City of Miami Beach - City Commission Meeting
Commission Chambers, 3rd Floor, City Hall
1700 Convention Center Drive
July 30, 2003

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

City Manager Jorge M. Gonzalez
City Attorney Murray H. Dubbin
City Clerk Robert E. Parcher

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ATTENTION ALL LOBBYISTS

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

REGULAR AGENDA

R5 - Ordinances

R5A An Ordinance Amending Chapter 30 Of The Miami Beach City Code, Section 30-76(B) Entitled "Mitigation", By Providing That Mitigation Requests Must Be Filed Within One Year Of The Entry Of The Special Master Order Imposing The Fine; By Deleting The Ability Of The City And The Violator To Agree To Allow The Mitigation Request Be Filed After The One Year Period Has Lapsed; And By Deleting The Requirement Of City Commission Approval Of Mitigations In Excess Of $100,000; Providing For Repealer, Severability, Codification, And An Effective Date. **10:40 a.m. Second Reading, Public Hearing** (Page 346)
(City Manager's Office)
(First Reading On July 2, 2003)

R5B Occupational License, Annual Fire Safety And Certificate Of Use Ordinances. (Page 351)

1. An Ordinance Amending Chapter 102 Of The City Code, Entitled "Taxation"; Amending Division IV Therein, Entitled "Tax"; Amending Article V Therein, Entitled "Occupational License Tax"; Amending Section 102-379 Therein, Entitled "Schedule Of Taxes"; Said Amendment Providing For An Increase In Fees Charged Annually For Occupational Licenses Of Five Percent (5%) Every Other Year (Rounded To The Nearest Dollar), Effective On October 1, 2003 (Fiscal Year 2003-04); Further Increased By 5% Every Other Year On October 1 Until Such Fees Have Caught Up With The Cumulative Change In Consumer Price Index (CPI) Measured Between June 1994 Through March 2003, Which Is 24.5%; Providing For Another Change Equal To The Cumulative Percent Change In CPI From March 2003 To September 2011; Further Adding An Annual Fee Category For Adult Entertainment Establishment; And Adding A Classification And An Annual Fee Category For Nightclubs (Or A Version Of Dancehall License, As Defined In The City's Zoning Ordinance); Providing For Repealer, Severability, Codification, And An Effective Date. **11:00 a.m. Second Reading, Public Hearing**

2. An Ordinance Amending Chapter 50 Of The City Code, Entitled "Fire Prevention And Protection"; Amending Section 50-5, Entitled "Annual Fire Prevention And Fire Safety Inspection Permit"; Amending Subsection 50-5(d) Thereof, Entitled "Fees"; Amending Appendix A, As Referred To Therein; Said Amendments Providing For An Increase In Fees Charged For Fire Safety Permits Of Fifteen (15%) Percent, Commencing On October 1, 2003 (Fiscal Year 2003-04); Providing For Repealer, Severability, Codification, And An Effective Date. **11:05 a.m. Second Reading, Public Hearing**

3. An Ordinance Amending Chapter 14 Of The City Code, Entitled "Building Regulations"; Amending Division II Therein, Entitled "Permit Fees"; Amending Section 14-426 Therein, Entitled "Annual Facility Permit"; Amending Subsection 14-426(3)(g) Providing For "Certificate Of Use Fees"; Amending Appendix A Therein; Said Amendment Providing For An Increase In Said Fees For Certificates Of Use Of Ten Percent (10%), Effective On October 1, 2003 (Fiscal Year 2003-04); Providing For Another Ten Percent (10%) Increase, Effective On October 1, 2004 (Fiscal Year 2004-05); Providing For Another Ten Percent (10%) Increase, Effective On October 1, 2005 (Fiscal Year 2005-06); Effective On October 1, 2006 (Fiscal Year 2006-07), Providing For Another Increase Equal To The Cumulative Percent Change In The Consumer Price Index (CPI) From March 2003, To September 2006; Providing For Repealer, Severability, Codification, And An Effective Date. **11:10 a.m. Second Reading, Public Hearing**

(Finance Department)
(First Readings On July 2, 2003)

R5C An Ordinance Amending Chapter 82, Entitled "Public Property"; Amending Article IV Therein, Entitled "Uses In Public Rights-Of-Way"; Amending Division V Therein, Entitled "Sidewalk Cafes"; Amending Section 82-383 Therein, Entitled "Tax Renewal Fee; Penalties For Late Payments For Renewal Fee"; Further Amending Appendix A To Section 82-383; Said Amendments Increasing The Annual Fee For Establishing Or Maintaining A Sidewalk Café (As Said Fees Are Set Forth In Appendix A) Based Upon Per Square Foot Of Usable Sidewalk Area, Including The Areas Between Tables And Chairs, To $12.50 Per Square Foot, Commencing On October 1, 2003 (Fiscal Year 2003-04); Providing For An Increase Of Said Annual Fee To $15.00 Per Square Foot, Commencing On October 1, 2004 (Fiscal Year 2004-05); Providing For Repealer, Severability, Codification, And An Effective Date. **11:15 a.m. Second Reading, Public Hearing** (Page 386)

(Finance Department)
(First Reading On July 2, 2003)

R5D An Ordinance Amending Chapter 142 "Land Development Regulations" Of The City Code, Division 7, CCC Civic And Convention Center District, Of The Land Development Regulations Of The City Code In Order To Allow Waivers Of Development Regulations By A Five-Sevenths Vote Of The City Commission For Developments Pertaining To Government-Owned Or Leased Buildings, Uses And Sites Which Are Wholly Used By, Open And Accessible To The General Public, Or Used By Not-For-Profit, Educational, Or Cultural Organizations, Or For Convention Center Hotels, Or Convention Center Hotel Accessory Garages, Or City Utilized Parking Lots, Provided They Are Continually Used For Such Purposes; And To Amend The Public Notice Requirements For Such Waivers, Providing For Codification, Repealer, Severability And Effective Date. **2:00 p.m. First Reading, Public Hearing**. (Page 395)

(Planning Department)

R5E An Ordinance Amending Chapter 122 Of The Miami Beach City Code Entitled "Concurrency Management," By Amending Section 122.8(d) Therein To Allow For The Adoption Of Programs Or Policies Allowing Exemptions From Transportation Concurrency Requirements For Small Businesses Which Impacts To The Existing Roadway Level Of Service Have Been Determined To Be Minor; Providing For Repealer, Codification, Severability And An Effective Date. **First Reading.**(Page 404)

(Public Works)

R7 - Resolutions

R7A A Resolution Approving And Officially Adopting The North Shore Neighborhood Basis Of Design Report (BODR) And Addendum No.1, Which Defines And Describes G.O. Bond, Water And Sewer Bond, And Section 108 Loan Funded Capital Improvements To Be Implemented Through The North Shore Right Of Way Improvement Project. (Page 418)

(Capital Improvements Projects)

R7B A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 1 To The Agreement Between The City Of Miami Beach And URS Corporation - Southern, Dated June 27, 2001 To Provide Program Management Services For The Design And Construction Of A Multipurpose Municipal Facility To Be Constructed In The Parking Lot Adjacent To City Hall In An Amount Not To Exceed $1,003,882; And Further Appropriating Funds From The Parking Enterprise Fund For Said Amendment. (Page 431)

(Capital Improvements Projects)

R7C A Resolution Appropriating Funds In An Amount Not To Exceed $35,000 From South Pointe Redevelopment Tax Increment Funds For Construction Costs For The Victory Garden. **Joint City Commission And Redevelopment Agency**. (Page 446)
(Capital Improvements Projects)

CHARTER REVIEW BALLOT QUESTIONS (Page 451)

R7D

1) A Resolution Calling For A Special Election To Be Held On Tuesday, November 4, 2003, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether The City Charter Should Be Amended To Include Within The Citizen's Bill Of Rights A Policy Statement Of The City To Conserve And Protect Its Natural Resources And Scenic Beauty, Including The Abatement Of Air And Water Pollution And Of Excessive And Unnecessary Noise. (Page456)
(City Attorney's Office)

2) A Resolution Calling For A Special Election To Be Held On Tuesday, November 4, 2003, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether City Charter Section 2.01 Should Be Amended To Change The Run-Off Election Date From One (1) Week After The General Election To Two (2) Weeks After The General Election. (Page 462)
(City Attorney's Office)

3) A Resolution Calling For A Special Election To Be Held On Tuesday, November 4, 2003, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether City Charter Section 6.03 Should Be Amended To Require That Candidates For Elected Office In The City Of Miami Beach Reside In The City For At Least One Year Prior To Qualifying For Office. (Page 467)
(City Attorney's Office)

4) A Resolution Calling For A Special Election To Be Held On Tuesday, November 4, 2003, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether That Language Contained In Section 2.03 Of The Miami Beach City Charter Granting Subpoena Power To The Miami Beach City Commission Should Be Deleted. (Page 473)
(City Attorney's Office)

5) A Resolution Calling For A Special Election To Be Held On Tuesday, November 4, 2003, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether City Charter Section 4.02(i) Regarding The City Manager's Power To Negotiate City Contracts And Agreements Be Amended By Deleting Language Subjecting Said Power To Approval Of The City Attorney, Retaining Language Requiring City Commission Approval Of City Manager Negotiations. (Page 478)
(City Attorney's Office)

6) A Resolution Calling For A Special Election To Be Held On Tuesday, November 4, 2003, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether City Charter, Article V Thereof Regarding "Budget And Finance" Should Be Amended To Require That The City Commission Consider The Long Term Economic Impact (At Least Five Years) Of Legislative Acts. (Page 484)
(City Attorney's Office)

7) A Resolution Calling For A Special Election To Be Held On Tuesday, November 4, 2003, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether Miami Beach Related Special Acts Section 2, Regarding Zoning Board Of Adjustment Should Be Amended By Deleting Reference To Two (2) Non-Voting Ex-Officio Members, And Instead Establishing Two (2) Members As Regular, Voting Members Appointed By The City Commission; Decreasing Number Of City Commission Votes Required For Appointment Of Board Members From 5/7ths Vote Of Commission To 4/7ths Vote; And Increasing Number Of Board Votes Required For Action From 4/5ths Vote To 5/7ths Vote. (Page 489)

(City Attorney's Office)

8) A Resolution Calling For A Special Election To Be Held On Tuesday, November 4, 2003, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether City Of Miami Beach Related Special Acts, Article II Thereof Entitled "Public Library" And Article III Thereof Entitled "Municipal Projects", Be Deleted As Said Language Is Obsolete And/Or Redundant. (Page 496)

(City Attorney's Office)

R7E A Resolution Calling For A Special Election To Be Held On Tuesday, November 4, 2003, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether "Island View Park" (Located Generally At 18th Street And Purdy Avenue In Miami Beach) Shall Be Renamed "Maurice Gibb Memorial Park"? (Page 503)

(City Attorney's Office)

R7F A Resolution Appropriating $56,307 From FY 2003/2004 South Pointe Tax Increment Funds For Additional Services To Be Provided Pursuant To The Program Management Services Agreement Between The City Of Miami Beach And Hazen And Sawyer, P.C., Approved Pursuant To Resolution No. 2001-24247/RDA Resolution No. 379-2001, As Amended June 27, 2001, Pursuant To Resolution No. 2001-24501/RDA Resolution No. 389-2001; Further Approving A Second Amendment To The Agreement To Provide Additional Professional Program Management Services; And Authorizing The City Manager To Execute The Second Amendment To The Agreement, In A Form To Be Approved By The Administration And The City Attorney. **Joint City Commission And Redevelopment Agency** (Page 510)

(Economic Development)

R7G A Resolution Authorizing The City Manager, Or His Designee To Select, Negotiate, Award And Reject All Bids, Contracts, Agreements, Purchase Orders, Change Orders And Grant Applications; Renew Existing Contracts Which May Expire; Terminate Existing Contracts As Needed; From The Last Commission Meeting On July 30, 2003, Until The First Regularly Scheduled Commission Meeting In September 2003, Subject To Ratification By The City Commission At Its First Regularly Scheduled Meeting In September 2003. **Joint City Commission And Redevelopment Agency** (Page 535)

(Procurement)

R7H A Resolution Calling For A Special Election To Be Held On Tuesday, November 4, 2003, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether Article IX Of The City's Related Special Acts Regarding The City's Pension Fund For City Firefighters And Police Officers Should Be Amended, Contingent On Approval Of The Enhanced Benefits Funding Agreement By The Florida Division Of Retirement, To Allow Such Pension Fund Members To Designate A Beneficiary To Receive Optional Survivor Benefits, And To Provide A Lifetime Benefit For Members With A Minimum Ten Year Payment Period As The Normal Form Of Benefit? (Page540)
(Human Resources)

R7I A Resolution Approving On First Public Reading, In Accordance With The Requirements Of Sections 163.3220 – 163.3243 Florida Statutes , Also Referred To As The Florida Local Government Development Agreement Act, A Proposed Development Agreement Between The City Of Miami Beach And The New World Symphony For The Development Of The Surface Parking Lot, Bounded By 17th Street To The North, North Lincoln Lane To The South, Washington Avenue To The East And Pennsylvania Avenue To The West, For Construction Of Approximately 50,000 Square Foot Educational, Performance And Internet Broadcast Facility With An Exterior Screen ("Soundspace"), And Approximately 320-Space (+/-) Public Parking Garage Facility; And Setting The Second Public Hearing For Consideration Of The Development Agreement On September 10, 2003. **10:00 a.m. Public Hearing** (Page 549)
(Economic Development)

R7J A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Lease Agreement Between The City Of Miami Beach And The Miami Beach Federal Credit Union, For Use Of Approximately 1350 Square Feet Of City-Owned Property Located At 1701 Meridian Avenue (AKA 777 - 17th Street), Miami Beach, Florida; And Further Waive, By 5/7ths Vote, The Competitive Bidding And Appraisal Requirements; As Required By Section 82-39 Of The Miami Beach City Code, Finding Such Waiver To Be In The Best Interest Of The City. **10:30 a.m. Public Hearing** (Page 580)
(Economic Development)

R7K A Resolution Establishing An Administrative Process To Review All City Fees Based On A Threshold Change In The Consumer Price Index (CPI) In Concert With A Survey Of Fees For Similar Services In Surrounding Communities Or An Increased Cost Of Providing Such Service(s). (Page 607)
(Finance Department)

R7L A Resolution Setting 1) The Proposed Operating Millage Rate; 2) The Required Debt Service Millage Rate; 3) The Calculated "Rolled-Back" Rate; And, 4) The Date, Time, And Place Of The First Public Hearing To Consider The Millage Rates And Budgets For Fiscal Year (FY) 2003/04; Further Authorizing The City Manager To Transmit This Information To The Miami-Dade County Property Appraisers In The Form Required By Section 200.065, Florida Statutes. (Page 613)
(Finance Department)

R7M A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Setting 1) The Proposed General Operating Millage Rate For The Normandy Shores Neighborhood Improvement District; 2) The Calculated Rolled-Back Rate; And, 3) The Date, Time, And Place Of The First Public Hearing To Consider The Operating Millage Rate And Budget For Fiscal Year (FY) 2003/04; Further Authorizing The City Manager To Transmit This Information To The Miami-Dade County Property Appraiser In The Form Required By Section 200.065, Florida Statutes. (Page 624)

(Finance Department)

R7N A Resolution Amending Resolution No.2000-23445, Increasing The Present Fire Rescue Transport Fees From $310 For Basic Life Support And Advanced Life Support, To $330 For Basic Life Support, $380 For Advanced Life Support 1, And $490 For Advanced Life Support 2 And Maintaining The Current Fees For All Expendable Medical Supplies, With Services Not To Be Withheld Due To A Person's Inability To Pay. (Page 630)

(Fire Department)

R7O A Resolution Amending The One Year Action Plan For Federal Funds For Fiscal Years 1995/1996, 1997/1998, 1998/1999,1999/2000, 2000/2001, 2001/2002, And 2002/2003,To Reprogram CDBG Funds In The Amount Of $1,291,142, And ESG Funds In The Amount Of $335, As Described In Exhibit I To This Resolution; And Further Authorizing The Mayor And City Clerk To Execute The Related Agreements For The Reallocation Of Aforementioned Funds. (Page 635)

(Neighborhood Services)

R7P A Resolution Adopting The Five-Year Consolidated Plan For Federal Funds For Fiscal Years 2003-2007; Authorizing The Administration And The Office Of The City Attorney To Make Minor Non-Substantive Changes To The Five-Year Consolidated Plan Before Execution; Authorizing The City Manager To Execute All Applicable Documents, And Submit The Five-Year Consolidated Plan To The U.S. Department Of Housing And Urban Development (HUD). (Page 642)

(Neighborhood Services)

R7Q A Resolution Adopting The One-Year Action Plan Component Of The Five-Year Consolidated Plan For Federal Funds For Fiscal Year 2003/04, Which Includes The Budgets For The Community Development Block Grant (CDBG) Program, The Home Investment Partnerships (HOME) Program, And The Emergency Shelter Grants (ESG) Program; Authorizing The Mayor And City Clerk To Execute Agreements Necessary To Implement The CDBG, HOME And ESG Activities Of The One-Year Action Plan As Follows: Twenty-Nine (29) CDBG Sub-Recipient Agreements, Three (3) CDBG Interdepartmental Cooperation Agreements, One (1) ESG Interdepartmental Cooperation Agreement; Authorizing The Administration And The Office Of The City Attorney To Make Minor Non-Substantive Changes To The One-Year Action Plan And/Or Aforestated Agreements Before Execution; Amending Certain Agreements, As Set Forth In The Body Of This Resolution, For Fiscal Year 2002/03, For The Community Development Block Grant Program To Extend The Expiration Dates Of Said Agreements; Authorizing The City Manager To Execute All Applicable Documents, And Submit The One-Year Action Plan To The U.S. Department Of Housing And Urban Development (HUD); And Authorizing The Appropriation Of All Federal Funds When Received. (Page 649)

(Neighborhood Services)

R7R

A) A Resolution Establishing A Schedule Of User Fees For Various Parks And Recreation Programs And Services, Facility Admissions And Rentals, And Other Related Activities, As Set Forth In Attachment "1" Hereto; Said Fees Effective On October 1, 2003; Repealing Resolution No. 86,18593, Which Established A Schedule Of Membership And User Fees For Tennis Centers, Pools, Community Centers And Playground Recreation Programs, And Further Resolution No. 86-18677 Which Established A Schedule Of Fees For Rental And/Or Use Of City Of Miami Beach Parks And Recreation Facilities; Further Adopting The Scholarship Schedule, As Delineated In "Attachment 2" Hereto, For Eligible Youth Participating In The City's Recreational Programs. (Page 662)
(Parks & Recreation)

B) A Resolution Authorizing The Administration To Include, In Its Negotiation For Outside Service Provider Recreation Programs, A Revenue Sharing Formula Not To Be Less Than 20%, Based On Economic Viability And Market Analysis; Further Providing That The City Manager Or His Designee May Offer Special Packages And Annual Passes For Residents To Facilities, Including But Not Limited To Swimming Pools, The Ice Rink, And Youth Centers. (Page 662)
(Parks & Recreation)

R7S A Resolution Pursuant To Section 90-221 Of The Miami Beach City Code, And Following A Duly Noticed Public Hearing Raising The Franchise Fee Paid To The City By Private Waste Contractors From The Current Fee Of Fourteen Percent (14%) Of The Franchisee's Total Monthly Gross Receipts For Waste Removal In The City, To Sixteen Percent (16%) Of Said Gross Receipts, Said Raise To Be Effective On October 1, 2003. **10:45 a.m. Public Hearing** (Page 685)
(Public Works)

R7T A Resolution Approving And Authorizing $592,239.00 In City Of Miami Beach Quality Of Life/Resort Tax Funding From Fiscal Year 2001/2002 (Less Five Percent For Administrative Charges To North Beach Development Corporation) For Improvements In The North Beach Community; And Reallocating $73,000.00 In Prior Years' Quality Of Life Funding, In The Amounts Of $15,000.00 From Fiscal Year 99/00; And $58,000.00 From Fiscal Year 00/01; Providing For A Total Of $665,239.00 For The Purpose Of Funding Tourism Oriented Projects In The North Beach Area. (Page 690)
(Tourism and Cultural Development)

R9 - New Business and Commission Requests

R9A Board and Committee Appointments. (Page 744)
(City Clerk's Office)

R9B Discussion And Acceptance Of The Recommendations Of The Charter Review And Revision Board's Second Deliberation Concerning Amendments To The City Charter And The Related Special Acts. (Page 752)
(City Clerk's Office)

R9C Presentation At A Scheduled Public Hearing By Alex Cooper, From Cooper Robertson, Consultant To The City, In Connection With Mediation Discussions And Ongoing Litigation Between West Side Partners And The City Of Miami Beach. (Page 762)
(City Manager's Office)

R9D Discussion Regarding The Quality Of Life Funds And Procedures. (Page 766)
(Requested By Vice-Mayor Matti Herrera Bower)

R9E Discussion Regarding Washington Square Park. (Page 770)
(Requested By Vice-Mayor Matti Herrera Bower)
(Deferred From July 2, 2003)

R9F Discussion Regarding A Resolution Endorsing The "No Hate Campaign," Spearheaded By The Anti-Defamation League And The Miami-Dade Community Relations Board. (Page 796)
(Requested By Commissioner Simon Cruz)

R9G Discussion On The Decision By The Third District Court Of Appeal Regarding The Bert Harris Act. (Page 800)
(Requested By Commissioner Jose Smith)

R9H Discussion On How To Propose A Legislation To Create And Adopt A Dune Project In Conjunction With The Miami Beach Parks And Recreation Department, ECOMB, Teen Job Corp And The Miami Dade Extension. (Page 802)
(Requested By Commissioner Luis R. Garcia, Jr.)

R10 - City Attorney Reports

R10A Notice Of Closed Executive Session. (Page 805)
Pursuant To Section 286.011, Florida Statutes, Closed Executive Sessions Will Be Held During Lunch Recess Of The City Commission Meetings On July 2, 2003 And July 30, 2003 In The City Manager's Large Conference Room, Fourth Floor, City Hall, To Discuss Pending Litigation On The Following Cases:

West Side Partners, Ltd., A Florida Limited Partnership; East Coastline Development, Ltd., A Florida Limited Partnership; 404 Investments, Ltd., A Florida Limited Partnership; Azure Coast Development, Ltd., A Florida Limited Partnership; Beachwalk Development Corporation, A Florida Corporation; Portofino Real Estate Fund, Ltd., A Florida Limited Partnership; St. Tropez Real Estate Fund, Ltd., A Florida Limited Partnership; And Sun & Fun, Inc., A Florida Corporation, Vs. City Of Miami Beach, A Florida Municipal Corporation. Eleventh Judicial Circuit, General Jurisdiction, Case No. 98-13274 CA-30.

East Coastline Development, Ltd., A Florida Limited Partnership Vs. City Of Miami Beach, A Florida Municipal Corporation. Circuit Court Of The Eleventh Judicial Circuit Of Florida, General Jurisdiction Division, Case No. 01-26231 CA 32 (Removed To US Dist. Court, So. Dist. Of Fla. Case No. 01-4921 CIV-MORENO)

East Coastline Development, Ltd., A Florida Limited Partnership, And Catherine F. Colonnese, A Registered Voter In The City Of Miami Beach, Florida, Vs. City Of Miami Beach, A Florida Municipal Corporation. Circuit Court Of The Eleventh Judicial Circuit Of Florida, General Jurisdiction Division, Case No. 01-25812 CA 30 (On Appeal In Third District Court Of Appeal Case No. 3DOI-3350)

The Following Individuals Will Be In Attendance: Mayor David Dermer; Members Of The Commission: Matti Herrera Bower, Simon Cruz, Luis R. Garcia Jr., Saul Gross, Jose Smith And Richard Steinberg; City Attorney Murray H. Dubbin, City Manager Jorge Gonzalez, Chief Deputy City Attorney Donald M. Papy, Deputy City Attorney Jean Olin, First Assistant City Attorney Debora Turner, First Assistant City Attorney Gary Held, Special Counsels Richard Ovelmen And Dan Paul.

R10B Notice Of Closed Executive Session. (Page 807)

Pursuant To Section 286.011, Florida Statutes, A Closed Executive Session Will Be Held During Lunch Recess Of The City Commission Meeting On July 30, 2003 In The City Manager's Large Conference Room, Fourth Floor, City Hall, To Discuss Pending Litigation On The Following Case:

M/A-COM. Inc., A Florida Corporation Vs. City Of Miami Beach, Florida, A Florida Municipal Corporation And Motorola, Inc., A Delaware Corporation. Eleventh Judicial Circuit, General Jurisdiction, Case No. 03-10254 CA 15

The Following Individuals Will Be In Attendance: Mayor David Dermer; Members Of The Commission: Matti Herrera Bower, Simon Cruz, Luis R. Garcia Jr., Saul Gross, Jose Smith And Richard Steinberg; City Attorney Murray H. Dubbin, City Manager Jorge Gonzalez, Deputy City Attorney Jean Olin And First Assistant City Attorney Raul Aguila.

R10C Notice Of Closed Executive Session. (Page 809)

Pursuant To Section 286.011, Florida Statutes, A Closed Executive Session Will Be Held During Lunch Recess Of The City Commission Meeting On July 30, 2003, In The City Manager's Large Conference Room, Fourth Floor, City Hall, To Discuss Strategy Related To Litigation Expenditures In The Following Case:

Royal World Metropolitan Inc. vs. City of Miami Beach, Eleventh Judicial Circuit Court, Case 99-17243 CA 23 and Third District Court of Appeal, Case No. 3D02-3161

The Following Individuals Will Be In Attendance: Mayor David Dermer; Members Of The Commission: Matti H. Bower, Simon Cruz, Luis R. Garcia Jr., Saul Gross, Jose Smith And Richard Steinberg; City Attorney Murray H. Dubbin, City Manager Jorge Gonzalez, First Assistant City Attorney Debora Turner, First Assistant City Attorney Gary Held And Outside Counsel Jennifer Altman, Esq., Steve Zack, Esq. And Richard Ovelmen, Esq.

R10D Notice of Closed Executive Session. (Page 811)

Pursuant to Section 286.011, Florida Statutes, a Closed Executive Session will be held during lunch recess of the City Commission meeting on June 30, 2003 in the City Manager's large conference room, Fourth Floor, City Hall, to discuss settlement on the following cases:

La Gorce Country Club, Inc., vs. City of Miami Beach, Florida. Eleventh Judicial Circuit, General Jurisdiction Division, Case No. 03-12377 CA 30.

La Gorce Country Club, Inc., vs. City of Miami Beach, Florida, etc. Third District Court of Appeal, Case No. 3D03-1314; Lower Tribunal No. 02-210AP

The following individuals will be in attendance: Mayor David Dermer; Members of the Commission: Matti H. Bower, Simon Cruz, Luis R. Garcia Jr., Saul Gross, Jose Smith and Richard Steinberg; City Attorney Murray H. Dubbin, City Manager Jorge Gonzalez, First Assistant City Attorney Debora J. Turner and First Assistant City Attorney Gary Held.

Reports and Informational Items

A. Pursuant To Section 259.032 (10) (B) Of The Florida Statutes, The Following Public Hearing Language Needs To Be Read Into The Record: (Page 814)

NOTICE IS HEREBY GIVEN that an Advisory Group, organized pursuant to Section 259.032 (10) (b) of the Florida Statutes, shall conduct a public hearing, as required by said Statute, to review the proposed and updated Beachfront Management Plan prior to submittal to the State for its approval.

The public hearing will be held at 4:00 p.m. on Wednesday, August 20, 2003, in the City Commission Chambers, 3rd Floor, Miami Beach City Hall, 1700 Convention Center Drive, Miami Beach, Florida.
(Economic Development)

B. City Attorney's Status Report. (Page 816)
(City Attorney's Office)

C. Parking Status Report. (Page 822)
(Parking Department)

D. Non-City Entities Represented By City Commission:
1. Miami-Dade Homeless Trust Board Meeting Minutes Of May 30, 2003. (Page 856)
(Requested By Commissioner Richard Steinberg)

2. Performing Arts Center Trust Board Resolutions As Of July 8, 2003. (Page 864)
(Requested By Commissioner Matti H. Bower)

End of Regular Agenda

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
http:\\ci.miami-beach.fl.us

OFFICE OF THE CITY CLERK

HOW A PERSON MAY APPEAR BEFORE THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA

THE REGULARLY SCHEDULED MEETINGS OF THE CITY COMMISSION ARE ESTABLISHED BY RESOLUTION. SCHEDULED MEETING DATES ARE AVAILABLE ON THE CITY'S WEBSITE, DISPLAYED ON CHANNEL 20, AND ARE AVAILABLE IN THE CITY CLERK'S OFFICE. COMMISSION MEETINGS COMMENCE AT 9:00 AM. GENERALLY THE CITY COMMISSION IS IN RECESS DURING THE MONTH OF AUGUST.

1. DR. STANLEY SUTNICK CITIZENS' FORUM will be held during the first Commission meeting each month. The Forum will be split into two (2) sessions, 1:30 p.m and 5:30 p.m. Approximately thirty (30) minutes will be allocated per session for each of the subjects to be considered, with individuals being limited to no more than three (3) minutes. No appointment or advance notification is needed in order to speak to the Commission during this forum.

2. Prior to every Commission meeting, an Agenda and backup material are published by the Administration. Copies of the Agenda may be obtained at the City Clerk's Office on the Monday prior to the Commission regular meeting. The complete Agenda, including all backup material, is available for inspection the Monday and Tuesday prior to the Commission meeting at the City Clerk's Office and at the following Miami Beach Branch Libraries: Main, North Shore, and South Shore. The information is also available on the City's website which is - http://ci.miami-beach.fl.us.

3. Any person requesting placement of an item on the Agenda must provide a written statement with his/her complete address and telephone number to the Office of the City Manager, 1700 Convention Center Drive, 4th Floor, Miami Beach, Fl 33139, briefly outlining the subject matter of the proposed presentation. In order to determine whether or not the request can be handled administratively, an appointment may be scheduled to discuss the matter with a member of the City Manager's staff. "Requests for Agenda Consideration" will not be placed on the Agenda until after Administrative staff review. Such review will ensure that the issue is germane to the City's business and has been addressed in sufficient detail so that the City Commission may be fully apprised. Such written requests must be received in the City Manager's Office <u>no later than noon on Tuesday of the week prior to the scheduled Commission meeting</u> to allow time for processing and inclusion in the Agenda package. Presenters will be allowed sufficient time, within the discretion of the Mayor, to make their presentations and will be limited to those subjects included in their written requests.

4. Once an Agenda for a Commission Meeting is published, persons wishing to speak on items listed on the Agenda may call or come to City Hall, Office of the City Clerk, 1700 Convention Center Drive, telephone 673-7411, before 5:00 p.m. on the Tuesday prior to the Commission meeting and give their name, the Agenda item to be discussed, and if known, the Agenda item number.

5. All persons who have been listed by the City Clerk to speak on the Agenda item in which they are specifically interested, and persons granted permission by the Mayor, with the approval of the City Commission, will be allowed sufficient time, within the discretion of the Mayor, to present their views. When there are scheduled public hearings on an Agenda item, IT IS NOT necessary to register at the City Clerk's Office in advance of the meeting. All persons wishing to speak at a <u>public hearing</u> may do so and will be allowed sufficient time, within the discretion of the Mayor, to present their views.

6. If a person wishes to address the Commission on an emergency matter, which is not listed on the agenda, there will be a period of <u>fifteen minutes total</u> allocated at the commencement of the Commission Meeting at 9:00 a.m. when the Mayor calls for additions to, deletions from, or corrections to the Agenda. The decision as to whether or not the matter will be heard, and when it will be heard, is at the discretion of the Mayor and the City Commission. On the presentation of an emergency matter, the speaker's remarks must be concise and related to a specific item. Each speaker will be limited to three minutes.

CITY OF MIAMI BEACH

2003 CITY COMMISSION AND REDEVELOPMENT AGENCY MEETINGS

January 8 (Wednesday)

February 5 (Wednesday) February 26 (Wednesday)

March 19 (Wednesday)

April 9 (Wednesday) April 30 (Wednesday)

May 21 (Wednesday)

June 11 (Wednesday)

July 2 (Wednesday) July 30 (Wednesday)

August City Commission is in recess

September 10 (Wednesday)

October 15 (Wednesday)

November 5 (Wednesday) November 19 (Wednesday)*
November 25 (Tuesday)

December 10 (Wednesday)

* If a runoff election is necessary

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Revised: January 3, 2003

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

An Ordinance amending Chapter 30 of the Miami Beach City Code, Section 30-76(b) entitled "Mitigation", by providing that mitigation requests must be filed within one year of the entry of the Special Master Order imposing the fine; by deleting the ability of the City and the violator to agree to allow the mitigation request be filed after the one year period has lapsed; and by deleting the requirement of City Commission approval of mitigation in excess of $100,000.00.

Issue:

Shall the City amend the Code to delete recently enacted changes of the powers of the Special Master to mitigate liens and restore the former procedure?

Item Summary/Recommendation:

The original language was submitted in an effort to reduce the number of lien settlements which were negotiated by the Administration and to employ the Special Master services in providing a hearing for resolution of these matters.

As the Administration has attempted to actually implement the provisions of this Ordinance, it has become apparent that the provisions would tend to blur the respective roles and powers reserved to the Special Master and to the City Commission respectively in City Code and State Statute. The language as adopted in the Ordinance while accomplishing one objective of reducing the Administrative involvement in settlements complicates the overall Special Master system and its administration.

Adopt the Ordinance on Second Reading.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Robert C. Middaugh

Sign-Offs:

Department Director	Assistant City Manager	City Manager

repealordspecmaster2sum

AGENDA ITEM R5A

DATE 7-30-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

SECOND READING-PUBLIC HEARING

Subject: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 30 OF THE MIAMI BEACH CITY CODE, SECTION 30-76(b) ENTITLED "MITIGATION", BY PROVIDING THAT MITIGATION REQUESTS MUST BE FILED WITHIN ONE YEAR OF THE ENTRY OF THE SPECIAL MASTER ORDER IMPOSING THE FINE; BY DELETING THE ABILITY OF THE CITY AND THE VIOLATOR TO AGREE TO ALLOW THE MITIGATION REQUEST BE FILED AFTER THE ONE YEAR PERIOD HAS LAPSED; AND BY DELETING THE REQUIREMENT OF CITY COMMISSION APPROVAL OF MITIGATION IN EXCESS OF $100,000.00; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

ADMINISTRATIVE RECOMMENDATION

Adopt the Ordinance on Second Reading.

ANALYSIS

On April 30, 2003, the Commission enacted Ordinance No. 2003-3409. This Ordinance provided that with the agreement of the City Administration and a party who had violated a City Code, a case involving a property lien could be referred back to the Special Master for a mitigation hearing after the expiration of the Special Master's one year of jurisdiction. The Ordinance further required that for any mitigation in which a fine is reduced for more than $100,000, the City Commission's approval would be required.

The original language was submitted in an effort to reduce the number of lien settlements which were negotiated by the Administration and to employ the Special Master services in providing a hearing for resolution of these matters.

As the Administration has attempted to actually implement the provisions of this Ordinance, it has become apparent that the provisions would tend to blur the respective roles and powers reserved to the Special Master and to the City Commission respectively in City Code and State Statute. The language as adopted in the Ordinance while accomplishing one objective of reducing the Administrative involvement in settlements complicates the overall Special Master system and its administration.

In order to remedy this potential problem, it is recommended that the Commission repeal the Ordinance as originally enacted and revert to the former system where any settlement for a lien in excess of $100,000 which is entered into by the Administration requires the formal approval of the City Commission. The attached Ordinance accomplishes the repeal and restoration of the system as it previously existed. Administratively, we will continue to look for ways in the future in which we can simplify or expedite the lien settlement and mitigation process.

RCM/sam
repealordspecmaster2memo

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 30 OF THE MIAMI BEACH CITY CODE, SECTION 30-76(b) ENTITLED " MITIGATION", BY PROVIDING THAT MITIGATION REQUESTS MUST BE FILED WITHIN ONE YEAR OF THE ENTRY OF THE SPECIAL MASTER ORDER IMPOSING THE FINE; BY DELETING THE ABILITY OF THE CITY AND THE VIOLATOR TO AGREE TO ALLOW THE MITIGATION REQUEST BE FILED AFTER THE ONE YEAR PERIOD HAS LAPSED; AND BY DELETING THE REQUIREMENT OF CITY COMMISSION APPROVAL OF MITIGATIONS IN EXCESS OF $100,000.00; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Commission of the City of Miami Beach are charged with the responsibility of ensuring fines are imposed in an equitable manner; and

WHEREAS, the Mayor and City Commission of the City of Miami Beach desire to establish an efficient system to review said fines; and

WHEREAS, the Mayor and City Commission of the City of Miami Beach have determined that the Special Master system is generally equitable and efficient;

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

SECTION 1. That Section 30-76(b) of the Miami Beach City Code, entitled "Mitigation" be amended to read:

Sec. 30-76(b). Rehearings; Mitigation.

(b) *Mitigation.* All applications for mitigation shall be made in writing and under oath. No applications for mitigation shall be considered until an affidavit of compliance has been filed by the city inspector or the property owner. A petition for mitigation or relief from order shall be brought within one year after the entry of the special master order imposing the fine. ~~affidavit of compliance has been issued or, if beyond the year, if both the City Administration and the violator agree to allow the Special Master to determine the mitigation request. Any mitigation in which the fine is reduced by more~~

~~than $100,000.00 requires City Commission approval.~~ Mitigation may not be used for purpose of rehearing or appeal of the original order imposing the fine.

SECTION 2. REPEALER

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

SECTION 3. SEVERABILITY

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

SECTION 4. CODIFICATION

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

SECTION 5. EFFECTIVE DATE

This ordinance shall take effect on the _____ day of _____, 2003.

PASSED AND ADOPTED this _____ day of _____, 2003.

ATTEST:

_____
MAYOR

_____
CITY CLERK

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney (TI) Date

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CITY OF MIAMI BEACH
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY given that public hearings will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, July 30, 2003, at the times listed below,** to consider the following:

at 10:40 a.m.:
An Ordinance Amending Chapter 30 Of The Miami Beach City Code, Section 30-76(B) Entitled "Mitigation", By Providing That Mitigation Requests Must Be Filed Within One Year Of The Entry Of The Special Master Order Imposing The Fine; By Deleting The Ability Of The City And The Violator To Agree To Allow The Mitigation Request Be Filed After The One Year Period Has Lapsed; And By Deleting The Requirement Of City Commission Approval Of Mitigation In Excess Of $100,000; Providing For Repealer, Severability, Codification, And An Effective Date

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

at 11:00 a.m.:
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 102 OF THE CITY CODE, ENTITLED "TAXATION"; AMENDING DIVISION IV THEREIN, ENTITLED "TAX"; AMENDING ARTICLE V THEREIN, ENTITLED "OCCUPATIONAL LICENSE TAX"; AMENDING SECTION 102-379 THEREIN, ENTITLED "SCHEDULE OF TAXES"; SAID AMENDMENT PROVIDING FOR AN INCREASE IN FEES CHARGED ANNUALLY FOR OCCUPATIONAL LICENSES OF FIVE PERCENT (5%) (ROUNDED TO THE NEAREST DOLLAR), EFFECTIVE ON OCTOBER 1, 2003 (FISCAL YEAR 2003-04); PROVIDING FOR ANOTHER FIVE PERCENT (5%) INCREASE IN SAID OCCUPATIONAL LICENSE FEES, EFFECTIVE ON OCTOBER 1, 2005 (FISCAL YEAR 2005-06); FURTHER ADDING AN ANNUAL FEE CATEGORY FOR ADULT ENTERTAINMENT ESTABLISHMENT; AND ADDING A CLASSIFICATION AND AN ANNUAL FEE CATEGORY FOR NIGHTCLUBS (OR A VERSION OF DANCEHALL LICENSE, AS DEFINED IN THE CITY'S ZONING ORDINANCE); PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

at 11:05 a.m.:
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING CHAPTER 50 OF THE CITY CODE, ENTITLED "FIRE PREVENTION AND PROTECTION"; AMENDING SECTION 50-5, ENTITLED "ANNUAL FIRE PREVENTION AND FIRE SAFETY INSPECTION PERMIT"; AMENDING SUBSECTION 50-5(D) THEREOF, ENTITLED "FEES"; AMENDING APPENDIX A, AS REFERRED TO THEREIN; SAID AMENDMENTS PROVIDING FOR AN INCREASE IN FEES CHARGED FOR FIRE SAFETY PERMITS OF FIFTEEN (15%) PERCENT, COMMENCING ON OCTOBER 1, 2003 (FISCAL YEAR 2003-04); PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

at 11:10 a.m.:
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 14 OF THE CITY CODE, ENTITLED "BUILDING REGULATIONS"; AMENDING DIVISION II THEREIN, ENTITLED "PERMIT FEES"; AMENDING SECTION 14-426 THEREIN, ENTITLED "ANNUAL FACILITY PERMIT"; AMENDING SUBSECTION 14-426(3)(G) PROVIDING FOR "CERTIFICATE OF USE FEES"; AMENDING APPENDIX A THEREIN; SAID AMENDMENT PROVIDING FOR AN INCREASE IN SAID FEES FOR CERTIFICATES OF USE OF TEN PERCENT (10%), EFFECTIVE ON OCTOBER 1, 2003 (FISCAL YEAR 2003-04); PROVIDING FOR ANOTHER TEN PERCENT (10%) INCREASE, EFFECTIVE ON OCTOBER 1, 2004 (FISCAL YEAR 2004-05); PROVIDING FOR ANOTHER TEN PERCENT (10%) INCREASE, EFFECTIVE ON OCTOBER 1, 2005 (FISCAL YEAR 2005-06); PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

at 11:15 a.m.:
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING CHAPTER 82, ENTITLED "PUBLIC PROPERTY"; AMENDING ARTICLE IV THEREIN, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY"; AMENDING DIVISION V THEREIN, ENTITLED "SIDEWALK CAFES"; AMENDING SECTION 82-383 THEREIN, ENTITLED "TAX RENEWAL FEE; PENALTIES FOR LATE PAYMENTS FOR RENEWAL FEE"; FURTHER AMENDING APPENDIX A TO SECTION 82-383; SAID AMENDMENTS INCREASING THE ANNUAL FEE FOR ESTABLISHING OR MAINTAINING A SIDEWALK CAFÉ (AS SAID FEES ARE SET FORTH IN APPENDIX A) BASED UPON PER SQUARE FOOT OF USABLE SIDEWALK AREA, INCLUDING THE AREAS BETWEEN TABLES AND CHAIRS, TO $12.50 PER SQUARE FOOT, COMMENCING ON OCTOBER 1, 2003 (FISCAL YEAR 2003-04); PROVIDING FOR AN INCREASE OF SAID ANNUAL FEE TO $15.00 PER SQUARE FOOT, COMMENCING ON OCTOBER 1, 2004 (FISCAL YEAR 2004-05); PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE

Inquiries may be directed to the Finance Department at (305) 673-7466.

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 ordinances are available for public inspection during normal business hours in the City Clerk's Office, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting may be continued and under such circumstances additional legal notice would not be provided.

Robert E. Parcher, City Clerk
City of Miami Beach

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

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding, or to request information on access for persons with disabilities, or to request this publication in accessible format, or to request sign language interpreters, should contact the City Clerk's office at (305) 673-7411, no later than four days prior to the proceeding. If hearing impaired, contact the City Clerk's office via the Florida Relay Service numbers, (800) 955-8771 (TTY) or (800) 955-8770 (VOICE).
(Ad #0192)

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

An Ordinance of the Mayor and City Commission of the City of Miami Beach, Florida Amending Subsections of Chapter 102 Entitled "Taxation" Article V Occupational License Tax and the "Building Regulations" subsection and Amending fees for 14-426(3)(G) thereof entitled "Certificate of Use Fees" as well as amending "Annual Fire Prevention and Fire Safety Inspections" subsections and amending fees for 50-5(d)(1-9)

Issue:

Shall the fees for occupational licenses, certificates of use and fire safety inspection be increased for FY 03/04 and a policy to trigger an automatic review of fees be established when a certain threshold change in the CPI occurs?

Item Summary/Recommendation:

Occupational licenses are limited to a maximum increase of 5% every other year. Such fees were last increased in June 1995, based on a 1994 study. The change in CPI from June 1994 through March 2003 is 24.5%. Therefore, it is recommended that these fees be automatically increased on October 1, 2003 by 5% and further, increased by 5% every other year on October 1, until such fees have caught up with the cumulative change in the CPI as of that date.

The certificate of use fee was last increased in 1992. The cumulative change in CPI from September 1992 to March 2003 is 30%. Therefore, it is recommended that the fee be increased by 10% on October 1, 2003, 10% on October 1, 2004, 10% October 1, 2005 and on October 1, 2006 by the cumulative change in the CPI from March 2003 to September 2006.

The annual fire inspection fee was established in 1997 and has not been increased since its inception. The cumulative change in CPI from March 1997 to March 2003 is 15%.Therefore, it is recommended that this fee be increased by 15% on October 1, 2003.

Advisory Board Recommendation:

The Finance and Citywide Projects Committee approved the recommended fee increases during their May 12, 2003 meeting.

Financial Information: **Additional Revenue Projection**

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1	$151,000.00	011-8000-321200 OL	
2	$37,000.00	011-8000-322150 CU	
3	$50,000.00	011-8000-322155 Fire	
4			
Total	$238,000.00		

City Clerk's Office Legislative Tracking:

Patricia Walker

Sign-Offs:

Department Director	Assistant City Manager	City Manager

AGENDA ITEM R5B

DATE 7-30-03

CITY OF MIAMI BEACH
CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
http:\\ci.miami-beach.fl.us

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

SECOND READING PUBLIC HEARING

Subject: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING SUBSECTIONS OF CHAPTER 102 ENTITLED "TAXATION" ARTICLE V OCCUPATIONAL LICENSE TAX AND THE "BUILDING REGULATIONS" SUBSECTION AND AMENDING FEES FOR 14-426(3)(G) THEREOF ENTITLED "CERTIFICATE OF USE FEES" AS WELL AS AMENDING "ANNUAL FIRE PREVENTION AND FIRE SAFETY INSPECTIONS" SUBSECTIONS AND AMENDING FEES FOR 50-5(D)(1-9) THEREOF ENTITLED "FEES FOR THE ISSUANCE OF THE FIRE SAFETY PERMIT AND THE ANNUAL RENEWAL THEREOF" OF THE MIAMI BEACH CITY CODE; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

ADMINISTRATION RECOMMENDATION:

Approve the Ordinance Amendment on second reading.

ANALYSIS:

On first reading of the ordinance amendment on July 2, 2003, the Mayor and City Commission accepted the Finance and Citywide Projects Committee's recommendations, with the exception of the automatic annual increase provision, which was not accepted.

It was then recommended that a methodology be put in place to review the fees when a threshold change in the CPI occurs. Therefore, it is recommended that a review of the fees be initiated whenever the change in the CPI, between the current CPI and the date of CPI used to establish the last rate adjustment, is greater than five percent (5%). Upon reaching this threshold, and following a survey of fees for similar services in surrounding communities and/or an analysis to review the current cost of providing such services, adjustment to such fees will be incorporated into an amended ordinance or resolution, as appropriate, and submitted to the Mayor and City Commission for approval. This process will help to insure that the city is recovering costs for services provided and keeping fees competitive and in line with cost of living increases.

This policy will be presented to the Mayor and the City Commission on July 30, 2003, for approval on a separate resolution.

BACKGROUND:

In May of 1993, there was a major reform of the Occupational License Tax Statute (Chapter 205 of the Florida Statutes). The key provision of this reform allowed local governing authorities more control over their licensing revenue. During June 1994, the Miami Beach City Commission appointed an Equity Rate Study Commission ("ERSC") whose members were representative of the local business community. The findings of the ERSC were advisory in nature only. The statute required that the City Commission review their finding and adopted a license ordinance prior to October 1, 1995.

The Mayor and City Commission approved the Occupational License Ordinance upon first reading at the May 17, 1995, commission meeting, and referred the matter to the Finance and Citywide Projects Committee for their review. Subsequently, the Occupational License Ordinance was adopted on second reading June 7, 1995 and rates were established based on the 1994 study and have not been increased since that time.

The Certificate of Use Ordinance was established in 1988 to recover building, planning, and zoning inspections and annual follow up. The fee was last increased by 50% by Ordinance No. 92-2797 on September 16, 1992.

The Annual Fire Prevention and Fire Safety Inspection fee was first established on March 5, 1997, to recover the cost of providing fire prevention and fire safety inspections within the City, by Ordinance No. 97-3072 and has not been increased since that date.

On July 31, 2002, the City Commission directed the Administration to combine the City occupational license, certificate of use, and fire safety permit on a single certificate as of October 1, 2002. Additionally, the Commission directed the Administration to change the annual issue date of the certificate of use and the fire safety permit from June 1 to October 1, to coincide with the annual issuance of the occupational license.

On May 12, 2003, the Finance and Citywide Projects Committee recommended fee increases for occupational license, certificate of use, and fire inspection fees. Additionally they requested that an automatic annual escalation provision, based on the increase in the annual CPI, be implemented to ensure that rates keep up with the increased cost of providing services.

Occupational License

The Finance and Citywide Projects Committee recommended an increase in the fee charged for each occupational license of 5%, and that the new rate take effect upon approval of the amended Ordinance. Additionally, the Committee recommended that an annual escalation provision, based on CPI, be included in the Ordinance.

Occupational licenses are limited to a maximum increase of 5% every other year. Such fees were last increased in June 1995, based on a 1994 study. The change in CPI from June 1994 through March 2003 is 24.5%. Therefore, it is recommended that these fees be automatically increased on October 1, 2003 by 5% and further, automatically increased by 5% every other year on October 1 until such fees have caught up with the cumulative change in CPI as of that date. Thereafter it is recommended, that the fees be adjusted automatically every other year on October 1, by the actual amount of the change in CPI for the intervening two-year period, not to exceed 5%.

The Committee also recommended adding a classification and an annual fee for nightclubs (or a version of a dancehall license based on current zoning code) in addition to any other license fees paid. The fee is based on maximum occupant capacity, at $3 per occupant, with a $300 minimum, to recover nightclub inspection overtime costs, which are currently in excess of $75,000 per year. The rate is to take effect upon approval of the amended Ordinance. Additionally this fee shall increase at the rate of the cumulative change in CPI, every other year automatically on October 1, not to exceed 5%. However, on first reading of the ordinance amendment on July 2, 2003, the Mayor and City Commission accepted the Finance and Citywide Projects Committee's recommendations, with the exception of the automatic annual increase provision, which was not accepted. It was then recommended that a methodology be put in place to review the fees when a threshold change in the CPI occurs.

The Committee also recommended adding a classification for an Adult Entertainment Establishment with an annual occupational license fee of $5,000 in addition to any other license fees paid. The rate is to take effect upon approval of the amended Ordinance. Additionally, this fee shall increase at the rate of the cumulative change in CPI, every other year automatically on October 1, not to exceed 5%. However, on first reading of the ordinance amendment on July 2, 2003, the Mayor and City Commission accepted the Finance and Citywide Projects Committee's recommendations, with the exception of the automatic annual increase provision, which was not accepted. It was then recommended that a methodology be put in place to review the fees when a threshold change in the CPI occurs.

Certificate of Use

The Finance and Citywide Projects Committee recommended an increase in the fee charged for the certificate of use of 10%, with the new rate to take effect upon approval of the amended Ordinance. Additionally, the Committee recommended that an annual escalation provision, based on CPI, be included in the ordinance.

