

MIAMI BEACH

Presentations & Awards/Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
October 21, 2015

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

City Manager Jimmy L. Morales
City Attorney Raul J. Aguila
City Clerk Rafael E. Granado Absent
Assistant City Clerk Liliam R. Hatfield

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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 Office of the City Clerk. Questions regarding the provisions of the Code should be directed to the Office of the City Attorney.

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).

In order to ensure adequate public consideration, if necessary, the Mayor and City Commission may move any agenda item to an alternate meeting date. In addition, the Mayor and City Commission may, at their discretion, adjourn the Commission Meeting without reaching all agenda items.

ADDENDUM MATERIAL 1:

R9B

ADDENDUM MATERIAL 2:

R7J

SUPPLEMENTAL MATERIAL 1:

R9A Memorandum & Resolution

SUPPLEMENTAL MATERIAL 2:

R7B Updated Exhibit

R7E Memorandum & Resolution

Meeting called to order at 5:05:26 p.m.

Pledge of Allegiance led by Police Chief Daniel Oates.

Mayor Levine gave an update on City Clerk Rafael E. Granado, who underwent a surgical procedure; he visited him this morning and he is doing great; he will be on medical leave for a few weeks. Mayor Levine recognized Liliam for being such a great part of the City and Acting Clerk during this meeting.

Presentations and Awards

5:10:39 p.m.

PA1 Presentation Of 100 Automatic External Defibrillators (AEDs) Purchased By Baptist Health South Florida And Donated To The City Of Miami Beach.
(Police)

ACTION: Plaque presented.

Police Chief Daniel Oates explained that the officers were able to respond and save a life so quickly, because of the generous donations of AEDs by Baptist Health; they recently donated 100 AEDs to the Police Department, and a few to the Fire and Parks & Recreation Departments. About 80 AEDs are in patrol cars seven days a week, 24 hours a day. There are four to five AEDs available at any one time, at least among the patrol force. This is a huge movement forward in terms of citizen's safety. He is pleased to welcome the following distinguished individuals from Baptist Health South Florida: Dr. Arthur Agatston, Medical Director of Wellness & Prevention, Baptist Health South Florida, Dr. Jack Ziffer, Executive Vice President & Chief Physician Executive, Baptist Health South Florida, Dr. John Dylewski, Medical Director of Cardiac Electrophysiology at South Miami Heart Center, Ben Mollere, Corporate Vice President of Hospitality & Business Relations, Baptist Health South Florida, Jose Romano, Corporate Assistance Vice President of Business & Community Relations, Baptist Health South Florida and Jessi Berrin, Director of Government & Community Relations, Baptist Health South Florida He is proud to present a plaque on behalf of the Mayor and the City.

In answering Mayor Levine's question, Dr. Agatston explained that when somebody has a heart attack, part of their heart muscles dies, and oftentimes, that muscle causes the electrical short-circuit that can kill in a few minutes. If you have a defibrillator, AEDs or automated external defibrillators, the patient can receive an electric shock and be brought back to life. Time is of the essence, and having these in the police and fire squads will absolutely save lives. It is often too late if you wait until the patient gets to the hospital. As a Miami Beach resident he is thrilled that Baptist Health South Florida was able to do this.

Mayor Levine announced that Baptist Health South Florida is offering a free Senior Health Fair Saturday, October 24, 2015 from 10:00 a.m. to 1:00 p.m. at the North Shore Park Youth Center; the event offers complimentary flu shots, medical screening, chair massages, mind and body activities and health education. They hope a lot of people come out to this great event.

5:20:26 p.m.

- PA2 Commend All Firefighters Of The Fire Department For Their Efforts With The 2015 "Fill The Boot" Campaign On Behalf Of The Muscular Dystrophy Association And Proclaim The Month Of September As "City Of Miami Beach Firefighter Appreciation Month."
(Fire)

ACTION: Presentation deferred.

Fire Chief Fernandez requested deferral of the Presentation.

5:21:02 p.m.

- PA3 Proclamation To Be Presented Honoring The Late Dr. Harold Unger.
(Sponsored by Commissioner Joy Malakoff)

ACTION: Proclamation presented in honor of Dr. Harold Unger posthumously.

Commissioner Malakoff stated that this is National Breast Cancer Awareness Month, and this proclamation is in memory of Dr. Harold Unger, a man who represents four generations of physicians in the City. She read the proclamation into the record:

"Dr. Harold Unger was born on February 16, 1926 in New York City. He graduated from the College of Physicians and Surgeons at Columbia University and served as a Captain in the U.S. Air Force. Dr. Unger left an extraordinary legacy in South Florida, including the countless lives that he impacted and saved since he began his surgical practice at Mt. Sinai Medical Center back in 1955. Whereas, in the early 1970s, Dr. Unger was a pioneer in the concept of immediate breast reconstruction, at a time when that concept was controversial. Dr. Unger and Dr. Thomas Seidan, Sr., would take a patient to surgery, and if the events mandated a mastectomy, Dr. Unger would do the mastectomy and Dr. Seidan would do immediate reconstruction, so that even with a mastectomy, the patient would wake up with a breast. This was called into question by other doctors who felt this did not follow cancer surgery guidelines, but Dr. Unger and Dr. Seidan faced peer review criticism, but felt they were right and persisted. Time has proven that they were not only right, but they were way ahead of their time in what has become a standard of care. The four generations Unger legacy of practicing physicians at Mt. Sinai began with the late youngest Unger, Carol's father; his son, Dr. Stephen Unger is Chairman of the Department of Surgery at Mt. Sinai, and his grandson, Dr. Joshua M. Unger is a vascular surgeon at Mt. Sinai. After retiring, Dr. Unger and his loving wife of 68 years, Carol Unger, started Imagination Unlimited, a business-based on their other love, collecting gems and silver. They became Jensen Authorities. Whereas, Dr. Unger was an incredible role model for all his family, his children, who are here today, Wendy, Stephen, Arthur and Nancy Unger; nine grandchildren and nine great-grandchildren. Whereas, the City of Miami Beach recognizes Dr. Harold Unger for his contribution as an early innovator of immediate reconstruction of the breast in breast cancer patients. Now therefore, do we as Mayor and Commissioners of the City of Miami Beach, hereby proclaim October 21, 2015 as Doctor Harold Unger Day."

Wendy Unger thanked the City Commission on behalf of her family and recognized Bonnie Stewart for doing an accurate research on her father. She stated that she is a "pink warrior," she is a breast cancer pre-vivor; this is a word that some may not recognize. She explained that she has the hereditary breast and ovarian cancer gene mutation and had preemptive surgery to prevent the risk of cancer. This started out to recognize National Hereditary Breast and Ovarian Cancer Week in September, but because there were no September recognitions, Commissioner

Malakoff was nice enough to recognize her father and she expressed her gratitude. She encouraged everybody to have breast cancer exams, regardless of the new guidelines. It is very important that you individuals get tested, man or woman, for breast cancer. This disease can be prevented.

