

MIAMI BEACH

City Commission Meeting

SUPPLEMENTAL MATERIAL 3

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

January 13, 2016

Mayor Philip Levine
Commissioner John Elizabeth Alemán
Commissioner Ricky Arriola
Commissioner Kristen Rosen Gonzalez
Commissioner Michael Grieco
Commissioner Joy Malakoff
Commissioner Micky Steinberg

City Manager Jimmy L. Morales
City Attorney Raul J. Aguila
City Clerk Rafael E. Granado

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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.

SUPPLEMENTAL AGENDA

C4 - Commission Committee Assignments

- C4G Referral To The Neighborhood/Community Affairs Committee - Discuss LTC 001-2016 From The LGBT Advisory Committee Regarding Implementing A Rainbow Crosswalk At The Intersection Of Ocean Drive And 12th Street On Miami Beach.
(Sponsored by Vice-Mayor John Elizabeth Alemán)
(Additional Information)

R7 - Resolutions

- R7A A Resolution Adopting The Second Amendment To The Capital Budget For Fiscal Year 2015/16.
10:40 a.m. Public Hearing
(Budget & Performance Improvement)
(Memorandum & Resolution)

R7B A Resolution Adopting The Second Amendment To The General Fund, Enterprise Fund, Internal Service Fund, And Special Revenue Fund Budgets For Fiscal Year 2015/16. **10:45 a.m. Public Hearing**

(Budget & Performance Improvement)
(Revised Memorandum & Resolution)

~~R7Q A Resolution Authorizing A "License Agreement," Attached Hereto As Exhibit A, Between The City Of Miami Beach ("City") And The State Of Florida Department Of Transportation ("FDOT"), Which Reflects A License Of Use By FDOT Along The Southeasterly Right Of Way Line Of Alton Road (SR 907) And The City's Golf Course ("Licensed Area"), To Be Occupied And Used By FDOT As A Drainage Inlet, And During Construction, Restoration, Sloping, And Grading For The Highway Improvements Along Alton Road.~~

A Discussion Regarding A License Agreement Between The City Of Miami Beach And The Florida Department Of Transportation.

(Public Works)
(Title Change)

R9 - New Business and Commission Requests

R9D Presentation Of Mayor's Ocean Drive Task Force's Final Report.
(Sponsored by Mayor Philip Levine)
(Memorandum & Final Report)

C4G Referral To The Neighborhood/Community Affairs Committee - Discuss LTC 001-2016 From The LGBT Advisory Committee Regarding Implementing A Rainbow Crosswalk At The Intersection Of Ocean Drive And 12th Street On Miami Beach.
(Sponsored by Vice-Mayor John Elizabeth Alemán)
(Additional Information)

Included Herein Is:

1. Email Form Tom Donall, Owner Of Palace Bar, Dated January 10, 2016, Supporting Implementing A Rainbow Crosswalk At The Intersection Of Ocean Drive And 12th Street On Miami Beach

Agenda Item C4 G
Date 1-13-16

Granado, Rafael

From: Aleman, John
Sent: Sunday, January 10, 2016 5:29 PM
To: Granado, Rafael
Subject: Fwd: Rainbow Crosswalk

Not sure if it is too late to attach this to item C4G?

Sent from my iPhone

Begin forwarded message:

From: Thomas Donall <thomasjdonall@yahoo.com>
Date: January 7, 2016 at 9:27:36 PM EST
To: "Aleman, John" <JohnAleman@miamibeachfl.gov>
Cc: "Ruiz-Paz, Cilia Maria" <CMRuiz-Paz@miamibeachfl.gov>
Subject: Re: Rainbow Crosswalk
Reply-To: Thomas Donall <thomasjdonall@yahoo.com>

John,

As the owner of the Palace Bar, one of South Beach's most visited LGBT venues, I am absolutely onboard.

The Pride colors are one of the most recognized LGBT Symbols in the world. The City's agreement to continue support of this great symbol will show the community just how important we are to South Beach.

Tom Donall
Owner Palace Bar
517-230-6003
ThomasJDonall@yahoo.com

On Thursday, January 7, 2016 10:39 AM, "Aleman, John" <JohnAleman@miamibeachfl.gov> wrote:

Dear Thom,

The LGBT Advisory Committee has written a Letter to Commission requesting installation of a rainbow crosswalk at Ocean Drive and 12th. As owner of the Palace are you in support of this request?

Thank you,
John

MIAMIBEACH
Commissioner John Elizabeth Alemán
OFFICE OF MAYOR AND COMMISSION
1700 Convention Center Drive, Miami Beach, FL 33139

COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution of the Mayor and City Commission of the City of Miami Beach, Florida, Adopting the Second Amendment to the Capital Budget for Fiscal Year 2015/16.

Key Intended Outcome Supported:

Ensure Value and Timely Delivery of Quality Capital Projects, Improve Storm Drainage Citywide, and Maintain City's Infrastructure

Supporting Data (Surveys, Environmental Scan, etc.): N/A

Item Summary/Recommendation:

Planning for capital improvements is an ongoing process; as needs change within the City, capital programs and priorities must be adjusted. The Capital Improvement Plan ("CIP") serves as the primary planning tool for systematically identifying, prioritizing and assigning funds to critical City capital development, improvements and associated needs.

The City's capital improvement plan process begins in the spring when all departments are asked to prepare capital improvement updates and requests on the department's ongoing and proposed capital projects. Individual departments prepare submittals identifying potential funding sources and requesting commitment of funds for their respective projects.

The CIP is updated annually and submitted to the City Commission for adoption. The 2015/16 – 2019/20 Capital Improvement Plan and FY 2015/16 Capital Budget was adopted on September 30, 2015 by resolution 2015-29144

The first amendment to the Miami Beach Capital Budget for FY 2015/16 was also adopted on December 9, 2015 via Resolution No. 2015-29144

Section 166.241(4)(c.), Florida Statutes, requires that a municipality's budget amendment must be adopted in the same manner as the original budget. The Second Amendment to the FY 2015/16 Capital Budget totals an increase of \$13,972,683 and re-appropriation of \$2,794,042 in order to provide additional funding and corrections to the following capital projects

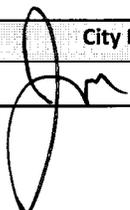
1. Light Rail / Modern Street Car Environmental Review
2. Scott Rakow Playground
3. Sanitation Roof Repair
4. Bayshore Neighborhood Sunset Islands III & IV - Bid Pack D
5. Bayshore Neighborhood - Bid Pack 8B - Lower North Bay Road
6. 54" Redundant Sewer Force Main
7. Corrections for: Palm & Hibiscus Island Enhancement, Coast Guard Booster Pump Station, Stillwater Park Improvements

Advisory Board Recommendation:

Financial Information:

Source of Funds:	Amount	Account
	\$3,300,000	Transportation Fund #106
	\$ 47,185	Renewal & Replacement Fund #125
	\$6,700,000	Parking Impact Fees / Fees in Lieu of Parking Fund #155
	\$51,750	Pay as You Go Fund #302
	\$300,000	2003 GO Bonds - Neighborhood Improvement Fund #384
	\$3,173,748	Water & Sewer Line of Credit Fund #419
	\$400,000	Capital Reserve Fund #304
OBPI	Total	\$13,972,683

City Clerk's Office Legislative Tracking:

Sign-Offs: Department Director	Assistant City Manager	City Manager
		

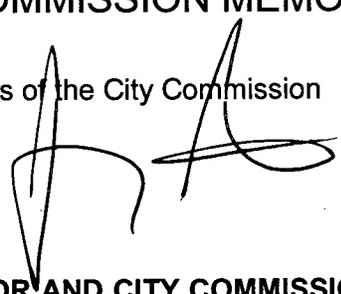


MIAMI BEACH

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

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager 

DATE: January 13, 2016

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE SECOND AMENDMENT TO THE CAPITAL BUDGET FOR FISCAL YEAR 2015/16.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

BACKGROUND

Planning for capital improvements is an ongoing process; as needs change within the City, capital programs and priorities must be adjusted. The Capital Improvement Plan ("CIP") serves as the primary planning tool for systematically identifying, prioritizing and assigning funds to critical City capital development, improvements and associated needs.

The City's capital improvement plan process begins in the spring when all departments are asked to prepare capital improvement updates and requests on the department's ongoing and proposed capital projects. Individual departments prepare submittals identifying potential funding sources and requesting commitment of funds for their respective projects.

The CIP is updated annually and submitted to the City Commission for adoption. The 2015/16 – 2019/20 Capital Improvement Plan and FY 2015/16 Capital Budget was adopted on September 30, 2015 by resolution 2015-29144.

The First Amendment to the FY 2015/16 Capital Budget was approved on December 9, 2015 by resolution 2015-29220.

Section 166.241(4)(c.), Florida Statutes, requires that a municipality's budget amendment must be adopted in the same manner as the original budget. Administration recommends adopting the resolution for the first amendment to the FY 2015/16 Capital Budget.

SECOND AMENDMENT TO THE FY 2015/16 CAPITAL BUDGET

The Second Amendment to the FY 2015/16 Capital Budget totals an increase of \$13,972,683 and re-appropriations of \$2,794,042 in order to provide additional funding to the following capital projects.

1. Light Rail / Modern Street Car Environmental Review:

This item amends the FY 15/16 Capital Improvement Plan & Budget to include the Light Rail / Modern Street Car project. On December 16, 2015 the City of Miami Beach Mayor and Commission made a monumental step forward towards improving transportation in Miami Beach and Miami-Dade County by authorizing that the City move forward in a solicitation to Design, Build, Operate, Maintain, and Finance a light rail/modern streetcar system in South Beach. At the December 16 Commission meeting the Commission gave direction as follows:

- Accept receipt of unsolicited proposal and initiate statutory notice process (under Fla. Stat. 287.05712) to permit other qualified firms to submit proposals.
- Establish an application fee of \$100,000 per proposal to permit City to cover the costs of evaluation of proposals. If fee ultimately exceeds costs required to evaluate, the City will refund excess portion of fee on a pro rata basis.
- Provide 120 days after publication of a notice to proposers for submission of proposals and all information required by statute. During the 120 day period, the City will advance the environmental analysis for the Project.
- Proceed, in parallel to the solicitation, with the City's environmental analysis to preserve the opportunity for state funding.
- As necessary, provide proposers with the opportunity to incorporate the City's environmental analysis within the proposals.

The environmental review will include preliminary engineering, 30 % design, development of specifications to procure an entity to develop, finance, operate and maintain the system and evaluation of proposals regarding same. As stated during the discussions at the December 16 meeting, the order of magnitude cost is \$10 million. Funding for the \$10 million for the project will be funded as follows:

- New appropriation of \$3.3 million savings in Transportation Fund from savings in pro-rating the costs of the SB, MB, and Collins Link trolleys in FY 15
- New appropriation of \$6.7 million from Fees in Lieu of parking post 2010

Prior Years' Appropriations	\$0
January 13, 2016 Budget Amendment	10,000,000
Proposed Total Appropriations	\$10,000,000

2. Scott Rakow Playground: This amendment adds a new project to the Capital Improvement Plan with an appropriation of \$175,000 for a playground at the Scott Rakow Youth Center. At the December 9, 2015 Commission meeting, Commissioners approved proceeding with the purchase and installation of the new playground. The need for a playground came about due to the relocation of the teen center to the Scott Rakow Center, and a playground would allow for additional space for the smaller after-school kids and free-up space for the teens. Funding for this project will come from transfers from the following projects:

- Re-appropriation of \$105,105 from remaining balance in Scott Rakow Phase II project
- Re-appropriation of \$18,887 from remaining balance in Scott Rakow & North Shore Swimming Pools project
- New appropriation of \$51,750 from available funds in Pay-GO (Fund 302)

Prior Years' Appropriations	\$0
January 13, 2016 Budget Amendment	175,742
Proposed Total Appropriations	\$175,742

3. Sanitation Roof Repair: This amendment adds an additional \$47,185 to the Sanitation Roof repair project. The increase is due to a change order needed for additional materials per the County requirements. Funding for this amendment is a new appropriation coming from available funds in Renewal & Replacement Fund 125.

