT/(LOSS) Percent of Increase/ (Decrease)
17 St. Garage	186,359.54	209,577.18	23,217.64	12.46%	72,145.78	82,070.55	9,924.77	13.76%	114,213.76	127,506.63	13,292.87	11.64%
7th St. Garage	152,579.56	169,450.01	16,870.45	11.06%	51,080.56	61,703.73	10,623.17	20.80%	101,499.00	107,746.28	6,247.28	6.16%
17th St. Lots	140,101.93	165,840.55	25,738.62	18.37%	24,792.38	24,595.44	(196.94)	-0.79%	115,309.55	141,245.11	25,935.56	22.49%
12th St. Garage	31,580.74	35,286.16	3,705.42	11.73%	17,240.83	18,562.46	1,321.63	7.67%	14,339.91	16,723.70	2,383.79	16.62%
13th St. Garage	56,128.34	49,324.28	(6,804.06)	-12.12%	29,397.62	32,950.85	3,553.23	12.09%	26,730.72	16,373.43	(10,357.29)	-38.75%
42nd St. Garage	37,970.48	37,016.27	(954.21)	-2.51%	15,600.23	20,539.91	4,939.68	31.66%	22,370.25	16,476.36	(5,893.89)	-26.35%
16th St. - Anchor	123,191.13	138,065.63	14,874.50	12.07%	38,100.66	48,265.85	10,165.19	26.68%	85,090.47	89,799.78	4,709.31	5.53%
Totals	727,911.72	804,560.08	76,648.36	10.53%	248,358.06	288,688.79	40,330.73	16.24%	479,553.66	515,871.29	36,317.63	7.57%

	Revenue Per Space	Expenses Per Space	Profit/(Loss) Per Space	
17 St. Garage	143.55	56.21	87.33	The 17th Street Garage has 1,460 spaces.
7th St. Garage	262.31	95.52	166.79	The 7th Street Garage has 646 spaces.
17th St. Lots	327.75	48.61	279.14	The 17th Street Lots have 506 spaces.
12th St. Garage	263.33	138.53	124.80	The 12th Street Garage has 134 spaces.
13th St. Garage	172.46	115.21	57.25	The 13th Street Garage has 286 spaces.
42nd St. Garage	59.70	33.13	26.57	The 42nd Street Garage has 620 spaces.
16th St. - Anchor	171.94	60.11	111.83	The 16th Street - Anchor Garage has 803 spaces.

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11/16/2004

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
17th Street Garage - 2G
October 2004

LOCATION	ACCOUNTING CODE	2003 October	2004 October	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
17th Street Garage - 2G						
Revenue						
Revenue-Ticket	480-8000-344583	126,299.54	147,297.18	20,997.64		
Revenue - Valet	480-8000-344583	6,300.00	6,300.00	0.00		
Revenue-Monthly Permits	480-8000-344514	53,760.00	55,980.00	2,220.00		
	17th Street - 2G REVENUE (Sales Tax Excluded)	**186,359.54**	**209,577.18**	**23,217.64**	**12.46%**	**$143.55**
Expenses						
Security Personnel		15,896.40	21,092.12	5,195.72 (1).		
Attendant/Cashier Labor		41,511.91	41,006.44	(505.47)		
FP&L		6,473.39	6,473.39	0.00 (2).		
Revenue Control Equipment Maintenance		1,666.67	1,666.67	0.00		
Armed Guard Revenue Pickup		420.00	420.00	0.00		
Elevator Maintenance		738.00	483.60	(254.40) (3).		
Landscape Maintenance		108.33	108.33	0.00		
Garage Cleaning/Maintenance		5,331.08	10,820.00	5,488.92 (4).		
	17th St. Garage - 2G EXPENSES	**72,145.78**	**82,070.55**	**9,924.77**	**13.76%**	**$56.21**
	17th St. Garage PROFIT/(LOSS)	**114,213.76**	**127,506.63**	**13,292.87**	**11.64%**	**$87.33**
					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). October 2003 Security Personnel cost is comprised of 1,295.56 total labor hours. While, October 2004 Security Personnel cost is comprised of 1,719 total labor hours. This increase is due to October 2003 cost consisting of four calendar weeks, while October 2004 cost consists of five calendar weeks.

(2). October 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, October 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is a previously established estimate.

(3). October 2003 Elevator Maintenance cost reflects the regular monthly service charge of $613, plus an additional charge of $125 for a service call. October 2004 Elevator Maintenance cost reflects the regular monthly service charge of $425, plus an additional charge of $58.60 for a service call.

(4). October 2004 Garage Cleaning/Maintenance charge of $10,820 reflects the new regular monthly service charge from Best Maintenance. The increase is due to new "Living Wage" requirements.

City of Miami Beach
Parking Department
Daily Revenue Report
17th Street Garage - 2G

October 2004

Date	Day	Total Vehicle Entries	Peak Period	Peak Vehicle Count	Daily Ticket Revenue
1	Friday	2,563	20:00 - 20:59	379	3,741.12
2	Saturday	2,806	20:00 - 20:59	533	5,886.92
3	Sunday	2,029	00:00 - 00:59	413	3,911.21
4	Monday	1,839	11:00 - 11:59	835	1,733.64
5	Tuesday	1,846	09:00 - 09:59	514	1,695.33
6	Wednesday	2,464	17:00 - 17:59	466	3,708.41
7	Thursday	2,323	18:00 - 18:59	319	2,790.65
8	Friday	2,551	10:00 - 10:59	642	3,500.00
9	Saturday	2,967	00:00 - 00:59	250	7,858.88
10	Sunday	2,757	00:00 - 00:59	542	5,297.20
11	Monday	1,641	17:00 - 17:59	267	1,778.50
12	Tuesday	2,292	19:00 - 19:59	536	3,524.30
13	Wednesday	1,846	17:00 - 17:59	288	1,537.38
14	Thursday	2,066	17:00 - 17:59	281	2,076.64
15	Friday	2,648	19:00 - 19:59	397	3,917.76
16	Saturday	3,634	20:00 - 20:59	594	9,985.98
17	Sunday	2,922	18:00 - 18:59	487	7,675.70
18	Monday	2,416	17:00 - 17:59	394	3,501.87
19	Tuesday	1,473	10:00 - 10:59	331	1,673.83
20	Wednesday	2,117	17:00 - 17:59	296	1,734.58
21	Thursday	3,029	00:00 - 00:59	76	4,791.59
22	Friday	2,975	20:00 - 20:59	423	4,423.36
23	Saturday	2,371	16:00 - 16:59	374	4,521.50
24	Sunday	3,194	18:00 - 18:59	575	7,635.51
25	Monday	2,756	18:00 - 18:59	518	5,213.08
26	Tuesday	1,369	18:00 - 18:59	423	4,883.18
27	Wednesday	3,022	10:00 - 10:59	1265	5,626.17
28	Thursday	2,451	14:00 - 14:59	337	4,349.53
29	Friday	3,758	17:00 - 17:59	392	6,364.49
30	Saturday	3,603	19:00 - 19:59	722	10,233.64
31	Sunday	4,059	18:00 - 18:59	744	11,725.23
	TOTAL	**79,787**			**$147,297.18**

MONTHLY PERMIT REVENUE	**$55,980.00**
VALET REVENUE	**$6,300.00**
TOTAL NET REVENUE	**$209,577.18**

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11/16/2004

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
7th Street Garage - 1G
October 2004

LOCATION	ACCOUNTING CODE	2003 October	2004 October	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
7th Street Garage - 1G						
Revenue						
Revenue-Ticket	142-8000-344404	139,529.56	155,800.01	16,270.45		
Revenue-Monthly Permits	142-8000-344404	13,050.00	13,650.00	600.00		
	7th Street - 1G REVENUE (Sales Tax Excluded)	**152,579.56**	**169,450.01**	**16,870.45**	**11.06%**	**$262.31**
Expenses						
Security Personnel		21,049.40	27,049.21	5,999.81 (1).		
Attendant/Cashier Labor		17,797.52	17,782.75	(14.77)		
Landscape Maintenance		918.67	1,605.67	687.00 (2).		
FP&L		3,067.37	3,067.37	0.00 (3).		
Revenue Control Equipment Maintenance		700.00	860.15	160.15 (4).		
Garage Cleaning/Maintenance		4,864.00	9,242.00	4,378.00 (5).		
Armed Guard Revenue Pickup		420.00	420.00	0.00		
Elevator Maintenance		1,729.00	1,065.17	(663.83) (6).		
Surveillance System Maintenance		534.60	611.41	76.81 (7).		
	7th Street - 1G EXPENSES	**51,080.56**	**61,703.73**	**10,623.17**	**20.80%**	**$95.52**
	7th St. Estimated Debt Service	**59,500.00**	**59,500.00**	**0.00**	**0.00%**	**$92.11**
	7th St. PROFIT/(LOSS)	**41,999.00**	**48,246.28**	**6,247.28**	**14.87%**	**$74.68**
					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). October 2003 Security Personnel cost is comprised of 1,715.51 total labor hours. While, October 2004 Security Personnel cost is comprised of 2204.50 total labor hours. This increase is due to October 2003 cost consisting of four calendar weeks, while October 2004 cost consists of five calendar weeks.

(2). October 2004 Landscape Maintenance charge reflects the regular monthly service charge of $918.67, plus two additional service charges of $456 and $231 to repair vandalized irrigation lines on floors three through six.

(3). October 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, October 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is a previously established estimate.

(4). October 2004 Revenue Control Equipment Maintenance charge reflects the regular monthly service charge of $700, plus an additional charges of $160.15 for a service call.

(5). October 2004 Garage Cleaning/Maintenance charge of $9,242 reflects the new regular monthly service charge from Best Maintenance. The increase is due to new "Living Wage" requirements.

(6). October 2003 Elevator Maintenance charge reflects the regular monthly service charge of $985, plus a charge of $744 for three additional service calls.

(7). October 2004 Surveillance System Maintenance charge of $611.41 reflects the new regular monthly service charge from Advance Technology (ATC).