Dr. Stephen Unger thanked the City Commission on behalf of the physician side of the family. His dad was a tremendous legacy and role model for them, and the grandchildren and great-grandchildren will help to carry on the legacy in Miami Beach.

05:07:06 p.m.

New Item

PA4 Certificates Of Recognition To Sergeant Ortiz, Officer Delgado And Officer Cabrera.
(Sponsored by Commissioner Michael Grieco)

ACTION: Certificates presented to Sergeant Gilberto Ortiz and Officers Edward Delgado and Juan Cabrera.

Commissioner Grieco stated that when there is a special incident involving the law enforcement, the City Commission and staff receive immediate notification to be alerted as to what is going on. He stated that on September 8, 2015, a very serious incident occurred, and some officers went above and beyond their duty. He thinks this is something that deserves recognition. He introduced Major Causey to explain the incident.

Major Mark Causey explained that they received a call of a man who hung himself by a rope from a tree on his property. Three officers responded; the victim was hanging by the neck from the tree. Two of the officers lifted him up in the air to relieve the pressure from the knot. The third officer jumped onto a wooden fence to cut the rope, and when he did, the fence broke and the officer hurt his face. This was the first use of their recently deployed AEDs. The victim was given CPR and then taken to Mt. Sinai hospital.

Mayor Levine stated that people are learning more and more that Miami Beach has one of the greatest police forces in the entire country, and they are only getting better.

5:28:30 p.m.

5:39:28 p.m.

New Item

PA5 Proclamation Honoring National Customer Service Week.
(Sponsored by Commissioner Michael Grieco,
Mayor Philip Levine & Commissioner Malakoff)

ACTION: Proclamation presented to Manny Marquez and Nattaly Cuervo.

Mayor Levine introduced the item.

Commissioner Malakoff read the proclamation into the record:

"This is National Customer Service Week; the goal of National Customer Service Week is to create a positive message that lasts all year long to provide a productive opportunity to generate an even stronger commitment to customer service excellence. Whereas, the City of Miami Beach Customer Service Center's goal is to enrich and enhance the quality of

service, provided internally and externally, and to bridge the City's business by providing customer service excellence; therefore, maintaining excellent, long-term citizen relationships. Whereas, the elected officials, departments and agencies of the City of Miami Beach all have, as their primary concern, the commitment to provide significant services directly to the public, citizens, residents and visitors of Miami Beach. Now therefore do we, Office of the Mayor and Commission of the City of Miami Beach, hereby proclaim the first week of October, 2015, as National Customer Service Week."

Mayor Levine gave a special thanks to City Manager Morales, for bringing a tremendous level of customer service to City's residents and visitors.

City Manager Morales asked Mr. Marquez to inform them how many transactions they process weekly, because it is truly incredible.

Manny Marquez, Revenue Manager, stated that in FY15, they had over 39,000 face-to-face transactions in the Customer Service Center. In addition, they had over 37,000 telephone calls that they handle. It is a very busy operation and they service from 175 to 200 customers per day.

5:29:10 p.m.

New Item

PA6 Proclamation To Be Presented To Dino Spencer, For The Good Services He Gives To Our Community.

(Sponsored by Commissioner Deede Weithorn)

ACTION: Proclamation presented.

Commissioner Weithorn read the proclamation into the record:

"Dino Spencer was born and raised in Chicago Illinois. In 2009, he moved to Miami Beach where he then decided in 2010 to reopen the historically well-known 5th Street Gym, on the corner of Washington and 5th. A few years later that location was sold and he had to move the gym to Alton and 14th Street. He has over 40 years of experience in martial arts, boxing, training and 32 years of teaching. He has trained over 15,000 students during his career. His love and dedication for boxing led him to contemplate about different initiatives he could take to make a difference in the community and give back. He decided to train patients with cancer, children with autism, Down's Syndrome, Cerebral Palsy and the underprivileged at absolutely no cost. The City of Miami Beach is proud to have an outstanding resident, such as Dino Spencer, who contributes his time and gives back so much to our community. Your dedication and contribution is truly commendable. We proclaim today, on behalf of the Mayor and the City Commission, October 15, 2015, Dino Spencer Day, and may God bless you for the work you do with cancer patients and children."

Dino Spencer thanked the City Commission. He encouraged people to approach him at the gym if anyone thinks that boxing may help them. They have professional boxers at the gym and world champions that would love the opportunity to help. People come from all over the world to train with them and enjoy visiting Miami Beach. If the opportunity ever arises, the door is open and they would love to help more than they already have.

5:32:56 p.m.

New Item

- PA7 Certificates Of Recognition To Be Presented To Recipients For Their Outstanding Performance In The 2015 USLA Nautica National Lifeguard Championships.
(Sponsored by Mayor Philip Levine)

ACTION: Certificates of Recognition to Lieutenants Leigh Emerson and Gerry Falconer, Lifeguards Javier Mayor, Bert Soden, Cynthia Aguilar, Pete Prachtakov, David Cupp, John Canellas, Jesse Chanying, Jose Ames and Britney Austin.

Lieutenant Gerry Falconer introduced the item, and stated that annually, their professional organization, the United States Lifesaving Association, holds a national competition where lifeguards get a chance to display their skills in a competitive environment. Miami Beach falls into the large team category, which usually encompasses a County organization. They compete against the best, Los Angeles County, California; Mammoth County and their Hawaiian counterparts. He introduced the national champions; some of, if not the best in the country. They set out on the beaches every day and look to protect and serve as best as they can. He introduced, Lifeguards Javier Mayor, Bert Soden, Chief Canosa, Lieutenants Leigh Emerson, Pete Prachtakov and John Canellas. He recognized Chief Alberto Fernandez, who has been very supportive of the group, and also the City Commission.

Mayor Levine expressed his gratitude for representing the City so well, and added that on behalf of the City Commission, visitors and residents recognized them for being out on the front line, every day, protecting one of the City's greatest assets, which is the beach; protecting visitors and residents and this City Commission thanks them every day.

5:16:16 p.m.

New Item

- PA8 Certificates of Recognition/MB Robbery Unit Team, Apprehending the 1935 W. Avenue Robbery Suspects.
(Sponsored by Mayor Philip Levine)

ACTION: Certificates presented to Robbery Lieutenant Jovan Campbell, Robbery Sergeant Alfredo Amaya, Lead Detective Martin Garcia, Assisting Detectives Grant Reid, Robert Lanier, JC Sampedro, Wilson Romero; USMS Assisting Agents Ron Filo, Jason Poore, Christian Perez and Roberto Rodriguez.

Chief Oates introduced the item.