The certificate of use fee was last increased in 1992. The cumulative change in CPI from September 1992 to March 2003 is 30%. Therefore, it is recommended that the fee be increased by 10% on October 1, 2003, 10% on October 1, 2004, 10% October 1, 2005, and on October 1, 2006, the cumulative change in the CPI from March 2003 to September 2006. Thereafter it is recommended, that the fees be adjusted automatically every year on October 1, by the actual amount of the change in CPI from the last fee adjustment. However, on first reading of the ordinance amendment on July 2, 2003, the Mayor and City Commission accepted the Finance and Citywide Projects Committee's recommendations, with the exception of the automatic annual increase provision, which was not accepted. It was then recommended that a methodology be put in place to review the fees when a threshold change in the CPI occurs.

Annual Fire Inspection

The Finance and Citywide Projects Committee recommended an increase in the fee charged for annual fire inspection of 15%, with the new rate to take effect immediately upon approval of the amended Ordinance. Additionally, the Committee recommended that an annual escalation provision, based on CPI, be included in the Ordinance. However, on first reading of the ordinance amendment on July 2, 2003, the Mayor and City Commission accepted the Finance and Citywide Projects Committee's recommendations, with the

exception of the automatic annual increase provision, which was not accepted. It was then recommended that a methodology be put in place to review the fees when a threshold change in the CPI occurs.

The annual fire inspection fee was established in 1997 and has not been increased since its inception. The cumulative change in CPI from March 1997 to March 2003 is 15%.Therefore, it is recommended that this fee be increased by 15% on October 1, 2003. Thereafter it is recommended, that the fees be adjusted automatically every year on October 1, by the actual amount of the change in CPI from the last fee adjustment. However, on first reading of the ordinance amendment on July 2, 2003, the Mayor and City Commission accepted the Finance and Citywide Projects Committee's recommendations, with the exception of the automatic annual increase provision, which was not accepted. It was then recommended that a methodology be put in place to review the fees when a threshold change in the CPI occurs.

JMG/PDW/ris

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 102 OF THE CITY CODE, ENTITLED "TAXATION"; AMENDING DIVISION IV THEREIN, ENTITLED "TAX"; AMENDING ARTICLE V THEREIN, ENTITLED "OCCUPATIONAL LICENSE TAX"; AMENDING SECTION 102-379 THEREIN, ENTITLED "SCHEDULE OF TAXES"; SAID AMENDMENT PROVIDING FOR AN INCREASE IN FEES CHARGED ANNUALLY FOR OCCUPATIONAL LICENSES OF FIVE PERCENT (5%) EVERY OTHER YEAR (ROUNDED TO THE NEAREST DOLLAR), EFFECTIVE ON OCTOBER 1, 2003 (FISCAL YEAR 2003-04); FURTHER INCREASED BY 5% EVERY OTHER YEAR ON OCTOBER 1, UNTIL SUCH FEES HAVE CAUGHT UP WITH THE CUMULATIVE CHANGE IN CONSUMER PRICE INDEX (CPI) MEASURED BETWEEN JUNE 1994 THROUGH MARCH 2003, WHICH IS 24.5%; PROVIDING FOR ANOTHER CHANGE EQUAL TO THE CUMULATIVE PERCENTAGE CHANGE IN CPI FROM MARCH 2003 TO SEPTEMBER 2011; FURTHER ADDING AN ANNUAL FEE CATEGORY FOR ADULT ENTERTAINMENT ESTABLISHMENT; AND ADDING A CLASSIFICATION AND AN ANNUAL FEE CATEGORY FOR NIGHTCLUBS (OR A VERSION OF DANCEHALL LICENSE, AS DEFINED IN THE CITY'S ZONING ORDINANCE); PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Occupational License Ordinance was adopted on June 7, 1995 and rates were established based on the 1994 study and have not been increased since that time; and

WHEREAS, pursuant to Florida Statute, occupational licenses are limited to a maximum increase of 5% every other year; and the change in CPI from June 1994 through March 2003 was 24.5%; and

WHEREAS, at its meeting on May 12, 2003, the Finance and Citywide Projects Committee recommended fee increases for occupational license, certificate of uses, and fire inspection fees; and

WHEREAS, the Finance and Citywide Projects Committee recommended an increase in the fees charged for occupational licenses of 5%, said increase commencing on October 1, 2003 (Fiscal Year 2003-04), with future increases, every other year, to be based on the annual escalation provision of the Consumer Price Index (CIP); and

WHEREAS, the Finance and Citywide Projects Committee also recommended adding a classification for an Adult Entertainment Establishment, with an annual occupational license fee of $5,000; and

WHEREAS, the Finance and Citywide Projects Committee also recommended adding a classification and an annual fee category for nightclubs (or a version of a dancehall license, as defined in the City's Zoning Ordinance), based on maximum occupant capacity, at $3 per occupant, with a $300 minimum; and

WHEREAS, on first reading of the aforestated amendments to the Occupational License Ordinance on July 2, 2003, the Mayor and City Commission adopted the Finance and Citywide Projects Committee's recommendations, except for the provision as to the portion pertaining to automatic fee escalations (after fiscal year 2005-06).

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

SECTION 1. That Chapter 102 of the City Code; Division IV therein; Article V therein; Section 102-379 therein is amended as follows.

Sec. 102-379 Schedule of Taxes
License taxes for the following businesses, occupations, or professions are hereby levied and imposed as set forth below.

Effective on October 1, 2005 (Fiscal Year 2005-2006), the following license taxes will be increased by five (5%) percent rounded to the nearest dollar, and further increased by 5% every other year on October 1, until such fees have caught up with the cumulative percentage change in the Consumer Price Index (CPI) measure between June 1994 through March 2003, which is 24.5%. Further providing for another change equal to the cumulative percentage change in the CPI from March 2003 to September 2011.

As provided in Resolution No _____, a review of the annual permit fee will be required whenever the change in the Consumer Price Index (CPI), between the latest CPI and the date of the CPI used for the last fee adjustment, is five percent (5%) or greater.

A

ABSTRACT, LAND TITLE WARRANTY OR SECURITY COMPANIES	~~$ 170.00~~	$ 179
ACCOUNTANTS AND AUDITORS	~~$ 190.00~~	$ 200
ACUPUNCTURIST	~~$ 165.00~~	$ 173
ADULT CONGREGATE LIVING FACILITY (H.R.S. LIC REQUIRED)		
FIRST TEN BEDS	~~$ 150.00~~	$ 158

EACH ADDITIONAL BED	~~$ 5.00~~	$ 6
ADULT ENTERTAINMENT	~~$ -~~	$ 5,000
ADVERTISING		
(a) ALL KINDS	~~$ 165.00~~	$ 173
AGENT BUREAU, BROKERS, OPERATORS OR DEALERS OF ALL KINDS, INCLUDING COMMERCIAL, INSURANCE, LOANS, CLAIMS, TRANSPORTATION, MANUFACTURER OF ANY OTHER KIND OF BUSINESS OR OCCUPATION EXCEPT PAWNBROKER, FOR EACH CLASS OF BUSINESS HANDLED, ETC., UNLESS COVERED ELSEWHERE IN THIS SECTION.		
(a) EACH FIRM	~~$ 165.00~~	$ 173
(b) FOR EACH INDIVIDUAL CONNECTED THEREWITH AS SALES MAN	~~$ 70.00~~	$ 74
(C) FOR EACH INDIVIDUAL CONNECTED THEREWITH AS BROKER	~~$ 165.00~~	$ 173
ALCOHOLIC BEVERAGE VENDOR AND BOTTLE CLUB LICENSE FEE (REGULATORY)		
(a) ESTABLISHMENTS SELLING BEER, WINE AND / OR LIQUOR FOR CONSUMPTION ON PREMISES, OPEN AFTER MIDNIGHT AND CLOSING NO LATER THAN 2 A.M.	~~$ 940.00~~	$ 987
(b) EXTRA-HOUR ESTABLISHMENTS SELLING BEER, WINE AND / OR LIQUOR FOR CONSUMPTION ON PREMISES, OPEN AFTER 2 A.M. AND CLOSING NO LATER THAN 5 A.M.	~~$3,125.00~~	$ 3,281
(c)BOTTLE CLUBS	~~$5,000.00~~	$ 5,250
ALTERATIONS / TAILOR		
(a) EACH SHOP	~~$ 145.00~~	$ 152
(b) IN ANOTHER SHOP	~~$ 70.00~~	$ 74
AMUSEMENT ATTRACTION / RIDE EACH (INSURANCE REQUIRED)	~~$ 940.00~~	$ 987
ANTIQUE DEALER (THOSE WHO DEAL IN PRE-OWNED MERCHANDISE) ARE NOT REQUIRED TO OBTAIN A SECONDHAND DEALER LICENSE	~~$ 375.00~~	$ 394
APARTMENT HOUSES		
(a) MINIMUM FEE (COVERING FIRST FIFTEEN ROOMS) NOT INCLUDING KITCHENS AND BATHROOMS	~~$ 55.00~~	$ 58
(b) FOR EACH ADDITIONAL ROOM OVER FIFTEEN. NOT INCLUDING KITCHENS AND BATHROOMS	~~$ 5.00~~	$ 6
APPRAISER	~~$ 165.00~~	$ 173
ARCADE	~~$ 165.00~~	$ 173
FOR EACH GAME MACHINE OR JUKE BOX	~~$ 75.00~~	$ 79
ARCHITECTS	~~$ 190.00~~	$ 200
ARMORED CAR SERVICE	~~$ 190.00~~	$ 200

ARMS INCLUDING AMMUNITION AND PISTOLS, BOWIE KNIVES, SLINGSHOTS, SPRINGFIELD AND REPEATING RIFLES AND GUNS.		
(a) DEALERS IN, ALONE OR IN CONNECTION WITH ANY OTHER BUSINESS	~~$ 375.00~~	$ 394
(b) EMPLOYEE	~~$ 65.00~~	$ 68
ARTISTS, INCLUDING RETOUCHING, SKETCHING, CARTOONING, CRAYON OR FERROTYPE OR OTHER SIMILAR LINE	~~$ 75.00~~	$ 79
ATTORNEYS	~~$ 190.00~~	$ 200
AUCTION BUSINESS (STATE LICENSE REQUIRED)	~~$3,125.00~~	$ 3,281
AUTOMOBILES / TRUCK		
(a) PAINTING	~~$ 285.00~~	$ 299
(b) RENTING BUSINESS	~~$1,175.00~~	$ 1,234
(C) FOR EACH AUTOMOBILE RENTAL SUB - AGENCY (NO) CARS ON LOCATION	~~$ 375.00~~	$ 394
(d) CAR WASH AND DETAILING		
1-NOT IN CONNECTION WITH A FILING STATION	~~$ 220.00~~	$ 231
2-ASSOCIATED WITH A FILING STATION	~~$ 165.00~~	$ 173
(e) GARAGE		
1-STORAGE	~~$ 245.00~~	$ 257
2-REPAIR TO INCLUDE BODY SHOP	~~$ 245.00~~	$ 257
3- PARKING GARAGE	~~$ 190.00~~	$ 200
(f) DEALER (NEW VEHICLE)	~~$ 330.00~~	$ 347
(g) BROKER (NO VEHICLES ON PREMISES)	~~$ 165.00~~	$ 173
(h) DEALER (USED VEHICLES)	~~$ 285.00~~	$ 299
AUTOMOBILE FOR HIRE, LIMOUSINES, EXCEPT SIGHT SEEING BUSES		
(a) PER AUTO	~~$ 260.00~~	$ 273
(b) PRIVET SCHOOL AND NURSERY BUSES, PER BUS	~~$ 165.00~~	$ 173
(c) LIMOUSINE SERVICE	~~$ 225.00~~	$ 236
PER LIMOUSINE (INSURANCE REQUIRED)	~~$ 70.00~~	$ 74
AUTOMOBILE SHIPPERS (BOND REQUIRED)	~~$ 375.00~~	$ 394

B

BAGGAGE AND TRANSFER BUSINESS INCLUDING MOVING COMPANIES	~~$ 235.00~~	$ 247
BAIL BONDS	~~$ 165.00~~	$ 173
BAKERY, WHOLESALE		
(a) EMPLOYING FIVE PERSONS OR LESS	~~$ 90.00~~	$ 95
(b) EMPLOYING MORE THAN FIVE AND NOT OVER		

TWENTY-FIVE PERSONS	~~$ 200.00~~	$ 210
(c) EMPLOYING OVER TWENTY-FIVE PERSONS	~~$ 245.00~~	$ 257
(d) FOR ANY RETAIL SALES, A SEPARATE LICENSE IS REQUIRED,		
BARBER SHOP, WITH OR WITHOUT MANICURIST AND		
SHOE-SHINE STANDS, EACH SHOP		
(a) ONE TO FIVE CHAIRS	~~$ 165.00~~	$ 173
(b) SIX TO TEN CHAIRS	~~$ 205.00~~	$ 215
(c) ELEVEN TO FIFTEEN CHAIRS	~~$ 250.00~~	$ 263
(d) PLUS $20.00 PER CHAIR OVER FIFTEEN	~~$ 20.00~~	$ 21
(e) FOR EACH INDIVIDUAL BARBER	~~$ 20.00~~	$ 21
BATHS, TURKISH, MINERAL, SUN OR SIMILAR	~~$ 165.00~~	$ 173
BEACHFRONT CONCESSION OPERATIONS		
(a) PER ACTIVITY PER LOCATION	~~$ 575.00~~	$ 604
BEACH UPLAND FEE (PER UNIT)	~~$ 15.00~~	$ 16
BEAUTY PARLORS, HAIRDRESSING, FACIAL MASSAGE,		
MANICURING,ETC., EACH SHOP		
(a) ONE TO FIVE CHAIRS	~~$ 165.00~~	$ 173
(b) SIX TO TEN CHAIRS	~~$ 205.00~~	$ 215
(c) ELEVEN TO FIFTEEN CHAIRS	~~$ 250.00~~	$ 263
(d) PLUS $20.00 PER CHAIR OVER FIFTEEN	~~$ 20.00~~	$ 21
(e) FOR EACH INDIVIDUAL BEAUTICIAN	~~$ 20.00~~	$ 21
BED & BREAKFAST INN		
(a) FIRST FIFTEEN ROOMS	~~$ 150.00~~	$ 158
(b) FOR EACH ADDITIONAL ROOM OVER FIFTEEN	~~$ 13.00~~	$ 14
BICYCLES, RENT AND REPAIR	~~$ 165.00~~	$ 173
(A MERCHANTS LICENSE IS REQUIRED FOR THE SALE OF		
ANY MERCHANDISE.)		
BILLIARDS OR POOL TABLES, EACH TABLE	~~$ 90.00~~	$ 95
BINGO	EXEMPT	EXEMPT
BOARDINGHOUSES, AS DEFINED IN SECTION 17-1 OF THIS CODE		
(a) FOR THE FIRST FIFTEEN ROOMS	~~$ 140.00~~	$ 147
(b) FOR EACH ADDITIONAL ROOM OVER FIFTEEN	~~$ 10.00~~	$ 11
BOAT LIVERY (REQUIRES SPECIAL APPROVALS & INSURANCE)		
(a) RENTING NOT OVER 8 BOATS	~~$ 285.00~~	$ 299
(b) FOR EACH ADDITIONAL FIVE BOATS OR FRACTIONAL		
PORTION THEREOF	~~$ 55.00~~	$ 58
BOAT OR SURFBOARD RENTALS, AS AN ACCESSORY USE		
IN HOTELS UNDER CURRENT ZONING ORDINANCE REQUIRES		
SPECIAL APPROVALS & INSURANCE		
(a) RENTING NOT OVER 8 UNITS (BOATS AND/OR		
SURFBOARDS)	~~$ 220.00~~	$ 231
(b) FOR EACH ADDITIONAL 5 UNITS (BOATS AND / OR		
SURFBOARDS)	~~$ 55.00~~	$ 58

BOATS AND SHIPS (REQUIRES SPECIAL APPROVALS AND INSURANCE)		
(a) STORAGE BASINS AND SHEDS	~~$ 470.00~~	$ 494
(b) SIGHTSEEING OR EXCURSION	~~$ 470.00~~	$ 494
(c) ANY COMMERCIAL CRAFT CARRYING PASSENGERS FOR HIRE OR CHARTER PARTIES (NOT OTHERWISE COVERED BY THIS SUBSECTION) PER BOAT	~~$ 70.00~~	$ 74
(d) FOR CHARTER, PER BOAT	~~$ 70.00~~	$ 74
(e) TOWING AND LIGHTERING	~~$ 165.00~~	$ 173
(f) YARDS AND WAYS, DOING REPAIR WORK	~~$ 375.00~~	$ 394
(g) COMMERCIAL DOCK	~~$ 100.00~~	$ 105
(h) BOAT SLIPS	~~$ 55.00~~	$ 58
(i) BOAT DOCKS, PER LINEAL FOOT	~~$ 5.00~~	$ 5
(j) BOAT DEALER (NEW)	~~$ 330.00~~	$ 347
(k) BOAT DEALER (USED)	~~$ 285.00~~	$ 299
(l) FERRY TERMINAL	~~$ 500.00~~	$ 525
(m) WATER TAXI (1ST THREE BOATS)	~~$ 250.00~~	$ 263
EACH ADDITIONAL BOAT	~~$ 100.00~~	$ 105
BOWLING ALLEYS, OR BOX BALL ALLEYS, PER ALLEY	~~$ 55.00~~	$ 58
BUILDING AND LOAN ASSOCIATIONS;MORTAGE COMPANIES; SAVINGS AND LOAN ASSOCIATIONS; BANK CHARTERED BY THE STATE OF FLORIDA OR THE UNITED STATES OF AMERICA, AND EACH BRANCH THEREOF:	~~$ 565.00~~	$ 593
AUTOMATIC TELLER MACHINE LOCATED OFF PREMISES	~~$ 165.00~~	$ 173

C

CABANAS	~~$ 10.00~~	$ 11
CARD ROOMS, INCLUDING BUT NOT LIMITED TO BRIDGE	~~$1,440.00~~	$ 1,512
CARPET AND RUG CLEANING	~~$ 190.00~~	$ 200
CASTING OFFICE	~~$ 165.00~~	$ 173
CATERERS	~~$ 235.00~~	$ 247
CATERERS OPERATING MOBIL UNIT DESIGNED AND INTENDED SOLELY FOR THE PURPOSE OF VENDING FROM SUCH MOBIL UNIT SANDWICHES, PASTRIES, CANDY, BEVERAGES, SOFT DRINKS AND LIKE ITEMS, TO WORKMEN ON CONSTRUCTION SITES, CITY SHOPS AND YARDS EACH MOBILE UNIT	~~$ 255.00~~	$ 268

PROVIDED HOWEVER THAT NO SUCH MOBIL UNIT SHALL BE OPERATED ON ANY CONSTRUCTION SITE UNLESS A PERMIT THEREFORE IS SECURED FROM THE CITY MANAGER, APPLICATION THEREFORE HAVING BEEN MADE AT LEAST 15 DAYS PRIOR TO THE GRANTING OF SUCH PERMIT. IT IS HEREBY MADE THE DUTY OF THE CITY MANAGER TO INVESTIGATE ALL APPLICATIONS THEREFORE, AND THE CITY MANAGER SHALL ISSUE SUCH PERMIT

ONLY AFTER FINDING THAT THE PUBLIC CONVENIENCE AND NECESSITY REQUIRES THE ISSUANCE OF SUCH PERMIT, AND THAT THE OPERATION OF SUCH MOBILE UNIT SHALL NOT OBSTRUCT THE PUBLIC WAY OR CREATE HAZARDOUS CONDITION THEREON, PROVIDED, FURTHER THAT ONLY ONE SUCH PERMIT SHALL BE ISSUED FOR EACH CONSTRUCTION SITE.		
CHECK CASHING OFFICE	~~$ 165.00~~	$ 173
CHEMISTS	~~$ 165.00~~	$ 173
CHIROPODIST	~~$ 190.00~~	$ 200
CHIROPRACTOR	~~$ 190.00~~	$ 200
CLERICAL OFFICE	~~$ 165.00~~	$ 173
(MAIL ORDER REQUIRES BOND)		
CLINIC, MEDICAL, DENTAL	~~$ 250.00~~	$ 263
CLOSING-OUT SALES:		
(a) (30DAYS)	~~$ 600.00~~	$ 630
(b) ADDITIONAL 15 DAY PERIODS	~~$ 375.00~~	$ 394
COIN DEALERS	~~$ 165.00~~	$ 173
COIN-OPERATED MERCHANDISE OR SERVICE VENDING MACHINES EXCEPT MACHINES VENDING NEWSPAPER OR DRINKING CUPS NOT OTHERWISE PROVIDED FOR HEREIN:		
(a) DISTRIBUTOR, COIN OPERATED MACHINE	~~$ 220.00~~	$ 231
(b) EACH 1 CENT THROUGH 25 CENTS MACHINE	~~$ 20.00~~	$ 21
(c) EACH MACHINE 25 CENTS AND OVER	~~$ 30.00~~	$ 32
COLLECTION AGENCY	~~$ 165.00~~	$ 173
CONSULTANTS, ADVISORS AND PRACTITIONERS	~~$ 190.00~~	$ 200
CONVENTION SERVICE BUREAU	~~$ 165.00~~	$ 173
COUNSELOR, MARRIAGE, ETC.	~~$ 190.00~~	$ 200
COURT REPORTER	~~$ 165.00~~	$ 173
CREDIT BUREAU	~~$ 165.00~~	$ 173
CURRENCY EXCHANGE	~~$ 165.00~~	$ 173

D

DANCE HALLS:	~~$ 940.00~~	$ 987
(a) DANCE HALLS WHICH ALSO HAVE A VALID ALCOHOLIC BEVERAGE LICENSE AND CLOSING NO LATER THAN 12:00 MIDNIGHT	~~$ 165.00~~	$ 173
(b) DANCE HALLS WHICH ALSO HAVE A VALID ALCOHOLIC BEVERAGE AND CLOSING NO LATER THAN 2:00 A.M.	~~$ 165.00~~	$ 173
(c) DANCE HALLS WHICH ALSO HAVE A VALID ALCOHOLIC BEVERAGE LICENSE AND CLOSING NO LATER THAN 5:00 A.M.	~~$ 165.00~~	$ 173
(d) DANCE HALLS WHICH DO NOT HAVE A VALID ALCOHOL BEVERAGE LICENSE	~~$ 940.00~~	$ 987
DAY CARE CENTERS AND NURSERY SCHOOL	~~$ 235.00~~	$ 247
DEALERS IN PRE-OWNED MERCHANDISE/SECONDHAND DEALERS		

(a) IN GOODS OTHER THAN WEARING APPAREL	~~$ 285.00~~	$ 299
(b) IN WEARING APPAREL	~~$ 320.00~~	$ 336
(c) IN CARS	~~$ 285.00~~	$ 299
(d) IN BOATS	~~$ 285.00~~	$ 299
DENTAL HYGIENISTS	~~$ 165.00~~	$ 173
DENTISTS	~~$ 190.00~~	$ 200
DIETICIANS	~~$ 190.00~~	$ 200
DOCTORS, PHYSICIANS, ETC.	~~$ 190.00~~	$ 200
DOCTORS HOSPITAL STAFF	~~$ 100.00~~	$ 105
DOCTORS, PHYSICIAN'S ASSISTANTS	~~$ 55.00~~	$ 58
DOG GROOMING OR SMALL ANIMAL CLINIC	~~$ 190.00~~	$ 200

E

ELECTRIC LIGHT COMPANIES	~~$7,910.00~~	$ 8,306
ELECTROLOGIST (STATE LICENSE REQUIRED)	~~$ 190.00~~	$ 200
EMPLOYMENT AGENCY, ESCORT SERVICE		
BOND REQUIRED	~~$ 165.00~~	$ 173
ENGINEERS ALL	~~$ 190.00~~	$ 200
ENGRAVERS	~~$ 190.00~~	$ 200
EQUIPMENT RENTAL	~~$ 165.00~~	$ 173
EXPRESS COMPANIES / PRIVATE MAIL SERVICE		
(a) CATEGORY 1 INCLUDES:	~~$ 330.00~~	$ 347
1. P.O. BOX RENTALS		
2. PACKING AND SENDING		
3. ON SITE COPY SERVICE		
4. ACCESSORY FAX		
5. MONEY ORDER SALES		
6. RETAIL OFFICE SUPPLIES, PACKING MATERIAL AND STAMPS		
7. AGENT FOR MONEY BY WIRE		
8. NOTARY PUBLIC		
9. PASSPORT PHOTOS ONLY		
(b) CATEGORY 2 INCLUDES ALL OF THE ABOVE PLUS:	~~$ 380.00~~	$ 399
1. ANSWERING SERVICE		
2. UP TO 5 PHONES (EACH ADD $21.00)	~~$ 21.00~~	$ 22

F

FAX SERVICE	~~$ 190.00~~	$ 200
AS AN ACCESSORY TO THE MAIN OCCUPATION	~~$ 55.00~~	$ 58
FIRE PREVENTION SERVICE	~~$ 165.00~~	$ 173
FLORISTS	~~$ 190.00~~	$ 200
FLOWER STAND, SELLING CUT OR POTTED		
FLOWERS OR PLANTS	~~$ 145.00~~	$ 152

FOOD SALES (RETAIL), EACH BUSINESS, IF ZONING PERMITS, WILL BE ALLOWED TO SELL ANY RETAIL FOOD ITEM, HOWEVER ALL ITEMS WILL BE TOTALED IN THEIR INVENTORY ASSESSMENT		
(a) FOR THE 1ST $1,000 IN INVENTORY	~~$ 195.00~~	$ 205
(b) FOR EACH ADDITIONAL $1000 IN INVENTORY TO $89,999.99	~~$ 20.00~~	$ 21
(c) FROM $90,000 TO $199,999.99 IN INVENTORY	~~$2,000.00~~	$ 2,100
(d) FROM $200,000 TO $499,999.99 IN INVENTORY	~~$3,000.00~~	$ 3,150
(e) FROM $500,000 AND OVER IN INVENTORY	~~$4,000.00~~	$ 4,200
FORMAL RENTALS	~~$ 165.00~~	$ 173
FORTUNE TELLERS, PALMISTS, CLAIRVOYANTS, ASTROLOGERS, PHRENOLOGISTS,PHYSIOGNOMIST,NUEMOROLOGISTS, MIND READERS AND OTHER OF SIMILAR NATURE		
(a) WHERE NOT GRATUITOUS, NOT IN A NIGHTCLUB OR ACCESSORY TO MAIN BUSINESS EACH INDIVIDUAL	~~$1,565.00~~	$ 1,643
(b) WHERE DONE GRATUITOUS OR WHEN DONE IN A NIGHTCLUB OR ANY PLACE OR BUSINESS WHERE IT IS AN ACCESSORY TO THE MAIN BUSINESS EACH INDIVIDUAL	~~$ 375.00~~	$ 394
PROVIDED THAT BEFORE LICENSE IS ISSUED TO ANY PERSONS PURSUANT TO THE FOREGOING ITEM, A REPORT MUST BE MADE BY THE POLICE DEPARTMENT TO THE EFFECT THAT THE APPLICANT HAS NO RECORD OR CONVICTION IN ANY CASE INVOLVING A FELONY, AND THE APPLICATION MUST BE ACCOMPANIED BY THREE OR MORE CHARACTER REFERENCES.		
FRUIT, NUT ETC. PACKING SHIPPING, SUBJECT TO THE PROVISIONS OF THIS CHAPTER	~~$ 245.00~~	$ 257
ACCESSORY ONLY	~~$ 55.00~~	$ 58
FUEL DEALERS, BOTTLED GAS, ETC.		
(a) FUEL OIL DEALERS	~~$ 285.00~~	$ 299
(b) BOTTLED GAS DEALERS	~~$ 140.00~~	$ 147
(c) WOOD YARD DEALERS	~~$ 110.00~~	$ 116
FUNERAL HOMES	~~$ 585.00~~	$ 614
G		
GALLERY	~~$ 300.00~~	$ 315
GARBAGE AND TRASH DISPOSAL CONTRACTORS	~~$ 470.00~~	$ 494
GAS COMPANIES	~~$7,910.00~~	$ 8,306
(a) GASOLINE WHOLESALE DEALERS OR STORAGE OF THE SAME	~~$2,345.00~~	$ 2,462
(b) WHERE ONLY FUEL OIL NOT MORE THAN VOLATILE THAN DIESEL OIL AND NOT TO EXCEEDING 15,000 BARRELS IN QUANTITY IS STORED, A FEE OF	~~$ 550.00~~	$ 578
(a) GOLF, PRACTICE OR DRIVING COURSES	~~$ 100.00~~	$ 105
(b) MINIATURE GOLF COURSE	~~$ 225.00~~	$ 236
GOLF PRO	~~$ 165.00~~	$ 173
GUARD, WATCHMAN, PATROL AGENCY (FLORIDA DEPARTMENT OF STATE LICENSE REQUIRED)	~~$ 190.00~~	$ 200

H		
HALL FOR HIRE	~~$ 110.00~~	$ 116
HEALERS, MAGNETIC	~~$ 470.00~~	$ 494
HEALTH CLUB, GYM	~~$ 165.00~~	$ 173
(A LETTER OF APPROVAL OR EXEMPTION FROM FLORIDA DEPT OF AGRICULTURE AND CONSUME SERVICES REQUIRED.)		
HEALTH MAINTENANCE PLAN	~~$ 165.00~~	$ 173
HELIPORTS	~~$ 470.00~~	$ 494
HOME BASED BUSINESS	~~$ 25.00~~	$ 26
HOMEOPATHIC PHYSICIANS	~~$ 190.00~~	$ 200
HOTELS		
(a) FIRST FIFTEEN ROOMS	~~$ 200.00~~	$ 210
(b) EACH ADDITIONAL ROOM OVER FIFTEEN	~~$ 13.00~~	$ 14
HYPNOTIST AND HYPNOTHERAPIST	~~$ 165.00~~	$ 173
I		
IMMIGRATION SERVICES	~~$ 165.00~~	$ 173
IMPORT/ EXPORT DEALER	~~$ 165.00~~	$ 173
INCOME TAX SERVICE	~~$ 165.00~~	$ 173
AGENCY (DROP-OFF SITE ONLY)	~~$ 55.00~~	$ 58
INSTALLERS, FLOOR COVERING, CARPET TILES, GLASS, ETC.	~~$ 165.00~~	$ 173
INSURANCE AGENCY	~~$ 165.00~~	$ 173

INSURANCE COMPANIES, FOR THE PURPOSE OF TAXATION UNDER THIS CHAPTER, INSURANCE COMPANIES ARE CLASSIFIED, DEFINED AND ASSESSED AS FOLLOWS:

CLASSIFIED AND DEFINED

Casualty and liability insurance companies, including bonding companies, writing:

Accident and health insurance only on an annual, semiannual or quarterly premium paying basis: and

Bonds, including fidelity, court, contract and surety bonds and financial guarantees and title insurance guarantees;

Burglary insurance, including residence, bank, stocks, bonds and securities, safe burglary, holdup and messenger robbery;

Liability insurance, including employers, public and other forms of liability insurance and automobile liability for personal injury, property damage and collisions;

Plate glass insurance;

Workers' collective insurance issued to employers of labor.

Fire insurance companies writing policies of insurance against hazards of fire, tornado and windstorms, use and occupancy, profits, rents, lease-hold, insurrection, riot and civil commotion, sprinkler leakage, rain, fire, theft, automobile collision; marine cargoes, hulls and rails; mail and express shipments, against fire, collision, stranding or sinking.

Industrial insurance companies, including funeral benefit associations or companies,

writing life or accident and health insurance and funeral benefits on a weekly, bimonthly or monthly premium paying basis.

Life insurance companies writing life insurance with or without disability clauses or accident and health features as part of the policy contract upon an annual, semiannual or quarter annual premium paying basis.

License to be paid by insurance companies.
The following licenses shall be required to be paid by each insurance company in the city, permitting the operation of such company in the city with any duly licensed insurance agency as provided herein; provided, there shall be kept on display in a conspicuous place at such agency a permit executed by the city manager or his designee permitting the operation of such company through such agency; and provided further, that such permits as may be requested by a duly licensed insurance company shall be furnished by the city manager or his designee without additional cost to such company; a separate license to be required for each separate class of insurance as defined herein as follows:

1-	CASUALTY AND LIABILITY INSURANCE COMPANIES EACH COMPANY	~~$ 240.00~~	$ 252
2-	FIRE INSURANCE COMPANIES EACH COMPANY	~~$ 240.00~~	$ 252
3-	INDUSTRIAL INSURANCE COMPANIES AND FUNERAL BENEFITS ASSOC. OR COMPANIES, EACH COMPANY	~~$ 240.00~~	$ 252
4-	LIFE INSURANCE COMPANIES EACH COMPANY	~~$ 240.00~~	$ 252
INSURANCE ADJUSTER		~~$ 165.00~~	$ 173
INTERIOR DECORATORS, WHOSE BUSINESS IS CONFINED TO FURNISHINGS CURTAINS, DRAPERIES, HANGINGS, FURNITURE, ETC. EXCLUSIVELY		~~$ 190.00~~	$ 200
INVESTMENT COUNSELOR		~~$ 165.00~~	$ 173

J

JANITORIAL AND MAID SERVICE (BOND REQUIRED)	~~$ 190.00~~	$ 200
JEWELERS, SHALL BE REQUIRED TO MERCHANT'S LICENSE TAX DETERMINED AS FOLLOWS:		
(a) WHEN THE MAXIMUM VALUE OF STOCK OF GOODS CARRIED DOES NOT EXCEED $1,000.00	~~$ 200.00~~	$ 210
(b) EACH ADDITIONAL $1,000.00 OR FRACTIONAL PART THEREOF UP TO $99,999.99 IN INVENTORY	~~$ 16.00~~	$ 17
(c) FROM $100,000 TO $199,999.99 IN INVENTORY	~~$2,000.00~~	$ 2,100
(d) FROM $200,000 TO 499,999.99 IN INVENTORY	~~$3,000.00~~	$ 3,150
(e) FROM $500,000 AND OVER IN INVENTORY	~~$4,000.00~~	$ 4,200

K

KEY MACHINE	~~$ 25.00~~	$ 26
KOSHER PRODUCTS	~~$ 215.00~~	$ 226
FOOD PRODUCTS, BEVERAGES OR MERCHANDISE WHICH IS LABELED KOSHER; OR HELD OUT TO BE, SUBJECT TO INSPECTION BY THE CITY, (THIS LICENSE IS IN ADDITION		

TO ANY OTHER LICENSE REQUIRED BY THIS CHAPTER)

L

LABORATORY, CHEMICAL, DENTAL, OPTICAL OR X-RAY, ETC. (INDEPENDENT)	~~$ 220.00~~	$ 231
LABORATORY TECHNICIANS INCLUDING THE TAKING OF BLOOD PRESSURE	~~$ 190.00~~	$ 200
LAND DEVELOPING COMPANIES	~~$1,015.00~~	$ 1,066
LANDSCAPE ARCHITECTS, LANDSCAPE CONTRACTORS OR NURSERY MEN	~~$ 190.00~~	$ 200
LANDSCAPE MAINTENANCE	~~$ 45.00~~	$ 47
LAUNDRY AND DRY CLEANING		
(a) LAUNDRY AND/OR DRY CLEANING BUSINESS WHERE LAUNDRY AND/OR DRY CLEANING IS DONE ON PREMISES EACH	~~$ 285.00~~	$ 299
(b) LAUNDRY AND/OR DRY CLEANING AGENCY WHERE LAUNDRY AND/OR DRY CLEANING IS DONE OFF THE PREMISES EACH	~~$ 90.00~~	$ 95
(c)COIN-OPERATED LAUNDRY BUSINESS LOCATION EACH (INCLUDING ACCESSORY FOLDING AND HAND IRONING)	~~$ 190.00~~	$ 200
(d) COIN OPERATED LAUNDRY EQUIPMENT DISTRIBUTOR	~~$ 220.00~~	$ 231
(1) . EACH MACHINE	~~$ 5.00~~	$ 6
(e) COIN OPERATED LAUNDRY EQUIPMENT NOT LICENSED BY ONE OF THE ABOVE LISTINGS EACH MACHINE	~~$ 5.00~~	$ 6
LOCKSMITH	~~$ 190.00~~	$ 200
LUMBER OR BUILDING MATERIAL DEALERS, OR BOTH	~~$ 285.00~~	$ 299

M

MANUFACTURERS, ALL PRODUCTS TO INCLUDE ANY ASSEMBLING OR PROCESSING OPERATION OTHERWISE MENTIONED IN THIS SECTION.	~~$ 220.00~~	$ 231
MANUFACTURERS REPRESENTATIVE	~~$ 165.00~~	$ 173
MACHINES AND GAMES, MECHANICAL PHONOGRAPHS, CONSOLES, JUKE BOXES, PICTURE TAKING, RECORD MAKING OR OTHER SIMILAR MACHINES:		
(a) DISTRIBUTOR LICENSE	~~$ 600.00~~	$ 630
(b) EACH MACHINE	~~$ 75.00~~	$ 79
MARINE APPRAISER, SURVEYOR, TESTING	~~$ 165.00~~	$ 173
MASSAGE CLINIC (S.R.)	~~$ 165.00~~	$ 173
MASSAGE THERAPIST	~~$ 35.00~~	$ 37
MERCHANTS, ALL PERSONS ENGAGED IN THE BUSINESS OF SELLING MERCHANDISE OF ANY KIND, SORT OR DESCRIPTION, EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED BY THIS SECTION, SHALL BE REQUIRES TO PAY A MERCHANT'S LICENSE TAX, DETERMINED AS FOLLOWS:		
(a) FIRST $1,000.00 VALUE OF STOCK OF GOODS OR FRACTION THEREOF	~~$ 200.00~~	$ 210
(b) FOR EACH ADDITIONAL $1,000.00 VALUE OF STOCK OF GOODS OR FRACTIONAL PART THEREOF UP TO $99,999.99	~~$ 16.00~~	$ 17
(c)FROM $100,000.00 TO $199,999.99 VALUE OF STOCK OF GOODS	~~$2,000.00~~	$ 2,100

(d)FROM $200,000.00 TO $499,999.99 VALUE OF STOCK OF GOODS	~~$3,000.00~~	$ 3,150
(e) FROM $500,000 AND OVER VALUE OF STOCK OF GOODS	~~$4,000.00~~	$ 4,200
MESSENGER SERVICE, EXCLUSIVE OF TELEGRAMS	~~$ 90.00~~	$ 95
MODEL AGENCY & TALENT AGENCIES (STATE LICENSE REQ.)	~~$ 165.00~~	$ 173
MONEY BROKER	~~$ 165.00~~	$ 173
MONEY ORDER AGENCIES	~~$ 55.00~~	$ 58
MONOGRAM AND SILK SCREEN, RETAIL	~~$ 165.00~~	$ 173
MORTGAGE BROKER, ALL FIRMS	~~$ 165.00~~	$ 173
(a) EACH BROKER CONNECTED THEREWITH	~~$ 165.00~~	$ 173
(b) EACH SALESMAN CONNECTED THEREWITH (S.R.)	~~$ 70.00~~	$ 74
MOTOR SCOOTER RENTAL AGENCY FOR: (INSURANCE REQ)		
(a) THE FIRST 20 VEHICLES	~~$ 285.00~~	$ 299
(b) EACH ADDITIONAL VEHICLE OVER 20	~~$ 20.00~~	$ 21
MOVING PICTURE SHOWS ONE SCREEN	~~$ 940.00~~	$ 987
EACH ADDITIONAL SCREEN	~~$ 100.00~~	$ 105

N

NATUROPATH	~~$ 190.00~~	$ 200
NEWSSTAND-SIDEWALK	~~$ 55.00~~	$ 58
NEWSPAPER OR PERIODICALS	~~$ 150.00~~	$ 158
NEWS DEPOT	~~$ 45.00~~	$ 47
NIGHTCLUB (or a version of dance hall license based on current zoning code) $3 PER OCCUPANT , WITH A $300 MINIMUM BASED ON MAXIMUM OCCUPANT CAPACITY		$ 3
NURSING HOMES AND PRIVATE HOSPITALS	~~$ 785.00~~	$ 824

O

OFFICE, OTHER THAN LISTED	~~$ 165.00~~	$ 173
OPTICIANS	~~$ 190.00~~	$ 200
OPTICIANS WHO SELL GLASSES OR OTHER OPTICAL AIDS OR ANY OTHER TYPE OF MERCHANDISE SHALL ALSO BE REQUIRED TO OBTAIN A MERCHANTS LICENSE.		
OPTOMETRISTS	~~$ 190.00~~	$ 200
OPTOMETRISTS WHO SELL GLASSES OR OTHER OPTICAL AIDS OR ANY OTHER TYPE OF MERCHANDISE SHALL ALSO BE REQUIRED TO OBTAIN A MERCHANTS LICENSE.		
ORTHODONTIST	~~$ 190.00~~	$ 200
OSTEOPATHS	~~$ 190.00~~	$ 200

P

PAINT TESTING	~~$ 165.00~~	$ 173
PAPER HANGER	~~$ 165.00~~	$ 173
PARKING LOTS	~~$ 190.00~~	$ 200
PARTY PLANNER	~~$ 165.00~~	$ 173
PATHOLOGIST, ALL	~~$ 190.00~~	$ 200
PAWN BROKER		
PAWN BROKERS SELLING OTHER THAN ARTICLES TAKEN ON PLEDGE MUST ALSO TAKE OUT A REGULAR MERCHANT'S LICENSE, NO LICENSE ISSUED TO PAWNBROKERS SHALL BE TRANSFERRED FROM THE PERSON TO WHOM IT WAS ISSUED	~~$ 785.00~~	$ 824
PEST CONTROL (STATE LICENSE REQUIRED)	~~$ 220.00~~	$ 231

PHARMACY (STATE LICENSE REQUIRED)	~~$ 250.00~~	$ 263
MERCHANT LICENSE REQUIRED FOR ALL RETAIL SALES		
PHILATELIST	~~$ 165.00~~	$ 173
PHOTOGRAPHY		
(a) STUDIO OR OFFICE (MAY INCLUDE ON-SITE DEVELOPING AND PRINTING)	~~$ 190.00~~	$ 200
(b) FILM DEVELOPING AND PRINTING ON SITE	~~$ 190.00~~	$ 200
(c) FILM DEVELOPING AGENCY (DROP-OFF ONLY DEVELOPING AND PRINTING DONE OFF PREMISES)	~~$ 110.00~~	$ 116
PHYSIOTHERAPISTS	~~$ 190.00~~	$ 200
PICTURE FRAMING	~~$ 90.00~~	$ 95
PODIATRIST	~~$ 190.00~~	$ 200
POST BOX RENTALS	~~$ 165.00~~	$ 173
POSTAGE STAMP SALES		
(a) STAMP MACHINE DISTRIBUTORS	~~$ 165.00~~	$ 173
(b) EACH MACHINE	~~$ 10.00~~	$ 11
(c) RETAIL SALE OF POSTAGE STAMPS (SEE MERCHANT RETAIL)		
PRINTING AND COPY SERVICE	~~$ 150.00~~	$ 158
AS AN ACCESSORY TO THE MAIN OCCUPATION	~~$ 55.00~~	$ 58
PRIVATE INVESTIGATIVE AGENCY (FLORIDA DEPARTMENT OF STATE LICENSE REQUIRED)	~~$ 190.00~~	$ 200
PRIVATE SCHOOLS, SCHOOLS, TUTORIAL SERVICES, COLLEGES, OR OTHER EDUCATIONAL OR TRAINING INSTITUTION OPERATED FOR PROFIT, FOR EACH PLACE OF BUSINESS	~~$ 235.00~~	$ 247
PROCESS SERVICE	~~$ 165.00~~	$ 173
PRODUCTION COMPANY	~~$ 165.00~~	$ 173
PROFESSIONAL ASSOCIATION/PROFESSIONAL CORPORATION	~~$ 190.00~~	$ 200
PROMOTER:		
(a) SINGLE EVENT- PREMISE SPECIFIC LICENSE		
PREMISES WITH TOTAL PERMITTED OCCUPANCY UNDER 150	~~$ 65.00~~	$ 68
PREMISES WITH TOTAL PERMITTED OCCUPANCY OF 150 MORE	~~$ 130.00~~	$ 137
(b) MULTIPLE EVENT - PREMISES SPECIFIC LOCATION		
PREMISES WITH TOTAL PERMITTED OCCUPANCY UNDER 150	~~$ 65.00~~	$ 68
PREMISES WITH TTL PERMITTED OCCUPANCY OF 150 MORE	~~$ 130.00~~	$ 137
(c) MULTIPLE EVENT - LICENSE PREMISES GENERAL LICENSE		
PREMISES WITH TOTAL PERMITTED OCCUPANCY UNDER 150	~~$ 165.00~~	$ 173
PREMISES WITH TTL PERMITTED OCCUPANCY OF 150 MORE	~~$ 330.00~~	$ 347
PROPERTY MANAGEMENT, OR THE BUSINESS OR SERVICE OF OPENING AND CLOSING OF HOMES, OR BOTH	~~$ 190.00~~	$ 200
PUBLIC RELATIONS	~~$ 165.00~~	$ 173
PUBLISHER	~~$ 165.00~~	$ 173

R

RACING INFORMATION (TIP SHEETS)	~~$ 580.00~~	$ 609
REAL ESTATE BROKERAGE FIRMS (S.R.)	~~$ 165.00~~	$ 173
(a) EACH BROKER CONNECTED THEREWITH	~~$ 165.00~~	$ 173
(b) EACH SALESPERSON CONNECTED THEREWITH	~~$ 70.00~~	$ 74
REPAIR SHOPS, INCLUDING UPHOLSTERING, FURNITURE		

REPAIRING, KNIFE AND LAWN MOWER SHARPENING, REFRIGERATOR, ETC. , FOR EACH PLACE OF BUSINESS	~~$ 190.00~~	$ 200
RESTAURANTS, DRUGSTORES OR OTHER ESTABLISHMENTS SERVING FOOD PERMITTING THE OPERATION OF CAFÉ, CAFETERIA, DINING ROOM, TEA ROOM OR RESTAURANT TAKE-OUT WITH CHAIRS, OR STOOLS, EACH TO COUNT AS ONE SEAT:		
(a) NO CHAIRS	~~$ 150.00~~	$ 158
(b) PER CHAIR 1 TO 50 SEATS	~~$ 7.00~~	$ 7
(c) EACH ADDITIONAL CHAIR OVER 50	~~$ 8.00~~	$ 8
RINK, SKATING, BICYCLE OR OTHERS, OWNERS OR PERSONS MAINTAINING SAME, SUBJECT TO SPECIAL PERMISSION FROM THE CITY COMMISSION	~~$ 110.00~~	$ 116
ROOMING HOUSES OR LODGING HOUSES IN WHICH THERE ARE MORE THAN THREE BEDS FOR THE USE OF LODGERS OR ROOMERS, OR IN WHICH MORE THAN SIX PAYING GUESTS ARE ALLOWED TO SLEEP:		
(a) FOR THE FIRST TWENTY ROOMS	~~$ 140.00~~	$ 147
(b) FOR EACH ADDITIONAL ROOM OVER TWENTY	~~$ 5.00~~	$ 6
ANY APARTMENT HOUSE, HOTEL OR ANY OTHER PLACE SERVING MEALS OR FOOD OTHER THAN A BOARDINGHOUSE, REQUIRES A RESTAURANT LICENSE. (SEE RESTAURANTS, DRUGSTORES OR OTHER ESTABLISHMENTS.) (S.R.)		

S

SAIL MAKER	~~$ 165.00~~	$ 173
SALES OFFICE, DEVELOPERS, TEMPORARY	~~$ 220.00~~	$ 231
SANITARIUM OR INSTITUTION OF LIKE CHARACTER: (SEE HOSPITALS AND NURSING HOMES)	~~$ 785.00~~	$ 824
SECONDHAND DEALERS/DEALERS IN RENOWNED MERCHANDISE		
(a) IN GOODS OTHER THAN WEARING APPAREL	~~$ 285.00~~	$ 299
(b) IN WEARING APPAREL	~~$ 320.00~~	$ 336
(c) IN CARS	~~$ 285.00~~	$ 299
(d) IN BOATS	~~$ 285.00~~	$ 299
SERVICE STATIONS		
(a) FIRST PUMP	~~$ 110.00~~	$ 116
(b) EACH ADDITIONAL PUMP	~~$ 45.00~~	$ 47
ALL PERSONS ENGAGED IN THE BUSINESS OF SELLING MERCHANDISE OF ANY KIND, SORT OR DESCRIPTION, EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED BY THIS SECTION, SHALL BE REQUIRED TO PAY MERCHANTS LICENSE TAX.		
SHOE REPAIRING		
(a) REPAIRING ON PREMISES	~~$ 145.00~~	$ 152
(b) SHOE REPAIR AGENCY WHERE REPAIRS ARE DONE OFF THE PREMISES	~~$ 75.00~~	$ 79
SHOE SHINE STAND, EACH CHAIR	~~$ 10.00~~	$ 11
SIGHTSEEING BUSES, EACH BUS	~~$ 470.00~~	$ 494
SIGN WRITERS	~~$ 190.00~~	$ 200
SOCIOLOGIST OR MARRIAGE COUNSELORS	~~$ 190.00~~	$ 200
SODA FOUNTAIN / ICE CREAM PARLOR:		

PROVIDED THAT SODA FOUNTAINS OPERATED IN CONNECTION WITH REGULARLY LICENSED RESTAURANTS DO NOT REQUIRE AN ADDITIONAL LICENSE, THIS LICENSE IS RESTRICTED TO SODA, FROZEN YOGURT AND ICE CREAM PRODUCTS, ANY OTHER ITEM, SUCH AS SANDWICHES, HOT DOGS, PASTRY ETC. WILL REQUIRE A RESTAURANT LICENSE (S.R.)	~~$ 110.00~~	$ 116
SOLARIUM	~~$ 190.00~~	$ 200
SOUND OPERATOR	~~$ 165.00~~	$ 173
SOUND RECORDING STUDIO	~~$ 285.00~~	$ 299
STEAMSHIP AGENCY	~~$ 165.00~~	$ 173
STOCK BROKERS (FULL SERVICE)	~~$1,175.00~~	$ 1,234
EACH SALESMAN CONNECTED THEREWITH	~~$ 70.00~~	$ 74
INTRODUCING BROKERS:		
(a) EMPLOYING FIVE PERSONS OR LESS	~~$ 95.00~~	$ 100
(b) EMPLOYING MORE THAN FIVE AND NOT OVER FIFTEEN PERSONS	~~$ 190.00~~	$ 200
(c) EMPLOYING MORE THAN FIFTEEN PERSONS AND NOT OVER TWENTY PERSONS	~~$ 285.00~~	$ 299
SWIMMING POOLS (CONCESSION)	~~$ 190.00~~	$ 200

T

TAILOR/ALTERATIONS, EACH SHOP	~~$ 145.00~~	$ 152
AS AN ACCESSORY TO THE MAIN OCCUPATION	~~$ 70.00~~	$ 74
TALENT/MODEL AGENCY (STATE LICENSE REQUIRED)	~~$ 165.00~~	$ 173
TATTOO ESTABLISHMENT	~~$ 190.00~~	$ 200
TATTOO ARTIST EACH	~~$ 190.00~~	$ 200
TAG COLLECTION AGENCIES, INCLUDE AUTO TAGS, DRIVERS LICENSE, HUNTING AND FISHING LICENSES, BOAT REGISTRATION ETC.	~~$ 190.00~~	$ 200
AS AN ACCESSORY TO THE MAIN OCCUPATION	~~$ 55.00~~	$ 58
TAXIDERMIST	~~$ 190.00~~	$ 200
TELEGRAPH COMPANIES AND/OR MONEY BY PHONE OR WIRE	~~$ 165.00~~	$ 173
TELEPHONE ANSWERING SERVICE	~~$ 165.00~~	$ 173
TELEPHONE DISTRIBUTOR	~~$ 220.00~~	$ 231
EACH TELEPHONE	~~$ 25.00~~	$ 26
TELEPHONE SALES OFFICE	~~$ 165.00~~	$ 173
ALL PERSONS ENGAGED IN THE BUSINESS OF SELLING MERCHANDISE OF ANY KIND, SORT OR DESCRIPTION, EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED BY THIS SECTION, SHALL ALSO BE REQUIRED TO PAY A MERCHANTS LICENSE TAX.		
TELEVISION RENTAL	~~$ 165.00~~	$ 173
TENNIS COURT	~~$ 165.00~~	$ 173
TENNIS PRO	~~$ 165.00~~	$ 173
THEATERS FROM 0 TO 49 SEATS	~~$ 450.00~~	$ 473
50 SEATS AND OVER	~~$ 940.00~~	$ 987
THEATRICAL PERFORMANCE, WHOLLY FOR BENEVOLENT OR CHARITABLE PURPOSES, NO LICENSE REQUIRED	EXEMPT	EXEMPT

THEATRICAL PRODUCER	~~$ 165.00~~	$ 173
THERAPIST	~~$ 190.00~~	$ 200
TICKET OFFICE	~~$ 165.00~~	$ 173
TOWEL AND LINEN SUPPLY SERVICE	~~$ 190.00~~	$ 200
TOW TRUCK ASSOCIATED WITH:		
(a) SERVICE STATION, EACH	~~$ 150.00~~	$ 158
(b) WRECKER OR TOWING SERVICE, EACH	~~$ 150.00~~	$ 158
TRANSPORTATION SERVICE (INSURANCE REQUIRED)	~~$ 190.00~~	$ 200
INCLUDING BUT NOT LIMITED TO; VANS, CARS, RICKSHAWS HORSE AND BUGGY, ETC. EACH VEHICLE	~~$ 165.00~~	$ 173
TRAVEL BUREAUS/ TOUR OPERATORS (S.R.)	~~$ 165.00~~	$ 173
TYPING, WORD PROCESSING, RESUME, LETTER WRITING SERVICE	~~$ 165.00~~	$ 173
AGENCY (WORK DONE OFF PREMISES)	~~$ 55.00~~	$ 58

U

UPHOLSTERING (SEE REPAIR SHOPS.)		
USHERING SERVICE	~~$ 165.00~~	$ 173

V

(a) VALET PARKING AT HOTELS, APARTMENT HOUSES, RESTAURANTS, BARS, ETC., EACH LOCATION INSURANCE REQUIRED	~~$ 220.00~~	$ 231
(b) VALET PARKING OPERATORS WHO CONDUCT THEIR OPERATIONS ON PUBLIC PROPERTY:		
FIRST LOCATION	~~$ 220.00~~	$ 231
EACH ADDITIONAL LOCATION WHEN A PERMIT IS ISSUED	~~$ 110.00~~	$ 116
VETERINARIAN OR VETERINARY SURGEON	~~$ 190.00~~	$ 200
VIDEO COPY SERVICE	~~$ 165.00~~	$ 173
VIDEO TAPE RENTAL, EACH LOCATION	~~$ 200.00~~	$ 210
(INCLUDES ACCESSORY RENTAL OF TAPE PLAYERS AND CAMCORDERS) TAPE RENTAL AS AN ACCESSORY TO MAIN OCCUPATION	~~$ 55.00~~	$ 58

W

WAREHOUSE STORAGE YARD	~~$ 285.00~~	$ 299
WHOLESALE DEALERS	~~$ 285.00~~	$ 299
WINDOW CLEANERS AND JANITOR SERVICE BOND REQUIRED	~~$ 190.00~~	$ 200
WRECKER SERVICE	~~$ 165.00~~	$ 173
EACH TOW TRUCK	~~$ 150.00~~	$ 158

REPEALER

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

SEVERABILITY

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

CODIFICATION

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby Ordained the provisions of this Ordinance shall become and be made part of the Code of the City of Miami Beach, Florida. The sections of this Ordinance may be renumbered or relettered To accomplish such intentions and the word "ordinance" may be changed to "section", "article", Or other appropriate word.