City of Miami Beach
Parking Department
Daily Revenue Report
7th Street Garage - 1G **October 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	Friday	1,176	23:00 - 23:59	211	375.00	69.90	8,703.00
2	Saturday	2,082	15:00 - 15:59	301	375.00	69.90	11,984.00
3	Sunday	1,519	14:00 - 14:59	324	375.00	69.90	5,941.00
4	Monday	509	14:00 - 14:59	84	375.00	69.90	1,765.00
5	Tuesday	631	14:00 - 14:59	112	375.00	69.90	1,628.00
6	Wednesday	546	15:00 - 15:59	93	375.00	69.90	1,653.00
7	Thursday	642	14:00 - 14:59	107	375.00	69.90	1,919.00
8	Friday	1,578	23:00 - 23:59	265	375.00	69.90	10,775.00
9	Saturday	2,309	15:00 - 15:59	297	375.00	69.90	14,019.00
10	Sunday	2,057	00:00 - 00:59	311	375.00	69.90	9,692.00
11	Monday	956	01:00 - 01:59	140	375.00	69.90	2,644.00
12	Tuesday	477	13:00 - 13:59	115	375.00	69.90	1,424.00
13	Wednesday	428	11:00 - 11:59	75	375.00	69.90	1,911.00
14	Thursday	613	15:00 - 15:59	199	375.00	69.90	1,770.00
15	Friday	1,033	23:00 - 23:59	198	375.00	69.90	7,546.00
16	Saturday	2,147	15:00 - 15:59	283	375.00	69.90	11,988.00
17	Sunday	1,596	15:00 - 15:59	255	375.00	69.90	5,875.00
18	Monday	572	13:00 - 13:59	105	375.00	69.90	1,932.00
19	Tuesday	508	17:00 - 17:59	92	375.00	69.90	1,454.00
20	Wednesday	425	13:00 - 13:59	84	375.00	69.90	1,163.00
21	Thursday	612	16:00 - 16:59	98	375.00	69.90	1,657.00
22	Friday	1,206	23:00 - 23:59	223	375.00	69.90	8,204.00
23	Saturday	1,797	13:00 - 13:59	262	375.00	69.90	10,590.00
24	Sunday	1,827	16:00 - 16:59	323	375.00	69.90	6,884.00
25	Monday	620	15:00 - 15:59	104	375.00	69.90	1,949.00
26	Tuesday	602	18:00 - 18:59	109	375.00	69.90	1,678.00
27	Wednesday	681	21:00 - 21:59	109	375.00	69.90	2,334.00
28	Thursday	670	19:00 - 19:59	113	375.00	69.90	2,046.00
29	Friday	1,153	23:00 - 23:59	225	375.00	69.90	8,005.00
30	Saturday	1,913	14:00 - 14:59	271	375.00	69.90	11,284.00
31	Sunday	1,557	13:00 - 13:59	239	375.00	69.90	6,289.00
	TOTAL	**34,442**			**$11,625.00**	**$2,166.75**	**$166,706.00**

TOTAL GROSS REVENUE	**$11,625.00**	**$2,166.75**	**$166,706.00**
SALES TAX	**$0.00**	**$141.75**	**$10,905.99**
TOTAL NET REVENUE	**$11,625.00**	**$2,025.00**	**$155,800.01**

Monthly Budgeted Revenue Needed to Break Even - FY 04/05 (Includes Debt Service)			**$144,185.67**
Less Current Month Net Revenue			**$169,450.01**
Over/(Short)			**$25,264.34**
Monthly Space Rental			
Goldman Properties - 155	**$11,625.00**	No tax included	
Other - 27	**$2,166.75**	Tax included	

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CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
17th Street Lots - 5A - East and West
October 2004

LOCATION	ACCOUNTING CODE	2003 October	2004 October	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
17th Street Lots - 5A East & West						
Revenue						
Revenue-Ticket	480-8000-344515	123,301.93	147,540.55	24,238.62		
Revenue-Monthly Permits	480-8000-344596	16,800.00	18,300.00	1,500.00		
	17th Street Lots - 5A REVENUE (Sales Tax Excluded)	**140,101.93**	**165,840.55**	**25,738.62**	**18.37%**	**$327.75**
Expenses						
Security Personnel		1,404.71	1,079.76	(324.95)		
Attendant/Cashier Labor		20,826.85	20,954.86	128.01		
Revenue Control Equipment Maintenance		1,666.67	1,666.67	0.00		
Landscape Maintenance		502.67	502.67	0.00		
FP&L		391.48	391.48	0.00 (1).		
	17th St. Lots - 5A EXPENSES	**24,792.38**	**24,595.44**	**(196.94)**	**-0.79%**	**$48.61**
	17th St. Lots - 5A PROFIT/(LOSS)	**115,309.55**	**141,245.11**	**25,935.56**	**22.49%**	**$279.14**
					Number of Spaces	**506**

Note:

(1). October 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, October 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 **October 2004**

Date	Day	East Total Vehicle Entries	East Daily Ticket Revenue	West Total Vehicle Entries	West Daily Ticket Revenue	TOTAL Daily Ticket Revenue
1	Friday	996	3,383.18	619	2,385.05	5,768.23
2	Saturday	899	3,869.16	691	3,253.27	7,122.43
3	Sunday	861	1,993.46	679	1,245.79	3,239.25
4	Monday	739	1,408.41	366	692.52	2,100.93
5	Tuesday	845	1,697.20	485	826.17	2,523.37
6	Wednesday	811	1,715.89	672	1,369.16	3,085.05
7	Thursday	923	3,037.38	727	1,754.21	4,791.59
8	Friday	1,041	3,746.73	683	2,841.12	6,587.85
9	Saturday	1,057	4,084.11	904	3,670.09	7,754.20
10	Sunday	989	2,918.69	1,068	2,788.79	5,707.48
11	Monday	807	1,634.58	425	776.64	2,411.22
12	Tuesday	831	2,378.50	548	1,593.46	3,971.96
13	Wednesday	739	1,296.26	489	846.73	2,142.99
14	Thursday	827	2,128.97	445	1,099.07	3,228.04
15	Friday	1,046	3,588.79	654	2,260.75	5,849.54
16	Saturday	1,102	4,395.33	936	4,137.38	8,532.71
17	Sunday	948	2,086.92	836	1,735.51	3,822.43
18	Monday	948	1,451.40	836	1,172.90	2,624.30
19	Tuesday	653	1,638.32	484	1,020.56	2,658.88
20	Wednesday	853	1,574.77	511	845.79	2,420.56
21	Thursday	924	2,681.31	871	2,239.25	4,920.56
22	Friday	962	3,452.34	756	2,597.20	6,049.54
23	Saturday	912	3,579.44	660	2,598.13	6,177.57
24	Sunday	891	2,816.82	823	3,106.54	5,923.36
25	Monday	835	2,447.66	800	2,169.16	4,616.82
26	Tuesday	521	1,816.82	631	1,900.00	3,716.82
27	Wednesday	755	1,697.20	866	2,011.21	3,708.41
28	Thursday	890	2,492.88	653	1,613.08	4,105.96
29	Friday	983	3,422.43	837	2,815.89	6,238.32
30	Saturday	1,021	4,377.57	732	3,265.42	7,642.99
31	Sunday	1,256	4,357.94	1,129	3,739.25	8,097.19
	TOTAL	**27,865**	**$83,170.46**	**21,816**	**$64,370.09**	**$147,540.55**
			MONTHLY PERMIT REVENUE			**$18,300.00**
			TOTAL NET REVENUE			**$165,840.55**

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CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
12th Street Garage - 2A
October 2004

LOCATION	ACCOUNTING CODE	2003 October	2004 October	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
12th Street Garage - 2A						
Revenue						
Revenue-Ticket	480-8000-344504	26,360.74	30,426.16	4,065.42		
Revenue-Monthly Permits	480-8000-344593	5,220.00	4,860.00	(360.00)		
	12th Street - 2A REVENUE (Sales Tax Excluded)	**31,580.74**	**35,286.16**	**3,705.42**	**11.73%**	**$263.33**
Expenses						
Security Personnel		8,219.46	9,368.15	1,148.69 (1).		
Attendant/Cashier Labor		7,247.08	7,077.27	(169.81)		
FP&L		108.54	108.54	0.00 (2).		
Elevator Maintenance		125.00	487.50	362.50 (3).		
Garage Cleaning/Maintenance		1,540.75	1,521.00	(19.75)		
	12th Street - 2A EXPENSES	**17,240.83**	**18,562.46**	**1,321.63**	**7.67%**	**$138.53**
	12th Street - 2A PROFIT/(LOSS)	**14,339.91**	**16,723.70**	**2,383.79**	**16.62%**	**$124.80**
					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). October 2003 Security Personnel cost is comprised of 669.89 total labor hours. While, October 2004 Security Personnel cost is comprised of 763.50 total labor hours. This increase is due to October 2003 cost consisting of four calendar weeks, while October 2004 cost consists of five calendar weeks.

(2). October 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, October 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is a previously established estimate.

(3). October 2004 Elevator Maintenance charge reflects the regular monthly service charge of $125, plus two additional charges of $215.50 and $145 for service calls.

