



## **Presentations & Awards/Commission Meeting**

### **ADDENDUM MATERIAL 1**

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

**May 20, 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

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#### **ATTENTION ALL LOBBYISTS**

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

#### **ADDENDUM AGENDA**

##### **R9 - New Business and Commission Requests**

- R9D Discussion And Update On Fee In Lieu Of Parking Rate As Required By Section 130-132(d) Of The Code Of The City Of Miami Beach (Annual Evaluation Of Parking Impact Fee).  
(Office of the City Manager)
- R9E Discussion Regarding Watson Island/Flagstone Development.  
(Sponsored by Commissioner Edward L. Tobin)
- R9F Discussion And Referral To The Land Use And Development Committee Regarding The Degradation Of The Sea Wall In The Lakeview Drive Neighborhood.  
(Sponsored by Commissioner Edward L. Tobin)

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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: May 20, 2015

SUBJECT: **Annual Evaluation of Parking Impact Fee**

### **BACKGROUND**

Chapter 130, Article V of the Code of the City of Miami Beach establishes the "Fee in Lieu of Parking Program" where under certain circumstances new development or uses may pay an impact fee to the City if they are not able or do not wish to provide required parking on-site.

Section 130-132 (d) of the Code of the City of Miami Beach requires that *the amount determined to be the city's total average cost for land acquisition and construction of one parking space shall be evaluated yearly each May by the planning director based upon the Consumer Price Index (CPI). If determined appropriate, the city commission may amend the fee structure in this section by resolution.*

At present, the parking impact fee is **\$40,000** per required space. This fee was last revised in September of 2014. In compliance with the requirements of the City Code, the following is the Planning Department's analysis of the cost of building parking, as required in Section 130-32 (d).

### **ANALYSIS**

The most recent cost analysis was conducted in September of 2014, at which time the Commission approved an increase in the One Time Fee from \$35,000 to \$40,000 per required space. The results of that analysis are still current and accurate.

In accordance with the requirements of Section 130-132 of the City Code, the Planning Department has evaluated the cost and adjusted it based on the *Consumer Price Index (CPI)*. If applied, the One-Time Fee would increase by \$649.00 to \$40,649.00 per required space. The annual-recurring fee will also increase from \$800.00 per required space to \$813.00 per required space. See CPI Analysis below:

Agenda Item R9D  
Date 5-20-15

Parking Fee CPI Analysis					
Fiscal Year	CPI Year	CPI	Increase from Previous Year	Proposed Fee	Annual Fee (2%)
<b>2014-2015</b>	2013	232.957		\$ 40,000.00	\$ 800.00
<b>2015-2016</b>	2014	236.736	1.62%	\$ 40,648.88	\$ 812.98
Source: Consumer Price Index United States Department of Labor, Bureau of Labor Statistics 5-14-15					

**RECOMMENDATION**

The Administration recommends that the City Commission discuss the item further and provide appropriate policy direction, including whether to increase the fee in lieu of providing parking defined in section 130-132 (d) to \$40,649.00 per required parking space.

JLM/JMJ/TRM/MCR/RAM  
 T:\AGENDA\2015\May\2015 Annual Parking Impact Fee Evaluation - MEM.docx

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CHANGING THE FEE IN LIEU OF PROVIDING PARKING FROM \$40,000 TO \$40,649, PER REQUIRED PARKING SPACE, AS PROVIDED BY AND IN ACCORDANCE WITH SECTION 130-132(d) OF THE CITY CODE; WITH SUCH CHANGE TO BE EFFECTIVE UPON THE DATE OF ADOPTION OF THIS RESOLUTION.**

**WHEREAS**, the City of Miami Beach Land Development Regulations (LDR) at Chapter 130, Article V, entitled "Fee in Lieu of Parking Program", provides a property owner or applicant with the opportunity to pay a fee in lieu of providing required on-site parking when developing a property with new construction; and

**WHEREAS**, the Fee in Lieu of Parking Program (the "Fee") is currently established as \$40,000, as reflected in Section 130-132(a), of the City Code; and,

**WHEREAS**, the Fee was last revised in September of 2014; and,

**WHEREAS**, the amount of the fee may be changed in accordance with Section 130-132(d) of the City Code; and

**WHEREAS**, Section 130-132(d), requires that the Planning Director perform an annual evaluation of the "City's total average cost for land acquisition and construction of one parking space", and as further evaluated based upon the Consumer Price Index (CPI); and