Prior Years' Appropriations	\$300,000
January 13, 2016 Budget Amendment	47,185
Proposed Total Appropriations	\$347,185

4. Bayshore Neighborhood Sunset Islands III & IV - Bid Pack D: This amendment is in conjunction to item R7D on today's Commission Agenda. The Construction Contract for this project is being Amended in the amount of \$339,626 which will increase the total contract amount to \$8,114,593.51. The original contract did not include owner's contingency. An owner's contingency in the amount of \$800,000 (approximately 10%) for the entire project is being added for any scope changes requested by the City, this includes stormwater, water & sewer, and above ground. The project does not have above ground funds and a New Appropriation of \$300,000 from Fund 384- 2003 GO Bonds – Neighborhood Improvements is being requested.

Prior Years' Appropriations	\$11,706,338
January 13, 2016 Budget Amendment	300,000
Proposed Total Appropriations	\$12,006,338

- 5. Bayshore Neighborhood - Bid Pack 8B - Lower North Bay Road:** This amendment is in conjunction to item R7E on today's Commission Agenda. This amendment adds \$400,000 to the project for lighting improvements. Pedestrian lighting improvements are not included in the current Design-Build project; however, residents have requested that the Administration include these improvements. Funding will be utilized as an allowance to design and install as much of the infrastructure that this budget allows. Based on similar City lighting projects, the improvements are estimated to cost close to \$1.5 million for the design and construction of the system. The City would complete the lighting improvements when the additional funding is identified. Funding for street lighting upgrades in the amount of \$400,000 is being funded by the Capital Reserve Fund.

Prior Years' Appropriations	\$14,148,102
January 13, 2016 Budget Amendment	400,000
Proposed Total Appropriations	\$14,548,102

- 6. 54" Redundant Sewer Force Main:** This amendment is in conjunction to item R7S on today's Commission agenda regarding 54" Redundant Sewer Force Main Project authorizing the Mayor and City Clerk to execute a change order to the agreement with David Mancini & Sons, Inc., dated August 24, 2015. This amendment adds an additional \$3,173,748 to the 54in Diameter Redundant Sewer Force Main project plus an additional \$3,607,765 will come from the Stormwater Master Plan Program. Funding for this amendment will come from the following sources:

- Re-appropriation of \$3,607,765 from the Stormwater Master Plan Program
- New appropriation of \$3,173,748 from Line of Credit to be repaid by Future Water & Sewer Bonds

Prior Years' Appropriations	\$10,273,000
January 13, 2016 Budget Amendment	6,781,513
Proposed Total Appropriations	\$17,054,513

7. Corrections to Capital Amendment # 1:

This item addresses corrections to the 1st Capital Amendment approved on December 9, 2015 by Reso # 2015-29220, due to year-end close outs and un-posted balances that caused variances in available balances.

1. Palm & Hibiscus Island Enhancement:

- a. Amendment #1 stated that \$2,580,706 would be re-appropriated from West Ave/ Bay Road Improvements project for Palm & Hibiscus Island Enhancement. Of this amount, \$2,204,000 is actually coming from Sunset Harbor Pump Station Upgrades project as this balance was moved from the West Ave/ Bay Road project during the FY 16 Capital budget development.

	Amend #1	Correction	Revised	
West Ave / Bay Road Improvements	\$ 2,580,706	\$ (2,204,000)	\$ 376,706	Amount to be re-appropriated to Palm & hibiscus
Sunset harbor Pump Station	\$ -	\$ 2,204,000	\$ 2,204,000	Amount to be re-appropriated to Palm & hibiscus

- b. Amendment #1 stated that \$691,793 would be re-appropriated from Coast Guard Booster Pump Station project for Palm & Hibiscus Island Enhancement. Of this amount, \$129,678 will instead come from Bayshore Neighborhood- Bid Pack D. This is due to funds available in the Coast Guard Booster Pump Station project being overstated prior to the year-end close postings of expenses.

	Amend #1	Correction	Revised	
Coast Guard Booster Pump Station - So	\$ 691,793	\$ (129,678)	\$ 562,115	Amount to be re-appropriated to Palm & hibiscus
Bayshore Neighborhood - Bid Pack D	\$ -	\$ 129,678	\$ 129,678	Amount to be re-appropriated to Palm & hibiscus

2. Stillwater Park Improvements: Amendment #1 understated the amount available for re-appropriation from the Crespi Park Field Renovation project to the Stillwater Park Improvements project by \$3,372 due to balances being rolled over during the year-end process.

	Adopted Project Budget	Amend #1	Correction	Amended Project Budget
Stillwater Park Improvements	\$ 120,000	\$ 27,524	\$ 3,372	\$ 150,896
Crespi Park Field Renovation	\$ 88,500	\$ (27,524)	\$ (3,372)	\$ 57,604

JLM/JW

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE SECOND AMENDMENT TO THE CAPITAL BUDGET FOR FISCAL YEAR 2015/16.

WHEREAS, the final Capital Improvement Plan for FY 2015/16 – 2019/20 and the final Capital Budget for FY 2015/16 was adopted via Resolution 2015-29144 on September 30, 2015; and

WHEREAS, the first amendment to the Miami Beach Capital Budget for FY 2015/16 was also adopted on December 9, 2015 via Resolution No. 2015-29144; and

WHEREAS, Section 166.241(4)(c.), Florida Statutes, requires that a municipality's budget amendment must be adopted in the same manner as the original budget; and

WHEREAS, the proposed amendment to the FY 2015/16 Capital Budget is included in "Attachment A – Source of Funds" and "Attachment B – Programs"; and

WHEREAS, the City Administration recommends that FY 2015/16 Capital Budget be amended to add appropriations totaling \$13,972,683, and re-appropriate \$2,794,042 between existing project highlighted in "Attachment C – Projects"; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, that the Mayor and City Commission hereby adopt the Sixth Amendment to the Capital Budget for Fiscal Year 2015/16 as set forth in Attachment A (Source of Funds), Attachment B (Programs), and Attachment C (Projects).

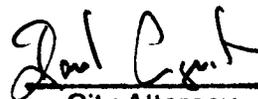
PASSED AND ADOPTED this 13th day of January, 2016.

ATTEST:

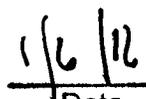
Philip Levine, Mayor

Raphael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney



Date

**ATTACHMENT A
FY 2015/16 CAPITAL BUDGET
SOURCE OF FUNDS
Amended 1/13/16**

Funding Source	Amended Capital Budget	Amended 1/13/16	Revised
Transportation Fund	-	3,300,000	3,300,000
Renewal & Replacement Fund	2,447,000	47,185	2,494,185
7th Street Garage	-		-
Art in Public Places	352,000		352,000
Parking Impact Fees	2,227,000	6,700,000	8,927,000
Concurrency Mitigation	5,377,934		5,377,934
Non TIF RDA	(12,312,000)		(12,312,000)
Local Option Gas Tax	995,000		995,000
Half Cent Transit Surtax - County	(7,934)		(7,934)
Capital Projects Financed by Other	650,000		650,000
Pay-As-You-Go	1,615,894	51,750	1,667,644
SB Quality of Life Resort Tax Fund - 1%	2,678,000		2,678,000
MB Quality of Life Resort Tax Fund - 1%	1,235,000		1,235,000
NB Quality of Life Resort Tax Fund - 1%	3,108,080		3,108,080
Parks & Recreation Beautification	1,714,383		1,714,383
RCP - 1996 15M GO Bond	104,175		104,175
2003 GO Bonds - Fire Safety	43,610		43,610
2003 GO Bonds - Parks & Beaches	278,026		278,026
2003 GO Bonds - Neighborhood Improvement	-	300,000	300,000
MDC CDT Interlocal-CDT/Resort Tax Eligib	(240,000)		(240,000)
South Pointe Capital	10,757,000		10,757,000
Water & Sewer Line of Credit	7,621,371	3,173,748	10,795,119
W&S GBL Series 2010 CMB Reso 2009-27243	-		-
Gulf Breeze 2006	-		-
Water and Sewer Bonds 200S	75,000		75,000
Water and Sewer Enterprise Fund	-		-
Stormwater Line of Credit	-		-
Stormwater Bonds	60,266,296		60,266,296
Convention Center	2,500,000		2,500,000
RDA Garage Fund	-		-
RDA Anchor Shops Fund	46,000		46,000
Penn Garage	-		-
Parking Operations Fund	3,173,050		3,173,050
Equipment Loan/Lease	5,110,000		5,110,000
Building Tech Capital Project	150,000		150,000
Capital Reserve	(7,232,995)	400,000	(6,832,995)
Miami-Dade County Bond	42,400,000		42,400,000
Proposed Parking Bonds	64,800,000		64,800,000
Proposed Future RDA Bonds	310,050,000		310,050,000
Proposed Future Resort Tax 1 Bonds	204,500,000		204,500,000
Proposed Future Water & Sewer Bonds	50,000,000		50,000,000
Total Appropriation as of 1/13/16	\$ 764,481,890	\$ 13,972,683	\$ 778,454,573

**ATTACHMENT B
FY 2015/16 CAPITAL BUDGET
PROGRAMS
Amended 1/13/16**

Program Area	Amended Capital Budget	Amended 1/13/16	Revised
Art in Public Places	\$ 352,000		\$ 352,000
Bridges	\$ 830,000		\$ 830,000
Community Centers	\$ 50,000		\$ 50,000
Convention Center	\$ 511,388,000		\$ 511,388,000
Environmental	\$ 110,000		\$ 110,000
Equipment	\$ 5,479,000		\$ 5,479,000
General Public Buildings	\$ 5,603,000		\$ 5,603,000
Golf Courses	\$ -		\$ -
Information Technology	\$ -		\$ -
Lighting	\$ 1,677,000		\$ 1,677,000
Monuments	\$ 350,000		\$ 350,000
Parking	\$ -		\$ -
Parking Garages	\$ 67,067,000		\$ 67,067,000
Parking Lots	\$ 2,914,050		\$ 2,914,050
Parks	\$ 7,524,664	51,750	\$ 7,576,414
Renewal & Replacement	\$ 1,019,610	47,185	\$ 1,066,795
Seawalls	\$ 10,026,894		\$ 10,026,894
Streets/ Sidewalk Imps	\$ 23,961,715	700,000	\$ 24,661,715
Transit/ Transportation	\$ 4,524,000	10,000,000	\$ 14,524,000
Utilities	\$ 123,604,957	3,173,748	\$ 126,778,705
Total Appropriation as of 1/13/16	\$ 766,481,890	\$ 13,972,683	\$ 780,454,573