Major Richard Clements introduced the detectives involved in the apprehension of the suspects, and informed that on a Sunday morning, two suspects entered a consignment store located on West Avenue. Patrons of that location experienced an armed violent takeover, and some were either kicked or hit with a firearm. Officers could only rely on the store video for the investigation; but the video was marred by the fact that two of the perpetrators disguised themselves with women's clothing. The officers immediately distributed flyers department wide. CID Officers recognized the images and robbery detectives were able to utilize cell phone information; they reached out to the Marshall's Office and in partnership conducted surveillance and identified both subjects. They are happy to report that the subjects are in custody and will not be committing crimes like this in the future in Miami Beach. He introduced the group and thanked them for their assistance.

Mayor Levine thanked them for an incredible service.

Handouts or Reference Materials:

1. Email from Fatima Perez RE: 1935 West Ave Robbery, Item PA8.

5:36:31 p.m.

New Item

PA9 Proclamation To Be Presented In Honor Of National Magic Week, And Received By Jolie Dreiling World Champion Magician.

(Sponsored by Mayor Philip Levine)

ACTION: Proclamation presented.

Mayor Levine introduced Jolie Dreiling, and read the proclamation into the record:

“Jolie Harley Dreiling is not only the Junior close-up Magic Champion of the 87th Annual International Brotherhood of Magicians, but the world champion, an unprecedented feat of historic proportions. And in between her seamless prestidigitation, Jolie is visiting some at her studies at school and volunteering her talents at esteemed nonprofits, including Miami Beach based Little Lighthouse Foundation, and the Ronald McDonald House. Whereas, the youngest female ever to be a world champion magic; Jolie is just 13, applies her finesse in the classroom too, earning straight A's in her eighth grade studies that include advance mathematics and French. And Whereas, Jolie is looking forward to spending her spring break studying at the Las Vegas prestigious Jeff McBride's Magic & Mystery School; and Whereas, the charitable and civic-minded magic mastermind finds inspiration in her native Miami Beach, a City which she described as magical in its own right, and Whereas, the City of Miami Beach is so proud of Jolie Harley Dreiling and all of her accomplishments, Now, Therefore, Do I, Philip Levine, as the Mayor of the City of Miami Beach hereby proclaim October 21, 2015 as Jolie Harley Dreiling Day.”

5:43:03 p.m.

Liliam Hatfield, Assistant City Clerk, announced that pursuant to **Sec. 2-12(3)** Addendum items R7J and R9B require a 5/7 vote of the City Commission to be added to the Agenda.

City Clerk's Note:

Sec. 2-12(3)

Addendum agenda items - Any item not included in the agenda submitted to the Mayor and City Commission on the initial print day must be submitted by the City Clerk to the Mayor for a determination whether the item is to be placed on the Agenda as an addendum item. If the Mayor declines to place the item on the agenda as an addendum item, then the item shall be submitted to the City Commission for a vote and the item shall only be considered at the City Commission Meeting upon a finding by the City Commission, by a five-seventh (5/7th) affirmative vote.

City Attorney Aguila read the titles for R7J and R9B into the record.

ADDENDUM

5:43:24 p.m.

Motion made by Commissioner Weithorn to add Item R7J to the Presentation and Awards Commission Agenda, seconded by Commissioner Grieco; Voice vote: 7-0.

5:43:41 p.m.

Motion made by Commissioner Grieco to add Item R9B to the Presentation and Awards Commission Agenda, seconded by Mayor Levine for discussion; Voice vote: 7-0.

5:44:16 p.m.

Raul J. Aguila, City Attorney, stated that in regards to the Regular Agenda, he recommends that the City Commission hears Item R7B, which is the acceptance of the Guaranteed Maximum Price amendment with the Construction Manager At Risk Agreement with Clark Construction for the Miami Beach Convention Center project, be heard prior to R5B, which is Amending Chapter 102 regarding the 1% tax to be paid on rent of every occupancy.

REGULAR AGENDA

- R2A Request For Approval To Issue A Request For Qualifications (RFQ) No. 2015-245-KB For Architectural And Engineering Design Services For The Lincoln Road District Improvements.
(Procurement/Capital Improvement Projects)
(Continued from October 14, 2015 – C2A)

ACTION: Motion made by Commissioner Weithorn to open and continue the item to the October 28, 2015 Special Commission Meeting. Approved by acclamation. Lilia Cardillo to place on the October 28, 2015 Special Commission Agenda if received. **Alex Denis to handle.**

Jimmy L. Morales, City Manager, announced that this item was continued from the October 14, 2015, as the Commissioner wanted to obtain comments from property owners. Unfortunately, the comments from property owners were received this morning and there are issues to be looked at. He recommended that the item be continued to the October 28, 2015 Commission Meeting.

R5 - Ordinances

5:45:44 p.m.

- R5A Sunset Harbour CD-2 Entertainment Prohibition
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 5, "CD-2 Commercial Medium Intensity District," At Section 142-305, "Prohibited Uses," By Adding Bars, Dance Halls, And Entertainment Establishments As Prohibited Uses Within The CD-2, Sunset Harbour Neighborhood, Generally Bounded By Purdy Avenue, 20th Street, Alton Road And Dade Boulevard; Providing For Codification; Repealer; Severability; Applicability; And An Effective Date.

5:05 p.m. First Reading Public Hearing

(Sponsored by Commissioner Joy Malakoff)
(Legislative Tracking: Planning)

ACTION: Title of the ordinance read into the record. Public Hearing held. **Ordinance approved on first reading.** Motion made by Commissioner Malakoff, seconded by Commissioner Weithorn to approve the Ordinance on first reading and refer item to the Planning Board for action prior to the Second Reading; Ballot-vote: 7-0. Second Reading, Public Hearing scheduled for **December 9, 2015.** Liliam Hatfield to notice. Lilia Cardillo to place on the Commission Agenda if received. **Thomas Mooney to handle.**

Thomas Mooney, Planning Department Director, explained that this is basically a correction; In 2012 there was an amendment to the CD-2 section of the City Code pertaining to the Sunset Harbor Area, and inadvertently the prohibition on bars, dance halls and entertainment establishments was removed. This Ordinance reinserts this section under prohibited uses. The

item is to be discussed at the Planning Board on the October 27, 2015 and come back for second reading on December 9, 2015.

Commissioner Malakoff asked for support for moving this Ordinance forward, because it was meant to be as part of the Sunset Harbor area prohibition, and it was just inadvertently left out in 2012. It is just a question of getting this prohibition language back on the books.

Commissioner Grieco thinks this is good as are other mixed use areas where this is appropriate, and asked if this is grandfathered for Purdy Lounge. Mr. Mooney answered in the affirmative.

Commissioner Wolfson asked if by referring the item to the Planning Board, it would create zoning in progress; Mr. Mooney answered Yes.

