



**City Commission Meeting
SUPPLEMENTAL MATERIAL 1**

**City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
April 15, 2015**

Mayor Philip Levine
Vice-Mayor Jonah Wolfson
Commissioner Michael Grieco
Commissioner Joy Malakoff
Commissioner Micky Steinberg
Commissioner Edward L. Tobin
Commissioner Deede Weithorn

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

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

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

- C4E Referral To The May 27, 2015 Land Use And Development Committee Meeting, And The May 26, 2015 Planning Board Meeting Of The Proposed Ocean Terrace Overlay District, Bounded By 73rd Street On The South, 75th Street On The North, Ocean Terrace On The East And Collins Avenue On The West.
(Sponsored by Vice-Mayor Jonah Wolfson and Commissioners Michael Grieco & Joy Malakoff)
(Draft Ordinances)

R7 - Resolutions

- R7G A Resolution Creating, Subject To The Approval Of A Majority Of The Affected Property Owners, A Special Assessment District To Be Known As The Lincoln Road Business Improvement District, For A Term Of Ten (10) Years, To Stabilize And Improve The Lincoln Road Retail Business District, Which Is Located Within A Nationally Recognized Historic District, Through Promotion, Management, Marketing, And Other Similar Services (The "Services"); Providing For The Levy And Collection Of Special Assessments In The Total Amount Of \$1,426,237 Per Year; Indicating The Location, Nature, And Estimated Cost Of Those Services Whose Costs Are To Be Defrayed By The Special Assessments; Providing The Manner In Which Such Special Assessments Shall Be Made; Providing When Such Special Assessments Shall Be Made; Designating The Lands Upon Which The Special Assessments Shall Be Levied; Providing For Publication Of This Resolution; And Authorizing Related Actions.

(Office of the City Attorney)
(Memorandum & Resolution)

- R7I A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A New Employment Agreement With City Clerk Rafael E. Granado For A Three (3) Year Term, Commencing On May 1, 2015, And Ending On April 30, 2018.

(Office of the City Attorney)
(Memorandum, Resolution & Employment Agreement)

R9 - New Business and Commission Requests

- R9D Report To The City Commission, Pursuant To Section 5.04 Of The City Charter, Entitled "Budget, Finance And Pre-Collective Bargaining Analysis," Detailing The Current Status And Related Financial Impact Of Fringe Benefits, Including Pension And Health Insurance Plans, Provided By The City To Its Officers And Employees. **10:45 a.m. Public Hearing**

(Human Resources)
(Memorandum)

- R9L Discussion Regarding The 63rd Street Bridge And The 2016 Yacht Show And Traffic Impact.
(Requested by Commissioner Michael Grieco)
(Item returning from March 11, 2015 - R9L)

COMPREHENSIVE PLAN – OCEAN TERRACE OVERLAY

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING POLICY 1.2 OF THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN PURSUANT TO THE PROCEDURES IN SECTION 163.3184(3), FLORIDA STATUTES, BY MODIFYING THE MEDIUM INTENSITY COMMERCIAL CATEGORY (CD-2) AND THE MIXED USE ENTERTAINMENT CATEGORY (MXE) TO ESTABLISH THE 'OCEAN TERRACE OVERLAY' IN ORDER TO ALLOW FOR AN F.A.R. OF 3.0 WITHIN ITS BOUNDARIES; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

WHEREAS, the City desires to encourage private property owners to assemble and redevelop properties comprehensively rather than piecemeal; and

WHEREAS, the City of Miami Beach seeks to encourage and incentivize new development within the Ocean Terrace corridor; and

WHEREAS, the City of Miami Beach desires to create an overlay zoning district for the two-block area located between Ocean Terrace and Collins Avenue in-between 73rd and 75th Streets; and

WHEREAS, the amendment set forth below is necessary to accomplish all of the above objectives.

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

SECTION 1. The following amendment to the Medium Density Commercial Category (CD-2) and the Mixed Use Entertainment Category (MXE) in Policy 1.2 of the City's Comprehensive Plan Future Land Use Element is hereby adopted:

Medium Intensity Commercial Category (CD-2)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new medium intensity commercial areas which serve the entire City.

Uses which may be Permitted: Various types of commercial uses including business and professional offices, retail sales and service establishments, eating and drinking establishments; apartment residential uses; apartment hotels; and hotels.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 100 dwelling units per acre.

Intensity Limits: a floor area ratio of 1.5 for commercial; 2.0 for residential or mixed use; 3.0 for properties with a lot size equal to or greater than 20,000 square feet within the Ocean Terrace Overlay.

Mixed Use Entertainment Category (MXE)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new mixed use areas which accommodate residential, hotel and commercial development.

Uses which may be permitted: Apartments, apartment hotels, hotels and various types of commercial uses including, business and professional offices (but not medical or dental offices), retail sales and service establishments, and eating and drinking establishments.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 100 dwelling units per acre.

Intensity Limits: a floor area ratio of 2.0; 3.0 for properties with a lot size equal to or greater than 20,000 square feet within the Ocean Terrace Overlay.

SECTION 2.

The Ocean Terrace Overlay shall be designated on the City's Future Land Use Map for the properties identified in the attached map, as Exhibit A, incorporated by reference herein.

SECTION 3. REPEALER.

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

SECTION 4. SEVERABILITY.

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

SECTION 5. CODIFICATION

It is the intention of the City Commission that this Ordinance be entered into the Comprehensive Plan, and it is hereby ordained that the section of the Ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word. The Exhibits to this Ordinance shall not be codified, but shall be kept on file with this Ordinance in the City Clerk's Office.

SECTION 6. TRANSMITTAL

The Planning Director is hereby directed to transmit this Ordinance to the appropriate state, regional and county agencies as required by applicable law.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect 31 days after adoption pursuant to Section 163.3184(3), Florida Statutes.

PASSED and ADOPTED this ____ day of _____, 2015.

ATTEST:

MAYOR

CITY CLERK

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

City Attorney _____
Date

First Reading/Transmittal: July 8, 2015
Second Reading/Adoption: December 9, 2015

Verified by: _____
Thomas R. Mooney, AICP
Planning Director

Underscore denotes new language
~~Strikethrough~~ denotes removed language

OCEAN TERRACE OVERLAY

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS", ARTICLE III "OVERLAY DISTRICTS", CREATING DIVISION 10 "OCEAN TERRACE OVERLAY", TO MODIFY THE APPLICABLE SETBACKS AND ALLOWABLE ENCROACHMENTS, INCREASE THE ALLOWABLE HEIGHT TO 250 FEET FOR RESIDENTIAL USES AND 125 FEET FOR HOTEL USES, INCREASE THE ALLOWABLE FLOOR AREA TO 3.0, TO LIMIT THE MAXIMUM FLOORPLATE OF THE TOWER PORTION OF NEW BUILDINGS, TO PROVIDE A MINIMUM BUILDING SEPARATION FOR THE TOWER PORTION OF NEW BUILDINGS, TO MODIFY THE ALLOWABLE MAIN, CONDITIONAL AND ACCESSORY USES; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

WHEREAS, the City desires to encourage private property owners to assemble and redevelop properties comprehensively rather than piecemeal; and

WHEREAS, the City of Miami Beach seeks to encourage and incentivize new development within the Ocean Terrace corridor; and

WHEREAS, the City of Miami Beach desires to create an overlay zoning district for the two-block area located between Ocean Terrace and Collins Avenue in-between 73rd and 75th Streets; and

WHEREAS, the amendment set forth below is necessary to accomplish all of the above objectives.

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

SECTION 1. That Chapter 142, Article III entitled "Overlay Districts", Division 10 "Ocean Terrace Overlay" is hereby created as follows:

* * *

DIVISION 10. OCEAN TERRACE OVERLAY

Sec. 142-874. Location and purpose.

The overlay regulations of this division shall apply to the properties identified in the Overlay Map below:

{INSERT MAP GRAPHIC FROM CITY}

The purpose of this overlay district is to stimulate neighborhood revitalization and encourage new development and renovation of important historic buildings within the Ocean Terrace / Collins Avenue corridor.

Sec. 142-875. Definitions.

For this Division, the following definitions shall apply:

- (a) Setback, front means that area between the lot lines abutting either Collins Avenue or Ocean Terrace and the building.
- (b) Setback, side street means that area between the lot lines abutting either 75th, 74th or 73rd Streets and the building.
- (c) Setback, side interior means that area between the side of the building and the adjacent side of the lot, and extending from the front yard to the rear yard thereof. For a lot or combination of lots that have two front setbacks as defined in this Section, the remaining yards not facing a street shall be subject to the side interior setback requirements.

Sec. 142-876. Compliance with regulations.

The following overlay regulations shall apply to the Ocean Terrace Overlay. All development regulations in the underlying regulations shall apply, except as follows:

(a) Setbacks.

(1) Pedestal.

- a. Front. 0 feet.
- b. Side street. 0 feet.
- c. Side interior.
 - 1. For buildings situated on properties with an underlying designation of CD-2, 0 feet.
 - 2. For buildings situated on properties with an underlying designation of MXE, 7.5 feet.

(2) Tower.

- a. Front.
 - 1. For buildings situated on properties with an underlying designation of CD-2, 20 feet.
 - 2. For buildings situated on properties with an underlying designation of MXE, 30 feet.
- b. Side street. 7.5 feet regardless of the underlying zoning designation.
- c. Side interior. 20 feet regardless of the underlying zoning designation.

(3) Subterranean. 0 feet for all yards regardless of the underlying zoning designation.

(b) Allowable encroachments and projections within required yards.

(1) Exterior unenclosed private balconies.

- a. For buildings situated on properties with an underlying designation of CD-2, allowable encroachment is 7.5 feet into any required yard.

- b. For buildings situated on properties with an underlying designation of MXE:
 - 1. Allowable front yard encroachment is 15 feet.
 - 2. Allowable side interior encroachment is 10 feet.
- (2) Porches, platforms and terraces are allowed to project into a required yard for a distance not to exceed 50 percent of the required yard up to a maximum projection of 10 feet.

(c) Height.

- (1) For main use residential buildings: lot area less than 20,000 square feet—the maximum height is based on the underlying zoning regulations; lot area equal to or greater than 20,000 square feet—250 feet.
- (2) For main use hotel buildings: lot area less than 20,000 square feet—the maximum height is based on the underlying zoning regulations; lot area equal to or greater than 20,000 square feet—125 feet.
- (3) All other buildings the maximum height is as provided in the underlying zoning regulations.
- (4) The maximum number of stories is 22 stories.

(d) Floor Area Ratio.

- (1) Lot area less than 20,000 square feet—maximum FAR is based on the underlying zoning regulations.
- (2) Lot area equal to or greater than 20,000 square feet—maximum floor area ratio for all uses is 3.0.

(e) Floorplate. The maximum floorplate size for the tower portion of a building is 18,000 square feet, not including balconies. This does not apply to contributing historic structures.

(f) Building separation. The minimum horizontal separation between the tower portion of two buildings, excluding balconies, is 60 feet. However, two buildings used as a hotel may be connected in the tower portion of the buildings by a one-story, enclosed pedestrian bridge. The separation requirement does not apply to distances between two contributing historic structures or between a contributing historic structure and a new building.

(g) Permitted Uses.

- (1) The main permitted uses in the Ocean Terrace Overlay District are:
 - a. Apartments;
 - b. Apartment/hotels;
 - c. Hotels;
 - d. Commercial;
 - e. Uses that serve alcoholic beverages as listed in article V, division 4 of this chapter (alcoholic beverages).
- (2) The conditional uses in the Ocean Terrace Overlay District are:
 - a. Public and private cultural institutions open to the public;
 - b. Banquet facilities, defined as an establishment that provides catering and entertainment to private parties on the premises and are not otherwise accessory to another main use;
 - c. Outdoor entertainment establishments;

- d. Neighborhood impact establishments;
 - e. Open air entertainment establishments;
 - f. Main use parking garages;
 - g. Public and private institutions.
- (3) The permitted accessory uses are as provided in the underlying zoning districts and Article IV, Division 2 of this Chapter except as modified herein.
- a. Accessory retail uses to a hotel are not subject to the size limitation in Section 142-904(b)(1)(a);
 - b. Accessory office uses to a hotel are not subject to the size limitation in Section 142-904(b)(1)(b);
 - c. Solarium, sauna, exercise studio, health club or massage service are not subject to the location limitation in Section 142-904(b)(1)(d);
 - d. Commercial, office, eating or drinking uses that are accessory to an apartment building are not subject to the maximum percentage of subterranean or ground floor area of Section 142-904(b)(2)(a). Office space is not subject to the setback location restriction in Section 142-904(b)(2)(a) or Section 142(c)(2)(b);
 - e. The restriction that offices can only be located in existing structures in Section 142-904(c)(1)(b) does not apply;
 - f. Lobbies do not have to be retained pursuant to Section 142-904(c)(1)(c).

SECTION 2. CODIFICATION.

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

SECTION 3. REPEALER.

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

SECTION 4. SEVERABILITY.

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

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED and **ADOPTED** this _____ day of _____, 2015.

ATTEST:

MAYOR

CITY CLERK

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

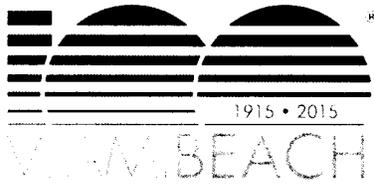
First Reading: _____, 2015

City Attorney _____
Date

Second Reading: _____, 2015

Verified by: _____
Thomas R. Mooney, AICP
Planning Director

Underscore denotes new language
~~Strikethrough~~ denotes removed language



OFFICE OF THE CITY ATTORNEY
RAUL J. AGUILA, CITY ATTORNEY

COMMISSION MEMORANDUM

To: Mayor Philip Levine
Members of the City Commission

Date: April 15, 2015

From: Raul J. Aguila *Deborah Turner for*
City Attorney

Subject: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CREATING, SUBJECT TO THE APPROVAL OF A MAJORITY OF THE AFFECTED PROPERTY OWNERS, A SPECIAL ASSESSMENT DISTRICT TO BE KNOWN AS THE LINCOLN ROAD BUSINESS IMPROVEMENT DISTRICT, FOR A TERM OF TEN (10) YEARS, TO STABILIZE AND IMPROVE THE LINCOLN ROAD RETAIL BUSINESS DISTRICT, WHICH IS LOCATED WITHIN A NATIONALLY RECOGNIZED HISTORIC DISTRICT, THROUGH PROMOTION, MANAGEMENT, MARKETING, AND OTHER SIMILAR SERVICES (THE "SERVICES"); PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS IN THE TOTAL AMOUNT OF \$1,426,237 PER YEAR; INDICATING THE LOCATION, NATURE, AND ESTIMATED COST OF THOSE SERVICES WHOSE COSTS ARE TO BE DEFRAYED BY THE SPECIAL ASSESSMENTS; PROVIDING THE MANNER IN WHICH SUCH SPECIAL ASSESSMENTS SHALL BE MADE; PROVIDING WHEN SUCH SPECIAL ASSESSMENTS SHALL BE MADE; DESIGNATING THE LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR PUBLICATION OF THIS RESOLUTION; AND AUTHORIZING RELATED ACTIONS.

A. Background

The Lincoln Road Property Owners Association, Inc. ("LRPOA") is a Florida non profit corporation, which is tax exempt under section 501(c)(6) of the Internal Revenue Code, and represents a group of property owners of real estate in the vicinity of, abutting, or located on Lincoln Road.

Chapter 170, Florida Statutes, authorizes any municipality, subject to the approval of a majority of the affected property owners, to levy and collect special assessments

against property benefited for the purpose of stabilizing and improving retail business districts, wholesale business districts, or nationally recognized historic districts, or any combination of such districts, through promotion, management, marketing, and other similar services.

On December 17, 2014, and as sponsored by Commissioner Michael Grieco, the Mayor and City Commission approved Resolution No. 2014-28881, attached hereto and incorporated herein as Exhibit "A," which, in pertinent part, authorized the City Manager's Office and City Attorney's Office to work with the LRPOA for the purpose of establishing a special assessment district pursuant to Chapter 170, Florida Statutes, in order to stabilize and improve the Lincoln Road retail business district, which is located within a nationally recognized historic district, through promotion, management, marketing, and other similar services.