**ATTACHMENT C
CAPITAL BUDGET
PROJECTS
Amended 1/13/16**

Capital Project Name	Amended Capital Budget	Amended 1/13/16	Revised Capital Budget
Light Rail / Modern Street Car	\$ -	10,000,000	\$ 10,000,000
Scott Rakow Playground	\$ -	175,742	\$ 175,742
Scott Rakow Youth Center Phase II	\$ 6,343,928	(105,105)	\$ 6,238,823
Scott Rakow & North Shore Swimming Pools	\$ 152,460	(18,887)	\$ 133,573
Sanitation Roof	\$ 300,000	47,185	\$ 347,185
Sunset Island 3 & 4 / Bayshore Neighborhood - Bid Pack D	\$ 11,706,338	170,322	\$ 11,876,660
West Ave / Bay Road Improvements *	\$ 23,179,642	-	\$ 23,179,642
Sunset Harbor Pump Station Upgrades *	\$ 16,299,546	-	\$ 16,299,546
Coast Guard Booster Pump Station - So Pte	\$ (129,678)	129,678	\$ -
Stillwater Park Improvements	\$ 147,524	3,372	\$ 150,896
Crespi Park Field Renovation	\$ 60,976	(3,372)	\$ 57,604
Bayshore Neighborhood - Bid Pack B - Lower North Bay Road	\$ 14,148,102	400,000	\$ 14,548,102
54in Diameter Redundant Sewer Force Main	\$ 10,273,000	3,173,748	\$ 13,446,748
Total	\$ 82,481,838	\$ 13,972,683	\$ 96,454,521

*Note: (1) Sunset Island 3 & 4 / Bayshore Neighborhood - Bid Pack D includes an appropriation to the project for \$300,000 and a re-appropriation from the project to Palm & Hibiscus for \$129,678 for a total net amendment to the project of \$170,322. * Water and Sewer funding from this project will be transferred to the Palm & Hibiscus Island Enhancement project and will be replaced by the Line of Credit funds and repaid to Line of Credit when Water & Sewer Bonds are issued. The net effect is a \$0 change to the total appropriation.*

MIAMI BEACH

CITY OF MIAMI BEACH NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY given that the following public hearing will be held by the Mayor and City Commissioners of the City of Miami Beach, Florida, in the Commission Chambers, Third Floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **January 13, 2016**, at the times listed, or as soon thereafter as the matter can be heard:

10:30 a.m.

An Ordinance Amending Miami Beach City Code Chapter 2 "Administration," Article VII "Standards Of Conduct," Division 5 "Campaign Finance Reform," Encompassing City Code Sections 2-487 "Prohibited Campaign Contributions By Vendors," City Code Section 2-488 "Prohibited Campaign Contributions By Lobbyists On Procurement Issues," City Code Section 2-489 "Prohibited Campaign Contributions By Real Estate Developers," And City Code Section 2-490 "Prohibited Campaign Contributions By Lobbyists On Real Estate Development Issues," By Providing That Commencing Upon The Effective Date Of The Ordinance, Members Of The City Commission Or Candidates For Said Offices Shall Be Prohibited From Either Directly Or Indirectly Soliciting, Accepting Or Depositing Any Campaign Contribution Regarding City Elected Office From A Vendor, Lobbyist On A Procurement Issue, Real Estate Developer, Or Lobbyist On A Real Estate Development Issue; Providing For Repealer, Severability, Codification, And An Effective Date. *Inquiries may be directed to the Office of the City Attorney at 305.673.7470.*

10:31 a.m.

An Ordinance Amending Miami Beach City Code Chapter 2, Article VII, Division 5 Entitled "Campaign Finance Reform," By Adding Thereto Section 2-491 Entitled "Prohibited Lobbying By Campaign Consultants," Prohibiting Campaign Consultants And Certain Affiliated Persons Or Entities From Lobbying City Commission For 12 Months Subsequent To Swearing In Of Subject Elected Official(s), Establishing Definitions, And Limited Exemption, Providing For Repealer, Severability, Codification, And An Effective Date. *Inquiries may be directed to the Office of the City Attorney at 305.673.7470.*

10:35 a.m.

An Ordinance Amending Chapter 106 Of The Miami Beach City Code, Entitled "Traffic And Vehicles," By Amending Article II, Entitled "Metered Parking," By Amending Division 1, Entitled "Generally," By Amending Section 106-47, Entitled "Freight, Commercial, And Passenger Curb Loading Zones; Hours, Deliveries," By Deleting Subsection (c), (d) And (e); By Amending Subsection (b) To Require Property Owners And Businesses To Confirm Compliance With Subsection (g) For Commercial Motor Vehicles Deliveries And Services; By Prohibiting Deliveries Or Services For Commercial Motor Vehicles That Fail To Comply With Subsections (f) Through (n); By Creating A New Subsection (d) And (e), Which Limits The Authority Of The Special Master, By Amending The Enforcement And Penalty Provisions For Violations Of Subsection (b); Providing For Codification, Repealer, Severability, And An Effective Date. *Inquiries may be directed to the Office of the City Attorney at 305.673.7470 or the Parking Department at 305.673.7505.*

10:40 a.m.

A Resolution Adopting The Second Amendment To The Capital Budget For Fiscal Year 2015/16. *Inquiries may be directed to the Office of Budget & Performance Improvement at 305.673.7510.*

10:45 a.m.

A Resolution Adopting The Second Amendment To The General Fund, Enterprise Fund, Internal Service Fund, And Special Revenue Fund Budgets For Fiscal Year 2015/16. *Inquiries may be directed to the Office of Budget & Performance Improvement at 305.673.7510.*

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. A copy of this item is available for public inspection during normal business hours in the Office of the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting, or any item herein, may be continued, and under such circumstances, additional legal notice need not be provided.

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

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

Rafael E. Granado, City Clerk
City of Miami Beach

Ad 1112

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Condensed Title:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF MIAMI BEACH, FLORIDA, ADOPTING THE SECOND AMENDMENT TO THE GENERAL FUND, ENTERPRISE FUND, INTERNAL SERVICE FUND, AND SPECIAL REVENUE FUND BUDGETS FOR FISCAL YEAR (FY) 2015/16.

Key Intended Outcome Supported:

Ensure expenditure trends are sustainable over the long term.

Supporting Data:

In the 2014 Community Survey, both residents and businesses reported the following area for the City related to value for taxes paid:

- Percentage of residents rating the Overall Value of City services for tax dollars paid as excellent or good (Residents: 58%; Businesses 54%)

Item Summary/Recommendation:

The budgets for the General Fund, Enterprise Funds, Internal Service Funds, and Special Revenue Funds for Fiscal Year 2015/16 were approved on September 30, 2015, with the adoption of Resolution No. 2015-29141.

The First Amendment to the General Fund, Enterprise Funds, Internal Service Funds, and Special Revenue Funds budgets for FY 2015/16 was approved on December 8, 2015, by resolution 2015-29221. Section 166.241(4)(c.), Florida Statutes, requires that a municipality's budget amendment must be adopted in the same manner as the original budget.

The Second Amendment would realign \$3.3 million of funding for an Environmental Review of the Miami Beach portion of Light Rail/Modern Street Car capital project and realign \$35,000 of funding for an additional boat for Marine Patrol in the Police department from Confiscated Trust funds. This amendment would also add appropriation of \$142,000 for additional resources to support the Energov project implementation in the IT department, \$196,000 of funding for year one of principal and interest payments for the Sunset Islands 3 and 4 Undergrounding Project, and \$150,000 for Body-Worn Cameras in the Police department from Confiscated Trust funds.

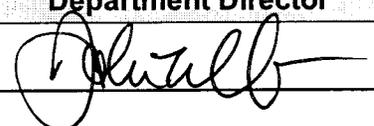
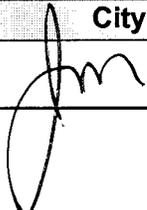
Financial Information:

Source of Funds	Amount	Account
	\$142,000	Information Technology Fund
	\$196,000	General Fund
	\$150,000	Confiscated Trust Fund (Federal)

City Clerk's Office Legislative Tracking:

John Woodruff, OBPI Director

Sign-Offs:

Department Director	Assistant City Manager	City Manager
		



MIAMI BEACH

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

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: January 13, 2016

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE SECOND AMENDMENT TO THE GENERAL FUND, ENTERPRISE FUND, INTERNAL SERVICE FUND AND SPECIAL REVENUE FUND BUDGETS FOR FISCAL YEAR (FY) 2015/16**

ADMINISTRATION RECOMMENDATION

Adopt the resolution amending the FY 2015/16 General Fund, Enterprise Funds, Internal Service Funds, and Special Revenue Funds budgets.

KEY INTENDED OUTCOME SUPPORTED

Ensure expenditure trends are sustainable over the long term.

ANALYSIS

The budgets for the General Fund, Enterprise Funds, Internal Service Funds, and Special Revenue Funds for Fiscal Year 2015/16 were approved on September 30, 2015, with the adoption of Resolution No. 2015-29141.

The First Amendment to the General Fund, Enterprise Funds, Internal Service Funds, and Special Revenue Funds budgets for FY 2015/16 was approved on December 8, 2015, by resolution 2015-29221. Section 166.241(4)(c), Florida Statutes, requires that a municipality's budget amendment must be adopted in the same manner as the original budget.

The Second Amendment would realign \$3.3 million of funding for an Environmental Review of the Miami Beach portion of Light Rail/Modern Street Car capital project and realign \$35,000 of funding for an additional boat for Marine Patrol in the Police department from Confiscated Trust funds. This amendment would also add appropriation of \$142,000 for additional resources to support the Energov project implementation in the IT department, \$196,000 of funding for year one of principal and interest payments for the Sunset Islands 3 and 4 Undergrounding Project, and \$150,000 for Body-Worn Cameras in the Police department from Confiscated Trust funds.

Realign \$3.3 million of funding for an Environmental Review of the Miami Beach portion of Light Rail/Modern Street Car capital project – Transportation Fund

On December 16, 2015 the City of Miami Beach Mayor and Commission made a monumental step forward towards improving transportation in Miami Beach and Miami-Dade County by authorizing that the City move forward in a solicitation to Design, Build, Operate, Maintain, and Finance a light rail/modern streetcar system in South Beach. At their December 16th meeting the Commission gave direction as follows:

- Accept receipt of unsolicited proposal and initiate statutory notice process (under Fla. Stat. 287.05712) to permit other qualified firms to submit proposals.
- Establish an application fee of \$100,000 per proposal to permit City to cover the costs of evaluation of proposals. If fee ultimately exceeds costs required to evaluate, the City will refund excess portion of fee on a pro rata basis.
- Provide 120 days after publication of a notice to proposers for submission of proposals and all information required by statute. During the 120 day period, the City will advance the environmental analysis for the Project.
- Proceed, in parallel to the solicitation, with the City's environmental analysis to preserve the opportunity for state funding.
- As necessary, provide proposers with the opportunity to incorporate the City's environmental analysis within the proposals.