EFFECTIVE DATE

This Ordinance shall take effect on October 1, 2003.

PASSED AND ADOPTED This _____ day of _____, 2003.

_____

MAYOR

ATTEST:

_____

CITY CLERK

1ST Reading 07/02/03
2ND READING 07/30/03

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 7-24-03 Date

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING CHAPTER 50 OF THE CITY CODE, ENTITLED "FIRE PREVENTION AND PROTECTION"; AMENDING SECTION 50-5, ENTITLED "ANNUAL FIRE PREVENTION AND FIRE SAFETY INSPECTION PERMIT"; AMENDING SUBSECTION 50-5(d) THEREOF, ENTITLED "FEES"; AMENDING APPENDIX A, AS REFERRED TO THEREIN; SAID AMENDMENTS PROVIDING FOR AN INCREASE IN FEES CHARGED FOR FIRE SAFETY PERMITS OF FIFTEEN (15%) PERCENT, COMMENCING ON OCTOBER 1, 2003 (FISCAL YEAR 2003-04); PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting on May 12, 2003, the Finance and Citywide Projects Committee recommended an increase in the fee charged for annual fire safety permits of 15%, with the new rate to take effect on October 1, 2003 (Fiscal Year 2003-04); and

WHEREAS, the annual fire safety permit cumulative change in the Consumer Price Index (CPI) from March 1997 to March 2003 was 15%; and

WHEREAS, it is further recommended that said fees, following the aforestated increase, be increased annually on October 1st of the City's Fiscal Year, by an amount commensurate with a change in the CPI; and

WHEREAS, on first reading of the aforestated ordinance amendment on July 2, 2003, the Mayor and City Commission accepted the Finance and Citywide Projects Committee's recommendations, with the exception of the annual increase provisions after fiscal year 2003-04, which was not accepted.

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

SECTION 1. That Chapter 50, Section 50-5, Subsection 50-5(d) of the Miami Beach City Code is hereby amended as follows:

Section 50-5 Annual fire prevention and fire safety inspection permit.

* * * *

(d) Fees. The fees for the issuance of the fire safety permit and the annual renewal thereof, as may be required, are herein listed as follows. Occupancies are classified in accordance with Chapter 4 of the National Fire Protection Association (NFPA) 101 Life Safety Code, adopted by the City.

As provided in Resolution No _____, a review of the annual fee will be required whenever the change in the Consumer Price Index (CPI), between the latest CPI and the date of the CPI used for the last fee adjustment, is five percent (5%) or greater.

SECTION 2. That Chapter 50, Section 50-5, Subsection 50(5)(d), and Appendix A thereto is hereby amended as indicated below.

APPENDIX A FEE SCHEDULE

FEE SCHEDULE

This appendix includes all fees and charges established by the city commission that are referred to in the indicated sections of the Code of Ordinances:

TABLE INSET: * * * *

Section this code	Description Subpart A. General Ordinances	Amount -	
	* * * *		
Sec 50-5(d)(1)	**Assembly occupancies:**		
	Class A--occupant load greater than 1,000 persons.....	~~100.00~~	115.00
	Class B--occupant load greater than 300 but not greater than 1,000 persons.	~~75.00~~	86.25
	Class C--occupant load of 50 or more but not > 300 persons.....	~~50.00~~	57.50
Sec 50-5(d)(2)	**Educational occupancies:** Schools (private)--educational facilities inclusive of the first to the 12th grade:		
	Buildings up to 10,000 square feet.....	~~50.00~~	57.50
	Buildings greater than 10,000 square feet.....	~~50.00~~	57.50
	Plus, for each additional 1,000 square feet.....	~~1.00~~	1.15
	Nurseries, day care centers, kindergartens--educational facilities up to but not including the first grade.....	~~50.00~~	57.50

Sec 50-5(d)(3)	**Health care occupancies:** Private hospitals, nursing homes, limited care facilities:		
	Up to 100 beds.....	~~125.00~~	143.75
	Over 100 beds.....	~~125.00~~	143.75
	Plus, per bed over 100.....	~~1.25~~	1.44
Sec 50-5(d)(4)	**Residential occupancies:** Apartment buildings:		
	3--11 dwelling units.....	~~50.00~~	57.50
	12--50 dwelling units.....	~~70.00~~	80.50
	Over 50 dwelling units.....	~~70.00~~	80.50
	Plus, per unit over 50.....	~~2.00~~	2.30
	Hotel, motel, dormitories, lodging house or rooming house:		
	3--50 rental sleeping units.....	~~70.00~~	80.50
	Over 50 sleeping units.....	~~70.00~~	80.50
	Plus, per unit over 50.....	~~2.00~~	2.30
	Board and care facilities.....		
	Small facilities--not more than 16 residents.....	~~70.00~~	80.50
	Large facilities--more than 16 residents.....	~~70.00~~	80.50
	Plus, per unit over 16.....	~~2.00~~	2.30
Sec 50-5(d)(5)	**Mercantile occupancies:** Class A—all stores having an aggregate gross area of more than 30,000 square feet or utilizing more than three levels,.		
	excluding mezzanines, for sales purposes.....	~~75.00~~	86.25
	Plus, 1,000 square feet over 30,000 square feet.....	~~1.00~~	1.15

	Class B--all stores of more than 3,000 square feet but not more than 30,000 square feet aggregate gross area, or	~~75.00~~	86.25
	utilizing floors above or below the street floor level for sales	~~75.00~~	86.25
	Class C--all stores of not more than 3,000 square feet gross area used for sales purposes on one story only	~~50.00~~	57.50
Sec 50-5(d)(6)	**Business occupancies:**		
	General offices, including doctors', dentists', and outpatient clinics (ambulatory):		
	Up to 5,000 square feet.....	~~50.00~~	57.50
	Over 5,000 square feet.....	~~50.00~~	57.50
	Plus, for each additional 1,000 square feet.....	~~1.00~~	1.15
	Colleges and university instructional buildings, classrooms under 50 persons and instructional laboratories.....	~~50.00~~	57.50
	Plus, for each classroom.....	~~1.00~~	1.15
Sec 50-5(d)(7)	**Industrial occupancies:**		
	General industrial occupancies--industrial operations conducted in buildings of conventional design suitable for various types of industrial processes; subject to possible use for types of industrial processes with high density of employee population:		
	Up to 5,000 square feet.....	~~50.00~~	57.50
	Over 5,000 square feet.....	~~50.00~~	57.50
	Plus, for each additional 1,000 square feet.....	~~1.00~~	1.15
	Special purpose industrial occupancies - industrial operations in buildings designed for and suitable only for particular types of operations, characterizes by a relatively low density of employee population , with much of the area occupied by machinery or equipment		
	Up to 5,000 square feet.....	~~75.00~~	86.25
	Over 5,000 square feet.....	~~75.00~~	86.25
	Plus, for each additional 1,000 square feet.....	~~1.25~~	1.44

	High hazard industrial occupancies--buildings having high hazard materials, processes, or contents:		
	Up to 5,000 square feet.....	~~100.00~~	115.00
	Over 5,000 square feet.....	~~100.00~~	115.00
	Plus, for each additional 1,000 square feet.....	~~1.50~~	1.73
Sec 50-5(d)(8)	**Storage occupancies:**		
	Low hazard contents--classified as those of such low combustibility that no self-propagating fire therein can occur.....	~~50.00~~	57.50
	Ordinary hazard contents--classified as those that are likely to burn with moderate rapidly or to give off a considerable volume of smoke:		
	Up to 10,000 square feet.....	~~75.00~~	86.25
	Over 10,000 square feet.....	~~75.00~~	86.25
	Plus, for each additional 2,000 square feet.....	~~1.00~~	1.15
	High hazard contents--classified as those that are likely to burn with extreme rapidity or from which explosions are likely:		
	Up to 5,000 square feet.....	~~100.00~~	115.00
	Over 5,000 square feet.....	~~100.00~~	115.00
	Plus, for each additional 1,000 square feet.....	~~1.00~~	1.15
Sec 50-5(d)(9)	**Marinas:**		
	3 to 12 boat slips.....	~~50.00~~	57.50
	13 to 50 boat slips.....	~~100.00~~	115.00
	Over 50 boat slips.....	~~100.00~~	115.00
	Plus, per slip over 50.....		

~~1.50~~ 1.73

REPEALER

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

SEVERABILITY

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

CODIFICATION

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby Ordained 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 of relettered To accomplish such intentions and the word "ordinance" may be changed to "section", "article", or other appropriate word.

EFFECTIVE DATE

This Ordinance shall take effect on October 1, 2003.

PASSED AND ADOPTED This _____ day of _____, 2003.

_____

MAYOR

ATTEST:

_____

CITY CLERK

1ST Reading 07/02/03
2ND READING 07/30/03

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 2-24-03 Date

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 14 OF THE CITY CODE, ENTITLED "BUILDING REGULATIONS"; AMENDING DIVISION II THEREIN, ENTITLED "PERMIT FEES"; AMENDING SECTION 14-426 THEREIN, ENTITLED "ANNUAL FACILITY PERMIT"; AMENDING SUBSECTION 14-426(3)(g) PROVIDING FOR "CERTIFICATE OF USE FEES"; AMENDING APPENDIX A THEREIN; SAID AMENDMENT PROVIDING FOR AN INCREASE IN SAID FEES FOR CERTIFICATES OF USE OF TEN PERCENT (10%), EFFECTIVE ON OCTOBER 1, 2003 (FISCAL YEAR 2003-04); PROVIDING FOR ANOTHER TEN PERCENT (10%) INCREASE, EFFECTIVE ON OCTOBER 1, 2004 (FISCAL YEAR 2004-05); PROVIDING FOR ANOTHER TEN PERCENT (10%) INCREASE, EFFECTIVE ON OCTOBER 1, 2005 (FISCAL YEAR 2005-06); EFFECTIVE ON OCTOBER 1, 2006 (FISCAL YEAR 2006-07), PROVIDING FOR ANOTHER INCREASE EQUAL TO THE CUMULATIVE PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX (CPI) FROM MARCH 2003 TO SEPTEMBER 2006; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Certificate of Use Ordinance was established in 1988 to recover building, planning, and zoning inspections and annual follow up and the fee was last increased on September 16, 1992; and

WHEREAS, the cumulative change in Consumer Price Index from September 1992 to March 2003 was 30%; and

WHEREAS, at its meeting on May 12, 2003, the Finance and Citywide Projects Committee recommended fee increases for occupational license, certificate of use, and fire inspection fees; and

WHEREAS, the Finance and Citywide Projects Committee recommended an increase in the fee charged for the certificate of use of 10%, on October 1, 2003; 10% on October 1, 2004; and 10% on October 1, 2005, to bring the fee in line with the Consumer Price Index; and

WHEREAS, the Finance and Citywide Projects Committee also requested that an automatic annual escalation provision, based on the increase in the annual CPI, be implemented to ensure that rates keep up with the increased cost of providing services; and

WHEREAS, on first reading of the aforetasted proposed amendments to the Certificate of Use Ordinance, the Mayor and the City Commission accepted the Finance and Citywide Project Committee recommendations, except for the annual escalation provision (following the annual fee increase in fiscal year 2005-06).

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

SECTION 1. That Chapter 14, Division II, Section 14-426, Subsection 14-426(3)(g) is amended as follows:

(g) The fees for certificate of use shall be as specified in Appendix A. Effective October 1, 2004 (Fiscal Year 2004-05), said fees shall be increased by ten percent (10%); effective October 1, 2005 (Fiscal Year 2005-06), said fees shall be increased by ten percent (10%); effective October 1, 2006 (Fiscal Year 2006-07), said fees shall be increased by a percentage equal to the cumulative change in the Consumer Price Index (CPI) measured between March 2003 to September 2006.

As provided in Resolution No _____, a review of the annual permit fee will be required whenever the change in the Consumer Price Index (CPI), between the latest CPI and the date of the CPI used for the last fee adjustment, is five percent (5%) or greater.

SECTION 2. That Chapter 14, Division II, Section 14-426, Subsection 14-426(3)(g), Appendix A is amended as indicated below.

Sec 14-426(3)(g)
Certificate of use fees:
Apartments, including condominiums:

	Current Rates	New Rate
3--50 units.....		
Each additional unit over 50.....	~~52.50~~	57.75
Hotel, motel and rooming houses:	~~1.50~~	1.65
3--50 units.....		
Each additional unit over 50.....	~~52.50~~	57.75
Retail, wholesale, storage, manufacturing, garages, office, miscellaneous:	~~1.50~~	1.65

Up to 5,000 square feet.....		
Over 5,000 square feet.....	~~52.50~~	57.75
Open areas (parking lots, boat sales, and auto sales)	~~105.00~~	115.50
Restaurants (bars, lounges): First 60 seats.....	~~52.50~~	57.75
Each additional 20 seats.....	~~52.50~~	57.75
Adult congregate living facilities, nursing homes, hospitals Up to 50 beds.....	~~15.00~~	16.50
Each additional bed over 50.....	~~60.00~~	66.00
Day care centers, nursery schools, private schools.....	~~1.50~~	1.65
Theatres: Up to 500 seats.....	~~60.00~~	66.00
Over 500 seats.....	~~52.50~~	57.75
Church, synagogue, temple.....	~~105.00~~	115.50
Municipal buildings, county, state, and federal facilities and public schools, etc., are exempt.	~~52.50~~	57.75
Marinas (marine dockage): 3 to 15 boat slips.....		
16 to 50 boat slips.....	~~52.50~~	57.75
Each additional boat slip over 50.....	~~75.00~~	82.50
	~~1.50~~	1.65

REPEALER

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

SEVERABILITY

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

CODIFICATION

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby Ordained 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 of relettered To accomplish such intentions and the word "ordinance" may be changed to "section", "article", or other appropriate word.

EFFECTIVE DATE

This Ordinance shall take effect on October 1, 2003.

PASSED AND ADOPTED This _____ day of _____, 2003.

_____

MAYOR

ATTEST:

_____

CITY CLERK

1ST Reading 07/02/03
2ND READING 07/30/03

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 7-24-03 Date

CITY OF MIAMI BEACH
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY given that public hearings will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, July 30, 2003, at the times listed below,** to consider the following:

at 10:40 a.m.:
An Ordinance Amending Chapter 30 Of The Miami Beach City Code, Section 30-76(B) Entitled "Mitigation", By Providing That Mitigation Requests Must Be Filed Within One Year Of The Entry Of The Special Master Order Imposing The Fine; By Deleting The Ability Of The City And The Violator To Agree To Allow The Mitigation Request Be Filed After The One Year Period Has Lapsed; And By Deleting The Requirement Of City Commission Approval Of Mitigation In Excess Of $100,000; Providing For Repealer, Severability, Codification, And An Effective Date

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

at 11:00 a.m.:
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 102 OF THE CITY CODE, ENTITLED "TAXATION"; AMENDING DIVISION IV THEREIN, ENTITLED "TAX"; AMENDING ARTICLE V THEREIN, ENTITLED "OCCUPATIONAL LICENSE TAX"; AMENDING SECTION 102-379 THEREIN, ENTITLED "SCHEDULE OF TAXES"; SAID AMENDMENT PROVIDING FOR AN INCREASE IN FEES CHARGED ANNUALLY FOR OCCUPATIONAL LICENSES OF FIVE PERCENT (5%) (ROUNDED TO THE NEAREST DOLLAR), EFFECTIVE ON OCTOBER 1, 2003 (FISCAL YEAR 2003-04); PROVIDING FOR ANOTHER FIVE PERCENT (5%) INCREASE IN SAID OCCUPATIONAL LICENSE FEES, EFFECTIVE ON OCTOBER 1, 2005 (FISCAL YEAR 2005-06); FURTHER ADDING AN ANNUAL FEE CATEGORY FOR ADULT ENTERTAINMENT ESTABLISHMENT; AND ADDING A CLASSIFICATION AND AN ANNUAL FEE CATEGORY FOR NIGHTCLUBS (OR A VERSION OF DANCEHALL LICENSE, AS DEFINED IN THE CITY'S ZONING ORDINANCE); PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

at 11:05 a.m.:
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING CHAPTER 50 OF THE CITY CODE, ENTITLED "FIRE PREVENTION AND PROTECTION"; AMENDING SECTION 50-5, ENTITLED "ANNUAL FIRE PREVENTION AND FIRE SAFETY INSPECTION PERMIT"; AMENDING SUBSECTION 50-5(D) THEREOF, ENTITLED "FEES"; AMENDING APPENDIX A, AS REFERRED TO THEREIN; SAID AMENDMENTS PROVIDING FOR AN INCREASE IN FEES CHARGED FOR FIRE SAFETY PERMITS OF FIFTEEN (15%) PERCENT, COMMENCING ON OCTOBER 1, 2003 (FISCAL YEAR 2003-04); PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

at 11:10 a.m.:
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 14 OF THE CITY CODE, ENTITLED "BUILDING REGULATIONS"; AMENDING DIVISION II THEREIN, ENTITLED "PERMIT FEES"; AMENDING SECTION 14-426 THEREIN, ENTITLED "ANNUAL FACILITY PERMIT"; AMENDING SUBSECTION 14-426(3)(G) PROVIDING FOR "CERTIFICATE OF USE FEES"; AMENDING APPENDIX A THEREIN; SAID AMENDMENT PROVIDING FOR AN INCREASE IN SAID FEES FOR CERTIFICATES OF USE OF TEN PERCENT (10%), EFFECTIVE ON OCTOBER 1, 2003 (FISCAL YEAR 2003-04); PROVIDING FOR ANOTHER TEN PERCENT (10%) INCREASE, EFFECTIVE ON OCTOBER 1, 2004 (FISCAL YEAR 2004-05); PROVIDING FOR ANOTHER TEN PERCENT (10%) INCREASE, EFFECTIVE ON OCTOBER 1, 2005 (FISCAL YEAR 2005-06); PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

at 11:15 a.m.:
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING CHAPTER 82, ENTITLED "PUBLIC PROPERTY"; AMENDING ARTICLE IV THEREIN, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY"; AMENDING DIVISION V THEREIN, ENTITLED "SIDEWALK CAFES"; AMENDING SECTION 82-383 THEREIN, ENTITLED "TAX RENEWAL FEE; PENALTIES FOR LATE PAYMENTS FOR RENEWAL FEE"; FURTHER AMENDING APPENDIX A TO SECTION 82-383; SAID AMENDMENTS INCREASING THE ANNUAL FEE FOR ESTABLISHING OR MAINTAINING A SIDEWALK CAFÉ (AS SAID FEES ARE SET FORTH IN APPENDIX A) BASED UPON PER SQUARE FOOT OF USABLE SIDEWALK AREA, INCLUDING THE AREAS BETWEEN TABLES AND CHAIRS, TO $12.50 PER SQUARE FOOT, COMMENCING ON OCTOBER 1, 2003 (FISCAL YEAR 2003-04); PROVIDING FOR AN INCREASE OF SAID ANNUAL FEE TO $15.00 PER SQUARE FOOT, COMMENCING ON OCTOBER 1, 2004 (FISCAL YEAR 2004-05); PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE

Inquiries may be directed to the Finance Department at (305) 673-7466.

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 ordinances are available for public inspection during normal business hours in the City Clerk's Office, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting may be continued and under such circumstances additional legal notice would not be provided.

Robert E. Parcher, City Clerk
City of Miami Beach

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

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding, or to request information on access for persons with disabilities, or to request this publication in accessible format, or to request sign language interpreters, should contact the City Clerk's office at (305) 673-7411, no later than four days prior to the proceeding. If hearing impaired, contact the City Clerk's office via the Florida Relay Service numbers, (800) 955-8771 (TTY) or (800) 955-8770 (VOICE).

(Ad #0192)

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

An ordinance of the Mayor and City Commission of the City of Miami Beach, Florida amending sidewalk café Ordinance section 39-31 entitled "permit fee" of the Miami Beach City code.

Issue:

Should the Sidewalk Café Ordinance be amended to increase the per square foot fee from $10.00 per square foot to $15.00 per square foot over a two year period and a policy to trigger an automatic review of fees be established when a certain threshold change in the CPI occurs ?

Item Summary/Recommendation:

It is recommended that the fee be increased upon approval of said Ordinance to $12.50 per square foot for the year beginning October 1, 2003 and to $15.00 per square foot for the year beginning October 1, 2004.

Advisory Board Recommendation:

The Finance and Citywide Projects Committee approved the recommended fee increase during their May 12, 2003 meeting.

Financial Information:

Additional Revenue Projection

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1	$31,300	011-8000-322160	
2	$78,800	011-8000-322161	
3	$16,500	011-8000-322163	
4			
Total	$126,600		

City Clerk's Office Legislative Tracking:

Patricia Walker

Sign-Offs:

Department Director	Assistant City Manager	City Manager

AGENDA ITEM R5C

DATE 7-30-03

CITY OF MIAMI BEACH

1700 CONVENTION CENTER DRIVE, MIAMI BEACH FL 33139-1824

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

SECOND READING PUBLIC HEARING

Subject: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING CHAPTER 82, ARTICLE IV, DIVISION V, ENTITLED "SIDEWALK CAFES"; AMENDING SECTION 82-383, ENTITLED "TAX RENEWAL FEE; PENALTIES FOR LATE PAYMENTS FOR RENEWAL FEE"; AMENDING APPENDIX A THEREIN, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

ADMINISTRATION RECOMMENDATION:

Approve the Ordinance on second reading.

ANALYSIS:

On first reading of the Ordinance on July 2, 2003, the Mayor and City Commission accepted the Finance and Citywide Projects Committee's recommendations to increase sidewalk café fees to $12.50 per square foot for the year beginning October 1, 2003 and to $15.00 per square foot for the year beginning October 1, 2004, with the exception of the annual increase provision which was not accepted.

It was then recommended that a methodology be put in place to review the fees when a defined threshold change in the CPI occurs. Therefore, it is recommended that a review of the fees be initiated whenever the change in the CPI, between the current CPI and the date of CPI used to establish the last rate adjustment, is greater than five percent (5%). Upon reaching this threshold, and following a survey of fees for similar services in surrounding communities and/or an analysis to review the current cost of providing such services, adjustment to such fees will be incorporated into an amended ordinance or resolution, as appropriate, and submitted to the Mayor and City Commission for approval. This process will help to insure that the city is recovering costs for services provided and keeping fees competitive and in line with cost of living increases.

This methodology will be presented to the Mayor and the City Commission on July 30, 2003, for approval on a separate resolution.

Further it is intended that the Sidewalk Café fee be abated for those restaurants affected during the construction of Washington Ave in the same manner as previously abated during the construction of the Lincoln Rd and North Shore improvement projects.

Additionally, it will be possible to administratively address the outstanding question on the possible concurrency impacts associated with adjustments to existing sidewalk cafe permits. An evaluation of the permitted sidewalk cafe seats indicates that the number of seats permitted when the Transportation Concurrency Management Areas (TCMAs) were established was almost 5,400, approximately 400 seats greater than what was permitted in May 2003. Through discussions with the individual cafes, the Administration estimates that the existing cafes will increase the number of seats under permit by approximately 400 seats. The City will afford a one-time adjustment to the existing cafes previously described through September 30, 2003. With this one-time adjustment to address the correction of existing permits to reflect current patterns of usage, no new overall concurrency impact will be created as the new total number of seats permitted via the one time adjustment will be approximately the same as permitted in the past. Future sidewalk cafe permits would need to be evaluated for concurrency impacts under the rules then in effect and would not be affected by this one time adjustment.

BACKGROUND:

On October 8, 1992, the Mayor and City Commission adopted Ordinance No. 92-2808 which added article VI to the City Code Chapter 82, entitled "Sidewalk Cafes" establishing procedures, requirements, and permit fees for the operation of sidewalk cafés in the City. Miami Beach City Code Chapter 82 authorizes the city to charge restaurants with sidewalk cafes a $150.00 annual permit fee and a fee of $10.00 per square foot per year for the usable sidewalk area including the area between the tables and chairs. Additionally, there was an annual fee of $7.00 per chair for up to fifty chairs, and $8.00 for each additional chair, which was a component of the occupational license fee; however, it was repealed during 1997.

The Ordinance provided a waiver exempting such establishments on Lincoln Road from paying the permit fees, for a period of three years from October 8, 1992 through October 18, 1995, during the construction of improvements. During the North Shore Streetscape Improvement Project, a similar fee waiver was implemented for establishments in the North Beach area, primarily Normandy Circle and Ocean Terrace.

This waiver expired on September 30, 2001.

On January 15, 2003, the Finance and Citywide Projects Committee discussed the potential abatement of sidewalk café fees for businesses north of 63rd street to stimulate business in the North Beach Area. On February 26, 2003, Ordinance 2003-3397 was passed implementing an abatement of sidewalk café fees for businesses north of 63rd street, subject to an annual review during the preparation of the City's budget.

Although the Ordinance has undergone many changes administratively, the original fee that was imposed has not changed. At the current rate of $10.00 per square foot per annum, the City's annual revenue from sidewalk café fees is $505,980.

Currently, the city spends approximately $2.5 million on maintenance for Lincoln Road, Collins Avenue, and Ocean Drive, which includes the following services: sidewalk sweeping, pressure cleaning, enhanced bathroom cleaning, painting / electrical, landscaping/ maintenance, and fountain maintenance. The cost to maintain these

sidewalk café areas is approximately $48.52 per square foot per year, based on the annual cost to provide enhanced maintenance to Lincoln Road, Collins Avenue and Ocean Drive.

The Finance and Citywide Projects Committee recommended an increase in the annual fee for sidewalk cafes fee from $10.00 per square foot per year to $15.00 per square foot per year over a two-year period. Additionally, the Committee recommended that an annual escalation provision be included in the Ordinance.

JMG/PDW/ris

ORDINANCE NO._____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING CHAPTER 82, ENTITLED "PUBLIC PROPERTY"; AMENDING ARTICLE IV THEREIN, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY"; AMENDING DIVISION V THEREIN, ENTITLED "SIDEWALK CAFES"; AMENDING SECTION 82-383 THEREIN, ENTITLED "TAX RENEWAL FEE; PENALTIES FOR LATE PAYMENTS FOR RENEWAL FEE"; FURTHER AMENDING APPENDIX A TO SECTION 82-383; SAID AMENDMENTS INCREASING THE ANNUAL FEE FOR ESTABLISHING OR MAINTAINING A SIDEWALK CAFÉ (AS SAID FEES ARE SET FORTH IN APPENDIX A) BASED UPON PER SQUARE FOOT OF USABLE SIDEWALK AREA, INCLUDING THE AREAS BETWEEN TABLES AND CHAIRS, TO $12.50 PER SQUARE FOOT, COMMENCING ON OCTOBER 1, 2003 (FISCAL YEAR 2003-04); PROVIDING FOR AN INCREASE OF SAID ANNUAL FEE TO $15.00 PER SQUARE FOOT, COMMENCING ON OCTOBER 1, 2004 (FISCAL YEAR 2004-05); PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, on October 8, 1992, the Mayor and City Commission adopted Ordinance No. 92-2808, which is codified in Chapter 82, Article IV, Division V, Sections 82-366 through 82-388 of the Miami Beach City Code and establishes procedures, requirements, and permit fees for the operation of sidewalk café, in the city (the City's Sidewalk Café Ordinance); and

WHEREAS, Section 82-383 of the City Code, and specifically Appendix A referred to therein, authorizes the city to charge restaurants with sidewalk cafes a $150.00 annual sidewalk café permit fee, and a fee of $10.00 per annum per square foot of usable sidewalk area including the area between the tables and chairs; and

WHEREAS, the original sidewalk cafe fees have never been increased; and

WHEREAS, currently, the City spends approximately $2.5 million to maintain these sidewalk café areas, which is approximately $48.52 per square foot per year, based on the annual cost to provide enhanced maintenance to Lincoln Road, Collins Avenue and Ocean Drive; and

WHEREAS, at a special meeting on May 12, 2003, the Finance and Citywide Projects Committee recommended to increase the sidewalk café fee pertaining to per square foot charge of usable sidewalk area, including the area between tables and chairs, from $10.00 per square foot per annum, to $15.00 per square foot per annum over a two-year period, commencing on October 1, 2003 (Fiscal Year 2003-04); and

WHEREAS, the annual permit fee of $150 will remain unchanged; and

WHEREAS, additionally, the Committee recommended that an annual escalation provision for responsible fee increases be included in the Ordinance; accordingly, the Administration has recommended that, commencing with Fiscal Year 2005-06, said annual increases in the aforestated fee be in accordance with the City's cost of living adjustment; and

WHEREAS, on first reading of the proposed amendments to the City's Sidewalk Café Ordinance on July 2, 2003, the Mayor and the City Commission accepted the recommendations of the Finance and City Wide Projects Committee, except for the provision relating to an automatic annual escalation after fiscal year 2004- 05, which was not accepted.

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

SECTION 1. That Chapter 82, Article IV, Division V, Section 82-383, is hereby amended as indicated below.

Section 82-383. Fees; renewal fee; penalties for late payments for renewal fee.

(a) The annual permit fee for establishing or maintaining a sidewalk cafe shall be as set forth in appendix A per square foot of usable sidewalk area, including the area between the tables and chairs, as determined by the ~~director~~ City Manager or his designee.

(b) The ~~director~~ City Manager or his designee may suspend or prorate the annual permit fee in cases of public construction or emergency situations.

(c) The permit fee shall be paid on or before October 1 and shall cover the time period from October 1 through September 30 of the following calendar year, except that if the permit fee exceeds $2,000.00, the fee may be paid in two semiannual installments, the first due on October 1 and the second due on April 1. No permit shall be issued for any portion of a year, but any person operating a sidewalk cafe for a period beginning after May 1 of any year may obtain a permit for the remaining portion of the fiscal year upon payment of one-half of the permit fee required by this division. Except as provided in section 82-384, no refund of the fees shall be granted.

(d) Late payments for permit renewal fees shall accrue at the rate of ten percent per annum for the first 30 days. If the permit renewal fee is not paid within 60 days after it is due, the permit shall terminate automatically. Any continued operation of the sidewalk cafe after termination shall be construed as operating a sidewalk cafe without a permit, and the director shall have the right to remove, after 24 hours' notice, any tables, chairs and any other objects used in connection with the sidewalk cafe.

(e) ~~Notwithstanding any other paragraph or provision of this article, no square footage fee as required by this section shall be required for the operation of sidewalk cafes on 71st Street, Normandy Drive, Normandy Fountain Circle and/or Ocean Terrace through September 30, 2001. However, a permit must still be obtained and the $150.00 base application fee required by subsection 82-382(b) shall be paid.~~

As provided in Resolution No _____, a review of the annual permit fee will be required whenever the change in the Consumer Price Index (CPI), between the latest CPI and the date of the CPI used for the last fee adjustment, is five percent (5%) or greater.

SECTION 2. That Chapter 82, Article IV, Division V, Section 82-383, Appendix A therein, is hereby amended as follows:

APPENDIX A FEE SCHEDULE

FEE SCHEDULE

This appendix includes all fees and charges established by the city commission that are referred to in the indicated sections of the Code of Ordinances:

TABLE INSET: * * * *

Section this Code	Description	Amount
	Subpart A. General Ordinances	
	* * * *	
82-383(a)	Annual fee, per square foot of usable sidewalk area, including the area between the tables and chairs.....	~~10.00~~ Commencing on October 1, 2003 (Fiscal Year 2003-04) 12.50; Commencing on October 1, 2004 (Fiscal Year 2004-05) 15.00

REPEALER

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

SEVERABILITY

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

CODIFICATION

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby Ordained 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 of reletterred To accomplish such intentions and the word "ordinance" may be changed to "section", "article", or other appropriate word.

EFFECTIVE DATE

This Ordinance shall take effect on October 1, 2003.

PASSED AND ADOPTED This _____ day of _____, 2003.

_____

MAYOR

ATTEST:

_____

CITY CLERK

1ST Reading 07/02/03
2ND READING 07/30/03

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

7-24-03

City Attorney Date

CITY OF MIAMI BEACH
NOTICE OF PUBLIC HEARING

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at 11:15 a.m.:
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING CHAPTER 82, ENTITLED "PUBLIC PROPERTY"; AMENDING ARTICLE IV THEREIN, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY"; AMENDING DIVISION V THEREIN, ENTITLED "SIDEWALK CAFES"; AMENDING SECTION 82-383 THEREIN, ENTITLED "TAX RENEWAL FEE; PENALTIES FOR LATE PAYMENTS FOR RENEWAL FEE"; FURTHER AMENDING APPENDIX A TO SECTION 82-383; SAID AMENDMENTS INCREASING THE ANNUAL FEE FOR ESTABLISHING OR MAINTAINING A SIDEWALK CAFÉ (AS SAID FEES ARE SET FORTH IN APPENDIX A) BASED UPON PER SQUARE FOOT OF USABLE SIDEWALK AREA, INCLUDING THE AREAS BETWEEN TABLES AND CHAIRS, TO $12.50 PER SQUARE FOOT, COMMENCING ON OCTOBER 1, 2003 (FISCAL YEAR 2003-04); PROVIDING FOR AN INCREASE OF SAID ANNUAL FEE TO $15.00 PER SQUARE FOOT, COMMENCING ON OCTOBER 1, 2004 (FISCAL YEAR 2004-05); PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE

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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 ordinances are available for public inspection during normal business hours in the City Clerk's Office, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting may be continued and under such circumstances additional legal notice would not be provided.

Robert E. Parcher, City Clerk
City of Miami Beach

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

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding, or to request information on access for persons with disabilities, or to request this publication in accessible format, or to request sign language interpreters, should contact the City Clerk's office at (305) 673-7411, no later than four days prior to the proceeding. If hearing impaired, contact the City Clerk's office via the Florida Relay Service numbers, (800) 955-8771 (TTY) or (800) 955-8770 (VOICE).
(Ad #0192)

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

An ordinance of the Mayor and City Commission amending Chapter 142, "Land Development Regulations," of the City Code; Division 7. "CCC, Civic and Convention Center district," in order to allow waivers of development regulations by a five-sevenths vote of the City Commission.

Issue:

The City Commission already has the discretion to waive the development regulations in the GU, Government Use districts. Should the Commission have the same discretion in the CCC district?

Item Summary/Recommendation:

Currently the City Code allows the City Commission to waive development regulations in the GU, Government Use district; however the CCC, Civic and Convention Center regulations do not have the same provision.

The Administration recommends that the City Commission approve the proposed amendment.

Advisory Board Recommendation:

This issue is before the Planning Board on July 29, 2003; a verbal report will be presented at the Commission meeting.

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Mercy Lamazares/Jorge G. Gomez, Planning Department

Sign-Offs:

Department Director	Assistant City Manager	City Manager
Jorge Gomez	CMC	

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AGENDA ITEM R5D

DATE 7-30-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

First Reading Public Hearing

Subject: CCC, Civic and Convention Center District amendment to include provisions for waivers of development regulations by the City Commission.

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH AMENDING CHAPTER 142, "LAND DEVELOPMENT REGUILATIONS," OF THE CITY CODE; DIVISION 7. "CCC, CIVIC AND CONVENTION CENTER DISTRICT," IN ORDER TO ALLOW WAIVERS OF DEVELOPMENT REGULATIONS BY A FIVE-SEVENTHS VOTE OF THE CITY COMMISSION FOR DEVELOPMENTS PERTAINING TO GOVERNMENT-OWNED OR LEASED BUILDINGS, USES AND SITES WHICH ARE WHOLLY USED BY, OPEN AND ACCESSIBLE TO THE GENERAL PUBLIC, OR USED BY NOT-FOR-PROFIT, EDUCATIONAL, OR CULTURAL ORGANIZATIONS, OR FOR CONVENTION CENTER HOTELS, OR CONVENTION CENTER HOTEL ACCESSORY GARAGES, OR CITY UTILIZED PARKING LOTS, PROVIDED THEY ARE CONTINUALLY USED FOR SUCH PURPOSES; AND TO AMEND THE PUBLIC NOTICE REQUIREMENTS FOR SUCH WAIVERS. PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY AND EFFECTIVE DATE.

ADMINISTRATION RECOMMENDATION

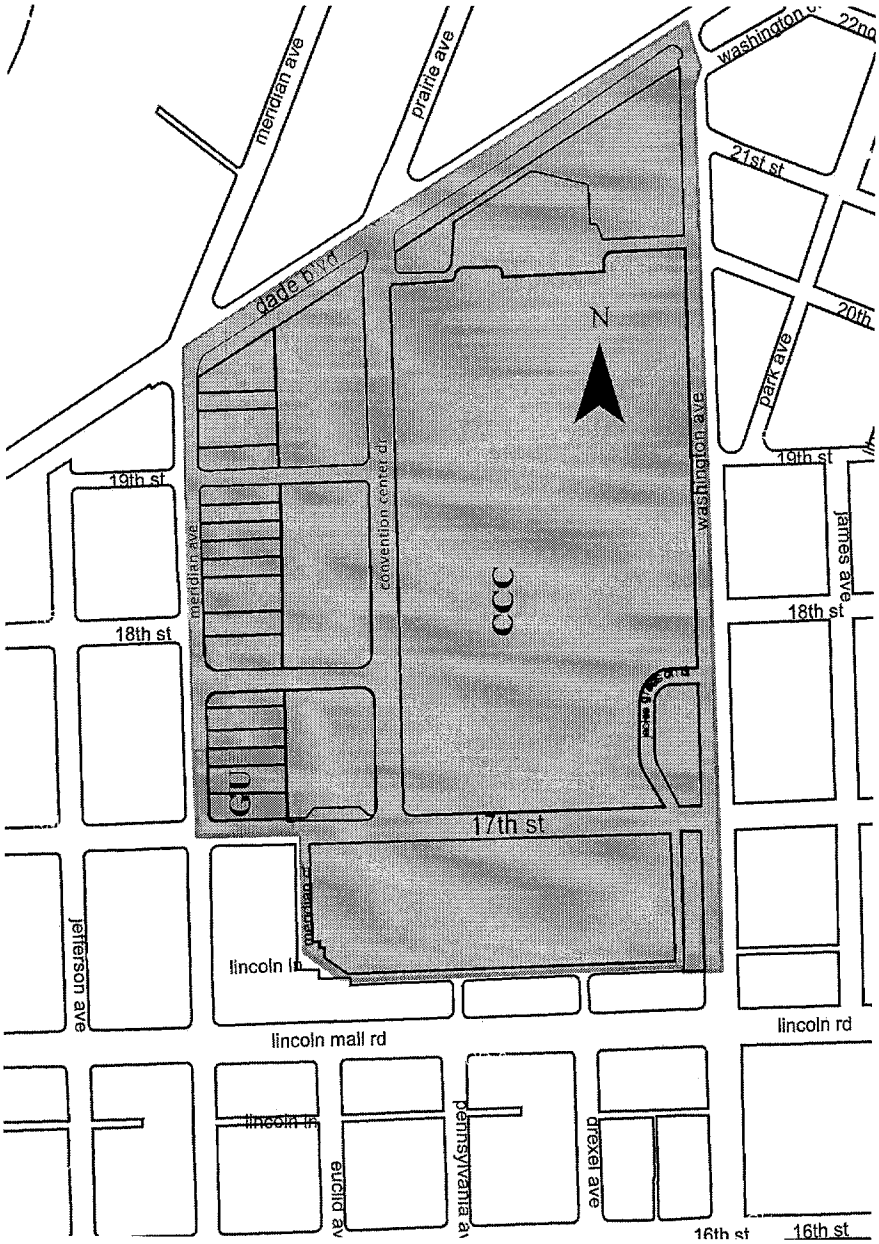
The Administration recommends that the City Commission approve the ordinance on first reading and set a second reading public hearing for September 10, 2003.

BACKGROUND

At its July 2, 2003 meeting, the City Commission referred the attached proposed ordinance to the Planning Board for its review and recommendations. The Planning Board meets on July 29, 2003 and a verbal report will be presented at the Commission meeting.

ANALYSIS

As shown on the locational map below, the boundaries of the CCC district are Dade Boulevard to the north, Washington Avenue to the east, North Lincoln Lane to the south with the west boundary on Meridian Court from No. Lincoln Lane to the north lot line of the 777 17th Street building (City Hall Annex) and Meridian Avenue.



The proposed ordinance consists of the following:

Section 1. The ordinance proposes to amend the public notice requirements currently existing in the CCC district for consistency with those that exist in the GU, Government Use district, which requires a 15-day newspaper and mailed notice to property owners within a 375' radius. This proposed change will also be consistent with the notice requirements of the City's development boards.

Section 2. This proposed ordinance tracks the language that empowers the City Commission to waive certain development regulations with respect to City-owned property that is zoned "GU, Government Use" such as setbacks, parking, height and other requirements as may be necessary, by amending the "CCC" District section of the Land Development Regulations of the City Code, to allow for the same procedure for City owned land in the "CCC" District.

The purpose for these amendments is one of achieving efficiency and effectiveness. It is proposed that the New World Symphony proposal will require the use of this authority by the City Commission to waive regulations. The properties that lie within a GU or the CCC districts are government-owned and it stands to reason that if the GU already permits waivers of development regulations by the City Commission, the CCC district regulations should also give the City Commission the same discretion. These proposed amendments seek to make the Land Development Regulations of the City Code more consistent for different but related zoning districts.

CONCLUSION

Pursuant to Section 118-164(3)a. of the City Code, the proposed ordinance may be read by title or in full on at least two separate days and shall, at least 10 days prior to adoption, be noticed once in a newspaper of general circulation in the City.

JMG/CMC/JGG/ML

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ORDINANCE NO._____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH AMENDING CHAPTER 142, "LAND DEVELOPMENT REGULATIONS," OF THE CITY CODE; DIVISION 7. "CCC, CIVIC AND CONVENTION CENTER DISTRICT," IN ORDER TO ALLOW WAIVERS OF DEVELOPMENT REGULATIONS BY A FIVE-SEVENTHS VOTE OF THE CITY COMMISSION FOR DEVELOPMENTS PERTAINING TO GOVERNMENT-OWNED OR LEASED BUILDINGS, USES AND SITES WHICH ARE WHOLLY USED BY, OPEN AND ACCESSIBLE TO THE GENERAL PUBLIC, OR USED BY NOT-FOR-PROFIT, EDUCATIONAL, OR CULTURAL ORGANIZATIONS, OR FOR CONVENTION CENTER HOTELS, OR CONVENTION CENTER HOTEL ACCESSORY GARAGES, OR CITY UTILIZED PARKING LOTS, PROVIDED THEY ARE CONTINUALLY USED FOR SUCH PURPOSES; AND TO AMEND THE PUBLIC NOTICE REQUIREMENTS FOR SUCH WAIVERS. PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, as provided in City Code Sections 142-361 and -362, the purpose of the CCC District is for "the facilities necessary to support the convention center," and the district allows as main permitted uses: "parking lots, garages, performing arts and cultural facilities; hotel; merchandise mart; commercial or office development; landscape open space; parks, [and] any use not listed above shall only be approved after the city commission holds a public hearing"; and

WHEREAS, the regulations that exist in the CCC, Civic and Convention Center district do not parallel those in the GU, Government Use district, although the properties within both districts are government-owned or leased; and

WHEREAS, in order to create consistency in the City Code relative to regulations for government-owned or leased properties it is necessary to amend the CCC regulations in the Code; and

WHEREAS, the proposed amendments will achieve consistency between the GU and CCC districts.

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

Section 1. That Chapter 142, Zoning Districts and Regulations, Division 7, CCC Civic and Convention Center District, Section 142-367, Notice of public hearing; vote, is hereby amended as follows:

Sec. 142-367. Notice of public hearing; vote.

When a public hearing is required before the city commission, either to approve a use not listed in section 142-362, or to waive development regulations, the public notice shall be advertised in a newspaper of general paid circulation in the ~~community~~ city at least fifteen (15) days prior to the hearing. ~~Thirty~~ Fifteen days prior to the public hearing date, both a description of the request, and the time and place of such hearing shall be posted on the property; notice shall also be given by mail to the owners of land lying within 375 feet of the property ~~and the advertisement shall be placed in the newspaper~~. A five-sevenths vote of the city commission is required to approve a use or waiver that is considered under this ~~subsection~~ regulation.

Section 2. That Sections 142-368 – 142-390. Reserved, is hereby amended as follows:

Sec. 142-368. Waivers.

Following a public hearing, the development regulations required by these land development regulations, except for the historic preservation and design review processes, may be waived by a five-sevenths vote of the city commission for developments pertaining to governmental owned or leased buildings, uses and sites which are wholly used by, open and accessible to the general public, or used by not-for-profit, educational, or cultural organizations, or for convention center hotels, or convention center hotel accessory garages, or city utilized parking lots, provided they are continually used for such purposes. Notwithstanding the above, no CCC property may be used in a manner inconsistent with the comprehensive plan. In all cases involving the use of CCC property by the private sector, or joint government/private use, development shall conform to all development regulations in addition to all applicable sections contained in these land development regulations and shall be reviewed by the planning board prior to approval by the city commission. All such private or joint government/private uses are allowed to apply for any permitted variances. Private or joint government/private uses shall not be eligible to waive any regulations as described in this paragraph, except for not-for-profit, educational, or cultural organizations as set forth herein.

Secs. 142-369 ~~368~~– 142-390 Reserved.

SECTION 3. REPEALER.

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

SECTION 4. CODIFICATION.

It is the intention of the City Commission, 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 as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 5. SEVERABILITY.

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

SECTION 6. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED and **ADOPTED** this _____ day of _____, 2003.

ATTEST:

_____
MAYOR

_____
CITY CLERK

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

City Attorney 7-22-03 Date

First Reading:
Second Reading:

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

Underscore denotes new language
~~Strikethrough~~ denotes deleted language

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CITY OF MIAMI BEACH
NOTICE OF A PUBLIC HEARING

NOTICE IS HEREBY given that a public hearing will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, July 30, 2003, at 2:00 p.m.,** to consider the following:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH AMENDING DIVISION 7, CCC CIVIC AND CONVENTION CENTER DISTRICT, OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE IN ORDER TO ALLOW WAIVERS OF DEVELOPMENT REGULATIONS BY A FIVE-SEVENTHS VOTE OF THE CITY COMMISSION FOR DEVELOPMENTS PERTAINING TO GOVERNMENTAL OWNED OR LEASED BUILDINGS, USES AND SITES WHICH ARE WHOLLY USED BY, OPEN AND ACCESSIBLE TO THE GENERAL PUBLIC, OR USED BY NOT-FOR-PROFIT, EDUCATIONAL, OR CULTURAL ORGANIZATIONS, OR FOR CONVENTION CENTER HOTELS, OR CONVENTION CENTER HOTEL ACCESSORY GARAGES, OR CITY UTILIZED PARKING LOTS, PROVIDED THEY ARE CONTINUALLY USED FOR SUCH PURPOSES; AND TO AMEND THE PUBLIC NOTICE REQUIREMENTS FOR SUCH WAIVERS. PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY AND EFFECTIVE DATE.AN ORDINANCE.

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

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. Copies of this ordinance are available for public inspection during normal business hours in the City Clerk's Office, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting may be continued and under such circumstances additional legal notice would not be provided.

Robert E. Parcher, City Clerk
City of Miami Beach

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

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(Ad #0197)

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

An Ordinance amending City Code Chapter 122, "Concurrency Management," to allow for the adoption of programs or policies allowing exemptions from transportation concurrency requirements for small businesses whose impacts to the existing roadway level of service (LOS) have been determined to be minor; providing for repealer, codification, severability and an effective date.

Issue:

Shall the City amend the City Code to allow for a small business exemption from transportation concurrency requirements?