**WHEREAS**, an analysis was conducted and the Planning Director determined that the average cost of building a parking space within the City of Miami Beach based upon current land acquisition and construction costs remains at \$40,000;

**WHEREAS**, as required by section 130-132 (d) the cost of a parking space has been analyzed and adjusted based on the United States Department of Labor, Bureau of Labor Statistics which would result in the fee to be increased by \$649 per space, from \$40,000.00 to \$40,649; and

**WHEREAS**, Section 130-132(d) authorizes the City Commission to amend the Fee structure by resolution, if determined appropriate; and

**WHEREAS**, the City Commission determines it is appropriate to adjust the fee based upon CPI, to ensure that the Fee is reflective of the actual cost to the City to provide a single space of parking.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and the City Commission hereby change the fee in lieu of providing parking from \$40,000 to \$40,649 per parking space, as provided by and in accordance with Section 130-132(d) of the City Code; with such change to be effective upon the date of adoption of this Resolution.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2014.

**ATTEST:**

\_\_\_\_\_  
Rafael Granado, City Clerk

\_\_\_\_\_  
Philip Levine, Mayor

T:\AGENDA\2015\May\2015 Annual Parking Fee Evaluation - RES.doc



# MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

## MEMORANDUM

TO: Jimmy Morales, City Manager

FROM: Ed Tobin, Commissioner

DATE: May 15<sup>th</sup>, 2015

SUBJECT: Agenda item for May 20th, 2015 City Commission Meeting

Please place on the May 20<sup>th</sup>, 2015 Agenda for City Commission Meeting a discussion regarding Watson Island/ Flagstone Development.

Attached please find an email and letter outlining resident concerns.

If you have any questions please do not hesitate to call our office.

Best Regards,

Dessiree Kane  
on behalf of Commissioner Ed Tobin

1/3

**Kane, Dessiree**

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**From:** Frank Del Vecchio [fdelvecchio@atlanticbb.net]  
**Sent:** Friday, May 15, 2015 1:50 PM  
**To:** Tobin, Ed  
**Cc:** Kane, Dessiree; Roger Craver  
**Subject:** May 20 Commission Agenda Item for Discussion: Watson Island/Flagstone Development  
**Attachments:** May 20 Commission Action.pdf

Dear Commissioner Tobin:

Earlier this week the Coalition Against Causeway Chaos provided the attached letter to the mayor and commissioners asking that it be discussed at the May 20 city commission meeting.

Of particular significance is the request: "*In order to make use of the definitive traffic study the city has commissioned, it should now formally intervene in the litigation on behalf of its residents and businesses.*"

The Coalition advises that five of the participating neighborhood associations\* are signatories to this request, and several more are pending.

If the letter has not already been included for discussion at the May 20 city commission meeting, I would like to renew the Coalition's request and ask that you do so.

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\*Belle Isle Residents Association, Venetian Islands Neighborhood Alliance, South of Fifth Neighborhood Association, Palm-Hibiscus-Star Island Association, Miami Beach United.

Sincerely,

*Frank Del Vecchio  
301 Ocean Drive, Apt. 604  
Miami Beach, FL 33139  
Tel. (305) 672-2486*

2/3

May 13, 2015

Letter from Miami Beach Neighborhood Associations: Belle Isle, West Avenue, South of Fifth, Palm-Hibiscus-Star Islands, Venetian Causeway Homeowners, Venetian Causeway Alliance, Miami Beach United, Miami Beach Chamber of Commerce, and Coalition Against Causeway Chaos

Dear Mayor and Commissioners:

In his March 19 letter, Mayor Levine asked our neighborhood associations to participate in a concerted advocacy and legal effort to stop the Flagstone Watson Island megadevelopment. We have done so, adding donations well in excess of \$100,000 to the \$600,000 previously raised by the non-profit Coalition Against Causeway Chaos in its litigation.

Recognizing the devastating impacts to the city's economy and to commutes, you authorized a study of the project's traffic impacts. We expect that study will at a minimum confirm initial FDOT estimates that the project will add forty-five minutes to MacArthur Causeway commutes, as well as extending the duration of peak hour traffic congestion. The study will show impacts on another life-line to our city, Venetian Causeway, as well as quantify how these delays will exceed allowable norms, including hurricane evacuation.