Mr. Mooney explained that entertainment is any type of live musical instrument and any type of volume that is played beyond levels of ambient level or normal conversation levels.

Discussion held.

Handouts or Reference Materials:

1. Ad No. 1100 published in The Miami Herald Neighbors Section
2. Ad No. 1097 published in The Miami Herald Neighbors Section

6:05:33 p.m.

R5B An Ordinance Amending The Code Of The City Of Miami Beach By Amending Chapter 102, Entitled "Taxation," By Amending Article IV, Entitled "Resort Tax," By Amending Section 102-307, Entitled "Imposition Of Tax; Rate," By Amending Subsection A Thereof Regarding The Rate Of The Tax To Be Paid On The Rent Of Every Occupancy Of A Room Or Rooms In Any Hotel, Motel, Roominghouse, Or Apartment House In The City, Pursuant To Section 5.03(B) Of The City Charter; Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**
(Sponsored by Commissioner Michael Grieco)
(Legislative Tracking: Finance)

ACTION: Title of the ordinance read into the record. **Ordinance approved on first reading.** Motion made by Commissioner Grieco; seconded by Commissioner Malakoff; Ballot-vote: 7-0. Second Reading, Public Hearing scheduled for **October 28, 2015**. Lilia Hatfield to notice. Lilia Cardillo to place on the Commission Agenda if received. **John Woodruff to handle.**

Maria Hernandez, Capital Projects Director, MBCC, explained that the one penny tax was approved in 2012 overwhelmingly by the voters.

No further discussion.

Handouts or Reference Materials:

1. Ad No. 1097 published in The Miami Herald Neighbors Section

R7 - Resolutions

6:07:50 p.m.

R7A A Resolution Adopting The Fourth Amendment To The General Fund, Enterprise Fund, Internal Service Fund, And Special Revenue Fund Budgets For Fiscal Year (FY) 2014/15. **5:06 p.m.**

Public Hearing

(Budget & Performance Improvement)

ACTION: Title of the ordinance read into the record. Public Hearing held. **Resolution 2015-29187 approved.** Motion made by Commissioner Malakoff; seconded by Commissioner Grieco; Roll call: 7-0. **John Woodruff to handle.**

John Woodruff, Budget & Performance Improvement Director, stated that the City is required within 60 days of the end of the fiscal year to balance every department budget; therefore, based on the third-quarter analysis, to be distributed via LTC next week, they found four budgets that needed minor adjustment.

Handouts or Reference Materials:

1. Ad No. 1100 published in The Miami Herald Neighbors Section

5:49:15 p.m.

R7B A Resolution Accepting, Pursuant To Article 6 Of The Construction Manager At Risk Agreement ("Agreement") Between The City And Clark Construction Group, LLC ("Clark") For The Miami Beach Convention Center Renovation And Expansion Project ("Project"), A Guaranteed Maximum Price ("GMP") For The Project In The Amount Of \$515,458,058.00; Approving And Authorizing The Mayor And City Clerk To Execute The GMP Amendment To The Agreement; Authorizing The Direct Purchase Of Materials And Equipment In Accordance With The Agreement; Authorizing The City Manager To Bind Coverage For Builder's Risk And Other Insurance For The Project In An Amount Not-To-Exceed \$11,600,000.00 (Net Of Non-Construction Related Premiums For On-Going Convention Center Operations); Establishing A City Contingency For The Project, For Use By The City, In The Amount Of \$35,000,000.00; And Delegating To The City Manager The Authority To Use The City Contingency To Execute Any Project-Related Agreements Or Contract Amendments As May Be Necessary For The Successful Delivery Of The Project, With Monthly Reporting To The City Commission With Regard To Utilization Thereof.

(Office of the City Manager/Office of the City Attorney)

ACTION: Resolution 2015-29188 approved. Motion made by Commissioner Malakoff; seconded by Commissioner Grieco; Voice vote: 7-0. **Offices of the City Manager and City Attorney to handle.**

Raul J. Aguila, City Attorney, introduced the item.

Maria Hernandez, Capital Projects Director, MBCC, stated that staff, and with the assistance of Jeff Sachs, Strategic Advisory Group Consultant, they will bring before this City Commission the final documents needed in order to commence construction of the Convention Center in December 2015, after the Art Basel Fair. Present in the audience is the team of members who will be supporting the City in the execution of the project; Clark Construction, Sidney J. Jordan, Division President & CEO, Northern & Southern Region, William Dean, Vice President at Clark

Construction Group, LLC, and James Faddis, Chief Estimator; together with a staff of 22 completed the GMP amendment document, which will become part of the City's contract. They will be handing the project to Scott Lawson, their Vice President, who is relocating from Irvine, CA to Miami Beach to run the project in the field. From Hill International, Eladio Castrodad, P.E., and Senior Project Manager Steven V. DiBartolo, who also relocated from Pennsylvania to live one block from the project for the next two and half years; Fentress architects, the City's design firm, Michael Winters, Director Of Design And Interiors and John Kudrycki, AIA, Associate Principal. Their firm will continue into construction administration with a full-time person on-site over the course of the next 30 months. The action taken today will be requesting approval of the Guaranteed Maximum Price amendment for Clark Construction. She explained that a PowerPoint presentation will be shown, explaining the process and how staff got to the construction budget; it also explains the City's owners soft costs required for a project of this complexity and scale. They will go over the details of the owner's contingency; an amount that can only be used by the City. They are additionally asking for approval to impose the 1% resort tax; approval to amend the contract with Strategic Advisor Group, and approval of an amendment to Hill International's contract for additional support during the construction phase. Should the City Commission approve the imposition of the 1% tax today, then on October 28, at 5:00 p.m., staff will ask to approve the item at second reading.

Jeff Sachs, Strategic Advisory Group Consultant, presented a [PowerPoint presentation](#).

Jimmy L. Morales, City Manager, recognized Maria Hernandez and her team for the tremendous work performed so far.

Commissioner Malakoff added that she was able to communicate the details of the project and the caliber of the construction with clarity and commended her.

Handouts or Reference Materials:

1. Construction Manager At Risk GMP Amendment dated October 21, 2015.

6:09:17 p.m.

R7C A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Amended And Restated Agreement With Hill International, Inc., For Owners Representative Services For The Miami Beach Convention Center Renovation And Expansion Project ("Project"), In The Amount Of \$6,303,753.

(Office of the City Manager/Office of the City Attorney)

ACTION: Resolution 2015-29189 approved. Motion made by Commissioner Wolfson; seconded by Commissioner Malakoff; Voice vote: 7-0. **Offices of the City Manager and City Attorney to handle.**

Raul J. Aguila, City Attorney, introduced the item.