Item Summary/Recommendation:

As requested by the Land Use and Development Committee, the Administration and the Concurrency Ad Hoc Committee recommend that the City Commission consider adopting policies and programs which would allow small businesses (in existing buildings/structures), whose trip generation and site demand have been determined to be minor in nature, either to be exempted from concurrency, or to satisfy transportation concurrency requirements through mitigation fee payment, based on a diminishing sliding scale. Such exemption requires amendment to the City Code. Administration consultation with the Florida Department of Community Affairs (DCA) has determined that such exemptions are possible, as long as they do not contribute to deterioration of the adopted level of service (LOS "D"); or diminish the amount of funds needed to implement the Municipal Mobility Plan (MMP) projects. Such exemption, if adopted, would be retroactive to January 1, 2003, for those businesses that qualify as small businesses. They would be reevaluated to determine if they are eligible for a full or partial refund of the traffic portion of the mitigation fee paid. In a typical year, there are an average of 72 applicants. To date, in calendar year 2003, 15 of the 79 applicants would qualify for the small business exemption. The reduction in concurrency mitigation fees collected from these 15 businesses would be $20,432.58 of the $1,574.765.40 collected during calendar year 2003. The Administration recommends approval on first reading and schedule a second reading for Public Hearing.

Advisory Board Recommendation:

Land Use and Development Committee met on April 21, 2003 and made a motion to accept the proposal for a small business exemption, retroactive to January 1, 2003, for those businesses that qualify as small businesses.

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total	$20,432.58	Estimate of mitigation fees collected from small businesses	

City Clerk's Office Legislative Tracking:

Henry Johnson

Sign-Offs:

Department Director	Assistant City Manager	City Manager
FHS		

AGENDA ITEM R5E

DATE 7-30-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE, CHAPTER 122, "CONCURRENCY MANAGEMENT," TO ALLOW FOR THE ADOPTION OF PROGRAMS OR POLICIES ALLOWING EXEMPTIONS FROM TRANSPORTATION CONCURRENCY REQUIREMENTS FOR SMALL BUSINESSES WHICH IMPACTS TO THE EXISTING ROADWAY LEVEL OF SERVICE HAVE BEEN DETERMINED TO BE MINOR; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.**

ADMINISTRATION RECOMMENDATION

Approve on first reading and schedule a second reading Public Hearing.

ANALYSIS

Based on challenges faced by small businesses attempting to open in the City, within existing buildings and structures, along with the cost of complying with the City's concurrency requirements for traffic circulation and roadway level of service (LOS), the Administration and the Ad Hoc Citizens Concurrency Advisory Committee recommend the following: That the City consider adopting policies and programs which would allow small businesses, whose trip generation and site demand have been determined to be minor in nature, either to be exempted from concurrency, or to satisfy transportation concurrency requirements through mitigation fee payment based on a diminishing sliding scale.

In order to adopt such a program the City Commission must amend the current code to provide the enabling authority. The attached ordinance provides the necessary authority for the City Commission to adopt a later resolution (at the second reading of this ordinance) with specific program elements.

In developing specific exemption program elements it was determined that the shift of concurrency mitigation fees from small businesses to larger development projects is not permitted by the Florida Department of Community Affairs (DCA). Issues involving changes to adopted concurrency management systems and/or levels of service require review and approval by DCA.

After consultation with DCA, the Administration has determined that the adoption of a small business exemption program would be compatible with state law; should not be detrimental to the ongoing implementation of the Miami Beach Municipal Mobility Plan (MMP), provided that the level of MMP mitigation project funding is not reduced or diminished by the adoption of said programs or policies; and the City-adopted LOS "D" for the Miami Beach Transportation Concurrency Management Areas (TCMAs) is maintained and not degraded.

On April 21, 2003, the Land Use and Development Committee made a motion to accept the proposal for a small business exemption, retroactive to January 1, 2003, for those businesses that qualify as small businesses. Such businesses will be reevaluated to determine if they are eligible for a full or partial refund of the traffic mitigation portion of the fee. In a typical year, there is an average of 72 applicants. To date, in calendar year 2003, 15 of the 79 applicants would qualify for the small business exemption. The reduction in concurrency mitigation fees collected from these 15 businesses would be $20,432.58 of the $1,574.765.40 collected during calendar year 2003.

The following items will comprise the program elements of the small business exemption that can be adopted by the City Commission at the second reading of the attached ordinance.

RECOMMENDATION

1. For the purpose of transportation concurrency requirements, small businesses in an existing building or structure shall be defined as any commercial business that generates less than 100 trips per day.

2. Exempt the above-defined small businesses from the traffic concurrency mitigation fees only. State Statutes do not allow for exemptions as to potable water, sewer, solid waste, drainage, and parks/recreation concurrency requirements.

3. For businesses generating between 100 and 150 trips per day, concurrency fees will be assessed on a diminishing sliding scale. The fee will be calculated by multiplying the sliding scale percentage against the difference of the last legal use and the total trips generated from that land use. There will be no fee waiver beyond 150 trips per day.

4. Any business expanding beyond 150 trips per day will only receive credit for the last legal use of the property prior to small business exemption.

5. Based on the foregoing analysis, the staff recommends that the City Commission consider approval of the amendment to the Concurrency Management System Ordinance on first reading.

The Planning Board will meet on July 29, 2003 to consider the proposed amendment. Their recommendation will be available at the City Commission Meeting.
F:\WORK\$TRA\HENRY\Small Business.memo.doc

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 122 OF THE MIAMI BEACH CITY CODE, ENTITLED "CONCURRENCY MANAGEMENT," BY AMENDING SECTION 122-8(d) THEREIN, TO ALLOW FOR THE ADOPTION OF PROGRAMS OR POLICIES ALLOWING EXEMPTIONS FROM TRANSPORTATION CONCURRENCY REQUIREMENTS FOR SMALL BUSINESSES WHICH IMPACTS TO THE EXISTING ROADWAY LEVEL OF SERVICE HAVE BEEN DETERMINED TO BE MINOR; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, in accordance with State law, the City Commission previously adopted a concurrency management system to ensure that public facilities necessary to serve new growth and development shall be available when needed; and

WHEREAS, based on problems identified with small businesses trying to open in the City within existing structures, and the significant cost of complying with City's concurrency requirements for transportation, the Administration, Planning Board, and Ad Hoc Citizens Concurrency Advisory Committee all recommend that the City Commission adopt programs and policies to allow small businesses whose trip generation and site demand have been determined to be minor to the existing roadway level-of-service (LOS) either be exempt from concurrency, or to satisfy concurrency requirements by mitigation payment based on a sliding scale, and to allow the City Commission to have the authority to adopt such other policy modification and programs as may be appropriate to the situation; and

WHEREAS, the Administration has determined, after consultation with the Florida Department of Community Affairs (DCA), that such program and policy modifications would be compatible with state law, and would not be detrimental to the ongoing implementation of Miami Beach Municipal Mobility Plan (MMP), provided that the MMP mitigation project funding is not reduced or diminished by the adoption of said program or policy and the City's adopted roadway LOS of "D" is maintained.

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

SECTION ONE: That Chapter 122, entitled "Concurrency Management," Section 122-8(d), of the Miami Beach City Code is hereby amended as follows:

Sec. 122-8. Determination of concurrency.

(a) Within 30 days after a determination of completeness, the Concurrency Management Division shall make a determination in accordance with section 122-6 as to whether

required public facilities are or will be available when needed to serve the proposed development and determine the effective period during which such facilities will be available to serve the proposed development according to the development schedule in the application for preliminary concurrency determination.

(b) Capacity credits, in accordance with the methodology established in the City's Concurrency Management System Manual, shall be given for:

(1) Properties that have received a demolition permit one year or less prior to the adoption of this chapter, provided that a Certificate of Occupancy is granted within one year of the date of issuance of the demolition credit; and
(2) Properties with existing improvements that are proposed to be renovated or demolished.

(c) Within five days after a determination of concurrency, the Concurrency Management Division shall notify the applicant of the determination.

(d) In the event the determination is made that the required public facilities will not be available where needed to serve the proposed development within the applicable TAZ or the TCMA, an applicant for a preliminary concurrency determination may propose a mitigation program in order to avoid a negative determination of concurrency. The proposed mitigation program shall be based on the same methodology for determining concurrency, and the city Municipal Mobility Plan, and shall include a specific delineation of responsibilities for providing the required public facilities improvements, adequate methods for securing performance of the mitigation program, payment of mitigation monies and a proposed recapture program for the provision of excess capacity, if applicable. Such mitigation program shall be reviewed and approved by the Concurrency Management Division, other appropriate departments of the City and other agencies having jurisdiction. The applicant shall enter into a mitigation agreement, committing to the mitigation program, with the Concurrency Management Division, which is hereby authorized to enter into such an agreement on behalf of the City, subject to the approval of the City Attorney's office. The Concurrency Management Division may grant up to 30 percent mitigation credit to individual projects with approved historic designation undergoing major rehabilitation. No credit will be granted to projects that have already been rehabilitated and are intensifying their existing land usage. The City Commission may adopt by resolution programs and policies allowing for transportation concurrency exemptions, a sliding scale, and/or credits for small businesses operating within existing structures, which have been determined to have a minor impact to the existing roadway LOS.

(e) If the Concurrency Management Division determines that the required public facilities are or will be available to serve the proposed development as provided in section 22-6, the Concurrency Management Division shall issue a preliminary concurrency determination impact certificate which shall be effective for a period of one year from the date of the

issuance of the determination, unless otherwise specified on the face of the preliminary concurrency determination. An extension of this one year period may be granted by the Concurrency Management Division for an additional six months provided that an application for development approval is being diligently pursued through the City's development review process and provided that an extension is requested within the original one-year period. In the event the issuance of a preliminary concurrency determination is based on an approved mitigation program, such certificate shall be expressly conditioned upon compliance with such program.

(f) In the event a preliminary concurrency determination impact certificate is issued, upon issuance of the final development order for which the preliminary concurrency determination is based, and upon payment of applicable mitigation fees as provided for in this Code, a final reservation certificate shall be issued and the available capacity for the respective TCMA and TAZ for the applicable public facilities will be reduced by the projected demand for the project until the reservation of the capacity expires or becomes permanent. Upon issuance of a certificate of occupancy for the project, the reservation of the capacity of the applicable public facilities becomes permanent.

(g) A final concurrency reservation certificate will expire within one year of issuance unless a building permit is obtained. This one year period is a reservation of capacity which can be extended once for an additional year for good cause shown, provided that an application to the Concurrency Management Division for an extension is made within the original one year period.

(h) If the Concurrency Management Division determines that the required public facilities are not and will not be available to serve the proposed development and that an acceptable mitigation program has not been provided, the Concurrency Management Division shall issue a notice of negative determination of concurrency and identify service areas experiencing deficiency, and the improvements necessary to allow the issuance of a preliminary concurrency determination. If a notice of negative determination is rendered, no further review of the development order shall be conducted until an appeal is resolved in favor of the applicant or a new or modified application of a preliminary concurrency determination is filed and a determination of concurrency is made. (Ord. No. 2000-3242, § 2, 5-10-00)

SECTION TWO: REPEALER

All resolutions, ordinances, or other City legislation in conflict herewith be and the same are hereby repealed.

SECTION THREE: CODIFICATION

This Ordinance shall become and be made a part of the Code of the City of Miami Beach, as amended. The sections of this ordinance may be re-numbered or re-lettered to accomplish the intention of the Mayor and City Commission, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION FOUR: SEVERABILITY

If any section, sentence clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION FIVE: EFFECTIVE DATE

This Ordinance shall take effect ten (10) days following adoption.

PASSED ON FIRST READING, this the _____ day of _____, 2003.

_____

MAYOR

ATTEST:

_____

CITY CLERK

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CONCURRENCY MITIGATION FUNDS COLLECTED FROM SMALL BUSINESSES GENERATING LESS THAN 100 TRIPS PER DAY

Calendar 2003	ADDRESS/PROPERTY	Amount
02/25/2003	708-710 6th Street (My Laundry Service)	2,018.80
03/05/2003	940 Lincoln Road Ste 313 (Massage Therapy)	282.58
03/07/2003	747 4th Street (Food Without Fire)	2,330.80
03/18/2003	6932 Collins Ave (Cybr Café)	669.80
03/20/2003	840 Washington Ave (Iron Sushi)	1,268.46
04/01/2003	827 4th Street (Rapid Screens)	653.03
04/01/2003	1674 Alton Road (Jet Set International)	470.00
04/07/2003	7143 Collins Ave (Southern Winds)	502.54
04/15/2003	837 Lincoln Road (Astoria)	3,593.06
04/23/2003	306 Arthur Godfrey Road (Miami Beach Medical Assoc)	954.66
05/16/2003	407 Lincoln Road - Ste 10K (Outpatient Psy Care)	623.90
05/20/2003	405 Espanola Way - Ste 301 (Art Studio & Gallery)	1,277.03
05/27/2003	5685 Alton Road (Reverse Osmosis Bldg.)	1,256.75
05/27/2003	1210 Wash Ave-Ste 210&214(Boutique Hotels & Resorts)	2,366.62
05/27/2003	1434 Collins Avenue (Gelato Ice Cream)	2,164.55
	TOTAL	**20,432.58**

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 122 OF THE MIAMI BEACH CITY CODE, ENTITLED "CONCURRENCY MANAGEMENT," BY AMENDING SECTION 122-8(d) THEREIN, TO ALLOW FOR THE ADOPTION OF PROGRAMS OR POLICIES ALLOWING EXEMPTIONS FROM TRANSPORTATION CONCURRENCY REQUIREMENTS FOR SMALL BUSINESSES WHICH IMPACTS TO THE EXISTING ROADWAY LEVEL OF SERVICE HAVE BEEN DETERMINED TO BE MINOR; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, in accordance with State law, the City Commission previously adopted a concurrency management system to ensure that public facilities necessary to serve new growth and development shall be available when needed; and

WHEREAS, based on problems identified with small businesses trying to open in the City within existing structures, and the significant cost of complying with City's concurrency requirements for transportation, the Administration, Planning Board, and Ad Hoc Citizens Concurrency Advisory Committee all recommend that the City Commission adopt programs and policies to allow small businesses whose trip generation and site demand have been determined to be minor to the existing roadway level-of-service (LOS) either be exempt from concurrency, or to satisfy concurrency requirements by mitigation payment based on a sliding scale, and to allow the City Commission to have the authority to adopt such other policy modification and programs as may be appropriate to the situation; and

WHEREAS, the Administration has determined, after consultation with the Florida Department of Community Affairs (DCA), that such program and policy modifications would be compatible with state law, and would not be detrimental to the ongoing implementation of Miami Beach Municipal Mobility Plan (MMP), provided that the MMP mitigation project funding is not reduced or diminished by the adoption of said program or policy and the City's adopted roadway LOS of "D" is maintained.

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

SECTION ONE: That Chapter 122, entitled "Concurrency Management," Section 122-8(d), of the Miami Beach City Code is hereby amended as follows:

Sec. 122-8. Determination of concurrency.

(a) Within 30 days after a determination of completeness, the Concurrency Management Division shall make a determination in accordance with section 122-6 as to whether

required public facilities are or will be available when needed to serve the proposed development and determine the effective period during which such facilities will be available to serve the proposed development according to the development schedule in the application for preliminary concurrency determination.

(b) Capacity credits, in accordance with the methodology established in the City's Concurrency Management System Manual, shall be given for:

(1) Properties that have received a demolition permit one year or less prior to the adoption of this chapter, provided that a Certificate of Occupancy is granted within one year of the date of issuance of the demolition credit; and
(2) Properties with existing improvements that are proposed to be renovated or demolished.

(c) Within five days after a determination of concurrency, the Concurrency Management Division shall notify the applicant of the determination.

(d) In the event the determination is made that the required public facilities will not be available where needed to serve the proposed development within the applicable TAZ or the TCMA, an applicant for a preliminary concurrency determination may propose a mitigation program in order to avoid a negative determination of concurrency. The proposed mitigation program shall be based on the same methodology for determining concurrency, and the city Municipal Mobility Plan, and shall include a specific delineation of responsibilities for providing the required public facilities improvements, adequate methods for securing performance of the mitigation program, payment of mitigation monies and a proposed recapture program for the provision of excess capacity, if applicable. Such mitigation program shall be reviewed and approved by the Concurrency Management Division, other appropriate departments of the City and other agencies having jurisdiction. The applicant shall enter into a mitigation agreement, committing to the mitigation program, with the Concurrency Management Division, which is hereby authorized to enter into such an agreement on behalf of the City, subject to the approval of the City Attorney's office. The Concurrency Management Division may grant up to 30 percent mitigation credit to individual projects with approved historic designation undergoing major rehabilitation. No credit will be granted to projects that have already been rehabilitated and are intensifying their existing land usage. <u>The City Commission may adopt by resolution programs and policies allowing for transportation concurrency exemptions, a sliding scale, and/or credits for small businesses operating within existing structures, which have been determined to have a minor impact to the existing roadway LOS.</u>

(e) If the Concurrency Management Division determines that the required public facilities are or will be available to serve the proposed development as provided in section 22-6, the Concurrency Management Division shall issue a preliminary concurrency determination impact certificate which shall be effective for a period of one year from the date of the issuance of the determination, unless otherwise specified on the face of the preliminary

concurrency determination. An extension of this one year period may be granted by the Concurrency Management Division for an additional six months provided that an application for development approval is being diligently pursued through the City's development review process and provided that an extension is requested within the original one-year period. In the event the issuance of a preliminary concurrency determination is based on an approved mitigation program, such certificate shall be expressly conditioned upon compliance with such program.

(f) In the event a preliminary concurrency determination impact certificate is issued, upon issuance of the final development order for which the preliminary concurrency determination is based, and upon payment of applicable mitigation fees as provided for in this Code, a final reservation certificate shall be issued and the available capacity for the respective TCMA and TAZ for the applicable public facilities will be reduced by the projected demand for the project until the reservation of the capacity expires or becomes permanent. Upon issuance of a certificate of occupancy for the project, the reservation of the capacity of the applicable public facilities becomes permanent.

(g) A final concurrency reservation certificate will expire within one year of issuance unless a building permit is obtained. This one year period is a reservation of capacity which can be extended once for an additional year for good cause shown, provided that an application to the Concurrency Management Division for an extension is made within the original one year period.

(h) If the Concurrency Management Division determines that the required public facilities are not and will not be available to serve the proposed development and that an acceptable mitigation program has not been provided, the Concurrency Management Division shall issue a notice of negative determination of concurrency and identify service areas experiencing deficiency, and the improvements necessary to allow the issuance of a preliminary concurrency determination. If a notice of negative determination is rendered, no further review of the development order shall be conducted until an appeal is resolved in favor of the applicant or a new or modified application of a preliminary concurrency determination is filed and a determination of concurrency is made. (Ord. No. 2000-3242, § 2, 5-10-00)

SECTION TWO: REPEALER

All resolutions, ordinances, or other City legislation in conflict herewith be and the same are hereby repealed.

SECTION THREE: CODIFICATION

This Ordinance shall become and be made a part of the Code of the City of Miami Beach, as amended. The sections of this ordinance may be re-numbered or re-lettered to accomplish the intention of the Mayor and City Commission, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION FOUR: SEVERABILITY

If any section, sentence clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION FIVE: EFFECTIVE DATE

This Ordinance shall take effect ten (10) days following adoption.

PASSED ON FIRST READING, this the _____ day of _____, 2003.

_____

MAYOR

ATTEST:

_____

CITY CLERK

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

_____ 7-22-03

City Attorney Date

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RESOLUTIONS

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

APPROVING AND OFFICIALLY ADOPTING THE NORTH SHORE NEIGHBORHOOD BASIS OF DESIGN REPORT (BODR) AND ADDENDUM #1, WHICH DEFINES AND DESCRIBES G.O. BOND, WATER AND SEWER BOND, AND SECTION 108 LOAN FUNDED CAPITAL IMPROVEMENTS TO BE IMPLEMENTED THROUGH THE NORTH SHORE RIGHT OF WAY IMPROVEMENT PROJECT.

Issue:

Should the City adopt the North Shore Basis of Design Report (BODR) and Addendum #1, prepared by The Corradino Group, and City staff, as the officially approved description of capital improvements to be designed and constructed through the North Shore Right of Way Improvement Project?

Item Summary/Recommendation:

On October 17, 2001, the City entered into an agreement with The Corradino Group (the Consultant) to provide for Planning Phase services for the North Shore ROW Right of Way Improvement Project. The Consultant and City staff initiated a comprehensive planning process that included a review of historic information, neighborhood site visits, and inter-departmental staff and consultant visioning sessions.

The Consultant then developed an initial program of recommended improvements presented at a Community Design Workshop (CDW #1) on May 16, 2002 at the North Shore Library. Public comment and feedback from this forum was analyzed and incorporated where appropriate in a revised plan, which was presented at a second Community Design Workshop (CDW #2) on July 24, 2002 at the Shane Watersport Center. At CDW #2, a substantial consensus among residents on the proposed improvements was achieved, with the exception of Park View Island. Subsequently, CIP staff and the Parking Department held a meeting with residents of Park View Island to discuss possible solutions to the parking shortage on the island. Finally, Corradino presented revised plans at Community Design Workshop #3 on January 28, 2003, when consensus was reached on all issues.

The Consultant has documented the program of improvements in the BODR. The BODR was carefully reviewed by all applicable City Departments and refined as necessary, including Addendum #1 which was requested by staff to correct errors and omissions in the final draft of the report. The next step is for the City Commission to approve the BODR and Addendum #1, which will then serve as a basis for the preparation of construction drawings for recommended improvements.

Advisory Board Recommendation:

On July 7, 2003, the BODR and Addendum #1 were approved by the GO Bond Oversight Committee.

Financial Information:

Amount to be expended:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Joyce Meyers, Planning Department

Sign-Offs:

Department Director	Assistant City Manager	City Manager

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AGENDA ITEM R7A

DATE 7-30-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND OFFICIALLY ADOPTING THE NORTH SHORE NEIGHBORHOOD BASIS OF DESIGN REPORT (BODR) AND ADDENDUM #1, WHICH DEFINES AND DESCRIBES G.O. BOND, WATER AND SEWER BOND, AND SECTION 108 LOAN FUNDED CAPITAL IMPROVEMENTS TO BE IMPLEMENTED THROUGH THE NORTH SHORE RIGHT OF WAY IMPROVEMENT PROJECT**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution

ANALYSIS

The North Shore neighborhood is bounded by 87th Terrace on the north, the Atlantic Ocean on the east, 63rd Street on the south and Indian Creek and Tatum Waterway on the West. The neighborhood can be characterized as highly urbanized and densely populated with multi family apartments and condominiums. The North Shore neighborhood commercial districts are located along Collins Avenue and 71st Street. These State roadways were recently reconstructed and were not included in the scope of this project. Likewise, other State and County roads (Harding Avenue and Indian Creek Drive) were not included as part of this infrastructure and streetscape effort. There is, however, a parallel effort funded as part of this project to provide a traffic impact analysis for the redesign of Collins Avenue and Harding Avenue to allow two-way traffic on both streets.

Background

On October 17, 2001, the Mayor and City Commission approved the professional services agreement, pursuant to Request for Qualifications (RFQ) No. 10-00/01, with The Corradino Group (the Consultant) for Planning Phase services for the North Shore ROW Improvement Project. The total fee for the Planning Phase was $339,689, with $179,516 from Series 2000 General Obligation Bonds, $116,983 from Water and Sewer Bonds, and $43,190 from Quality of Life funds (for the Collins/Harding traffic study).

The Consultant's Notice to Proceed was given on January 14, 2002 and the Project Kick-off Meeting was held on January 15, 2002. The official onsite reconnaissance meeting with City staff and Program Managers, Hazen and Sawyer, was held on February 12, 2002. Using information gathered from these meetings as well as resident input collected at North Shore GO Bond meetings held previously during the spring of year 2000, the Consultant developed an initial program of recommended improvements. On March 29, 2002, the Consultant presented this program to City staff for comment and further development.

On May 16, 2002, a revised program was presented at Community Design Workshop (CDW) #1 held at the North Shore Library. Public comment and feedback from this forum was analyzed and incorporated, where appropriate, into a revised plan. This revised program was presented at Community Design Workshop #2 on July 24, 2002 at the Shane Watersport Center. At this meeting, a substantial consensus among residents on the proposed improvements was achieved, with the exception of Park View Island. Subsequently, CIP staff and the Parking Department held a meeting with residents of Park View Island to discuss possible solutions to the parking shortage on the island. Finally, Corradino presented revised plans at Community Design Workshop #3 on January 28, 2003, when consensus was reached on all issues.

On March18, 2003, the Consultant submitted a draft BODR, the culmination of planning efforts. The initial draft was revised to address comments by City staff and Program Managers, Hazen and Sawyer. On May 20, 2003, the Consultant submitted the (Draft Final) BODR. A review of that document revealed a number of minor errors and omissions that did not warrant a full reprinting of the document; therefore, the CIP Office requested the Consultant to prepare Addendum #1. The Addendum, submitted June 25, 2003, addresses the remaining comments from City staff and Hazen and Sawyer. On July 7, 2003, the G.O. Bond Oversight Committee recommended approval of the BODR and Addendum #1 as submitted.

Total Funding for North Shore

Water/Sewer Bonds	$ 2,239,304
G.O. Bond	$ 4,150,000
Section 108 loan	$ 1,000,000
Total	$ 7,389,304

Net Construction Budget

Construction Funding	$ 6,342,393
Contingency (10%)	$ 634,239
Net Construction Budget	$ 5,708,154

Stormwater Drainage

North Shore does not contain a priority basin for Stormwater drainage identified in the City of Miami Beach Comprehensive Stormwater Management Plan, (1997); therefore no drainage funding was allocated to this neighborhood.

Water Distribution System

According to the City of Miami Beach Water System Master Plan, nearly 18,000' of cast iron pipe (priority 1) is in need of replacement at a cost of approximately $3,087,199. Similarly, existing galvanized pipes (priority 2) throughout the neighborhood have been corroded over time. In North Shore this means that 7,650 linear feet of Priority 2, pipe will be replaced. It is projected that the total cost for this will be $875,298. The vast majority of waterlines (28,000') in the neighborhood are Priority 3 lines. Currently, the City is still in the process of evaluating the need to replace Priority 3 water lines in the North Shore neighborhood

Streetscape Improvements

G.O. Bonds are used for above-ground streetscape improvements that were developed from the priorities expressed by the neighborhood. The effort focused on street beautification, lighting, traffic calming, sidewalk repair, and parking. Improvement options dealt with narrowing driving lanes to slow down traffic speeds, making the area pedestrian friendly by providing shade trees and bulbouts

with textured crosswalks and wider sidewalks, and maintaining the current availability of parking. The following improvements are fully funded under the construction budget.

Recommended Streetscape Improvements	**GO BOND ESTIMATES**	**Section 108 ESTIMATES**
72nd Street		
Bulbouts, planters, acorn lighting, crosswalks, additional sidewalk by park, median w angled parking	**$ 375,916**	**$ 594,129**
73rd Street		
New median, enhanced median, bulbouts, planters, acorn lighting, mill & resurface	**$ 305,871**	**$ 305,871**
Parkview Island		
Planters, bulbouts, lighting, stripe parking, mill and resurface, sidewalk	**$ 290,633**	
Dickens Avenue from 72nd to 79th		
Bulbouts, crosswalks, sidewalk repair, stripe parking, milling and resurfacing	**$ 308,313**	
(bulbouts at 72nd and 73rd are included in detailed estimates for those streets costs)		
85th Street		
Bulbouts, crosswalks, sidewalk repair, stripe parking, milling and resurfacing	**$ 195,554**	
Byron Avenue 80' ROW		
Bulbouts, crosswalks, sidewalk repair, median, milling and resurfacing, stripe	**$ 153,062**	
Tatum Waterway Drive		
One-way Conversion, Traffic Study, Bulbouts, crosswalks, sidewalk repair, milling and resurfacing	**$ 255,511**	
One way conversion pending traffic study, if two-way required additional $500 in costs.		
Harding Entrance		
5' planning strip both sides of street, palm trees, uplighting	**$ 104,580**	
Pedestrian bridge approach, 81st/Tatum	**$ 19,613**	

	GO Bond Estimates	Sec. 108 Estimates
Bonita Drive	$ 2,080	
additional sidewalk		
Neighborhood wide improvements		
Repair 20% of all sidewalks[1]	$ 202,920	
Paving costs covered by GO Bond (1/2 milling & resurfacing)[2]		
P1 Bonita Drive, Collins Ct., 74th, 75th, 80th, 81st, Carlyle, Abbott, Tatum, Gary, Wayne, Byron	$ 231,000	
P2 Carlyle, Dickens, Tatum, Byron, 77, 78, 79, 85	$ 105,600	
Additional Bulbouts, 74th, 75th, Carlyle (between 73 & 75)	$ 200,074	
Infill Lighting	$ 359,988	
FUNDING/COSTS	**GO BOND**	**Section 108**
Net Construction Budget (excludes 10% contingency)	$ 3,113,791	$ 900,000
Estimated Net Construction Cost	$ 3,110,715	$ 900,000
Total Over Budget	($ 3,076)	$ 0

Project Implementation Schedule

Task 1 Planning JANUARY 2002 – JULY 2003
Task 2 Design and Permitting SEPTEMBER 2003 – JANUARY 2005
Task 3 Bid / Award JUNE 2005 – SEPTEMBER 2005
Task 4 Construction OCTOBER 2005 – JANUARY 2006
In order to plan project work schedules in a reasonable manner, projects will be coordinated with various other citywide construction projects. In addition, project work schedules will be planned in coordination with the City's desire to evenly distribute construction throughout the north, mid and south beach portions of the city, along with other ongoing construction projects in North Beach. As a result, construction will not begin before October of 2005.

CONCLUSION

The Administration recommends approval of the North Shore BODR, including Addendum #1, as submitted. By approving the BODR, the City will officially end the planning process for this neighborhood and finalize the design concept. Formal construction drawings will commence. An important feature of the BODR approval is that no added input on the concept will be solicited nor changes made unless formal construction design efforts uncover flaws or errors in concept.

JMG/RCM/TH/JAM

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CITY OF MIAMI BEACH

ADDENDUM No. 1
June 20, 2003

RIGHT-OF-WAY INFRASTRUCTURE IMPROVEMENT PROGRAM
North Shore
FINAL BASIS OF DESIGN REPORT (June, 2003)

The CORRADINO Group

TO ALL FINAL BODR RECIPIENTS:

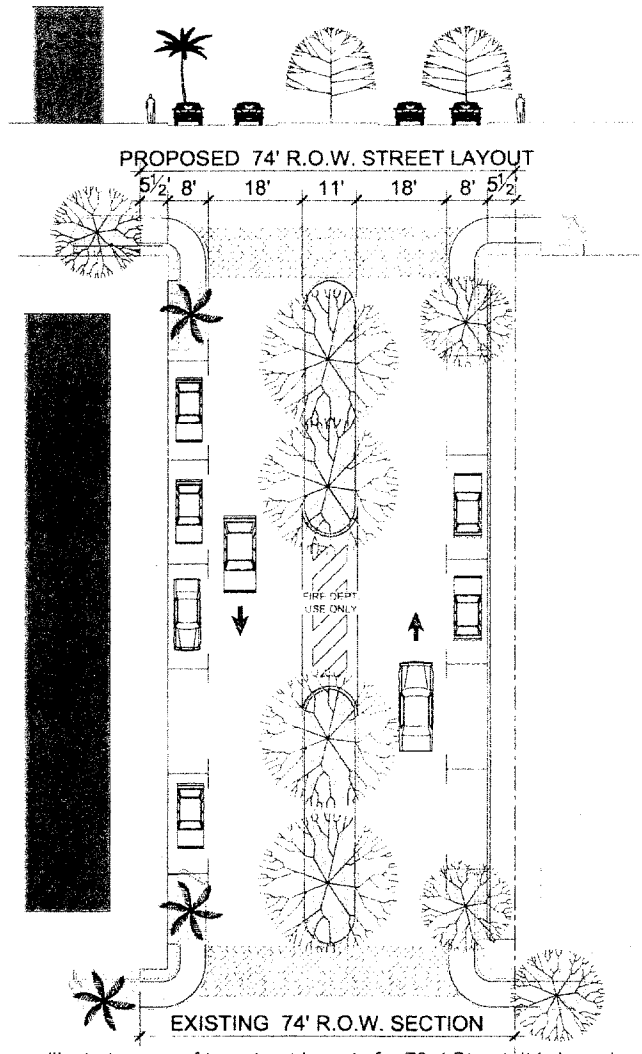
The following changes have been issued to the Final Basis of Design Report (BODR) dated May 20, 2003. These changes requested by the City of Miami Beach Capital Improvement Program (CIP) Office.

All BODR recipients shall incorporate this addendum into the report.

- Byron Ave:
  The project team realizes the importance of maintaining on-street parking. Issues that arose late in the planning phase, related to the need for Fire Department access at the medians has reduced the number of on-street spaces that this street could have with its current design. During the design phase, The Consultant will develop a plan that adds at least 10 spaces to what is currently recommended.

- Figure ES-9:
  Median along the 74' row of 73rd Street will be 11' in width

FIGURE: ES-9



The above figure illustrates one of two street layouts for 73rd Street. It is based on available 74' right-of-way and differs from the 70' right-of-way section with a 23' median. Improvements include bulbouts, crosswalks, landscaping and parallel parking.

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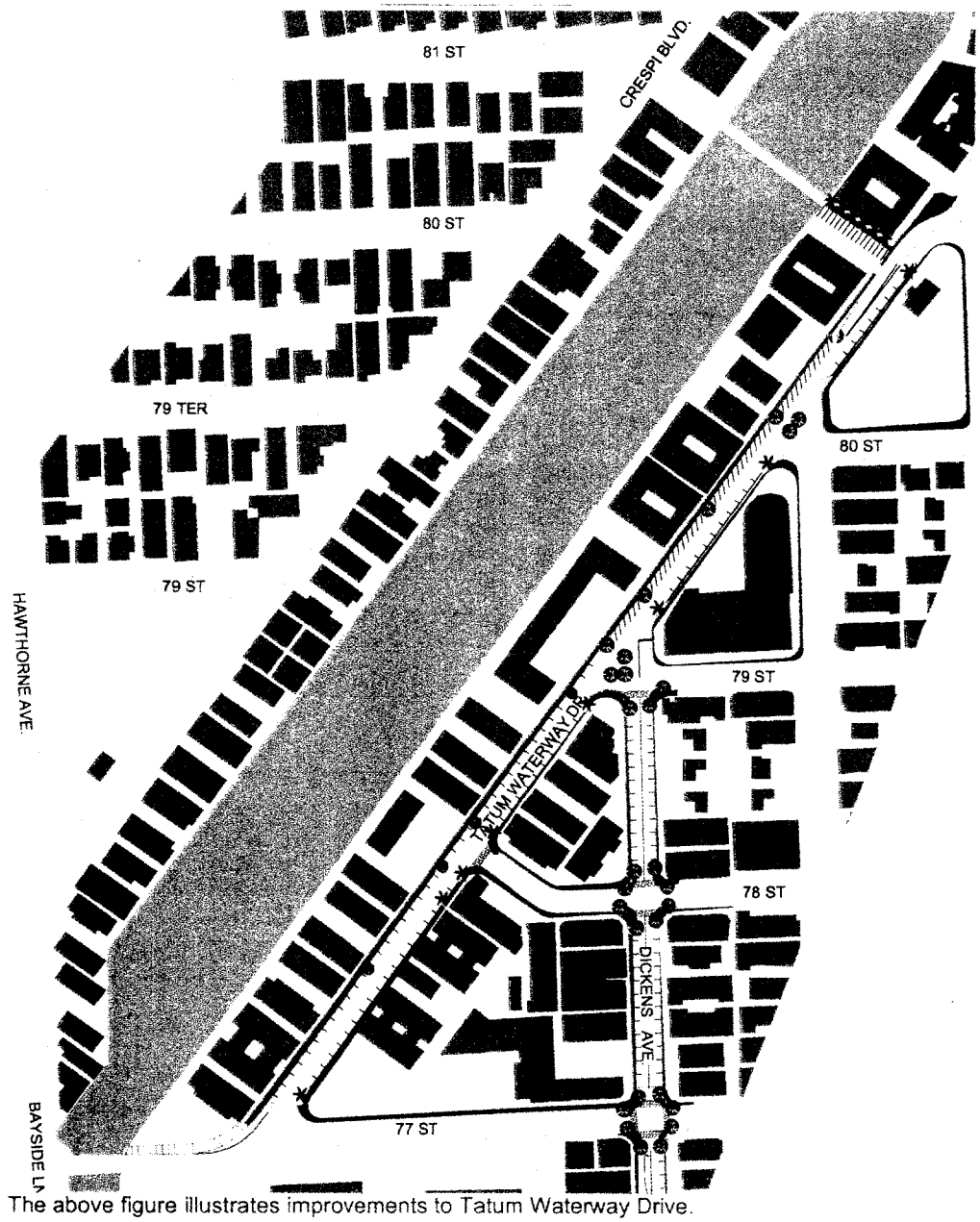
73rd STREET:
PROPOSED 74' R.O.W. STREET LAYOUT

THE CORRADINO GROUP
ENGINEERS · PLANNERS · ARCHITECTS · CONSTRUCTORS

- Figure ES-10:
  Tatum Waterway Drive will be one-way north of 79th Street, and two-way between 77th and 79th Street. Text shall read: To build on the streetscape of the streets at the top of the street hierarchy Tatum Waterway derive was selected for improvement because it is an important link between the North Shore Neighborhood and the Biscayne Point Neighborhood. Tatum Waterway Drive will be one-way north of 79th Street, and two-way between 77th and 79th Street.

FIGURE: ES-10



The above figure illustrates improvements to Tatum Waterway Drive.

N

TATUM WATERWAY DRIVE

THE CORRADINO GROUP

- 81st and Tatum lot
  Text additions include: This project will be funded by Parking Revenues, not through the G.O. Bond.

- Pg 50, Basis of Design Report
  Text shall read: This submittal is Corradino's Draft Final BODR. It has been reviewed by the Program Manager. It will be modified through the addendum process as a result of presentations.

- Pg 58.
  1st Paragraph, add... "This was funded by Section 108 loans." After the sentence... It was necessary to provide streetscape in the 72nd and 73rd Street project area that did impact the location of drainage structures.

- Page 17:
  Add reference to Figure ES-4, Existing Bulbout, and ES-5, Typical Bulbout Cross Section.

- ES-6:
  The welcome sign, suggested is not under the purview of this report.

- ES-1:
  At the time of this writing, the Public Works Department is still identifying water main locations.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND OFFICIALLY ADOPTING THE NORTH SHORE NEIGHBORHOOD BASIS OF DESIGN REPORT (BODR) AND ADDENDUM #1, WHICH DEFINES AND DESCRIBES G.O. BOND, WATER AND SEWER BOND, AND SECTION 108 LOAN FUNDED CAPITAL IMPROVEMENTS TO BE IMPLEMENTED THROUGH THE NORTH SHORE RIGHT OF WAY IMPROVEMENT PROJECT.

WHEREAS, the City has issued General Obligation (G.O.) Bonds and Water and Wastewater Revenue Bonds, to provide funding for a number of needed capital projects to be constructed in various areas of the City to upgrade and improve the infrastructure for the purpose of providing better service to residents and visitors; and

WHEREAS, funding allocated for construction of improvements in the North Shore Neighborhood includes $2,239,304 in Series 2000 Water and Sewer Bond funds; $4,150,000 in G.O. Bond funds, and $1,000,000 in Section 108 Loan funds; and

WHEREAS, The Corradino Group was selected as the successful proposer, pursuant to Request for Qualifications (RFQ) No. 10-00/01 for Urban Design, Landscape Architecture and Engineering Services for the North Shore Right-of-Way Improvement Project; and

WHEREAS, pursuant to Resolution No. 2001-24625, adopted by the Mayor and City Commission on October 17, 2001, the Mayor and City Clerk executed an Agreement between the City and The Corradino Group to provide professional services for the North Shore Right-of-Way Improvement Project for urban design, landscape architecture and engineering services for the planning, design, preparation of construction documents, assistance with bidding, and construction administration, in the amount of $339,689; and

WHEREAS, The Corradino Group and City staff have undertaken a professional and comprehensive planning effort to identify and describe improvements in the Basis of Design Report (BODR); and

WHEREAS, three Community Design Workshops were held to obtain input from residents and property owners with regard to the proposed improvements,

and general consensus in support of the proposed improvements was obtained; and

WHEREAS, the subject BODR was reviewed and approved by the G.O. Bond Oversight Committee at its July 7, 2003 meeting; 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 approve and officially adopt the Basis of Design Report (BODR) and Addendum #1, defining and describing Water and Sewer Bond, G.O. Bond, and Section 108 Loan funded capital improvements to be implemented through the North Shore Right-of-Way Improvement Project.

PASSED AND **ADOPTED** this _____ day of _____, 2003.

ATTEST: **MAYOR:**

CITY CLERK

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APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney Date 9-11-03

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution Approving And Authorizing Amendment No. 1 To The Agreement Between The City Of Miami Beach And URS Corporation - Southern, Dated June 27, 2001 To Provide Program Management Services For The Design And Construction Of A Multipurpose Municipal Facility To Be Constructed In The Parking Lot Adjacent To City Hall In An Amount Not To Exceed $1,003,882; And Further Appropriating Funds From The Parking Enterprise Fund For Said Amendment.

Issue:

Shall the City approve an Amendment to its Agreement with URS Corporation – Southern to have URS provide Program Management Services for the design and construction of a multipurpose municipal facility to be constructed in the parking lot adjacent to City Hall?

Item Summary/Recommendation:

On September 21, 2001, Zyscovich, Inc., delivered a Preliminary Proposed Master Plan ("Master Plan") for the 17th Street Surface Lots that addresses the needs of the Convention Center and the New World Symphony area. The Master Plan evaluates parking and transportation requirements, the need for an open space public plaza, opportunities for gateway entrance features, the need for and location of an Intermodal Center, streetscape design changes related to the bus route changes and complements the adjacent urban relationships and historic districts. It reflects updated conditions in the area since the inception of the original City Center Historic Convention Village Redevelopment and Revitalization Area Plan ("City Center Redevelopment Plan") in 1993, and functions as a working document to finalize outstanding urban planning issues essential to the completion of the City Center Redevelopment Plan. On June 19, 2002, the City Commission adopted amendments to the City Center Redevelopment Plan, including the adoption, by reference, of the Master Plan.

The City is now proposing to implement Phase I of the Master Plan, which consists of a multipurpose municipal garage facility to be constructed in the parking lot adjacent to City Hall. Uses for this facility could include a facility for the preferred bus system and a related Intermodal Center; additional parking spaces for City Hall, the Convention Center and the surrounding area; and potentially other uses, such as retail / office space. Given the proposed demolition of the 17th Street Surface Lots to accommodate a new public plaza and New World Symphony facility, it is essential to replace the parking spaces currently available at the 17th Street Surface Lots in a nearby location to mitigate a negative impact on the parking facilities in the area. The facility would provide approximately 450 to 600 parking spaces for use, depending on the programmatic uses decided upon for the facility. The proposed total cost of this project is approximately $11 million, including both hard construction (Construction and Contingency) and soft costs (A/E fees, CIP Office Fees, Program Management fees, etc.).

Due to the complexity of the project (potentially several different types of uses, phasing around major City events, limited geographical space, etc.), the City proposes to use a Program Manager for the project. URS has institutional experience with building parking facilities, and recently oversaw the construction of a similar facility at the Fort Lauderdale/Hollywood International Airport. The Administration recommends amending the City's agreement with URS to include the Program Management Services necessary for constructing this facility.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:		Amount	Account	Approved
	1	$1,003,882	Parking Enterprise Fund	
	2			
Finance Dept.	Total	$1,003,882		

City Clerk's Office Legislative Tracking:

M. Alexandra Rolandelli, Senior Capital Projects Coordinator

Sign-Offs:

Department Director	Assistant City Manager	City Manager
	CMC	

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AGENDA ITEM R7B

DATE 7-30-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND URS CORPORATION - SOUTHERN, DATED JUNE 27, 2001 TO PROVIDE PROGRAM MANAGEMENT SERVICES FOR THE DESIGN AND CONSTRUCTION OF A MULTIPURPOSE MUNICIPAL FACILITY TO BE CONSTRUCTED IN THE PARKING LOT ADJACENT TO CITY HALL IN AN AMOUNT NOT TO EXCEED $1,003,882; AND FURTHER APPROPRIATING FUNDS FROM THE PARKING ENTERPRISE FUND FOR SAID AMENDMENT.**

ADMINISTRATION RECOMMENDATION:

Adopt the Resolution.

FUNDING:

Funds in the amount of $1,003,882 are available from the Parking Enterprise Fund.

BACKGROUND:

On June 27, 2001, the Mayor and City Commission approved Resolution No. 2001-24499, authorizing the City to enter into an agreement with URS Corporation-Southern ("URS") for Program Management Services to manage construction projects for Facilities and Parks ("Program"), pursuant to the guidelines established in the Request of Qualifications No. 111-99/00. Under the agreement, URS assists City staff in the planning, programming, design review, construction administration, and scheduling, budgeting and consultant coordination for the projects included in the agreement. Since the commencement of the Program, URS has been providing satisfactory professional services and building a good relationship with the City staff in assisting with the coordination of the projects.

On September 21, 2001, Zyscovich, Inc., delivered a Preliminary Proposed Master Plan ("Master Plan") for the 17th Street Surface Lots that addresses the needs of the Convention Center and the New World Symphony area. The Master Plan evaluates parking and transportation requirements, examines the need for an open space public plaza, identifies

opportunities for gateway entrance features, evaluates the need for and location of an Intermodal Center, studies streetscape design changes related to proposed bus route changes and complements the adjacent urban relationships and historic districts.

The Master Plan was approved in concept by the City Commission on October 17, 2001 and was revised (as to form) on May 16, 2002. It not only reflects updated conditions in the area since the inception of the original City Center Historic Convention Village Redevelopment and Revitalization Area Plan ("City Center Redevelopment Plan") in 1993, but also functions as a working document to finalize outstanding urban planning issues essential to the completion of the City Center Redevelopment Plan. On May 29, 2002, a public hearing was held to consider adopting certain amendments to the City Center Redevelopment Plan, including the adoption, by reference, of the Master Plan. On June 19, 2002, the City Commission adopted those amendments.

The City is now proposing to implement Phase I of the Master Plan, which consists of a multipurpose municipal garage facility to be constructed in the parking lot adjacent to City Hall. Uses for this facility could include a charging facility for the Electrowave bus system and a related Intermodal Center; additional parking spaces for City Hall, the Convention Center and the surrounding area; and potentially other additional uses such as retail / office space. Given the proposed demolition of the 17th Street Surface Lots to accommodate a new public plaza and New World Symphony facility, it is essential to replace the parking spaces currently available at the 17th Street Surface Lots in a nearby location to mitigate a negative impact on the parking facilities in the area. The facility would provide approximately 450 to 600 parking spaces for use, depending on the programmatic uses decided upon for the facility.

The proposed total cost of this project is approximately $11 million, including both hard construction (Construction and Contingency) and soft costs (A/E fees, CIP Office Fees, Program Management fees, etc.). The primary funding sources include Intermodal Grants (approximately $6.4 million) and Parking Impact Fees (approximately $8 million). City Center Redevelopment Area TIF funds may also be used if additional funding is needed.

A Preliminary Schedule for the Project is included as Exhibit "A". It is important to note that the construction of this facility will have to be phased around major City events, such as the annual boat show, which will affect the completion date. The major stages of the Project are estimated to be completed as follows:

- A/E Contract Award – April 2004
- BODR Approval – March 2005
- Design Review Board Approval – July 2005
- Construction Documents Completion – June 2006
- Construction Substantial Completion – November 2007
- Construction Final Completion – February 2008

Due to the complexity of the project (several different types of uses, phasing around major City events, limited geographical space, etc.), the City proposes to use a Program Manager for the project. URS has institutional experience with building parking facilities, and recently oversaw the construction of a similar facility at the Fort Lauderdale/Hollywood International Airport. URS has proposed providing Program Management services for this project for a not to exceed amount of $1,003,882, and extending the Agreement through February 2008 for this project. This fee is based on actual effort, paid on an hourly basis, and reimbursable expenses for the duration of the project, as outlined in Exhibit "B". The hourly rates utilized in the calculation of effort are those currently in effect.

CONCLUSION:

The Administration recommends that the Mayor and City Commission authorize the City to execute Amendment No. 1 to the existing Agreement between URS Corporation–Southern and the City of Miami Beach to provide Program Management Services for the design and construction of a multi-purpose municipal facility to be constructed in the parking lot adjacent to City Hall, in an amount not to exceed $1,003,882.