Pursuant to the request of Commissioner Grieco, the attached Resolution is the first step under Chapter 170, Florida Statutes, for creating the proposed special assessment district, and is submitted for consideration by the Mayor and City Commission.

B. The Proposed "Lincoln Road Business Improvement District"

The attached Resolution creates, subject to the approval of a majority of the affected property owners, a special assessment district, to be known as the "Lincoln Road Business Improvement District" (the "District"), for a term of ten (10) years, to stabilize and improve the Lincoln Road retail business district, which is located within a nationally recognized historic business district, through promotion, management, marketing, and other similar services. The Resolution provides for the levy and collection of special assessments, in the amount of \$1,426,237 per year; indicates the location, nature, and estimated cost of those services whose cost are to be defrayed by the special assessments; provides the manner in which such special assessments shall be made; provides when such special assessments shall be made; designates the lands upon which the special assessments shall be levied; provides for publication of this Resolution; and authorizes related actions.

The proposed material terms for the District are as follows:

1. District Boundaries

The District shall be bounded on the west by Alton Road; on the east by Washington Avenue; on the north by 17th Street; and on the south by Lincoln Lane South; provided, however, that the following properties shall be excluded and exempted from such District: (1) residential properties; (2) properties owned or occupied by a religious institution and used as a place of worship or education (as defined in Section 170.201(2), Florida Statutes); and (3) common areas owned by condominium associations.

Pursuant to Section 170.04, Florida Statutes, at the time of the adoption of the attached Resolution, there shall be on file with the City Clerk an assessment plat showing the area to be assessed, which assessment plat shall be open to the inspection of the public. A proposed assessment plat is attached as Exhibit "D" to the attached Resolution.

2. Term/Duration of the District

The term/duration of the proposed District is ten (10) years.

3. Total Annual Amount of Special Assessments to be Levied and Collected

The total annual amount of special assessments to be levied and collected shall be \$1,426,237 per year.

4. Assessment Methodologies

Properties within the District that front Lincoln Road shall be assessed at the rate of two dollars (\$2.00) per square foot of the lot size, based on the size of the ground floor only. Properties within the District that do not front Lincoln Road shall be assessed at the rate of twenty cents (\$0.20) per square foot of the lot size, based on the size of the ground floor only. Property owned or occupied by a religious institution and property owned by a condominium association shall be excluded and exempted from the District. With respect to 408 Lincoln Road and 1110 Lincoln Road, the special assessment shall be calculated based on the square footage of only that portion of property that lies north of Lincoln Lane South.

5. Services to be Provided

The special assessments shall be used to fund those Services described in Exhibit "B" to the attached Resolution.

C. Procedure for Creating the District, Following the Adoption of the Attached Resolution

1. Notice Requirement

Upon adoption of the attached Resolution, and pursuant to Section 170.05, Florida Statutes, the City shall cause the Resolution to be published once a week for a period of two weeks in a newspaper of general circulation published in Miami-Dade County.

2. Preliminary Assessment Roll

Additionally, upon adoption of the attached Resolution, and pursuant to Section 170.06, Florida Statutes, there shall be made available in the City Clerk's Office a

preliminary assessment roll, in accordance with the method of assessment provided for in the Resolution, which assessment roll shall show the lots and lands assessed, the amount of benefit to and the assessment against each lot or parcel of land, and the number of annual installments in which the assessment is divided.

3. Special Mail Ballot Election

Following adoption of the attached Resolution by the Mayor and City Commission, and completion of the preliminary assessment roll, the City Clerk, in consultation with the City Attorney's Office, shall conduct a special mail ballot election for the majority (50% plus one) of the affected property owners to approve the proposed special assessment.

4. Final Hearing for the Mayor and City Commission to Hear Testimony, Decide Whether to Levy Special Assessments, and Meet as an Equalizing Board to Adjust and Equalize the Assessments on a Basis of Justice and Right

Upon completion of the preliminary assessment roll, and upon the approval of the District by a majority of the affected property owners, the Mayor and City Commission must adopt a subsequent Resolution to schedule a public hearing at which the owners of the properties to be assessed or any other persons interested therein may appear before the Mayor and City Commission and be heard as to the propriety and advisability of the assessments proposed to be levied, or the provision of the Services, the costs thereof, the manner of payment therefor, or the amount thereof to be assessed against each lot so serviced.

Following the public hearing, the Mayor and City Commission shall make a final decision on whether to levy the special assessments. At that time, the Mayor and City Commission shall also serve as an "equalizing board" to hear and consider any and all complaints as to the special assessments, and shall adjust and equalize the assessments on a basis of justice and right.

When so equalized, and approved by Resolution of the Mayor and City Commission, a final assessment roll shall be filed with the City Clerk, and the special assessments (as set forth in the final roll) shall stand confirmed and remain legal, valid, and binding liens upon the property against which such assessments are made, until paid.

D. Conclusion

The attached Resolution shall become effective upon the date of adoption; provided, however, that if the proposed special assessment does not subsequently receive the approval of a majority (50% plus one) of the affected property owners, the attached Resolution shall be null and void.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CREATING, SUBJECT TO THE APPROVAL OF A MAJORITY OF THE AFFECTED PROPERTY OWNERS, A SPECIAL ASSESSMENT DISTRICT TO BE KNOWN AS THE LINCOLN ROAD BUSINESS IMPROVEMENT DISTRICT, FOR A TERM OF TEN (10) YEARS, TO STABILIZE AND IMPROVE THE LINCOLN ROAD RETAIL BUSINESS DISTRICT, WHICH IS LOCATED WITHIN A NATIONALLY RECOGNIZED HISTORIC DISTRICT, THROUGH PROMOTION, MANAGEMENT, MARKETING, AND OTHER SIMILAR SERVICES (THE "SERVICES"); PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS IN THE AMOUNT OF \$1,426,237 PER YEAR; INDICATING THE LOCATION, NATURE, AND ESTIMATED COST OF THOSE SERVICES WHOSE COSTS ARE TO BE DEFRAYED BY THE SPECIAL ASSESSMENTS; PROVIDING THE MANNER IN WHICH SUCH SPECIAL ASSESSMENTS SHALL BE MADE; PROVIDING WHEN SUCH SPECIAL ASSESSMENTS SHALL BE MADE; DESIGNATING THE LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR PUBLICATION OF THIS RESOLUTION; AND AUTHORIZING RELATED ACTIONS.

WHEREAS, the Lincoln Road Property Owners Association, Inc. ("LRPOA") is a Florida non profit corporation, which is tax exempt under section 501(c)(6) of the Internal Revenue Code, and represents a group of property owners of real estate in the vicinity of, abutting, or located on Lincoln Road; and

WHEREAS, Chapter 170, Florida Statutes, authorizes any municipality, subject to the approval of a majority of the affected property owners, to levy and collect special assessments against property benefited for the purpose of stabilizing and improving retail business districts, wholesale business districts, or nationally recognized historic districts, or any combination of such districts, through promotion, management, marketing, and other similar services; and

WHEREAS, on December 17, 2014, and as sponsored by Commissioner Michael Grieco, the Mayor and City Commission approved Resolution No. 2014-28881, attached hereto and incorporated herein as Exhibit "A," which, in pertinent part, authorized the City Manager's Office and City Attorney's Office to work with the LRPOA for the purpose of establishing a special assessment district pursuant to Chapter 170, Florida Statutes, in order to stabilize and improve the Lincoln Road retail business district, which is located within a nationally recognized historic district, through promotion, management, marketing, and other similar services; and

WHEREAS, the special assessments levied within the proposed special assessment district, to be known as the "Lincoln Road Business Improvement District" (the "District"), shall be used to provide the services described in Exhibit "B," attached hereto and incorporated herein (the "Services"); and

WHEREAS, the District is bounded on the west by Alton Road; on the east by Washington Avenue; on the north by 17th Street; and on the south by Lincoln Lane South; provided, however, that the following properties shall be excluded and exempted from such District: (1) residential properties; (2) properties owned or occupied by a religious institution and used as a place of worship or education (as defined in Section 170.201(2), Florida Statutes); and (3) common areas owned by condominium associations; and

WHEREAS, the Mayor and City Commission hereby determine that it is in the best interest of the City, and of the District, to provide, or cause to be provided, the Services for the District and, as such, wish to defray the cost of the Services by levying special assessments upon the affected properties within the District (“Assessments”); and

WHEREAS, the Mayor and City Commission further determine that special benefits shall accrue to the properties within the District from the Services, and that the Assessments shall be made in proportion to the benefits received, all as set forth in the preliminary assessment roll attached hereto and incorporated herein as Exhibit “C”; and

WHEREAS, the Mayor and City Commission have determined that the Assessments to be levied shall not exceed the special benefits to the affected properties within the District.

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

SECTION 1: All findings and recitals contained in this Resolution are hereby adopted and incorporated herein.

SECTION 2: Pursuant to the provisions of Chapter 170, Florida Statutes, the Mayor and City Commission hereby authorize a special assessment to be levied and collected, and hereby create a special assessment district, to be known as the “Lincoln Road Business Improvement District,” for a term of ten (10) years, subject to the approval of the majority of the affected property owners in the District, for the purposes of stabilizing and improving the Lincoln Road retail business district, which is located within a nationally recognized historic district, through promotion, management, marketing, and other similar services.

SECTION 3: The boundaries of the proposed District are as follows: All lots and lands adjoining and contiguous or bounding and abutting upon such improvements or specially benefited thereby and further designated by the Assessment Plat, attached hereto and incorporated herein as Exhibit “D.”

SECTION 4: The nature of the Services is set forth in Exhibit “B,” attached hereto and incorporated herein.

SECTION 5: The total estimated cost of the Services to be funded by the proposed Assessments is approximately \$1,426,237 per year.

SECTION 6: The Assessments shall be levied in accordance with the applicable provisions of Chapter 170, Florida Statutes, for the purposes of defraying the cost of the Services, as described in Exhibit “C,” and in accordance with the assessment methodologies in Exhibit “E,” attached hereto and incorporated herein.

SECTION 7: At the time of adoption of the Resolution by the Mayor and City Commission, there shall be on file with the City Clerk the Assessment Plat, showing the area to be assessed; a description of the Services; and an estimate of the cost of the Services, which documents shall be open to inspection by the public.

SECTION 8: Following approval of this Resolution, the City Administration is hereby authorized and directed to cause to be made a preliminary assessment roll, as promptly as possible, which shall show the properties assessed by folio number; the amount of benefit to each property; and the special assessments against each property assessed by folio number.

SECTION 9: The assessment shall be payable in one installment per year to the Finance Director of the City, or the Finance Director's designee, on such date as shall be contained in a bill to be mailed to each property owner within the District at least thirty (30) days prior to the due date, and following the confirmation by the Mayor and City Commission of the Final Assessment Roll. Installments not paid when due shall become due and payable in accordance with statutory provisions and shall remain liens, coequal with the lien of all state, county, district, and municipal taxes, superior in dignity to all other liens, titles, and claims, until paid, and shall bear interest, at such rate or rates as specified in Section 170.09, Florida Statutes.

SECTION 10: Upon completion of the preliminary assessment roll, the Mayor and City Commission shall adopt a subsequent resolution to fix a time and place at which the owners of the property to be assessed or any other persons interested therein may appear before the Mayor and City Commission and be heard as to the propriety and advisability of the Assessments or the provision of the Services, the costs thereof, the manner of payment therefor, or the amount thereof to be assessed against each lot so serviced, all in accordance with Chapter 170, Florida Statutes.

SECTION 11: The City Clerk is hereby directed to cause this Resolution to be published once a week for a period of two weeks in a newspaper of general circulation published in Miami-Dade County.

SECTION 12: The Resolution shall become effective upon the date of its adoption herein, provided, however, that if the proposed special assessment does not receive the approval of a majority (50% plus one) of the affected property owners pursuant to an election to be duly conducted by the City Clerk, the Resolution shall be null and void.

PASSED and ADOPTED this _____ day of _____, 2015.

ATTEST:

Rafael E. Granado, City Clerk

Philip Levine, Mayor

(Sponsored by Commissioner Michael Grieco)

F:\ATTO\KALN\RESOLUTIONS\Lincoln Road BID\Reso creating Lincoln Road special assessment distrib

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

Paul Civit 4-9-15

City Attorney NK Date

RESOLUTION NO. 2014-28881

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY'S OFFICES TO WORK WITH THE LINCOLN ROAD PROPERTY OWNERS ASSOCIATION, INC., AND THE OCEAN DRIVE IMPROVEMENT ASSOCIATION, INC., FOR THE PURPOSE OF ESTABLISHING SPECIAL ASSESSMENT DISTRICTS TO STABILIZE AND IMPROVE THE LINCOLN ROAD AND OCEAN DRIVE RETAIL BUSINESS DISTRICTS, WHICH ARE LOCATED WITHIN NATIONALLY RECOGNIZED HISTORIC DISTRICTS, THROUGH PROMOTION, MANAGEMENT, MARKETING, AND OTHER SIMILAR SERVICES, PURSUANT TO CHAPTER 170, FLORIDA STATUTES.

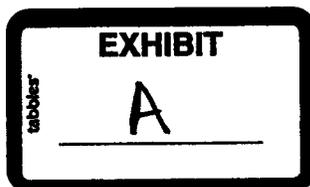
WHEREAS, the Lincoln Road Property Owners Association, Inc., represents a group of owners of real estate in the vicinity of, abutting, or located on Lincoln Road; and the Ocean Drive Improvement Association, Inc., represents a group of owners of real estate in the vicinity of, abutting, or located on Ocean Drive; and

WHEREAS, Chapter 170, Florida Statutes, authorizes any municipality, subject to the approval of a majority of the affected property owners, to levy and collect special assessments against property benefited for the purpose of stabilizing and improving retail business districts, wholesale business districts, or nationally recognized historic districts, or any combination of such districts, through promotion, management, marketing, and other similar services, in such districts of the municipality; and

WHEREAS, the Lincoln Road Property Owners Association, Inc., seeks to work with the City of Miami Beach to establish a comprehensive plan for the creation of a special assessment district under Chapter 170, Florida Statutes, in order to stabilize and improve the Lincoln Road area, a retail business district within a nationally recognized historic district, through promotion, management, marketing, and other similar services; and

WHEREAS, the Ocean Drive Improvement Association, Inc., seeks to work with the City of Miami Beach to establish a comprehensive plan for the creation of a special assessment district under Chapter 170, Florida Statutes, in order to stabilize and improve the Ocean Drive area, a retail business district within a nationally recognized historic district, through promotion, management, marketing, and other similar services.

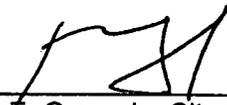
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the City Manager and City Attorney's Offices are hereby authorized to work with the Lincoln Road Property Owners Association, Inc., and the Ocean Drive Improvement Association, Inc., for the purpose of establishing special assessment districts to stabilize and improve the Lincoln Road and Ocean Drive retail business districts,



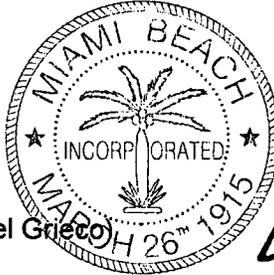
which are located within nationally recognized historic districts, through promotion, management, marketing, and other similar services, pursuant to Chapter 170, Florida Statutes.

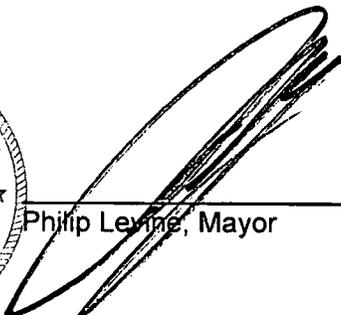
PASSED and ADOPTED this 17 day of December, 2014.