Maria Hernandez, Capital Projects Director, MBCC, explained that when the Hills International Contract was originally executed, they were under a design/build approach, for which the contractor takes on much more responsibility for the architect that is under their contract. When they switched over to the CM At-Risk method, the City takes on more responsibility and risk, because the architect of record is under direct contract with the City. In order to monitor that correctly, Hill International needs two more individuals under their contract. This is a contract for the additional bodies for Hill Int'l, as well as to have a threshold inspector, who will manage under their contract on behalf of the City.

Discussion held regarding additional employees.

Jeff Sachs, Strategic Advisory Group Consultant, in answering Vice-Mayor Tobin's questions, explained that they are adding two full-time equivalents, but there are various people that have been added throughout the schedule. That service was competitively bid; they had billing rate from different bidders, with the average billing rate being \$145 an hour, which includes full burden profit, overhead, taxes and salaries. Their billing rate per hour range from \$130 to \$170. The new hours are an average of \$145 per hour; not the personal compensation.

6:12:47 p.m.

R7D A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 8 To The Professional Services Agreement Between The City Of Miami Beach And Strategic Advisory Group Dated October 19, 2011 For Consulting Services Relative To The Expansion And Enhancement Of The Miami Beach Convention Center In An Amount Not-To-Exceed \$700,000.00, Including All Reimbursable Expenses.

(Office of the City Manager/Office of the City Attorney)

ACTION: Resolution 2015-29190 approved. Motion made by Commissioner Weithorn; seconded by Vice-Mayor Tobin; Voice vote: 7-0. **Offices of the City Manager and City Attorney to handle.**

Raul J. Aguila, City Attorney, introduced the item.

Maria Hernandez, Capital Projects Director Convention Center, stated that this is a three-part amendment. One part pertains to the Convention Center construction. They desire to keep Jeff Sachs involved in the project until the project is delivered, as he has been a key person, if not almost a partner with the City. He negotiated these contracts, and knows what the City has agreed to. The other part of the contract is Asset Management Services; this is for Max's team, and for Daniel Fenton, Associate Principal at Strategic Advisory Group, to keep him on board for another year to help monitor the progress and the contract that the City will possibly extend for the GMCVB. Finally, the last part of is that if the Hotel is adopted in March, then, Jeff Sachs will become a liaison between the City and Portman. This would only be executed if and when the Hotel is approved.

6:18:56 p.m.

SUPPLEMENTAL MATERIAL 2: (Memorandum & Resolution)

R7E A Resolution Accepting The Recommendation Of The City's Finance And Citywide Projects Committee, And Waiving, By A 5/7th Vote, The Competitive Bidding Requirement In Section 82-39(a) Of The City Code, Finding Such Waiver To Be In The Best Interest Of The City; Further Waiving, By A 5/7th Vote, The Appraisal Requirement In Section 82-39(b) Of The City Code, Finding Such Waiver To Be In The Best Interest Of The City; And Approving, Upon First Reading Of This Resolution, A Ground Lease Agreement, Substantially In The Form Attached To This Resolution, Between The City (Owner Or Landlord) And The Sabrina Cohen Foundation (Tenant), In Connection With The Use Of 5,100 Square Feet Of City-Owned Land, Located At Allison Park, Having A Street Address Of 6475 Collins Avenue (Premises), For A Term Of Ninety-Nine (99) Years With No Renewal Options; And Further Setting The Second And Final Reading And Public Hearing Of The Lease, As Required Pursuant To Section 82-37(a)(2) Of The City Code, For A Time Certain On December 9, 2015. **First Reading**
(Sponsored by Commissioner Joy Malakoff)
(Legislative Tracking: Office of the City Attorney/Parks & Recreation/Public Works)

ACTION: Title of the Resolution read into the record. **Resolution 2015-29201 approved on First Reading.** Motion made by Commissioner Malakoff; seconded by Vice-Mayor Tobin; Voice vote: 7-0. Second Reading, Public Hearing scheduled for **December 9, 2015.** Lilia Hatfield to notice. Lilia Cardillo to place on the Commission Agenda if received. **Offices of the City Attorney, John Rebar and Eric Carpenter to handle.**

Pursuant to Section 2-13 of the Code, motion made by Vice-Mayor Tobin accepting the Finance and Citywide Projects Committee's recommendation, seconded by Commissioner Malakoff; Voice vote: 7-0.

Commissioner Weithorn asked Raul J. Aguila, City Attorney, to explain to the members of the public what steps are needed, for the record.

City Attorney Aguila clarified that at the last meeting the City Commission approved the business terms, pursuant to a term sheet of the lease. This is the first step in the City Code and Charter process, which is first reading of the lease and first reading approval. Then the second reading, public hearing, is anticipated to be heard in December. Also, in December, they will bring a ballot question before the City Commission for placement on the March Special Election Ballot. Since this is a lease of park property, is subject to voter referendum approval by majority, following approval by the City Commission.

City Clerk's Note:

Resolution Number added per request of Legal Department on December 8, 2015.

6:44:03 p.m.

R7F A Resolution Authorizing The City Manager To Exercise Two (2) One (1) Year Renewal Terms Of The Agreement Between The City And Global Spectrum, L.P. ("Global") For The Operation, Management, Maintenance, Promotion And Marketing Of The Miami Beach Convention Center And Colony Theatre; Waiving, By 5/7th Vote, The Competitive Bidding Requirement Pursuant To Section 2-367 Of The City Code, For The Limited Purpose Of Approving An Additional Two (2) Year Renewal Term, And Finding Such Waiver To Be In The Best Interest Of The City; And Authorizing The Mayor And City Clerk To Execute Amendment No. 2 Of Said Agreement, With Said Agreement Having A Term Commencing On October 1, 2016, And Ending On September 30, 2020.

(Tourism, Culture & Economic Development)

ACTION: Resolution 2015-29191 approved. Motion made by Commissioner Grieco; seconded by Commissioner Malakoff; Voice vote: 6-1; Opposed: Commissioner Wolfson. **Max Sklar to handle.**

Max Sklar, Tourism, Culture & Economic Development Director, stated that the City has an agreement with Spectrum; their initial term of the current agreement expires in September 2016. Since the construction renovation of the MBCC building will be underway, they thought it would be prudent to start negotiations with them for extension of the contract as allowed, with two one-year extensions through September 2018; however, that does not get them through a full year after completion of the building. They are recommending an additional two years beyond that, which is why they are waiving competitive bids for the additional two years, which will bring this to September 2020. Financial terms of the agreement stay the same with the exception of removing a performance guarantee, which currently reads that it reduces their earned incentive by 15% if they do not meet the approved budget by more than \$50,000.

Commissioner Wolfson is in disagreement of extending the agreement on a bid waiver.

Commissioner Weithorn stated that Global Spectrum proved to good operators. She thinks they have to waive competitive bidding, because of what they have created, not because of what they have done.

Mayor Levine agreed with Commissioner Weithorn.