RCM/TH/AR
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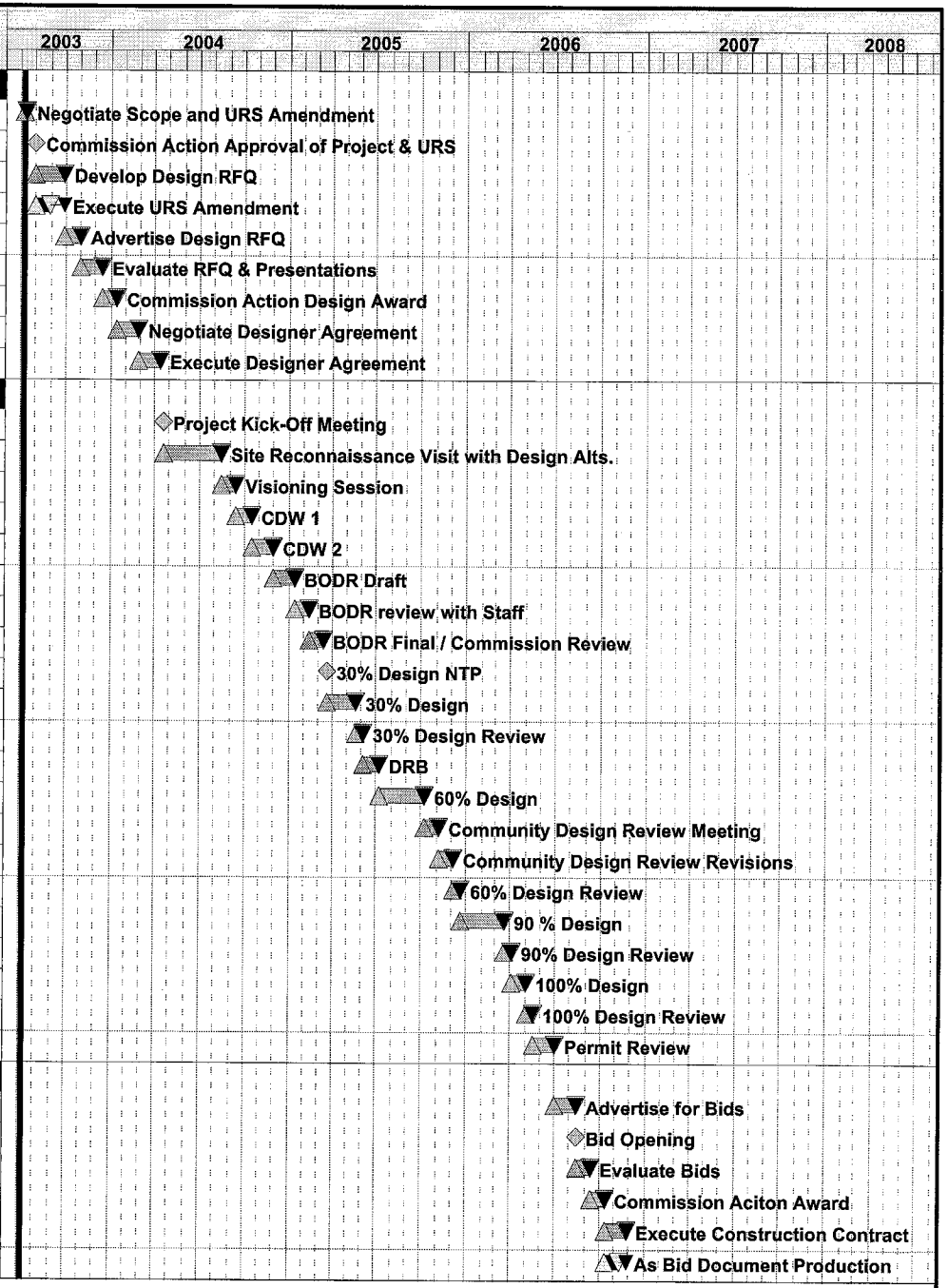
Activity ID	Activity Description	Orig Dur	Rem Dur	%	Early Start	Early Finish
1 PLAN						
100	Negotiate Scope and URS Amendment	4	4	0	07JUL03*	10JUL03
200	Commission Action Approval of Project & URS	0	0	0	30JUL03*	
400	Develop Design RFQ	60	60	0	31JUL03	28SEP03
300	Execute URS Amendment	30	30	0	31JUL03	29AUG03
500	Advertise Design RFQ	30	30	0	29SEP03	28OCT03
600	Evaluate RFQ & Presentations	45	45	0	29OCT03	12DEC03
700	Commission Action Design Award	30	30	0	13DEC03	11JAN04
800	Negotiate Designer Agreement	45	45	0	12JAN04	25FEB04
900	Execute Designer Agreement	45	45	0	26FEB04	10APR04
2 DESIGN						
910	Project Kick-Off Meeting	0	0	0	18APR04	
920	Site Reconnaissance Visit with Design Alts.	120	120	0	18APR04	15AUG04
930	Visioning Session	30	30	0	16AUG04	14SEP04
940	CDW 1	30	30	0	15SEP04	14OCT04
950	CDW 2	45	45	0	15OCT04	28NOV04
960	BODR Draft	45	45	0	29NOV04	12JAN05
970	BODR review with Staff	30	30	0	13JAN05	11FEB05
980	BODR Final / Commission Review	30	30	0	12FEB05	13MAR05
1000	30% Design NTP	0	0	0	21MAR05	
1100	30% Design	60	60	0	21MAR05	19MAY05
1300	30% Design Review	14	14	0	20MAY05	02JUN05
1700	DRB	35	35	0	03JUN05	07JUL05
1500	60% Design	90	90	0	08JUL05	05OCT05
1510	Community Design Review Meeting	30	30	0	06OCT05	04NOV05
1520	Community Design Review Revisions	30	30	0	05NOV05	04DEC05
1710	60% Design Review	14	14	0	05DEC05	18DEC05
1720	90 % Design	90	90	0	19DEC05	18MAR06
1730	90% Design Review	14	14	0	19MAR06	01APR06
1740	100% Design	30	30	0	02APR06	01MAY06
2100	100% Design Review	14	14	0	02MAY06	15MAY06
2200	Permit Review	45	45	0	16MAY06	29JUN06
3 BID						
2300	Advertise for Bids	45	45	0	30JUN06	13AUG06
2400	Bid Opening	0	0	0	14AUG06	
2500	Evaluate Bids	30	30	0	14AUG06	12SEP06
2600	Commission Aciton Award	30	30	0	13SEP06	12OCT06
2700	Execute Construction Contract	45	45	0	13OCT06	26NOV06
2710	As Bid Document Production	30	30	0	13OCT06	11NOV06



Start Date	15OCT02
Finish Date	24FEB08
Data Date	07JUL03
Run Date	21JUL03 13:53

Early Bar
Float Bar
Progress Bar
Critical Activity

EMPL

Sheet 1 of 2

Multipurpose Municipal Facility

Classic Schedule Layout

Date	Revision	Checked	Approved

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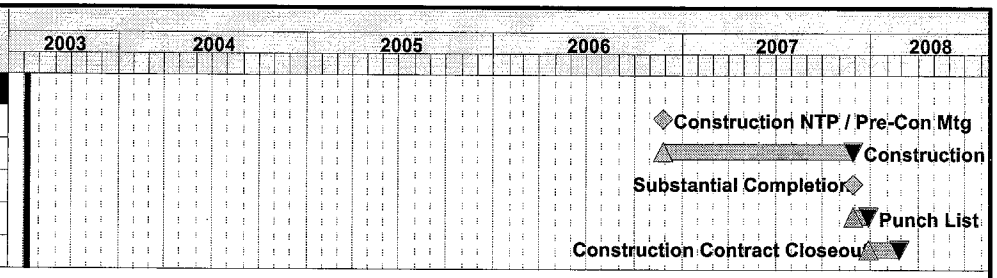
Activity ID	Activity Description	Orig Dur	Rem Dur	%	Early Start	Early Finish
4 CONST						
2800	Construction NTP / Pre-Con Mtg	0	0	0	27NOV06	
2900	Construction	365	365	0	27NOV06	26NOV07
3000	Substantial Completion	0	0	0	27NOV07	
3100	Punch List	30	30	0	27NOV07	26DEC07
3800	Construction Contract Closeout	60	60	0	27DEC07	24FEB08



Start Date	15OCT02
Finish Date	24FEB08
Data Date	07JUL03
Run Date	21JUL03 13:53

Early Bar
Float Bar
Progress Bar
Critical Activity

© Primavera Systems, Inc.

EMPL

Sheet 2 of 2

Multipurpose Municipal Facility

Classic Schedule Layout

Date	Revision	Checked	Approved

POSITION	COMPANY	NAME	PAY SCALE	Program Total
PROGRAM MANAGEMENT				
PROGRAM DIRECTOR	URS / OK	Osborn		$ 159,462
ADMIN. ASSISTANT				$ -
CONSTRUCTION MANAGER	URS			$ -
DESIGN MANAGER	URS			$ 22,278
SR. PROJECT MANAGER	URS			$ -
MANAGING PRINCIPAL / CONTRACT ADMINISTRATOR	URS	Nardone		$ 15,548
PROGRAM & DOCUMENT CONTROLS				
PROGRAM & DOCUMENT CONTROLS MANAGER 2	URS / OK			$ -
PROGRAM & DOCUMENT CONTROLS MANAGER 1	URS	Minnery		$ 101,832
DOCUMENT CONTROL CLERK	URS	Borrego		$ 37,588
	SUBTOTAL			$ 336,707
PROJECT SUPPORT SERVICES				
PROJECT MANAGER 2	URS / OK	Poleo		$ -
PROJECT MANAGER 1	URS	Fernandez		$ -
PROJECT MANAGER 1	URS	Hosein		$ -
PROJECT MANAGER 2	URS / OK	Escalante		$ 632,290
	URS	Talavera		$ -
FIELD OBSERVER 2	URS	Bell		$ -
FIELD OBSERVER 1	URS	Molendyk		$ -
FIELD OBSERVER 1				$ -
FIELD OBSERVER 2				$ -
	SUBTOTAL			$ 632,290
	LABOR TOTAL			$ 968,998
REBILLABLES				
Mileage				$ 14,904
Cell Phones				$ 6,480
Computer Software				$ -
Computer Hardware				$ -
Reproduction				$ 5,400
Postage				$ 5,400
Office Supplies				$ 2,700
	TOTAL RE-BILLABLES			**$ 34,884**
	PROGRAM TOTAL			**$ 1,003,882**

POSITION	COMPANY	NAME	PAY SCALE	FY 2004 OCT 03	NOV 03	DEC 03	JAN 04	FEB 04	MAR 04	APR 04	MAY 04	JUN 04	JUL 04	AUG 04	SEP 04	TOTAL MONTHS	TOTAL WEEKS	TOTAL HOURS	LABOR RATE	MULT.	CONTRACT RATE	TOTAL LABOR	TOTAL
001 - PROGRAM MANAGEMENT																							
PROGRAM DIRECTOR	URS / OK	Osborn																	Esc 3%		Esc 3%		
ADMIN. ASSISTANT																-	-	0	$ 59.36	2.532	$ 150.31	$ -	
CONSTRUCTION MANAGER	URS															-	-	0	$ 21.47	1.000	$ 21.47	$ -	
DESIGN MANAGER	URS	Staudinger														-	-	0	$ 47.24	2.587	$ 122.21	$ -	
SR. PROJECT MANAGER	URS															-	-	0	$ 51.10	2.587	$ 132.21	$ -	
MANAGING PRINCIPAL / CONTRACT ADMINISTRATOR	URS	Nardone														-	-	0	$ 36.61	2.587	$ 94.71	$ -	
PROGRAM & DOCUMENT CONTROLS																-	-	0	$ 64.53	2.271	$ 146.55	$ -	$ -
PROGRAM & DOCUMENT CONTROLS MANAGER 2	URS / OK																						
PROGRAM & DOCUMENT CONTROLS MANAGER 1				20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	-	-	0	$ 47.35	2.587	$ 122.49	$ -	
DOCUMENT CONTROL CLERK																1	6	240	$ 35.43	2.587	$ 91.66	$ 21,998	
SUBTOTAL				20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	-	-	0	$ 21.47	1.000	$ 21.47	$ -	$ 21,998
				20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	1.38	6.00	240.00					$ 21,998
PROJECT SUPPORT SERVICES																							
PROJECT MANAGER 2	URS															-	-	0	$ 39.31	2.587	$ 101.68	$ -	
PROJECT MANAGER 1																-	-	0	$ 32.21	2.587	$ 83.32	$ -	
PROJECT MANAGER 1																-	-	0	$ 32.21	2.587	$ 83.32	$ -	
PROJECT MANAGER 2				40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	3	12	480	$ 41.20	2.587	$ 106.58	$ 51,161	
SCHEDULER																-	-	0	$ 31.14	2.586	$ 80.52	$ -	
FIELD OBSERVER 2	URS															-	-	0	$ 24.69	2.587	$ 63.88	$ -	
FIELD OBSERVER 1																-	-	0	$ 19.33	2.587	$ 49.99	$ -	
FIELD OBSERVER 1 - LIBRARY																-	-	0	$ 19.33	2.587	$ 49.99	$ -	
FIELD OBSERVER 2																-	-	0	$ 24.69	2.587	$ 63.88	$ -	
SUBTOTAL				40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	2.77	11.99	480.00					$ 51,161
			TOTAL	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	4.15	17.99	720.00					$ 73,158
																					CPI at	0.0%	$ -
																							$ 73,158

FY 2004 Rebillables	OCT 03	NOV 03	DEC 03	JAN 04	FEB 04	MAR 04	APR 04	MAY 04	JUN 04	JUL 04	AUG 04	SEP 04	FY 04 Total
Mileage	207.00	207.00	207.00	207.00	207.00	207.00	207.00	207.00	207.00	207.00	207.00	207.00	2,484
Cell Phones	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	1,080
Computer Software													-
Computer Hardware													-
Reproduction	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	1,200
Postage & Meter	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	1,200
Office Supplies	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	600
Rebillable Totals	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**$ 6,564**

TOTAL FY 03 BUDGET REQUEST $ 79,722

POSITION	COMPANY	NAME	PAY SCALE	FY 2005 OCT 04	NOV 04	DEC 04	JAN 05	FEB 05	MAR 05	APR 05	MAY 05	JUN 05	JUL 05	AUG 05	SEP 05	TOTAL MONTHS	TOTAL WEEKS	TOTAL HOURS	LABOR RATE	MULT.	CONTRACT RATE	TOTAL LABOR	TOTAL
001 - PROGRAM MANAGEMENT																			Esc 3%		Esc 3%		
PROGRAM DIRECTOR	URS / OK	Osborn														-	-	0	$ 61.14	2.532	$ 154.82	$ -	
ADMIN. ASSISTANT																-	-	0	$ 22.12	1.000	$ 22.12	$ -	
CONSTRUCTION MANAGER	URS	Moore														-	-	0	$ 48.66	2.587	$ 125.88	$ -	
DESIGN MANAGER	URS	Staudinger									40.00					0	1	40	$ 52.64	2.587	$ 136.17	$ 5,447	
SR. PROJECT MANAGER	URS	Wollner														-	-	0	$ 37.71	2.587	$ 97.55	$ -	
MANAGING PRINCIPAL / CONTRACT ADMINISTRATOR	URS	Nardone														-	-	0	$ 58.46	2.271	$ 150.95	$ -	$ 5,447
PROGRAM & DOCUMENT CONTROLS																							
PROGRAM & DOCUMENT CONTROLS MANAGER 2	URS / OK															-	-	0	$ 48.77	2.587	$ 126.16	$ -	
PROGRAM & DOCUMENT CONTROLS MANAGER 1				20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	1	6	240	$ 36.49	2.587	$ 94.41	$ 22,658	
DOCUMENT CONTROL CLERK				40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	3	12	480	$ 22.12	1.000	$ 22.12	$ 10,616	$ 33,274
SUBTOTAL				60.00	60.00	60.00	60.00	60.00	60.00	60.00	100.00	60.00	60.00	60.00	60.00	4.38	18.99	760.00					$ 38,721
PROJECT SUPPORT SERVICES																							
PROJECT MANAGER 2	URS	Polco														-	-	0	$ 40.48	2.587	$ 104.73	$ -	
PROJECT MANAGER 1																-	-	0	$ 33.18	2.587	$ 85.82	$ -	
PROJECT MANAGER 1																-	-	0	$ 33.18	2.587	$ 85.82	$ -	
PROJECT MANAGER 2				88.00	88.00	88.00	88.00	88.00	88.00	88.00	88.00	88.00	88.00	88.00	88.00	6	26	1,056	$ 42.44	2.587	$ 109.78	$ 115,930	
SCHEDULER																-	-	0	$ 32.07	2.586	$ 82.94	$ -	
FIELD OBSERVER 2	URS	Fernandez														-	-	0	$ 25.43	2.587	$ 65.80	$ -	
FIELD OBSERVER 1																-	-	0	$ 19.91	2.587	$ 51.49	$ -	
FIELD OBSERVER 1 - LIBRARY																-	-	0	$ 19.91	2.587	$ 51.49	$ -	
FIELD OBSERVER 1																-	-	0	$ 25.43	2.587	$ 65.80	$ -	
SUBTOTAL				88.00	88.00	88.00	88.00	88.00	88.00	88.00	88.00	88.00	88.00	88.00	88.00	6.09	26.38	1,056.00					$ 115,930
			TOTAL	148.00	148.00	148.00	148.00	148.00	148.00	148.00	188.00	148.00	148.00	148.00	148.00	10.48	45.37	1,816.00					$ 154,650
																					CPI at	0.0%	$ -
																							$ 154,650

FY 2005 Rebillables	OCT 03	NOV 03	DEC 03	JAN 04	FEB 04	MAR 04	APR 04	MAY 04	JUN 04	JUL 04	AUG 04	SEP 04	FY 05 Total
Mileage	207.00	207.00	207.00	207.00	207.00	207.00	207.00	207.00	207.00	207.00	207.00	207.00	2,484
Cell Phones	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	1,080
Computer Software													-
Computer Hardware													-
Reproduction	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	1,200
Postage & Meter	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	1,200
Office Supplies	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	600
Rebillable Totals	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**$ 6,564**

$ 161,214

439

POSITION	COMPANY	NAME	PAY SCALE	FY 2006 OCT 05	NOV 05	DEC 05	JAN 06	FEB 06	MAR 06	APR 06	MAY 06	JUN 06	JUL 06	AUG 06	SEP 06	TOTAL MONTHS	TOTAL WEEKS	TOTAL HOURS	LABOR RATE	MULT.	CONTRACT RATE	TOTAL LABOR	TOTAL
001 - PROGRAM MANAGEMENT																							
PROGRAM DIRECTOR	URS / OK	Osborn							40.00	40.00	40.00	40.00	40.00	40.00	40.00	2	7	280	Esc 3% $ 62.98	2.532	Esc 3% $ 159.46	$ 44,649	
ADMIN. ASSISTANT																-	-	0	$ 22.78	1.000	$ 22.78	$ -	
CONSTRUCTION MANAGER	URS															-	-	0	$ 50.12	2.587	$ 129.65	$ -	
DESIGN MANAGER	URS	Staudinger				40.00			40.00		40.00					1	3	120	$ 54.22	2.587	$ 140.26	$ 16,831	
SR. PROJECT MANAGER	URS															-	-	0	$ 38.84	2.587	$ 100.48	$ -	
MANAGING PRINCIPAL / CONTRACT ADMINISTRATOR	URS	Nardone							4.00	4.00	4.00	4.00	4.00	4.00	4.00	0	1	28	$ 85.45	2.271	$ 155.48	$ 4,353	$ 65,834
PROGRAM & DOCUMENT CONTROLS																							
PROGRAM & DOCUMENT CONTROLS MANAGER 2	URS / OK															-	-	0	$ 50.23	2.587	$ 129.95	$ -	
PROGRAM & DOCUMENT CONTROLS MANAGER 1				20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	1	6	240	$ 37.59	2.587	$ 97.24	$ 23,337	
DOCUMENT CONTROL CLERK				40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	3	12	480	$ 22.78	1.000	$ 22.78	$ 10,935	$ 34,272
SUBTOTAL				60.00	60.00	100.00	60.00	60.00	144.00	104.00	144.00	104.00	104.00	104.00	104.00	6.62	28.68	1,148.00					$ 100,106
PROJECT SUPPORT SERVICES																							
PROJECT MANAGER 2	URS	Polco														-	-	0	$ 41.70	2.587	$ 107.88	$ -	
PROJECT MANAGER 1																-	-	0	$ 34.17	2.587	$ 88.40	$ -	
PROJECT MANAGER 1																-	-	0	$ 34.17	2.587	$ 88.40	$ -	
PROJECT MANAGER 2				88.00	88.00	88.00	88.00	88.00	88.00	88.00	88.00	88.00	88.00	88.00	88.00	6	26	1,056	$ 43.71	2.587	$ 113.08	$ 119,408	
SCHEDULER																-	-	0	$ 33.03	2.586	$ 85.43	$ -	
FIELD OBSERVER 2	URS	Fernandez														-	-	0	$ 26.20	2.587	$ 67.77	$ -	
FIELD OBSERVER 1																-	-	0	$ 20.50	2.587	$ 53.04	$ -	
FIELD OBSERVER 1 - LIBRARY																-	-	0	$ 20.50	2.587	$ 53.04	$ -	
FIELD OBSERVER 1																-	-	0	$ 26.20	2.587	$ 67.77	$ -	
SUBTOTAL				88.00	88.00	88.00	88.00	88.00	88.00	88.00	88.00	88.00	88.00	88.00	88.00	6.09	26.38	1,056.00					$ 119,408
			TOTAL	148.00	148.00	188.00	148.00	148.00	232.00	192.00	232.00	192.00	192.00	192.00	192.00	12.72	55.06	2,204.00					$ 219,513
																					CPI at	0.0%	$ -
																							$ 219,513

FY 2006 Rebillables	OCT 05	NOV 05	DEC 05	JAN 06	FEB 06	MAR 06	APR 06	MAY 06	JUN 06	JUL 06	AUG 06	SEP 06	FY 06 Total
Mileage	207.00	207.00	207.00	207.00	207.00	207.00	207.00	207.00	207.00	207.00	207.00	207.00	2,484
Cell Phones	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	1,080
Computer Software													-
Computer Hardware													-
Reproduction	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	1,200
Postage & Meter	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	1,200
Office Supplies	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	600
Rebillable Totals	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**547.00**	**$ 6,564**

$ 226,077

440

POSITION	COMPANY	NAME	PAY SCALE	FY 2007 OCT 06	NOV 06	DEC 06	JAN 07	FEB 07	MAR 07	APR 07	MAY 07	JUN 07	JUL 07	AUG 07	SEP 07	TOTAL MONTHS	TOTAL WEEKS	TOTAL HOURS	LABOR RATE	MULT.	CONTRACT RATE	TOTAL LABOR	TOTAL
001 - PROGRAM MANAGEMENT																							
PROGRAM DIRECTOR	URS / OK	Osborn		40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00				Esc 3%		Esc 3%		
ADMIN. ASSISTANT																3	12	480	$ 64.87	2.458	$ 159.46	$ 76,542	
CONSTRUCTION MANAGER	URS															-	-	0	$ 23.48	0.971	$ 22.78	$ -	
DESIGN MANAGER	URS	Staudinger														-	-	0	$ 51.62	2.512	$ 129.65	$ -	
SR. PROJECT MANAGER	URS															-	-	0	$ 55.84	2.512	$ 140.26	$ -	
MANAGING PRINCIPAL / CONTRACT ADMINISTRATOR	URS	Nardone		4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	-	-	0	$ 40.01	2.512	$ 100.48	$ -	
PROGRAM & DOCUMENT CONTROLS																0	1	48	$ 70.51	2.205	$ 155.48	$ 7,463	$ 84,005
PROGRAM & DOCUMENT CONTROLS MANAGER 2	URS / OK																						
PROGRAM & DOCUMENT CONTROLS MANAGER 1				20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	-	-	0	$ 51.74	2.512	$ 129.95	$ -	
DOCUMENT CONTROL CLERK				40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	1	6	240	$ 38.72	2.512	$ 97.24	$ 23,337	
SUBTOTAL				104.00	104.00	104.00	104.00	104.00	104.00	104.00	104.00	104.00	104.00	104.00	104.00	3	12	480	$ 23.48	0.971	$ 22.78	$ 10,935	$ 34,272
																7.20	31.18	1,248.00					$ 118,276
PROJECT SUPPORT SERVICES																							
PROJECT MANAGER 2	URS	Poleo														-	-	0	$ 42.95	2.512	$ 107.88	$ -	
PROJECT MANAGER 1																-	-	0	$ 35.20	2.512	$ 88.40	$ -	
PROJECT MANAGER 2				173.00	173.00	173.00	173.00	173.00	173.00	173.00	173.00	173.00	173.00	173.00	177.00	12	52	2,080	$ 45.02	2.587	$ 116.47	$ 242,253	
SCHEDULER																-	-	0	$ 34.02	2.511	$ 85.43	$ -	
FIELD OBSERVER 2	URS	Fernandez														-	-	0	$ 26.98	2.512	$ 67.77	$ -	
FIELD OBSERVER 1																-	-	0	$ 21.12	2.512	$ 53.04	$ -	
FIELD OBSERVER 1 - LIBRARY																-	-	0	$ 21.12	2.512	$ 53.04	$ -	
FIELD OBSERVER 1																-	-	0	$ 26.98	2.512	$ 67.77	$ -	
SUBTOTAL				173.00	173.00	173.00	173.00	173.00	173.00	173.00	173.00	173.00	173.00	173.00	177.00	12.00	51.96	2,080.00					$ 242,253
			TOTAL	277.00	277.00	277.00	277.00	277.00	277.00	277.00	277.00	277.00	277.00	277.00	281.00	19.20	83.14	3,328.00					$ 360,529
																					CPI at	0.0%	$ -
																							$ 360,529

FY 2006 Rebillables	OCT 06	NOV 06	DEC 06	JAN 07	FEB 07	MAR 07	APR 07	MAY 07	JUN 07	JUL 07	AUG 07	SEP 07	FY 07 Total
Mileage	414.00	414.00	414.00	414.00	414.00	414.00	414.00	414.00	414.00	414.00	414.00	414.00	4,968
Cell Phones	180.00	180.00	180.00	180.00	180.00	180.00	180.00	180.00	180.00	180.00	180.00	180.00	2,160
Computer Software													-
Computer Hardware													-
Reproduction	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	1,200
Postage & Meter	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	1,200
Office Supplies	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	600
Rebillable Totals	**844.00**	**844.00**	**844.00**	**844.00**	**844.00**	**844.00**	**844.00**	**844.00**	**844.00**	**844.00**	**844.00**	**844.00**	**$ 10,128**

$ 370,657

441

POSITION	COMPANY	NAME	PAY SCALE	FY 2008 OCT 07	NOV 07	DEC 07	JAN 08	FEB 08	MAR 08	APR 08	MAY 08	JUN 08	JUL 08	AUG 08	SEP 08	TOTAL MONTHS	TOTAL WEEKS	TOTAL HOURS	LABOR RATE	MULT	CONTRACT RATE	TOTAL LABOR	TOTAL
001 - PROGRAM MANAGEMENT																							
PROGRAM DIRECTOR	URS / OK	Osborn		40.00	40.00	40.00	40.00	40.00	40.00							1	6	240	Esc 3% $ 89.31	2.387	Esc 3% $ 159.46	$ 38,271	
ADMIN. ASSISTANT																-	-	0	$ 24.17	0.943	$ 22.78	$ -	
CONSTRUCTION MANAGER	URS															-	-	0	$ 53.17	2.438	$ 129.65	$ -	
DESIGN MANAGER	URS															-	-	0	$ 57.52	2.438	$ 140.26	$ -	
SR. PROJECT MANAGER	URS															-	-	0	$ 41.21	2.438	$ 100.48	$ -	
MANAGING PRINCIPAL / CONTRACT ADMINISTRATOR	URS	Nardone		4.00	4.00	4.00	4.00	4.00	4.00							0	1	24	$ 72.62	2.141	$ 155.48	$ 3,731	$ 42,002
PROGRAM & DOCUMENT CONTROLS																							
PROGRAM & DOCUMENT CONTROLS MANAGER 2	URS / OK															-	-	0	$ 53.29	2.438	$ 129.95	$ -	
PROGRAM & DOCUMENT CONTROLS MANAGER 1				20.00	20.00	20.00	20.00	20.00	8.00							1	3	108	$ 39.88	2.438	$ 97.24	$ 10,502	
DOCUMENT CONTROL CLERK				40.00	40.00	40.00	40.00	40.00	24.00							1	6	224	$ 24.17	0.943	$ 22.78	$ 5,103	$ 15,605
SUBTOTAL				104.00	104.00	104.00	104.00	104.00	76.00	-	-	-	-	-	-	3.44	14.89	596.00					$ 57,607
PROJECT SUPPORT SERVICES																							
PROJECT MANAGER 2	URS	Polao														-	-	0	$ 44.24	2.438	$ 107.88	$ -	
PROJECT MANAGER 1																-	-	0	$ 36.25	2.438	$ 88.40	$ -	
PROJECT MANAGER 1																-	-	0	$ 36.25	2.438	$ 88.40	$ -	
PROJECT MANAGER 2				173.00	173.00	173.00	173.00	173.00	24.00							5	22	889	$ 46.37	2.512	$ 116.47	$ 103,540	
SCHEDULER																-	-	0	$ 35.04	2.438	$ 85.43	$ -	
FIELD OBSERVER 2	URS	Fernandez														-	-	0	$ 27.79	2.438	$ 67.77	$ -	
FIELD OBSERVER 1																-	-	0	$ 21.75	2.438	$ 53.04	$ -	
FIELD OBSERVER 1 - LIBRARY																-	-	0	$ 21.75	2.438	$ 53.04	$ -	
FIELD OBSERVER 1																-	-	0	$ 27.79	2.438	$ 67.77	$ -	
SUBTOTAL				173.00	173.00	173.00	173.00	173.00	24.00	-	-	-	-	-	-	5.13	22.21	889.00					$ 103,540
			TOTAL	277.00	277.00	277.00	277.00	277.00	100.00	-	-	-	-	-	-	8.57	37.10	1,485.00					$ 161,147
																					CPI at	0.0%	$ -
																							$ 161,147

FY 2008 Rebillables	OCT 07	NOV 07	DEC 07	JAN 08	FEB 08	MAR 08	APR 08	MAY 08	JUN 08	JUL 08	AUG 08	SEP 08	FY 08 Total
Mileage	414.00	414.00	414.00	414.00	414.00	414.00							2,484
Cell Phones	180.00	180.00	180.00	180.00	180.00	180.00							1,080
Computer Software													-
Computer Hardware													-
Reproduction	100.00	100.00	100.00	100.00	100.00	100.00							600
Postage & Meter	100.00	100.00	100.00	100.00	100.00	100.00							600
Office Supplies	50.00	50.00	50.00	50.00	50.00	50.00							300
Rebillable Totals	**844.00**	**844.00**	**844.00**	**844.00**	**844.00**	**844.00**	-	-	-	-	-	-	**$ 5,064**

$ 166,211

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 AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND URS CORPORATION - SOUTHERN, DATED JUNE 27, 2001 TO PROVIDE PROGRAM MANAGEMENT SERVICES FOR THE DESIGN AND CONSTRUCTION OF A MULTIPURPOSE MUNICIPAL FACILITY TO BE CONSTRUCTED IN THE PARKING LOT ADJACENT TO CITY HALL IN AN AMOUNT NOT TO EXCEED $1,003,882; AND FURTHER APPROPRIATING FUNDS FROM THE PARKING ENTERPRISE FUND FOR SAID AMENDMENT.

WHEREAS, on June 27, 2001, the Mayor and City Commission approved Resolution No. 2001-24499, authorizing the City to enter into an agreement with URS Corporation-Southern ("URS") for Program Management Services to manage construction projects for Facilities and Parks ("Program"), pursuant to the guidelines established in the Request of Qualifications No. 111-99/00; and

WHEREAS, under the agreement, URS assists City staff in the planning, programming, design review, construction administration, and scheduling, budgeting and consultant coordination for the projects included in the agreement; and

WHEREAS, since the commencement of the Program, URS has been providing satisfactory professional services and building a good relationship with the City staff in assisting with the coordination of the projects; and

WHEREAS, on September 21, 2001, Zyscovich, Inc., delivered a Preliminary Proposed Master Plan ("Master Plan") for the 17th Street Surface Lots that addresses the needs of the Convention Center and the New World Symphony area; and

WHEREAS, the Master Plan evaluates parking and transportation requirements, examines the need for an open space public plaza, identifies opportunities for gateway entrance features, evaluates the need for and location of an Intermodal Center, studies streetscape design changes related to proposed bus route changes and complements the adjacent urban relationships and historic districts; and

WHEREAS, the Master Plan was approved in concept by the City Commission on October 17, 2001 and was revised (as to form) on May 16, 2002; and

WHEREAS, the Master Plan not only reflects updated conditions in the area since the inception of the original City Center Historic Convention Village Redevelopment and Revitalization Area Plan ("City Center Redevelopment Plan") in 1993, but also functions as a working document to finalize outstanding urban planning issues essential to the completion of the City Center Redevelopment Plan; and

WHEREAS, on May 29, 2002, a public hearing was held to consider adopting certain amendments to the City Center Redevelopment Plan, including the adoption, by reference, of the Master Plan; and

WHEREAS, on June 19, 2002, the City Commission adopted those amendments; and

WHEREAS, the City is now proposing to implement Phase I of the Master Plan, which consists of a multipurpose municipal garage facility to be constructed in the parking lot adjacent to City Hall; and

WHEREAS, uses for this facility could include a charging facility for the Electrowave bus system and a related Intermodal Center; additional parking spaces for City Hall, the Convention Center and the surrounding area; and potentially other additional uses such as retail / office space; and

WHEREAS, given the proposed demolition of the 17th Street Surface Lots to accommodate a new public plaza and New World Symphony facility, it is essential to replace the parking spaces currently available at the 17th Street Surface Lots in a nearby location to mitigate a negative impact on the parking facilities in the area; and

WHEREAS, the facility would provide approximately 450 to 600 parking spaces for use, depending on the programmatic uses decided upon for the facility; and

WHEREAS, the proposed total cost of this project is approximately $11 million, including both hard construction (Construction and Contingency) and soft costs (A/E fees, CIP Office Fees, Program Management fees, etc.); and

WHEREAS, the primary funding sources include Intermodal Grants (approximately $6.4 million) and Parking Impact Fees (approximately $8 million); and

WHEREAS, City Center Redevelopment Area TIF funds may also be used if additional funding is needed; and

WHEREAS, construction of this facility will have to be phased around major City events, such as the annual boat show, which will affect the completion date; and

WHEREAS, due to the complexity of the project (several different types of uses, phasing around major City events, limited geographical space, etc.), the City proposes to use a Program Manager for the project; and

WHEREAS, URS has institutional experience with building parking facilities, and recently oversaw the construction of a similar facility at the Fort Lauderdale/Hollywood International Airport; and

WHEREAS, URS has proposed providing Program Management services for this project for a not to exceed amount of $1,003,882, and extending the Agreement through February 2008 for this project; and

WHEREAS, this fee is based on actual effort, paid on an hourly basis, and reimbursable expenses for the duration of the project, and the hourly rates utilized in the calculation of effort are those currently in effect; and

WHEREAS, the Administration recommends that the Mayor and City Commission authorize the City to execute Amendment No. 1 to the existing Agreement between URS Corporation–Southern and the City of Miami Beach to provide Program Management Services for the design and construction of a multi-purpose municipal facility to be constructed in the parking lot adjacent to City Hall, in an amount not to exceed $1,003,882.

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 authorize the City to execute Amendment No. 1 to the existing Agreement between URS Corporation–Southern and the City of Miami Beach to provide Program Management Services for the design and construction of a multi-purpose municipal facility to be constructed in the parking lot adjacent to City Hall, in an amount not to exceed $1,003,882.

PASSED AND ADOPTED this _____ day of _____, 2003.

ATTEST:

_____ _____

CITY CLERK MAYOR

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney 7-23-03 Date

CITY OF MIAMI BEACH
COMMISSION AGENDA ITEM SUMMARY

Condensed Title:

A Resolution Ratifying the RDA's appropriation funds, in an amount not to exceed $35,000.00 from South Pointe Redevelopment District Tax Increment Funds, to complete the Project cost, for the Victory Garden project.

Issue:

Shall the Miami Beach City Commission ratify the appropriation of RDA funds in an amount not to exceed $35,000 for the construction of the Victory Garden project?

Item Summary/Recommendation:

Following the Land Use and Development Committee decision to relocate the Community Garden and in order to utilize the 226 Collins Avenue green space for the highest and best use, CIP staff and residents developed several community-oriented initiatives to fulfill while also relocating the Community Garden. The goal was to make the new Victory Garden, (the Project) a place of community unity.

Pursuant to the acceptance of the Project, the Agreements for the Artistic Fence and A/E services were executed. Design has been completed and the permitting processes have begun. A construction estimate has been developed. The CIP office will contract with Carivon Construction Co., one of the contractors under the City's JOC Program, to perform the construction scope, schedule to start in August 2003.

The appropriation of an amount not to exceed $35,000 will complete the funding for the updated Project budget, allowing for the initiation of the construction phase.

Advisory Board Recommendation:

On January 31, 2002 the South Pointe Advisory Board approved the Victory Garden concept including the artistic fence element.

Financial Information:

Amount to be expended:

Source of Funds:

	Amount	Account	Approved
1	$35,000	South Pointe RDA	
2			
3			
4			
Total	$35,000		

Finance Dept.

City Clerk's Office Legislative Tracking:

Stacy Lotspeich, Senior Capital Projects Planner, CIP Office

Sign-Offs:

Department Director	Assistant City Manager	City Manager
	CMC	

T:\AGENDA\2003\jul3003\consent\Vitory Garden 20k\Victory Garden Artist SUMMARY7-30-033.doc

AGENDA ITEM R7C

DATE 7-30-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, RATIFYING THE APPROPRIATION OF FUNDS BY THE BOARD OF THE MIAMI BEACH REDEVELOPMENT AGENCY IN AN AMOUNT NOT TO EXCEED $35,000 FROM SOUTH POINTE REDEVELOPMENT TAX INCREMENT FUNDS FOR CONSTRUCTION COSTS FOR THE VICTORY GARDEN.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

On December 17, 2001, the City of Miami Beach's Land Use and Development Committee voted unanimously (3-0) to relocate the City's Community Garden from 137 Washington Avenue to 226 Collins Avenue. Following the Land Use and Development Committee's decision and in order to utilize the 226 Collins Avenue green space for the highest and best use, City staff and residents developed several community-oriented initiatives to execute while relocating the Community Garden.

The goal was to make the new garden (the Project) a place for the total community by expanding its purpose beyond a garden cooperative. The initiatives emphasized in the Project include the importance of the environment, providing the latest in ADA opportunities for residents, and honoring the role of the Miami Beach community in World War II.

The idea of a "Victory Garden" was created to encompass all these themes. There are two components to the Project, a decorative fence designed by Andrew Reid with additional work done by artists Carlos Alves and Frank Welty, and a cooperative gardening area. This memo addresses the construction funding needed for the gardening area.

In May 2003, Coastal System, the Project's engineering firm of record, and EDAW, Inc., the landscape architecture firm of record, completed construction documents. At that time, it was decided the Project would be constructed via Job Order Contracting. Price negotiations were begun with Carivon Construction Company in June 2003.

Carivon and CIP staffs have determined that an additional $35,000 is required to complete the project. Originally, it was estimated by Redevelopment Agency staff that construction

hard costs would be $112,000. The estimated construction cost, including contingency is $131,300. The difference in the prior and latter estimates includes costs attributed to revisions made to the Project to meet structural load capacity requirements for a tool storage structure and additional ADA modifications for disability access. In addition, other soft and construction related activity costs, including surveying permitting, meter installation and project identification signage are estimated to cost approximately $15,700. Taking into consideration the funds already appropriated for this project, an additional appropriation of $35,000 will complete the total estimated costs of the project.

The Project's Budget has been estimated as follows:

Project Estimated Budget		**Funds Previously Appropriated**	**Funds to be Appropriated Now**
Hard Costs (Including Contingency)	$131,300	$ 112,000	$ 19,300
Soft/Other Costs	37,500	21,800	15,700
Total Project	**$ 168,800**	**$ 133,800**	**$ 35,000**

The Victory Garden Project will begin construction during August 2003. The garden area will be completed first (within 120 days). The decorative fence, currently under design, will be installed after a final Historic Preservation Board review and Building Department approval. The current fence will be re-installed in the interim so the garden can be used during the fall. The official Victory Garden dedication will take place on Pearl Harbor Day, December 7, 2003.

The Administration recommends the ratification of the appropriation of funds by the Board of the Miami Beach Redevelopment Agency, in an amount not to exceed $35,000, from South Pointe Redevelopment Tax Increment Funds, for construction costs for the Victory Garden.

JMG/RM/TH/sl
T:\AGENDA\2003\jul3003\consent\Vitory Garden 20k\Victory Garden Memo 20k.doc

RESOLUTION NO._____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, RATIFYING THE APPROPRIATION OF FUNDS, BY THE BOARD OF THE MIAMI BEACH REDEVELOPMENT AGENCY, IN AN AMOUNT NOT TO EXCEED $35,000, FROM SOUTH POINTE REDEVELOPMENT TAX INCREMENT FUNDS, FOR CONSTRUCTION COSTS FOR THE VICTORY GARDEN.

WHEREAS, on December 17, 2001, the City of Miami Beach's Land Use Committee voted unanimously (3-0) to relocate the City's Community Garden from 137 Washington Avenue to 226 Collins Avenue, a land parcel donated by Nathan Spiegel in November 1985; and

WHEREAS, in keeping with the City's unique, urban, tropical and historic lifestyle, the Capital Improvement Projects (CIP) Office has sought to develop 226 Collins Avenue to its highest and best use as a green space through the Victory Garden Project (the Project); and

WHEREAS, on March 19, 2003, the Mayor and City Commission approved Resolution 2003-25157, authorizing Job Order Contracting with Carivon Construction Company, contractor for the Project; and

WHEREAS, Carivon and CIP staff have negotiated a construction cost estimate that exceeds the original budget projection by $35,000; and

WHEREAS, the Administration recommends ratifying the appropriation of funds, by the Board of the Miami Beach Redevelopment Agency, in an amount not to exceed $35,000, from South Pointe Redevelopment Tax Increment Funds, for construction costs for the Victory Garden.

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 herein ratify the appropriation of funds, by the Board of the Miami Beach Redevelopment Agency, in an amount not to exceed $35,000, from South Pointe Redevelopment Tax Increment Funds, for construction costs for the Victory Garden.

PASSED, ADOPTED AND APPROVED this 30th day of July, 2003.

ATTEST:

_____

MAYOR

_____

CITY CLERK

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

_____ 7-22-03

City Attorney **Date**

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OFFICE OF THE CITY ATTORNEY

City of Miami Beach

F L O R I D A

MURRAY H. DUBBIN
City Attorney

Telephone: **(305) 673-7470**
Telecopy: **(305) 673-7002**

COMMISSION MEMORANDUM

TO: **Mayor David Dermer**
Members of the City Commission

DATE: **July 30, 2003**

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

SUBJECT: **Proposed Amendments to City Charter and Related Special Acts—Charter Review Board Proposals accepted in concept by City Commission**

At its July 2, 2003 meeting, the Miami Beach City Commission approved in concept the issues listed below, as proposed by the Charter Review Board for placement on a future City ballot. The last date by which the Miami Beach City Commission can pass a Resolution placing an issue on the November 4, 2003 ballot, amending the City Charter or Related Special Acts, is September 5, 2003. Inasmuch as today's meeting of July 30, 2003 is the last regularly-scheduled City Commission meeting prior to September 5, any issues the Commission wishes to place on the November 4, 2003 ballot must be approved by the City Commission today. Accordingly, the resolutions needed to call a special election for November 4, 2003 have been drafted and are attached hereto.

I. City Charter's Bill of Rights.

- Natural resources and scenic beauty – Add following language:
  "It shall be the policy of the City of Miami Beach to conserve and protect its natural resources and scenic beauty, which policy shall include the abatement of air and water pollution and of excessive and unnecessary noise".

II. City Charter.

A. Election reform
1) Amend section 2.01 to change runoff election date from one week after the general election to two weeks after the general election.

Agenda Item R7D
Date 7-30-03

2) Amend section 6.03 to require that candidates for elected office in the City of Miami Beach reside in the City for at least one year prior to qualifying for office.

B. Form of Government/Commission Powers-
Amend the following language in paragraph 3 of Charter section 2.03 entitled: "Powers of the City Commission":
"The Commission may also investigate the official acts and conduct of any City official, and by similar investigations may secure information upon any matter. In conducting such investigation, the Commission may require the attendance of witnesses and the productions of books, papers and other evidence. ~~, and for that purpose may upon a five-sevenths (5/7) votes, issue subpoenas which shall be signed by the Mayor."~~

C. City Manager/Administrative Changes-
1) Amend Charter section 4.02 entitled: "City Manager", subsection (i) "Functions and powers" as follows:
"...to negotiate all contracts and agreements in which the City is a party subject to the approval of the ~~City Attorney and~~ City Commission."
2) Amend Charter Article V regarding "Budget and Finance" by adding language that would require the Mayor and City Commission when adopting legislation to consider the long term economic impact (at least 5 years).

III. Related Special Acts.

A. Zoning Board of Adjustment-
Amend Related Special Acts, section 2, regarding "Zoning Board of Adjustment" by:
-deleting reference to two (2) non-voting ex-officio members, and instead establishing two (2) members as regular, voting members appointed by the City Commission;
*-decreasing number of City Commission votes required for appointment of Board members from 5/7 vote of Commission to 4/7 vote???**; and*
-increasing number of Board votes required for action from 4/5 vote of Board to 5/7 vote.

B. Article II "Public Library".* The Charter Review Board has adopted administrative recommendations in proposing deletion of this Article as unnecessary due to the City's existing subject interlocal agreement.

* Editors Note: The public library is operated pursuant to an interlocal agreement which is on file in the city clerk's office.

** Subject to further discussion and vote by City Commission.

Sec. 3. Authority to acquire, maintain and operate.
The City of Miami Beach, in Dade County, Florida, is hereby authorized and empowered to acquire, maintain and operate a public library or libraries within the corporate limits of the City of Miami Beach; to provide by ordinance of its city commission for the manner and method of such operation, administration and financing of such public library or libraries.
(Laws of Fla., 1949, ch. 26027, § 1; election of 11-1-83)

Sec. 4. Board of trustees.
Any ordinance passed and adopted hereunder by the said City of Miami Beach, or on its behalf by its city commission, shall provide for a board of trustees for the management and administration of such public library or libraries, which board of trustees shall consist of members who shall be appointed or removed by the city manager by and with the approval of the city commission, in a manner and on such terms as may be established by the ordinance. Said board of trustees shall have the power to adopt bylaws, rules or regulations for the conduct of its own meetings or business and for the regulation and control of the operation of such library or libraries.
(Laws of Fla., 1949, ch. 26027, § 2; election of 11-1-83)

Sec. 5. Personnel subject to provisions of article IV hereof.
All personnel, except unclassified personnel, employed in the operation, maintenance and administration of said public library or libraries shall be subject to the provisions of Laws of Florida, 1937, ch. 18696 entitled:

"An act creating a civil service system for certain officers and employees of the City of Miami Beach, Florida; creating a department of personnel, defining its membership, powers and duties; designating the officers and employees who are within the terms of said act; defining the certain terms of said act; providing for appointments, promotions, suspension, reductions and removal of officers and employees; providing for the status of officers and employees holding positions when this act takes effect; providing for referendum when said act shall take effect and other matters relating thereto."
(Laws of Fla., 1949, ch. 26027, § 3; election of 11-1-83)

Sec. 6. Repeal of conflicting laws.
All laws and parts of laws in conflict herewith are hereby repealed.
(Laws of Fla., 1949, ch. 26027, § 4; election of 11-1-83)

C. Article III "Municipal Projects" *- The Charter Review Board has adopted administrative recommendations in proposing that this Article be deleted as it as redundant and unnecessary.

*Editors Note: Sections 3--16 of Laws of Fla., 1941, ch. 21401, regarding the issuing and servicing of bonds for the projects authorized in the areas within and beyond the city limits have been editorially deleted as any provision which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power may be editorially deleted as

unnecessary as home rule powers of a municipality are derived from the constitution and F.S. ch. 166 and the authority and procedure for issuance of bonds is contained in state law.

State Law References: Municipal borrowing authority, F.S. § 166.101 et seq.; bonds, F.S. §§ 130.01 et seq., 132.01 et seq., 159.01 et seq., 163.385,215.43,215.431,215.84, 218.37--218.385; bond validation, F.S. ch. 75; maximum rate of interest, F.S. § 215.84.

Sec. 7. Enumeration of projects; definitions.

For the purpose of this Act the term "municipal project" shall cover only any one or more or any combination of the following: abattoirs, airports, auditoriums, bridges, tunnels, buildings, hospitals, viaducts, city and town halls, community houses, sanitaria, dispensaries, jails, ice plants, pre-cooling and cold-storage plants, warehouses, waterworks systems, including new water lines, dredging and deepening harbors and channels, jetties, breakwaters, public landings, wharves, docks, and other improvements for harbors and shipping facilities, markets, memorials, automobile parking lots, parks, including recreational facilities, playgrounds, recreation centers, bathing beaches with necessary improvements, structures, buildings, piers, public buildings and plazas, reservoirs, schools, sewers, sewage or drainage systems and sewage disposal or treatment plants, stadiums, streets, roads, avenues, alleys and highways, sidewalks and curbs, gutters and stormwater sewers or drains, harbor and port facilities, toll bridges or causeways, swimming pools, as defined in this section; and all property, real and personal, appurtenant thereto or connected with such work, undertaking or project, and the existing work, undertaking or project, if any, to which such work, undertaking or project is an extension, addition, betterment or improvement.

(a) The term "to construct" shall mean to build, to construct, to reconstruct, to erect, to replace, to extend, to repair, to better, to equip, to develop, to embellish, to improve, to acquire by gift, purchase or the exercise of the right of eminent domain, or any one or more or all of the foregoing.
(b) The term "construction" shall mean building, construction, reconstruction, erection, replacement, extension, repairing, betterment, equipment, development, embellishment, improvements, acquisition, by gift, purchase, or the exercise of the right of eminent domain, or any one or more or all of the foregoing.

(Laws of Fla., 1941, ch. 21401, § 1)

Sec. 8. Powers generally of city.

The City of Miami Beach shall have power and is hereby authorized:

(a) To construct any municipal project, as defined in section 1 [§ 7] hereof, within or without the municipality, or partially within and partially without the municipality.
(b) To operate and maintain any municipal project for public and private users and consumers within and without the municipality.

(c) To issue bonds as provided in this Act to finance such construction, and to provide for the rights of the holders of the bonds and to secure the bonds all as hereinafter provided.

(d) To enter into a trust agreement with any bank or trust company within or outside the state, in connection with the construction of a project and in order to secure bonds payable exclusively from revenues which are issued in connection therewith.

(e) To fix, levy and collect fees, rents, tolls, or other charges for the use of or in connection with any municipal project, and in the event any trust agreement with holders of bonds shall be made as hereinafter provided, to fix, levy and collect such fees, rents, tolls and other charges in accordance with such agreements and subject thereto.

(f) To acquire by purchase, gift or the exercise of the right of eminent domain and to hold and dispose of any property, real or personal, tangible or intangible, or any right or interest in any such property, in connection with any municipal project, whether or not subject to mortgages, liens, charges or other encumbrances, and to construct any municipal project subject thereto, and whether within or without the municipality, or partially within and partially without the municipality.

(g) To enter on any lands, waters and premises for the purpose of making surveys, soundings and examinations in or for the furtherance of any municipal project.

(h) To perform any acts authorized under this law through or by means of its own officers, agents, and employees, or by contracts with private corporations, firms or individuals.

(i) To award any contract for the construction of any municipal project or any part thereof upon any day at least fifteen days after one publication of a notice requesting bids upon such contract in a newspaper of general circulation in the municipality.

(j) To do all acts and things necessary or convenient to carry out the powers expressly given in this law.

(Laws of Fla., 1941, ch. 21401, § 2)

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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CALLING FOR A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2003, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH A QUESTION ASKING WHETHER THE CITY CHARTER SHOULD BE AMENDED TO INCLUDE WITHIN THE CITIZEN'S BILL OF RIGHTS A POLICY STATEMENT OF THE CITY TO CONSERVE AND PROTECT ITS NATURAL RESOURCES AND SCENIC BEAUTY, INCLUDING THE ABATEMENT OF AIR AND WATER POLLUTION AND OF EXCESSIVE AND UNNECESSARY NOISE.

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

SECTION 1.

In accordance with provisions of the Charter of the City of Miami Beach, Florida and the general laws of the State of Florida, a Special Election is hereby called and directed to be held in the City of Miami Beach, Florida, from 7:00 a.m. to 7:00 p.m. on Tuesday, November 4, 2003, for the purpose of submitting to the electorate the question as set forth hereinafter.

SECTION 2.

That the appropriate and proper Miami-Dade County election officials shall conduct the said Special Election hereby called, with Miami-Dade County's certification of the results of said Special Election being accepted by the City Commission. The official returns for each precinct shall be furnished to the City Clerk of the City of Miami Beach as soon as the ballots from all precincts have been tabulated and results duly accepted by said appropriate Miami-Dade County Officials.

SECTION 3.

Said voting precincts in the City of said Special Election shall be as established by the proper and appropriate Miami-Dade County Election Officials. All electors shall vote at the polling places and the voting precincts in which the official registration books show that the said electors reside. A

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Date 7-30-03

list of the voting precincts and the polling places therein (subject to change by the Supervisor of Elections of Miami-Dade County, in accordance with the laws of Florida) is attached hereto as Exhibit A.

SECTION 4.

Registration of persons desiring to vote in the Special Election shall be in accordance with the general law of the State of Florida governing voter registration. Qualified persons may obtain registration forms to vote at the Office of the City Clerk, City Hall, 1700 Convention Center Drive, First Floor, Miami Beach, Florida 33139, during normal business hours, and at such other voter registration centers and during such times as may be provided by the Supervisor of Elections of Miami-Dade County. Each person desiring to become a registered voter shall be responsible for properly filling out the registration form and returning it to the Miami-Dade County Elections Office. All questions concerning voter registration should be directed to the Miami-Dade County Elections Office, 111 Northwest 1st Street, Floor 19, Miami, Florida 33130; Mailing Address: P.O. Box 012241, Miami, Florida 33101; Telephone: (305) 375-5553.

SECTION 5.

Not less than thirty days' notice of said Special Election shall be given by publication in a newspaper of general circulation in Miami Beach, Miami-Dade County, Florida. Such publication shall be made at least once each week for four consecutive weeks next preceding said Special Election.

SECTION 6.

The notice of election shall be substantially in the following form:

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00

A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

AMENDING CITIZEN'S BILL OF RIGHTS TO PROTECT NATURAL RESOURCES AND SCENIC BEAUTY

SHALL THE MIAMI BEACH CITY CHARTER BE AMENDED TO INCLUDE WITHIN THE CITIZEN'S BILL OF RIGHTS A POLICY STATEMENT OF THE CITY TO CONSERVE AND PROTECT ITS NATURAL RESOURCES AND SCENIC BEAUTY, INCLUDING THE ABATEMENT OF AIR AND WATER POLLUTION AND OF EXCESSIVE AND UNNECESSARY NOISE?