ATTEST:



Rafael E. Granado, City Clerk





Philip Levine, Mayor

(Sponsored by Commissioner Michael Grieco)

F:\ATTO\KALN\RESOLUTIONS\Lincoln Road BID\Authorization to Work With LRPOA Reso (amended).docx

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

1-19-15

Date

NK

EXHIBIT "B"

LINCOLN ROAD BUSINESS IMPROVEMENT DISTRICT ANNUAL BUDGET NARRATIVE AND SUMMARY OF SERVICES TO BE PROVIDED

1. Revenues

The revenues in the attached proposed budget (\$1,426,237) represent the total amount of the special assessments to be collected in the first year of the special assessment district, as detailed in the Preliminary Assessment Roll, attached as Exhibit "C."

2. Administrative and Office Expenses

Administrative and office expenses for the special assessment district shall total \$341,532.

- Staffing costs, including employment benefits, for two employees (an executive director and a staff assistant) shall total \$231,536.
- Office expenses for rent, liability insurance, supplies, postage, printing, equipment lease(s), annual report, audit, cell phone, accounting, and consulting fees shall total \$89,996.
- Other administrative expenses including directors and officers insurance, licensing and permitting, memberships, meeting expenses, parking and auto mileage, and travel shall total \$20,000.

3. Marketing Expenses

Marketing expenses shall total \$534,200 and shall include expenditures to attract people to Lincoln Road to shop, dine, and attend special events and holiday activities, as follows:

- Advertising expenses (print, online, outdoor media, agency fees) shall total \$354,000.
- Other marketing costs, including email/fax service, event advertising, holiday lighting and décor, printing, production and design, promotions, public relations, sponsorships, and website expenses, shall total \$180,200.

4. BID District Programs

BID District Program expenses, including holiday programs, signage, ambassador services, and supplemental security services, shall total \$550,505, as follows:

- Holiday programs, related purchases, installation and removal of decorations, technical assistance for programs, rental of equipment for events, and costs of performing artists and related technical crew for presentations shall total \$195,500.
- Expenses related to signage creation, installation, and upkeep for the way-finding program shall total \$85,000.
- Ambassador services and supplemental security expenses shall total \$270,000.

Total District Expenses: \$1,426,237

EXHIBIT "B"
LINCOLN ROAD BUSINESS IMPROVEMENT DISTRICT BUDGET FOR FIRST YEAR, INCLUDING TOTAL ESTIMATED COST OF SERVICES

	Jan	Feb	March	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Revenues
Revenues													
Tax Assessments	118,853	118,853	118,853	118,853	118,853	118,853	118,853	118,853	118,853	118,853	118,853	118,853	1,426,237
Interest Income	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Revenues	118,853	1,426,237											
Expenses													Expenses
Administrative Expenses													
Executive Director	10,544	10,544	10,544	10,544	10,544	10,544	10,544	10,544	10,544	10,544	10,544	10,540	126,524
Staff Assistant	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	50,004
Payroll Taxes	2,917	2,917	2,917	2,917	2,917	2,917	2,917	2,917	2,917	2,917	2,917	2,917	35,004
Health Insurance	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	15,000
Payroll Expense	417	417	417	417	417	417	417	417	417	417	417	417	5,004
Total Admin	19,295	19,291	231,536										
Expenses													Expenses
Office Expenses													
Internet Service Provider	100	100	100	100	100	100	100	100	100	100	100	100	1,200
Liability Insurance	833	833	833	833	833	833	833	833	833	833	833	833	9,996
Office Supplies	500	500	500	500	500	500	500	500	500	500	500	500	6,000
Postage and Deliveries	150	150	150	150	150	150	150	150	150	150	150	150	1,800
Printing and Reproductions	300	300	300	300	300	300	300	300	300	300	300	300	3,600
Annual Report	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	12,000
Rent	2,125	2,125	2,125	2,125	2,125	2,125	2,125	2,125	2,125	2,125	2,125	2,125	25,500
Equipment Lease	500	500	500	500	500	500	500	500	500	500	500	500	6,000
Cell Phone	225	225	225	225	225	225	225	225	225	225	225	225	2,700
Telephone Other	200	200	200	200	200	200	200	200	200	200	200	200	2,400
Prof Accounting Fees	900	900	900	900	900	900	900	900	900	900	900	900	10,800
Audit Fees	500	0	0	500	0	0	500	0	0	500	0	0	2,000
Consulting Fees	750	0	0	750	0	0	750	0	0	750	0	0	3,000
Legal Fees	750	0	0	750	0	0	750	0	0	750	0	0	3,000
Total Office Exp	8,833	6,833	6,833	89,996									
Expenses													Expenses
Other Expenses													
Insurance/Officer-Directors Licenses and Permits:	100	100	100	100	100	100	100	100	100	100	100	100	1,200
Occ License Renewal	0	0	0	0	0	400	0	0	0	0	0	0	400

EXHIBIT "C"

PRELIMINARY ASSESSMENT ROLL

1. Folios with Lincoln Road Frontage

Folios with frontage on Lincoln Road shall be assessed at two dollars (\$2.00) per square foot. See Assessment Methodologies, attached as Exhibit "E."

<u>No.</u>	<u>Property Address</u>	<u>Lot S. F.</u>	<u>Folio No. (02-3234-)</u>	<u>Assessment</u>
1	1111 Lincoln Rd.	48,000	018-0080	\$96,000
2	1100 Lincoln Rd. ¹	44,353	018-0250	\$88,706
3	1001 Lincoln Rd.	16,189	018-0070	\$32,378
4	1035 Lincoln Rd.	15,000	018-0040	\$30,000
5	1031 Lincoln Rd.	3,750	018-0074	\$7,500
6	1029 Lincoln Rd.	3,750	018-0050	\$7,500
7	1025 Lincoln Rd.	4,631	018-0072	\$9,262
8	1023 Lincoln Rd.	4,764	018-0060	\$9,528
9	1036 Lincoln Rd.	15,000	002-0090	\$30,000
10	1018 Lincoln Rd.	7,500	002-0080	\$15,000
11	1000 Lincoln Rd.	16,500	002-0070	\$33,000
12	1657 Michigan Ave.	7,500	018-0010	\$15,000
13	927 Lincoln Rd.	22,500	018-0020	\$45,000
14	901 Lincoln Rd.	15,000	018-0030	\$30,000
15	930 Lincoln Rd.	15,000	002-0220	\$30,000
16	918 Lincoln Road, #1A ²	1,554	076-0010	\$3,108
17	920 Lincoln Road, #2A	1,258	076-0020	\$2,516
18	922 Lincoln Road, #3A	1,490	076-0030	\$2,980
19	910 Lincoln Rd	7,500	002-0200	\$15,000
20	900 Lincoln Rd	7,500	002-0190	\$15,000
21	825 Lincoln Rd	22,517	007-0550	\$45,034
22	801 Lincoln Rd.	22,500	007-0540	\$45,000
23	846 Lincoln Rd.	7,500	002-0350	\$15,000
24	838 Lincoln Rd.	15,000	002-0340	\$30,000
25	818 Lincoln Rd.	7,500	002-0330	\$15,000
26	800 Lincoln Rd.	15,000	002-0320	\$30,000
27	741 Lincoln Rd.	11,726	007-0491	\$23,452
28	719 Lincoln Rd.	18,836	007-0490	\$37,672
29	701 Lincoln Rd.	15,000	000-0010	\$30,000

¹ 1100 Lincoln Road shall be assessed based on the square footage of that portion of the lot that lies between Lincoln Road and Lincoln Lane South.

² 918, 920, and 922 Lincoln Road form part of a condominium. The common areas owned by the condominium association shall be excluded from the special assessment district.

<u>No.</u>	<u>Property Address</u>	<u>Lot S. F.</u>	<u>Folio No. (02-3234-)</u>	<u>Assessment</u>
30	663 Lincoln Rd. ³	1,460	219-0010	\$2,920
31	665 Lincoln Rd.	1,465	219-0020	\$2,930
32	667 Lincoln Rd.	1,089	219-0030	\$2,178
33	643 Lincoln Rd.	10,500	000-0030	\$21,000
34	635 Lincoln Rd.	5,250	005-0010	\$10,500
35	631 Lincoln Rd.	5,250	005-0020	\$10,500
36	607 Lincoln Rd.	5,201	005-0030	\$10,402
37	605 Lincoln Rd., #100 ⁴	3,310	168-0010	\$6,620
38	605 Lincoln Rd., #110	2,979	168-0020	\$5,958
39	605 Lincoln Rd., #120	3,219	168-0030	\$6,438
40	734 Lincoln Rd.	15,000	003-0040	\$30,000
41	1646 Euclid	15,000	003-0010	\$30,000
42	730 Lincoln Rd.	7,500	003-0030	\$15,000
43	720 Lincoln Rd.	7,500	003-0020	\$15,000
44	670 Lincoln Rd.	30,000	003-0060	\$60,000
45	600 Lincoln Rd.	15,000	003-0050	\$30,000
46	551 Lincoln Rd.	15,487	005-0050	\$30,974
47	533 Lincoln Rd.	5,250	005-0060	\$10,500
48	521 Lincoln Rd.	5,250	005-0070	\$10,500
49	511 Lincoln Rd.	5,250	005-0080	\$10,500
50	501 Lincoln Rd.	4,987	005-0090	\$9,974
51	532 Lincoln Rd.	16,500	003-0100	\$33,000
52	530 Lincoln Rd.	7,500	003-0080	\$15,000
53	455 Lincoln Rd.	4,987	005-0100	\$9,974
54	433 Lincoln Rd.	10,500	005-0110	\$21,000
55	421 Lincoln Rd.	10,500	005-0120	\$21,000
56	401 Lincoln Rd. ⁵	8,738	072-0010	\$17,476
57	1620 Drexel Ave. ⁶	7,000	003-0070	\$14,000
58	408 Lincoln Rd. ⁷	55,659	006-0020	\$111,318

³ 663, 665, and 667 Lincoln Road form part of a condominium. The common areas owned by the condominium association shall be excluded from the special assessment district.

⁴ 605 Lincoln Road is a condominium. The common areas owned by the condominium association shall be excluded from the special assessment district.

⁵ 401 Lincoln Road is a condominium. The common areas owned by the condominium association shall be excluded from the special assessment district.

⁶ Only that portion of 1620 Drexel Avenue that is owned or occupied by a religious institution and used as a place of worship or education shall be excluded from the special assessment district. The remainder of the property is included in the special assessment district.

⁷ 408 Lincoln Road shall be assessed based on the square footage of that portion of the lot that lies between Lincoln Road and Lincoln Lane South.

2. Folios without Lincoln Road Frontage

Folios without Lincoln Road frontage shall be assessed at twenty cents (\$0.20) per square foot. See Assessment Methodologies, attached as Exhibit "E."

<u>No.</u>	<u>Street Address</u>	<u>Lot S. F.</u>	<u>Folio (02-3234)</u>	<u>Assessment</u>
59	1681 Lenox	16,000	004-0800	3,200
60	1685 Lenox	8,000	004-0790	1,600
61	1664 Lenox	4,500	004-0850	900
62	1666 Lenox	7,500	004-0860	1,500
63	1056 17 Street	8,000	004-0780	1,600
64	1000 17 Street	8,000	004-0770	1,600
65	1680 Michigan, #100 ⁸	1,933	178-0010	387
66	1680 Michigan, #101	676	178-0020	135
67	1680 Michigan, #103	680	178-0030	136
68	1691 Michigan	76,500	004-0690	15,300
69	1699 Jefferson	7,500	007-0610	1,500
70	1685 Jefferson	7,500	007-0620	1,500
71	1688 Meridian	11,250	007-0600	2,250
72	1680 Meridian	11,250	007-0590	2,250
73	1674 Meridian	8,250	007-0580	1,650
74	723 N. Lincoln Lane	20,563	007-0520	4,113
75	1675 Meridian	49,938	007-0530	9,988
76	1672 Drexel	66,649	000-0930	13,330
Total for properties with Lincoln Road frontage:			58 Folios	\$1,363,498
Total for properties without Lincoln Road frontage:			18 Folios	\$62,739
<u>TOTAL FOR PROPERTIES WITHIN DISTRICT</u>			<u>76 Folios</u>	<u>\$1,426,237</u>

⁸ 1680 Michigan is a condominium. The common areas owned by the condominium shall be excluded from the special assessment district.

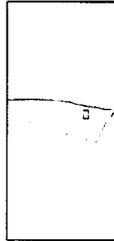


Legend

- Arterial
- Interstate
- Streets
- Parcel AOI
- PARCEL

City of Miami Beach

Proposed Lincoln Road Business Improvement District



Note: This map is to be used for planning purposes only. For any injury or damage caused by the use of data distributed as a public record request, the user assumes all liability or responsibility. The creation of this map does not constitute a warranty of accuracy or completeness of these data, and no warranty is expressed or implied. Map Created on 4/9/2015

EXHIBIT

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EXHIBIT "E"

ASSESSMENT METHODOLOGIES

The following assessment methodologies (i.e., formulas) shall apply to properties within the proposed special assessment district:

1. Property with Lincoln Road frontage

Properties that front Lincoln Road shall be assessed at the rate of two dollars (\$2.00) per square foot of the lot size, based on the size of the ground floor only.

2. Property without Lincoln Road frontage

Properties that do not front Lincoln Road shall be assessed at the rate of twenty cents (\$0.20) per square foot of the lot size, based on the size of the ground floor only.

3. Property owned or occupied by a religious institution

Property owned or occupied by a religious institution and used as a place of worship or education shall be excluded and exempted from the proposed special assessment district. Section 170.201(2) defines "religious institution" as any church, synagogue, or other established physical place for worship at which nonprofit religious services and activities are regularly conducted and carried on. If any portion of a property owned by a religious institution is not used as a place of worship or education, that portion of the property shall not be excluded or exempted from the proposed special assessment district.

4. Property owned by a condominium association

Any common areas owned by condominium associations and located on the ground floor of a condominium shall be excluded and exempted from the proposed special assessment district. The following property addresses include common areas owned by condominium associations and located on the ground floor: 401 Lincoln Road, 605 Lincoln Road, 663-667 Lincoln Road, 918-922 Lincoln Road, and 1680 Michigan Avenue.

5. 408 Lincoln Road and 1110 Lincoln Road

With respect to 408 Lincoln Road and 1110 Lincoln Road, the special assessment shall be calculated based on the square footage of only that portion of property that lies north of Lincoln Lane South.

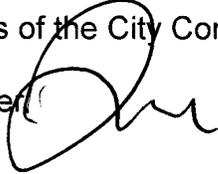
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OFFICE OF THE CITY ATTORNEY
RAUL J. AGUILA, CITY ATTORNEY

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jonah Wolfson, City Commissioner 

CC: Rafael E. Granado, City Clerk

DATE: April 15, 2015

SUBJECT: City Clerk's New Employment Agreement

As directed by the City Commission, I met with the City Clerk on various occasions regarding the negotiation of his new employment agreement. Following conclusion of our negotiations, on April 8, 2015, I presented the Finance and Citywide Projects Committee the business terms of the City Clerk's proposed contract. The terms were approved by the Committee with the recommendation that the final employment agreement be prepared by the City Attorney and be presented to the City Commission for consideration. (See Business Terms included herein as Exhibit "A.")

Business Terms

Term: Three (3) years, Commencing on May 1, 2015 and ending on April 30, 2018.

Compensation: Salary annualized at \$190,000.00, to be paid bi-weekly. With all other terms and conditions to remain unchanged from those set forth in the City Clerk's current benefit package as is customarily received by unclassified general employees (and which the City Clerk has received since his date of appointment on April 11, 2012).

Severance Payment: Should the City terminate the City Clerk's Employment Agreement without Cause, it shall pay Mr. Granado an amount equivalent to 20 weeks of the salary amount, as authorized by Florida Statutes.

Exhibit A

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A NEW EMPLOYMENT AGREEMENT WITH CITY CLERK RAFAEL E. GRANADO FOR A THREE (3) YEAR TERM, COMMENCING ON MAY 1, 2015, AND ENDING ON APRIL 30, 2018.