The environmental review will include preliminary engineering, 30 percent design, development of specifications to procure an entity to develop, finance, operate and maintain the system and evaluation of proposals regarding same. As stated during the discussions at the December 16th meeting, the order of magnitude cost is \$10 million.

This amendment realigns \$3.3 million in the Transportation Fund from savings in pro-rating the costs of the South Beach, Mid-Beach, and Collins Link trolleys in FY 2015/16 for the latest estimated start dates. This amount will be transferred to the Capital Budget to fund the project. The remaining of the cost, \$6.7 million will be appropriated through the Second FY 2015/16 Capital Budget Amendment from fund balance in the Fees In-Lieu-Of Parking (South Beach) Fund.

Realign \$35,000 of funding for an additional boat for Marine Patrol in the Police Department - Confiscated Trust Fund (State)

During the FY 2015/16 budget development, the Police Department requested and received Commission approval to utilize asset forfeiture monies for the purchase of an Articulated Ariel Work Platform Trailer. This item was to be used in conjunction with the command van when deploying/managing remote camera surveillance technology. In recent weeks the Police Department has identified a vehicle currently in the City fleet that is available and better suited for this need.

Consequently, Police requests the realignment of \$35,000 previously earmarked for the trailer purchase toward the acquisition of a used Coast Guard boat. An additional \$70,000 to \$100,000 will be necessary to refurbish the boat, however, it is anticipated that a UASI grant will be available to cover these costs. Purchasing a used and refurbished boat saves approximately \$200,000.

The additional boat is intended to reduce the risk of a waterborne terrorist attack by providing a new and increased capability to locate, approach, tackle, challenge and board a suspect vehicle efficiently and effectively. The boat will, after purchase and refitting, have the following characteristics not currently available:

- a) The soft-edged hull will enable safer and more prompt abutment to other vessels. This, combined with a lowered stern to port and starboard, will provide an ability to transfer quickly and safely between vessels. This capability is essential to tackle potential terrorist threats.
- b) The enclosed cabin will protect the crew from bad weather and help maintain a safe working environment. This will enable the vessel to be used in all weather conditions to ensure continuous interdiction and disruption capability.
- c) Seats within the cabin have a shock absorbing function. This will enable the vessel to maintain high speed through most water conditions – therefore increasing interdiction and disruption capability.
- d) There is an anti-fouling device for use when towing suspect vessels from which occupants have been detained. This will speed up the capability to conduct a forensic examination of any vessels – an ability that is essential in identifying any ongoing threats (linked suspects, place of origin etc.).
- e) The vessel will be equipped with a radar system that will ‘see’ a five mile radius around the vessel in all weather and visibility conditions (including darkness). This characteristic will give the MBPD a capability to prevent vessels from gaining access to key assets through a stealth approach i.e. using darkness and/or poor visibility as cover.
- f) The on-board lighting system and roof mounted external lighting system will enable the vessel’s surroundings (other boats etc.) to be illuminated from a distance. It will therefore also significantly aid interdiction and disruption capability.

Appropriate \$142,000 of funding for additional resources to support the Energov project implementation in the IT department – Information Technology Fund

At the December 17th meeting of the Munis/Energov Project Steering Committee, the Committee identified the need for additional resources to support Energov project implementation that is schedule to Go-Live on April 1, 2016. Currently, the Building Department is managing Permits Plus which is used by Building, Planning, Fire, Code Enforcement, Public Works, and City Clerk. Building-funded IT positions make all necessary modifications to the software as processes change. In the new Energov system, the existing Building-funded positions would focus on tasks specifically related to the Building department and the two new positions would support the other five departments with technical support to effect changes or reconfigure software if the need arises.

Section 14-69 below has been an existing section of the code which funds Building department employee training, education, safety and technology enhancements. However, several other departments such as Fire, Public Works and Planning conduct reviews, inspections and approvals as part of the building permit process. In order to offer the best possible service, all reviewing departments need to offer the highest level of training and facilitate continuing education as well as provide for safety equipment and the acquisition and implementation of technology that will enhance and expedite the permitting process. To that end, the same provision was added for the departments of Public Works, Fire and Planning during the recently adopted revised fee schedule to offset expenses associated with the review and approval of development. The two new Senior System Analyst positions would be budgeted in the IT department and be funded by these recently implemented fees.

Appropriate \$196,000 of funding for Principal and Interest costs for the Sunset Islands 3 and 4 Undergrounding Project – General Fund

On October 14, 2015, the Mayor and City Commission adopted Resolution No. 2015-29180, creating pursuant to Chapter 170, Florida Statutes, a special assessment district to be known as the Sunset Islands 3 & 4 Utility Improvement District, for a term of ten years, to fund the placement underground of overhead utilities on Sunset Islands 3 & 4. The City is in the process of executing a loan to pay the upfront costs of the project that will be recovered through assessments to property owners. The assessments levied on the properties will be after the completion of the placement of the underground utilities. This budget amendment puts appropriation of \$196,000 in Citywide-General Fund to cover the first year of principal and interest on the loan, in the event that cash flow from the assessments is not enough to cover these costs in the first year. If any principal and interest expenses are realized by the City in year one, they will ultimately be reimbursed by assessments in later years.

Appropriate \$150,000 of funding for Body-Worn Cameras – Confiscated Trust Fund (Federal)

During the budget development process, \$150,000 for Body-Worn Cameras was inadvertently left out of the FY 2015/16 Budget. This budget amendment appropriates the necessary \$150,000 to continue the roll-out of the cameras as originally planned.

CONCLUSION

The Administration recommends that the Mayor and City Commission adopt the Second Amendment to the General Fund, Enterprise Fund, Internal Service Fund, and Special Revenue Fund Budgets for Fiscal Year (FY) 2015/16.

JLM/JW

A handwritten signature in black ink, appearing to be the initials 'JLM' or 'JW' with a stylized flourish.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE SECOND AMENDMENT TO THE GENERAL FUND, ENTERPRISE FUND, INTERNAL SERVICE FUND, AND SPECIAL REVENUE FUND BUDGETS FOR FISCAL YEAR (FY) 2015/16.

WHEREAS, the budgets for the General Fund, Enterprise Funds, Internal Service Funds, and Special Revenue Funds for Fiscal Year 2015/16 were approved on September 30, 2015, with the adoption of Resolution No. 2015-29141; and

WHEREAS, the First Amendment to the General Fund, Enterprise Fund, Internal Service Fund, and Special Revenue Fund budgets for Fiscal Year 2015/16 was approved on December 8, 2015, with the adoption of Resolution No. 2015-29221; and

WHEREAS, the proposed budget amendment realigns \$3.3 million of funding for an Environmental Review of the Miami Beach portion of Light Rail/Modern Street Car capital project and \$35,000 of funding for an additional boat for Marine Patrol in the Police department; and adds appropriation of \$142,000 for additional resources to support the Energov project implementation in the IT department, \$196,000 of funding for year one of principal and interest payments for the Sunset Islands 3 and 4 Undergrounding Project, and \$150,000 for Body-Worn Cameras in the Police department as reflected in the attached Exhibit "A"; and

WHEREAS, Section 932.7055 of the Florida Statutes sets forth the purpose and procedures to be utilized for the appropriation and expenditures of the Police Confiscation Trust Fund; and

WHEREAS, the proceeds and interest earned from the Police Confiscation Trust Fund is authorized to be used for crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes; and

WHEREAS, the Chief of Police is authorized to expend these funds upon request to the City of Miami Beach Commission, and only upon appropriation to the Miami Beach Police Department by the City of Miami Beach Commission; and

WHEREAS, the Chief of Police of the City of Miami Beach has submitted a written certification which states that this request complies with the provisions of Section 932.7055 of the Florida Statutes (written certification attached as Exhibit "B"), and the Guide to Equitable Sharing of Federally Forfeited Property for Local Law Enforcement Agencies.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH that the Mayor and City Commission hereby adopt the Second Amendment to the General Fund, Enterprise Fund, Internal Service Fund, and Special Revenue Fund Budgets for Fiscal Year (FY) 2015/16 as shown in Exhibit "A".

PASSED and ADOPTED this 13th day of January, 2016.

ATTEST:

PHILIP LEVINE, MAYOR

RAPHAEL E. GRANADO, CITY CLERK

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

Paul Bennett 1-8-16
City Attorney Date

Exhibit "A"

GENERAL FUND	FY 2015/16 Amended Budget	2nd Budget Amendment	FY 2015/16 Revised Budget
REVENUES			
Operating Revenues			
Ad Valorem Taxes	\$ 140,446,000		\$ 140,446,000
Ad Valorem Taxes- S Pte Costs	-		-
Ad Valorem Cap. Renewal & Replacement	2,716,000		2,716,000
Ad Valorem Taxes- Normandy Shores	147,000		147,000
Other Taxes	23,940,000		23,940,000
Licenses and Permits	29,558,000		29,558,000
Intergovernmental	11,037,000		11,037,000
Charges for Services	12,046,000		12,046,000
Fines & Forfeits	2,157,000		2,157,000
Rents and Leases	6,384,000		6,384,000
Miscellaneous	12,588,000		12,588,000
Resort Tax Contribution	36,609,000		36,609,000
Other	22,726,000		22,726,000
Fund Balance/ Retained Earnings	5,471,000	196,000	5,667,000
Total General Fund	\$ 305,825,000	\$ 196,000	\$ 306,021,000
	FY 2015/16 Amended Budget	2nd Budget Amendment	FY 2015/16 Revised Budget
APPROPRIATIONS			
Department			
Mayor and Commission	\$ 2,009,000		\$ 2,009,000
City Manager	3,809,000		3,809,000
Communications	1,748,000		1,748,000
Budget & Performance Improvement	2,435,000		2,435,000
Org Dev & Performance Initiative	603,000		603,000
Finance	5,435,000		5,435,000
Procurement	2,114,000		2,114,000
Human Resources/Labor Relations	2,721,000		2,721,000
City Clerk	1,455,000		1,455,000
City Attorney	5,282,000		5,282,000
Housing & Comm. Development	2,674,000		2,674,000
Building	14,643,000		14,643,000
Code Compliance	6,118,000		6,118,000
Planning	4,274,000		4,274,000
Tourism, Culture, and Econ. Development	3,936,000		3,936,000
Parks & Recreation	30,812,000		30,812,000
Public Works	14,143,000		14,143,000
Capital Improvement Projects	4,945,000		4,945,000
Police	99,989,000		99,989,000
Fire	62,844,000		62,844,000
Emergency Management	9,218,000		9,218,000
Citywide Accounts-Other	11,865,000	196,000	12,061,000
Citywide Accounts-Operating Contingency	2,093,000		2,093,000
Citywide Accounts-Normandy Shores	226,000		226,000
Subtotal General Fund	\$ 295,391,000	\$ 196,000	\$ 295,587,000
TRANSFERS			
Capital Renewal & Replacement	\$ 2,716,000		\$ 2,716,000
Capital Investment Upkeep Account	315,000		315,000
Info & Comm Technology Fund	395,000		395,000
Pay-As-You-Go Capital Fund	2,400,000		2,400,000
Capital Reserve Fund	2,000,000		2,000,000
Building Reserve	2,608,000		2,608,000
Subtotal Transfers	\$ 10,434,000	\$ -	\$ 10,434,000
Total General Fund	\$ 305,825,000	\$ 196,000	\$ 306,021,000