_____ YES

_____ NO

SECTION 7.

The official ballot to be used in the Special Election to be held on November 4, 2003, hereby called, shall be in substantially the following form, to-wit:

OFFICIAL BALLOT

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION, NOVEMBER 4, 2003.

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

AMENDING CITIZEN'S BILL OF RIGHTS TO PROTECT NATURAL RESOURCES AND SCENIC BEAUTY

SHALL THE MIAMI BEACH CITY CHARTER BE AMENDED TO INCLUDE WITHIN THE CITIZEN'S BILL OF RIGHTS A POLICY STATEMENT OF THE CITY TO CONSERVE AND PROTECT ITS NATURAL RESOURCES AND SCENIC BEAUTY, INCLUDING THE ABATEMENT OF AIR AND WATER POLLUTION AND OF EXCESSIVE AND UNNECESSARY NOISE?

_____ YES

_____ NO

SECTION 8.

Absentee voters participating in said Special Election shall be entitled to cast their ballots in accordance with the provisions of the laws of the State of Florida with respect to absentee voting.

SECTION 9.

That the City of Miami Beach shall pay all expenses for conducting this Special Election and will pay to Miami-Dade County or directly to all persons or firms, upon receipt of invoice or statement approved by the Supervisor of Elections of Miami-Dade County, Florida.

SECTION 10.

If any section, sentence, clause or phrase of the proposed ballot measure is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of said ballot measure.

SECTION 11.

This resolution shall be effective immediately upon its passage.

PASSED and ADOPTED this _____ day of _____, 2003.

ATTEST:

_____
MAYOR

_____
CITY CLERK

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 7-15-03
Date

Proposed Amendment to City Charter Citizen's Bill of Rights for November 4, 2003 Special Election:

A. Proposed Ballot Question

AMENDING CITIZEN'S BILL OF RIGHTS TO PROTECT NATURAL RESOURCES AND SCENIC BEAUTY

SHALL THE MIAMI BEACH CITY CHARTER BE AMENDED TO INCLUDE WITHIN THE CITIZEN'S BILL OF RIGHTS A POLICY STATEMENT OF THE CITY TO CONSERVE AND PROTECT ITS NATURAL RESOURCES AND SCENIC BEAUTY, INCLUDING THE ABATEMENT OF AIR AND WATER POLLUTION AND OF EXCESSIVE AND UNNECESSARY NOISE?

_____ YES

_____ NO

B. Proposed Text

* * *

15. Natural resources and scenic beauty.

It shall be the policy of the City of Miami Beach to conserve and protect its natural resources and scenic beauty, which policy shall include the abatement of air and water pollution and of excessive and unnecessary noise.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CALLING FOR A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2003, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH A QUESTION ASKING WHETHER CITY CHARTER SECTION 2.01 SHOULD BE AMENDED TO CHANGE THE RUN-OFF ELECTION DATE FROM ONE (1) WEEK AFTER THE GENERAL ELECTION TO TWO (2) WEEKS AFTER THE GENERAL ELECTION.

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

SECTION 1.

In accordance with provisions of the Charter of the City of Miami Beach, Florida and the general laws of the State of Florida, a Special Election is hereby called and directed to be held in the City of Miami Beach, Florida, from 7:00 a.m. to 7:00 p.m. on Tuesday, November 4, 2003, for the purpose of submitting to the electorate the question as set forth hereinafter.

SECTION 2.

That the appropriate and proper Miami-Dade County election officials shall conduct the said Special Election hereby called, with Miami-Dade County's certification of the results of said Special Election being accepted by the City Commission. The official returns for each precinct shall be furnished to the City Clerk of the City of Miami Beach as soon as the ballots from all precincts have been tabulated and results duly accepted by said appropriate Miami-Dade County Officials.

SECTION 3.

Said voting precincts in the City of said Special Election shall be as established by the proper and appropriate Miami-Dade County Election Officials. All electors shall vote at the polling places and the voting precincts in which the official registration books show that the said electors reside. A list of the voting precincts and the polling places therein (subject to change by the Supervisor of Elections of Miami-Dade County, in accordance with the laws of Florida) is attached hereto as Exhibit A.

SECTION 4.

Registration of persons desiring to vote in the Special Election shall be in accordance with the

general law of the State of Florida governing voter registration. Qualified persons may obtain registration forms to vote at the Office of the City Clerk, City Hall, 1700 Convention Center Drive, First Floor, Miami Beach, Florida 33139, during normal business hours, and at such other voter registration centers and during such times as may be provided by the Supervisor of Elections of Miami-Dade County. Each person desiring to become a registered voter shall be responsible for properly filling out the registration form and returning it to the Miami-Dade County Elections Office. All questions concerning voter registration should be directed to the Miami-Dade County Elections Office, 111 Northwest 1st Street, Floor 19, Miami, Florida 33130; Mailing Address: P.O. Box 012241, Miami, Florida 33101; Telephone: (305) 375-5553.

SECTION 5.

Not less than thirty days' notice of said Special Election shall be given by publication in a newspaper of general circulation in Miami Beach, Miami-Dade County, Florida. Such publication shall be made at least once each week for four consecutive weeks next preceding said Special Election.

SECTION 6.

The notice of election shall be substantially in the following form:

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

AMENDING CHARTER SECTION 2.01 TO CHANGE RUN-OFF ELECTION DATE

SHALL SECTION 2.01 OF THE MIAMI BEACH CITY CHARTER BE AMENDED TO CHANGE THE RUN-OFF DATE FROM ONE (1) WEEK AFTER THE GENERAL ELECTION TO TWO (2) WEEKS AFTER THE GENERAL ELECTION?

_____ YES

_____ NO

SECTION 7.

The official ballot to be used in the Special Election to be held on November 4, 2003, hereby called, shall be in substantially the following form, to-wit:

OFFICIAL BALLOT

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION, NOVEMBER 4, 2003.

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

AMENDING CHARTER SECTION 2.01 TO CHANGE RUN-OFF ELECTION DATE

SHALL SECTION 2.01 OF THE MIAMI BEACH CITY CHARTER BE AMENDED TO CHANGE THE RUN-OFF DATE FROM ONE (1) WEEK AFTER THE GENERAL ELECTION TO TWO (2) WEEKS AFTER THE GENERAL ELECTION?

_____ YES

_____ NO

SECTION 8.

Absentee voters participating in said Special Election shall be entitled to cast their ballots in accordance with the provisions of the laws of the State of Florida with respect to absentee voting.

SECTION 9.

That the City of Miami Beach shall pay all expenses for conducting this Special Election and

will pay to Miami-Dade County or directly to all persons or firms, upon receipt of invoice or statement approved by the Supervisor of Elections of Miami-Dade County, Florida.

SECTION 10.

If any section, sentence, clause or phrase of the proposed ballot measure is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of said ballot measure.

SECTION 11.

This resolution shall be effective immediately upon its passage.

PASSED and ADOPTED this _____ day of _____, 2003.

ATTEST:

_____
MAYOR

_____
CITY CLERK

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney Date 7-18-03

Proposed Amendment to City Charter Section 2.01 for November 4, 2003 Special Election:

A. Proposed Ballot Question

AMENDING CHARTER SECTION 2.01 TO CHANGE RUN-OFF ELECTION DATE

SHALL SECTION 2.01 OF THE MIAMI BEACH CITY CHARTER BE AMENDED TO CHANGE THE RUN-OFF DATE FROM ONE (1) WEEK AFTER THE GENERAL ELECTION TO TWO (2) WEEKS AFTER THE GENERAL ELECTION?

_____ YES

_____ NO

B. Proposed Text

Article II. City Commission.

Section 2.01. Number and selection.

* * *

A candidate must receive a majority of the votes cast to be deemed elected. If no candidate receives a majority of the votes cast, there will be a runoff election between the two candidates in each group receiving the highest number of votes; should a tie result, the outcome shall be determined by lot. This runoff election shall occur ~~one~~ two weeks from the date of general election.

* * *

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CALLING FOR A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2003, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH A QUESTION ASKING WHETHER CITY CHARTER SECTION 6.03 SHOULD BE AMENDED TO REQUIRE THAT CANDIDATES FOR ELECTED OFFICE IN THE CITY OF MIAMI BEACH RESIDE IN THE CITY FOR AT LEAST ONE YEAR PRIOR TO QUALIFYING FOR OFFICE.

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

SECTION 1.

In accordance with provisions of the Charter of the City of Miami Beach, Florida and the general laws of the State of Florida, a Special Election is hereby called and directed to be held in the City of Miami Beach, Florida, from 7:00 a.m. to 7:00 p.m. on Tuesday, November 4, 2003, for the purpose of submitting to the electorate the question as set forth hereinafter.

SECTION 2.

That the appropriate and proper Miami-Dade County election officials shall conduct the said Special Election hereby called, with Miami-Dade County's certification of the results of said Special Election being accepted by the City Commission. The official returns for each precinct shall be furnished to the City Clerk of the City of Miami Beach as soon as the ballots from all precincts have been tabulated and results duly accepted by said appropriate Miami-Dade County Officials.

SECTION 3.

Said voting precincts in the City of said Special Election shall be as established by the proper and appropriate Miami-Dade County Election Officials. All electors shall vote at the polling places and the voting precincts in which the official registration books show that the said electors reside. A list of the voting precincts and the polling places therein (subject to change by the Supervisor of

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Elections of Miami-Dade County, in accordance with the laws of Florida) is attached hereto as Exhibit A.

SECTION 4.

Registration of persons desiring to vote in the Special Election shall be in accordance with the general law of the State of Florida governing voter registration. Qualified persons may obtain registration forms to vote at the Office of the City Clerk, City Hall, 1700 Convention Center Drive, First Floor, Miami Beach, Florida 33139, during normal business hours, and at such other voter registration centers and during such times as may be provided by the Supervisor of Elections of Miami-Dade County. Each person desiring to become a registered voter shall be responsible for properly filling out the registration form and returning it to the Miami-Dade County Elections Office. All questions concerning voter registration should be directed to the Miami-Dade County Elections Office, 111 Northwest 1st Street, Floor 19, Miami, Florida 33130; Mailing Address: P.O. Box 012241, Miami, Florida 33101; Telephone: (305) 375-5553.

SECTION 5.

Not less than thirty days' notice of said Special Election shall be given by publication in a newspaper of general circulation in Miami Beach, Miami-Dade County, Florida. Such publication shall be made at least once each week for four consecutive weeks next preceding said Special Election.

SECTION 6.

The notice of election shall be substantially in the following form:

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

AMENDING CHARTER SECTION 6.03 TO PROVIDE FOR CANDIDATE'S RESIDENCY REQUIRMENT

SHALL SECTION 6.03 OF THE MIAMI BEACH CITY CHARTER BE AMENDED TO REQUIRE THAT CANDIDATES FOR ELECTED OFFICE IN THE CITY OF MIAMI BEACH RESIDE IN THE CITY FOR AT LEAST ONE YEAR PRIOR TO QUALIFYING FOR OFFICE?

_____ YES

_____ NO

SECTION 7.

The official ballot to be used in the Special Election to be held on November 4, 2003, hereby called, shall be in substantially the following form, to-wit:

OFFICIAL BALLOT

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION, NOVEMBER 4, 2003.

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

AMENDING CHARTER SECTION 6.03 TO PROVIDE FOR CANDIDATE'S RESIDENCY REQUIRMENT

SHALL SECTION 6.03 OF THE MIAMI BEACH CITY CHARTER BE AMENDED TO REQUIRE THAT CANDIDATES FOR ELECTED OFFICE IN THE CITY OF MIAMI BEACH RESIDE IN THE CITY FOR AT LEAST ONE YEAR PRIOR TO QUALIFYING FOR OFFICE?

_____ YES

_____ NO

SECTION 8.

Absentee voters participating in said Special Election shall be entitled to cast their ballots in accordance with the provisions of the laws of the State of Florida with respect to absentee voting.

SECTION 9.

That the City of Miami Beach shall pay all expenses for conducting this Special Election and will pay to Miami-Dade County or directly to all persons or firms, upon receipt of invoice or statement approved by the Supervisor of Elections of Miami-Dade County, Florida.

SECTION 10.

If any section, sentence, clause or phrase of the proposed ballot measure is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of said ballot measure.

SECTION 11.

This resolution shall be effective immediately upon its passage.

PASSED and ADOPTED this _____ day of _____, 2003.

ATTEST:

_____
MAYOR

_____
CITY CLERK

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APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney — Date 7-15-03

Proposed Amendment to City Charter Section 6.03 for November 4, 2003 Special Election:

A. Proposed Ballot Question

AMENDING CHARTER SECTION 6.03 TO PROVIDE FOR CANDIDATE'S RESIDENCY REQUIRMENT

SHALL SECTION 6.03 OF THE MIAMI BEACH CITY CHARTER BE AMENDED TO REQUIRE THAT CANDIDATES FOR ELECTED OFFICE IN THE CITY OF MIAMI BEACH RESIDE IN THE CITY FOR AT LEAST ONE YEAR PRIOR TO QUALIFYING FOR OFFICE?

_____ YES

_____ NO

B. Proposed Text

* * *

Sec. 6.03. Qualifying.

The City Commission shall cause to be placed on the ballot to be used in the general election the name of any qualified elector of the City residing within the City at least one year before qualifying and who, within the four (4) consecutive days immediately following the first Monday of September prior to said general election, shall have paid to the City Clerk of the City of Miami Beach the sum equal to seven and one-half percent (7 1/2%) of the annual salary of the office to which he/she seeks election as a qualifying fee and shall have been photographed and fingerprinted by the identification bureau of the Police Department of the City, unless such person shall file with the City Clerk no later than the second day for qualifying as a candidate for such office, a petition approving his candidacy signed by sufficient qualified and registered voters to constitute not less than two percent (2%) of this number of such voters as the same shall be on the date sixty (60) days prior to the first day of qualifying as a candidate for office, and shall have taken, signed and subscribed to an oath or affirmation in writing in which he/she shall state (1) the title of the office for which he/she is a candidate; (2) that he/she is a qualified elector of the City of Miami Beach, Florida and has resided in the City at least one year prior to qualifying via petition; (3) his/her legal residence, by street and number; (4) that he/she is qualified under the ordinances (including Miami Beach City Code Chapter 38 governing "Elections") and Charter of the City of Miami Beach, Florida, to hold the office for which he/she is a candidate.

Such oath or affirmation shall be substantially in the following form:

STATE OF FLORIDA)
SS:
COUNTY OF DADE)

Before me, an officer authorized to administer oaths, personally appeared to me well known who, being sworn, says that he/she is a candidate for the office of City Commissioner (Group No. _____ (or

Mayor) for the City of Miami Beach, Florida; that he/she is a qualified elector of said City residing within the City at least one year before qualifying for City of Miami Beach elected office; that his/her legal residence is: _____, Miami Beach, Dade County, Florida; that he/she is qualified under the ordinances (including Miami Beach City Code Chapter 38 governing "Elections") and Charter of said City to hold such office; and that he/she has paid the required qualification fee.

_____
Signature of Candidate
Sworn to and subscribed before me this _____ day of _____ A.D., 19_____.

_____
Authorized Officer

The City Commission shall, by ordinance, prescribe the manner of holding general and special elections not inconsistent with the provisions hereof, and shall, by ordinance or resolution, prescribe polling places in the various voting precincts in the City.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CALLING FOR A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2003, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH A QUESTION ASKING WHETHER THAT LANGUAGE CONTAINED IN SECTION 2.03 OF THE MIAMI BEACH CITY CHARTER GRANTING SUBPOENA POWER TO THE MIAMI BEACH CITY COMMISSION SHOULD BE DELETED.

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

SECTION 1.

In accordance with provisions of the Charter of the City of Miami Beach, Florida and the general laws of the State of Florida, a Special Election is hereby called and directed to be held in the City of Miami Beach, Florida, from 7:00 a.m. to 7:00 p.m. on Tuesday, November 4, 2003, for the purpose of submitting to the electorate the question as set forth hereinafter.

SECTION 2.

That the appropriate and proper Miami-Dade County election officials shall conduct the said Special Election hereby called, with Miami-Dade County's certification of the results of said Special Election being accepted by the City Commission. The official returns for each precinct shall be furnished to the City Clerk of the City of Miami Beach as soon as the ballots from all precincts have been tabulated and results duly accepted by said appropriate Miami-Dade County Officials.

SECTION 3.

Said voting precincts in the City of said Special Election shall be as established by the proper and appropriate Miami-Dade County Election Officials. All electors shall vote at the polling places and the voting precincts in which the official registration books show that the said electors reside. A list of the voting precincts and the polling places therein (subject to change by the Supervisor of Elections of Miami-Dade County, in accordance with the laws of Florida) is attached hereto as

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Date 7-30-03

Exhibit A.

SECTION 4.

Registration of persons desiring to vote in the Special Election shall be in accordance with the general law of the State of Florida governing voter registration. Qualified persons may obtain registration forms to vote at the Office of the City Clerk, City Hall, 1700 Convention Center Drive, First Floor, Miami Beach, Florida 33139, during normal business hours, and at such other voter registration centers and during such times as may be provided by the Supervisor of Elections of Miami-Dade County. Each person desiring to become a registered voter shall be responsible for properly filling out the registration form and returning it to the Miami-Dade County Elections Office. All questions concerning voter registration should be directed to the Miami-Dade County Elections Office, 111 Northwest 1st Street, Floor 19, Miami, Florida 33130; Mailing Address: P.O. Box 012241, Miami, Florida 33101; Telephone: (305) 375-5553.

SECTION 5.

Not less than thirty days' notice of said Special Election shall be given by publication in a newspaper of general circulation in Miami Beach, Miami-Dade County, Florida. Such publication shall be made at least once each week for four consecutive weeks next preceding said Special Election.

SECTION 6.

The notice of election shall be substantially in the following form:

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

DELETING SUBPOENA POWER OF MIAMI BEACH CITY COMMISSION

SHALL THE LANGUAGE IN SECTION 2.03 OF THE MIAMI BEACH CITY CHARTER GRANTING SUBPOENA POWER TO THE MIAMI BEACH CITY COMMISSION BE DELETED?

_____ YES

_____ NO

SECTION 7.

The official ballot to be used in the Special Election to be held on November 4, 2003, hereby called, shall be in substantially the following form, to-wit:

OFFICIAL BALLOT

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION, NOVEMBER 4, 2003.

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

DELETING SUBPOENA POWER OF MIAMI BEACH CITY COMMISSION

SHALL THE LANGUAGE IN SECTION 2.03 OF THE MIAMI BEACH CITY CHARTER GRANTING SUBPOENA POWER TO THE MIAMI BEACH CITY COMMISSION BE DELETED?

_____ YES

_____ NO

SECTION 8.

Absentee voters participating in said Special Election shall be entitled to cast their ballots in accordance with the provisions of the laws of the State of Florida with respect to absentee voting.

SECTION 9.

That the City of Miami Beach shall pay all expenses for conducting this Special Election and will pay to Miami-Dade County or directly to all persons or firms, upon receipt of invoice or statement approved by the Supervisor of Elections of Miami-Dade County, Florida.

SECTION 10.

If any section, sentence, clause or phrase of the proposed ballot measure is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of said ballot measure.

SECTION 11.

This resolution shall be effective immediately upon its passage.

PASSED and ADOPTED this _____ day of _____, 2003.

ATTEST: **MAYOR**

CITY CLERK

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 2-18-03 Date

Proposed Amendment to City Charter Section 2.03 for November 4, 2003 Special Election:

A. Proposed Ballot Question

DELETING SUBPOENA POWER OF MIAMI BEACH CITY COMMISSION

SHALL THE LANGUAGE IN SECTION 2.03 OF THE MIAMI BEACH CITY CHARTER GRANTING SUBPOENA POWER TO THE MIAMI BEACH CITY COMMISSION BE DELETED?

_____ YES

_____ NO

B. Proposed Text

Section 2.03. Powers of the City Commission.

* * *

The Commission may also investigate the official acts and conduct of any City official, and by similar investigations may secure information upon any matter. In conducting such investigations, the Commission may require the attendance of witnesses and the production of books, papers and other evidence~~, and for that purpose may upon a five-sevenths (5/7) vote, issue subpoenas which shall be signed by the Mayor~~.

* * *

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CALLING FOR A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2003, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH A QUESTION ASKING WHETHER CITY CHARTER SECTION 4.02(i) REGARDING THE CITY MANAGER'S POWER TO NEGOTIATE CITY CONTRACTS AND AGREEMENTS BE AMENDED BY DELETING LANGUAGE SUBJECTING SAID POWER TO APPROVAL OF THE CITY ATTORNEY, RETAINING LANGUAGE REQUIRING CITY COMMISSION APPROVAL OF CITY MANAGER NEGOTIATIONS.

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

SECTION 1.

In accordance with provisions of the Charter of the City of Miami Beach, Florida and the general laws of the State of Florida, a Special Election is hereby called and directed to be held in the City of Miami Beach, Florida, from 7:00 a.m. to 7:00 p.m. on Tuesday, November 4, 2003, for the purpose of submitting to the electorate the question as set forth hereinafter.

SECTION 2.

That the appropriate and proper Miami-Dade County election officials shall conduct the said Special Election hereby called, with Miami-Dade County's certification of the results of said Special Election being accepted by the City Commission. The official returns for each precinct shall be furnished to the City Clerk of the City of Miami Beach as soon as the ballots from all precincts have been tabulated and results duly accepted by said appropriate Miami-Dade County Officials.

SECTION 3.

Said voting precincts in the City of said Special Election shall be as established by the proper and appropriate Miami-Dade County Election Officials. All electors shall vote at the polling places and the voting precincts in which the official registration books show that

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Date 7-30-03

the said electors reside. A list of the voting precincts and the polling places therein (subject to change by the Supervisor of Elections of Miami-Dade County, in accordance with the laws of Florida) is attached hereto as Exhibit A.

SECTION 4.

Registration of persons desiring to vote in the Special Election shall be in accordance with the general law of the State of Florida governing voter registration. Qualified persons may obtain registration forms to vote at the Office of the City Clerk, City Hall, 1700 Convention Center Drive, First Floor, Miami Beach, Florida 33139, during normal business hours, and at such other voter registration centers and during such times as may be provided by the Supervisor of Elections of Miami-Dade County. Each person desiring to become a registered voter shall be responsible for properly filling out the registration form and returning it to the Miami-Dade County Elections Office. All questions concerning voter registration should be directed to the Miami-Dade County Elections Office, 111 Northwest 1st Street, Floor 19, Miami, Florida 33130; Mailing Address: P.O. Box 012241, Miami, Florida 33101; Telephone: (305) 375-5553.

SECTION 5.

Not less than thirty days' notice of said Special Election shall be given by publication in a newspaper of general circulation in Miami Beach, Miami-Dade County, Florida. Such publication shall be made at least once each week for four consecutive weeks next preceding said Special Election.

SECTION 6.

The notice of election shall be substantially in the following form:

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING

QUESTION:

AMENDING CHARTER SECTION 4.02(i) DELETING REQUIREMENT FOR CITY ATTORNEY APPROVAL OF CITY MANAGER'S CONRACT NEGOTIATIONS

SHALL SECTION 4.02(i) OF THE MIAMI BEACH CITY CHARTER REGARDING THE CITY MANAGER'S POWER TO NEGOTIATE CITY CONTRACTS AND AGREEMENTS BE AMENDED BY DELETING LANGUAGE SUBJECTING SAID POWER TO APPROVAL OF THE CITY ATTORNEY (IN THAT CITY ATTORNEY APPROVAL AS TO FORM, LANGUAGE AND EXECUTION OF CITY CONTRACTS IS REQUIRED BY SECTION 3.01 (b) OF THE CHARTER), RETAINING LANGUAGE REQUIRING CITY COMMISSION APPROVAL OF CITY MANAGER NEGOTIATIONS?

_____ YES

_____ NO

SECTION 7.

The official ballot to be used in the Special Election to be held on November 4, 2003, hereby called, shall be in substantially the following form, to-wit:

OFFICIAL BALLOT

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION, NOVEMBER 4, 2003.

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

AMENDING CHARTER SECTION 4.02(i) DELETING REQUIREMENT FOR CITY ATTORNEY APPROVAL OF CITY MANAGER'S CONRACT NEGOTIATIONS

SHALL SECTION 4.02(i) OF THE MIAMI BEACH CITY CHARTER REGARDING THE CITY MANAGER'S POWER TO NEGOTIATE CITY

CONTRACTS AND AGREEMENTS BE AMENDED BY DELETING LANGUAGE SUBJECTING SAID POWER TO APPROVAL OF THE CITY ATTORNEY (IN THAT CITY ATTORNEY APPROVAL AS TO FORM, LANGUAGE AND EXECUTION OF CITY CONTRACTS IS REQUIRED BY SECTION 3.01 (b) OF THE CHARTER), RETAINING LANGUAGE REQUIRING CITY COMMISSION APPROVAL OF CITY MANAGER NEGOTIATIONS?

_____ YES

_____ NO

SECTION 8.

Absentee voters participating in said Special Election shall be entitled to cast their ballots in accordance with the provisions of the laws of the State of Florida with respect to absentee voting.

SECTION 9.

That the City of Miami Beach shall pay all expenses for conducting this Special Election and will pay to Miami-Dade County or directly to all persons or firms, upon receipt of invoice or statement approved by the Supervisor of Elections of Miami-Dade County, Florida.

SECTION 10.

If any section, sentence, clause or phrase of the proposed ballot measure is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of said ballot measure.

SECTION 11.

This resolution shall be effective immediately upon its passage.

PASSED and ADOPTED this _____ day of _____, 2003.

ATTEST:

_____
MAYOR

_____
CITY CLERK

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 7-18-03
Date

Proposed Amendment to City Charter Section 4.02 (i) for November 4, 2003 Special Election:

A. Proposed Ballot Question

AMENDING CHARTER SECTION 4.02(i) DELETING REQUIREMENT FOR CITY ATTORNEY APPROVAL OF CITY MANAGER'S CONRACT NEGOTIATIONS

SHALL SECTION 4.02(i) OF THE MIAMI BEACH CITY CHARTER REGARDING THE CITY MANAGER'S POWER TO NEGOTIATE CITY CONTRACTS AND AGREEMENTS BE AMENDED BY DELETING LANGUAGE SUBJECTING SAID POWER TO APPROVAL OF THE CITY ATTORNEY (IN THAT CITY ATTORNEY APPROVAL AS TO FORM, LANGUAGE AND EXECUTION OF CITY CONTRACTS IS REQUIRED BY SECTION 3.01 (b) OF THE CHARTER), RETAINING LANGUAGE REQUIRING CITY COMMISSION APPROVAL OF CITY MANAGER NEGOTIATIONS?

_____ YES

_____ NO

B. Proposed Text

Sec. 4.02. City manager--Functions and powers.

The City Manager shall be the chief executive officer and head of the administrative branch of the City government. Except as specifically provided otherwise in this Charter, the City Manager shall be responsible to the City Commission for the proper administration of all affairs of the City. The functions and powers of this office shall be:

* * *

(i) To negotiate all contracts and agreements in which the City is a party subject to the approval of the ~~City Attorney and~~ City Commission.

* * *

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CALLING FOR A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2003, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH A QUESTION ASKING WHETHER CITY CHARTER, ARTICLE V THEREOF REGARDING "BUDGET AND FINANCE" SHOULD BE AMENDED TO REQUIRE THAT THE CITY COMMISSION CONSIDER THE LONG TERM ECONOMIC IMPACT (AT LEAST FIVE YEARS) OF LEGISLATIVE ACTS.

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

SECTION 1.

In accordance with provisions of the Charter of the City of Miami Beach, Florida and the general laws of the State of Florida, a Special Election is hereby called and directed to be held in the City of Miami Beach, Florida, from 7:00 a.m. to 7:00 p.m. on Tuesday, November 4, 2003, for the purpose of submitting to the electorate the question as set forth hereinafter.

SECTION 2.

That the appropriate and proper Miami-Dade County election officials shall conduct the said Special Election hereby called, with Miami-Dade County's certification of the results of said Special Election being accepted by the City Commission. The official returns for each precinct shall be furnished to the City Clerk of the City of Miami Beach as soon as the ballots from all precincts have been tabulated and results duly accepted by said appropriate Miami-Dade County Officials.

SECTION 3.

Said voting precincts in the City of said Special Election shall be as established by the proper and appropriate Miami-Dade County Election Officials. All electors shall vote at the polling places and the voting precincts in which the official registration books show that the said electors reside. A list of the voting precincts and the polling places therein (subject to change by the Supervisor of Elections of Miami-Dade County, in accordance with the laws of Florida) is attached hereto as Exhibit A.

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Date 7-30-03

SECTION 4.

Registration of persons desiring to vote in the Special Election shall be in accordance with the general law of the State of Florida governing voter registration. Qualified persons may obtain registration forms to vote at the Office of the City Clerk, City Hall, 1700 Convention Center Drive, First Floor, Miami Beach, Florida 33139, during normal business hours, and at such other voter registration centers and during such times as may be provided by the Supervisor of Elections of Miami-Dade County. Each person desiring to become a registered voter shall be responsible for properly filling out the registration form and returning it to the Miami-Dade County Elections Office. All questions concerning voter registration should be directed to the Miami-Dade County Elections Office, 111 Northwest 1st Street, Floor 19, Miami, Florida 33130; Mailing Address: P.O. Box 012241, Miami, Florida 33101; Telephone: (305) 375-5553.

SECTION 5.

Not less than thirty days' notice of said Special Election shall be given by publication in a newspaper of general circulation in Miami Beach, Miami-Dade County, Florida. Such publication shall be made at least once each week for four consecutive weeks next preceding said Special Election.

SECTION 6.

The notice of election shall be substantially in the following form:

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

AMENDING CHARTER ARTICLE V TO REQUIRE ECONOMIC IMPACT STATEMENT

SHALL THE MIAMI BEACH CITY CHARTER, ARTICLE V THEREOF REGARDING "BUDGET AND FINANCE", BE AMENDED TO REQUIRE THAT THE CITY COMMISSION CONSIDER THE LONG TERM ECONOMIC IMPACT (AT LEAST FIVE YEARS) OF LEGISLATIVE

ACTS?

_____ YES

_____ NO

SECTION 7.

The official ballot to be used in the Special Election to be held on November 4, 2003, hereby called, shall be in substantially the following form, to-wit:

OFFICIAL BALLOT

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION, NOVEMBER 4, 2003.

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

AMENDING CHARTER ARTICLE V TO REQUIRE ECONOMIC IMPACT STATEMENT

SHALL THE MIAMI BEACH CITY CHARTER, ARTICLE V THEREOF REGARDING "BUDGET AND FINANCE", BE AMENDED TO REQUIRE THAT THE CITY COMMISSION CONSIDER THE LONG TERM ECONOMIC IMPACT (AT LEAST FIVE YEARS) OF LEGISLATIVE ACTS?

_____ YES

_____ NO

SECTION 8.

Absentee voters participating in said Special Election shall be entitled to cast their ballots in

accordance with the provisions of the laws of the State of Florida with respect to absentee voting.

SECTION 9.

That the City of Miami Beach shall pay all expenses for conducting this Special Election and will pay to Miami-Dade County or directly to all persons or firms, upon receipt of invoice or statement approved by the Supervisor of Elections of Miami-Dade County, Florida.

SECTION 10.

If any section, sentence, clause or phrase of the proposed ballot measure is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of said ballot measure.

SECTION 11.

This resolution shall be effective immediately upon its passage.

PASSED and ADOPTED this _____ day of _____, 2003.

ATTEST:

MAYOR

CITY CLERK

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 7-18-03 Date

Proposed Amendment to City Charter Article V for November 4, 2003 Special Election:

A. Proposed Ballot Question

AMENDING CHARTER ARTICLE V TO REQUIRE ECONOMIC IMPACT STATEMENT

SHALL THE MIAMI BEACH CITY CHARTER, ARTICLE V THEREOF REGARDING "BUDGET AND FINANCE", BE AMENDED TO REQUIRE THAT THE CITY COMMISSION CONSIDER THE LONG TERM ECONOMIC IMPACT (AT LEAST FIVE YEARS) OF LEGISLATIVE ACTS.

_____ YES

_____ NO

B. Proposed Text

Article V. Budget and Finance.

* * *

Section 5.02 Budget.

In accordance with Florida law the City Commission shall adopt an annual budget.

The City of Miami Beach shall consider the long-term economic impact (at least 5 years) of proposed legislative actions.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CALLING FOR A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2003, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH A QUESTION ASKING WHETHER MIAMI BEACH RELATED SPECIAL ACTS SECTION 2, REGARDING ZONING BOARD OF ADJUSTMENT SHOULD BE AMENDED BY DELETING REFERENCE TO TWO (2) NON-VOTING EX-OFFICIO MEMBERS, AND INSTEAD ESTABLISHING TWO (2) MEMBERS AS REGULAR, VOTING MEMBERS APPOINTED BY THE CITY COMMISSION; DECREASING NUMBER OF CITY COMMISSION VOTES REQUIRED FOR APPOINTMENT OF BOARD MEMBERS FROM 5/7THS VOTE OF COMMISSION TO 4/7THS VOTE; AND INCREASING NUMBER OF BOARD VOTES REQUIRED FOR ACTION FROM 4/5THS VOTE TO 5/7THS VOTE.

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

SECTION 1.

In accordance with provisions of the Charter of the City of Miami Beach, Florida and the general laws of the State of Florida, a Special Election is hereby called and directed to be held in the City of Miami Beach, Florida, from 7:00 a.m. to 7:00 p.m. on Tuesday, November 4, 2003, for the purpose of submitting to the electorate the question as set forth hereinafter.

SECTION 2.

That the appropriate and proper Miami-Dade County election officials shall conduct the said Special Election hereby called, with Miami-Dade County's certification of the results of said Special Election being accepted by the City Commission. The official returns for each precinct shall be furnished to the City Clerk of the City of Miami Beach as soon as the ballots from all precincts have been tabulated and results duly accepted by said appropriate Miami-Dade County Officials.

SECTION 3.

Said voting precincts in the City of said Special Election shall be as established by the proper and appropriate Miami-Dade County Election Officials. All electors shall vote at the polling places and the voting precincts in which the official registration books show that the said electors reside. A list of the voting precincts and the polling places therein (subject to change by the Supervisor of Elections of

Agenda Item R7D-7

Date 7-30-03

Miami-Dade County, in accordance with the laws of Florida) is attached hereto as Exhibit A.

SECTION 4.

Registration of persons desiring to vote in the Special Election shall be in accordance with the general law of the State of Florida governing voter registration. Qualified persons may obtain registration forms to vote at the Office of the City Clerk, City Hall, 1700 Convention Center Drive, First Floor, Miami Beach, Florida 33139, during normal business hours, and at such other voter registration centers and during such times as may be provided by the Supervisor of Elections of Miami-Dade County. Each person desiring to become a registered voter shall be responsible for properly filling out the registration form and returning it to the Miami-Dade County Elections Office. All questions concerning voter registration should be directed to the Miami-Dade County Elections Office, 111 Northwest 1st Street, Floor 19, Miami, Florida 33130; Mailing Address: P.O. Box 012241, Miami, Florida 33101; Telephone: (305) 375-5553.

SECTION 5.

Not less than thirty days' notice of said Special Election shall be given by publication in a newspaper of general circulation in Miami Beach, Miami-Dade County, Florida. Such publication shall be made at least once each week for four consecutive weeks next preceding said Special Election.

SECTION 6.

The notice of election shall be substantially in the following form:

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

AMENDING RELATED SPECIAL ACTS SECTION 2 REGARDING "ZONING BOARD OF ADJUSTMENT"

SHALL RELATED SPECIAL ACTS, SECTION 2, REGARDING "ZONING

BOARD OF ADJUSTMENT" BE AMENDED BY:

- **DELETING REFERENCE TO 2 NON-VOTING EX-OFFICIO MEMBERS, AND INSTEAD ESTABLISHING 2 MEMBERS AS REGULAR, VOTING MEMBERS APPOINTED BY THE CITY COMMISSION;**
- **DECREASING NUMBER OF CITY COMMISSION VOTES REQUIRED FOR APPOINTMENT OF BOARD MEMBERS FROM 5/7THS VOTE OF COMMISSION TO 4/7THS VOTE; AND**
- **INCREASING NUMBER OF BOARD VOTES REQUIRED FOR ACTION FROM 4/5THS VOTE OF BOARD TO 5/7THS VOTE?**

_____ YES

_____ NO

SECTION 7.

The official ballot to be used in the Special Election to be held on November 4, 2003, hereby called, shall be in substantially the following form, to-wit:

OFFICIAL BALLOT

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION, NOVEMBER 4, 2003.

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

AMENDING RELATED SPECIAL ACTS SECTION 2 REGARDING "ZONING BOARD OF ADJUSTMENT"

SHALL RELATED SPECIAL ACTS, SECTION 2, REGARDING "ZONING BOARD OF ADJUSTMENT" BE AMENDED BY:

- **DELETING REFERENCE TO 2 NON-VOTING EX-OFFICIO MEMBERS, AND INSTEAD ESTABLISHING 2 MEMBERS AS REGULAR, VOTING MEMBERS APPOINTED BY THE CITY COMMISSION;**

- **DECREASING NUMBER OF CITY COMMISSION VOTES REQUIRED FOR APPOINTMENT OF BOARD MEMBERS FROM 5/7THS VOTE OF COMMISSION TO 4/7THS VOTE; AND**
- **INCREASING NUMBER OF BOARD VOTES REQUIRED FOR ACTION FROM 4/5THS VOTE OF BOARD TO 5/7THS VOTE?**

_____ YES

_____ NO

SECTION 8.

Absentee voters participating in said Special Election shall be entitled to cast their ballots in accordance with the provisions of the laws of the State of Florida with respect to absentee voting.

SECTION 9.

That the City of Miami Beach shall pay all expenses for conducting this Special Election and will pay to Miami-Dade County or directly to all persons or firms, upon receipt of invoice or statement approved by the Supervisor of Elections of Miami-Dade County, Florida.

SECTION 10.

If any section, sentence, clause or phrase of the proposed ballot measure is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of said ballot measure.

SECTION 11.

This resolution shall be effective immediately upon its passage.

PASSED and ADOPTED this _____ day of _____, 2003.

ATTEST:

_____
MAYOR

_____
CITY CLERK

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 7-18-03
Date

Proposed Amendment to City Charter City of Miami Beach Related Special Acts Section 2, for November 4, 2003 Special Election:

A. Proposed Ballot Question

AMENDING RELATED SPECIAL ACTS SECTION 2 REGARDING "ZONING BOARD OF ADJUSTMENT"

SHALL RELATED SPECIAL ACTS, SECTION 2, REGARDING "ZONING BOARD OF ADJUSTMENT" BE AMENDED BY:

- DELETING REFERENCE TO 2 NON-VOTING EX-OFFICIO MEMBERS, AND INSTEAD ESTABLISHING 2 MEMBERS AS REGULAR, VOTING MEMBERS APPOINTED BY THE CITY COMMISSION;
- DECREASING NUMBER OF CITY COMMISSION VOTES REQUIRED FOR APPOINTMENT OF BOARD MEMBERS FROM 5/7THS VOTE OF COMMISSION TO 4/7THS VOTE; AND
- INCREASING NUMBER OF BOARD VOTES REQUIRED FOR ACTION FROM 4/5THS VOTE OF BOARD TO 5/7THS VOTE?

_____ YES

_____ NO

B. Proposed Text

* * *

Sec. 2. Appointment, composition and duties of board of adjustment.

The ~~existing~~ board of adjustment, ~~consisting of five members, be and the same is hereby abolished. A new board~~ shall consist~~ing~~ of seven voting members~~,~~. ~~and to be designated as the board of adjustment, is hereby created. Said new board of adjustment shall consist of seven members as follows:~~

~~The city's planning and zoning director and public works director shall be ex officio members without the right of vote, and whose presence shall not be counted for the determination of a quorum.~~ The ~~remaining five~~ members shall consist of the following:

One member shall be appointed from one of the following professions or callings: Law, architecture, engineering, real estate development, certified public accounting, financial consultation, and general business. The members representing the professions of law, architecture, engineering and public accounting shall be duly licensed by the State of Florida; the member representing general business shall be of responsible standing in the community, and each member shall be bound by the requirements of the Conflict of Interest Ordinance of the city and shall be subject to removal from office for the violation of the terms thereof. No member shall have any financial or other interest in any matter coming before the board. Members shall be appointed for a term of one year by a ~~five-sevenths~~ four-sevenths vote of the city commission. Members of the board of adjustment must be either residents or

have their principal place of business in Miami Beach; provided, however, that this amendment shall not affect the term of existing members of the board of adjustment.

Such board of adjustment shall hear and decide appeals from, and review, any order, requirements, decision or determination made by an administrative official charged with the enforcement of the Zoning Ordinance of the City of Miami Beach. Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of said Zoning Ordinance, the board of adjustment shall have the power in passing upon appeals, to vary or modify any regulations or provisions of such ordinance relating to the use, construction, or alteration of buildings or structures, or the use of land, so that the spirit of the Zoning Ordinance shall be observed, public safety and welfare secured, and substantial justice done. In no case shall the board have any power to amend the Zoning Ordinance with reference to the use of land, or jurisdiction over any request for variance which shall constitute an amendment to the Zoning Ordinance as to the use of land. The board shall fix a reasonable time for the hearing of any matter before it and shall give due notice thereof to the parties.

Upon the hearing, any person may appear in person or by agent or by attorney. The board may require that all testimony given before it shall be under oath. Any order or decision of the board of adjustment shall require an affirmative ~~four-fifths~~ <u>five-sevenths</u> vote of the board. The decision of the board of adjustment shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

All variance requests shall be first submitted to the city attorney for a determination whether the requested variance is properly such, and does not constitute a change or amendment to the Zoning Ordinance. The jurisdiction of the board of adjustment shall not attach unless and until the board has before it a written certificate of the city attorney that the subject matter of the request is properly before the board. The separate written recommendations of the planning and zoning director and of the public works director shall be before the board prior to its consideration of any matter before it.
(Laws of Fla., 1923, ch. 9837, § 7; election of 5-29-62; election of 11-5-68; election of 4-23-70; election of 3-8-77; election of 11-1-77)

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CALLING FOR A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2003, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH A QUESTION ASKING WHETHER CITY OF MIAMI BEACH RELATED SPECIAL ACTS, ARTICLE II THEREOF ENTITLED "PUBLIC LIBRARY" AND ARTICLE III THEREOF ENTITLED "MUNICIPAL PROJECTS", BE DELETED AS SAID LANGUAGE IS OBSOLETE AND/OR REDUNDANT.

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

SECTION 1.

In accordance with provisions of the Charter of the City of Miami Beach, Florida and the general laws of the State of Florida, a Special Election is hereby called and directed to be held in the City of Miami Beach, Florida, from 7:00 a.m. to 7:00 p.m. on Tuesday, November 4, 2003, for the purpose of submitting to the electorate the question as set forth hereinafter.

SECTION 2.

That the appropriate and proper Miami-Dade County election officials shall conduct the said Special Election hereby called, with Miami-Dade County's certification of the results of said Special Election being accepted by the City Commission. The official returns for each precinct shall be furnished to the City Clerk of the City of Miami Beach as soon as the ballots from all precincts have been tabulated and results duly accepted by said appropriate Miami-Dade County Officials.

SECTION 3.

Said voting precincts in the City of said Special Election shall be as established by the proper and appropriate Miami-Dade County Election Officials. All electors shall vote at the polling places and the voting precincts in which the official registration books show that the said electors reside. A list of the voting precincts and the polling places therein (subject to change by the Supervisor of Elections of Miami-Dade County, in accordance with the laws of Florida) is attached hereto as Exhibit A.

Agenda Item R7D-8
Date 7-30-03

SECTION 4.

Registration of persons desiring to vote in the Special Election shall be in accordance with the general law of the State of Florida governing voter registration. Qualified persons may obtain registration forms to vote at the Office of the City Clerk, City Hall, 1700 Convention Center Drive, First Floor, Miami Beach, Florida 33139, during normal business hours, and at such other voter registration centers and during such times as may be provided by the Supervisor of Elections of Miami-Dade County. Each person desiring to become a registered voter shall be responsible for properly filling out the registration form and returning it to the Miami-Dade County Elections Office. All questions concerning voter registration should be directed to the Miami-Dade County Elections Office, 111 Northwest 1st Street, Floor 19, Miami, Florida 33130; Mailing Address: P.O. Box 012241, Miami, Florida 33101; Telephone: (305) 375-5553.

SECTION 5.

Not less than thirty days' notice of said Special Election shall be given by publication in a newspaper of general circulation in Miami Beach, Miami-Dade County, Florida. Such publication shall be made at least once each week for four consecutive weeks next preceding said Special Election.

SECTION 6.

The notice of election shall be substantially in the following form:

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

AMENDING RELATED SPECIAL ACTS BY DELETING ARTICLE II "PUBLIC LIBRARY" AND ARTICLE III "MUNICIPAL PROJECTS"

SHALL MIAMI BEACH RELATED SPECIAL ACTS, ARTICLE II THEREOF ENTITLED "PUBLIC LIBRARY" AND ARTICLE III THEREOF ENTITLED "MUNICIPAL PROJECTS", BE DELETED AS SAID LANGUAGE IS OBSOLETE AND/OR REDUNDANT?

_____ YES

_____ NO

SECTION 7.

The official ballot to be used in the Special Election to be held on November 4, 2003, hereby called, shall be in substantially the following form, to-wit:

OFFICIAL BALLOT

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION, NOVEMBER 4, 2003.

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

AMENDING RELATED SPECIAL ACTS BY DELETING ARTICLE II "PUBLIC LIBRARY" AND ARTICLE III "MUNICIPAL PROJECTS"

SHALL MIAMI BEACH RELATED SPECIAL ACTS, ARTICLE II THEREOF ENTITLED "PUBLIC LIBRARY" AND ARTICLE III THEREOF ENTITLED "MUNICIPAL PROJECTS", BE DELETED AS SAID LANGUAGE IS OBSOLETE AND/OR REDUNDANT?

_____ YES

_____ NO

SECTION 8.

Absentee voters participating in said Special Election shall be entitled to cast their ballots in accordance with the provisions of the laws of the State of Florida with respect to absentee voting.

SECTION 9.

That the City of Miami Beach shall pay all expenses for conducting this Special Election and will pay to Miami-Dade County or directly to all persons or firms, upon receipt of invoice or statement approved by the Supervisor of Elections of Miami-Dade County, Florida.

SECTION 10.

If any section, sentence, clause or phrase of the proposed ballot measure is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of said ballot measure.

SECTION 11.

This resolution shall be effective immediately upon its passage.

PASSED and ADOPTED this _____ day of _____, 2003.

ATTEST:

_____
MAYOR

_____
CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 7-18-03
Date

JKO/ED
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Proposed Amendment to City of Miami Beach Related Special Acts for November 4, 2003 Special Election:

A. Proposed Ballot Question

AMENDING RELATED SPECIAL ACTS BY DELETING ARTICLE II "PUBLIC LIBRARY" AND ARTICLE III "MUNICIPAL PROJECTS"

SHALL MIAMI BEACH RELATED SPECIAL ACTS, ARTICLE II THEREOF ENTITLED "PUBLIC LIBRARY" AND ARTICLE III THEREOF ENTITLED "MUNICIPAL PROJECTS", BE DELETED AS SAID LANGUAGE IS OBSOLETE AND/OR REDUNDANT?

_____ YES

_____ NO

B. Proposed Text

ARTICLE II "PUBLIC LIBRARY".*

Sec. 3. Authority to acquire, maintain and operate.
The City of Miami Beach, in Dade County, Florida, is hereby authorized and empowered to acquire, maintain and operate a public library or libraries within the corporate limits of the City of Miami Beach; to provide by ordinance of its city commission for the manner and method of such operation, administration and financing of such public library or libraries.
(Laws of Fla., 1949, ch. 26027, § 1; election of 11-1-83)

Sec. 4. Board of trustees.
Any ordinance passed and adopted hereunder by the said City of Miami Beach, or on its behalf by its city commission, shall provide for a board of trustees for the management and administration of such public library or libraries, which board of trustees shall consist of members who shall be appointed or removed by the city manager by and with the approval of the city commission, in a manner and on such terms as may be established by the ordinance. Said board of trustees shall have the power to adopt bylaws, rules or regulations for the conduct of its own meetings or business and for the regulation and control of the operation of such library or libraries.
(Laws of Fla., 1949, ch. 26027, § 2; election of 11-1-83)

Sec. 5. Personnel subject to provisions of article IV hereof.
All personnel, except unclassified personnel, employed in the operation, maintenance and administration of said public library or libraries shall be subject to the provisions of Laws of Florida, 1937, ch. 18696 entitled:

"An act creating a civil service system for certain officers and employees of the City of Miami Beach, Florida; creating a department of personnel, defining its membership, powers and duties; designating

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* The public library is operated pursuant to an interlocal agreement which is on file in the city clerk's office.

the officers and employees who are within the terms of said act; defining the certain terms of said act; providing for appointments, promotions, suspension, reductions and removal of officers and employees; providing for the status of officers and employees holding positions when this act takes effect; providing for referendum when said act shall take effect and other matters relating thereto." (Laws of Fla., 1949, ch. 26027, § 3; election of 11-1-83)

Sec. 6. Repeal of conflicting laws.
All laws and parts of laws in conflict herewith are hereby repealed.
(Laws of Fla., 1949, ch. 26027, § 4; election of 11-1-83)

ARTICLE III "MUNICIPAL PROJECTS". *

Sec. 7. Enumeration of projects; definitions.
For the purpose of this Act the term "municipal project" shall cover only any one or more or any combination of the following: abattoirs, airports, auditoriums, bridges, tunnels, buildings, hospitals, viaducts, city and town halls, community houses, sanitaria, dispensaries, jails, ice plants, pre-cooling and cold-storage plants, warehouses, waterworks systems, including new water lines, dredging and deepening harbors and channels, jetties, breakwaters, public landings, wharves, docks, and other improvements for harbors and shipping facilities, markets, memorials, automobile parking lots, parks, including recreational facilities, playgrounds, recreation centers, bathing beaches with necessary improvements, structures, buildings, piers, public buildings and plazas, reservoirs, schools, sewers, sewage or drainage systems and sewage disposal or treatment plants, stadiums, streets, roads, avenues, alleys and highways, sidewalks and curbs, gutters and stormwater sewers or drains, harbor and port facilities, toll bridges or causeways, swimming pools, as defined in this section; and all property, real and personal, appurtenant thereto or connected with such work, undertaking or project, and the existing work, undertaking or project, if any, to which such work, undertaking or project is an extension, addition, betterment or improvement.
(a) The term "to construct" shall mean to build, to construct, to reconstruct, to erect, to replace, to extend, to repair, to better, to equip, to develop, to embellish, to improve, to acquire by gift, purchase or the exercise of the right of eminent domain, or any one or more or all of the foregoing.
(b) The term "construction" shall mean building, construction, reconstruction, erection, replacement, extension, repairing, betterment, equipment, development, embellishment, improvements, acquisition, by gift, purchase, or the exercise of the right of eminent domain, or any one or more or all of the foregoing.
(Laws of Fla., 1941, ch. 21401, § 1)

Sec. 8. Powers generally of city.
The City of Miami Beach shall have power and is hereby authorized:
(a) To construct any municipal project, as defined in section 1 [§ 7] hereof, within or without the municipality, or partially within and partially without the municipality.
(b) To operate and maintain any municipal project for public and private users and consumers

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* Editors Note: Sections 3--16 of Laws of Fla., 1941, ch. 21401, regarding the issuing and servicing of bonds for the projects authorized in the areas within and beyond the city limits have been editorially deleted as any provision which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power may be editorially deleted as unnecessary as home rule powers of a municipality are derived from the constitution and F.S. ch. 166 and the authority and procedure for issuance of bonds is contained in state law.