WHEREAS, on April 11, 2012, the Mayor and City Commission appointed Rafael E. Granado as City Clerk of the City of Miami Beach (City), to be effective on April 11, 2012; and

WHEREAS, the Mayor and City Commission desire to continue to retain Mr. Granado as City Clerk and, accordingly, on December 17, 2014, referred the matter of negotiating and entering into a new employment agreement with City Clerk Granado to the Finance and Citywide Projects Committee (FCWPC), for further discussion; and

WHEREAS, the City Commission also appointed Commissioner Jonah Wolfson to serve as its designee in negotiating the terms and conditions of a new employment agreement with the City Clerk; and

WHEREAS, the City Clerk's proposed agreement was discussed by the FCWPC on, April 8, 2015; and

WHEREAS, at the April 8, 2015 FCWPC, Vice-Mayor Wolfson outlined the negotiated business terms of the City Clerk's new employment agreement (see Exhibit "A"), with all other terms and conditions to remain unchanged from those set forth in the City Clerk's current benefit package as is customarily received by unclassified general employees (and which the City Clerk has received since his date of appointment on April 11, 2012); and

WHEREAS, following Vice-Mayor Wolfson's presentation, and having considered the new business terms, the FCWPC recommended that the City Commission approve the new employment agreement with the City Clerk; and

WHEREAS, the City Clerk's new employment agreement (the Agreement), has been drafted by the City Attorney based upon the negotiated business terms and is attached as Exhibit "B" hereto; and

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve and authorize the Mayor and City Clerk to execute a new Employment Agreement with City Clerk Rafael E. Granado for a three (3) year term, commencing on May 1, 2015, and ending on April 30, 2018.

PASSED and ADOPTED this ____ day of _____, 2015.

ATTEST:

Rafael E. Granado, City Clerk

Philip Levine
Mayor

T:\AGENDA\2015\April\CITY CLERK AGREEMENT\Rafael E. Granado - Reso Approving Employment Contract 4-1-15.docx

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

 4/9/15
City Attorney Date

EMPLOYMENT AGREEMENT

THIS EMPLOYMENT AGREEMENT (the "Agreement") is entered into this ____ day of _____, 2015, by, and between RAFAEL E. GRANADO ("Mr. Granado") and the CITY OF MIAMI BEACH, FLORIDA (the "City") (collectively, the "Parties").

WHEREAS, on April 11, 2012, the Mayor and City Commission appointed Rafael E. Granado as City Clerk of the City of Miami Beach (City), to be effective on April 11, 2012; and

WHEREAS, on April 9, 2015, the Finance & Citywide Projects Committee recommended entering into an employment agreement with Mr. Granado, for a term of three (3) years, commencing May 1, 2015, and ending on April 30, 2018; and

WHEREAS, the City, acting by and through its City Commission, desires to continue to employ Mr. Granado as its City Clerk on the terms and conditions set forth in this Agreement, and Mr. Granado desires to continue to be employed as City Clerk on those same terms and conditions;

NOW, THEREFORE, the Parties agree as follows:

1. Recitations. Parties agree that the recitations above are true and correct and are incorporated as if fully set forth here.

2. Employment. The City agrees to employ Mr. Granado as its City Clerk and Mr. Granado agrees to be so employed. Mr. Granado will devote his full working time to his duties as City Clerk and will not accept or perform any other employment, paid or unpaid, while he is employed as City Clerk except as expressly set forth herein or expressly agreed to by the City Commission by resolution and modification of this Agreement according to its terms. However, nothing in this Agreement shall prohibit Mr. Granado from occasional other work, such as teaching, writing, community activities, pro bono work, or civic or charitable activities as is appropriate to this position of City Clerk, provided, however, that such work shall not interfere with Mr. Granado's duties as City Clerk and shall not in any way reflect unfavorably on the City. Mr. Granado shall at all times apply his best efforts to the performance of his duties as City Clerk.

3. Employment At Will. Mr. Granado is employed at will and serves at the pleasure of the City Commission. This Agreement and his employment may be terminated by the City Commission at any time and for any reason or for no reason, subject only to the express Termination provisions of this Agreement.

4. Duties. Mr. Granado will perform the duties of the office of City Clerk as set forth in the Charter of the City of Miami Beach, Florida, and in the Code of the City of Miami Beach, Florida, and all such duties customary and appropriate to this position of City Clerk and such other appropriate duties as may be assigned by the City Commission or its designee from time to time.

5. Effective Date. This Agreement shall become effective May 1, 2015 (the "Effective Date").

6. Term. The Agreement shall have a term of three (3) years, commencing at 12:01 a.m., May 1, 2015 (Commencement Date), and expiring at midnight, April 30, 2018, unless terminated earlier or renewed as set forth herein.

7. Compensation. Granado shall receive compensation for performing the duties of City Clerk as set forth in this Section 7. Nothing other than those items set forth in this Section 7 shall be considered or treated as compensation, wages, salary, earnings or remuneration to Granado for any purpose whatsoever, including pension or for purposes of Section 448.08, Florida Statutes, or in arbitration.

a. Salary. The City shall pay Mr. Granado a salary annualized at \$190,000.00 to be earned and to be accrued bi-weekly. This salary shall be paid bi-weekly according to the usual payroll practices of the City applicable to unclassified general employees. Notwithstanding the preceding sentence, the Parties agree and acknowledge that Mr. Granado shall be entitled to and shall continue to receive the employee benefits packages customarily received by unclassified employees (and which Mr. Granado has received since his date of appointment on April 11, 2012.)

The City agrees to review the annual salary and/or other benefits of Mr. Granado at the time of evaluation of performance as provided in Section 7.d. and make adjustments as the City may determine. An annual salary review of Mr. Granado will be made every year within 30 days after May 1st of each year.

b. Insurance. The City will pay the full amount of premiums for the City-offered group medical, and group dental plan selected by Mr. Granado. The City will pay the full amount of premiums for the City-offered life insurance policy on Mr. Granado. Mr. Granado may (or, if participation is mandatory, shall) participate in other City-offered insurance and benefits for which he is eligible on the terms applicable to unclassified general employees.

c. Leave. Mr. Granado will be eligible to accrue, use, and convert leave hours to the extent and on the terms applicable to unclassified general employees.

d. Annual Performance Evaluation. An annual performance evaluation, including salary and benefits review (the "Evaluation"), of Mr. Granado will be made by the City Commission at least once every year, within 30 days after May 1st of each year. At such time, the City Commission shall review Mr. Granado's annual salary and/or benefits, and shall make adjustments in such amounts and to such extent as the City Commission may determine that it is desirable to do so. Additionally, at such time, the Mayor shall provide Mr. Granado with a written summary of the findings of the City Commission and provide an adequate opportunity for Mr. Granado to discuss the Evaluation with the City Commission.

8. Non-Compensation Expenses and Reimbursements. The City will pay for, reimburse or otherwise provide for the items set forth in this Section 8. These items are paid for, reimbursed or otherwise provided because they inure to the benefit of the City and do not constitute compensation, wages, salary, earnings or remuneration to Granado for any purpose whatsoever, including pension or for purposes of Section 448.08, Florida Statutes, or in arbitration.

a. Information and Communications Technology Expenses. The City will provide to Mr. Granado adequate and reasonable information and communications hardware, software, and services to support him in the performance of his duties as City Clerk.

b. Subscriptions, Memberships and Fees. Mr. Granado may include, as an expense item in the budget of the Office of the City Clerk, an amount to be used to pay for such reasonable subscriptions, memberships, and fees and other similar costs, such as travel and lodging, as may be incurred for development and advancement related to, in support of, and inuring to the benefit of the City. No payment authorized hereunder may be made to an entity that illegally discriminates on the basis of race, color, gender, religion, national origin, age, disability, marital status or sexual orientation.

9. Renewal and Non-Renewal. The City Commission may renew or extend the original term of this Agreement by resolution for succeeding periods as specified by the City Commission on the same terms and conditions as then set forth in this Agreement or on such modified terms and conditions to which it may agree with Mr. Granado. Should the City Commission not renew or extend the original or any succeeding term, this Agreement shall expire at the end of such original or succeeding term. Mr. Granado's employment shall simultaneously end with the expiration of the original or succeeding term or period. Should the City not renew this Agreement, it will either give Mr. Granado 90 days' notice of intent not to renew or, if no notice is given, the City shall, commencing upon the end of his employment, pay Granado an amount equivalent to 12 weeks of the salary amount set forth in Section 7.a. (the "Separation Payments"), along with all payments due for work performed through the date of termination and other payments due, if any, upon termination on the same terms and conditions applicable to unclassified general employees and shall have no further liability to him whatsoever. The Separation Payments will be paid bi-weekly according to the City's usual payroll practices. Should Mr. Granado accept employment prior to the expiration of 12 weeks after the date of expiration of the original or succeeding term, the Separation Payments shall immediately cease and the City shall have no obligation to make Separation Payments then remaining unpaid.

10. Termination by Mr. Granado.

a. With Notice. Should Mr. Granado terminate this Agreement by giving notice not less than 90 days prior to termination, the City shall pay him in like manner as if the Agreement were not renewed.

b. Without Notice. Should Granado terminate this Agreement by giving notice less than 90 days prior to termination, the City shall pay him any payments due for work performed through the date of termination and other payments due, if any, upon termination on the same terms and conditions applicable to unclassified general employees and shall have no further liability to him whatsoever.

11. Termination by the City. The City Commission may terminate this Agreement and, thereby, Mr. Granado's employment at any time, without or without notice, and for any reason or for no reason.

a. Without Cause. Should the City terminate this Agreement without Cause, as defined in Section 11.b., it shall pay Granado an amount equivalent to 20 weeks of the salary amount set forth in Section 7.a. (the "Severance Payment"), along with all payments due for work performed through the date of termination and other payments due, if any, upon termination on the same terms and conditions applicable to unclassified general employees and shall have no further liability to him whatsoever. Should Florida law be changed to permit a Severance Payment greater than that permitted under law at the time of the execution of this Agreement, the City Commission will review the amount of the Severance Payment set forth in this Agreement. In the event the City at any time during the term of this Agreement reduces the salary or other financial benefits of Mr. Granado in a greater percentage than an applicable across the board reduction for all employees of the City or in the event the City refuses after written notice to comply with any other provision of this Agreement benefitting Mr. Granado or if a majority of the entire City Commission in a public meeting requests that Mr. Granado resign then Mr. Granado may, at his option, be deemed to be terminated at the date of such reduction or such refusal to comply within the meaning and context of this Section 11.a.

b. With Cause. Should the City terminate this Agreement with Cause, as herein defined, it shall pay Mr. Granado any payments due for work performed through the date of termination and other payments due, if any, upon termination on the same terms and conditions applicable to unclassified general employees and shall have no further liability to him whatsoever, including no obligation to pay the Severance Payment as defined in Section 11.a. Cause is defined as one or more of the following: material breach of this Agreement; conviction of any felony; admission of conduct that would constitute any felony; conduct that would constitute a violation of any applicable code of ethics or professional conduct; conduct that would constitute malfeasance or misfeasance in office as those terms are interpreted under Section 112.3187, Florida Statutes; or other similar conduct that the City Commission reasonably determines merits termination.

12. Pension. Mr. Granado shall become a member of the Miami Beach Employees Retirement Plan as a condition of his employment pursuant to the governing ordinance of the plan (which plan, at the time of the execution of this Agreement, includes an accrual factor of 3 percent for the position of City Clerk).

13. Bonds. The City shall bear the full expense of any fidelity or other bond required of Mr. Granado in his capacity as City Clerk under any statute, ordinance or regulation.

14. Indemnification. The City shall indemnify and defend Mr. Granado or, at its option, provide a defense to Mr. Granado against claims arising out of and in the course and scope of his employment or function, consistent with and to the extent of Florida law under Chapter 111, Florida Statutes, and a public official's right to a defense against claims arising from their performance of their public duties performed while serving a public purpose under the common law of Florida.

15. Notice. Any notice hereunder shall be effective if made by delivery, postage paid, to the United States Postal Service or by a manner valid for personal service under the Florida Rules of Civil Procedure or by public statement on the record during a meeting of the City Commission in the presence of the party to whom notice is to be given. Notice, for purposes of this Agreement, is to be given to:

City: Mayor Philip Levine (or successor)
City of Miami Beach
1700 Convention Center Drive
Miami Beach, Florida 33139

and

City Attorney Raul Aguila (or successor)
City of Miami Beach
1700 Convention Center Drive
Miami Beach, Florida 33139

Granado: Rafael E. Granado (or heirs)
888 Biscayne Boulevard # 5201
Miami, FL 33132

16. No Assignment or Delegation; No Third-Party Beneficiaries. The services provided by Mr. Granado are considered unique and personal to him. Accordingly, Mr. Granado may not delegate or assign any duty, obligation, or benefit attaching or accruing hereunder. This Agreement is entered into and intended for the benefit solely of the City and of Mr. Granado and not for the benefit of any other person or entity.

17. Entire Agreement, Severability, Modification, Waiver. The provisions of this Agreement constitute the entire agreement between the Parties on its subject matter and this Agreement supersedes any other agreement, understanding, representation, or promise whatsoever. Mr. Granado agrees that he has relied solely upon the express language of this Agreement in determining whether to enter into this Agreement and not upon any other understanding or communication of any kind, whether written or oral. Should a court or arbitrator of competent jurisdiction determine that any provision or portion thereof of this Agreement is illegal, invalid, or unenforceable, the remaining provisions or portions thereof shall remain in full force and effect. This Agreement may be modified only by a writing signed by both Parties and approved by the City Commission by resolution. Waiver of any right or of any breach of this Agreement by either party in any instance or instances shall not constitute or be construed as a waiver in any other instance.

18. Construction, Governing Law, Headings. This Agreement shall be construed according to its express language and not strictly for or against either Party, regardless of authorship. This Agreement shall be governed by and according to the laws of the State of Florida. Section headings are for convenience only and shall have no legal effect.

19. Arbitration. The Parties agree that any claim or dispute arising from this Agreement, its interpretation, its renewal or its breach shall be settled in final and binding arbitration by a single arbitrator under the Arbitration Policies and Procedures of the Federal Mediation and Conciliation Service. A panel of arbitrators may be requested by either Party and the Parties will select an arbitrator by alternative strikes. The first Party to strike will be determined by agreement or coin flip. Each Party may one-time reject a proposed panel of arbitrators and request another. The party requesting any panel shall bear the expense of the request. The Parties shall bear equally the expense of the arbitrator and the location of the arbitration hearing. The Parties shall each bear their own litigation costs, including attorney's fees, court reporter fees, and witness fees, if any. The arbitrator shall apply a preponderance of the evidence standard of proof. The party asserting a claim or affirmative defense shall have the burden of persuasion as to that claim or affirmative defense. The arbitrator shall not have authority to make any award of attorney's fees or the costs of the arbitration. The arbitrator shall

confine himself or herself strictly to the language of this Agreement and shall have no authority to add to, subtract from, or modify any term or provision of this Agreement. The arbitrator shall have no authority to construe any law, regulation, rule, principle of law, decision, or provision or provisions of this Agreement or to make any award that would result in or obligate the City, directly or indirectly, to incur any debt, cost, expense, or liability in excess of the amount initially budgeted, approved, and appropriated for the funding of this Agreement. Any such purported construction or award will be null and void. The arbitrator's award shall be subject to enforcement or vacation by the Circuit Court according to law. Moreover, and without waiving the preceding limitation, in no case shall the City be liable for any punitive, consequential, indirect or incidental damages whatsoever.

20. Counterparts, Electronic Signatures. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which together shall constitute a single instrument. Execution and delivery of this Agreement by electronic exchange bearing the copies of a Party's signature shall constitute a valid and binding execution and delivery of this Agreement by such Party. Such electronic copies shall constitute enforceable original documents.

WHEREFORE, the Parties, after full consideration, including consultation with independent counsel, do knowingly, voluntarily, and intending to be legally bound, hereby enter into this Agreement duly executed on the dates written below.