Exhibit "A"

	FY 2015/16 Amended Budget	2nd Budget Amendment	FY 2015/16 Revised Budget
ENTERPRISE FUNDS			
REVENUE/APPROPRIATIONS			
Convention Center	\$ 10,737,000		\$ 10,737,000
Parking	79,452,000		79,452,000
Sanitation	21,177,000		21,177,000
Sewer Operations	48,069,000		48,069,000
Stormwater Operations	23,457,000		23,457,000
Water Operations	35,017,000		35,017,000
Total Enterprise Funds	\$ 217,909,000	\$ -	\$ 217,909,000

	FY 2015/16 Amended Budget	2nd Budget Amendment	FY 2015/16 Revised Budget
INTERNAL SERVICE FUNDS			
REVENUE/APPROPRIATIONS			
Central Services	\$ 967,000		\$ 967,000
Fleet Management	10,470,000		10,470,000
Information Technology	16,135,000	142,000	16,277,000
Property Management	8,807,000		8,807,000
Risk Management	15,699,000		15,699,000
Medical and Dental Insurance	28,961,000		28,961,000
Total Internal Service Funds	\$ 81,039,000	\$ 142,000	\$ 81,181,000

	FY 2015/16 Amended Budget	2nd Budget Amendment	FY 2015/16 Revised Budget
SPECIAL REVENUE FUNDS			
REVENUE/APPROPRIATIONS			
Resort Tax	\$ 79,934,000		\$ 79,934,000
Transportation	9,812,000		9,812,000
People's Transportation Plan Fund	3,990,000		3,990,000
7th Street Garage	2,795,000		2,795,000
5th & Alton Garage	812,000		812,000
Art In Public Places	340,000		340,000
Tourism and Hospitality Scholarship Prgm	174,000		174,000
Information and Communitation Tech Fund	395,000		395,000
Education Compact	107,000		107,000
Green/Sustainability Funds	399,000		399,000
Residential Housing	773,000		773,000
Red Light Camera Fund	1,416,000		1,416,000
E-911 Fund	398,000		398,000
Cultural Arts Council	1,478,000		1,478,000
Normandy Shores	226,000		226,000
Tree Preservation	111,674		111,674
Police Confiscation Trust - Federal	304,000	150,000	454,000
Police Confiscation Trust - State	412,000		412,000
Police Special Revenue	75,000		75,000
Police Training	41,000		41,000
Police Crash Report Sales	30,000		30,000
Waste Haulers Add Serv & Public Benefit	105,000		105,000
Total Special Revenue Funds	\$ 104,127,674	\$ 150,000	\$ 104,277,674

"Exhibit B"

CERTIFICATION

I, Daniel J. Oates, Chief of Police, City of Miami Beach, do hereby certify that the aforementioned proposed request for expenditures from the City of Miami Beach Police Confiscation Trust Fund, for the 2015/2016 fiscal year providing funds for expenditures, complies with the provisions of Section 932.7055(4)(a), Florida Statutes, and the Guide to Equitable Sharing of Federally Forfeited Property for Local Law Enforcement Agencies.



Daniel J. Oates, Chief of Police
Miami Beach Police Department

1/6/16

Date

MIAMI BEACH

CITY OF MIAMI BEACH NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY given that the following public hearing will be held by the Mayor and City Commissioners of the City of Miami Beach, Florida, in the Commission Chambers, Third Floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **January 13, 2016**, at the times listed, or as soon thereafter as the matter can be heard:

10:30 a.m.

An Ordinance Amending Miami Beach City Code Chapter 2 "Administration," Article VII "Standards Of Conduct," Division 5 "Campaign Finance Reform," Encompassing City Code Sections 2-487 "Prohibited Campaign Contributions By Vendors," City Code Section 2-488 "Prohibited Campaign Contributions By Lobbyists On Procurement Issues," City Code Section 2-489 "Prohibited Campaign Contributions By Real Estate Developers," And City Code Section 2-490 "Prohibited Campaign Contributions By Lobbyists On Real Estate Development Issues," By Providing That Commencing Upon The Effective Date Of The Ordinance, Members Of The City Commission Or Candidates For Said Offices Shall Be Prohibited From Either Directly Or Indirectly Soliciting, Accepting Or Depositing Any Campaign Contribution Regarding City Elected Office From A Vendor, Lobbyist On A Procurement Issue, Real Estate Developer, Or Lobbyist On A Real Estate Development Issue; Providing For Repealer, Severability, Codification, And An Effective Date. *Inquiries may be directed to the Office of the City Attorney at 305.673.7470.*

10:31 a.m.

An Ordinance Amending Miami Beach City Code Chapter 2, Article VII, Division 5 Entitled "Campaign Finance Reform," By Adding Thereto Section 2-491 Entitled "Prohibited Lobbying By Campaign Consultants," Prohibiting Campaign Consultants And Certain Affiliated Persons Or Entities From Lobbying City Commission For 12 Months Subsequent To Swearing In Of Subject Elected Official(s), Establishing Definitions, And Limited Exemption; Providing For Repealer, Severability, Codification, And An Effective Date. *Inquiries may be directed to the Office of the City Attorney at 305.673.7470.*

10:35 a.m.

An Ordinance Amending Chapter 106 Of The Miami Beach City Code, Entitled "Traffic And Vehicles," By Amending Article II, Entitled "Metered Parking," By Amending Division 1, Entitled "Generally," By Amending Section 106-47, Entitled "Freight, Commercial, And Passenger Curb Loading Zones; Hours; Deliveries," By Deleting Subsection (c), (d) And (e), By Amending Subsection (b) To Require Property Owners And Businesses To Confirm Compliance With Subsection (g) For Commercial Motor Vehicles Deliveries And Services; By Prohibiting Deliveries Or Services For Commercial Motor Vehicles That Fail To Comply With Subsections (f) Through (i); By Creating A New Subsection (g) And (e), Which Limits The Authority Of The Special Master; By Amending The Enforcement And Penalty Provisions For Violations Of Subsection (b); Providing For Codification, Repealer, Severability, And An Effective Date. *Inquiries may be directed to the Office of the City Attorney at 305.673.7470 or the Parking Department at 305.673.7505.*

10:40 a.m.

A Resolution Adopting The Second Amendment To The Capital Budget For Fiscal Year 2015/16. *Inquiries may be directed to the Office of Budget & Performance Improvement at 305.673.7510.*

10:45 a.m.

A Resolution Adopting The Second Amendment To The General Fund, Enterprise Fund, Internal Service Fund, And Special Revenue Fund Budgets For Fiscal Year 2015/16. *Inquiries may be directed to the Office of Budget & Performance Improvement at 305.673.7510.*

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. A copy of this item is available for public inspection during normal business hours in the Office of the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting, or any item herein, may be continued, and under such circumstances, additional legal notice need not be provided.

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

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

Rafael E. Granada, City Clerk
City of Miami Beach

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R7Q A Discussion Regarding A License Agreement Between The City Of Miami
Beach And The Florida Department Of Transportation.

(Public Works)

(Title Change)

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MIAMI BEACH

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

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: January 13, 2016

SUBJECT: **PRESENTATION OF THE MAYOR'S OCEAN DRIVE TASK FORCE FINAL REPORT**

ADMINISTRATION RECOMMENDATION

N/A

BACKGROUND

In May, 2015, Mayor Levine appointed a nine member (with one alternate for a total of ten members) Ocean Drive Task Force. The purpose of the Task Force was to review conditions on Ocean Drive and make recommendations to the Mayor and City Commission as to methods or improvements that could be implemented to enhance the experience of those who visit Ocean Drive.

The Task Force eagerly took on their mission and set a goal for themselves of preparing recommendations that would aid in making Ocean Drive a better experience for visitors as well as a place residents would be comfortable visiting and returning regularly. In addition, the Task Force wished to do this while keeping in mind the on-going business concerns on Ocean Drive and their needs.

The Task Force met a total of ten (10) times between June 2015 and November 2015 to discuss relevant issues and meet with experts, residents, business owners, property owners, and City officials. The Task Force discussed a wide breath of issues ranging including, but not limited to: sidewalk café issues, Lummus Park activation, visibility of police officers, noise in the area, size of the sidewalks, appropriateness of City codes and compliance with the Code, and issues related to homeless in the area.

One item, sidewalk café conditions, was of great importance to the group and thus Chair Plutzik created an Umbrella and Appearance Subcommittee. This sub-committee was chaired by Steve Boucher and met a total of six (6) times to fully investigate issues such as umbrella design, common code compliance issues, sidewalk café furniture, and interaction between pedestrians and sidewalk cafés and the available space for each. The sub-committee made recommendations to the full Task Force that were discussed and became the basis for many of the recommendations in the Task Force's final report.

CONCLUSION

The Task Force approved a slate of recommendations for consideration by the Mayor and Commission. The recommendations are contained within the Final Report which

Presentation of the Mayor's Ocean Drive Task Force Final Report
January 14, 2016
Page 2 of 2

will be presented to the Mayor and Commission by Jonathan Plutzik, Chair of the Mayor's Ocean Drive Task Force

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CITY OF MIAMI BEACH

MAYOR'S OCEAN DRIVE TASK FORCE

FINAL REPORT

JANUARY 13, 2016

Mayor's Ocean Drive Task Force

Honorable Philip Levine
Mayor
City of Miami Beach
1700 Convention Center Drive
Miami Beach, FL 33139

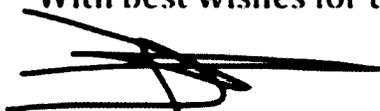
Dear Mayor Levine:

On behalf of the members of the Ocean Drive Task Force, I am pleased to share with you our final report.

I want to make special note of the excellent support we received from all city departments in connection with our months of meetings and relating to the preparation of our final recommendations. In addition I want to salute the other members of our Task Force and participating members from the public. While we didn't agree on everything, we had a collaborative and constructive exchange about the many complex issues facing our community.

We look forward to the opportunity to present this report to you and the entire City Commission.

With best wishes for the holidays.



Jonathan Plutzik
Chair
Ocean Drive Task Force

cc: City Commission: Commissioner John Elizabeth Aleman, Commissioner Ricky Arriola, Commissioner Kristen Rosen Gonzalez, Commissioner Michael Grieco, Commissioner Joy Malakoff, Commissioner Micky Steinberg
Mayor's Ocean Drive Task Force Members: Frank Amadeo, Jonathan Bennett, Steven Boucher, Jeff Feldman, Joyce Garret, Mitch Novick, Reagan Pace, Rich Tampico, Alex Tonarelli
Jimmy L. Morales, City Manager
Raul J. Aguila, City Attorney
Rafael E. Granada, City Clerk

Mayor's Ocean Drive Task Force

Members

Jonathan Plutzik, Chair

Frank Amadeo

Jonathan Bennett

Steven Boucher

Jeff Feldman

Joyce Garret

Mitch Novick

Reagan Pace

Alex Tonarelli

Rich Tampico (alternate)

Final Report of the

MAYOR'S OCEAN DRIVE TASK FORCE

BACKGROUND

On May 12, 2015, Mayor Philip Levine created the Mayor's Ocean Drive Task Force (the "Task Force"). The purpose of the Task Force was to undertake an examination of conditions on Ocean Drive, from 5th to 15th Streets, and to make recommendations to the Mayor and City Commission that will enhance the Ocean Drive experience for the City's visitors and residents. This report is intended to summarize the conclusions of the Task Force, and to provide a series of clear and immediately actionable items for the Mayor and City Commission to consider.