City of Miami Beach
Parking Department
Daily Revenue Report
12th Street Garage - 2A

October 2004

Date	Day	CMB	Armor	P.O	Employee	Court	Chi-Ada	Hand.	Other	Daily Tickets	TOTAL Entries	Daily Ticket Revenue
1	Friday	2	1	7	0	1	0	3	5	197	216	1,319.63
2	Saturday	0	0	0	0	0	0	1	9	184	194	1,454.21
3	Sunday	0	0	0	0	0	0	0	6	118	124	977.57
4	Monday	0	3	4	0	2	0	0	0	148	157	618.69
5	Tuesday	2	1	1	1	2	0	1	19	112	139	500.93
6	Wednesday	0	3	1	2	1	0	1	4	81	93	398.13
7	Thursday	1	5	0	0	1	0	2	16	139	164	712.15
8	Friday	1	2	2	0	1	0	2	2	233	243	1,502.80
9	Saturday	0	2	0	0	0	0	3	2	240	247	1,857.94
10	Sunday	0	0	0	0	0	0	1	2	215	218	1,644.86
11	Monday	1	3	0	0	0	0	1	0	109	114	616.82
12	Tuesday	4	4	3	1	0	0	0	27	112	151	495.33
13	Wednesday	8	4	0	0	1	0	2	11	94	120	441.12
14	Thursday	7	5	2	0	3	0	0	19	142	178	650.47
15	Friday	3	3	0	0	0	0	1	0	172	179	1,420.56
16	Saturday	0	0	2	0	0	0	2	1	189	194	1,480.37
17	Sunday	0	0	1	0	0	0	0	0	147	148	1,214.95
18	Monday	2	4	5	0	3	0	0	1	97	112	534.58
19	Tuesday	2	1	1	0	1	0	1	16	100	122	405.61
20	Wednesday	0	2	0	0	2	0	0	2	102	108	487.85
21	Thursday	2	2	0	0	3	0	1	8	198	214	979.44
22	Friday	3	1	1	0	1	0	4	3	190	203	1,276.64
23	Saturday	0	0	1	0	0	0	1	1	198	201	1,512.15
24	Sunday	0	0	0	0	0	0	2	2	121	125	955.14
25	Monday	0	0	2	1	3	0	2	2	154	164	745.79
26	Tuesday	2	1	0	1	1	0	0	24	128	157	654.21
27	Wednesday	1	3	4	0	2	0	1	16	102	129	637.38
28	Thursday	5	1	0	1	2	0	1	3	158	171	777.57
29	Friday	1	2	2	0	1	0	5	4	185	200	1,213.08
30	Saturday	0	0	1	0	0	0	2	0	193	196	1,517.76
31	Sunday	0	0	0	1	0	0	1	1	178	181	1,422.43
	TOTAL	**47**	**53**	**40**	**8**	**31**	**0**	**41**	**206**	**4,736**	**5,162**	**$30,426.16**

MONTHLY PERMIT REVENUE	**$4,860.00**
TOTAL NET REVENUE	**$35,286.16**

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
13th Street Garage - 17A
October 2004

LOCATION	ACCOUNTING CODE	2003 October	2004 October	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
13th Street Garage - 17A						
Revenue						
Revenue-Ticket	480-8000-344566	48,388.34	40,924.28	(7,464.06)		
Revenue-Monthly Permits	480-8000-344527	7,740.00	8,400.00	660.00		
	13th Street - 17A REVENUE (Sales Tax Excluded)	**56,128.34**	**49,324.28**	**(6,804.06)**	**-12.12%**	**$172.46**
Expenses						
Security Personnel		9,865.08	12,276.14	2,411.06 (1).		
Attendant/Cashier Labor		15,303.89	15,477.93	174.04		
Landscape Maintenance		216.67	420.67	204.00 (2).		
FP&L		1,404.98	1,404.98	0.00 (3).		
Revenue Control Equipment Maintenance		0.00	750.00	750.00		
Elevator Maintenance		737.00	680.13	(56.87) (4).		
Armed Guard Revenue Pickup		420.00	420.00	0.00		
Garage Cleaning/Maintenance		1,450.00	1,521.00	71.00		
	13th Street - 17A EXPENSES	**29,397.62**	**32,950.85**	**3,553.23**	**12.09%**	**$115.21**
	13th Street - 17A PROFIT/(LOSS)	**26,730.72**	**16,373.43**	**(10,357.29)**	**-38.75%**	**$57.25**
					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). October 2003 Security Personnel cost is comprised of 804 total labor hours. While, October 2004 Security Personnel cost is comprised of 1,000.50 total labor hours. This increase is due to October 2003 cost consisting of four calendar weeks, while October 2004 cost consists of five calendar weeks.

(2). October 2004 Landscape Maintenance charge reflects the regular monthly service charge of $216.67, plus an additional charge of $204 to repair a clogged water pressure line.

(3). October 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, October 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is a previously established estimate.

(4). October 2003 Elevator Maintenance charge reflects the regular monthly service charge of $312, plus an additional charge of $425 for a service call. October 2004 Elevator Maintenance charge reflects the regular monthly service charge of $170, plus an additional charge of $510.13 for a service call.

City of Miami Beach
Parking Department
Daily Revenue Report
13th Street Garage - 17A

October 2004

Date	Day	Residential Decals (Art Deco)	Monthly Permits	Handicap	City Vehicles	Standard Attendants	Armor Security	Chi-Ada	Daily Tickets	TOTAL Entries	Daily Ticket Revenue
1	Friday	16	98	0	0	12	2	0	222	350	$1,164.49
2	Saturday	15	60	0	0	9	5	0	335	424	1,918.69
3	Sunday	11	37	2	2	5	5	0	315	377	1,607.48
4	Monday	21	88	1	0	6	2	0	164	282	928.97
5	Tuesday	16	92	2	0	3	2	0	169	284	741.12
6	Wednesday	12	90	1	0	4	2	0	163	272	895.33
7	Thursday	17	96	1	0	7	3	0	237	361	1,204.67
8	Friday	24	68	1	1	8	2	0	47	151	1,536.45
9	Saturday	15	25	2	0	4	5	0	191	242	1,749.53
10	Sunday	16	46	2	0	4	5	0	378	451	2,208.41
11	Monday	21	60	0	0	9	3	0	40	133	975.70
12	Tuesday	23	112	0	1	7	3	0	305	451	818.69
13	Wednesday	12	90	1	1	8	2	0	187	301	770.09
14	Thursday	10	96	1	0	12	3	0	199	321	1,079.44
15	Friday	15	86	0	0	7	3	0	226	337	1,402.80
16	Saturday	17	53	2	0	4	5	0	311	392	1,804.67
17	Sunday	17	41	2	1	7	5	0	309	382	1,582.24
18	Monday	20	81	1	0	8	3	0	198	311	1,021.50
19	Tuesday	11	84	0	0	10	2	0	156	263	883.18
20	Wednesday	15	86	1	1	18	2	0	162	285	767.29
21	Thursday	16	87	1	0	18	3	0	242	367	1,223.36
22	Friday	22	97	1	0	16	4	0	293	433	1,481.31
23	Saturday	14	54	0	1	7	3	0	266	345	1,428.97
24	Sunday	16	46	2	0	11	4	0	372	451	1,847.66
25	Monday	17	82	2	0	9	4	0	197	311	1,187.85
26	Tuesday	15	84	3	0	9	2	0	229	342	1,215.89
27	Wednesday	20	90	0	0	8	4	0	220	342	1,253.27
28	Thursday	16	90	1	0	10	3	0	216	336	1,241.12
29	Friday	12	95	3	1	7	4	0	274	396	1,589.72
30	Saturday	9	60	0	0	13	5	0	301	388	1,671.03
31	Sunday	14	48	1	0	4	4	0	308	379	1,723.36
	TOTAL	**495**	**2,322**	**34**	**9**	**264**	**104**	**0**	**7,232**	**10,460**	**$40,924.28**

MONTHLY PERMIT REVENUE	**$8,400.00**
TOTAL NET REVENUE	**$49,324.28**

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CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
16th Street - Anchor Garage
October 2004

LOCATION	ACCOUNTING CODE	October 2003 Actual	October 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	76,425.24	88,600.95	12,175.71			
Revenue -Valet-Loew's	463-8000-344587	20,015.89	20,704.68	688.79			
Revenue-Valet-Royal Palm	463-8000-344587	0.00	0.00	0.00			
Revenue-Monthly Permits	463-8000-344903	26,750.00	28,760.00	2,010.00			
	16th St. - Anchor Garage REVENUE (Sales Tax Excluded)	**123,191.13**	**138,065.63**	**14,874.50**		**12.07%**	**$171.94**
Expenses							
Security Personnel		12,428.89	15,377.39	2,948.50	(1).		
Attendant/Cashier Labor		15,887.24	16,056.04	168.80			
FP&L		3,800.00	4,138.44	338.44	(2).		
Revenue Control Equipment Maintenance		775.00	775.00	0.00			
Armed Guard Revenue Pickup		420.00	420.00	0.00			
Elevator Maintenance		1,278.82	1,675.97	397.15	(3).		
Landscape Maintenance		164.67	152.00	(12.67)			
Garage Cleaning/Maintenance		2,924.40	9,242.00	6,317.60	(4).		
Sanitation (Waste Removal)		171.64	179.01	7.37			
Fire Alarm Service		250.00	250.00	0.00			
	16th St. - Anchor Garage EXPENSES	**38,100.66**	**48,265.85**	**10,165.19**		**26.68%**	**$60.11**
	16th St. Garage PROFIT/(LOSS)	**85,090.47**	**89,799.78**	**4,709.31**		**5.53%**	**$111.83**
						Number of Spaces	**803**

Notes:
Garage contract awarded effective June 9, 2003.

(1). October 2003 Security Personnel cost is comprised of 1,012.95 total labor hours. While, October 2004 Security Personnel cost is comprised of 1,253.25 total labor hours. This increase is due to October 2003 cost consisting of four calendar weeks, while October 2004 cost consists of five calendar weeks.

(2). October 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, October 2004 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 June 16, 2003 through September 1, 2004.

(3). October 2003 Elevator Maintenance charge reflects the regular monthly service charge of $1,015.32, plus an additional charge of $263.50 for a service call. October 2004 Elevator Maintenance charge reflects the regular monthly service charge of $1,097.97, plus an additional charge of $578 for a service call.

(4). October 2004 Garage Cleaning/Maintenance charge of $9,242 reflects the new regular monthly service charge from Best Maintenance. The increase is due to new "Living Wage" requirements.