We are now at a critical moment in time. Although the Coalition's litigation has uncovered vital information about the project withheld by the City of Miami, it is impeded by a recent ruling denying standing. The City of Miami Beach does not face that hurdle. In order to make use of the definitive traffic study the city has commissioned, it should now formally intervene in the litigation on behalf of its residents and businesses.

We request you place this request for discussion on your upcoming May 20 city commission agenda.

Sincerely,

\_\_\_\_\_ President, \_\_\_\_\_ Association,  
etc.

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# MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

## MEMORANDUM

TO: Jimmy Morales, City Manager

FROM: Ed Tobin, Commissioner

DATE: May 15<sup>th</sup>, 2015

SUBJECT: Agenda item for May 20th, 2015 City Commission Meeting

Please place on the May 20<sup>th</sup>, 2015 Agenda for City Commission Meeting a discussion and referral to Land Use regarding the degradation of the sea wall in the Lakeview Drive neighborhood on Miami Beach.

Attached please find an email outlining resident concerns.

If you have any questions please do not hesitate to call our office.

Best Regards,

Dessiree Kane  
on behalf of Commissioner Ed Tobin

1/3

## Kane, Dessiree

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**From:** Edward Tobin [ed@edtobin.com]  
**Sent:** Friday, May 15, 2015 10:05 AM  
**To:** Jeffrey Bercow  
**Cc:** Morales, Jimmy; Mowry, Bruce; Kane, Dessiree  
**Subject:** Re: Cherokee Avenue street end seawall

Jeff,  
I am placing this on the next Commission Agenda for discussion and/or referral.  
Best,  
Ed

Edward L. Tobin

Sent from my iPhone  
Please excuse any typos

On May 14, 2015, at 9:16 AM, Jeffrey Bercow <[jbercow@brzoninglaw.com](mailto:jbercow@brzoninglaw.com)> wrote:

Dear Commissioner Tobin:

I hope all is well with you. I am writing to you regarding a matter that is affecting my home and the Lakeview Drive neighborhood.

As you may recall, my home abuts the Cherokee Avenue street-end on Surprise Lake. The seawall separating the lake from the street-end has been in a terrible state of disrepair for many years; there is no seawall cap and the wall is cracked and cannot hold back the lake during the higher tides. Please see attached photos take in 2012 and 2013; the situation has only gotten worse. I am concerned that continued degradation of the city seawall will undermine the structural integrity of my seawall, shown in the 2<sup>nd</sup> attachment. Please stop by when you are next in the neighborhood, and I would be happy to show you the extent of the problem.

When the General Obligation Bond was approved by the electorate 15 years ago, repairs to this seawall were part of the package for the LaGorce neighborhood. Despite my repeated efforts since then with City staff - and I have a very thick file that I would be very happy to share with you - and the many promises of city staff (Public Works, Capital Improvements) that the project would be bid out in a few months, there have been no repairs to the

seawall. As far as I can tell, there is nothing planned in the near future that will remedy this problem.

The Manager has been very helpful in attempting to address this issue; I have had several meetings with him and staff members since you have been in office in an attempt to move this issue forward. But I can't honestly say that we are any closer to a solution today than we were a few years ago.

I have corresponded with staff in the recent past, and have had several candid discussions with the City Engineer. Mr. Mowry believes that this seawall needs repair/replacement, but has told me that there are no funds for individual seawall projects; in order to fund seawall projects this year staff needs to tie the seawall work with other work that is funded. There is no pending project with funding in my neighborhood to which the Cherokee seawall work can be tied.

And that is why, Commissioner, I need your help in making sure that this seawall repair project is funded and expedited. We all know how important seawalls are to the Commission's efforts to make sure that the City is protected from climate change.

I will be following up by telephone later today.

Sincerely yours,

Jeff Bercow

	<b>Bio</b>	<u>Vcard</u>
<b>JEFFREY BERECOW, ESQ.</b>		
Bercow Radell & Fernandez, P.A. 200 South Biscayne Boulevard, Suite 850 Miami, FL 33131		
305.377.6220   Office 305.898.3881   Cell 305.377.6222   Fax <a href="mailto:jbercow@brzoninglaw.com">jbercow@brzoninglaw.com</a>		

3/3

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