The Task Force is grateful for the support provided by all City departments that participated in the fact-finding portion of this exercise. Of particular note has been the active engagement of the Police, Code Compliance, Public Works and Planning Departments. Staff support from Jeff Oris (Economic Development) and Nick Kallergis (City Attorney's Office) is gratefully noted. We also note and appreciate the active participation and input of the public in all of our meetings. The testimony offered by the public was of great value to the Task Force.

CONCLUSION

Ocean Drive, as a function of its location, architectural significance, global brand identity, operation of some of its more well run businesses, and the tax dollars it generates, represents the emotional and commercial heart of Miami Beach.

The Task Force has substantial concerns about current conditions on Ocean Drive, in Lummus Park, and on adjacent streets in the Mixed Use Entertainment ("MXE") District. Despite their overwhelming importance to all of Miami Beach, without immediate attention, Ocean Drive, Lummus Park and much of the balance of the MXE District risk further deterioration and risk being left behind in the great evolution occurring in our community.

We support immediate action by the Mayor and City Commission.

OUR OCEAN DRIVE VISION

An Ocean Drive and immediately surrounding community that is welcoming and safe to both local residents and tourists, is family friendly, thoughtfully highlights its internationally acclaimed architecture, park, and beach, without diminishing its commercial energy, and further enhances its reputation as one of the world's most iconic destinations.

OUR TASK FORCE MISSION

Recommend changes to the Mayor and City Commission concerning the Ocean Drive environment that will elevate the experience and safety for all residents and visitors, maintain and improve its commercial vitality, and grow its reputation as a great place to live and as a destination for great architecture, culture, and cuisine. It is essential that we create an environment in both the commercial areas and the adjacent park that is conducive to resident and family participation.

SUMMARY RECOMMENDATIONS

1. Implement all recommendations by 11/1/2016. The sooner the better.
2. Devote additional Police and Code Compliance resources to enforcement.
3. Implement premium on-street parking rates for non-residents, to fund improvements.
4. Extend the west sidewalk eastward up to five feet.
5. Explore a more limited extension of the east sidewalk for pedestrian usage only.
6. Specify differentiated color pavers to designate a clear pedestrian pathway.
7. Install City-specified uniform lighting on entire extended west sidewalk.
8. Use innovative technology to seasonally optimize lighting for both sea turtles and tourists.
9. Install new City-specified low profile umbrellas on entire west sidewalk.
10. Request direction from the Planning Department and HPB on uniform rules for awnings.
11. Eliminate real and artificial food displays wherever visible from the sidewalk, to the extent permitted by law.
12. Limit the use of operator-installed “misterters” to the months when the use of heaters is prohibited by the City Code.
13. Transfer primary oversight and review of sidewalk cafe permits to the Planning Department.
14. Prohibit music projection from open-air commercial passenger vehicles in the MXE District.
15. Establish licensing procedures which include permitted hours of operation for tourist buses.
16. Enforce automobile noise restrictions with appropriate police discretion.
17. Activate Lummus Park as a magnet for community and family engagement.
18. Identify concessionaire(s) to implement regular art and craft shows in Lummus Park.
19. Partner with community art patrons and institutions to install exhibitions in Lummus Park.
20. Install west-facing benches on east sidewalk, to encourage architectural appreciation.
21. Activate Lummus Park, west of the dunes, for further athletic engagement.
22. Consider periodic early evening activation of Lummus Park and adjacent areas.
23. Consider periodic closure of Ocean Drive to vehicles, in order to attract families.
24. Acquire permanent, modern, attractive tourist arrival electronic signage.
25. Identify a City employee to act as a liaison and to lead the upgrade of Ocean Drive.
26. Cooperate in an operator-led training program for hospitality employees.
27. Cooperate in operator-led initiative to increase off-duty police and private security efforts.
28. Consider the creation of a special taxing district to improve oversight of Ocean Drive.
29. Consider 1-year extension of the Task Force to monitor implementation of the program.

DETAILED RECOMMENDATIONS

1. SET NOVEMBER 2016 AS THE TARGET DATE FOR COMPLETION OF APPROVED PLANS AND FOR IMPLEMENTATION OF NEW CITY RULES AND REGULATIONS THAT ARE ADOPTED BY THE MAYOR AND CITY COMMISSION.

The Task Force is committed to ensuring that (i) Ocean Drive businesses comply with new and existing rules and regulations and (ii) capital improvements (both private and public) take place as expeditiously as possible. The Task Force acknowledges that certain costs will be borne by business operators and property owners and some additional planning and study is required. However, the Task Force strongly believes that improvements on Ocean Drive need to happen very rapidly to achieve our collective goals.

2. DEDICATE TWO (2) ADDITIONAL POLICE SERGEANTS AND TWELVE (12) POLICE OR CODE COMPLIANCE OFFICERS TO THE MXE DISTRICT.

The Task Force acknowledges that it is not comprised of public safety experts. As a consequence, the commentary that follows is based on extensive observation of neighborhood conditions and feedback from the community.

The Task Force heard repeatedly from the public that they longed for a more visible police presence on Ocean Drive and in the MXE District generally. Stories were frequently shared of individuals approached on Ocean Drive by individuals involved in drug sales or prostitution. In general, while certain crime statistics are trending favorably, Ocean Drive is not viewed as a family-friendly, upscale environment for either visitors or residents. The Task Force believes that these and many other issues in the area would improve substantially if more Police and Code Compliance resources were dedicated to this neighborhood.

In addition, the Task Force recommends that **police personnel on foot patrol** be prioritized as a regular feature among the range of police strategies employed. The Task Force believes that the increased visibility of uniformed police on the sidewalks will contribute to the perception and reality of an enhanced level of personal safety.

- 3. ESTABLISH PREMIUM ON-STREET PARKING RATES FOR NON-RESIDENTS ON OCEAN DRIVE BETWEEN 5th AND 15th STREETS, AND, IF LEGALLY PERMISSIBLE, DEDICATE EXCESS REVENUE TO FUND A CONSISTENT MULTI-LAYER PROGRAM TO IMPROVE PUBLIC CONDITIONS ON OCEAN DRIVE (INCLUDING LUMMUS PARK).**

The Task Force recognizes that costs are associated with the implementation of its recommendations. The Task Force recommends that the City establish premium on-street parking rates for non-resident visitors to Ocean Drive in order to contribute to the funding of various improvements to Ocean Drive, including Lummus Park.

Modern parking management techniques include consideration of surge pricing and the recognition that some areas are simply more valuable than others. The Task Force believes that Ocean Drive is such a location.

- 4. CONSTRUCT UP TO A FIVE-FOOT (5') EXTENSION OF THE WEST SIDEWALK (SUCH EXTENSION SHOULD BE LIMITED, IF POSSIBLE, TO PERMIT THE EXISTING TWO LANES OF TRAFFIC AND TWO LANES OF ON-STREET PARKING TO REMAIN). THE GOAL OF THE SIDEWALK EXTENSION IS TO IMPROVE PUBLIC SAFETY, ACCOMMODATE THE SUBSTANTIAL GROWTH IN PEDESTRIAN TRAFFIC WHICH HAS ALREADY OCCURRED, AND CREATE A MORE UNIFIED, UPGRADED VISUAL PRESENTATION OF ICONIC OCEAN DRIVE.**

CREATE A DEDICATED PEDESTRIAN PATHWAY ALONG EASTERN PORTION OF WEST SIDEWALK. SHIFT ALL SIDEWALK CAFE FURNITURE TOWARD THE BUILDINGS WHICH HOUSE THE RESTAURANTS AND BARS, ALONG THE WEST SIDE OF OCEAN DRIVE, THEREBY ELIMINATING THE PEDESTRIAN "TUNNEL" BETWEEN TWO ROWS OF SIDEWALK CAFE TABLES, AND CREATING AN OPEN PEDESTRIAN PATH ALONG THE EASTERN SIDE OF THE WESTERN SIDEWALK ON OCEAN DRIVE.

RESTRICT THE USE OF THE NEW PEDESTRIAN PATH TO PEDESTRIANS, AND CITY OR COUNTY-OWNED FIXTURES/STREET FURNITURE.

The Task Force reviewed conditions for pedestrians in the area and determined that one of the most significant issues has been created by the pedestrian “tunnel” or “gauntlet” that runs the length of Ocean Drive. Task Force members and representatives of the public overwhelmingly indicated that the current condition creates an unsafe and inhospitable environment for pedestrians, and difficult service conditions for café owners and staff. The Task Force also heard troubling reports concerning pedestrians, wait staff, and other café employees being groped and otherwise accosted during high-traffic times. Members of the Miami Beach Police Department expressed concern that the tunnel effect created by umbrellas and awnings makes it exceptionally difficult for officers to see what is happening in these areas, leading to public safety enforcement challenges, including drug sales and thefts of personal items such as purses and cell phones.

After extensive Task Force discussion and public input, the Task Force concluded that the most effective way to mitigate the adverse pedestrian experience of the sidewalk “tunnel” or “gauntlet” effect would be to modestly expand the west sidewalk. The Task Force believes that three (3’) to five feet (5’) of additional sidewalk would be a sufficient width to move all sidewalk cafés against the buildings to the west of the pedestrian walkway. The expanded sidewalk would allow for an expansion of the dedicated pedestrian walkway width to at least six (6’) to eight feet (8’) (from the current five feet (5’)) while accommodating fire hydrants, traffic control signs, and other public elements contained near the curb. The additional width of the sidewalk would create a more effective buffer between café customers and pedestrians. As noted later in this report, the Task Force encourages the utilization of differentiated sidewalk finish materials to delineate pedestrian traffic areas.

The expansion of the sidewalk is specifically NOT intended to create additional seating areas for Ocean Drive restaurants. This sidewalk expansion is solely intended to enhance the appearance and functionality of the area by separating diners from pedestrians and expanding the pedestrian zone. In addition, café-owned street furniture and equipment should not, in any way, impede or interfere with pedestrian movement.

5. EXPLORE A LIMITED EXPANSION OF THE EAST SIDEWALK

The Task Force believes that much care must be given to preserve the beauty of Lummus Park, as it is an important asset of the community. At the same time, we believe that comprehensive planning should include an exploration of capturing a few additional feet of sidewalk to accommodate the growth in pedestrian traffic that has occurred. We support such an examination.

6. THE CITY SHOULD INSTALL CONCRETE SIDEWALKS OR PAVERS OF DIFFERENT COLORS OR PATTERNS TO DELINEATE DEDICATED PEDESTRIAN PATHWAYS FROM AREAS AVAILABLE FOR DINING, IN ORDER TO FACILITATE ENFORCEMENT.

The Task Force observed that the sidewalks on Ocean Drive have substantially variable appearance, from 5th to 15th Streets. The Miami Beach Red concrete that is used for sidewalks throughout the City has a significant drawback; it wears and fades unevenly. Additionally, when a section is replaced, the newly installed section can have a completely different color. The goal should be to make sidewalk appearance as uniform as possible by considering different materials, such as pavers, that will more effectively delineate pedestrian and restaurant areas.