6:15:26 p.m.

6:22:15 p.m.

R7G A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Agreement Between The City And The Greater Miami Convention And Visitors Bureau (GMCVB), In The Form Attached To This Resolution, With Said Agreement Having A Five (5) Year Initial Term, Commencing Retroactively On October 1, 2015, And Ending On September 30, 2020.
(Tourism, Culture & Economic Development)

ACTION: Resolution 2015-29192 approved. Motion made by Commissioner Wolfson with Vice-Mayor Tobin's recommendations; seconded by Commissioner Weithorn; Voice vote: 6-1; Opposed: Vice-Mayor Tobin. **Max Sklar to handle.**

RECOMMENDATIONS:

- Provide GMCVB an automatic raise yearly, indexed to how much resort tax the City collects, and maintain incentive as it is written, at \$1.5 million.
- Excluded the 1% resort tax, so as not to calculate as part of their performance.
- Include recital for the new City Commission, for fairness, to explain the reason why this City Commission has gone to objective criteria to measure performance.
- Change language to "GMCVB has to provide the City with any documents that the City request, not just the ones enumerated in the agreement."

Mr. Sklar, Tourism, Culture, and Economic Development Director, clarified that the growth and the resort tax is a percentage overall; however, he will make sure that the language is excluded from the agreement. It is defined as a 2% portion. He also explained that about a year ago, the City Commission passed a Resolution extending the GMCVB agreement on a month-to-month basis, and direction was given to negotiate a Phase Plus incentive agreement with them; staff has been negotiating with the help of GMCVB and Dan Fenton, and simultaneously embarked upon a goal setting process with industry stake holders, including representation from the Fontainebleau, Loews Hotel, Marriott Hotels, Golden Properties, Johnson & Wells and Spectrum Management. This resulted in a deliberate process and specific goals were instituted and built into the agreement.

6:22:15 p.m.

Daniel Fenton, Associate Principal, Strategic Advisory Group, showed a [PowerPoint](#) presentation shown.

Max Sklar, Tourism, Culture and Economic Development Director, summarized the contract terms:

- Five year base agreement with a renewal, if they achieve their performance metrics.
- First year of the agreement is at the same level they are today and have been last year at \$5,369,243;
- Second year the base fee reduces to \$4,700,000, because in that year they will actually be able to start collecting an incentive.
- Incentive fee is \$1,500,000 million, but it is prorated starting at 85%; and up to 130%.
- If GMCVB falls below the 85% in one of the metrics, they have a cure period, and the City can put them into default so that the performance is monitored constantly throughout the year.

Vice-Mayor Tobin stated that they still get more money every year, and asked for an explanation.

Mr. Sklar explained that the base fee of the agreement is not tied to CPI, as in the past, but it is tied to the growth or decline in the resort tax collections.

Vice-Mayor Tobin explained that for many years, the industry people would come to Miami Beach and say what a great job the Greater Miami Visitors Convention Bureau is doing; but recently the City had the benefit of having an expert from the industry come and advise that the GMCVB contract is loose, and did not provide any objective performance criteria. In fact, the performance criteria has not been great. Upon renewal of the contract, they take into consideration the amount of people that travel to Miami Beach; but that does not mean that the GMCVB should get the credit for it. He suggested tying the increase and how much money they get to the performance. The agreement as it is written now, provides more money for performance, but in addition, they get more money as the City's resort tax goes up, which is yearly.

Mayor Levine asked for a motion.

Vice-Mayor Tobin suggested that instead of providing GMCVB an automatic raise yearly, indexed to how much resort tax the City collects, leave their incentive as it is written for \$1.5 million.

Discussion held.

Commissioner Grieco stated that the 1% of the resort tax that is being dedicated to the Convention Center, and wants to make sure that it is not used to calculate as part of their performance.

Mr. Sklar explained that the growth and the resort tax is a percentage overall; however, he will make sure that the language is excluded from the agreement. It is defined as a 2% portion. **Max Sklar to handle.**

Commissioner Weithorn agrees, except for the ramp-up period. She thinks that it is really hard to ask GMVCB to do performance when the City is going to have a building that is going to be closed for two years. She suggested delaying two or three years from now.

Discussion continued regarding performance measures.

Vice-Mayor Tobin requested a recital be included for the new City Commission, for fairness, to explain the reason why this City Commission has gone to objective criteria to measure performance. **Approved by acclamation.**

Vice-Mayor Tobin added that the City will have the right to terminate the agreement if GMCVB does not reach the performance measures. GMCVB will have to come in front of the City Commission to hear the performance and to reinstate the contract. I understand they have agreed to that. GMCVB representative agreed.

Vice-Mayor Tobin stated that this agreement refers to specific documents that the City has the right to obtain from GMCVB; and he requested changing the language to "GMCVB has to provide the City with any documents that the City requests, not just the ones specifically enumerated in the agreement now." GMCVB representatives agreed. He also added that GMVCB conducts surveys to see how good their performance is, and they provide their survey to the City. This has been changed to the City doing the survey, and the survey results coming to the City.

Max Sklar, Tourism, Culture, and Economic Development Director, clarified that this is an independent third party that surveys; and it is the same company that conducts surveys at the Convention Center; and the survey results are received directly.

Daniel Fenton, Associate Principal, Strategic Advisory Group, stated that GMCVB is comfortable

with providing surveys as requested by the City.

Vice-Mayor Tobin asked how is GMCVB plan to hit the 1,200 prospects within the time frame and meet their goals.

Mr. Fenton explained that the process is in place; monthly reports show all the new prospects added, including data; they have dedicated people that are working on how to drive business to the Convention Center.

Discussion held regarding number of prospects.

Mr. Fenton answered that the number of prospects will be met within three years.

Commissioner Wolfson added that he was skeptical at first of the performance put forth in years past, but they came in in an open fashion and have provided for everything requested; the deal is a great deal, and with Vice-Mayor Tobin's suggestions that the City Commission has accepted, he moved the item.

6:52:17 p.m.

R7H A Resolution Setting A Public Hearing On December 9, 2015 At 11:00 a.m. For The Owners Of The Property To Be Assessed Within The Proposed Sunset Islands 3 & 4 Utility Improvement District Or Any Other Interested Persons To Be Heard By The Mayor And City Commission As To The Propriety And Advisability Of Funding The Placement Underground Of Utilities On Sunset Islands 3 & 4 With Special Assessments, As To The Cost Thereof, As To The Manner Of Payment Therefor, And As To The Amount To Be Assessed Against Each Property So Improved, Following Which The Mayor And City Commission Shall Meet As An Equalizing Board To Hear And Consider Any And All Complaints As To The Special Assessments And To Adjust And Equalize The Assessments On A Basis Of Justice And Right.