Attest:

FOR CITY OF MIAMI BEACH, FLORIDA:

Rafael E. Granado, City Clerk

Philip Levine, Mayor

_____ day of _____, 2015.

FOR CITY CLERK:

Witness Signature

Rafael E. Granado,

___ day of _____, 2015.

Print Name

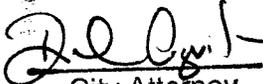
Witness Signature

Print Name

T:\AGENDA\2015\April\CITY CLERK AGREEMENT\Rafael E. Granado Employment Agreement.docx

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

Exhibit B

 - 4/9/15
City Attorney Date



MIAMI BEACH

State of Florida

County of Miami-Dade

I, Rafael E. Granado, a citizen of the State of Florida and of the United States of America, and being employed by or an officer of the City of Miami Beach and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida; and that I will well and faithfully perform the duties of City Clerk of the City of Miami Beach.

Rafael E. Granado

Sworn to and subscribed before me this _____ day of _____, 2015

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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: April 15, 2015

SUBJECT: **REPORT PURSUANT TO ARTICLE V, BUDGET, FINANCE AND PRE-COLLECTIVE BARGAINING ANALYSIS; SECTION 5.04**

BACKGROUND

On the November 4, 2014, special election, the residents of the City of Miami Beach approved an amendment to the City Charter, Article V, Budget, Finance and Collective Bargaining Analysis; Section 5.04. Pre-Collective Bargaining Analysis of Fringe Benefits, "Within the 6 month period prior to the Commissions ratification of Collective Bargaining Agreements with the respective labor unions, the City Commission shall consider at a duly noticed public hearing a written report presented by the City Manager or his designee/City Budget Director, detailing the current status and related fiscal impact of fringe benefits, including pension and health insurance plans, provided by the City to its officers and employees."

FRINGE BENEFITS PROVIDED

- Pension
- Insurance (health, dental, vision, life, accidental death and dismemberment)
- Other

Attachment A is a copy of the required report which will be presented at the April 15, 2015, meeting.

RECENT PENSION REFORM HISTORY

Over the past two contract periods, the City made substantial changes to each of its two defined benefit plans, primarily in response to downturns in the economy which severely impacted market returns on investments and thereby increased pension costs.

Significant reductions were made in the Miami Beach Employees' Retirement Plan (MBERP) for the 2009-2012 contract years (2010-2013 for the American Federation of State County and Municipal Employees [AFSCME]) with appreciably more modest reductions in the Fire and Police pension plan and for the same contract years. The contracts were ratified between September 15 and 30, 2010.

In early 2011, the Mayor approached the City's Budget Advisory Committee (BAC) regarding

undertaking a reform study for each of the pension plans to identify options to ensure the long-term sustainability of the Plans, particularly the Police and Fire Pension system that represent the fastest growing cost to the City budget.

At the August 12, 2012, Commission Workshop on Pension Reform, the BAC presented its recommendations.

At the July 17, 2013 meeting, the City Commission adopted resolution 2013-28290 accepting the recommendations of the Finance and Citywide Projects Committee to adopt the BAC's proposed policies and guidelines to ensure long-term pension reform. The policies and guidelines address four perspectives: (1) Affordability and Sustainability, (2) Appropriate Benefits to Employees, (3) Recruitment and Retention, and (4) Management of Risk/Risk Sharing.

In addition to the policies and guidelines, the BAC also recommended additional policy changes discussed by the Committee that could be implemented without the need for additional actuarial analyses:

- Use 100 percent of 175/185 shared plan monies toward benefits provided by the defined benefit pension plan (requires negotiation with unions).
- Eliminate the provision that allows for transfer of years of service from MBERP to Fire and Police pension plan (proposed by Fire and Police Pension Plan Administrator).
- Change purchase of service provision to be based on full actuarial costs (Government Finance Officers Best Practices and Advisory Papers on Pension Reform)
- Eliminate the use of sick and vacation hours that are currently used to increase "pensionable pay" (SB 1128 required by 2011 - *accomplished through statutory reform*).
- Reduce the amount of annual overtime pay included in pensionable earnings to a maximum of 300 hours (SB 1128 required by 2011 *accomplished through statutory reform*).

Attachment B provides a copy of the recommended hybrid plan. The plan was projected to save \$2.478 million on the annual required contribution (ARC) in year one and a reduction of approximately \$33 million on the unfunded actuarial accrued liability (UAAL) in year one. While the negotiated agreement for the 2012-2015 contract years with the Fraternal Order of Police (FOP) and International Association of Fire Fighters (IAFF) did not implement the BAC's recommended hybrid plan, significant reform was achieved resulting in a reduction of \$5.65 million on the ARC and \$24.36 million on the UAAL in year one. Attachment C presents a summary of changes in pension benefits for the two contract periods for both MBERP and Fire and Police pension plans.

HEALTH INSURANCE BENEFITS

City of Miami Beach Health Plan History

In 2001, the City formed a Group Health Insurance Task Force comprised of residents and employees to develop comprehensive solutions to the City's growing cost increases in group health insurance. Many of their recommendations, summarized below, were implemented and provided the City with some relief:

- Conform the City's benefit plans to industry standards
- Increase the City share of the premium for optional benefit plans to encourage employee enrollment (2004 for general employees)
- Continue City premium contribution for dependent group health coverage
- Change the City's contribution for retiree group health insurance premiums based on number of years of service (Implemented in 2006 with general employees and 2010 with sworn personnel)
- Implement a self-funded plan (Implemented in 2009 for general employees)
- Pursue the use of Medicare HMOs and supplemental policies for retirees

Budget Advisory Committee Recommendations Regarding Health Care Reform: 2012

On August 29, 2012, the premiums paid by the City and its enrolled active employees and retirees for health care insurance coverage for general employees enrolled in the City's self-funded plan was discussed by the Committee of the Whole as part of the Mayor's and Commissioner's proposed budget for FY 2012/13. On October 9, 2012, the City Administration also provided members of the Commission information through Letter to Commission (LTC) #259-2012 regarding the City's self-funded healthcare plans' experience from inception in 2010 through August 2012. The information for each individual plan and enrollment group included: medical plan enrollment by active employees, pre-65 and post-65 retirees; total monthly medical plan premiums; total claims paid; medical plans' fixed costs; total medical plan expenses and the loss ratio (the percentage of claims paid and plan costs for the premium collected).

The Committee of the Whole referred the matter to the BAC for their review and to make recommendations regarding efficiencies and cost savings. The Administration and Gallagher provided the BAC with alternatives to the City's current medical insurance plan options. They reviewed the cost components of the medical insurance plans to identify where they could be reduced. They identified options such as changes in plan benefits coverage to reallocate cost sharing between the City and enrollees; compared the City's medical plans to other employers (both in the private and public sectors) to search for other plan efficiencies; and reviewed the self-funded plan experience of other employers based on their filings with the State.

The BAC recommendations were as follows:

- The plans should remain self-funded.
- The City's three premium plans, (Premium HMO, Premium PPO and POS) should be eliminated.
- The Standard HMO and Standard PPO should be replaced with the HMO and PPO plans recommended by Gallagher, including the changes recommended by the members of the BAC which increase the employee's out of pocket expenses resulting in lower annual plan costs.
- The plan year should be changed from the current calendar year to the fiscal year to help simplify and provide accurate budget projections.
- Humana should continue to provide the medical plan administration, Wellness Program and the City's Employee Assistance Program (EAP);
- A Medicare advantage plan should not be offered to post-65 retirees;
- Symetra should continue to provide reinsurance coverage for the medical plan.
- In their proposal, Symetra stated that if Scenario B was chosen and they were selected, further rate relief was possible. In addition, since the current reinsurance period may be short (01/01/13 - 09/30/13), a premium reduction may be possible as well. Gallagher is

- exploring this and other options that may mitigate the City's costs with Symetra.
- Prescription plan coverage should be "carved out" of the medical plan and provided by a separate prescription benefit manager, Prescription Corporation of America (PCA).
 - The City should offer a high deductible plan.
 - To comply with the Affordable Healthcare Act, which requires employers to enroll all benefit eligible employees automatically in a health care insurance plan effective January 1, 2014, this plan would provide a cost effective option to both the employee and the City.

Finance and Citywide Projects Committee and City Commission Action on Budget Advisory Committee Recommendations Regarding Health Care Reform; 2013

At the July 17, 2013 meeting, the City Commission adopted Resolution 2013-028256 accepting the Finance and Citywide Projects Committee's (FCWPC) recommendation subsequent to their July 18, 2013, review and deliberation of the BAC's recommendations regarding health care reform. The FCWPC recommended and the City Commission approved that:

- The City should continue with the plans currently offered;
- The administration should evaluate the City's premium subsidy structure and offer a more equitable distribution of subsidy for each of the plans;
- The benefit plan year should be concurrent with the fiscal year, effective October 1, 2014.

At the City Commission's direction, the administration made a number of changes when rates were set for January 2014. The Administration and the City's benefits consultant looked at the experience by plan, separately by active employees, pre-Medicare retirees, and Medicare retirees.

Changes were made to the premium subsidy provided to employees and retirees to encourage participation in the plans with lower premiums due to their higher out of pocket costs. For the plan with the lowest premium, the standard HMO, the City increased the subsidy from seventy-five percent (75%) to seventy-seven percent (77%) for employee only coverage and from sixty percent (60%) to sixty-seven percent (67%) for family coverage. The City subsidy for the premium HMO was increased for both employee only and family coverage, from fifty percent (50%) to fifty-four percent (54%). Changes were made to the premium subsidy provided to employees and retirees to encourage participation in the plans with lower premiums due to their higher out of pocket costs. These changes had little impact on enrollment.

General Employees' Plans Status

For the 2014 - 2015 benefit plan year, the average annual subsidy paid for general employees is \$8,435 and for retirees, \$4,757. General employees hired on or after September 6, 2006, upon retirement are eligible for a benefit of up to \$3,000 per year until age 65 depending on years of service and up to \$1,500 per year after age 65. The City's consultant current estimate for the required increase for October 1, 2015, is in the ten percent range, but the forecast is improving and the projected increase may come down as we get more experience.

Also, the consultant just finished the annual state filing for the City's health plan. They identified a plan surplus, after setting aside sufficient funds to cover all claims reserves. The State has established a minimum surplus level of 60 days of claims, which in the City's case is \$2.9 million. The consultant is projecting a further gain this year and if that materializes the surplus will increase to something close to \$5 million. Given the large swings in experience the City has seen in the past, it is prudent to maintain more than the required minimum surplus as a buffer against possible

claim fluctuations.

FOP and IAFF Health Trusts

The BAC and subsequent Finance and Citywide Projects Committee and City Commission reviews did not address changes to the premiums paid each trust, although they are significantly higher than the subsidies afforded general employees.

Sworn employees are eligible to join the FOP and IAFF health trusts regardless of whether or not they are covered by the respective bargaining unit. Collective bargaining agreements call for annual premium contributions paid by the City to each trust be based on the straight line average of the general plans.

For the 2015 benefit plan year, the average annual subsidy paid per FOP trust active member is \$13,318. The average annual subsidy paid per FOP trust retiree is \$12,606. For the 2015 benefit plan year, the average annual subsidy paid per IAFF trust active member is \$13,609. The average annual subsidy paid per IAFF trust retiree is \$13,404. Similar to the provisions of the general plan, employees hired after 2010 will, upon retirement, be eligible for a benefit of up to \$300 per year of service, subject to an annual increase based on the Miami-Fort Lauderdale All Urban Consumer Price Index as of September 30th of each year.

Plan	Member Count	Annual Average Premium Cost to City Per Member	Difference in Average Premium Contributions
General			
<i>Employees</i>	989	\$8,435	
<i>Retirees</i>	393	\$4,757	
FOP Health Trust			
<i>Employees</i>	349	\$13,318	58%
<i>Retirees</i>	242	\$12,606	165%
IAFF Health Trust			
<i>Employees</i>	189	\$13,609	61%
<i>Retirees</i>	173	\$13,404	182%

Patient Protection and Affordable Care Act (PPACA)

Recently, the fifth anniversary of the PPACA was observed; legislation that promised to transform the way health care is delivered, managed, and paid for in the United States. Although some of its components and provisions have been implemented to date, the most significant changes have yet to take effect. To comply with mandates the City has made changes which, to date have resulted in manageable cost increases.

The PPACA established a private, non-profit, non-governmental organization called the Patient-Centered Outcomes Research Institute (PCORI). The Institute is an independent organization whose role is to fund and produce reliable, evidence-based research guided by patients, caregivers, and the health care community to determine the comparative clinical effectiveness of medical treatments. The PCORI fee, which the City is paying, is based on the average number of lives covered under the health insurance policy or self-funded plan ("covered lives" include plan participants and covered dependents/beneficiaries), multiplied by the applicable dollar amount for

that plan year. The PCORI fee for 2015 will be \$2 plus some inflation. It was \$1 in its first year, \$2 in its second, and is scheduled to increase by CPI through 2019.

There is also the transitional reinsurance fee designed to provide a pool of money to offset losses suffered by insurance companies who now have to cover high risk individuals who would not previously have been insurable. The fee is a temporary provision that is intended to stabilize the individual market until the carrier premium rates adjust fully to the higher risk lives they have to cover. The fee was \$63 per covered life (same definition of a covered life as the PCORI fee) in 2014, and will be \$44 per life in 2015 and \$29 in 2016. It goes away in 2017. The 2014 fee payable by the City was just over \$113,000.

Of importance to the City is the so called "Cadillac Tax" which is an excise tax scheduled to take effect in 2018 to reduce health care usage and costs by encouraging employers to offer plans that are cost-effective and engage employees in sharing in the cost of care. It is a 40 percent tax on employers that provide high-cost health benefits to their employees. Final regulations have not been issued; however, the Internal Revenue Service (IRS) issued a notice and invited the public to comment on the issues addressed in the notice no later than May 15, 2015. Based on a review of the City's health plans by its benefit consultant, all of the City's plans for general employees, except the standard HMO, would be subject to the Cadillac tax, if implemented today. It is likely that the HMO plan will also eventually be subject to the Cadillac tax.

The IRS has clearly stated that other notices will be issued and comments used to inform proposed regulations that will be issued again for public notice and comment.

Other Benefits

The City has a number of voluntary programs employees join at their expense and others it subsidizes. The subsidized benefits are:

- Dental Insurance (City subsidizes 50 percent of the premium cost)
 - Safeguard DHMO Plan
 - Metlife PPO Plan
- EyeMed Vision Plan (included in health insurance premium)
- Life Insurance – the City subsidized 100 percent of the premium for coverage equal to an employee's one year's salary
- Accidental Death and Dismemberment – the City bears the full cost of the premium, the maximum benefit if \$20,000

In addition to the aforementioned fringe benefits, each collective bargaining unit has successfully negotiated for "extra pay" of which the following are examples: (1) double pay for working on a seventh consecutive day; (2) shift differential; (3) call-in, call-back; (4) standby/on call; (5) out of classification pay; (6) perfect attendance bonus; (7) tool allowances; (8) forced holdover and (9) longevity bonus.

Attachment D provides a summary of other payroll benefits provided, including leave, tuition reimbursement, etc.

Among the non-payroll related benefits one finds:

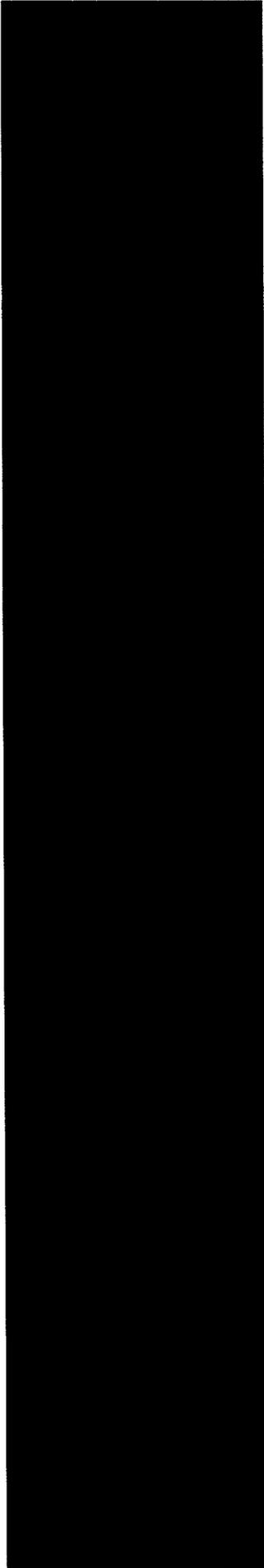
- Take-home vehicles (primarily in police)
- Work uniforms and shoes
- Employee Assistance Program (EAP)
- Free parking in City facilities
- Free gym use (IAFF and FOP)

CONCLUSION

This information is provided to comply with the amendment to the City Charter, Article V, Budget, Finance and Collective Bargaining Analysis; Section 5.04. Pre-Collective Bargaining Analysis of Fringe Benefits, "Within the 6 month period prior to the Commissions ratification of Collective Bargaining Agreements with the respective labor unions, the City Commission shall consider at a duly noticed public hearing a written report presented by the City Manager or his designee/City Budget Director, detailing the current status and related fiscal impact of fringe benefits, including pension and health insurance plans, provided by the City to its officers and employees."