7. INSTALL UNIFORM LIGHTING ON THE ENTIRE EXTENDED SIDEWALK ON OCEAN DRIVE FROM 5th TO 15th STREETS.

We believe that the City has a unique opportunity, in the context of a possible weste sidewalk extension, to install uniform, variable, and attractive lighting along this length of Ocean Drive. It is critical that such lighting be installed even in areas where there are no sidewalk cafe operators. It is often those darkened areas of Ocean Drive that are the most unwelcoming to pedestrians. At the moment, lighting on Ocean Drive is uneven, uninviting, insufficient and unattractive.

8. INSTALL NEW LIGHTING ON OCEAN DRIVE AND IN LUMMUS PARK REFLECTING THE SEASONALITY OF ENVIRONMENTAL ISSUES (I.E., SEA TURTLES) AS WELL AS RESIDENT AND TOURIST SAFETY NEEDS (I.E., LIGHTS SHOULD HAVE THE ABILITY TO CHANGE GIVEN THE SPECIFIC SEASONAL REQUIREMENTS).

The Task Force believes that the design and implementation of a uniform lighting system along the entire length of Ocean Drive, from 5th to 15th Streets, and within Lummus Park, is essential to both appearance and public safety. Current lighting in Lummus Park and along Ocean Drive is dim in many areas in order to minimize the impact of light pollution on sea turtle nesting. However, sea turtle nesting season is not year-round. Interestingly, sea turtle nesting season runs from April to October each year, while Miami Beach's peak tourist season runs approximately from October to April. Therefore, the City should explore seasonally variable lighting solutions, to maximize visibility and public safety during its peak tourism months.

Much of the Task Force's discussion with the Police Department focused on the lack of visibility created by both the sidewalk cafe umbrellas and insufficient illumination along the sidewalks. Without (the very unattractive) temporary police lighting, certain sections of the sidewalk are very dark. The Police Department suggested that the installation of enhanced lighting along the entire length of Ocean Drive would meaningfully contribute to improved police oversight and public safety.

The Task Force believes that modern lighting technology allows for fixtures that could be controlled to change lumens (brightness) on a seasonal basis. Given that sea turtle nesting season only lasts six months, the entire district should be illuminated more brightly during the sea turtle nesting off-season. The Task Force recommends that the City research the feasibility of uniform lighting fixtures along Ocean Drive, from 5th to 15th Streets, that will adjust to seasonal, environmental, and public safety requirements. Any plan to expand the western sidewalk must include a detailed lighting plan. We believe that the implementation of such an improved lighting plan need not compromise the evening mood and environment for diners on Ocean Drive.

9. RECOMMENDATIONS REGARDING SIDEWALK CAFÉ UMBRELLAS

The Task Force believes that the single change that would contribute most to an improved Ocean Drive experience would be to mandate an umbrella and awning upgrade for all buildings. The poor, inconsistent, and often dirty condition of umbrellas and awnings on Ocean Drive creates three significant issues:

The current conditions create (i) an unsightly environment that is entirely inconsistent with a world-class destination; (ii) an obscuring of our historically important Art Deco architecture; and (iii) a public safety concern. The various umbrella styles and configurations currently installed along Ocean Drive make it substantially more difficult for the Police and Code Compliance Departments to monitor activity on the west sidewalk. In addition, many of the umbrellas are of a darker color, which further contributes to the shadowy, claustrophobic, tunnel-like, and often frightening conditions on the west sidewalk.

The examination of umbrellas and other sidewalk café issues was of such importance to the Task Force and representatives of the public (residents, operators and property owners) that the Task Force created the Umbrella and Aesthetics Subcommittee to focus specifically on these issues. The Subcommittee held six meetings during a three-month period from July 2015, through September 2015. The Subcommittee formulated a slate of recommendations that were then transmitted to the Task Force for further consideration and approval. The Subcommittee's work was the basis for the following recommendations related to umbrellas that were adopted by the full Task Force:

A. Require umbrellas to have low-profile canopies.

The umbrellas utilized by sidewalk cafés on Ocean Drive are often oversized, too tall, poorly maintained, and severely detract from the architecture of the historic buildings. The public voiced a belief that the current appearance of the often tattered and dirty umbrellas “cheapened” the Ocean Drive experience.

The Task Force (and the Umbrella and Aesthetics Subcommittee) recognize the need for umbrellas to protect café patrons from both the strong South Florida sun and periodic rainfall. The identification of **modern, cantilevered low-profile** umbrella canopies is part of a package of recommendations that include minimum and maximum canopy heights; a color palette for umbrella canopies; and the extension of the west sidewalk.

B. Restrict the canopy color of sidewalk cafe umbrellas to a palette of pastel colors, to be recommended by City Planning Department staff and the Historic Preservation Board.

The Task Force recommends that the Planning Department, with the input of the Historic Preservation Board, identify a specific palette of light, pastel-like colors, for the Mayor and City Commission to approve, that would provide a cleaner, more consistent, and brighter appearance, and would be more compatible with the goal of highlighting the historic architecture along the Drive. A limited color palette would also mitigate dark conditions on the sidewalks.

C. Limit umbrella canopies to one solid color per sidewalk café and allow the sidewalk café to print its name, in a contrasting color and in a font no larger than 12 inches, on the umbrella canopies or valences.

In addition to defining a limited color palette for umbrellas, the Task Force believes that the adverse visual impact of large umbrellas would be further minimized through the use of a single umbrella color for each sidewalk cafe operator, with a single, contrasting color utilized for the cafe name. Such a restriction would optimize umbrella appearance and allow for easy identification of each business, without detracting from Ocean Drive's historic architecture.

D. Restrict umbrella canopies to a square or rectangular shape only.

The Task Force recommends that the Mayor and City Commission adopt regulations regarding umbrella shape and design. Input was received from many of the area businesses and by a shade structure professional. The Task Force recommends that the canopies of sidewalk cafe umbrellas be limited to square or rectangular shapes. The Task Force believes that umbrellas of a square or rectangular shape would optimize umbrella coverage while highlighting – and not obstructing – the Art Deco architecture of the buildings.

E. Increase the minimum clearance under umbrella canopies to seven feet (7') and the maximum height of the umbrella canopies to nine feet (9').

The City Code currently requires that no portion of an umbrella be less than six feet, eight inches (6'-8") above the right-of-way, without prescribing a maximum height. The Task Force recommends a minimum clearance of seven (7') feet and a maximum height of nine (9') feet, in order to ensure that umbrellas have a low profile and to create a more open environment for pedestrians and diners.

F. Allow minimal tilting of umbrella canopies, to an extent determined by City Planning Department staff.

This recommendation is designed to allow operators some allowance for the low-profile umbrellas to track movement of the sun and rain for the comfort of café diners. The members expressed a desire for City Planning Department staff to conduct and/or review shade studies to determine an appropriate amount of umbrella tilt.

G. Allow umbrellas and umbrella canopies to remain closed and on the sidewalk during hours when a business is closed.

The Task Force recognizes that the removal and storage of umbrellas from the sidewalk each night is a difficult task. The umbrellas are large and cumbersome, and are not easily removed.

H. Allow bolting/permanent affixing of umbrellas, subject to Public Works Department review, as part of a package to expand the sidewalk.

The Task Force recommends, subject to Public Works oversight and review, that umbrellas be affixed to the sidewalk as a space management and safety measure. The Task Force concluded that the ability to remove large, unsightly, free standing base supports for umbrellas would make the area substantially more attractive and lead to a better utilization of space.

The affixing of umbrellas to the sidewalk requires proper planning with respect to the underlying structure of the sidewalk. The sidewalk must be engineered to support the wind loads that may be experienced by the umbrellas and for umbrellas to have a quick-release mechanism to easily separate an umbrella from its base. This issue is best addressed in connection with the planning of the recommended extension of the west sidewalk.

10.FURTHER DEVELOP, WITH THE INPUT OF THE PLANNING DEPARTMENT AND HISTORIC PRESERVATION BOARD, THE CITY'S DESIGN GUIDELINES WITH REGARD TO AWNINGS AND CANOPIES ATTACHED TO BUILDINGS, INCLUDING DISCOURAGING CONTINUOUS AWNINGS, SUBJECT TO THE CERTIFICATE OF APPROPRIATENESS CRITERIA.

The Task Force is deeply concerned with the appearance of awnings attached to buildings along Ocean Drive, which are within the purview of the Planning Department and Historic Preservation Board. The Task Force likewise requests that the City Commission consider how such awnings interact with allowable umbrella colors and design. To ensure compatibility, the Task Force recommends that the City develop more consistent and stringent guidelines, with the input of the Planning Department and Historic Preservation Board. Such guidelines should require clear compatibility and consistency between the design and color palette of allowable umbrellas and that of awnings and canopies (which are currently subject to a different approval process).

The Task Force also believes that 100% continuous awnings along the front of historically significant buildings reduce natural light and obscure important architecture. The Task Force acknowledges the importance of providing sun and rain cover to patrons. The Task Force believes that by mandating "lower profile" umbrellas, selecting pastel colors with a lighter hue, and directing operators to generally upgrade and clean up umbrella appearance, only limited breaks between and among awnings and umbrellas are necessary. The Task Force recommends that the Planning Department and Historic Preservation Board determine appropriate location and scope of limited breaks between and among awnings and umbrellas.

11. PROHIBIT, TO THE EXTENT PERMITTED BY LAW, BOTH REAL AND ARTIFICIAL FOOD DISPLAYS IN OUTDOOR AREAS THAT ARE VISIBLE FROM THE RIGHT-OF-WAY.

The Task Force believes that displays of real or artificial food on the sidewalk, immediately adjacent to the sidewalk, or easily visible from the sidewalk are inconsistent with a world-class destination. Further, such displays meaningfully diminish the Ocean Drive experience by impeding pedestrian traffic. The Task Force recommends that such displays be eliminated and be subject to strong enforcement.

Food displays are currently prohibited on the sidewalk. However, the Task Force recommends that the City explore whether it can legally prohibit such displays on private property.

12. AUTHORIZE, BUT LIMIT, THE USE OF WATER MISTING DEVICES AT SIDEWALK CAFES DURING THE MONTHS WHEN THE USE OF HEATERS IS PROHIBITED BY THE SIDEWALK CAFE ORDINANCE (I.E., PROHIBIT THE USE OF MISTERS FROM OCTOBER 1ST THROUGH APRIL 30TH).

The Task Force recognizes that misting devices assist in cooling patrons and are appropriate, given the heat in South Florida. To minimize sidewalk clutter and improve the general appearance of Ocean Drive, the Task Force recommends limiting the use of misting devices to the months when the use of heaters is prohibited by the Sidewalk Cafe Ordinance. In addition, misting devices should be pointed only in the direction of seated patrons.

13. TRANSFER PRIMARY OVERSIGHT OF SIDEWALK CAFÉS, INCLUDING PERMIT REVIEW AND APPROVAL, AND DESIGN REVIEW, TO THE PLANNING DEPARTMENT.