City of Miami Beach
Parking Department
Daily Revenue Report
16th Street - Anchor Garage **October 2004**

Date	Day	Total Vehicle Entries	Peak Period	Peak Vehicle Count	Daily Ticket Revenue
1	Friday	646	23:00 - 23:59	110	3,619.63
2	Saturday	968	23:00 - 23:59	164	5,485.05
3	Sunday	675	00:00 - 00:59	169	2,581.31
4	Monday	468	18:00 - 18:59	72	823.36
5	Tuesday	498	18:00 - 18:59	80	1,148.60
6	Wednesday	506	17:00 - 17:59	73	969.16
7	Thursday	628	13:00 - 13:59	97	1,789.72
8	Friday	927	15:00 - 15:59	118	4,353.27
9	Saturday	1,205	19:00 - 19:59	146	6,985.05
10	Sunday	964	14:00 - 14:59	144	4,916.82
11	Monday	607	13:00 - 13:59	95	1,881.31
12	Tuesday	551	08:00 - 08:59	85	2,783.18
13	Wednesday	721	19:00 - 19:59	118	1,470.09
14	Thursday	578	18:00 - 18:59	76	1,364.49
15	Friday	817	18:00 - 18:59	103	3,274.77
16	Saturday	1,009	23:00 - 23:59	130	5,925.23
17	Sunday	666	00:00 - 00:59	154	2,861.68
18	Monday	433	14:00 - 14:59	81	1,054.21
19	Tuesday	576	18:00 - 18:59	106	879.44
20	Wednesday	681	19:00 - 19:59	100	1,678.50
21	Thursday	587	14:00 - 14:59	92	1,627.10
22	Friday	715	23:00 - 23:59	98	3,350.47
23	Saturday	785	23:00 - 23:59	104	4,041.12
24	Sunday	745	15:00 - 15:59	120	2,885.98
25	Monday	525	17:00 - 17:59	84	1,502.80
26	Tuesday	454	18:00 - 18:59	92	936.45
27	Wednesday	489	14:00 - 14:59	83	1,450.47
28	Thursday	549	15:00 - 15:59	78	1,721.50
29	Friday	826	14:00 - 14:59	96	3,519.63
30	Saturday	1,039	23:00 - 23:59	156	6,063.55
31	Sunday	1,055	20:00 - 20:59	174	5,657.01
	TOTAL	**21,893**			**$88,600.95**
	MONTHLY PERMIT REVENUE				**$28,760.00**
	VALET REVENUE				**$20,704.68**
	TOTAL NET REVENUE				**$138,065.63**

Note: Garage contract awarded effective June 9, 2003.

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CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
42nd Street Garage - 8A
October 2004

LOCATION	ACCOUNTING CODE	2003 October	2004 October	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
42nd St. Garage - 8A						
Revenue						
Revenue-Ticket	480-8000-344531	3,350.48	2,996.27	(354.21)		
Revenue-Monthly Permits	480-8000-344595	34,620.00	34,020.00	(600.00)		
	42nd Street Garage- 8A REVENUE (Sales Tax Excluded)	**37,970.48**	**37,016.27**	**(954.21)**	**-2.51%**	**$59.70**
Expenses						
Security Personnel		8,206.59	10,306.80	2,100.21 (1).		
Attendant/Cashier Labor		3,255.18	3,215.99	(39.19)		
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	1,819.16	1,283.16 (3).		
Landscape Maintenance		0.00	0.00	0.00		
Garage Cleaning/Maintenance		1,796.50	3,392.00	1,595.50 (4).		
	42nd St. Garage - 8A EXPENSES	**15,600.23**	**20,539.91**	**4,939.68**	**31.66%**	**$33.13**
	42nd St. Garage PROFIT/(LOSS)	**22,370.25**	**16,476.36**	**(5,893.89)**	**-26.35%**	**$26.57**
					Number of Spaces	**620**

Notes:
The primary users of this facility are monthly parkers engaged in local business.

(1). October 2003 Security Personnel cost is comprised of 668.83 total labor hours. While, October 2004 Security Personnel cost is comprised of 840 total labor hours. This increase is due to October 2003 cost consisting of four calendar weeks, while October 2004 cost consists of five calendar weeks.

(2). October 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, October 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is a previously established estimate.

(3). October 2004 Elevator Maintenance charge reflects the regular monthly service charge of $430, plus two additional charges of $674.78 and $714.38 for service calls.

(4). October 2003 Garage Cleaning/Maintenance charge reflects the regular monthly service charge of $1,285 and a charge of $511.50 for additional cleaning services. October 2004 Garage Cleaning/Maintenance charge of $3,392 reflects the new regular monthly service charge from Best Maintenance. The increase is due to new "Living Wage" requirements.

CITY OF MIAMI BEACH
PARKING DEPARTMENT
DEBIT CARD REVENUE
October 2004

VENDOR	# of CARDS $25	# of CARDS with 10% Discount $22.50	MACHINE SALES $ Amount	REFUNDS $ Amount	TOTAL
BAY SUPERMARKET	0	0			$0.00
BEACH BANK	0	0			$0.00
BRIGHAM GARDENS	0	0			$0.00
CHAMBER OF COMMERCE	0	20			$450.00
CLEAN MACHINE	0	0			$0.00
COMPASS MARKET	0	0			$0.00
D'VINE CYBER LOUNGE	0	0			$0.00
FINANCE DEPARTMENT	78	84			$3,840.00
KOSHER WORLD	0	0			$0.00
LEE ANN DRUGS	0	50			$1,125.00
NEWS CAFE	0	0			$0.00
PARKING DEPT. - Customer Service	113	99		$0.00	$5,052.50
PARKING DEPT. - Garages	7	0			$175.00
PUBLIX SUPERMARKET	0	2,070			$46,575.00
SHEMTOV'S	0	0			$0.00
SUNSET CAFÉ	0	0			$0.00
PARKING MACHINE - Cash	-	-	$2,000.00		$2,000.00
PARKING MACHINE - Credit Cards	-	-	$3,135.00		$3,135.00
WOLFSONIAN	0	0			$0.00
ZELICK'S TOBACCO	0	0			$0.00
TOTAL # OF CARDS	**198**	**2,323**			**2,521**
TOTAL $ AMOUNT	**$4,950.00**	**$52,267.50**	**$5,135.00**	**$0.00**	**$62,352.50**

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CITY OF MIAMI BEACH
PARKING DEPARTMENT
ELECTRONIC METER REVENUE COMPARISON
October 2004

LOCATION	ACCOUNTING CODE	2004 October # of Meters	2003 October	2004 October	Increase/ (Decrease)	Percent of Increase/ (Decrease)
1X - (Washington - 4th & Lincoln) - On Street	480-8000-344501	291	50,332.67	43,196.86	(7,135.81)	-14.18%
1A - (1st Street & Ocean Dr.) - Off Stree	480-8000-344502	57	7,668.89	5,022.29		
1A - (1st Street & Ocean Dr.) - Attended	480-8000-344502	0	0.00	6,728.97		
Total		57	7,668.89	11,751.26	4,082.37	53.23%
1B - (78 Washington Avenue) - Off Stree	480-8000-344617	12	0.00	264.84	264.84	-
2X - (Washington - 5th & Lincoln) - On Street	480-8000-344503	370	44,744.32	39,630.11	(5,114.21)	-11.43%
2B - (6/7 & Meridian) - Off Stree	480-8000-344505	22	182.28	533.42	351.14	192.64%
3X - (Collins & Euclid Ave.) On Stree	480-8000-344507	68	6,612.31	5,360.14	(1,252.17)	-18.94%
4X - (Alton 7th St.- Dade Blvd.) - On Stree	480-8000-344509	491	65,417.31	68,336.80	2,919.49	4.46%
4B - (Alton & 20th St.-Purdy-Dade Blvd.) - On Stree	480-8000-344511	213	13,615.25	12,664.04	(951.21)	-6.99%
4C - (West Ave & 17th St.) - Off Street	480-8000-344512	66	9,242.56	7,587.32	(1,655.24)	-17.91%
4D - (West Ave & Lincoln Rd.) - Off Stree	480-8000-344513	30	2,790.48	2,639.41	(151.07)	-5.41%
5C - (Convention Ctr. Dr. & 17th Street) - Off Street	480-8000-344517	85	1,650.64	916.82		
5C - (Convention Ctr. Dr. & 17th Street) - Attended	480-8000-344517	0	0.00	1,140.19		
Total		85	1,650.64	2,057.01	406.37	24.62%
5F - (Meridian Ave & 18th Street) - Off Stree	480-8000-344519	97	166.52	912.90		
5F - (Meridian Ave & 18th Street) - Attended	480-8000-344519	0	0.00	0.00		
Total		97	166.52	912.90	746.38	448.22%
5H - (19th Street & Meridian Ave) - Off Street	480-8000-344521	27	882.68	820.08	(62.60)	-7.09%
5M - (17th & Meridian Ave) - Off Stree	480-8000-344506	27	2,372.62	2,855.43	482.81	20.35%
6X - (Collins - 20th to 24th St) - On Stree	480-8000-344522	236	23,260.11	19,805.31	(3,454.80)	-14.85%
6A - (22nd Street & Park) - Off Stree	480-8000-344523	14	0.00	604.64	604.64	-
6B - (Collins Ave & 21st Street) - Off Stree	480-8000-344524	190	13,816.86	13,598.94		
6B - (Collins Ave & 21st Street) - Attended	480-8000-344524	0	0.00	0.00		
Total		190	13,816.86	13,598.94	(217.92)	-1.58%
7X - (Ocean - Biscayne - 15th St) - On Stree	480-8000-344525	442	65,745.03	59,278.21	(6,466.82)	-9.84%
7A - (Collins Ave, 4th to 15th St) - On Stree	480-8000-344526	591	134,216.46	106,928.48	(27,287.98)	-20.33%
7C - (Collins Ave & 6th St) - Off Stree	480-8000-344528	14	624.25	249.35		
7C - (Collins Ave & 6th St) - Attended	480-8000-344528	0	418.69	0.00		
Total		14	1,042.94	249.35	(793.59)	-76.09%
8X - (Pinetree-Alton - 40th to 42nd St) - On Stree	480-8000-344530	386	13,650.16	13,313.37	(336.79)	-2.47%
8A - (42nd Street Garage) - Off Street Meters	480-8000-344531	11	340.19	124.29	(215.90)	-63.46%
8B - (42nd Street & Royal Palm) - Off Stree	480-8000-344532	173	2,539.73	2,933.42		
8B - (42nd Street & Royal Palm) - Attended	480-8000-344532	0	0.00	4,603.74		
Total		173	2,539.73	7,537.16	4,997.43	196.77%
8C - (40/41 Street & Chase) - Off Street	480-8000-344533	88	1,588.16	1,448.08	(140.08)	-8.82%
8D - (47th Street & Pinetree) - Off Street	480-8000-344534	16	51.20	0.00	(51.20)	-100.00%
8E - (41st Street & Alton) - Off Street	480-8000-344535	40	1,017.75	1,605.07	587.32	57.71%
8F - (41st Street & Jefferson) - Off Street	480-8000-344536	30	392.78	321.11	(71.67)	-18.25%
9X - (Collins - 64th to 79th St) - On Stree	480-8000-344537	527	26,101.84	25,846.04	(255.80)	-0.98%
9A - (Harding & 71st St) - Off Stree	480-8000-344538	48	658.77	301.08	(357.69)	-54.30%
9B - (72nd St. & Collins) - Attended	480-8000-344539	0	0.00	4,603.74	4,603.74	-
9C (Carlyle & 71st St) - Off Stree	480-8000-344540	14	22.33	77.95	55.62	249.08%