Attachments


JLM/KGB/SC-T



**STATUS AND RELATED
FISCAL IMPACT OF
CITY OF MIAMI BEACH
FRINGE BENEFITS**

April 15, 2015

MIAMIBEACH



2014 CHARTER AMENDMENT

Pursuant to the November 4, 2014 amendment to Article V of the City's Charter:

"Within the 6 months preceding the City Commission's ratification of Collective Bargaining Agreements with the respective labor unions, the Commission shall consider at public hearing a written report presented by the City Manager or his designee/City Budget Director, detailing current status and related fiscal impact of fringe benefits, including pension and health insurance plans, provided by the City to its officers and employees."

BENEFITS PROVIDED

- Pension
- Insurance (health, dental, vision, life, accidental death and dismemberment)
- Other

PENSION BENEFITS

MIAMIBEACH

PENSION BENEFITS

Defined Benefit (DB) Pension Plans:

- DB plan pays pension benefit to employee from start of retirement through end of life, and to any surviving qualified beneficiary
- Benefit based on set formula
- City makes actuarially determined contribution to plan
- Employee may pay percentage of salary into DB plan
- City retains risk of investment return and longevity

Current CMB DB Pension Plans:

- Fire & Police Pension Plan
- Miami Beach Employees' Retirement Plan (MBERP)

DEFINED BENEFIT PLAN

Potential factors to consider regarding the health of a defined benefit plan:

- Amount of unfunded actuarial accrued liability (UAAL)
- Amount of net pension liability (NPL)
- City's annual required contribution (ARC) as a % of payroll
- Experience gains and losses
- Trends

UNDERSTANDING THE CITY PLANS PENSION LEGACY COST (THE UAAL ISSUE)

- Unfunded Actuarial Accrued Liability (UAAL) is based on existing employees – changes to benefits for new employees do not impact UAAL
- Annual UAAL payment is more than half of the annual required contribution in each plan – these take many years to pay off
- By law, the City is responsible for funding the UAAL – even if employees are transferred to other employers, and even if the current pension plans are closed, frozen or terminated

UNDERSTANDING THE CITY PLANS' NET PENSION LIABILITY

- Net pension liability is the difference between the projected pension liability of a plan and the market value of the assets
- The total pension liability (or pension benefit obligation) is the **present value of projected future entitlements under the plan**

In order to calculate the total amount that will be paid in the future for plan members, actuary estimates for member:

- Expected retirement date
- How much paid over remaining lifetime after retirement
- How long they will live

The total value of these benefits is then “present valued” to current dollars to determine the total pension liability (actuarial accrued liability).

UNDERSTANDING THE CITY PLANS' PENSION LEGACY COST

Net pension liability of City's pension plans as of 9/30/14:

	Fire/Police	MBERP*
Total pension liability:	\$991.5 M	\$679.5 M
Market value of assets:	<u>\$769.3 M</u>	<u>\$516.4 M</u>
Net pension liability:	\$222.2 M	\$163.1 M
Net position:	77.59%	75.99%

Total combined net pension liability for both plans: \$385.3 M

Total UAAL of pension plans as of 10/1/13 valuation: \$501 M, comprised of \$292 M (Fire & Police) and \$209 M (MBERP)

*MBERP NPL data based on draft financial statements

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INVESTMENT RATE OF RETURN FOR THE CITY'S PENSION PLANS

Average Return Period	Fire & Police			MBERP		
	Market Value Yield	Smoothed Actuarial Value Yield	Assumed Rate of Return*	Market Value Yield	Smoothed Actuarial Value Yield	Assumed Rate of Return*
5-Year Average	8.7%	4.7%	8.2%	8.3%	3.3%	8.3%
10-Year Average	7.3%	5.8%	8.3%	7.2%	5.0%	8.5%

* Both plans have reduced their assumed rate of return. As of the 10/1/13 valuation, both plans have an assumed rate of return of 8%. Plan funding requirements are based on the smoothed actuarial value yield.

** Figures based on 10/1/13 valuation reports

15-YEAR UAAL HISTORY FOR THE CITY'S PENSION PLANS

Actuarial Valuation Date	Fire & Police		MBERP	
	Unfunded Actuarial Liability (UAAL)	Funded Ratio	Unfunded Actuarial Liability (UAAL)	Funded Ratio
10/1/1999	\$ -	100.0%	\$ (41,882,997)	115.9%
10/1/2000	\$ (9,709,578)	102.5%	\$ (48,882,997)	117.6%
10/1/2001	\$ (11,319,819)	102.9%	\$ (43,276,278)	114.8%
10/1/2002	\$ 23,821,489	94.4%	\$ (2,349,854)	100.7%
10/1/2003	\$ 57,866,674	87.6%	\$ 18,850,732	94.4%
10/1/2004	\$ 93,949,211	81.7%	\$ 31,369,303	91.1%
10/1/2005	\$ 94,227,066	82.9%	\$ 42,369,322	88.5%
10/1/2006	\$ 111,413,152	80.9%	\$ 90,474,329	79.8%
10/1/2007	\$ 136,998,684	78.4%	\$ 65,243,594	86.4%
10/1/2008	\$ 176,368,131	78.2%	\$ 100,767,021	80.9%
10/1/2009	\$ 266,792,988	66.0%	\$ 125,016,843	77.1%
10/1/2010	\$ 291,931,506	64.3%	\$ 148,766,860	74.4%
10/1/2011	\$ 339,297,448	61.1%	\$ 176,796,453	70.7%
10/1/2012	\$ 357,710,800	60.4%	\$ 210,827,698	66.7%
10/1/2013	\$ 292,005,152	69.4%	\$ 208,884,470	67.9%

Based on 10/1/13 valuation reports

CURRENT PLAN STATUS FIRE AND POLICE PENSION PLAN

As of 10/1/13 Valuation (FY 2014/15 Budget)

City's Annual Required Contribution (ARC)
Pension Bond Payment

**Fire & Police
Pension**
\$33,028,839
\$ 4,657,929

Total Annual City Payments \$37,686,768

City's ARC as a % of Payroll

- Normal Cost
- Amortization of Unfunded Liability

25.58%
44.45%
70.03%

City DB Plan Contribution as a % of Payroll

Total City Contribution as a % of Payroll (Includes Bond Payment) 79.91%

Average City Contribution per Active Member \$82,286

CURRENT PLAN STATUS MBERP

As of 10/1/13 Valuation (FY 2014/15 Budget)

MBERP

City's Annual Required Contribution (ARC) \$26,456,580
Pension Bond Payment \$ 511,804

Total Annual City Payments \$26,968,384

6

City's ARC as a % of Payroll
- Normal Cost 10.46%
- Amortization of Unfunded Liability 28.10%
- Interest 3.09%

City DB Plan Contribution as a % of Payroll 41.65%

Total City Contribution as a % of Payroll (Includes Bond Payment) 42.45%

Average City Contribution per Active Member \$26,596

POLICE AND FIRE 10-YEAR ARC PROJECTION (Based on 10/1/13 Valuation Report)

Fiscal Year Ending 9/30	ARC (Millions)		% of Payroll Excluding Bond Payment		Bond Payment (Millions)	Total Including ARC & Bond Payment (Millions)		% of Payroll Including ARC & Bond Payment	
2015	\$	33.029	70.0%		\$	4.658	\$	37.687	79.9%
2016	\$	32.994	68.1%		\$	4.646	\$	37.640	77.7%
2017	\$	33.461	65.8%		\$	4.654	\$	38.115	74.9%
2018	\$	33.180	63.1%		\$	4.642	\$	37.822	71.9%
2019	\$	33.688	62.0%		\$	4.608	\$	38.296	70.5%
2020	\$	34.527	61.8%		\$	4.546	\$	39.073	69.9%
2021	\$	35.234	61.9%		\$	1.337	\$	36.571	64.2%
2022	\$	35.999	62.0%		\$	-	\$	35.999	62.0%
2023	\$	37.011	62.6%		\$	-	\$	37.011	62.6%
2024	\$	37.910	62.9%		\$	-	\$	37.910	62.9%
2025	\$	38.933	63.5%		\$	-	\$	38.933	63.5%
2034	\$	43.516	65.7%		\$	-	\$	43.516	65.7%

1. Projections made assuming plan assumptions are met each year
2. 2005 Series Pension Bonds will be paid off on 9/1/2021

MBERP 10-YEAR ARC PROJECTION (Based on 10/1/13 Valuation Report)

Fiscal Year Ending 9/30	ARC (Millions)	% of Payroll Excluding Bond Payment		Bond Payment	Total Including ARC & Bond Payment (Millions)		% of Payroll Including Bond Payment
		ARC (Millions)	Bond Payment		Total Including ARC & Bond Payment (Millions)	% of Payroll Including Bond Payment	
2015	\$ 26.457	41.7%	\$ 511,804	\$ 26.969	42.5%	\$	42.5%
2016	\$ 27.323	41.8%	\$ 510,471	\$ 27.833	42.5%	\$	42.5%
2017	\$ 27.413	40.7%	\$ 511,330	\$ 27.924	41.4%	\$	41.4%
2018	\$ 24.782	35.7%	\$ 510,085	\$ 25.292	36.4%	\$	36.4%
2019	\$ 24.260	33.9%	\$ 506,295	\$ 24.766	34.6%	\$	34.6%
2020	\$ 24.099	32.7%	\$ 499,540	\$ 24.599	33.4%	\$	33.4%
2021	\$ 23.972	31.6%	\$ 146,891	\$ 24.119	31.8%	\$	31.8%
2022	\$ 23.850	30.5%	\$ -	\$ 23.850	30.5%	\$	30.5%
2023	\$ 23.747	29.5%	\$ -	\$ 23.747	29.5%	\$	29.5%
2024	\$ 23.649	28.5%	\$ -	\$ 23.649	28.5%	\$	28.5%
2025	\$ 23.572	27.6%	\$ -	\$ 23.572	27.6%	\$	27.6%

1. Projections made assuming plan assumptions are met each year
2. 2005 Series Pension Bonds will be paid off on 9/1/2021

MEMBERSHIP IN DB PENSION PLANS

Fire & Police	MBERP
458 Active members	1014 Active members
69 DROP members	56 DROP members
627 Retirees & beneficiaries	1055 Retirees & beneficiaries
<u>15</u> Terminated vested members	<u>69</u> Terminated vested members
1169	2194

The actuarial accrued liability as of 10/1/13 for both plans is primarily related to retirees, as shown below:

	Fire & Police	MBERP
Liability for retired, terminated (vested), beneficiaries, etc.	\$750.81 M	\$450.88 M
Accrued/future benefits for active employees	\$204.43 M	\$295.46 M
Total actuarial accrued liability (AAL)	\$955.24 M	\$746.34 M

*As of 10/1/13 valuation report

KEY DRIVERS OF PENSION COSTS FOR EXISTING DB PLANS

- Retiree cost of living adjustments (COLAs)
- Multiplier
- Salary growth
- Pensionable pays/overtime
- Final average monthly earning (FAME)
- Age of retirement
- Experience gains or losses

SOCIAL SECURITY EXCLUSION

- City employees who are covered by City retirement plans are now excluded from social security coverage in accordance with federal law
- The social security exclusion can continue as long as City retirement plans meet minimum benefit requirements set by federal law
 - **Minimum benefits for Defined Benefit (DB) Plan:**
 - 1.5% multiplier with 36-month (or shorter) average final compensation; or
 - 1.6% with 60-month (or shorter) average final compensation; or
 - 2% with any average final compensation
 - Compensation = Base Pay
 - Age 65 Retirement Age (or earlier)
 - **Minimum benefits for Defined Contribution (DC) Plan:**
 - 7.5% contribution (employee or employer)
 - Compensation = Base Pay

RETIREMENT ACCOUNTS

Defined Contribution (DC) Retirement Accounts:

- City or premium tax revenues pay percentage into employee DC account
- Employee may pay percentage of salary into DC account
- Retiree or beneficiary receives benefits until DC funds exhausted
- Employee usually determines how to invest DC funds
- Employee retains risk of future investment returns and longevity

City's DC Retirement Accounts:

- 401(a) [legacy retirement account]
- Firefighters' pension relief fund ("175 share plan")
- Police officers' pension relief fund ("185 share plan")

Note: A limited number of employees also have 457(b) deferred retirement accounts in which an amount is funded by the City.

175/185 SHARE PLANS FOR SWORN PERSONNEL

175/185 share plans funded by rebate of excise tax on property and casualty insurance premiums. Must be used exclusively for fire and police pensions.

- 2014 premium tax revenues = \$2.4 million
- \$120,549 used to offset City pension contribution; remaining \$2.28 million went to fire and police share plans to provide additional benefits. As of 9/30/14:
 - Average sworn fire member with 20+ years of service has a balance of \$165,000 in 175 share plan account
 - Average sworn police member with 20+ years of service has a balance of \$33,000 in 185 share plan account

PENSION POLICIES AND GUIDELINES*

1. Affordability and Sustainability

- Current percent of payroll guideline for benefit renegotiation: 25% for general and 60% for high risk
- Funded ratio (actuarial value of assets minus actuarial liabilities) guideline: 70%+, should strive for 80%+
- Salary growth guideline: not to exceed assumed salary growth
- 5, 10 and 20 year ARC projections required
- Independent review of assumptions once every 3 years
- Fund at least the normal cost of pension even when ARC is less than normal cost

PENSION POLICIES AND GUIDELINES*

2. **Appropriate Benefits to Provide Employees**
 - Provide benefit equivalent to Social Security plus a supplemental benefit
 - Adjust benefits periodically to reflect inflation, with a maximum of 3% annually
3. **Recruitment and Retention**
 - Provide competitive retirement benefits
4. **Management of Risk/Risk Sharing**
 - Share some portion of risk with employees
 - Current percent of payroll guideline for renegotiation of employee contribution rate: 25% for general and 60% for high risk employees

HEALTH BENEFITS

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GENERAL EMPLOYEES' PLANS (Self-funded)

- Standard Health Maintenance Organization (HMO)
- Premium HMO
- Standard Preferred Provider Organization (PPO)
- Premium PPO
- Point of Service (POS)

INSURED ACTIVE GENERAL EMPLOYEES 2014/15 PLAN YEAR

Plan	Members (As of 4/8/15)	City Annual Premium Cost Per Employee	Employee Annual Premium Cost	% City Subsidy
Standard HMO Single	39	\$5,647	\$1,688	77%
Standard HMO Family	393	\$12,193	\$6,082	67%
Premium HMO Single	19	\$7,384	\$7,384	50%
Premium HMO Family	6	\$18,307	\$18,307	50%
Standard PPO Single	16	\$5,551	\$5,551	50%
Standard PPO Family	8	\$13,623	\$13,623	50%
Premium PPO Single	7	\$7,060	\$7,060	50%
Premium PPO Family	2	\$17,323	\$17,323	50%
POS Single	1	\$7,512	\$7,512	50%
POS Family	1	\$18,641	\$18,641	50%
Active Employees	989			
Total Annual City Premium Cost:	\$8,342,214			
Annual Average City Premium Cost per Employee:	\$8,435			