THE PLANNING DEPARTMENT SHOULD PROVIDE GREATER CLARITY AND OVERSIGHT THROUGH APPROPRIATE REGULATION OF:

A. OPTIMAL SPACING BETWEEN SIDEWALK CAFE FURNITURE, INCLUDING TABLES, CHAIRS, AND UMBRELLAS;

**B. THE TYPES/STYLES OF SIDEWALK CAFE FURNITURE PERMITTED; AND
C. THE SIZE/APPROPRIATENESS OF FURNITURE ALLOWED.**

The Task Force observed that there are two central elements to sidewalk cafe review: (1) design, physical appearance, and layout, and (2) public safety. In the Task Force's judgment, the current review of sidewalk café permit applications and site plans (including the layout of chairs, tables, planters, umbrellas) is insufficient.

The City Code limits the area in which sidewalk café furniture can be placed; however, there are no regulations defining, for instance, appropriate chairs or tables, or how many seats a café may have within the allotted space. This has led to the inappropriate placement of couches and all variations of other types of furniture, including chairs and tables, on the sidewalk.

The Task Force believes that the Planning Department is best suited to have primary responsibility for permitting and for design review of sidewalk cafes. The Public Works Department, along with all other City departments that currently review sidewalk café permit applications, should continue to review applications for compliance with the City Code, Building Code, Fire Code, etc. However, the Planning Department should oversee sidewalk café applications and should act as the primary point of contact for permit applicants. The design and layout of a sidewalk café must play a more important role in the City's permit review.

14. MUSIC SHOULD BE PROHIBITED FROM GOLF CART AND OTHER OPEN-AIR COMMERCIAL VEHICLES PROVIDING FREE RIDES IN THE CITY.

Golf carts and other open-air commercial vehicles that cruise the MXE District often operate very loud sound systems that are utilized to attract passengers and attention to the vehicles. This noise is unnecessary and disturbs visitors and residents. While the Task Force does not object to the presence of the vehicles or their bright lighting, the Task Force recommends that such vehicles be prohibited from projecting music outside of the vehicle. To the extent that the Noise Ordinance prohibits loud noise emanating from such vehicles, the Task Force recommends that the Police Department increase its enforcement efforts.

15. INITIATE A CITY LICENSING PROCEDURE REQUIRING COMMERCIAL VEHICLE AND TOUR OPERATORS TO OPERATE ON OCEAN DRIVE WITHOUT DROP-OFFS AND PICK-UPS; RESTRICT NOISE EMANATING FROM THE OPEN AIR PORTION OF THE VEHICLE; AND LIMIT HOURS OF OPERATION TO NON-PEAK HOURS OF 9:00 A.M. TO 6:00 P.M.

This recommendation has two elements. The first is noise related, as many party buses operate in the MXE District late at night and in the early morning. These buses often have loud music emanating from them. For instance, one of the party buses, which is sponsored by a local restaurant, travels the MXE District while blaring music and encouraging the passengers to yell and sing, all of which is easily audible from the street. The Task Force recommends that the City crack down on noise projecting from open-air commercial vehicles, including noise projecting from such party buses.

The second part is a recommendation as to traffic control. The Task Force is concerned about the traffic congestion caused by tour bus operators stopping on Ocean Drive to pick up and drop off passengers. In addition, many tour buses are large and do not easily navigate the roadway. Tour buses snarl traffic and can cause significant vehicular delays. The Task Force recommends that the City limit the hours of such bus activity on Ocean Drive.

Note: The Task Force was informed, by City staff, of the City's limited ability to regulate such vehicles. However, the Task Force requested that this recommendation remain in this report.

16. THE MAYOR AND CITY COMMISSION SHOULD ISSUE A DIRECTIVE TO THE POLICE DEPARTMENT TO ENFORCE THE NOISE ORDINANCE AGAINST DRIVERS OF VEHICLES, WITH APPROPRIATE DISCRETION.

Currently there are only two options to cite a vehicle operator for loud noise: 1) Issue a violation under the City Code, which imposes civil fines for noise violations, and must be enforced by Code Compliance; or 2) Issue a violation under the County Code, which imposes criminal penalties.

Both of these enforcement options are problematic. Citing a driver under City Code is often ineffective as the City is limited in its ability to collect its civil fines.

However, citing a driver under the County Code imposes criminal penalties. Outside of the golf carts, party buses, and tour buses, the majority of (often inadvertent or Code-ignorant) violators are young people. A criminal citation can irreparably damage a young person's future and thus, enforcement must be undertaken with great care.

The Task Force recommends that the City explore ways to better enforce the noise ordinances against drivers of vehicles, and requests that the Commission direct the Police Department to do so.

17.PURSUE THE CAREFUL ACTIVATION OF LUMMUS PARK AS A PLACE OF PUBLIC ART/CULTURE. LUMMUS PARK SHOULD BE AN ATTRACTIVE DESTINATION FOR RESIDENTS AND TOURISTS.

18.IDENTIFY CONCESSIONAIRE(S) TO IMPLEMENT REGULAR LUMMUS ART AND CRAFT SHOWS.

19.PARTNER WITH COMMUNITY ART PATRONS AND INSTITUTIONS TO INSTALL SCULPTURAL EXHIBITIONS.

20.INSTALL WEST-FACING BENCHES ON/ADJACENT TO EAST SIDEWALK FOR ARCHITECTURAL APPRECIATION.

21.CONSIDER ACTIVATION OF AREAS WEST OF THE DUNES IN LUMMUS PARK FOR FURTHER ATHLETIC ENGAGEMENT.

22.CONSIDER PERIODIC EARLY EVENING ACTIVATION OF PARK AND ADJACENT AREAS.

Lummus Park is a substantially underutilized resource. Given its proximity to the Art Deco District, residential areas, and beach, Lummus Park should be considered one of the world's great urban parks. Presently, the Park is primarily a gathering place for homeless people. The Park is an often dark and inhospitable zone separating Ocean Drive from the beach.

The City should pursue the careful activation of Lummus Park with arts and cultural activities (i.e. crafts fairs, small limited performances, sports activities). Such events could be particularly effective during, but not necessarily limited to,

weekend mornings when activity in the area is currently limited. It is essential that this activation be resident and family friendly. The Task Force recommends that the Mayor and City Commission direct staff to explore the retention of a concessionaire(s) to develop a periodic craft fair/art show program.

In addition, the installation of public art, and upgrading of the existing elements in the park, such as the restrooms, benches, lighting, and playgrounds, is critical to Ocean Drive's future. Lighting that is seasonably adjustable to provide low level lighting during sea turtle nesting season and brighter lighting during peak tourist season is also critical. The City should seek to create important annual art installations in the Park. It is striking, for example, that there are no public benches on or adjacent to the east sidewalk, which faces our acclaimed Art Deco buildings.

The Task Force was impressed with the efforts undertaken by the City's Homeless Outreach Office and Police Department Homeless Outreach Unit to assist and work with the homeless population. Naturally, our broader Ocean Drive goals can only be accomplished if these units continue to work successfully to respond to the needs of the homeless in Lummus Park, on Ocean Drive and throughout the City.

23. CONSIDER PERIODIC SUNDAY CLOSURES OF OCEAN DRIVE TO VEHICULAR TRAFFIC TO PROMOTE FAMILY UTILIZATION.

One of the principal goals of the Task Force was to discuss ways to encourage the return of families to Ocean Drive and Lummus Park.

The Task Force suggests that the City periodically close Ocean Drive to vehicular traffic, on a regular schedule (e.g., once a quarter, or once a month), to allow for activities such as arts and crafts fairs, a fresh food market, or other family friendly activities. Additionally, jazz breakfasts or other well-managed, park-appropriate activities, should be promoted within Lummus Park to draw more locals to the area.

24. EXPLORE THE ACQUISITION OF MORE MODERN AND ATTRACTIVE PUBLIC INFORMATIONAL SIGNAGE TO BE INSTALLED IN STRATEGIC LOCATIONS AND BE USED TO PROMOTE, AMONG OTHER MESSAGING, BETTER VISITOR BEHAVIOR.

This recommendation is based on Task Force concerns that the mobile messaging boards utilized by the City are often placed in gateway locations and are not attractive. While recognizing the need for such communication, as currently deployed, these signs are not consistent with the upgraded Ocean Drive image that we believe should be projected. The Task Force recommends that the City explore alternative signage options while preserving the ability to deliver important public safety (e.g., messages regarding open containers, noise, drug enforcement, etc.) and event information.

25. IMPLEMENT A MODEL SIMILAR TO THE CITY'S MODEL OF MANAGEMENT FOR LINCOLN ROAD, ON OCEAN DRIVE.

The Task Force would like to see a City employee, or employee of a special taxing district, whose sole task is to liaise between the City and the owners and operators on Ocean Drive. Further, this person should be responsible for promoting ongoing efforts to enhance Ocean Drive. The model for this position is a similar position held by a Public Works Department employee who currently coordinates efforts on Lincoln Road.

26. ENCOURAGE THE CITY TO WORK WITH PRIVATE OPERATORS TO CREATE A UNIFORM, REGULAR, OPERATOR-DRIVEN TRAINING PROGRAM SPECIFIC TO THE NEEDS OF OCEAN DRIVE.

Of particular concern to the Task Force is the unsatisfactory interaction of sidewalk cafe employees with our tourist and resident Ocean Drive guests. While there are exceptions, the training of Ocean Drive employees is generally inadequate.

During early meetings of the Task Force, an idea germinated that there be periodic mandatory certificated training for all sidewalk café/restaurant employees on Ocean Drive. Such a program could provide basic hospitality training for these employees, promoting good behavior (e.g. appropriate customer solicitation, menu pricing, and transparency surrounding automatic gratuity charges). In addition,

training could be provided to inform Ocean Drive employees about City regulations on hawking, placement of tables and chairs on the sidewalk, and maintenance of the required five-foot pedestrian walkway. After some discussion it was concluded that this type of program would be best managed by the operator community themselves. However, the Task Force urges the City to support such efforts by collaborating with Ocean Drive operators to provide employees with accurate information about City rules and policies.

For instance, the City's Code Compliance Department has successfully conducted training programs for Ocean Drive employees, and is experienced in working with business operators on Ocean Drive.

27. ENCOURAGE SUPPORT OF OPERATOR-DRIVEN POLICE/PUBLIC SAFETY INITIATIVE

The business community is embarking on a plan to utilize off-duty police officers to increase police visibility during peak periods on Ocean Drive. We encourage the City to support such efforts.

28. CONSIDER CREATING A SPECIAL TAXING DISTRICT (I.E., BUSINESS IMPROVEMENT DISTRICT) TO STREAMLINE THE RECEIPT AND EFFECTIVE ALLOCATION OF FUNDS ON OCEAN DRIVE.

As was recently approved for Lincoln Road, the Task Force expressed an interest in the City's creation of a business improvement district ("BID") or other special taxing district to assist in paying for desired elements and/or to create a sense of more unified neighborhood purpose around the proposed Ocean Drive improvements. An Ocean Drive BID would create a funding mechanism to stabilize and improve the Drive through promotion, management, marketing, and other similar services. The Task Force believes that the creation of a taxing district will force business owners to take more responsibility for the conditions in the community in which they operate.

29. EXTEND THE OCEAN DRIVE TASK FORCE FOR A PERIOD OF ONE YEAR.

The members of the Task Force desire to convey their willingness to continue to meet for one year to monitor progress on Ocean Drive. The group believes that continued meetings for a one-year period will provide a forum to convene the Ocean Drive community and will allow for structured follow-up to the Task Force's recommended improvements in the area.

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