(Capital Improvement Projects/Office of the City Attorney)

ACTION: Resolution 2015-29193 approved. Motion made by Commissioner Weithorn; seconded by Commissioner Grieco to set a public hearing; Voice vote: 7-0. Public Hearing scheduled on **December 9, 2015 at 11:00 a.m.** Liliam Hatfield to notice. Lilia Cardillo to place on the Commission Agenda if received. **David Martinez and Office of the City Attorney to handle.**

City Clerk's Note: Pursuant to Section 170.07 Florida Statutes, 30 days' notice in writing shall be given to each property owner, and the public hearing shall also be advertised by two publications a week apart. **Nick Kallergis to handle.** (Reference Ad 1101 published 10.25.15)

6:46:35 p.m.

R7I A Resolution Of The Mayor And City Commission Of The City Of Miami Beach, Florida, Accepting The Recommendation Of The City Manager And Waiving, By 5/7th Vote, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 3 To The Agreement Between The City And Limousines Of South Florida, Inc., Dated May 8, 2014, For Turn- Key Operations And Maintenance Services Of A Municipal Trolley System For The City Of Miami Beach; Said Amendment Increasing The Scope Of The Agreement To Include The Following: (1) The Addition Of The Operation And Maintenance Services For Two New Routes In Middle Beach (The Middle Beach Loop And The Collins Link); 2) The Addition Of Fourteen (14) Modified High Floor Kneeling Trolley Vehicles For The Operation Of The North Beach And Middle Beach Routes; (3)

A Negotiated New Hourly Rate Commensurate With The Cost Of Said New Trolley Vehicles And The Additional Services For The New Middle Beach Routes; (4) The Early Exercise Of The Two (2) Renewal Options, Extending The Agreement Term Through May 7, 2021; (5) In Addition To The Term Provided In Subsection (4) Of This Resolution, Further Extending The Term, As To Each Route, To Include A Full Sixty (60) Month Term, Commencing As Of The Roll-Out Date Of All The New Trolley Vehicles For Each Respective Route; (6) Authorizing The City Manager To Approve The Purchase Of Additional Optional Equipment For The Trolley Vehicles In The City Fleet, As May Be Needed In The Administration's Discretion, Subject To Funding Availability; And (7) Authorizing The Administration To Make Any Additional Modifications Deemed Necessary With Respect To The Additional Scope Contemplated By The Amendment; Said Amendment Increasing The Cost Of The Agreement, In An Amount Not To Exceed \$6,700,000 Annually.

(Transportation)

(Deferred from October 14, 2015 - R7K)

ACTION: Resolution 2015-29194 approved. Motion made by Commissioner Malakoff to approve the modified trolley option; seconded by Commissioner Grieco; Voice vote: 7-0. **Jose Gonzalez to handle.**

Option 2 -

Modified/"Kneeling" High-Floor/Rear-End Lift Trolley Vehicle

Jose Gonzalez, Transportation Director, on April 15, 2015, pursuant to action from the City Commission, staff was directed to use low floor trolleys on any existing and future trolley loops in the City. This item amends the contract with Limousines of South Florida, (LSF) to include Mid-Beach and the Collins link loops, using a fleet of 15 new low floor trolley vehicles. However, for the record, there is a significant cost differential between the use of low floor and high floor vehicles of approximately \$1.2 million per year. During negotiations with LSF, and in light of concerns with low floor vehicles, LSF provided options for consideration by the City Commission. He explained that there are unforeseen costs that LSF has included in their proposal. The options are to amend the contract and continue with low floor trolleys for Mid Beach and Collins link, or use the high floor trolleys; with an option that the vehicle could be modified to kneel and come down to make it easier for passengers to aboard. Both options are about \$6.7 million per year. As an alternative, the Commission may elect to issue a bid for the use of low floor vehicles for the links, but this may delay the implementation of service by three months and the price may not come in cheaper.

Discussion held regarding cost of low floor, which is \$7.8 million, and cost of high floor trolleys, which is about \$6.7 million.

Jimmy L. Morales, City Manager, explained that the vendor has agreed to go with the modified high floor trolley. In answering Vice-Mayor Tobin's questions, he explained that the North Beach trolley was done on a competitive bid basis, and the vendor was \$18 less per hour. The Alton West was a bid waiver. When comparing the rates given for the high trolleys, even with modification, it is extremely more comparative with what they are doing across the County.

Vice-Mayor Tobin asked if advertisement in the window for the South Beach Local was approved.

Mr. Morales added that the contract for the Alton West provided for advertising as a way to defray the emergency project. North Beach has no advertising.

City Manager Morales added that given the cost issues of \$1.1 million a year, he thinks they achieve the same level of service.

Motion made by Commissioner Malakoff to move the item with the modified trolleys; seconded by Commissioner Grieco.

6:52:39 p.m.

ADDENDUM MATERIAL 2:

R7J A Resolution Consenting To A Settlement Of A Personal Injury Lawsuit Filed By Otoniel Hernandez Against The City Of Miami Beach, And Paying \$200,000.00 From The City's Risk Management Fund Pursuant To Florida Statute §768.28; And Further Authorizing The Execution By The City Attorney's Office Of Any And All Settlement Documents.
(Office of the City Attorney)

ACTION: Resolution 2015-29195 approved. Motion made by Commissioner Weithorn; seconded by Commissioner Grieco; Voice vote: 7-0. **Office of the City Attorney to handle.**

Raul J. Aguila, City Attorney, explained that they are requesting approval of the settlement agreement discussed in Closed Executive Session on February 11, 2015. They are asking for approval to settle this matter up to the sovereign immunity cap of \$200,000. He recommends the City Commission approved this item.

R9 - New Business and Commission Requests

6:53:09 p.m.

SUPPLEMENTAL MATERIAL 1: Memorandum & Resolution

R9A Resolution Approving And Authorizing The City Manager And The City Clerk To Execute A Settlement And Release Agreement, In Such Form And Manner As Shall Be Acceptable To The City Manager And City Attorney's Office, Between The City And 71 Investments, LLC, Regarding Those Requirements Set Forth And Established Within Ordinance No. 2014-3916, And The Property Located At 912 71st Street, Miami Beach, Florida.
(Office of the City Attorney)

ACTION: Discussion held. Resolution 2015-29196 adopted. Motion made by Commissioner Weithorn to adopt the Resolution; seconded by Commissioner Grieco; Voice vote: 6-0; Vice-Mayor Tobin recused himself. **Office of the City Attorney to handle.**

Commissioner Weithorn asked if this is just a release.

Aleksander Boskner, First Assistant City Attorney, explained that it is a settlement agreement that ultimately would be in the form that is approved by the City Manager and City's Attorney's Office regarding the applicability of the nonconforming taking place at the property located at 912 71st Street, which is result of Ordinance 2014-3916.