State Law References: Municipal borrowing authority, F.S. § 166.101 et seq.; bonds, F.S. §§ 130.01 et seq., 132.01 et seq., 159.01 et seq., 163.385,215.43,215.431,215.84, 218.37--218.385; bond validation, F.S. ch. 75; maximum rate of interest, F.S. § 215.84.

within and without the municipality.

(c) To issue bonds as provided in this Act to finance such construction, and to provide for the rights of the holders of the bonds and to secure the bonds all as hereinafter provided.

(d) To enter into a trust agreement with any bank or trust company within or outside the state, in connection with the construction of a project and in order to secure bonds payable exclusively from revenues which are issued in connection therewith.

(e) To fix, levy and collect fees, rents, tolls, or other charges for the use of or in connection with any municipal project, and in the event any trust agreement with holders of bonds shall be made as hereinafter provided, to fix, levy and collect such fees, rents, tolls and other charges in accordance with such agreements and subject thereto.

(f) To acquire by purchase, gift or the exercise of the right of eminent domain and to hold and dispose of any property, real or personal, tangible or intangible, or any right or interest in any such property, in connection with any municipal project, whether or not subject to mortgages, liens, charges or other encumbrances, and to construct any municipal project subject thereto, and whether within or without the municipality, or partially within and partially without the municipality.

(g) To enter on any lands, waters and premises for the purpose of making surveys, soundings and examinations in or for the furtherance of any municipal project.

(h) To perform any acts authorized under this law through or by means of its own officers, agents, and employees, or by contracts with private corporations, firms or individuals.

(i) To award any contract for the construction of any municipal project or any part thereof upon any day at least fifteen days after one publication of a notice requesting bids upon such contract in a newspaper of general circulation in the municipality.

(j) To do all acts and things necessary or convenient to carry out the powers expressly given in this law.

(Laws of Fla., 1941, ch. 21401, § 2)

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A resolution approving calling for a special election to be held on Tuesday, November 4, 2003, for the purpose of submitting to the electorate of the city of Miami Beach a question asking whether "Island View Park" (located generally at 18th Street and Purdy Avenue in Miami Beach) shall be renamed "Maurice Gibb Memorial Park"?

Issue:

Shall the City Commission approve calling for a special election for the purpose of submitting to the electorate of the city of Miami Beach a question asking whether "Island View Park" should be renamed "Maurice Gibb Memorial Park"?

Item Summary/Recommendation:

The Administration recommends that the City Commission approve calling for a special election.

Advisory Board Recommendation:

At the Community Affairs Committee meeting of May 20, 2003, a request was made by the Maurice Gibb family for Island View Park to be renamed the Maurice Gibb Memorial Park. A motion was made by Commissioner Steinberg, seconded by Commissioner Bower, recommending approval of this request to the City Commission for the renaming of the park to be placed on the ballot for the November 2003 election. At the July 2, 2003 City Commission meeting a public hearing was held regarding this request. A motion was made by Commissioner Luis R. Garcia, Jr., seconded by Commissioner Bower, calling for a special election.

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Mayra Diaz Buttacavoli

Sign-Offs:

Department Director	Assistant City Manager	City Manager
	MDB Mayra B. Buttacavoli	

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AGENDA ITEM R7E

DATE 7-30-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CALLING FOR A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2003, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH A QUESTION ASKING WHETHER "ISLAND VIEW PARK" (LOCATED GENERALLY AT 18TH STREET AND PURDY AVENUE IN MIAMI BEACH) SHALL BE RENAMED "MAURICE GIBB MEMORIAL PARK"?**

ADMINISTRATION RECOMMENDATION

Adopt the resolution.

ANALYSIS

At the Community Affairs Committee meeting of May 20, 2003, a request was made by the Maurice Gibb family for *Island View Park* to be re-named the *Maurice Gibb Memorial Park.* A motion was made by Commissioner Steinberg, seconded by Commissioner Bower, recommending approval of this request to the City Commission for the re-naming of the park to be placed on the ballot for the November 2003 election.

Pursuant to Chapter 82 of the Miami Beach City Code, the City Commission is required to consider the proposal at a public hearing.

At the July 2, 2003 Commission meeting, the public hearing was held requesting City Commission approval for said proposal by 5/7th vote, then for the name selection to be submitted to the electorate of the City by referendum at the next regularly scheduled election. A motion was made by Commissioner Luis R. Garcia, Jr., seconded by Vice-Mayor Bower. The name selection will be submitted to the electorate of the city by referendum at the next scheduled election. The name selection must then be approved by a majority of the electorate voting at the referendum in order to change the name of Island View Park to "Maurice Gibb Memorial Park".

CONCLUSION

The Administration recommends that the City Commission approve calling for a Special Election to be held on Tuesday, November 4, 2003, for the purpose of submitting to the electorate of the city of Miami Beach a question asking whether "Island View Park" (located generally at 18th Street and Purdy Avenue in Miami Beach) shall be renamed "Maurice Gibb Memorial Park"?

JMG:MDB:lcd
Attachments
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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CALLING FOR A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2003, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH A QUESTION ASKING WHETHER "ISLAND VIEW PARK" (LOCATED GENERALLY AT 18TH STREET AND PURDY AVENUE IN MIAMI BEACH) SHALL BE RENAMED "MAURICE GIBB MEMORIAL PARK"?

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

SECTION 1.

In accordance with provisions of the Charter of the City of Miami Beach, Florida and the general laws of the State of Florida, a Special Election is hereby called and directed to be held in the City of Miami Beach, Florida, from 7:00 a.m. to 7:00 p.m. on Tuesday, November 4, 2003, for the purpose of submitting to the electorate the question as set forth hereinafter.

SECTION 2.

That the appropriate and proper Miami-Dade County election officials shall conduct the said Special Election hereby called, with Miami-Dade County's certification of the results of said Special Election being accepted by the City Commission. The official returns for each precinct shall be furnished to the City Clerk of the City of Miami Beach as soon as the ballots from all precincts have been tabulated and results duly accepted by said appropriate Miami-Dade County Officials.

SECTION 3.

Said voting precincts in the City of said Special Election shall be as established by the proper and appropriate Miami-Dade County Election Officials. All electors shall vote at the polling places and the voting precincts in which the official registration books show that the said electors reside. A list of the voting precincts and the polling places therein (subject to change by the Supervisor of Elections of Miami-Dade County, in accordance with the laws of Florida) is attached hereto as

Exhibit A.

SECTION 4.

Registration of persons desiring to vote in the Special Election shall be in accordance with the general law of the State of Florida governing voter registration. Qualified persons may obtain registration forms to vote at the Office of the City Clerk, City Hall, 1700 Convention Center Drive, First Floor, Miami Beach, Florida 33139, during normal business hours, and at such other voter registration centers and during such times as may be provided by the Supervisor of Elections of Miami-Dade County. Each person desiring to become a registered voter shall be responsible for properly filling out the registration form and returning it to the Miami-Dade County Elections Office. All questions concerning voter registration should be directed to the Miami-Dade County Elections Office, 111 Northwest 1st Street, Floor 19, Miami, Florida 33130; Mailing Address: P.O. Box 012241, Miami, Florida 33101; Telephone: (305) 375-5553.

SECTION 5.

Copies of the vicinity map depicting the location of Island View Park shall be made available at the office of the City Clerk from 8:30 a.m. to 5:00 p.m. each day, Saturdays, Sundays, and holidays excepted, no later than September 15, 2003.

SECTION 6.

Not less than thirty days' notice of said Special Election shall be given by publication in a newspaper of general circulation in Miami Beach, Miami-Dade County, Florida. Such publication shall be made at least once each week for four consecutive weeks next preceding said Special Election.

SECTION 7.

The notice of election shall be substantially in the following form:

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

RENAMING "ISLAND VIEW PARK" TO "MAURICE GIBB MEMORIAL PARK"

SHALL "ISLAND VIEW PARK" (LOCATED GENERALLY AT 18TH STREET AND PURDY AVENUE IN MIAMI BEACH) BE RENAMED "MAURICE GIBB MEMORIAL PARK" IN HONOR OF THE LATE MAURICE GIBB, LONG-TIME MIAMI BEACH RESIDENT AND MEMBER OF THE SINGING GROUP "THE BEE GEES," WHICH HAS WON NUMEROUS AWARDS, INCLUDING MULTIPLE GRAMMYS FOR THE SOUNDTRACK OF THE MOTION PICTURE "SATURDAY NIGHT FEVER," AND WAS INDUCTED INTO THE ROCK AND ROLL HALL OF FAME?

_____ YES

_____ NO

SECTION 8.

The official ballot to be used in the Special Election to be held on November 4, 2003, hereby called, shall be in substantially the following form, to-wit:

OFFICIAL BALLOT

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION, NOVEMBER 4, 2003.

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF

MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

RENAMING "ISLAND VIEW PARK" TO "MAURICE GIBB MEMORIAL PARK"

SHALL "ISLAND VIEW PARK" (LOCATED GENERALLY AT 18TH STREET AND PURDY AVENUE IN MIAMI BEACH) BE RENAMED "MAURICE GIBB MEMORIAL PARK" IN HONOR OF THE LATE MAURICE GIBB, LONG-TIME MIAMI BEACH RESIDENT AND MEMBER OF THE SINGING GROUP "THE BEE GEES," WHICH HAS WON NUMEROUS AWARDS, INCLUDING MULTIPLE GRAMMYS FOR THE SOUNDTRACK OF THE MOTION PICTURE "SATURDAY NIGHT FEVER," AND WAS INDUCTED INTO THE ROCK AND ROLL HALL OF FAME?

_____ YES

_____ NO

SECTION 9.

Absentee voters participating in said Special Election shall be entitled to cast their ballots in accordance with the provisions of the laws of the State of Florida with respect to absentee voting.

SECTION 10.

That the City of Miami Beach shall pay all expenses for conducting this Special Election and will pay to Miami-Dade County or directly to all persons or firms, upon receipt of invoice or statement approved by the Supervisor of Elections of Miami-Dade County, Florida.

SECTION 11.

If any section, sentence, clause or phrase of the proposed ballot measure is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of said ballot measure.

SECTION 12.

This resolution shall be effective immediately upon its passage.

PASSED and ADOPTED this _____ day of _____, 2003.

ATTEST:

_____
MAYOR

_____
CITY CLERK

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney 7-23-03 Date

JKO/ED
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REDEVELOPMENT AGENCY
COMMISSION ITEM SUMMARY

Condensed Title:

A resolution appropriating $56,307 from FY 2003/2004 South Pointe Tax Increment Funds for additional services to be provided pursuant to the Program Management Services Agreement between the City of Miami Beach and Hazen and Sawyer, P.C., further approving a Second Amendment to the Agreement to provide additional professional program management services, and authorizing the Executive Director to execute the Second Amendment to the Agreement, in a form to be approved by the Administration and the City Attorney.

Issue:

Shall the Chairman and Members of the Redevelopment Agency appropriate an additional $56,307 from the South Pointe Tax Increments Funds for continued program and construction management services to be provided by Hazen and Sawyer, P.C., with respect to the City's ongoing improvements in the South Pointe area in connection with the 1998 Settlement Agreement with Portofino in relation to obligations resulting from the construction of the Murano, Murano Grande, and ICON developments, until approximately November 2003, at which time it is anticipated that the 2003 SSDI North seawall improvements will be completed?

Item Summary/Recommendation:

Adopt the resolution.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1	$56,307		
2			
3			
4			
Total	$56,307		

City Clerk's Office Legislative Tracking:

Christina M. Cuervo/Anna Parekh

Sign-Offs:

Department Director	Assistant City Manager	City Manager
	CMC	Jorge

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Agenda Item R7F

Date 7-30-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us

REDEVELOPMENT AGENCY MEMORANDUM

To: Chairman and Members of the Board
Of the Miami Beach Redevelopment Agency

Date: July 30, 2003

From: Jorge M. Gonzalez
Executive Director

Subject: **A RESOLUTION OF THE CHAIRMAN AND MEMBERS OF THE MIAMI BEACH REDEVELOPMENT AGENCY APPROPRIATING $56,307 FROM FY 2003/2004 SOUTH POINTE TAX INCREMENT FUNDS FOR ADDITIONAL SERVICES TO BE PROVIDED PURSUANT TO THE PROGRAM MANAGEMENT SERVICES AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND HAZEN AND SAWYER, P.C., APPROVED PURSUANT TO RESOLUTION NO. 2001-24247 / RDA RESOLUTION NO. 379-2001, AS AMENDED JUNE 27, 2001, PURSUANT TO RESOLUTION NO. 2001-24501 / RDA RESOLUTION NO. 389-2001; FURTHER APPROVING A SECOND AMENDMENT TO THE AGREEMENT TO PROVIDE ADDITIONAL PROFESSIONAL MANAGEMENT SERVICES; AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE SECOND AMENDMENT TO THE AGREEMENT, IN A FORM TO BE APPROVED BY THE ADMINISTRATION AND THE CITY ATTORNEY.**

ADMINISTRATION RECOMMENDATION:
Adopt the Resolution.

ANALYSIS:
On October 18, 2000, following an RFQ and selection process, the City entered into negotiations with Hazen and Sawyer, P.C., as the most qualified firm to provide program management services for capital right-of-way infrastructure projects for the City. On January 31, 2001, the Mayor and City Commission, and RDA Board adopted Resolution No. 2001-24247 and 379-2001, respectively, authorizing execution of an Agreement between the City and Hazen and Sawyer P.C., to provide Professional Program Management Services for assigned capital projects.

Hazen and Sawyer's program and construction management services for the City of Miami Beach originally included the administration and construction supervision of approximately 65 infrastructure improvement projects, including the five-phase South Pointe Streetscape project, however, due to the need for a program manager with respect to the City's obligations as they relate to the Portofino Settlement Agreement, on June 27, 2001, by Resolution No. 2001-24501 and RDA Resolution No. 389-2001, **an additional $44,267 from FY 2001 South Pointe Tax Increment Funds were appropriated in order that additional services be provided by Hazen & Sawyer, P.C., relating to the obligations set forth in the Portofino Settlement Agreement**, and further authorizing execution of the necessary First Amendment to the Agreement, which covered a period from June 8, 2001 through December 15, 2001.

Therefore, construction bids obtained by The Related Group (TRG) are reviewed by Hazen and Sawyer, and progress payment requisitions prepared by TRG's contractor are reviewed by Hazen and Sawyer and recommended for payment to the City/RDA. The scope of Hazen and Sawyer's services now consists of the following:

1. Assisting the City in reviewing construction documents prepared by others.
2. Assisting the City in reviewing cost estimates/bid proposals prepared by others.
3. Limited construction observation as it relates to utility relocation, seawall construction/rehabilitation, Alton Road driveway opening and pedestrian access way, parking lot construction, and environmental remediation activities.
4. Attendance at up to 12 meetings to resolve outstanding issues and/or discuss project progress with the developer and/or City staff.

Hazen and Sawyer's services for the Portofino/Murano Project also includes construction administration, scheduling, monitoring, budget evaluation, consultants/contractors contract administration, design revisions evaluation and implementation, constructability review and associated cost evaluation and recommendation. Fee estimates were based upon proposed manpower allocations and hourly billing rates for the Agreement contract term.

Hazen and Sawyer expended the $44,267 appropriated by the City Commission/RDA on June 27, 2001, associated with the additional duties to be provided under the First Amendment to the Agreement through December 15, 2001. Therefore, **on June 4, 2002, the Administration authorized Hazen & Sawyer to provide additional services related to the requirements of the SSDI-South and SSDA-North parcels, for an additional amount not to exceed $25,000 for services through February 28, 2003. Therefore, the original appropriation of January 31, 2001, has been increased by a total aggregate amount of $69,267 for additional services provided through February 28, 2003**.

However, **the City's obligations as they relate to the Portofino Settlement Agreement have not been completed and it is in the City's best interest to continue to retain Hazen and Sawyer as the City's program and construction services manager with respect to the City's ongoing improvements in the South Pointe area** associated with the 1998 Settlement Agreement with Portofino in relation to construction obligations resulting from the construction of the Murano, Murano Grande, and ICON developments, as follows:

- Alton Road Staging Area Phase 2
- 72-inch diameter stormwater relocation
- Alaska Parcel Temporary Baywalk
- Alton Road Improvements 3rd to 4th Streets
- 2003 SSDI North seawall repairs/rehabilitation; and
- 2004 SSDI North seawall repairs/rehabilitation

It is therefore practical to increase the scope and budget of Hazen & Sawyer's contract in order that it may continue to provide assistance to the City relating to various improvements. **The fee estimates of $56,307, which are outlined in the attached letter from Hazen and Sawyer, dated July 15, 2003, which is labeled Exhibit "A", are for the additional time frame and continued services required until approximately November 2003**, at which time it is anticipated that the 2003 SSDI North seawall improvements will be completed. Pursuant to Exhibit "B" – Portofino Settlement Agreement – Estimated Costs –Updated as of 7/30/03, Hazen and Sawyer's has participated in approximately 82% of the total South Pointe-related improvement projects, yet Hazen and Sawyer's program management fees for these projects represent less than 1% of the total project costs.

JMG/CMC/ap
T:\AGENDA\2003\jul3003\rda\HazenSawyerMEMO.doc

HAZEN AND SAWYER
Environmental Engineers & Scientists

Hazen and Sawyer, P.C.
975 Arthur Godfrey Road
Suite 211
Miami Beach, FL 33140
305 532-9292
Fax: 305 534-8887

CMB
NEIGHBORHOOD SERVICES DEPT.

2003 JUL 21 AM 9:28

July 15, 2003

Ms. Christina M. Cuervo
Assistant City Manager
CITY OF MIAMI BEACH
1700 Convention Center Drive
Miami Beach, Florida 33139

South Pointe Neighborhood
SSDI North Settlement Agreement Items
Additional Program Management Services

Dear Ms. Cuervo:

At the City's request, Hazen and Sawyer submitted a proposal for limited program / construction management services to assist the City's Redevelopment Agency with respect to its obligations relating to the development of the SSDI – South and SSDI – North properties (Portofino Settlement Agreement). Hazen and Sawyer submitted a proposal in the amount of $44,267 on June 4, 2001 (copy enclosed). The City Commission subsequently approved the proposal during its regular City Commission meeting of June 27, 2001. This agreement was for the period of June 8 through December 15, 2001. Hazen and Sawyer provided services through May 31, 2002 within the budget amount appropriated on June 27, 2001. The additional effort was provided within budget and for an approximate additional timeframe of five (5) months or 83% greater than originally anticipated.

On June 3, 2002, Hazen and Sawyer indicated that it had expended the budget associated with the initial effort of $44,267. On June 4, 2002, the Administration authorized Hazen and Sawyer for an additional amount of $25,000, for a total budget amount of $69,267 (copy enclosed). This budget increase provided services through February 28, 2003. On April 23, 2003, we met to discuss the April 9, 2003 proposal. During the referenced meeting it was discussed to provide a more limited scope of services as it relates to the City's responsibilities with the SSDI North Settlement Agreement.

The City of Miami Beach and Portofino Properties entered into a Developer's Agreement for various improvements associated with the construction of the Murano, Murano Grande and ICON developments. Proposed improvements and their status are as follows:

- Alton Road Staging Area Phase 2 — Completed
- 72-inch diameter stormwater relocation — Completed
- Alaska Parcel Temporary Baywalk — Substantially Completed
- Alton Road Improvements 3rd to 4th Streets — Substantially Completed

New York, NY • Armonk, NY • Ramsey, NJ • Detroit, MI • Philadelphia, PA • Raleigh, NC • Charlotte, NC • Fairfax, VA • Atlanta, GA • Hollywood, FL • Boca Raton, FL • Fort Pierce, FL • Jacksonville, FL • Miami, FL • Sarasota, FL • Tampa, FL

EXHIBIT "A"
513

- 2003 SSDI North seawall repairs / rehabilitation To be initiated August 15, 2003
- 2004 SSDI North seawall repairs / rehabilitation To be initiated August 15, 2004

Hazen and Sawyer has provided limited services to assist the City with its responsibilities during the months of March, April, May and June 2003. Hazen and Sawyer will continue to assist the City with its remaining responsibilities during the forthcoming August Commission recess so that project progress is not impacted. Detailed invoices for the months of February through June 2003 are provided as documentation of our efforts during this period.

It is our understanding that the City would like Hazen and Sawyer to continue providing program and construction management services for the subject improvements. As previously noted, many of the improvements have been completed or are substantially complete and it is anticipated that the 2003 SSDI North seawall improvements will be completed in November 2003.

Description of Services

Please note that Hazen and Sawyer does not contemplate in its services any effort associated with coordinating the work of the private developer, its consultants and contractors. It is anticipated that Hazen and Sawyer will perform the following:

1. Assist the City in review of construction documents prepared by others.
2. Assist the City in review of cost estimates / bid proposals prepared by others.
3. Limited construction observation as it relates to seawall construction / rehabilitation for purposes of application for payment review.
4. Attend up to four meetings to resolve outstanding issues and / or discuss project progress with the developer and / or City staff.

Services will be provided in accordance with the Agreement between Hazen and Sawyer and the City of Miami Beach and as specifically identified in sub-task 3.7, Task 4 (with the exception of sub-task 4.9), Task 5 and sub-task 6.2.

Level of Effort

It is anticipated that the 2003 SSDI North seawall improvements will be initiated on August 15, 2003. Full-time resident project representation services are not contemplated in the following budget. The requested budget increase is as follows:

Description	Estimated Quantity	Unit Rate ($/Hr)[1]	Total / Extension
Add'l Labor Effort Expended February '03	n/a	n/a	$530
Labor Effort Expended March '03	n/a	n/a	$9,181
Labor Effort Expended April '03	n/a	n/a	$3,503
Labor Effort Expended May '03	n/a	n/a	$1,230
Labor Effort Expended June '03	n/a	n/a	$2,198
Proposed Labor Jul – Nov '03			
Deputy Program Manager	120 manhours	$124.45	$14,934
Construction Coordinator	80 manhours	$130.94	$10,475
Specialty Support Services	40 manhours	$100.64	$4,026
Document Control Manager	20 manhours	$48.70	$975
Resident Project Rep. II	120 manhours	$73.59	$8,830
Reimbursables			
Communications, Reproduction	5	$85.00	$425
		Total	**$56,307**

[1] *Fiscal Year 2004 rate*

The following is a summary of the costs incurred to date by the City's Redevelopment Agency with respect to the limited program / construction management services associated with this project:

Item	Amount
June 19, 2001 Appropriation	$44,267
June 4, 2002 Authorization	$25,000
Proposed Budget Increase	$56,307
Total Expended / Proposed To Date	$125,574
Estimated Construction Budget	$14,000,000
Services expressed as a percentage	0.90%

Hazen and Sawyer will undertake this effort for a not-to-exceed fee of $56,307.00. We are available to discuss this proposal at your earliest convenience.

Should you have any questions, please do not hesitate to contact our office.

Very truly yours,

HAZEN AND SAWYER, P.C.

Charles O. Carreño, P.E.
Senior Associate

Enclosures

c: T. Hemstreet
A. Parekh
A. Rolandelli
B. Vidal
File No. 4017/0.0

HAZEN AND SAWYER
Environmental Engineers & Scientists

Hazen and Sawyer, P.C.
4000 Hollywood Boulevard
Seventh Floor, North Tower
Hollywood, FL 33021
954 987-0066
Fax: 954 987-2949

June 4, 2001

- FAX'd This Date -

Ms. Christina M. Cuervo
Assistant City Manager
CITY OF MIAMI BEACH
1700 Convention Center Drive
Miami Beach, Florida 33139

South Pointe Neighborhood
Portofino and Murano Properties
Additional Program Management Services

Dear Ms. Cuervo:

We are pleased to submit this proposal for the City's consideration. The City of Miami Beach and Portofino Properties have entered into a Developer's Agreement for various improvements associated with the construction of the Murano and Murano Grande developments. Proposed improvements include utility relocation, seawall construction / rehabilitation, miscellaneous upgrades to Alton Road south of Fifth Street and the construction of a new pedestrian accessway from the existing Miami Beach Marina to the Washington Avenue Extension. The City has requested Hazen and Sawyer (Consultant) to provide program and construction management services for the subject improvements.

Please note that Consultant does not contemplate in its services any effort associated with coordinating the work of the private developer, its consultants and contractors. It is anticipated that Hazen and Sawyer will perform the following:

1. Assist the City in review of construction documents prepared by others.
2. Assist the City in review of cost estimates / bid proposals prepared by others.
3. Limited construction observation as it relates to utility relocation, seawall construction / rehabilitation, Alton Road driveway opening and pedestrian accessway.
4. Attend up to twelve meetings to resolve outstanding issues and / or discuss project progress with the developer and/or City staff.

Description of Services

In accordance with the Agreement between Hazen and Sawyer and the City of Miami Beach and as identified in sub-task 3.7, Task 4 (with the exception of sub-task 4.9), Task 5 and sub-task 6.2.

HAZEN AND SAWYER

Ms. Christina M. Cuervo
June 4, 2001

Level of Effort

It is anticipated that a Notice to Proceed will be issued on June 8, 2001 and will be completed by December 15, 2001 (7 month construction period). Resident Project Representative resources will be shared between the ongoing South Pointe Streetscape project representatives and this private development project.

Description	Estimated Quantity	Unit Rate	Total / Extension
Labor			
Deputy Program Manager	160 manhours	$115.00/hr	$18,400
Construction Coordinator	112 manhours	$121.00/hr	$13,552
Specialty Support Services	80 manhours	$115.00/hr	$9,200
Document Control Manager	56 manhours	$45.00/hr	$2,520
Reimbursables			
Communications	7	$85.00	$595
		Total	**$44,267**

Hazen and Sawyer will undertake this effort for a not-to-exceed fee of $44,267.00.

Should you have any questions, please do not hesitate to contact our office.

Very truly yours,

HAZEN AND SAWYER, P.C.

Charles O. Carreño, P.E.
Deputy Program Manager

Authorized By:
CITY OF MIAMI BEACH

Christina M. Cuervo
Assistant City Manager

c: B. Vidal
File No. 4012/1.2
File No. 4014/0.0

HAZEN AND SAWYER
Environmental Engineers & Scientists

Hazen and Sawyer, P.C.
975 Arthur Godfrey Road
Suite 211
Miami Beach, FL 33140
305 532-9292
Fax: 305 534-8887

RECEIVED
02 JUN -3 PM 5:38
CITY MANAGER'S OFFICE

June 3, 2002

RECEIVED
HAZEN AND SAWYER, P.C.
Miami Beach, Florida

- FAX'd This Date -

JUN 4 2002

GB

Job No. 4017/0.0
4017/1.2

Ms. Christina Cuervo
Assistant City Manager
CITY OF MIAMI BEACH
City Manager's Office
1700 Convention Center Drive
Miami Beach, Florida 33140

City of Miami Beach
SSDI South / SSDI North
Additional Services Request

Dear Ms. Cuervo:

On June 27, 2001, the City of Miami Beach retained the services of Hazen and Sawyer to provide limited program / construction management services for the City as it relates to the implementation of certain City requirements on the SSDI – South and SSDI – North parcels. This agreement was for the period of June 8 through December 15, 2001. Hazen and Sawyer provided services through May 31, 2002 within the budget amount appropriated on June 27, 2001. The additional effort was provided within budget and for an approximate additional timeframe of five (5) months or 83% greater than originally anticipated.

At this time, the City is considering a proposal by the Marina to assume the City's responsibilities to construct certain seawall improvements. It is anticipated that the City will present this proposal to the City Redevelopment Agency (RDA) on ~~June 19~~ July 10, 2002 for consideration. The City has requested Hazen and Sawyer to assist the City with negotiations and agreement form development. This is an intensive labor process.

Through May 31, 2002, we have expended the previously appropriated budget. Please authorize below the RDA's acceptance for Hazen and Sawyer to continue with its assistance on a time and materials basis to compensate Hazen and Sawyer's costs through the July 10, 2002 Commission meeting. It is anticipated that any additional costs for SSDI – South and SSDI – North improvements will be appropriated on July 10, 2002, with a formal amendment to our contract presented to the RDA on that date. *

Thank you for your assistance and cooperation concerning this matter. Should you have any questions, please do not hesitate to contact our office.

Very truly yours,
HAZEN AND SAWYER, P.C.

Charles O. Carreño, P.E.
Senior Associate

Authorization:
CITY OF MIAMI BEACH

Christina M. Cuervo
Assistant City Manager 6/4/02

*NOT TO EXCEED $25,000.

c: *T. Hemstreet*
A. Rolandelli
B. Vidal
File No. 4017/0.0
File No. 4017/1.2

Thu 2/28/03

MB:4017L032

HAZEN AND SAWYER
Environmental Engineers & Scientists

Hazen and Sawyer, P.C.
975 Arthur Godfrey Road
Suite 211
Miami Beach, FL 33140
305 532-9292
Fax: 305 534-8887

June 14, 2003

CITY OF MIAMI BEACH
MURANO PROJECT
HAZEN AND SAWYER JOB NO. 4017.000

Alexandra Rolandelli
Sr. Capital Construction Coordinator
CITY OF MIAMI BEACH
Capital Improvement Projects Office
1700 Convention Center Drive
Miami, Florida 33139

INVOICE NO. 19

For professional program management services for the month of February 2003, approved pursuant to Resolution No. 2001-24247 / RDA Resolution No. 379-2001, and awarded pursuant to RFQ No. 102-99/00.

PROFESSIONAL SERVICES FOR THE PERIOD ENDING FEBRUARY 28, 2003

PROFESSIONAL PERSONNEL	HOURS	RATE*	TOTAL
DEPUTY PROGRAM MANAGER 706	16.0	120.59	1,929.44
CONSTRUCTION COORDINATOR 616	9.0	124.63	1,121.67
DOCUMENT CONTROL MANAGER 008	2.0	47.19	94.38
SPECIALTY REVIEWER 692	1.0	97.52	97.52
528	1.0	97.52	97.52
PROJECT FIELD REPRESENTATIVE II 552	45.5	71.31	3,244.61
	74.5	TOTAL LABOR	6,585.14

REIMBURSABLE EXPENSES		
MILEAGE		
2/28/03 MILEAGE - CHARLES CARRENO	2.88	
REPRODUCTION		
2/28/03 DECO SERVICES / COLOR PRINTING	3.07	
	TOTAL REIMBURSABLES	5.95
	TOTAL THIS INVOICE	6,591.09

* Unit rate adjusted as per Agreement between City of Miami Beach and Hazen and Sawyer dated January 31, 2001; Article 6.4 - Hourly Billing Rate Method, Paragraph 6.4.1.

TOTAL COST TO DATE	69,796.69
PREVIOUSLY BILLED	63,205.60
TOTAL DUE	6,591.09
MAXIMUM NOT-TO-EXCEED	69,267.00
MONIES REMAINING	(529.68)

[redacted] CHARGEABLE

MONTHLY EXPENSE REPORT — HAZEN AND SAWYER, P.C.

Name Charles Carreño Emp. No. 706 Month FEBRUARY 2003 Office HLWD

DATE	ACCOUNT AND TRIP TO:	JOB NO	TASK	ITEM	OUT OF POCKET	TICKETS & EXPENSES CHARGED OR ADVANCED	TOTAL
[redacted]							
2/20	Mia Bch CIP - Murano	4017.000	099	Mileage 4 mi @ $.36	1 44		1 44
[redacted]							
2/26	Mia Bch CMO - Murano	4017.003	097	Mileage 4 mi @ $.36	1 44		1 44
[redacted]							

8 miles 2.88

J. # _____

CK. # _____ DATE _____

AMT. $ _____ CKD. _____

ACCT.	AMT.	JOB NO.	PH
430.XX	2.88	4017.000	099
430.XX	10.08	4014.003	097

ADVANCES & CHARGED ITEMS:

FROM LAST MONTH _____

CASH ADVANCED _____

TICKETS ADVANCED _____

CHARGED ITEMS (AVIS HERTZ, NATIONAL, ATP) _____

TOTAL COSTS 12.96

LESS ADVANCES —

LESS CHARGED ITEMS —

BALANCE DUE

(X) OFFICE 12.96

( ) ME

C. Carreño

EMPLOYEE'S SIGNATURE

Deco Services & Color Printing Inc.

Office: 1561 Alton Ct. Phone: 305-673-4500
Fax: 305-673-1888 Miami Beach, FL 33139
Mailing Address:
1602 Alton Rd. PMB 437 Miami Beach, FL 33139

INVOICE #
00071274

Bill To:

HAZEN AND SAWYER
4000 HOLLYWOOD BLVD
SUITE#750N
HOLLYWOOD, FL 33021

4017.000.099	X	C.O.D.	03/03/2003	1

Qty	Description	Price	Qty	Amount	Taxed
2 P9	30X42 REGULAR	$1.44		$2.88	X

Seawall Restration @ FDOT Outfall Relocation

New 72" Storm Drainage Outfall
and Related Seawall Repair

3.07

4017.000-099

SubTotal	**$2.88**
	$0.00
Tax	**$0.19**
Total	**$3.07**
Applied	**$0.00**
Balance	**$3.07**

HAZEN AND SAWYER
Environmental Engineers & Scientists

Hazen and Sawyer, P.C.
975 Arthur Godfrey Road
Suite 211
Miami Beach, FL 33140
305 532-9292
Fax: 305 534-8887

June 14, 2003

CITY OF MIAMI BEACH
MURANO PROJECT
HAZEN AND SAWYER JOB NO. 4017.000

Alexandra Rolandelli
Sr. Capital Construction Coordinator
CITY OF MIAMI BEACH
Capital Improvement Projects Office
1700 Convention Center Drive
Miami, Florida 33139

INVOICE NO. 20

For professional program management services for the month of March 2003, approved pursuant to Resolution No. 2001-24247 / RDA Resolution No. 379-2001, and awarded pursuant to RFQ No. 102-99/00.

PROFESSIONAL SERVICES FOR THE PERIOD ENDING MARCH 31, 2003

PROFESSIONAL PERSONNEL	HOURS	RATE*	TOTAL
DEPUTY PROGRAM MANAGER 706	37.0	120.59	4,461.83
CONSTRUCTION COORDINATOR 616	13.0	124.63	1,620.19
DOCUMENT CONTROL MANAGER 008	3.0	47.19	141.57
SPECIALTY REVIEWER 692	3.0	97.52	292.56
528	1.0	97.52	97.52
PROJECT FIELD REPRESENTATIVE II 552	36.0	71.31	2,567.16
	93.0		
		TOTAL LABOR	9,180.83
		TOTAL THIS INVOICE	9,180.83

* Unit rate adjusted as per Agreement between City of Miami Beach and Hazen and Sawyer dated January 31, 2001; Article 6.4 - Hourly Billing Rate Method, Paragraph 6.4.1.

TOTAL COST TO DATE	78,977.52
PREVIOUSLY BILLED	69,796.69
TOTAL DUE	9,180.83
MAXIMUM NOT-TO-EXCEED	69,267.00
MONIES REMAINING	(9,710.52)

HAZEN AND SAWYER
Environmental Engineers & Scientists

Hazen and Sawyer, P.C.
975 Arthur Godfrey Road
Suite 211
Miami Beach, FL 33140
305 532-9292
Fax: 305 534-8887

June 14, 2003

CITY OF MIAMI BEACH
MURANO PROJECT
HAZEN AND SAWYER JOB NO. 4017.000

Alexandra Rolandelli
Sr. Capital Construction Coordinator
CITY OF MIAMI BEACH
Capital Improvement Projects Office
1700 Convention Center Drive
Miami, Florida 33139

INVOICE NO. 21

For professional program management services for the month of April 2003, approved pursuant to Resolution No. 2001-24247 / RDA Resolution No. 379-2001, and awarded pursuant to RFQ No. 102-99/00.

PROFESSIONAL SERVICES FOR THE PERIOD ENDING APRIL 30, 2003

PROFESSIONAL PERSONNEL	HOURS	RATE*	TOTAL
DEPUTY PROGRAM MANAGER 706	19.0	120.59	2,291.21
CONSTRUCTION COORDINATOR 616	8.0	124.63	997.04
DOCUMENT CONTROL MANAGER 008	4.0	47.19	188.76
	31.0	TOTAL LABOR	3,477.01

REIMBURSABLE EXPENSES

MILEAGE		
4/4/03 MILEAGE - CHARLES CARRENO	8.64	
4/4/03 MILEAGE - JOHN HOFFMAN	2.52	
4/4/03 MILEAGE - CODREY ALLEN	15.12	
	TOTAL REIMBURSABLES	26.28
	TOTAL THIS INVOICE	3,503.29

* Unit rate adjusted as per Agreement between City of Miami Beach and Hazen and Sawyer dated January 31, 2001; Article 6.4 - Hourly Billing Rate Method, Paragraph 6.4.1.

TOTAL COST TO DATE	82,480.81
PREVIOUSLY BILLED	78,977.52
TOTAL DUE	3,503.29
MAXIMUM NOT-TO-EXCEED	69,267.00
MONIES REMAINING	(13,213.81)

CHARGEABLE

MONTHLY EXPENSE REPORT -- HAZEN AND SAWYER, P.C.

Name **Codrey Allen** Emp. No. 552 Month March 2003 Office **Miami**

DATE		ACCOUNT AND TRIP TO:	JOB NO.	TASK	ITEM	OUT OF POCKET		TICKETS & EXPENSES CHARGED OR ADVANCED		TOTAL	
03		Murano	4017.000	099	6 miles @ 0.360	$2	16			$2	16
04		Murano	4017.000	099	6 miles @ 0.360	$2	16			$2	16
05		Murano	4017.000	099	6 miles @ 0.360	$2	16			$2	16
06		Murano	4017.000	099	6 miles @ 0.360	$2	16			$2	16
07		Murano	4017.000	099	6 miles @ 0.360	$2	16			$2	16
10		Murano	4017.000	099	6 miles @ 0.360	$2	16			$2	16
15		Murano	4017.000	099	6 miles @ 0.360	$2	16			$2	16

J.#

CK.# DATE

AMT.$ CKD.

ACCT.	AMT.	JOB NO.	PH

ADVANCES & CHARGED ITEMS:

FROM LAST MONTH

CASH ADVANCED

TICKET ADVANCED

CHARGED ITEMS (AVIS HERTZ, NATIONAL,ATP)

TOTAL COST 15.12

LESS ADVANCES

LESS CHARGED ITEMS

BALANCE DUE

office

(X) ME 15.12

EMPLOYEE'S SIGNATURE

APPROVED BY

CHARGEABLE

MONTHLY EXPENSE REPORT — HAZEN AND SAWYER, P.C.

Name Charles Carreno Emp. No. 706 Month MARCH 2003 Office HLWD

DATE	ACCOUNT AND TRIP TO:	JOB NO	TASK	ITEM	OUT OF POCKET	TICKETS & EXPENSES CHARGED OR ADVANCED	TOTAL
3/3	CMB - CIP Murano Pay Req	4017	099	4 miles @ $.36	1 44		1 44
3/4	CMB - Legal Murano Leases	4017	099	4 miles @ $.36	1 44		1 44
[redacted]							[redacted]
3/7	CMB - Murano Stormwater	4017	099	4 miles @ $.36	1 44		1 44
3/11	CMB - Murano Alaska Bayville	4017	099	4 miles @ $.36	1 44		1 44
[redacted]							[redacted]
3/19	CMB - City Hall Murano Comm.	4019	099	4 miles @ $.36	1 44		1 44
3/25	CMB - City Hall Murano	4017	099	4 miles @ $.36	1 44		1 44
[redacted]							[redacted]

J. # _____

CK. # _____ DATE _____

AMT. $ _____ CKD. _____

ACCT.	AMT.	JOB NO.	PH
30.XX	5.04	4014.003	097
30.XX	8.64	4017	099
30.XX	1.44	4016	099

ADVANCES & CHARGED ITEMS:

FROM LAST MONTH _____

CASH ADVANCED _____

TICKETS ADVANCED _____

CHARGED ITEMS (AVIS HERTZ, NATIONAL, ATP) _____

TOTAL COSTS 15.12

LESS ADVANCES _____

LESS CHARGED ITEMS _____

BALANCE DUE

(X) OFFICE 15.12

( ) ME

EMPLOYEE'S SIGNATURE

CHARGEABLE

MONTHLY EXPENSE REPORT -- HAZEN AND SAWYER, P.C.

Name **John O. Hoffman** Emp. No. 616 Month March 2003 Office **Miami**

DATE		ACCOUNT AND TRIP TO:	JOB NO.	TASK	ITEM	OUT OF POCKET		TICKETS & EXPENSES CHARGED OR ADVANCED		TOTAL	
03		Bay Road	4014.003	97	4 miles @ 0.360	$1	44			$1	44
04		South Pointe	4014.003	97	8 miles @ 0.360	$2	88			$2	88
05		Bay Road	4014.003	97	4 miles @ 0.360	$1	44			$1	44
06		Bay Road	4014.003	97	4 miles @ 0.360	$1	44			$1	44
07		Bay Road	4014.003	97	4 miles @ 0.360	$1	44			$1	44
07		South Pointe	4014.003	97	8 miles @ 0.360	$2	88			$2	88
10		City	4014.003	97	4 miles @ 0.360	$1	44			$1	44
13		City	4014.003	97	4 miles @ 0.360	$1	44			$1	44
14		South Pointe	4014.003	97	8 miles @ 0.360	$2	88			$2	88
16		Murano	4017.000	99	7 miles @ 0.360	$2	52			$2	52
18		South Pointe	4014.003	97	8 miles @ 0.360	$2	88			$2	88
20		Bay Road	4014.003	97	4 miles @ 0.360	$1	44			$1	44
24		Washington Avenue	4014.003	97	6 miles @ 0.360	$2	16			$2	16
26		Washington Avenue	4014.003	97	6 miles @ 0.360	$2	16			$2	16
27		Bay Road	4014.003	97	4 miles @ 0.360	$1	44			$1	44
28		Washington Avenue	4014.003	97	6 miles @ 0.360	$2	16			$2	16

J.# _____

CK.# _____ DATE _____

AMT.$ _____ CKD.

ACCT. AMT. JOB NO.

ADVANCES & CHARGED ITEMS:

FROM LAST MONTH _____

CASH ADVANCED _____

TICKET ADVANCED _____

CHARGED ITEMS (AVIS HERTZ, NATIONAL,ATP) _____

TOTAL COST 32.04

LESS ADVANCES _____

LESS CHARGED ITEMS _____

BALANCE DUE

office

(X) ME 32.04

John O. Hoffman

EMPLOYEE'S SIGNATURE

APPROVED BY

HAZEN AND SAWYER
Environmental Engineers & Scientists

Hazen and Sawyer, P.C.
975 Arthur Godfrey Road
Suite 211
Miami Beach, FL 33140
305 532-9292
Fax: 305 534-8887

June 14, 2003

CITY OF MIAMI BEACH
MURANO PROJECT
HAZEN AND SAWYER JOB NO. 4017.000

Alexandra Rolandelli
Sr. Capital Construction Coordinator
CITY OF MIAMI BEACH
Capital Improvement Projects Office
1700 Convention Center Drive
Miami, Florida 33139

INVOICE NO. 22

For professional program management services for the month of May 2003, approved pursuant to Resolution No. 2001-24247 / RDA Resolution No. 379-2001, and awarded pursuant to RFQ No. 102-99/00.

PROFESSIONAL SERVICES FOR THE PERIOD ENDING MAY 31, 2003

PROFESSIONAL PERSONNEL	HOURS	RATE*	TOTAL
DEPUTY PROGRAM MANAGER 706	9.0	120.59	1,085.31
DOCUMENT CONTROL MANAGER 008	3.0	47.19	141.57
	12.0	TOTAL LABOR	1,226.88
REIMBURSABLE EXPENSES			
MILEAGE			
4/30/03 MILEAGE - JOHN HOFFMAN		2.88	
		TOTAL REIMBURSABLES	2.88
		TOTAL THIS INVOICE	1,229.76

* Unit rate adjusted as per Agreement between City of Miami Beach and Hazen and Sawyer dated January 31, 2001; Article 6.4 - Hourly Billing Rate Method, Paragraph 6.4.1.

TOTAL COST TO DATE	83,710.57
PREVIOUSLY BILLED	82,480.81
TOTAL DUE	1,229.76
MAXIMUM NOT-TO-EXCEED	69,267.00
MONIES REMAINING	(14,443.57)

CHARGEABLE

MONTHLY EXPENSE REPORT -- HAZEN AND SAWYER, P.C.

Name **John O. Hoffman** Emp. No. 616 Month April 2003 Office **Miami**

DATE		ACCOUNT AND TRIP TO:	JOB NO.	TASK	ITEM	OUT OF POCKET	TICKETS & EXPENSES CHARGED OR ADVANCED	TOTAL
02		[redacted]		97	[redacted]	[redacted]		[redacted]
10		[redacted]		97	[redacted]	[redacted]		[redacted]
11		[redacted]		97	[redacted]	[redacted]		[redacted]
11		[redacted]		97	[redacted]	[redacted]		[redacted]
16		[redacted]		97	[redacted]	[redacted]		[redacted]
17		[redacted]		97	[redacted]	[redacted]		[redacted]
17		[redacted]		97	[redacted]	[redacted]		[redacted]
18		[redacted]		97	[redacted]	[redacted]		[redacted]
18		[redacted]		97	[redacted]	[redacted]		[redacted]
24		Murano	4017.003	97	8 miles @ 0.360	$2 88		$2 88
25		[redacted]		97	[redacted]	[redacted]		[redacted]
28		[redacted]		97	[redacted]	[redacted]		[redacted]

\# _____ DATE _____

T.$ _____ CKD.

CT. AMT. JOB NO.

ADVANCES & CHARGED ITEMS:

FROM LAST MONTH _____

CASH ADVANCED _____

TICKET ADVANCED _____

CHARGED ITEMS (AVIS HERTZ, NATIONAL,ATP) _____

TOTAL COST 22.32

LESS ADVANCES _____

LESS CHARGED ITEMS _____

BALANCE DUE office

(X) ME

EMPLOYEE'S SIGNATURE John O. Hoffman

APPROVED BY

HAZEN AND SAWYER
Environmental Engineers & Scientists

Hazen and Sawyer, P.C.
975 Arthur Godfrey Road
Suite 211
Miami Beach, FL 33140
305 532-9292
Fax: 305 534-8887

June 14, 2003

CITY OF MIAMI BEACH
MURANO PROJECT
HAZEN AND SAWYER JOB NO. 4017.000

Alexandra Rolandelli
Sr. Capital Construction Coordinator
CITY OF MIAMI BEACH
Capital Improvement Projects Office
1700 Convention Center Drive
Miami, Florida 33139

INVOICE NO. 23

For professional program management services for the month of June 2003, approved pursuant to Resolution No. 2001-24247 / RDA Resolution No. 379-2001, and awarded pursuant to RFQ No. 102-99/00.

PROFESSIONAL SERVICES FOR THE PERIOD ENDING JUNE 30, 2003

PROFESSIONAL PERSONNEL	HOURS	RATE*	TOTAL
DEPUTY PROGRAM MANAGER 706	7.0	120.59	844.13
DOCUMENT CONTROL MANAGER 008	3.0	47.19	141.57
PROJECT FIELD REPRESENTATIVE II 552	17.0	71.31	1,212.27
	27.0	TOTAL LABOR	2,197.97
		TOTAL THIS INVOICE	2,197.97

* Unit rate adjusted as per Agreement between City of Miami Beach and Hazen and Sawyer dated January 31, 2001; Article 6.4 - Hourly Billing Rate Method, Paragraph 6.4.1.

TOTAL COST TO DATE	85,908.54
PREVIOUSLY BILLED	83,710.57
TOTAL DUE	2,197.97
MAXIMUM NOT-TO-EXCEED	69,267.00
MONIES REMAINING	(16,641.54)

Exhibit "B" - Portofino Settlement Agreement - Estimated Costs - Updated as of 7/30/03

A	B	C	D	E	F	G	H = F+G	I
Description	**1998 Cost Estimate**	**2001 Cost Estimate**	**2001 thru 2003 Appropriations**	**Reallocations**	**Cost To-Date**	**Estimated Cost to Complete**	**Estimated Total Cost**	**Observations**
Parking License:								
SSDI- South 115 spaces								
SSDI- North 370 spaces								
Total 485 spaces	$ 5,524,740	$ 5,524,740						Estimated at $10,000 ea., subject to CPI
Yacht Club @ Portofino Parking: (SSDI-South)								
Parking 112 spaces	Included above	Included above	$ 1,275,000	-	$ 1,275,000	-	$ 1,275,000	
Bathroom and Laundry Facilities.								
Plus Common Area Expenses	CAM	CAM	CAM		CAM	CAM	CAM	
Murano @ Portofino Parking: (SSDI-South)								
Parking 106 spaces	Included above	Included above	$ 1,153,437	-	$ 1,153,437	-	$ 1,153,437	
Plus Common Area Expenses	CAM	CAM	CAM		CAM	CAM	CAM	
Murano Grande Parking: (SSDI-North)								
Parking 142 spaces	Included above	Included above	$ 1,844,357	-	$ 1,844,357	-	$ 1,844,357	
Bathroom and Laundry Facilities.								
Plus Common Area Expenses	CAM	CAM	$ 10,020	0	-	$ 10,020	$ 10,020	
ICON Parking: (SSDI-North)								
Parking 206 spaces	Included above	Included above	$ 2,585,476	-	$ -	$ 2,585,375	$ 2,585,375	
Retail/Office Facilities.								
Plus Common Area Expenses	CAM	CAM	$ 15,560		-	$ 15,560	$ 15,560	
Replacement Parking on Portofino parcels:	$ 300,000	$ 942,427						$1,000/parking space for preparation for 300 spaces.
Alaska/Block 51/SSDI-N			$ 928,784	$ 192,907	$ 1,121,691	-	$ 1,121,691	City/RDA obligation
Curb Cut			13,643	$ (8,617)	$ 5,026	-	$ 5,026	
Valet Service for Marina during construction on SSDI-North:								City/RDA obligation
$72,000/yr maximum, subject to CPI plus	$ 288,000	$ 288,000	$ 144,000	-	$ 144,000	$ 144,000	$ 288,000	Estimated at $72,000/yr for 4 years = $288,000
Grant of Baywalk Easement	$ 1,500,000							CMB/RDA responsible for Seawall
SSDI-S New Seawall and Rehab		$ 781,031	$ 874,631	$ (156,463)	$ 718,168	-	$ 718,168	
SSDI-N Rehabilitation		1,002,642	1,329,659	$ 85,693	$ 1,077,352	$ 338,000	1,415,352	$1,002,642 already appropriated. $338,000 to be appropriated today.
SSDI-N New Seawall		N/A	142,875	$ 237,825	-	$ 380,700	$ 380,700	$380,700 to be appropriated today.
Staging Area License Agreement	$ 50,000							Estimated at $150,000 - Portofino and Marina to share equally
Construction Staging for Alton Road		$ 48,803	$ 48,803	$ (5,593)	$ 43,210	-	$ 43,210	It does not include cost to restore area.
Reconstruction of Median at Alton Road		TBD	60,000	-	-	$ 60,000	60,000	Estimated at $180,000 - Portofino and Marina to share equally - $60,000 to be
Construction Staging for Seawall		N/A	TBD	-	-	-	-	Originally estimated at $200,000 - Portofino and Marina to share equally - No longer needed.
Utility Relocation Costs								City/RDA obligation
SSDI- South	$ 300,000	$ 975,581	$ 975,581	-	$ 975,581	-	$ 975,581	
SSDI-North:	N/A							
SSDI-North Electrical		1,244,459	1,244,459	$ (129,780)	1,114,680	-	1,114,680	
SSDI-North FDOT 72" Storm Drainage		963,644	1,321,042	21,853	963,644	379,250	1,342,894	$963,644 has been appropriated. $379,250 to be appropriated today.
SSDI-North Water Main - Phases I and II		N/A	320,139	-	320,139	-	320,139	
SSDI-North Additional 20" Water Main		N/A	TBD	-	-	-	-	Estimated at $200,000, it is incorporated in the FDOT 72" Storm Darinage Line.
Environmental Remediation	$ 500,000							Estimated at $500,000 - Portofino to share equally
Environmental Study (CAR)		12,790	12,790	-	12,790	-	$ 12,790	Estimated at $25,580 - Portofino to share equally
Remediation		27,559	27,559	-	27,559	-	27,559	Estimated at $55,118 - Portofino to share equally
Environmental Indemnity		171,696	343,392	$ (237,825)	105,567	-	105,567	Estimated at $211,134 - Portofino to share equally
NEF-1 and NEF-2		167,334	262,774	-	262,774	-	262,774	Estimated at $525,548 - Portofino to share equally
						Subtotal	**15,077,880**	
Hazen & Sawyer - Program Manager								
June 27, 2001- Appropriation re: Portofino		44,267			$ 44,267	-	$ 44,267	Hazen & Sawyer participated in approx. 82% of Portofino projects, yet their total
June 4, 2002 - Authorization re: Portofino			25,000	-	25,000		25,000	fees to date for these projects represent less than 1% (.008) of total costs.
July 30, 2003 - Proposed Appropriation re: Portofino			56,307	-	-	56,307	56,307	
Grand Total (Total Costs)	**$ 8,462,740**	**$ 12,194,973**	**$ 15,015,287**	**$ 0**	**$ 11,234,242**	**$ 3,969,212**	**$ 15,203,454**	

Total Hazen & Sawyer Oversight **$ 12,493,377** **Represents 82% of total costs**
Total Hazen & Sawyer Fees **125,574** **Represents less than 1% (.008) of total costs**

Other Items NOT Included in this Chart:
-Washington Avenue Extension
-Pump Station Removal
-Release of access and utility easements on Diamond C Parcel and access and utility license and removal agreement from Marquesa Development.