Note: Contracts require that the City will continue to pay at least 50% of the cost of premium plans

INSURED GENERAL RETIREES 2014/15 PLAN YEAR (BY PLAN)

Health Plan	Members (As of 4/8/15)	Coverage Level	City Annual Premium Cost	Retiree Annual Premium Cost	% City Subsidy
Standard HMO					
	98	Pre-medicare Retiree Only	\$3,667	\$3,667	50%
	2	Pre-medicare Retiree and Pre-medicare Dependent(s)	\$9,093	\$9,093	50%
	0	Pre-medicare Retiree and Medicare Dependent	\$3,667	\$3,667	50%
	0	Medicare Retiree & Pre-medicare Dependent	\$3,667	\$3,667	50%
Premium HMO					
	36	Pre-medicare Retiree Only	\$5,908	\$8,861	40%
	0	Pre-medicare Retiree and Pre-medicare Dependent(s)	\$14,464	\$21,969	40%
	0	Pre-medicare Retiree and Medicare Dependent	\$5,908	\$8,861	40%
	1	Medicare Retiree & Pre-medicare Dependent	\$5,908	\$8,861	40%
Total Covered by HMO	137				

INSURED GENERAL RETIREES 2014/15 PLAN YEAR (BY PLAN)

Health Plan	Members (As of 4/8/15)	Coverage Level	City Monthly Annual Cost Per Retiree	Retiree Annual Premium Cost	% City Subsidy
Standard PPO					
	18	Pre-medicare Retiree Only	\$4,996	\$6,106	45%
	0	Pre-medicare Retiree plus Pre-medicare dependent(s)	\$12,260	\$14,985	45%
	59	Medicare Retiree Only	\$3,797	\$4,641	45%
	11	One Pre-medicare & one Medicare	\$8,543	\$10,442	45%
	0	One Medicare & 2 + Pre-medicare	\$10,704	\$13,082	45%
	28	Medicare Retiree & Medicare Spouse	\$7,594	\$9,281	45%
	2	Medicare Retiree and Spouse plus Pre-medicare dependent(s)	\$9,754	\$11,922	45%
Premium PPO					
	16	Pre-medicare Retiree Only	\$4,236	\$9,884	30%
	0	Pre-medicare Retiree and Pre-medicare Dependent(s)	\$10,394	\$24,253	30%
	75	Medicare Retiree Only	\$3,228	\$7,533	30%
	6	One Pre-medicare and One Medicare	\$7,263	\$16,946	30%
	0	One Medicare and Two or More Pre-medicare	\$9,099	\$21,232	30%
	24	Medicare Retiree and Medicare Spouse	\$6,456	\$15,063	30%
	1	Medicare Retiree and Spouse plus Pre-medicare Dependent(s)	\$8,293	\$19,349	30%
Total Covered by PPO	240				

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INSURED GENERAL RETIREES 2014/15 PLAN YEAR (BY PLAN)

Health Plan	Members (As of 4/8/15)	Coverage Level	City Annual Premium Cost Per Retiree	Retiree Annual Premium Cost	% City Subsidy
POS					
	5	Pre-medicare Retiree Only	\$7,512	\$7,512	50%
	0	Pre-medicare Retiree and Pre-medicare Dependent(s)	\$18,636	\$18,641	50%
	5	Medicare Retiree Only	\$4,632	\$6,963	40%
	0	One Pre-medicare and One Medicare	\$10,428	\$15,645	40%
	0	One Medicare and Two Pre-medicare	\$15,348	\$23,016	40%
	6	Medicare Retiree and Medicare Spouse	\$9,276	\$13,906	40%
	0	Medicare Retiree and Spouse and Pre-medicare Dependent(s)	\$12,060	\$18,089	40%
Total Covered by POS	16				
General Plan Retirees	393				
Total Annual City Premium for General Retirees	\$1,869,322				
Average Annual City Premium for General Retirees	\$4,757				

GENERAL RETIREES' SUBSIDY

Any employee hired on or after September 6, 2006, upon retirement is eligible for a benefit of up to \$3,000 per year until age 65 depending on years of service and up to \$1,500 per year after age 65.

FOP HEALTH TRUST – ACTIVE EMPLOYEES AND RETIREES (2015 Calendar Year)

Health Plan	Members (As of 4/8/15)	Coverage Level	City Annual Premium Cost Per Member	Member Annual Premium Cost	% City Subsidy
FOP Health Trust					
	111	Single	\$6,693	\$1,532	81%
	238	Family	\$16,407	\$4,644	78%
	56	Pre-medicare Single	\$6,169	\$332	95%
	138	Pre-medicare Family	\$15,122	\$4,644	77%
	12	Single Medicare	\$6,169	\$332	95%
	15	Medicare Retiree and Pre-medicare Dependent	\$15,122	\$3,444	81%
	21	Medicare Retiree and Dependents	\$15,122	\$2,244	87%
Total FOP Members	591				
Active Members	349				
Annual City Premium Cost for Active Members	\$4,647,816				
Average Annual City Premium Cost Per Active Member	\$13,318				
Retiree Members	242				
Annual City Premium Cost for Retiree Members	\$3,050,695				
Average Annual City Premium Cost Per Retiree Member	\$12,606				

IAFF HEALTH TRUST – ACTIVE EMPLOYEES AND RETIREES (2015 Calendar Year)

Health Plan	Members (As of 4/8/15)	Coverage Level	City Annual Premium Cost Per Member	Annual Premium Cost Per Member	% City Subsidy
IAFF Health Trust					
	59	Single	\$6,804	\$480	93%
	35	Employee plus One	\$16,697	\$31,392	86%
	95	Family	\$16,697	\$35,568	85%
	40	Retiree Single	\$6,804	\$5,760	93%
	69	Retiree and One Dependent	\$15,389	\$1,308	92%
	64	Retiree and Two or More Dependents	\$15,389	\$2,964	84%
Total IAFF Members	362				
Active Members	189				
Annual City Premium Cost for Active Members	\$2,572,070				
Average Annual City Premium Cost Per Active Member	\$13,609				
Retiree Members	173				
Annual City Premium Cost for Retiree Members	\$2,318,915				
Average Annual City Premium Cost Per Retiree Member	\$13,404				

FOP AND IAFF HEALTH TRUST RETIREES' SUBSIDY

Any employee hired on or after July 14, 2010, upon retirement is eligible for a benefit of up to \$300 per year of service, subject to an annual increase based on the Miami-Ft. Lauderdale All Urban Consumer Price Index as of September 30th of each fiscal year.

PLAN SUBSIDIES

Plan	Member Count (As of 4/8/15)	Annual Average Premium Cost to City Per Member	Difference in Average Premium Contributions
General			
Employees	989	\$8,435	
Retirees	393	\$4,757	
FOP Health Trust			
Employees	349	\$13,318	58%
Retirees	242	\$12,606	165%
IAFF Health Trust			
Employees	189	\$13,609	61%
Retirees	173	\$13,404	182%

POST EMPLOYMENT BENEFITS OTHER THAN PENSION BENEFITS (OPEB) LIABILITY

Pursuant to Section 112.08, Florida Statutes, the City is required to permit eligible retirees and their eligible dependents to participate in the City's health insurance program at a cost to the retirees that is no greater than the cost at which coverage is available for active employees. On September 30, 2008, the City established an OPEB Trust (the Trust) and began funding its OPEB obligation. Stand-alone financial statements for the Trust are not prepared.

On October 1, 2012, the date of the most recent actuarial valuation, plan participation consisted of:

OPEB plan participants	1,941
Retirees receiving benefits	1,175

POST EMPLOYMENT BENEFITS OTHER THAN PENSION BENEFITS (OPEB) LIABILITY

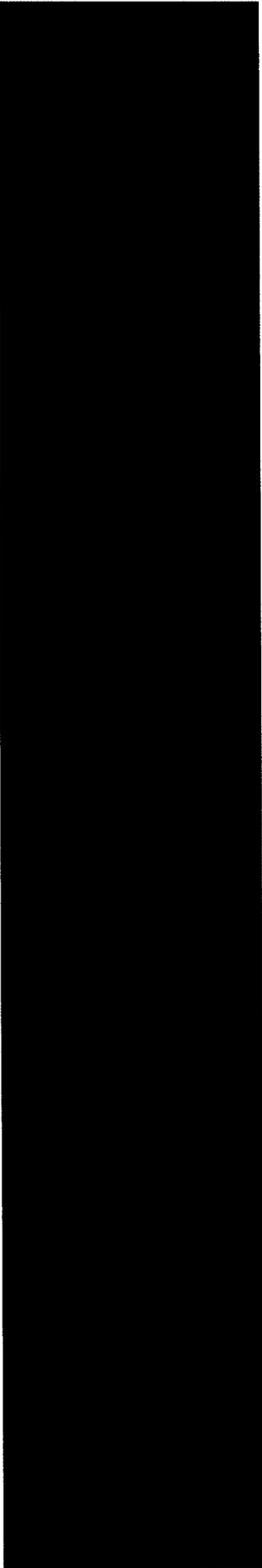
Trend Information:

Trend information indicates the progress made in accumulating sufficient assets to pay benefits when due, as follows:

Year Ended September 30,	Annual OPEB Cost	Contribution	% of Annual OPEB Cost Contributed	Net OPEB Obligation
2012	\$ 19,064,000	\$ 11,104,000	58%	\$ 30,835,000
2013	16,212,000	8,314,000	51	38,733,000
2014	17,351,000	8,882,000	51	47,202,000

Funded Status and Funding Progress:

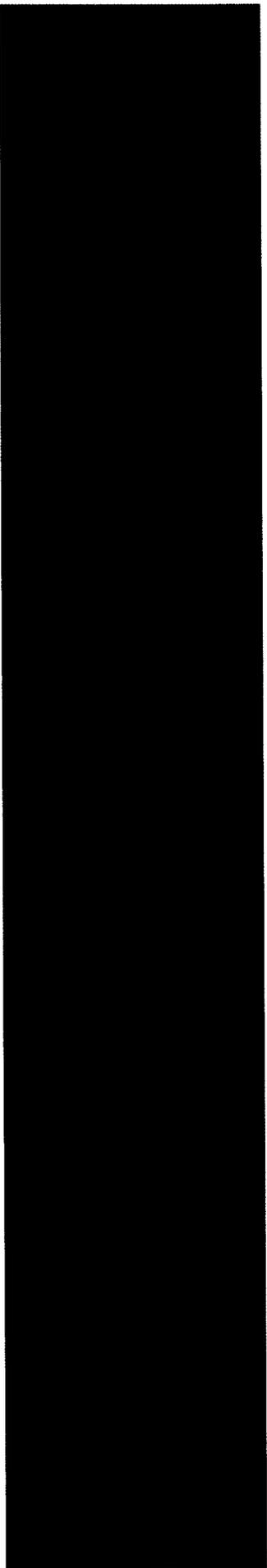
Valuation Date	Actuarial Value of Assets	Actuarial Accrued Liability (AAL)	Unfunded AAL (UAAL)	Funded Ratio	Participants' Covered Payroll	UAAL as a % of Participants' Covered Payroll
10/1/2013	\$ 22,167,000	\$ 203,809,000	\$ 181,642,000	10.9%	\$ 107,951,095	168.3%



OTHER INSURANCE BENEFITS

OTHER INSURANCE BENEFITS

- **Dental Insurance** (City subsidizes 50% of the premium cost)
 - Safeguard DHMO Plan
 - MetLife PPO Plan
- **EyeMed Vision Plan** (included in health insurance premium)
- **Life Insurance**
 - City subsidizes 100% of the premium for one year's salary worth of coverage
- **Accidental Death and Dismemberment**
 - The City bears the full cost of the premium
 - Maximum benefit is \$20,000



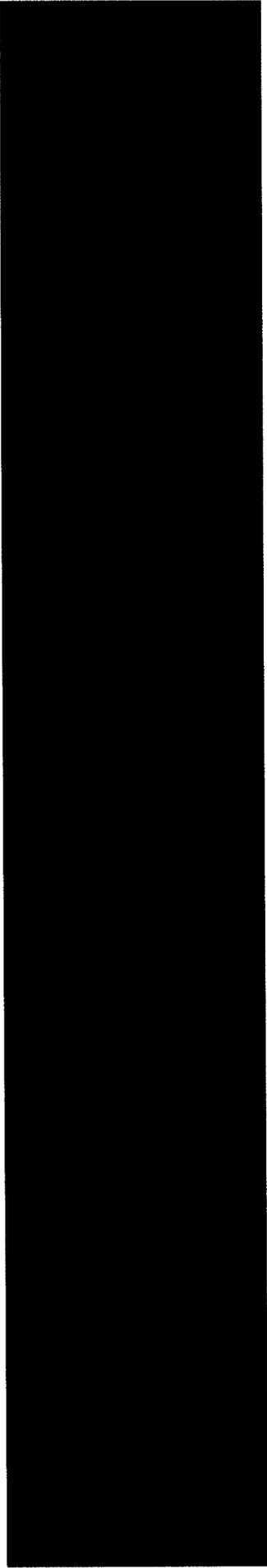
OTHER BENEFITS

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OTHER BENEFITS

- Other payroll related benefits
- Other non-payroll related benefits



QUESTIONS/OPEN DISCUSSION

MIAMI BEACH
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Budget Advisory Committee Recommendations Regarding Police and Fire Pension Plans	
Benefit	Recommendation for a Hybrid Plan; Changes are proposed for New Hires and Non-Vested (less than 10 years of service)
Benefit Multiplier	2% (in addition to defined contribution plan described below)
Maximum Pension Benefit	No recommendation but with reduced multiplier the actual max benefit will be significantly less
Vesting Years	5 Years with no Retiree COLA for years 3 and 4 of DROP
DROP Years	No change
Retiree COLA	Zero - Commission may periodically adjust up to 1.5% compounded for a given year, with COLA resetting to 0% following year unless Commission votes to increase above 0% for next fiscal year
Final Average Monthly Earning (FAME)	Highest 5 of Last 10 Years
Normal Retirement Age	Age 55 w/10 years of service or Age 52 w/25 years of service
Employee contribution to Defined Benefit (DB) Plan	Defined Benefit = 5%; Defined Contribution = 5% w/the City Contributing 11%
Beneficiaries	Service connected: 85%; non-service connected: 75% joint and survivor with 10 years certain (100% first year)
Share Plan	Yes
Overtime, Off-Duty and Accrued Leave	* <u>Police</u> : overtime, off duty and accrued leave are pensionable in order to reach difference of 70% of next highest rank; <u>Fire</u> : overtime, off duty and accrued leave are pensionable, however not to exceed 11% of currently salary at time of retirement
Additional Creditable Service	*When vested may purchase up to 2 years additional creditable public safety service, up to 4 years additional creditable military employment, and up to an additional 6% multiplier (maximum 12% in totality)
Miami Beach Employee Retirement Plan (MBERP)	*Ability to transfer all years of creditable service from MBERP to Fire and Police Pension Plan
Salary COLA Impact on Plan	Zero Salary COLA FY12/13 and FY 13/14

* While no recommendation by a final motion regarding these benefits, the BAC report stated that changes could be implemented without the need for additional actuarial analysis.