Vice-Mayor Tobin recused himself, as his brother Edward Tobin came in with the owner of the property and helped him have a discussion with the City Attorney.

Mr. Boskner informed that Mr. Tobin filled out the appropriate Form 8B and is filed with the Office of the City Clerk.

Handouts or Reference Materials:

1. Form 8B signed by Vice-Mayor Tobin - #122

6:54:38 p.m.

ADDENDUM MATERIAL 1:

R9B Discussion Regarding Delaying Effective Date And 1-Time Increase Of Street Parking In South Beach.

(Sponsored by Commissioner Michael Grieco)

ACTION: Discussion held. **Office of the City Attorney to handle.**

- Send printed letter via US Mail to residents and businesses. **City Manager's Office to handle.**
- Send printed letters with water bills. **Finance Department to handle.**
- Send an LTC within 90 days with a status update. **Saul Frances to handle.**
- Re-evaluate the issue of paying parking tickets for \$18 instead of paying for hours of parking.

Commissioner Grieco introduced the item and explained that this is about addressing communication; about outreach to both resident and business owners, as well as non-resident employees and staff. He wants to hear about other adjustments that can be made. He asked Saul Frances, Parking Department Director, what price increments are allowed when people park using the app for park mobile.

Mr. Frances stated that there is no minimum amount; it can be purchased minute by minute.

Discussion held.

Saul Frances, Parking Department Director, explained that parking garages fees will remain at \$1 until they phase it in through the implementation of Skidata. They will also have Park Mobile available at garages so residents will still have that \$1 discount at the garages.

Commissioner Grieco added that out of 90,000 residents, there is an inability to properly get the resident discount and a lot of residents not knowing how to get the resident discount. He asked what is planned to be done to distribute the information. People get inaccurate information and the outreach to the people that live, work and own business in the City of Miami Beach was a disaster. He wants to know what is going to be done to mitigate that inconvenience.

Mr. Frances explained that they have added information specifically for residents; if they are in a residential program, they prequalify and are already entitled to an updated discount. For property owners, a system is set up so that when they call in, they get a live person, and they can verify through a couple of different systems the vehicle information, property owner status through Miami-Dade County Property Appraisers, and get the discount immediately. They also have the task of obtaining all voter registrations from the Elections Department, to be able to cross reference and prequalify those folks.

Discussion held regarding prequalification criteria.

Mr. Frances explained that Parking will confirm on a database the vehicle license plate and input that license plate into the permanent database, which is picked up by Park Mobile and they will receive the discount. He added that some tenants may have to provide proof of residency or utility bills to preregister with the Parking Department.

Discussion continued.

Marcia Monserrat, Special Projects Coordinator, explained that over the last two weeks, staff has

been doing a combination of organic and promoted tweets and posts on Facebook, as well as digital ads in New Times and The Miami Herald; the ads can be accessed via an App that after downloaded redirects the user to a website that is linked directly to the Park Mobile App. She added that for the past weeks, promoted tweets have received over 116,000 impressions on twitter, and promoted posts on Facebook have received 1,000,200 impressions. She added, in answering Commissioner Grieco's question that a message from the City Manager was sent on October 15, 2015, to every single person who participates in a parking residential program, which included an email with two links, one that routes the user directly to the resident information webpage, and the second link routes the user to the Miami Beach Parking App to download; this site contains information about the rate changes and the philosophy behind why these changes are taking place. Over 26,000 emails were sent out with 44% open rate, and 26% collect rates on the link to the App.

Kathie G. Brooks, Assistant City Manager, added that the letter was sent to anyone who had signed up via Constant Contact in the City.

Commissioner Grieco believes the information needs to more people via letter via US Mail to as many people and businesses as they possibly can. The City Commission failed to communicate the changes previously and resident and business owners were very upset. He requested giving direction to the City Manager's Office to send out printed letters via US Mail. **Office of the City Manager to handle.**

Vice-Mayor Tobin thanked Commissioner Grieco for taking the lead on this and suggested sending the printed letters with the water bills as well and there was consensus.

Commissioner Steinberg requested an LTC within 90 days with a status update and for tracking purposes. **Saul Frances and Office of the City Manager to handle.**

Jimmy L. Morales, City Manager, apologized for the loss in the implementation of a very sound policy adopted by this City Commission, and courageous, because it is not easy to tell people that they have to change their behavior. In furtherance of not just communicating, they have also been looking at how to mitigate some of the pain this is causing. He directed Saul and Kathie to identify an additional 1,000 spaces in City garages and lots will be made available for monthly fee parking, for employees and others; first priority will be given to businesses so that there is more capacity there. They were also going to do an outreach to small businesses. He enumerated the options such as Miami-Dade Transit Corporate discount program for employees, Van Pooling through Community Services, and other opportunities for discounts available.

Saul Frances, Parking Director, explained that the City has an existing parking validation program for City garages, so any business that would like to provide parking, whether subsidize, portion or all for parking for their customers, they can participate in this validation program. He explained the way the program works.

Vice-Mayor Tobin added that he noted that residents are coming to City Hall to obtain parking information, and he asked if this information is not readily available online.

Mr. Frances stated that this is the minority of people that are in that situation, but Parking is doing several different initiatives to make it transparent to the resident, either doing it in back of house by checking the database, property tax rolls, and the voters registration.

Discussion continued.

City Manager Morales added that policy considerations that may be helpful is geared to night shift employees, who often get caught in the flat rate fees that start at 8 p.m.; and a possible consideration is to change the flat rate time to 10:00 p.m. for this group of people; the other consideration is the Scooter Parking Program for \$100 per year, and perhaps staff can extend this program to businesses in trying to create more opportunities for employees that have hardships.

Commissioner Grieco asked if they made any changes as to how many hours someone can park.

Saul Frances, Parking Director, stated that this was an administratively; they went to a three hour on street maximum time limit; they rolled that back, and any zone that had previously a longer time limit was rolled back to the previous time limit. This was done to create a turnover and incentivize folks with the rate to use the City garages, as oppose to parking on the street.

Kathie G. Brooks, Assistant City Manager, explained that at committee there was a concern with the \$18 ticket, and there was a discussion at the Commission Meeting to look at being able to issue several tickets throughout the day; the only way to do that is with a time limit, and that is why this was done. They have since then rolled it back.

Vice-Mayor Tobin suggested taking a ticket for \$18 instead of paying for 3.5 hours of parking.

Mr. Brooks explained that it would be a challenge and when they re-evaluate in 90 days, staff can bring this issue back for discussion.

Handout or Reference Material:

1. Miami Beach Parking Initiatives Implemented on October 12, 2015.
2. Email from Fatima Perez dated October 19, 2015 RE: Addendum Item for 10/21 agenda to Commissioner Michael Grieco.

End of Regular Agenda

Meeting adjourned at 7:11:03 p.m.