CITY OF MIAMI BEACH
PARKING DEPARTMENT
ELECTRONIC METER REVENUE COMPARISON
October 2004

LOCATION	ACCOUNTING CODE	2004 October # of Meters	2003 October	2004 October	Increase/ (Decrease)	Percent of Increase/ (Decrease)
9D - (Collins & 76th St) - Off Stree	480-8000-344541	33	1,002.80	827.10	(175.70)	-17.52%
9E - (71st St. & Harding) - Off Stree	480-8000-344542	31	280.55	274.61	(5.94)	-2.12%
9F - (75th & Collins) - Off Stree	480-8000-344543	106	2,307.32	2,344.01	36.69	1.59%
10A - (Lincoln Lane & Lenox) - Off Street	480-8000-344544	70	9,021.59	10,205.12	1,183.53	13.12%
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 Stree	480-8000-344546	141	26,531.02	28,225.70	1,694.68	6.39%
10D - (Lincoln Lane & Jefferson - W) - Off Stree	480-8000-344547	62	10,198.53	9,238.90	(959.63)	-9.41%
10E - (Lincoln Lane & Jefferson - E) - Off Stree	480-8000-344548	19	3,763.90	3,148.14	(615.76)	-16.36%
10F - (Lincoln Lane & Euclid) - Off Stree	480-8000-344549	36	6,091.88	6,109.03	17.15	0.28%
10G - (Lincoln Lane & Michigan) - Off Street	480-8000-344550	21	2,773.90	2,413.81	(360.09)	-12.98%
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	-
12X - (Washington & 9th Street) - Off Stree	480-8000-344552	23	3,267.86	3,106.47		
12X - (Washington & 9th Street) - Attended	480-8000-344552	0	0.00	0.00		
Total		23	3,267.86	3,106.47	(161.39)	-4.94%
13X - (Washington & 10th Street) - Off Street	480-8000-344553	33	4,496.54	4,197.66		
13X - (Washington & 10th Street) - Attended	480-8000-344553	0	0.00	0.00		
Total		33	4,496.54	4,197.66	(298.88)	-6.65%
15X - (16th to 18th East of Collins) - On Stree	480-8000-344556	43	6,890.09	2,484.40	(4,405.69)	-63.94%
15A - (Washington, 17th to 20th) - On Stree	480-8000-344557	91	12,417.08	10,711.99	(1,705.09)	-13.73%
15B - (Convention Center Drive) - On Stree	480-8000-344558	46	2,625.36	2,389.39	(235.97)	-8.99%
16X - (25th to 32nd, E of Collins) - On Stree	480-8000-344559	78	5,902.26	5,196.27	(705.99)	-11.96%
16A - (35th to 43rd, E of Collins) - On Stree	480-8000-344560	117	9,267.32	7,085.64	(2,181.68)	-23.54%
16B - (Indian Crk Dr, 27th to 32nd) - On Stree	480-8000-344561	219	5,211.91	3,905.27	(1,306.64)	-25.07%
16C - (Indian Crk - 33rd to 43rd) - On Stree	480-8000-344562	230	8,959.18	8,650.43	(308.75)	-3.45%
16D - (Collins Ave & 34th St) - Off Stree	480-8000-344563	64	1,010.55	763.54		
16D - (Collins Ave & 34th St) - Attended	480-8000-344563	0	0.00	0.00		
Total		64	1,010.55	763.54	(247.01)	-24.44%
16E - (Collins Ave & 35th St) - Off Stree	480-8000-344564	72	1,956.37	1,801.87		
16E - (Collins Ave & 35th St) - Attended	480-8000-344564	0	0.00	0.00		
Total		72	1,956.37	1,801.87	(154.50)	-7.90%
17X - (Collins & 13th Street) - Off Stree	480-8000-344565	54	4,762.02	4,800.35		
17X - (Collins & 13th Street) - Attended	480-8000-344565	0	7,970.08	10,624.29		
Total		54	12,732.10	15,424.64	2,692.54	21.15%
18X - (Indian Crk & 65th St) - Off Stree	480-8000-344567	53	231.94	80.25	(151.69)	-65.40%
18A - (Collins & 64th St) - Off Street	480-8000-344568	67	3,822.32	2,879.71		
18A - (Collins & 64th St) - Attended	480-8000-344568	0	0.00	0.00		
Total		67	3,822.32	2,879.71	(942.61)	-24.66%
19X - (Collins & 46th Street) - Off Stree	480-8000-344569	449	14,126.79	11,697.90		
19X - (Collins & 46th Street) - Attended	480-8000-344569	0	2,827.10	5,976.63		
Total		449	16,953.89	17,674.53	720.64	4.25%
19A - (Collins & 46th Street) - On Stree	480-8000-344570	19	1,244.21	964.81	(279.40)	-22.46%

CITY OF MIAMI BEACH
PARKING DEPARTMENT
ELECTRONIC METER REVENUE COMPARISON
October 2004

LOCATION	ACCOUNTING CODE	2004 October # of Meters	2003 October	2004 October	Increase/ (Decrease)	Percent of Increase/ (Decrease)
19B - (Collins & 53rd Street) - Off Stree	480-8000-344571	158	2,217.67	1,372.20		
19B - (Collins & 53rd Street) - Attended	480-8000-344571	0	1,841.13	1,294.38		
Total		158	4,058.80	2,666.58	(1,392.22)	-34.30%
20X - (Collins Ave & 27th St) - Off Stree	480-8000-344572	121	1,229.73	2,786.92		
20X - (Collins Ave & 27th St) - Attended	480-8000-344572	0	0.00	0.00		
Total		121	1,229.73	2,786.92	1,557.19	126.63%
22X - (Carlyle & 72nd St) - Off Stree	480-8000-344574	45	0.00	263.69	263.69	-
23X - (83rd & Abbott) - Off Street	480-8000-344575	25	27.91	22.52	(5.39)	-19.31%
24X - (Normandy Isle & Bay Dr) - On Stree	480-8000-344576	102	3,377.76	3,367.17	(10.59)	-0.31%
24A - (Normandy Isle & Bay Dr) - Off Stree	480-8000-344577	26	402.21	277.70	(124.51)	-30.96%
24B - (Normandy Isle & Vendome) - Off Stree	480-8000-344578	22	185.44	561.86	376.42	202.99%
24C - (Normandy Isle & Bay Rd S/S) - Off Street	480-8000-344579	33	348.15	615.67	267.52	76.84%
25X - (Bonita Drive & 71st St) - Off Stree	480-8000-344580	15	297.30	335.26	37.96	12.77%
26X - (Collins, 79th to 87th Terr) - On Stree	480-8000-344581	283	2,157.28	2,275.07	117.79	5.46%
26Z - (Collins & 87th Street) - Off Stree	480-8000-344616	15	0.00	124.75	124.75	-
10X - (Lincoln Lane & Lenox) - Off Stree	480-8000-344582	99	13,566.69	17,477.17		
10X - (Lincoln Lane & Lenox - Attended	480-8000-344582	0	0.00	0.00		
Total		99	13,566.69	17,477.17	3,910.48	28.82%
26A - (Collins & 80th Street) - Off Stree	480-8000-344584	62	624.61	431.26	(193.35)	-30.96%
26B - (Collins & 84th Street) - Off Stree	480-8000-344585	62	354.58	460.96	106.38	30.00%
4E (Purdy & 18th Street) - Off Street	480-8000-344586	39	3,525.44	3,864.44		
4E (Purdy & 18th Street) - Attended	480-8000-344586	0	3,513.09	3,908.41		
Total		39	7,038.53	7,772.85	734.32	10.43%
8G - (40th Street & Royal Palm) - Off Stree	480-8000-344592	43	1,652.14	1,779.67	127.53	7.72%
8H - (40th Street & Prairie) - Off Street	480-8000-344594	71	1,973.23	2,257.13	283.90	14.39%
26C - (Collins & 79th Street) - Off Stree	480-8000-344600	34	88.35	120.68	32.33	36.59%
26D - (Collins & 83rd Street) - Off Stree	480-8000-344601	95	121.67	125.25	3.58	2.94%
SLSP00 - (South Point Lot) - Off Street	480-8000-344602	108	6,181.28	5,614.36		
SLSP00 - (Southpoint Lot) - Attended	480-8000-344602	0	6,747.66	7,815.89		
Total		108	12,928.94	13,430.25	501.31	3.88%
4th & Alton Lot - Off Stree	480-8000-344604	21	532.27	1,154.22	621.95	116.85%
4A - 1833 Bay Road - Off Stree	480-8000-344608	0	0.00	0.00	0.00	-
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 Stree	480-8000-344611	0	0.00	0.00	0.00	-
14A - 16th Street & Washington (Lease)	480-8000-344555	0	14,583.33	14,583.33	0.00	0.00%
P50 - (24th Street & Flamingo Drive) - Off Street	480-8000-344619	0	0.00	0.00	0.00	-
P85 - (71st Street & Byron) - Off Stree	480-8000-344618	0	0.00	186.86		
P85 - (71st Street & Byron) - Attended	480-8000-344618	0	0.00	1,044.85		
Total		0	0	1,232	1,231.71	-
TOTAL		**8,332**	**$732,715.56**	**$696,560.73**	**($36,154.83)**	**-4.93%**

CITY OF MIAMI BEACH
PARKING DEPARTMENT
MULTI -SPACE PARKING METER REVENUE COMPARISON

LOCATION	Number of Spaces	2002 October	2003 October	Increase/ (Decrease)	2004 October	Increase/ (Decrease)
Ocean Drive	47	$6.82	$11.57	69.65%	$10.15	-12.27%
777 17th Street	27	$1.91	$2.94	53.93%	$3.41	15.99%
71st St. and Byron Avenue	28	$0.00	$0.00	#DIV/0!	0.21	#DIV/0!