City of Miami Beach Employee Retirement Plan Comparison Summary of Benefits

	Status Prior to 2009 - 2012 (2010-13 for AFSCME) Contracts	Status Prior to 2012 - 2015 (2013-16 for AFSCME) Contracts
	Employees Hired Prior to 10/01/10	Employees Hired on or after 10/01/10
Vesting (Years)	5	5
Benefit Multiplier	Tier A = 3% w/ 4% after 15 Years Tier B = 3%	2.50%
Final Average Monthly Earning (FAME)	5 Highest	5 Highest
Retirement Age	Tier A = 50 Tier B = 55	Age 62 w/5 Years of Service or Age 55 with 30 Years of Service; Rule of 75
Retiree COLA	2.5% Deferred to 1 Year after DROP	1.5% Deferred to 1 Year after DROP
DROP Years	3 Years	5 Years
OT Pensionable	Only Tier A with Max of 10%	NO
Pensionable Salary	Base and Incentive Pays	Base and Incentive Pays
		Extend DROP period to 5 years for all employees in the plan
		Changes Negotiated

City of Miami Beach Employee Retirement Plan Comparison Summary of Benefits

	Employees Hired Prior to 10/01/10	Employees Hired on or after 10/01/10	Changes Negotiated
Member Contribution	Tier A = 12% Tier B = 10%	10%	Reinstated additional 2% contribution from members covered by AFSCME bargaining unit
Salary COLA Impact on Plan	Zero Salary COLA FY 2009/10 and FY 2010/11 COLA FY 2011/12	Zero Salary COLA FY 2009/10 and FY 2010/11 3% COLA FY 2011/12	3% Salary COLA FY 2014/15 for all members except those covered by AFSCME as follows: 2% COLA April 2014; 1% COLA April 2015

**City of Miami Beach Fire and Police Pension Plan
Summary of Benefits**

	Status Prior to 2012 - 2015 Contracts		Changes Negotiated in 2012-2015 Contract	
Benefit	Employees Hired prior to 7/14/2010	Employees Hired on or after 7/14/2010	Changes for All Employees Hired Prior to or on 9-30-13 Unless Otherwise Indicated	Changes for Employees Hired after 9-30-13
Benefit Multiplier	3% for each year of service up to 15 years; 4% thereafter	3% for each year of service up to 20 years; 4% thereafter	3% for each year of service up to 20 years; 4% thereafter	3% for each year of service up to 20 years; 4% thereafter
Maximum Pension Benefit	90%	90%	85% Max effective 9-30-13; Grandfather anyone who by 9/30/15 has reached 85% or more for a max of 90%	85% Max effective 9-30-13; Grandfather anyone who by 9/30/15 has reached 85% or more for a max of 90%
Vesting Years	10 Years	10 Years	5 Years	5 Years
DROP Years	3 Years for all entering DROP prior to 9/1/12; Those entering DROP on or after 9/1/12 = 5 Year DROP with no Retiree COLA for years 3 and 4 of DROP	5 Years with no Retiree COLA for years 3 and 4 of DROP	Extended to 5 Years for all including those who currently are participating in the 3 Year DROP	Extended to 5 Years for all including those who currently are participating in the 3 Year DROP
Retiree COLA	2.5% Annually * Mandatory ZERO Retiree COLA during Years 3 and 4 for anyone participating in 5 Year DROP on or after 9-1-12	1.5% Annually * Mandatory ZERO Retiree COLA during Years 3 and 4 for anyone participating in 5 Year DROP on or after 9-1-12	5 Year DROP receives Retiree COLA each year of DROP based on hire date	5 Year DROP receives Retiree COLA each year of DROP based on hire date
Final Average Monthly Earning (FAME)	Average of 2 highest years	Average of 3 highest years	Average of 3 highest years effective 9/30/15 for all current employees	Highest 5 Years
Normal Retirement Age	Age 50 or Rule of 70	Age 50 or Rule of 70 w/minimum age 48	Rule of 70 w/ minimum age 47 for pre-2010 hires	Rule of 70 w/ minimum age 48
Employee contribution to Defined Benefit (DB) Plan	10% of pensionable earnings	10% of pensionable earnings	10% of pensionable earnings	10.5 % of Pensionable Earnings

City of Miami Beach Fire and Police Pension Plan

Summary of Benefits

	Status Prior to 2012 - 2015 Contracts		Changes Negotiated in 2012-2015 Contract	
Benefit	Employees Hired prior to 7/14/2010	Employees Hired on or after 7/14/2010	Changes for All Employees Hired Prior to or on 9-30-13 Unless Otherwise Indicated	Changes for Employees Hired after 9-30-13
Beneficiaries	Service connected: 85%; non-service connected: 75% joint and survivor with 10 years certain (100% first year)	Service connected: 85%; non-service connected: 75% joint and survivor with 10 years certain (100% first year)	No Change	No Change
Share Plan	Yes	Yes	No Change	No Change
Overtime, Off-Duty and Accrued Leave	Police: overtime, off duty and accrued leave are pensionable in order to reach difference of 70% of next highest rank; Fire: overtime, off duty and accrued leave are pensionable, however not to exceed 11% of currently salary at time of retirement	Police: overtime, off duty and accrued leave are pensionable in order to reach difference of 70% of next highest rank; Fire: overtime, off duty and accrued leave are pensionable, however not to exceed 11% of currently salary at time of retirement	Per FL Statute - eliminate ability to use accrued leave for buy-up of any additional pension benefits - max overtime = 300 Hours	Per FL Statute - eliminate ability to use accrued leave for buy-up of any additional pension benefits - max overtime = 300 Hours
Additional Creditable Service	When vested may purchase up to 2 years additional creditable public safety service, up to 4 years additional creditable military employment, and up to an additional 6% multiplier (maximum 12% in totality)	When vested may purchase up to 2 years additional creditable public safety service, up to 4 years additional creditable military employment, and up to an additional 6% multiplier (maximum 12% in totality)	Eliminate prior service buyback excluding Military which will be at max of 6% effective 9/30/13	Eliminate prior service buyback excluding Military which will be at max of 6% effective 9/30/13
Miami Beach Employee Retirement Plan (MBERP)	Ability to transfer all years of creditable service from MBERP to Fire and Police Pension Plan	Ability to transfer all years of creditable service from MBERP to Fire and Police Pension Plan	Eliminate provision allowing transfer of years of service from MBERP to Fire and Police Pension Plan	Eliminate provision allowing transfer of years of service from MBERP to Fire and Police Pension Plan
Salary COLA Impact on Plan	Zero Salary COLA FY 2009/10 and FY 2010/11 3% COLA FY 2011/12	Zero Salary COLA FY 2009/10 and FY 2010/11 3% COLA FY 2011/12	Zero Salary COLA FY 2012/13 and FY 2013/14 3% COLA FY 2014/15	Zero Salary COLA FY 2012/13 and FY 2013/14 3% COLA FY 2014/15

OTHER PAYROLL RELATED BENEFITS

- Earned leave (sick, vacation, compensatory)

- Differences in accrual

SICK AND VACATION LEAVE ACCRUALS				
	Sick Leave Accruals	Vacation Leave Accruals		
	Constant Annual	0-9.99 years Annual	10-19.99 years Annual	20 + years Annual
FOP	96	96	136	176
IAFF shift	144	144	204	264
IAFF non-shift	96	96	136	176
All Others	96	96	136	176

- Leave payouts upon separation

- Differences in payout

MAXIMUM FINAL LEAVE PAYOUT			
	Sick hours paid out at 50% of value	Vacation hours paid out at 100% of value	Equivalent number of hours paid out at 100% of value
FOP	1,200	620	1,220
All Others	1,200	620	1,220
IAFF Non-shift	Combination of both *		820
IAFF Shift	Combination of both *		1,230
* All sick and vacation hours for IAFF employees paid out at 100% of value up to the allowed maximum			

- Sick leave sellback (IAFF & FOP)

- Employees covered by the IAFF and FOP agreements are eligible to sell back (at 100% of value) sick leave accrued during the year, minus any sick or emergency vacation time used (sunsets 9/30/2015)

- Holidays (10 legal holidays; 3 floating holidays; and 1 birthday holiday)
- Injury service connected (ISC) leave with pay

- Differences in duration

- 16 weeks (general)
- 32 weeks (IAFF & FOP)

- Bereavement leave with pay (2 days; 4 days if funeral is out of state)

OTHER PAYROLL RELATED BENEFITS

- Jury duty leave with pay
- Union leave with pay
 - Differences in maximum allocation per year
 - IAFF (union president may elect full time detachment; 500 hours per contract year if union president is detached; 2,996 hours per contract year if union president is not detached; maximum rollover from one contract year to another of 750 unused hours)
 - FOP (union president may elect full time detachment; no established time bank maximum threshold; accruals solely comprised of employee donations)
 - CWA (2,250 hours per contract year; maximum rollover from one contract year to another of 2,250 unused hours)
 - AFSCME (1,040 hours per contract year, without the option to roll over unused time, to be used when employees leave the City's physical premises; union leave pool does not have an established accrual rate or limit and is used when conducting union business within the City)
 - GSAF (no established time bank)
- Tuition reimbursement



CITY OF MIAMI BEACH NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY given that the following public hearings 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 **Wednesday, April 15, 2015**, at the times listed, or as soon thereafter as the matter can be heard:

10:35 a.m.

A Resolution Granting A Revocable Permit To Centurian Collins Property Owner, LLC (The Applicant), For The Aloft Hotel, Located At 2360 Collins Avenue (The Building), To Allow A Decorative, Triangular-Shaped Concrete "Canopy" With Two Support Columns And Concrete "Eyebrows" To Extend 19.71 Feet At The North And 2.79 Feet At The South Into The Public Right-Of-Way Of Liberty Avenue, Along 101.7 Feet Of The Building, And A Minimum Of Eleven Feet One Inch (11' 1") Above Ground Level, And An Irrigation Meter And Vent Pipe For A Drainage Well Located At Ground Level North Of The Canopy, All Encroachments Along 112.75 Feet Of The Building With A Total Area Of 910 Square Feet. *Inquiries may be directed to the Office of the Public Works at 305.673.7080.*

10:40 a.m.

A Resolution Of The Mayor And City Commission Of The City Of Miami Beach, Florida Authorizing The Issuance Of Not To Exceed \$100,000,000 In Aggregate Principal Amount Of City Of Miami Beach, Florida Stormwater Revenue Bonds, Series 2015, For The Principal Purpose Of Paying A Part Of The Cost Of Certain Improvements To The Stormwater Utility, Pursuant To Section 209 Of Resolution No. 2000-24127 Adopted By The City On October 19, 2000; Providing That Said Series 2015 Bonds And Interest Thereon Shall Be Payable Solely As Provided In Said Resolution No. 2000-24127 And This Resolution; Providing Certain Details Of The Series 2015 Bonds; Delegating Other Details And Matters In Connection With The Issuance Of The Series 2015 Bonds, Including Whether The Series 2015 Bonds Shall Not Be Secured By The Reserve Account And Whether To Secure A Credit Facility And/Or A Reserve Account Insurance Policy, To The City Manager, Within The Limitations And Restrictions Stated Herein; Permitting Conditional Redemption Of The Series 2015 Bonds; Appointing Underwriters, A Bond Registrar And A Disclosure Dissemination Agent; Authorizing The Negotiated Sale Of The Series 2015 Bonds And Approving The Form Of And Authorizing The Execution Of A Bond Purchase Agreement; Authorizing And Directing The Bond Registrar To Authenticate And Deliver The Series 2015 Bonds; Approving The Form Of And Distribution Of A Preliminary Official Statement And An Official Statement And Authorizing The Execution Of The Official Statement; Providing For The Application Of The Proceeds Of The Series 2015 Bonds And Creating Certain Funds, Accounts And Subaccounts; Authorizing A Book-Entry Registration System With Respect To The Series 2015 Bonds; Covenancing To Provide Continuing Disclosure In Connection With The Series 2015 Bonds And Approving The Form Of And Authorizing The Execution And Delivery Of A Continuing Disclosure Agreement; Authorizing Officers And Employees Of The City To Take All Necessary Related Actions; And Providing For An Effective Date. *Inquiries may be directed to the Finance Department at 305.673.7574.*

10:45 a.m.

Report To The City Commission, Pursuant To Section 5.04 Of The City Charter, Entitled "Budget, Finance And Pre-Collective Bargaining Analysis," Detailing The Current Status And Related Financial Impact Of Fringe Benefits, Including Pension And Health Insurance Plans, Provided By The City To Its Officers And Employees. *Inquiries may be directed to the Human Resources Department at 305.673.7524.*

5:02 p.m.

An Ordinance Amending Policy 1.2 Of The Future Land Use Element Of The Comprehensive Plan Pursuant To The Procedures In Section 163.3184(3), Florida Statutes, By Modifying The Parking (P) Future Land Use Category To Allow For Residential Uses When Abutting A Land Use Category That Permits Such Uses; Providing For Inclusion In The Comprehensive Plan, Transmittal; Repealer; Severability; And An Effective Date. *Inquiries may be directed to the Planning Department at 305.673.7550.*

5:02 p.m.

An Ordinance Amending The Official Zoning District Map, Referenced In Section 142-72 Of The Code Of The City Of Miami Beach, Florida, By Changing The Zoning District Classification For The Parcel Located At 226 87th Terrace, From The Current Zoning Classification Of GU, "Government Use District"; To The Proposed Zoning Classification Of RM-2, "Multifamily Residential, Medium Intensity," Providing For Codification; Repealer; Severability; And An Effective Date. *Inquiries may be directed to the Planning Department at 305.673.7550.*

5:03 p.m.

An Ordinance Amending The Code Of The City Of Miami Beach, Florida, By Amending Chapter 142, "Zoning Districts And Regulations," Article II, "District Regulations," Division 3 "Residential Multifamily Districts," Subdivision IV, "RM-2 Residential Multifamily, Medium Intensity," By Amending Sections 142-215, "Prohibited Uses," And 142-218, "Setback Requirements," In Order To Permit Outdoor Bar Counters As Accessory Uses In Oceanfront Hotels In The RM-2 District; Allowing For Modification Of Interior Side Setback Requirements For Drives Or Sidewalks; Providing Access Between Parcels In The RM-2 Districts; Modifying The Interior Side Tower Setback Requirements For Oceanfront RM-2 Parcels Within 250 Feet Of North Shore Open Space Park; By Amending Chapter 142, "Zoning Districts And Regulations," Article IV, "Supplementary District Regulations," Division 3 "Accessory Uses," By Amending Section 142-902, "Permitted Accessory Uses," To Permit Neighborhood Impact Establishments, As Conditional Uses For Oceanfront Hotels In The RM-2 District Within 250 Feet Of North Shore Open Space Park; Providing For Codification; Repealer; Severability; And An Effective Date. *Inquiries may be directed to the Planning Department at 305.673.7550.*

5:03 p.m.

An Ordinance Amending The Code Of The City Of Miami Beach, Florida, By Amending Chapter 130, "Off-Street Parking," Article III, "Design Standards," By Amending Section 130-68, "Commercial And Noncommercial Parking Garages," To Establish Regulations For Main Use Parking Garages Located On Non-Oceanfront Lots In The RM-2 District With A Property Line Within 250 Feet Of North Shore Open Space Park; Providing For Codification; Repealer; Severability; And An Effective Date. *Inquiries may be directed to the Planning Department at 305.673.7550.*

5:03 p.m.

An Ordinance Amending The Code Of The City Of Miami Beach, Florida, By Amending Chapter 138, "Signs," Article V, "Sign Regulations By District" And Article VI, "Specific Use Signs," By Amending Section 138-172, "Schedule Of Sign Regulations For Principal And Accessory Use Signs," In Order To Establish Sign Criteria For Ground Floor Commercial Uses In Parking Garages Located On Non-Oceanfront Lots In The RM-2 District, With A Property Line Within 250 Feet Of North Shore Open Space Park; And Creating Section 138-206, Entitled "City Identification Signs At City Entrance And Exit Points," In Order To Establish The Process By Which The City May Erect City Identification Signs Near The City's Entry And Exit Points; Providing For Codification; Repealer; Severability; And An Effective Date. *Inquiries may be directed to the Planning Department at 305.673.7550.*

Dr. Stanley Sutinck Citizen's Forum - Pursuant To Resolution No. 2013-28440, the times for the Dr. Stanley Sutinck Citizen's Forum are 8:30 a.m. and 1:00 p.m., or as soon as possible thereafter. Approximately thirty minutes will be allocated to each session, with individuals being limited to no more than three minutes or for a period established by the Mayor. No appointment or advance notification is needed in order to speak to the Commission during this Forum.

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. Copies of these items are 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

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R9 - New Business and Commission Requests

R9L Discussion Regarding The 63rd Street Bridge And The 2016 Yacht Show And Traffic Impact.

(Requested by Commissioner Michael Grieco)
(Item returning from March 11, 2015 - R9L)

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