YEAR TO DATE REVENUE COMPARISON

LOCATION	Number of Spaces	Fiscal 2002/2003	Fiscal 2003/2004	Increase/ (Decrease)	Fiscal 2004/2005	Increase/ (Decrease)
Ocean Drive	47	$6.82	$11.57	69.65%	$10.15	-12.27%
777 17th Street	27	$1.91	$2.94	53.93%	$3.41	15.99%
71st St. and Byron Avenue	28	$0.00	$0.00	#DIV/0!	0.21	#DIV/0!

Method of Payment Distribution Year to Date for All Collections

Currency	**64.25%**
Coin	**23.95%**
Credit Card	**11.80%**
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.

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
17th Street Garage - 2G

LOCATION	ACCOUNTING CODE	2004 October	2004 November	2004 December	2005 January	2005 February	2005 March	2005 April	2005 May	2005 June	2005 July	2005 August	2005 September	FY 2004/2005 TOTAL
17th Street Garage - 2G														
Revenue-Ticket	480-8000-344583	147,297.18												147,297.18
Revenue - Space Rental	480-8000-344583	6,300.00												6,300.00
Revenue-Monthly Permits	480-8000-344514	55,980.00												55,980.00
	17th St. - 2G REVENUE (Sales Tax Excluded)	209,577.18	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	209,577.18
Expenses														
Security Personnel		21,092.12												21,092.12
Attendant/Cashier Labor		41,006.44												41,006.44
FP&L		6,473.39												6,473.39
Revenue Control Equipment Maintanance		1,666.67												1,666.67
Armed Guard Revenue Pickup		420.00												420.00
Elevator Maintenance		483.60												483.60
Landscape and Lot Maintenance		108.33												108.33
Garage Cleaning/Maintenance		10,820.00												10,820.00
	17th St. - 2G EXPENSES	82,070.55	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	82,070.55
	17th St. PROFIT/(LOSS)	127,506.63	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	127,506.63

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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	106,967.29	75,012.15	1,638,703.92
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	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	57,060.00	57,900.00	676,800.00
	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	170,327.29	139,212.15	2,391,103.92
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	19,972.49	14,711.73	201,479.11
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	48,178.56	43,040.60	526,765.67
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	6,473.39	6,473.39	77,680.68
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	9,060.56	1,936.67	28,513.93
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	5,040.00
Elevator Maintenance		738.00	613.00	613.00	800.50	613.00	613.00	425.00	425.00	30,453.50	425.00	425.00	425.00	36,569.00
Landscape and Lot Maintenance		108.33	108.33	108.33	108.33	108.33	108.33	108.33	312.33	108.33	108.33	108.33	108.33	1,503.96
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	5,331.08	10,820.00	70,180.88
	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	89,969.41	77,935.72	947,733.23
	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	80,357.88	61,276.43	1,443,370.69

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	106,967.29	75,012.15	1,638,703.92
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	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	57,060.00	57,900.00	676,800.00
	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	170,327.29	139,212.15	2,391,103.92
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	19,972.49	14,711.73	201,479.11
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	48,178.56	43,040.60	526,765.67
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	6,473.39	6,473.39	77,680.68
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	9,060.56	1,936.67	28,513.93
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	5,040.00
Elevator Maintenance		738.00	613.00	613.00	800.50	613.00	613.00	425.00	425.00	30,453.50	425.00	425.00	425.00	36,569.00
Landscape and Lot Maintenance		108.33	108.33	108.33	108.33	108.33	108.33	108.33	312.33	108.33	108.33	108.33	108.33	1,503.96
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	5,331.08	10,820.00	70,180.88
	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	89,969.41	77,935.72	947,733.23
	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	80,357.88	61,276.43	1,443,370.69

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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
7th Street Garage - 1G

LOCATION	ACCOUNTING CODE	2004 October	2004 November	2004 December	2005 January	2005 February	2005 March	2005 April	2005 May	2005 June	2005 July	2005 August	2005 September	FY 2004/2005 TOTAL
7th Street Garage - 1G														
Revenue-Ticket	142-8000-344404	155,800.01												155,800.01
Revenue-Monthly Permits	142-8000-344404	13,650.00												13,650.00
	7th Street Garage - 1G REVENUE (Sales Tax Excluded)	169,450.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	169,450.01
Expenses														
Security		27,049.21												27,049.21
Attendant/Cashier Labor		17,782.75												17,782.75
Landscape Maintenance		1,605.67												1,605.67
FP&L		3,067.37												3,067.37
Revenue Control Equipment Maintenance		860.15												860.15
Garage Cleaning/Maintenance		9,242.00												9,242.00
Armed Guard Revenue Pickup		420.00												420.00
Elevator Maintenance		1,065.17												1,065.17
Surveillance System Maintenance		611.41												611.41
	7th St. Garage - 1G EXPENSES	61,703.73	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	61,703.73
	7th St. - 1G Estimated Debt Service	59,500.00												59,500.00
	7th St. - 1G PROFIT/(LOSS)	48,246.28	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	48,246.28

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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
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	157,222.43	82,198.12	1,853,887.63
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	13,800.00	13,800.00	162,975.00
	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	171,022.43	95,998.12	2,016,862.63
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	26,852.89	17,055.31	269,608.92
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	22,276.54	19,097.97	219,573.46
Landscape Maintenance		918.67	1,114.00	918.67	918.67	848.00	918.67	918.67	918.67	918.67	14,404.67	918.67	16,581.67	40,297.70
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	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	1,200.00	8,900.00
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	4,864.00	9,242.00	62,729.50
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	5,040.00
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	2,360.17	2,050.17	22,015.52
Surveillance System Maintenance		534.60	534.60	744.60	534.60	534.60	534.60	534.60	534.60	2,457.18	534.60	534.60	534.60	8,547.78
	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	61,994.24	69,249.09	673,521.32
	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)	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	49,528.19	(32,750.97)	629,341.31

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 2003/2004 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	157,222.43	82,198.12	1,853,887.63
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	13,800.00	13,800.00	162,975.00
	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	171,022.43	95,998.12	2,016,862.63
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	26,852.89	17,055.31	269,608.92
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	22,276.54	19,097.97	219,573.46
Landscape Maintenance		918.67	1,114.00	918.67	918.67	848.00	918.67	918.67	918.67	918.67	14,404.67	918.67	16,581.67	40,297.70
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	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	1,200.00	8,900.00
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	4,864.00	9,242.00	62,729.50
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	5,040.00
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	2,360.17	2,050.17	22,015.52
Surveillance System Maintenance		534.60	534.60	744.60	534.60	534.60	534.60	534.60	534.60	2,457.18	534.60	534.60	534.60	8,547.78
	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	61,994.24	69,249.09	673,521.32
	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)	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	49,528.19	(32,750.97)	629,341.31

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

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
17th Street Lots - 5A East and West

LOCATION	ACCOUNTING CODE	2004 October	2004 November	2004 December	2005 January	2005 February	2005 March	2005 April	2005 May	2005 June	2005 July	2005 August	2005 September	FY 2004/2005 TOTAL
17th Street Lots - 5A East and West														
Revenue-Ticket	480-8000-344515	147,540.55												147,540.55
Revenue-Valet	480-8000-344515	0.00												0.00
Revenue-Monthly Permits	480-8000-344596	18,300.00												18,300.00
	17th Lots - 5A REVENUE (Sales Tax Excluded)	165,840.55	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	165,840.55
Expenses														
Security Personnel		1,079.76												1,079.76
Attendant/Cashier Labor		20,954.86												20,954.86
Revenue Control Equipment Maintenance		1,666.67												1,666.67
Landscape and Lot Maintenance		502.67												502.67
FP&L		391.48												391.48
	17th Lots - 5A EXPENSES	24,595.44	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	24,595.44
	17th Lots PROFIT/(LOSS)	141,245.11	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	141,245.11

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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	123,772.91	83,556.53	1,621,240.80
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	17,520.00	17,700.00	202,980.00
	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	141,292.91	101,256.53	1,824,220.80
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	1,174.86	539.89	11,398.04
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	23,687.56	20,393.19	259,985.64
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	3,722.78	1,666.67	22,056.15
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		391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	4,697.76
	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	29,479.35	23,493.90	304,169.63
	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	111,813.56	77,762.63	1,520,051.17

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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	123,772.91	83,556.53	1,621,240.80
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	17,520.00	17,700.00	202,980.00
	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	141,292.91	101,256.53	1,824,220.80
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	1,174.86	539.89	11,398.04
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	23,687.56	20,393.19	259,985.64
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	3,722.78	1,666.67	22,056.15
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		391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	4,697.76
	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	29,479.35	23,493.90	304,169.63
	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	111,813.56	77,762.63	1,520,051.17

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

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CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
12th Street Garage - 2A

LOCATION	ACCOUNTING CODE	2004 October	2004 November	2004 December	2005 January	2005 February	2005 March	2005 April	2005 May	2005 June	2005 July	2005 August	2005 September	FY 2004/2005 TOTAL
12th Street Garage - 2A														
Revenue-Ticket	480-8000-344504	30,426.16												30,426.16
Revenue-Monthly Permits	480-8000-344593	4,860.00												4,860.00
	12th St. - 2A REVENUE (Sales Tax Excluded)	35,286.16	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	35,286.16
Expenses														
Security Personnel		9,368.15												9,368.15
Attendant/Cashier Labor		7,077.27												7,077.27
FP&L		108.54												108.54
Elevator Maintenance		487.50												487.50
Garage Cleaning/Maintenance		1,521.00												1,521.00
	12th St. - 2A EXPENSES	18,562.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	18,562.46
	12th St. - 2A PROFIT/(LOSS)	16,723.70	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	16,723.70

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	30,476.60	18,809.37	342,510.23
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	5,100.00	4,860.00	59,220.00
	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	35,576.60	23,669.37	401,730.23
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	9,365.08	6,408.01	103,307.84
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	8,960.87	8,015.15	89,572.19
FP&L		108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	1,302.48
Elevator Maintenance		125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	4,087.00	125.00	5,462.00
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	1,540.75	1,521.00	18,477.50
	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	24,062.24	16,177.70	218,122.01
	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	11,514.36	7,491.67	183,608.22

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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	30,476.60	18,809.37	342,510.23
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	5,100.00	4,860.00	59,220.00
	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	35,576.60	23,669.37	401,730.23
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	9,365.08	6,408.01	103,307.84
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	8,960.87	8,015.15	89,572.19
FP&L		108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	1,302.48
Elevator Maintenance		125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	4,087.00	125.00	5,462.00
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	1,540.75	1,521.00	18,477.50
	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	24,062.24	16,177.70	218,122.01
	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	11,514.36	7,491.67	183,608.22

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

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CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
13th Street Garage - 17A

LOCATION	ACCOUNTING CODE	2004 October	2004 November	2004 December	2005 January	2005 February	2005 March	2005 April	2005 May	2005 June	2005 July	2005 August	2005 September	FY 2004/2005 TOTAL
13th Street Garage - 17A														
Revenue-Ticket	480-8000-344566	40,924.28												40,924.28
Revenue-Monthly Permits	480-8000-344527	8,400.00												8,400.00
	13th St. - 17A REVENUE (Sales Tax Excluded)	49,324.28	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	49,324.28
Expenses														
Security Personnel		12,276.14												12,276.14
Attendant/Cashier Labor		15,477.93												15,477.93
Landscape Maintenance		420.67												420.67
FP&L		1,404.98												1,404.98
Revenue Control Equipment Maintenance		750.00												750.00
Elevator Maintenance		680.13												680.13
Armed Guard Revenue Pickup		420.00												420.00
Garage Cleaning/Maintenance		1,521.00												1,521.00
	13th St. - 17A EXPENSES	32,950.85	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	32,950.85
	13th St. -17A PROFIT/(LOSS)	16,373.43	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	16,373.43

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	31,909.35	14,673.84	566,149.50
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	8,340.00	8,400.00	99,840.00
	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	40,249.35	23,073.84	665,989.50
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	12,346.69	8,122.74	122,155.46
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	18,836.90	16,921.34	188,819.28
Landscape Maintenance		216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	935.67	216.67	3,319.04
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	1,404.98	1,404.98	16,859.76
Revenue Control Equipment Maintenance		0.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	8,250.00
Elevator Maintenance		737.00	312.00	312.00	312.00	312.00	312.00	170.00	467.18	170.00	279.60	170.00	170.00	3,723.78
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	5,040.00
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	1,450.00	1,521.00	17,174.00
	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	36,314.24	29,526.73	365,341.32
	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	3,935.11	(6,452.89)	300,648.18

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	31,909.35	14,673.84	566,149.50
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	8,340.00	8,400.00	99,840.00
	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	40,249.35	23,073.84	665,989.50
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	12,346.69	8,122.74	122,155.46
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	18,836.90	16,921.34	188,819.28
Landscape Maintenance		216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	935.67	216.67	3,319.04
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	1,404.98	1,404.98	16,859.76
Revenue Control Equipment Maintenance		0.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	8,250.00
Elevator Maintenance		737.00	312.00	312.00	312.00	312.00	312.00	170.00	467.18	170.00	279.60	170.00	170.00	3,723.78
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	5,040.00
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	1,450.00	1,521.00	17,174.00
	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	36,314.24	29,526.73	365,341.32
	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	3,935.11	(6,452.89)	300,648.18

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
16th Street - Anchor Garage

LOCATION	ACCOUNTING CODE	2004 October	2004 November	2004 December	2005 January	2005 February	2005 March	2005 April	2005 May	2005 June	2005 July	2005 August	2005 September	FY 2004/2005 TOTAL
16th Street - Anchor Garage														
Revenue-Ticket	463-8000-344911	88,600.95												88,600.95
Revenue - Valet	463-8000-344587	20,704.68												20,704.68
Revenue-Monthly Permits	463-8000-344903	28,760.00												28,760.00
	16th St. Anchor - REVENUE (Sales Tax Excluded)	138,065.63	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	138,065.63
Expenses														
Security Personnel		15,377.39												15,377.39
Attendant/Cashier Labor		16,056.04												16,056.04
FP&L		4,138.44												4,138.44
Revenue Control Equipment Maintanance		775.00												775.00
Armed Guard Revenue Pickup		420.00												420.00
Elevator Maintenance		1,675.97												1,675.97
Landscape and Lot Maintenance		152.00												152.00
Garage Cleaning/Maintenance		9,242.00												9,242.00
Sanitation (Waste Removal)		179.01												179.01
Fire Alarm Service		250.00												250.00
	16th St. - Anchor EXPENSES	48,265.85	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	48,265.85
	16th St. PROFIT/(LOSS)	89,799.78	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	89,799.78

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	100,280.84	42,528.02	1,143,529.33
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	37,609.35	3,287.38	264,270.56
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	27,800.00	27,550.00	328,344.86
	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	165,690.19	73,365.40	1,736,144.75
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	16,536.88	10,164.07	159,394.20
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	15,889.24	17,947.67	196,690.58
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	3,800.00	3,800.00	45,600.00
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	775.00	775.00	9,975.00
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	5,040.00
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	4,787.13	1,097.97	16,526.43
Landscape and Lot Maintenance		164.67	152.00	164.67	164.67	164.67	164.67	164.67	152.00	152.00	152.00	190.00	152.00	1,938.02
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	4,864.00	4,864.00	64,194.80
Sanitation (Waste Removal)		171.64	171.64	171.43	181.96	181.96	174.34	171.64	179.01	179.01	179.04	179.01	179.01	2,119.69
Fire Alarm Service		250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	346.30	250.00	250.00	250.00	3,096.30
	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	47,691.26	39,649.72	504,575.02
	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	117,998.93	33,715.68	1,231,569.73

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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	100,280.84	42,528.02	1,143,529.33
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	37,609.35	3,287.38	264,270.56
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	27,800.00	27,550.00	328,344.86
	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	165,690.19	73,365.40	1,736,144.75
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	16,536.88	10,164.07	159,394.20
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	15,889.24	17,947.67	196,690.58
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	3,800.00	3,800.00	45,600.00
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	775.00	775.00	9,975.00
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	5,040.00
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	4,787.13	1,097.97	16,526.43
Landscape and Lot Maintenance		164.67	152.00	164.67	164.67	164.67	164.67	164.67	152.00	152.00	152.00	190.00	152.00	1,938.02
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	4,864.00	4,864.00	64,194.80
Sanitation (Waste Removal)		171.64	171.64	171.43	181.96	181.96	174.34	171.64	179.01	179.01	179.04	179.01	179.01	2,119.69
Fire Alarm Service		250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	346.30	250.00	250.00	250.00	3,096.30
	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	47,691.26	39,649.72	504,575.02
	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	117,998.93	33,715.68	1,231,569.73

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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11/12/2004

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
42nd Street Garage - 8A

LOCATION	ACCOUNTING CODE	2004 October	2004 November	2004 December	2005 January	2005 February	2005 March	2005 April	2005 May	2005 June	2005 July	2005 August	2005 September	FY 2004/2005 TOTAL
42nd Street Garage - 8A														
Revenue-Ticket	480-8000-344531	2,996.27												2,996.27
Revenue-Monthly Permits	480-8000-344595	34,020.00												34,020.00
	42nd St. - 8A REVENUE (Sales Tax Excluded)	37,016.27	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	37,016.27
Expenses														
Security Personnel		10,306.80												10,306.80
Attendant/Cashier Labor		3,215.99												3,215.99
FP&L		1,805.96												1,805.96
Revenue Control Equipment Maintenance		0.00												0.00
Elevator Maintenance		1,819.16												1,819.16
Landscape Maintenance		0.00												0.00
Garage Cleaning/Maintenance		3,392.00												3,392.00
	42nd St. - 8A EXPENSES	20,539.91	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	20,539.91
	42nd St. PROFIT/(LOSS)	16,476.36	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	16,476.36

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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	3,802.80	2,752.32	49,431.73
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	24,480.00	34,620.00	406,620.00
	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	28,282.80	37,372.32	456,051.73
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	10,294.53	7,251.57	104,895.20
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	4,255.76	3,848.22	41,551.86
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	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	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	430.00	430.00	6,556.80
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	1,796.50	3,392.00	23,112.25
	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	18,582.75	16,727.75	197,923.63
	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	9,700.05	20,644.57	258,128.10

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11/12/2004

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	3,802.80	2,752.32	49,431.73
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	24,480.00	34,620.00	406,620.00
	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	28,282.80	37,372.32	456,051.73
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	10,294.53	7,251.57	104,895.20
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	4,255.76	3,848.22	41,551.86
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	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	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	430.00	430.00	6,556.80
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	1,796.50	3,392.00	23,112.25
	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	18,582.75	16,727.75	197,923.63
	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	9,700.05	20,644.57	258,128.10

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

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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: December 8, 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 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 issued a "punch-list" of work items required prior to final completion, and Jasco has recently completed carrying out the items on this list.

An unforeseen site condition related to a conflict between a force main and a storm drain added 120 days to the project. The two additional segments of storm drainage pipe to resolve the conflict, and to provide drainage to the area under the old tank were completed in November. The contractor is currently closing out the permit for this phase of the project, and gathering all required submittals required for final completion.

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.

CIP Office staff has coordinated the design of temporary parking for Fire Department employees, as well as employees of the contractor, which is the general location of the former steel water tank. The temporary parking layout has been approved and permitted. The area will be compacted, paved and striped.

Agenda Item C
Date 12-8-04

The first Notice to Proceed for construction of the new fire station was issued on November 22, 2004. This will be the first phase of the project, followed by the rehabilitation of the historic Fire Station #2. The first notice to proceed allows 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. Construction will commence once these items are submitted and approved, and a second notice to proceed is issued. 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.

JMG/RCM/TH/JEC/MB 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: December 8, 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 in part 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.

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.

Status Update

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 sidewalk along the seawall was removed, all piles have been replaced, and the deadmen (concrete stabilization structures) have been formed in preparation for the concrete pouring. The wooden docks will be installed by December 5, 2004.

N-FS4-02-1208004

Agenda Item D
Date 12-8-04

In the meantime, Carivon has submitted a proposal for the new building, which has been negotiated and approved by the City and its Consultants. A First Notice to Proceed for this portion of the Project was issued on October 1, 2004, which has allowed Carivon to obtain building permits and prepare and seek approval by the City and its Consultants of all the required schedules, including the list of subcontractors, the schedule of values, and the Critical Path Method (CPM) time table. The Second Notice to Proceed was issued on November 15, 2004. This Notice has allowed Carivon to start with the site and foundation work activities. The pile survey has been completed and the installation of the augercast piles is well underway. This portion of the work has commenced before the completion of the seawall restoration scope, in the spirit of expediting the construction schedule as much as possible.

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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: December 8, 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.	Various Banking Services	SunTrust	05/09/2005	1 year option to renwew

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AGENDA ITEM E
DATE 12-8-04

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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: November 16, 2004

RE: For Your Information-Provided by the Performing Arts Center Trust

Attached please find the minutes of the September 14, 2004 PACT Board Meeting and the agenda for the November 16, 2004 Meeting.

MB/lw

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BY

Agenda Item F1
Date 12-8-04

Minutes of the Board
Miami Performing Arts Center Trust
September 14, 2004
TEMPLE ISRAEL of GREATER MIAMI
137 NORTHEAST 19TH STREET
THE KAHN ROOM
8:30 AM

IN ATTENDANCE:

Matilde Aguirre
Stanley Arkin
J. Ricky Arriola
Stuart Blumberg
Roger Carlton
T. Willard Fair
Ruth Greenfield
Matti Herrera-Bower
Robert Ingram
Betsy Kaplan
Susie Krajsa
I. Stanley Levine
Juan Loumiet
Antonio Roca
Mario Ernesto Sanchez
Richard Shack
Carole Ann Taylor
Parker Thomson
Judy Weiser
David Wilson
Velia Yedra
Cindi Zilber

ABSENT:

Sonia Burini
Bruce Davidson
James Herron
Elizabeth Ruth Johnston
Nancy Liebman
Denise Mincey-Mills
Florene Lithcutt Nichols
Jay Pons
Rosa Sugrañes
Penny Thurer
Marco Rubio

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:
Shebah Carfagna

PACMO:
Ola Aluko
Terea Hebert

PACB:
Jesus Vazquez
Danny Parmenter

OTHERS IN ATTENDANCE:
Tim Ackert, URS
Adrienne Arsht, Total Bank
Gilbert Cabrera, Office of the Chair, Miami-Dade County
Tom Coll, IATSE
Louis Falzarano, IATSE
Bill Johnson, Assistant County Manager, Miami-Dade County
Antoinette Pierre, CRA
John Poland, Clear Channel
Steve Pollock, Office of the Inspector General
Dan Ricker, Watchdog
Senator Ron Silver
Michael Spring, Cultural Affairs
Fred Tasker, Miami Herald Publishing Co.
Hilda Tejera, CRA
Doug Tober, Jackie Gleason Theater
Ann McNeal, MCO

Stanley Levine, called the meeting to order.

Request for Excused Absences

Teresa Randolph requested retroactive excused absences for Jay Pons who was out of town for the meetings of March 9, and May 18, 2004. Retroactive excuses were also requested for Velia Yedra and Jay Pons (out of town), and Florene Nichols (illness), for the June 14, 2004 meeting. Absence requests for the following individuals are submitted belatedly, as no quorum was attained at the July 20, 2004 meeting: OUT OF TOWN – Parker Thomson, Judy Weiser, Nancy Liebman, Roger Carlton, Denise Mincy Mills, Ricky Arriola, Juan Loumiet, Betsy Kaplan, Matilde Aguirre, Cindy Zilber and Antonio Roca. ILLNESS – Ruth Greenfield and Jay Pons. Excused absences for today's meeting are requested for Nancy Liebman, Bruce Davidson, Florene Nichols and Elizabeth Ruth Johnston, who are all out of town.

A motion to accept the excused absences was made by Stu Blumberg and seconded by Stanley Arkin. The motion passed unanimously.

A second motion to approve the minutes of the last meeting was made by David Wilson. Judy Weiser seconded the motion, and members voted unanimously to accept.

President's Report

New Hires - Michael Hardy reported that Richard Walker has been hired as the new Chief Financial Officer. He will begin October 25, 2004.

Hall Schedules - Hall schedules approved by the Resident Companies for utilization of the Ballet Opera house will be presented to the Management Committee for approval. Agreement on the Concert Hall schedule should be reached by the end of this month. The Construction schedule's completion date of August 4, will allow a grand opening festival in September/October of 2006. The process to negotiate the schedules for the four years succeeding the opening will begin immediately.

Task Forces - Dr. Hardy informed the Board of the creation of new task forces and thanked the members who participated in the governance and professional advice to the Center in previous forums. Task forces still in progress are as follows:

- Parking Task Force: Roger Carlton, Ricky Arriola
- Broadway Task Force: Stuart Blumberg, Juan Loumiet and Parker Thomson
- Food Services Task Force: Susie Krajsa, Stuart Blumberg, and Ron Sampiero
- Facility Management Task Force: Stanley Arkin, Roger Carlton and Jim Herron

The Omissions Committee continues to work on FF&E and missing building scope items, to analyze potential construction schedule impact and to prioritize needs.

PACF - The Performing Arts Center Foundation is scheduled to move to Suite 202 in October or early November after members of CPA, PACMO, and PACB relocate to the construction trailer area. This is a positive step towards minimizing costs and attaining full success of the joint venture organization.

Miami-Dade County Budget - Dr. Hardy informed the members that the final budget hearing for the County for the next fiscal year will be presented to Commissioners on September 23, at 5:00 p.m., in the County Commissioners Chambers. Commissioners will vote on a recommendation presented by County Manager, George Burgess, for an additional $1.85 million dollars to support the PACT operating budget. The remaining $800,000 of FY 2005 operating costs will be supplied by PACF, honoring their pledge to contribute up to $5 million dollars towards pre-opening operating costs for the Performing Arts Center. Dr. Hardy urged the members of the Board to show their support by attending the hearing and/or contacting members of the Board of County Commissioners for support.

Events - On November 17th, 2004, the Miami Performing Arts Center will present the Tropic of Culture Event at Parrot Jungle. The themed event is presented in lieu of the more traditional "season luncheon" customarily held in the past, at the opening of the season. Resident companies will participate in the evening's events.

Staff retreat - An extensive planning session is scheduled for the Senior Staffs of the PACT & PACF on September 17 & 18. The complete staff of PACT & PACF will participate in a retreat approximately two weeks later.

Executive Committee

Juan Loumiet reported that the Executive Committee met to discuss the need for Task Forces to carry out initiatives. Other items of a general nature were discussed but no resolutions were adopted.

Finance Committee

Copies of the FY 2005 budget was distributed to the Board members. David Wilson clarified that financial challenges faced on the Operating Budget are directly linked to construction delays. He moved for approval of the Budget, it was seconded by Stanley Arkin, and unanimously adopted.

Michael Hardy informed members that Center staff members will be defending a $2.5 million Regional Cultural Facilities Grant request at the Florida Arts Council meeting in Orlando on November 9th. Dr. Hardy recommended that the date of the next Board meeting be changed to Tuesday, November 16. Board members will be reminded of the date change.

Nominating Committee

Reporting for the Nominating Committee, Stanley Levine stated that the Committee is expecting several vacancies to occur on the Board when the new County Mayor and Commissioners are elected. There is still a vacancy for the City of Miami Beach representative. A slate of candidates will be submitted for the City of Miami Beach Commission's consideration.

Construction Committee

Stanley Arkin reported that the Construction Committee held a very positive meeting on August 25th. He introduced Jesus Vazquez, new Project Executive for PACB. Bill Johnson interjected that Mr. Vazquez had been involved with the project from its inception and, as part of the realignment of executive staff for the project; he has been assigned to oversee the construction of both buildings, reporting directly to Ron Austin.

Mr. Arkin updated the Board on reports presented to the Construction Committee at its last meeting, by members of the new management group, as follows:

- Ron Austin reported on the re-structuring of the team. CP&A staffers have relocated to the construction trailers area.
- Quality Control and safety issues are now overseen by Tim Ackert.
- Marble, terrazzo and millwork installations are proceeding on schedule.
- The Lean Consulting Institute is working with Ron Austin and PACB and is confident that the schedule is progressing as expected. Early detection of problems allows addressing construction obstacles, sooner.
- Level of seating is being held up in construction due to the seat back monitor infrastructure. Increased funds from a contingency fund have been assigned to cover the cost of installation.
- A tour of both facilities was conducted by Construction Committee members and guests. A video was presented which highlighted the acoustic value of the reverberation doors.

Parking Task Force

Roger Carlton reported that the Urban Land Institute study was presented to the School Board six weeks ago. The RFP submitted after the School Board's review, was not strong enough to attract proposals. The Downtown Development Association (DDA), The Community Redevelopment Agency (CRA), the Parking Authority, and the Parking Task force members agreed to retain a consultant to assist in attracting the private sector. One firm responded to the consultant RFP. The DDA, as the lead agency is preparing the consultant's contract. Roger Carlton mentioned that several sites in the area are also being considered as parking possibilities.

REPORTS

Department of Cultural Affairs

Michael Spring announced that the County has launched its "Building Better Communities Bond Program". Mr. Spring explained that the November 2nd ballots will include 8 questions addressing infrastructure needs of the County. $10 million dollars for the Florida Grand Opera is included in question # 8. The funds will be used to build Florida Grand Opera's 500 seat theater headquarters.

PACT Board Members

Stuart Blumberg invited members of the Board to attend the annual meeting of the Hotel Association on October 13, at 4:00 p.m., at the Loews Hotel in Miami Beach. Florida's Lieutenant Governor, Toni Jennings will be the keynote speaker. The Speaker of the House has also confirmed his attendance.

Judy Weiser reminded Board members that The Miami Arts Museum will be celebrating Cundo Bermudez' birthday on September 23rd. Invitations will be sent to Board members.

Meeting adjourned at 9:37 a.m.

Reported by

Yadira E. Boada
Administrative Assistant
to the President/CEO

AGENDA

PACT BOARD MEETING
Tuesday, November 16, 2004
Temple Israel
137 Northeast 19 Street
8:30 AM

I. **Request for Excused Absences**

II. **Approval of Minutes**

III. **President's Report, Michael C. Hardy, PACT President & CEO**

IV. **PACT Committee Reports**
- A. Executive Committee
- B. Finance Committee
- C. Nominating Committee
- D. Construction Committee
  - 1) Inspector General's Report
- E. Parking Task Force

V. **Reports**
- A. Department of Cultural Affairs
- B. PACT Board Members

VI. **Other Business**

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