RESOLUTION NO._____

A RESOLUTION OF THE MAYOR AND CITY COMMMISSIONER OF THE CITY OF MIAMI BEACH, FLORIDA, APPROPRIATING $56,307 FROM FY 2003/2004 SOUTH POINTE TAX INCREMENT FUNDS FOR ADDITIONAL SERVICES TO BE PROVIDED PURSUANT TO THE PROGRAM MANAGEMENT SERVICES AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND HAZEN AND SAWYER, P.C., APPROVED PURSUANT TO RESOLUTION NO. 2001-24247/RDA RESOLUTION NO. 379-2001, AS AMENDED JUNE 27, 2001, PURSUANT TO RESOLUTION NO. 2001-24501/RDA RESOLUTION NO. 389-2001; FURTHER APPROVING A SECOND AMENDMENT TO THE AGREEMENT TO PROVIDE ADDITIONAL PROFESSIONAL PROGRAM MANAGEMENT SERVICES; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SECOND AMENDMENT TO THE AGREEMENT, IN A FORM TO BE APPROVED BY THE ADMINISTRATION AND THE CITY ATTORNEY.

WHEREAS, on October 18, 2000, following an RFQ and selection process, the City entered into negotiations with Hazen and Sawyer, P.C., as the most qualified firm to provide program management services for capital right-of-way infrastructure projects for the City; and

WHEREAS, on January 31, 2001, the Mayor and City Commission, and RDA Board adopted Resolution No. 2001-24247 and 379-2001, respectively, authorizing execution of an Agreement between the City and Hazen and Sawyer P.C., to provide Professional Program Management Services for assigned capital projects; and

WHEREAS, Hazen and Sawyer's program and construction management services for the City of Miami Beach originally included the administration and construction supervision of approximately 65 infrastructure improvement projects, including the five-phase South Pointe Streetscape project; and

WHEREAS, due to the need for a program manager with respect to the City's obligations as they relate to the Portofino Settlement Agreement, on June 27, 2001, by Resolution No. 2001-24501 and RDA Resolution No. 389-2001, an additional $44,267 from FY 2001 South Pointe Tax Increment Funds were appropriated in order that additional services be provided by Hazen & Sawyer, P.C., relating to the obligations set forth in the Portofino Settlement Agreement, and further authorizing execution of the necessary First Amendment to the Agreement, which covered a period from June 8, 2001 through December 15, 2001; and

WHEREAS, the scope of Hazen and Sawyer's services now consists of assistance in the review of construction documents and reviewing cost estimates/bid proposals prepared by others, limited construction observation as it relates to utility relocation, seawall construction/rehabilitation, Alton Road driveway opening and pedestrian access way, parking lot construction, and environmental remediation activities, attendance at up to 12 meetings to resolve outstanding issues and/or discuss project progress with the developer and/or City staff, and Hazen and Sawyer's services for the Portofino/Murano Project also includes construction administration, scheduling, monitoring, budget evaluation, consultants/contractors contract administration, design revisions evaluation and implementation, constructability review and associated cost evaluation and recommendation; and

WHEREAS, fee estimates were based upon proposed manpower allocations and hourly billing rates for the Agreement contract term; and

WHEREAS, Hazen and Sawyer expended the $44,267 appropriated by the City Commission/RDA on June 27, 2001, associated with the additional duties to be provided under the First Amendment to the Agreement through December 15, 2001; and

WHEREAS, on June 4, 2002, the Administration authorized Hazen & Sawyer to provide additional services related to the requirements of the SSDI-South and SSDA-North parcels, for an additional amount not to exceed $25,000 for services through February 28, 2003; and

WHEREAS, the original appropriation of January 31, 2001, has been increased by a total aggregate amount of $69,267 for additional services provided through February 28, 2003; and

WHEREAS, the City's obligations as they relate to the Portofino Settlement Agreement have not been completed; and

WHEREAS, it is in the City's best interest to continue to retain Hazen and Sawyer as the City's program and construction services manager with respect to the City's ongoing improvements in the South Pointe area associated with the 1998 Settlement Agreement with Portofino in relation to construction obligations resulting from the construction of the Murano, Murano Grande, and ICON developments; and

WHEREAS, it practical to increase the scope and budget of Hazen & Sawyer's contract in order that it may continue to provide assistance to the City relating to various improvements;

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND COMMISSIONERS OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City

Commission herein appropriate $56,307 from FY 2003-2004 South Pointe Tax Increment Funds for additional services to be provided pursuant to the Program Management Services agreement between The City Of Miami Beach and Hazen and Sawyer, P.C., as amended on June 27, 2001, further approving a Second Amendment to the Agreement to provide additional professional services affecting South Pointe; and authorizing the City Manager to execute the Second Amendment to the Agreement in a form to be approved by the Administration and the City Attorney.

PASSED and **ADOPTED** this 30th day of July, 2003.

MAYOR

ATTEST:

CITY CLERK

JMG/CMC/AP
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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

Redevelopment Agency General Counsel — Date

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney — 7-25-03 Date

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

City Manager authority during the August recess.

Issue:

Shall the City Commission authorize the City Manager, or his designee, with authority to select, negotiate, renew, award and reject all bids, contracts, agreements, purchase orders, change orders and grant applications during the August recess?

Item Summary/Recommendation:

Between the last meeting on July 30, 2003, and the first regularly scheduled meeting in September 2003, the City Commission will not be in session. During this period, there may be contracts in excess of the $25,000, which may need to be awarded or terminated. The City Commission has historically, during its August recess, assigned the City Manager with the authority to select, negotiate, award and/or renew contracts as needed, subject to ratification by the City Commission.

Since this authorization is necessary to ensure that essential services and projects continue during the period between the last Commission meeting on July 30, 2003, until the first regularly scheduled Commission meeting in September 2003, **it is recommended that the City Commission adopt this Resolution.**

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Gus Lopez, ext. 6641

Sign-Offs:

Department Director	Assistant City Manager	City Manager
GL gl	MDB MB Buttacavoli	JMG Jmg

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Agenda Item R7G

Date 7-30-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO SELECT, NEGOTIATE, AWARD AND REJECT ALL BIDS, CONTRACTS, AGREEMENTS, PURCHASE ORDERS, CHANGE ORDERS AND GRANT APPLICATIONS; RENEW EXISTING CONTRACTS WHICH MAY EXPIRE; TERMINATE EXISTING CONTRACTS AS NEEDED; FROM THE LAST COMMISSION MEETING ON JULY 30, 2003, UNTIL THE FIRST REGULARLY SCHEDULED COMMISSION MEETING IN SEPTEMBER 2003, SUBJECT TO RATIFICATION BY THE CITY COMMISSION AT ITS FIRST REGULARLY SCHEDULED MEETING IN SEPTEMBER 2003.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

BACKGROUND

Between the last meeting on July 30, 2003, and the first regularly scheduled meeting in September 2003, the City Commission will not be in session. During this period, there may be bids or contracts in excess of the $25,000, which may need to be rejected, awarded or terminated. The City Commission has historically, during its August recess, assigned the City Manager with the authority to select, negotiate, award and/or renew contracts as needed, subject to ratification by the City Commission.

It is therefore requested that the City Manager, or his designee, be authorized to sign all contracts, agreements, purchase orders, change orders, and grant applications; renew any existing contracts, for an appropriate period of time; terminate existing contracts, as needed, from the last Commission meeting on July 30, 2003, until the first regularly scheduled Commission meeting in September 2003, subject to ratification by the City Commission at its first regularly scheduled meeting in September 2003.

Attached is a list of capital improvement projects that are currently out for bid and could be ready for award during the August recess.

Since this authorization is necessary to ensure that essential services and projects continue during the period between the last Commission meeting on July 30, 2003, until the first regularly scheduled Commission meeting in September 2003, it is recommended that the City Commission adopt this Resolution.

JMG:MDB:GL
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AUGUST RECESS
ANTICIPATED CITY MANAGER CONTRACT AWARDS

1. MEDIAN LANDSCAPE AND IRRIGATION PROJECT FOR LA GORCE / PINE TREE DRIVE

This project comprises the construction of the site work for Pine Tree Drive & La Gorce Drive Landscape Medians. The work will include but not be limited to site preparation, earthwork, road trenching and re-paving, lighting & electrical, planting, irrigation, traffic signage, and miscellaneous site improvements in accordance with the Contract Documents.

The estimated construction cost is $400,000.

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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO SELECT, NEGOTIATE, AWARD AND REJECT ALL BIDS, CONTRACTS, AGREEMENTS, PURCHASE ORDERS, CHANGE ORDERS AND GRANT APPLICATIONS; RENEW EXISTING CONTRACTS WHICH MAY EXPIRE; TERMINATE EXISTING CONTRACTS AS NEEDED; FROM THE LAST COMMISSION MEETING ON JULY 30, 2003, UNTIL THE FIRST REGULARLY SCHEDULED MEETING IN SEPTEMBER 2003, SUBJECT TO RATIFICATION BY THE CITY COMMISSION AT ITS FIRST REGULARLY SCHEDULED MEETING IN SEPTEMBER 2003.

WHEREAS, between the last meeting on July 30, 2003, and the first regularly scheduled meeting in September 2003, the City Commission will not be in session. During this period, there may be bids or contracts in excess of the $25,000, which may need to be rejected, awarded or terminated; and

WHEREAS, the City Commission has historically, during its August recess, assigned the City Manager with the authority to select, negotiate, award and/or renew contracts as needed, subject to ratification by the City Commission; and

WHEREAS, it is therefore requested that the City Manager, or his designee, be authorized to sign all contracts, agreements, purchase orders, change orders, and grant applications; renew any existing contracts, for an appropriate period of time; terminate existing contracts, as needed, from the last Commission meeting on July 30, 2003, until the first regularly scheduled Commission meeting in September 2003, subject to ratification by the City Commission at its first regularly scheduled meeting in September 2003; and

WHEREAS, attached is a list of capital improvement projects that are currently out for bid and could be ready for award during the August recess; and

WHEREAS, since this authorization is necessary to ensure that essential services and projects continue during the period between the last Commission meeting on July 30, 2003, until the first regularly scheduled Commission meeting in September 2003, it is recommended that the City Commission adopt this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission authorize the City Manager, or his designee to select, negotiate, award and reject all bids, contracts, agreements, purchase orders, change orders, and grant applications; renew existing contracts which may expire, terminate existing contracts as needed; from the last City Commission meeting on July 30, 2003, until the first regularly scheduled meeting in September 2003, subject to ratification by the City Commission at its first regularly scheduled meeting in September 2003.

PASSED and **ADOPTED** this _____ day of _____, 2003.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney 7-24-03 Date

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution calling for a Special Election on November 4, 2003 to submit to the voters a question asking whether sections of Article IX of the Related Special Acts should be amended as it relates to the City's Pension Fund for City Firefighters and Police for benefit enhancements.

Issue:

Should the City submit to referendum the question of amending the language in Article IX as it relates to the City's Pension Fund for City Firefighters and Police Officers to enhance the benefits related to providing a "ten-years certain and life" benefit and expanding the definition of those individuals who can be appointed to be a beneficiary to receive optional survivor benefits? This amendment would be contingent upon approval of the enhanced funding agreement by the Florida Division of Retirement, approval of the electorate and the City Commission.

Item Summary/Recommendation:

The Administration recommends that the City Commission adopt the Resolution and authorize the Special Election to be held on November 4, 2003 for the purpose of submitting this question to the electorate, contingent upon approval of the enhanced funding agreement by the Florida Division of Retirement.

Advisory Board Recommendation:

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Sign-Offs:

Department Director	Assistant City Manager	City Manager
	Mayra D. Buttacavoli	[signature]

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AGENDA ITEM R7H

DATE 7-30-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CALLING FOR A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2003, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH A QUESTION ASKING WHETHER ARTICLE IX OF THE CITY'S RELATED SPECIAL ACTS REGARDING THE CITY'S PENSION FUND FOR CITY FIREFIGHTERS AND POLICE OFFICERS SHOULD BE AMENDED, CONTINGENT ON APPROVAL OF THE ENHANCED FUNDING AGREEMENT BY THE FLORIDA DIVISION OF RETIREMENT, TO ALLOW SUCH PENSION FUND MEMBERS TO DESIGNATE A BENEFICIARY TO RECEIVE OPTIONAL SURVIVOR BENEFITS, AND TO PROVIDE A LIFETIME BENEFIT FOR MEMBERS WITH A MINIMUM TEN YEAR PAYMENT PERIOD AS THE NORMAL FORM OF BENEFIT?**

ADMINISTRATION RECOMMENDATION:

Adopt the Resolution.

ANALYSIS:

As a result of state legislative action passed in March of 1999, in order for the Firefighters Relief and Pension Fund, and the Police Officers' Relief and Pension Fund, to receive annual tax dollars in excess of base amounts set in 1999, the City Pension Fund for Firefighters and Police Officers must change its minimum benefit language.

The City Pension Fund for Firefighters and Police Officers must change the language to provide for "ten years certain and life" benefit and must change the beneficiary language to allow police officers and firefighters to designate one or more persons other than their spouse or child as their beneficiary.

On June 30, 2003 an agreement was approved by the City Commission that addresses funding of the enhanced benefits. Amendments to Article IX of the City Charter (Pension System for Disability and Retirement of Members of the Police and Fire Departments), providing for members to designate a beneficiary to receive optional survivor benefits and to provide a lifetime benefit for members with a minimum ten year payment period as the normal form of benefit, shall be submitted to referendum on November 4, 2003 and shall take effect upon approval of the electorate, the Florida Division of Retirement, and

Ordinance of the City Commission.

The City feels that this revision is part of the collective bargaining agreement and that a referendum is not required by Law. However, the Pension Board attorney has requested a referendum to determine the will of the voters. The ballot question of November 4, 2003 submitted for approval is contingent on approval by the Florida Division of Retirement of the Agreement outlining the funding mechanism when the Premium Tax is insufficient to cover the costs of the enhanced "minimum benefits."

CONCLUSION:

The Administration recommends that the City Commission adopt the Resolution and authorize a special election to be held in the City of Miami Beach, Florida on November 4, 2003, for the purpose of submitting this question to the electorate contingent on approval of the enhanced funding agreement by the Florida Division of Retirement.

JMG:MDB:TCA:pah

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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CALLING FOR A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2003, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH A QUESTION ASKING WHETHER ARTICLE IX OF THE CITY'S RELATED SPECIAL ACTS REGARDING THE CITY'S PENSION FUND FOR CITY FIREFIGHTERS AND POLICE OFFICERS SHOULD BE AMENDED, CONTINGENT ON APPROVAL OF THE ENHANCED BENEFITS FUNDING AGREEMENT BY THE FLORIDA DIVISION OF RETIREMENT, TO ALLOW SUCH PENSION FUND MEMBERS TO DESIGNATE A BENEFICIARY TO RECEIVE OPTIONAL SURVIVOR BENEFITS, AND TO PROVIDE A LIFETIME BENEFIT FOR MEMBERS WITH A MINIMUM TEN YEAR PAYMENT PERIOD AS THE NORMAL FORM OF BENEFIT?

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

SECTION 1.

In accordance with provisions of the Charter of the City of Miami Beach, Florida and the general laws of the State of Florida, a Special Election is hereby called and directed to be held in the City of Miami Beach, Florida, from 7:00 a.m. to 7:00 p.m. on Tuesday, November 4, 2003, for the purpose of submitting to the electorate the question as set forth hereinafter.

SECTION 2.

That the appropriate and proper Miami-Dade County election officials shall conduct the said Special Election hereby called, with Miami-Dade County's certification of the results of said Special Election being accepted by the City Commission. The official returns for each precinct shall be furnished to the City Clerk of the City of Miami Beach as soon as the ballots from all precincts have been tabulated and results duly accepted by said appropriate Miami-Dade County Officials.

SECTION 3.

Said voting precincts in the City of said Special Election shall be as established by the proper and appropriate Miami-Dade County Election Officials. All electors shall vote at the polling places and the voting precincts in which the official registration books show that the said electors reside. A list of the voting precincts and the polling places therein (subject to change by the Supervisor of Elections of

Miami-Dade County, in accordance with the laws of Florida) is attached hereto as Exhibit A.

SECTION 4.

Registration of persons desiring to vote in the Special Election shall be in accordance with the general law of the State of Florida governing voter registration. Qualified persons may obtain registration forms to vote at the Office of the City Clerk, City Hall, 1700 Convention Center Drive, First Floor, Miami Beach, Florida 33139, during normal business hours, and at such other voter registration centers and during such times as may be provided by the Supervisor of Elections of Miami-Dade County. Each person desiring to become a registered voter shall be responsible for properly filling out the registration form and returning it to the Miami-Dade County Elections Office. All questions concerning voter registration should be directed to the Miami-Dade County Elections Office, 111 Northwest 1st Street, Floor 19, Miami, Florida 33130; Mailing Address: P.O. Box 012241, Miami, Florida 33101; Telephone: (305) 375-5553

SECTION 5.

Copies of the ballot question and proposed Related Special Acts text shall be made available at the office of the City Clerk from 8:30 a.m. to 5:00 p.m. each day, Saturdays, Sundays, and holidays excepted, no later than September 15, 2003.

SECTION 6.

Not less than thirty days' notice of said Special Election shall be given by publication in a newspaper of general circulation in Miami Beach, Miami-Dade County, Florida. Such publication shall be made at least once each week for four consecutive weeks next preceding said Special Election.

SECTION 7.

The notice of election shall be substantially in the following form:

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00

A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

AMENDING FIREFIGHTER/POLICE PENSION PLAN RE: DESIGNATION OF BENEFICIARY AND NORMAL FORM OF BENEFIT

SHALL THE CITY'S RELATED SPECIAL ACTS, ARTICLE IX, REGARDING THE CITY'S PENSION FUND FOR FIREFIGHTERS AND POLICE OFFICERS, BE AMENDED, CONTINGENT ON APPROVAL OF THE ENHANCED BENEFITS FUNDING AGREEMENT BY THE FLORIDA DIVISION OF RETIREMENT, TO ALLOW SUCH PENSION FUND MEMBERS TO DESIGNATE A BENEFICIARY TO RECEIVE OPTIONAL SURVIVOR BENEFITS, AND TO PROVIDE A LIFETIME BENEFIT FOR MEMBERS WITH A MINIMUM TEN YEAR PAYMENT PERIOD AS THE NORMAL FORM OF BENEFIT?

_____ YES

_____ NO

SECTION 8.

The official ballot to be used in the Special Election to be held on November 4, 2003, hereby called, shall be in substantially the following form, to-wit:

OFFICIAL BALLOT

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION, NOVEMBER 4, 2003.

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

AMENDING FIREFIGHTER/POLICE PENSION PLAN RE: DESIGNATION OF BENEFICIARY AND NORMAL FORM OF BENEFIT

SHALL THE CITY'S RELATED SPECIAL ACTS, ARTICLE IX, REGARDING THE CITY'S PENSION FUND FOR FIREFIGHTERS AND POLICE OFFICERS, BE AMENDED, CONTINGENT ON APPROVAL OF THE ENHANCED BENEFITS FUNDING AGREEMENT BY THE FLORIDA DIVISION OF RETIREMENT, TO ALLOW SUCH PENSION FUND MEMBERS TO DESIGNATE A BENEFICIARY TO RECEIVE OPTIONAL SURVIVOR BENEFITS, AND TO PROVIDE A LIFETIME BENEFIT FOR MEMBERS WITH A MINIMUM TEN YEAR PAYMENT PERIOD AS THE NORMAL FORM OF BENEFIT?

_____ YES

_____ NO

SECTION 9.

Absentee voters participating in said Special Election shall be entitled to cast their ballots in accordance with the provisions of the laws of the State of Florida with respect to absentee voting.

SECTION 10.

That the City of Miami Beach shall pay all expenses for conducting this Special Election and will pay to Miami-Dade County or directly to all persons or firms, upon receipt of invoice or statement approved by the Supervisor of Elections of Miami-Dade County, Florida.

SECTION 11.

If any section, sentence, clause or phrase of the proposed ballot measure is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of said ballot measure.

SECTION 12.

This resolution shall be effective immediately upon its passage.

PASSED and ADOPTED this _____ day of _____, 2003.

ATTEST:

_____
MAYOR

_____
CITY CLERK

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney — 7-22-03 Date

Proposed Amendment to City of Miami Beach Related Special Acts for November 4, 2003 Special Election:

A. Proposed Ballot Question

AMENDING FIREFIGHTER/POLICE PENSION PLAN RE: DESIGNATION OF BENEFICIARY AND NORMAL FORM OF BENEFIT

SHALL THE CITY'S RELATED SPECIAL ACTS, ARTICLE IX, REGARDING THE CITY'S PENSION FUND FOR FIREFIGHTERS AND POLICE OFFICERS, BE AMENDED, CONTINGENT ON APPROVAL OF THE ENHANCED BENEFITS FUNDING AGREEMENT BY THE FLORIDA DIVISION OF RETIREMENT, TO ALLOW SUCH PENSION FUND MEMBERS TO DESIGNATE A BENEFICIARY TO RECEIVE OPTIONAL SURVIVOR BENEFITS, AND TO PROVIDE A LIFETIME BENEFIT FOR MEMBERS WITH A MINIMUM TEN YEAR PAYMENT PERIOD AS THE NORMAL FORM OF BENEFIT?

_____ YES

_____ NO

B. Proposed Text

* * *

[Available in City Clerk's Office by September 15, 2003.]

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution approving on first reading, the proposed Development Agreement between the City of Miami Beach and New World Symphony, a not-for-profit organization, for the development of the surface parking lot, bounded by 17th Street to the north, North Lincoln Lane to the south, Washington Avenue to the east and Pennsylvania Avenue to the west; and setting the second public hearing for consideration of the Development Agreement on September 10, 2003.

Issue:

Concurrent with completion of the first phase of the 17th Street Master Plan study (Master Plan) by Zyscovich, Inc., in October, 2001, the Administration has been in negotiations with the New World Symphony (NWS) regarding its proposed lease of a portion of the 17th Street Surface Parking Lot to accommodate its Soundspace design concept (the Project). Since January, 2003, NWS has presented its plans and proposed terms before the Cultural Arts Council, the Lincoln Road Marketing Association, the Convention Center Advisory Board, the Tuesday Morning Breakfast Club, the Land Use and Development Committee, twice before the Parking and Transportation Committee, and on three occasions before the Finance and Citywide Projects Committee. On July 16, 2003, the Finance and Citywide Projects Committee voted to support the Project subject to certain conditions, including:

1) the Development Agreement defines the minimum level of investment by the NWS relative to the hard construction costs of the Project;
2) the Architect seek to maximize the number of parking places in the design and layout of the Project; and
3) that further consideration be given to the City's proposed level of investment in NWS' parking component.

Item Summary/Recommendation:

The Administration recommends approving, on first reading, the proposed Development Agreement between the City of Miami Beach and New World Symphony.

Advisory Board Recommendation:

Cultural Arts Council – March 7, 2003
Lincoln Road Marketing Association – March 11, 2003 and July 8, 2003
Convention Center Advisory Board – April 29, 2003
Transportation and Parking Committee - May 13 and June 3, 2003
Land Use and Development Committee – July 14, 2003
Finance and Citywide Projects Committee – April 21, June 17 and July 16, 2003

Financial Information:

Amount to be expended:

Source of Funds:

	Amount	Account	Approved
1			
2			
3			
4			
Total			

Sign-Offs:

Department Director	Assistant City Manager	City Manager
	CMC	Jmz

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AGENDA ITEM R7I

DATE 7-30-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING ON FIRST PUBLIC READING, IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 163.3220 – 163.3243 FLORIDA STATUTES, ALSO REFERRED TO AS THE FLORIDA LOCAL GOVERNMENT DEVELOPMENT AGREEMENT ACT, A PROPOSED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND THE NEW WORLD SYMPHONY FOR THE DEVELOPMENT OF A PORTION OF THE SURFACE PARKING LOT, BOUNDED BY 17TH STREET TO THE NORTH, NORTH LINCOLN LANE TO THE SOUTH, WASHINGTON AVENUE TO THE EAST AND PENNSYLVANIA AVENUE TO THE WEST, FOR CONSTRUCTION OF AN APPROXIMATELY 50,000 SQUARE FOOT EDUCATIONAL, PERFORMANCE AND INTERNET BROADCAST FACILITY WITH AN EXTERIOR SCREEN ("SOUNDSPACE"), AND AN APPROXIMATELY 320-SPACE (+/-) PUBLIC PARKING GARAGE FACILITY; AND FURTHER SETTING THE SECOND PUBLIC HEARING FOR CONSIDERATION OF THE DEVELOPMENT AGREEMENT ON SEPTEMBER 10, 2003.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

Concurrent with completion of the first phase of the 17th Street Master Plan study (Master Plan) by Zyscovich, Inc., in October, 2001, the Administration has been in negotiations with the New World Symphony (NWS) regarding its proposed lease of a portion of the 17th Street Surface Parking Lot to accommodate its Soundspace design concept (the Project). As envisioned, the proposed 50,000 square foot facility will provide state-of-the-art communication and media capabilities with a 700-seat (+/-) performance space, classroom/educational, rehearsal and broadcast space. In addition to providing a world-renowned, state-of-the-art facility, another focal point for the community, and the basis for considering the facility's location on this site, is that it will incorporate giant video screen(s) on one or more facades of the building, allowing the public to view live and recorded broadcasts from around the world. The Master Plan contemplates situating the facility on the west surface lot, just to the north of the existing NWS Theater on Lincoln Road. On March 11, 2003, the NWS announced its hiring of world renowned architect, Frank Gehry of Gehry Partners, to design the Project. Frank Gehry will lead a consulting team that will also include Zyscovich Architects, Nagata Acoustics, Theatre Project Consultants and Donnell Consultants.

On January 8, 2003, the Administration referred an item to the Finance and Citywide Projects to specifically address several issues, including but not limited to, the lay-out and design of the proposed facility; the consideration for the ground lease; the amount of the City's contribution towards the design and construction of the parking structure to partially serve the facility's needs; the timing for the construction of replacement parking that will be displaced by the project (City Hall expansion lot); and the configuration and use of the east surface lot.

On April 21, 2003, the Administration presented a summary of preliminary terms to the Finance and Citywide Projects Committee, which continues to provide a basis for negotiations towards a Development and Lease Agreement. At the time, certain key issues identified above were addressed as follows:

- Design: the lay-out and design of the proposed facility has not been finalized pending Frank Gehry's review of the site and presentation of optimal siting alternatives.
- Rental: the consideration for the ground lease was discussed and the NWS proposes non-monetary contributions comprised of direct economic benefits, with an estimated value of $780,000, consisting of the following:
    - Educational contributions - $250,000
    - Free public presentations - $280,000
    - Programming of the projection screens - $200,000
    - Free concert for the City - $50,000

  Additional indirect economic impacts, include job creation, cultural economic benefits and visitor attraction and spending, in lieu of rental payments.
- Parking Cost: the amount of the City's contribution towards the design and construction of the parking structure to serve the facility's needs, in whole or in part, was discussed and the concept of the City capping its contribution at a fixed total cost and NWS assuming responsibility for any overage due to design or construction risk was supported;
- Construction Sequencing: the timing for the construction of replacement parking that will be displaced by the project (City Hall expansion lot) was also discussed and the Administration purported that negotiations contemplated replacement parking being built prior to any displacement on the surface lots; and
- Adjacent Lot: the configuration and use of the east surface lot was also discussed and members of the public expressed concern regarding displacing ancillary parking that serves the 300 and 400 block of Lincoln Road.

The Committee passed a motion expressing their support for the proposed project and directing Administration to proceed with their efforts of securing a lease with the New World Symphony at a rental rate of one dollar a year plus the in kind economic impacts the City will receive by the completion of said project for a long term lease, contingent on the following: all displaced parking being replaced and additional parking lots/garages being built to accommodate increased parking necessities; the City will operate all new garages as part of the City of Miami Beach Parking Program; and, review by the Transportation and Parking Committee, and the Land Use and Development Committee.

Concurrent with the negotiations, the NWS has and continues with its outreach initiative, scheduling meetings with various Citywide committees to advise on the Symphony's expansion plans and to obtain community input. On July 29, 2003 a town hall meeting was held at the Lincoln Theater and will be verbally reported on at the City Commission meeting.

Since January, 2003, the NWS has presented its plans before the Cultural Arts Council, the Lincoln Road Marketing Association, the Convention Center Advisory Board, the Tuesday Morning Breakfast Club, the Land Use and Development Committee and on two occasions before the Parking and Transportation Committee, and three times before the Finance and Citywide Projects Committee. It should be noted that after the second presentation before the Parking and Transportation Committee on June 3, 2003, the Committee voted to support the Project in concept, subject to the following conditions:

- the City commits to replacing all lost/impacted parking;
- that construction will be phased to mitigate impact to area businesses and parking;
- to enhance linkages to Lincoln Road;
- to maintain a concurrency level no lower than "D" ;
- to provide handicapped parking access on North Lincoln Lane; and
- to bring back concept plans for the facility and adjacent parking areas.

While support for the Project is generally widespread, there is also some degree of opposition and/or strong concern particularly from certain office, hotel and retail businesses on Lincoln Road or within close proximity to the 17th Street surface lots. The primary concerns involve the loss of parking spaces within an acceptable walking distance from the respective businesses (regardless of the City's commitment to replace and enhance parking spaces displaced by the Project), as well as the potential adverse impact from a concurrency perspective. There was also concern expressed that the City should not be focusing its resources on cultural venues when instead it should be pursuing tourism and visitor-related enhancements, obviously not recognizing the projected cultural tourism impact and financial benefits of the expansion of an established educational facility.

From a parking capacity perspective, the NWS in conjunction with City staff, prepared a parking capacity overview (attached hereto), that provided a review of the existing conditions, projected future parking capacity and construction sequencing. The following chart summarizes the most current expectations revising the projected number of spaces at the 17th Street surface lots and reducing the number of projected spaces at City Hall Expansion Garage due to the potential Intermodal Component. The below chart also does not project the future development of the P-Lot.

Parking Lots	**Existing Number Spaces**	**Proposed Number Spaces (low end)**	**Proposed Number Spaces (high end)**
17th Street Surface Lots	508	320	400
City Hall Expansion Garage	152	450	600
Total	660	770	1,000
Less: Existing spaces:		660	660
Net Gain of spaces:		110	340

On June 17, 2003, the Administration provided the Finance and Citywide Projects Committee with an updated term sheet, at which time the cost of parking had not been negotiated, and it was reported that the intent was to have a Development Agreement drafted in time for a first reading at a Public Hearing to be scheduled for the July 30, 2003 Commission meeting. Commissioner Smith recommended that the Agreement contain a "drop-dead date" provision, requiring that in the event the Project fails to proceed within a specified time frame from the date the NWS takes possession of the site, the site reverts back to the City. In addition, the NWS should provide evidence annually of its ongoing financial capacity to operate and maintain the Project. Additionally, the Committee asked for the following items: an update concept plan/sketch of the proposed facility and adjacent parking, incorporating the modified parking plan for the east lot with an enhanced pedestrian linkage and greenway between 17th Street and Lincoln Road, a design reflecting compatibility with the area scale and architecture, further community outreach with the area hotels and Lincoln Road businesses/property owners, and an operating pro-forma for Soundspace.

At the City Commission meeting on July 2, 2003, during the setting of the aforementioned Public Hearing, the Commission voted to expand the area scope of the Development Agreement, to encompass both surface lots, thereby providing Frank Gehry, the project architect and designer, a greater degree of flexibility in the design and layout of Soundspace, the parking facility, the green space and other aspects of the proposed Project.

Since the last Commission report, the Administration has been working with the NWS to finalize the Development and Lease Agreements, addressing the following issues:

- Pursuant to an analysis of comparable parking structures, the City has determined that its maximum contribution associated with the construction of NWS' estimated 320-space parking facility, shall not exceed $12,250 per space plus 12.5% for soft costs (inclusive of any Prevailing Wage requirements and all site development costs, permit and concurrency fees), subject to annual CPI escalations. NWS will pay for any incremental costs associated with Garage design and construction, thereby mitigating the City's construction risk. If ground floor commercial accessory use/retail space is required, the parties agree to meet and negotiate respective responsibilities.

- On the July 2 Commission Agenda, there was a referral item to the Planning Board concerning a proposed amendment to the "CCC" Development Regulations to allow for waiver of Development Regulations for parking so no encumbrance of Garage is required. The legislative intent is that all parking displaced by the Project shall be replaced and required parking will be provided. Consideration for this waiver will be NWS' funding for public parking costs in excess of the City's cap. The Planning Board meeting has been scheduled for July 29, 2003. Pursuant to the recommendation of the Planning Board, this item will have to be brought back to the City Commission for approval in the form of two readings, the first of which will be held at today's date and the second meeting on September 10, 2003. The actual waiver will be considered at a subsequent meeting.

- In accordance with the provisions of Ordinance No. 92-2783 (Shapiro Ordinance), the lease of any City-owned property for a period of more than five years, including option years is subject a public hearing process, a planning analysis, a public bidding requirement and appraisal requirements. This Resolution calls for approval of the Development Agreement on first reading and sets the second Public Hearing for September 10, 2003, for a second and final reading of the Development Agreement and approval of a Lease Agreement between the City and the NWS. Additionally, on September 10, 2003, in connection with approval of the Lease Agreement, the City Commission will be asked to waive, by 5/7th vote, the competitive bidding and appraisal requirements.

- Since a concept plan will not be ready in time for the first or second reading of the Development Agreement, the Design Team will prepare a massing plan, which will reflect (based upon the preliminary dimensions of the Project's facilities), the proposed locations and layout of the facilities. The final design of the Project shall be subject to Planning Board review and final approval of the City Commission at a later date, pursuant to the terms negotiated in the Development Agreement.

- In order for the NWS' plans to proceed, the City must proceed with the construction of the City Hall expansion garage. To this end, CIP has placed an item on the July 30 Commission Agenda, requesting authorization to proceed with program management services to proceed with the programming aspects and design of the parking facility. To the extent that the City Hall Expansion Garage is not completed by May 1, 2007, NWS has requested the ability to proceed with the construction of its Project.

On July 14, 2003 and July 16, 2003, the Administration provided a report on the updated terms and conditions of the proposed Development Agreement to both the Land Use and Development Committee and Finance and Citywide Projects Committee respectively. While the Land Use Committee did not take action, certain members expressed concern with the City's proposed share in the cost of developing a parking facility for the NWS as part of the parking expansion described in the master planned development. While the Land Use Committee was intended to discuss the project concept plan and layout, they were informed that Bernard Zyschovich and Frank Gehry would be working on blocking diagrams of alternative site plans that would be presented on July 30, 2003 and that the Development Agreement contemplates City Commission approval of a final concept plan at a future date once the optimal project concept plan was finalized.

On July 16, 2003, certain members of the Finance and Citywide Projects Committee expressed similar concerns but voted to support the Development Agreement, subject to the following conditions:

1. that the Agreement defines the minimum level of investment by the NWS relative to the hard construction costs of the Project. Section 3.2(b) defines this at a minimum of $40 Million – for hard costs inclusive of furnishings, fixtures and equipment.

2. that the Design Team seek to maximize the number of parking places in the design and layout of the Project.

3. that the issue concerning the City's proposed level of investment in NWS' parking component be revisited during the July 30 Commission meeting.

While the Development Agreement reflects negotiated terms between the parties, there are two (2) primary outstanding issues that must be addressed by the City Commission:

1) Funding commitments for the Public Parking Facility adjacent to Soundspace:
Since the Parking component remains an outstanding issue, by way of background, it is important to note that in the referral memorandum of January 8, 2003, the Administration presented the following issue:

- Additionally, NWS is looking to the City to absorb the cost of constructing a parking facility to meet its parking requirements. The Master Plan contemplates a 240-350 space facility (which includes an estimated 175 spaces to meet NWS' parking requirements), to be built adjacent to Sound Space...Required Parking – While the City has agreed to construct and operate a new parking facility to meet the requirements of the NWS, the cost to do so will be significant. Based on a preliminary estimated requirement of 175 parking spaces and an estimated construction cost of $15,000 per space, the facility could cost upwards of $2.6 Million.

Based on the direction received at the April 21, 2003 Finance and Citywide Projects Committee, the Administration proceeded negotiating a fixed cost contribution for construction of the municipal parking facility adjacent to Soundspace whereby the NWS will pay for any incremental costs associated with Garage construction and design, thereby mitigating the City's construction risk. The fixed rate cost reflected in the term sheet is not to exceed $12,250 per space plus 12.5% for soft costs (inclusive of any Prevailing Wage requirements and all site development costs, permit and concurrency fees), subject to annual South Florida construction CPI escalations. **The City Commission must address the City's proposed level of investment in NWS' parking component.**

2) NWS Possession Date:
Throughout the negotiations with the NWS, the Administration has consistently stated that replacement parking must be built before displacement of either surface parking lot for construction of garage. The City Hall Expansion Garage, must be built and completed, or an alternate acceptable replacement parking location must be identified, prior to NWS's commencement of Garage and Soundspace construction. However, the NWS has expressed strong concern and reservations if the City Hall Expansion Garage is not substantially complete by June 2006, they have requested the ability to proceed with the construction of the project. The City has preferred a date of **May 2007** if NWS has obtained a building permit and issued a notice to proceed to its Contractor, the City would agree to identify an alternate acceptable replacement parking location to enable the NWS to proceed with construction of the project.

CIP has provided a conservative design and construction schedule for the City Hall Expansion Garage as follows:

- A/E Contract Award – April 2004
- BODR Approval – March 2005
- Design Review Board Approval – July 2005
- Construction Documents Completion – June 2006
- Construction Substantial Completion – November 2007
- Construction Final Completion – February 2008

The May 2007 timeframe assumes that the NWS has obtained a building permit and issued a notice to proceed to their general contractor and would result in a 6 month period in which both, one of the surface lots (i.e. approximately 250 spaces) and the west City Hall lot (i.e. approximately 152 spaces) will be unavailable. It would be the City's intent to segregate approximately 300 spaces within the P-Lot during such time period so that City employees would not utilize the 17th Garage and relocate to the P-lot until substantial completion of the City Hall Expansion Garage is achieved. While the primary impact may affect the Convention Center bookings, at this time, the only shows scheduled during this timeframe are the Annual shows as follows: (some coincident shows may also have a similar impact, but at this time it's too early to tell, as the Convention Center does not contract those smaller shows until two years out)

- Home Show – Labor Day weekend
- SHOPA (Trade Show) – late September
- Jewelry – late Sept-early Oct
- Auto Show – late Oct-early Nov.
- IBEX (Boat Trade Show) – late Oct-early Nov
- Art Basel – early Dec

The City Commission must address if the NWS's request for an earlier possession date, i.e. May 2007, prior to achieving substantial completion of the City Hall Expansion Garage would be acceptable.

CONCLUSION

In conclusion, a revised Term Sheet, summarizing the terms of the Development Agreement is attached to this memorandum. The Administration recommends approval of the Development Agreement on First Reading and setting the second public hearing for final approval of the Development Agreement on September 10, 2003.

Three companion items are also presented in today's agenda:

1. A Resolution setting the public hearing on September 10, 2003 to consider approving the Lease Agreement between the City of Miami Beach and the New World Symphony for the subject site for the Soundspace project and further to consider waiver, by 5/7ths vote, of the competitive bidding and appraisal requirements; as required by section 82-39 of the Miami Beach City Code.

2. An Ordinance amending chapter 142, "land development regulations," of the City Code; Division 7. "CCC, Civic and Convention Center District," in order to allow waivers of development regulations by a five-sevenths vote of the City Commission

for developments pertaining to government-owned or leased buildings, uses and sites which are wholly used by, open and accessible to the general public, or used by not-for-profit, educational, or cultural organizations, or for Convention Center Hotels, or Convention Center hotel accessory garages, or City utilized parking lots, provided they are continually used for such purposes. This proposed ordinance tracks the language that empowers the City Commission to waive certain development regulations with respect to City-owned property that is zoned "GU, Government Use" by amending the "CCC" District section of the Land Development Regulations of the City Code, to allow for the same procedure for City owned land in the "CCC" District. The proposed amendment to CCC Development Regulations enables the City Commission at a later date to waive the Soundspace Project Parking Requirement so no encumbrance of the public garage is required. **(Note: The Legislative intent is that all parking shall be replaced and required parking will be provided.)** Consideration for waiver will be NWS' funding for public parking costs in excess of City cap.

3. A Resolution authorizing the City to execute Amendment No. 1 to the existing Agreement between URS Corporation–Southern and the City of Miami Beach to provide Program Management Services for the design and construction of a multi-purpose municipal garage facility to be constructed in the parking lot adjacent to City Hall, in an amount not to exceed $1,003,882. The facility would provide approximately 450 to 600 parking spaces for use, depending on the programmatic uses decided upon for the facility.

JMG/CMC:KOB
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Attachments

1. Term Sheet
2. Timeline
3. Public Benefit
4. NWS Operating Proforma
5. Preliminary Master Plan
6. Parking Capacity Review and Phasing Plan

ATTACHMENT 1 - TERM SHEET

Revised July 25, 2003

Owner/Landlord:	City of Miami Beach
Developer/Tenant:	New World Symphony (NWS)
Developer A/E (Designers):	Frank Gehry (collaborating w/Bernard Zyscovich)
Developers Corporate Status:	501(c)(3)
Development Site:	the two (2) surface parking lots, bounded by 17th street to the north, North Lincoln Lane to the south, Washington Avenue to the east and Pennsylvania Avenue to the west, defined as "Development Site" and collectively includes: "Land", "Garage Property" and "Adjacent Property". • "Land" is defined as land and air rights under Ground Lease for Soundspace project. • "Garage Property" is the public garage facility within the Project. • "Adjacent Property" is the undeveloped portion of the site adjacent to the Land and Garage Property.
Legal Descriptions:	Actual legal description(s) for Soundspace and Public Garage ("Project") to be finalized upon approval of Project Concept Plan.

Project Description:

- Approximately 50,000 sf. footprint for "Soundspace", an approximately 700 seat educational, performance & internet broadcast facility with an exterior screen ("Developer Improvements"). (Programming of screen to be addressed in Lease)
- Approximately 320± space parking garage facility ("Garage Property").
- Designers will look aggressively at ability to add additional floor of parking in an effort to mitigate any net loss of parking in surface lots. (Section 2.2 of Dev. Agrmt.)
- Designers will provide Project Concept Plan(s) looking at optimal siting alternatives within the Development Site, utilizing its best efforts to (i) minimize any net loss of public parking within the Development Site, (ii) enhance pedestrian linkages between 17th Street and Lincoln Road, and (iii) optimize compatibility with existing area scale and architecture. (Section 2.2 of Dev. Agrmt.)

Project Cost/Responsibilities:

Soundspace:	Minimum Hard cost contribution of $40 million inclusive of F, F & E – NWS to design and construct on ground lease w/City. (Section 3.2.6 of Dev. Agrmt.)
Parking:	City will fund $12,250/per space plus 12.5% for soft costs (inclusive of any Prevailing Wage Requirements and all site development costs, permit and concurrency fees), subject to annual CPI escalations, as maximum contribution from City of Miami Beach for an estimated 320 spaces (with potential to maximize number of spaces). NWS will design and construct/CMB to own/operate as public municipal garage. NWS will pay for any incremental costs associated with Garage construction and design, thereby mitigating construction risk.
Commercial Accessory Use:	A stand alone garage with frontage on street may require that 1st floor frontage is occupied by commercial accessory use i.e. retail, etc. Parties agree to evaluate optimal frontage uses when preliminary plans and specs are finalized and apportion the parties' responsibilities to build to the extent the frontage is not incorporated into the project. (Section 6.1 of Dev. Agrmt.)
Development Agreement Term:	Not to exceed 10 years from commencement date, and may be mutually extended by parties. (Section 26.19 of Dev. Agrmt.)
Ground Lease Term:	55 years from completion; four 10 year renewal options
Parking Requirements:	City will propose amendment to CCC Development Regulations to allow for waiver of Development Regulations for parking so no encumbrance of Garage is required. (Note: The Legislative intent is that all parking shall be replaced and required parking will be provided.) Consideration for waiver will be NWS' funding for public parking costs in excess of City cap.
Construction Sequencing Commencement:	- Replacement parking must be built before displacement of either parking lot for construction of garage. The City Hall Expansion Garage, must be built and completed, or an alternate acceptable replacement parking locations must be identified, prior to NWS's commencement of Garage and Soundspace construction. However, if the City Hall

	Expansion Garage is not substantially complete by May 30, 2006, NWS has requested the ability to proceed with the construction of the Project. - Based on the schedule provided by CIP, the City recommends **May 30, 2007** as the earliest date the NWS could proceed with possession/construction of the Developer Improvements, conditioned on the NWS having obtained a building permit and having issued a notice to proceed to its Contractor, and the City would agree to identify an alternate acceptable replacement parking locations (for instance, by segregating spaces within the P-lot. (Section 23.1.3 of Dev. Agrmt.)
Construction Staging:	Construction staging for the Project will be confined to the Project site and construction workers will park at off site location, thereby not impacting current users in 17th Street Garage or adjacent lots. (Section 5.5 of Dev. Agrmt.)
Art in Public Places (AIPP):	As the proposed Project constitutes private use on public land, the AIPP 1½% will apply to NWS project construction cost (per proposed revisions to Ordinance). However, as provided in the AIPP Ordinance, NWS may seek a waiver of all or a portion of the required appropriation from the City Commission. (Section 5.1 of Dev. Agrmt.)
Public Space in Soundspace:	NWS agrees to create a public component to the facility which educates the public on its use and provides the public with a visitor attraction even when the facility is not being utilized or a performance is not programmed. (Section 5.1 of Dev. Agrmt.)
Underground Utilities:	Developer will relocate any underground utilities on the project site, if necessary
Public Benefits:	NWS commits to provide the following public benefits (see attachment) (include: Bridge Tender House Staffing)(to be attached to Lease Agreement)
Construction/Permitting:	
Preliminary Master Plan:	Attached to Dev. Agrmt. As Exhibit D
Project Concept Plan:	NWS will submit Project Concept Plan to be reviewed by Planning Board and approved by City Commission, thereafter. (Section 2.2 of Dev. Agrmt.)
Preliminary Plans and Specs:	
Plans and Specs:	
Building Permit:	
Possession Date:	City commences operation of City Hall Expansion Garage or May 30, 2007, whichever is earlier
Construction Completion:	No later than 5 years from Possession Date, subject to unavoidable delays.

Base Rent:	$1/year. (Lease Agreement)
Real Estate Taxes:	In the event Ad Valorem taxes are assessed, NWS will be obligated to pay as to land and building. (Lease)
Parking Operations:	City will own and operate garage at City set rates.
Bond/Finance Requirements:	Subject lots were improved utilizing County/City funding (TECCA; Convention Center and Parking Revenue Bonds). As the proposed project is public use, the bond covenants and other requirements are addressed.
Change in Use:	If NWS ceases to operate Soundspace for the purposes contemplated under the Development Agreement and Ground Lease, or moves its principal place of business and operation from the City, an acceptable substitute public use will be mutually agreed upon by the parties or the facility will automatically revert to City, for public purpose use. (Lease Agreement)
Prohibited Uses:	NWS shall in no way use the facility for any purpose/use that would impair status/integrity of this and other public funds initially used to improve the lots. Any such change in use will be treated as a default under the Ground Lease. (Lease Agreement)
Environmental Matters:	Property is leased "as is" and NWS is responsible for any required environmental remediation within their respective portion of the project site. Notwithstanding anything to the contrary contained herein, the NWS shall have the right to terminate the agreement prior to the Possession Date and to terminate the Development Agreement and the Ground Lease prior to the Possession Date because the costs of remediation are, in the reasonable business judgment of the NWS, render the Project economically unfeasible.
Concurrency/Traffic Analysis:	NWS will be obligated to perform a traffic analysis and mitigate and meet all concurrency requirements. Notwithstanding anything to the contrary contained herein, the NWS shall have the right to terminate the agreement prior to the Possession Date and to terminate the Development Agreement and the Ground Lease prior to the Possession Date, because the Project cannot meet concurrency requirements or the costs of concurrency mitigation are, in the

	reasonable business judgment of the NWS, render the Project economically unfeasible.
Right of First Refusal:	City has the right of first refusal to purchase NWS's interest in the Premises. (To be provided in Lease)
Sale, Assignment, Transfer & Subletting:	Not permitted without prior written approval of City. NWS may mortgage its leasehold interest but cannot encumber City's fee simple interest. (Lease Agreement)
Performance Rentals:	Facility may be rented for performances or events by other organizations/corporations without prior written consent of City. (Lease Agreement)
Covenant to fund Operations:	NWS will provide evidence annually of its ongoing financial capacity to operate and maintain Soundspace. NWS must also provide an annual budget prior to the beginning of each fiscal year with a rolling five year projection and an Annual Review by an independent financial professional, acceptable to City. NWS will provide an annual certified audited financial statement. (Proforma attached) (Lease Agreement)
Performance Bond:	Prior to commencement of construction, NWS shall cause G.C. to furnish City with payment and performance bond or Letter of Credit. (Section 2.7(f) & 2.7(g) of Dev. Agrmt.)

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ATTACHMENT 2 - TIMELINE

Meetings to date:

January 6	-	T & P at 3:30
January 7	-	Meeting with Bernard Zyscovich
January 8	-	**CITY COMMISSION MEETING** – Referral to Finance Committee
January 9	-	Meeting with JMG
March 7	-	Cultural Arts Council (CAC) meeting
March 11	-	Lincoln Road Marketing,
March 26	-	Meeting with JMG
April 21	-	Finance Committee – (Smith, Bower & Steinberg), 2:00 p.m., CMGRLCR
May 13	-	Transportation and Parking
April 29	-	Convention Center Advisory Board
May 30	-	Negotiating Session with Administration
June 3	-	Transportation and Parking
June 17	-	Tuesday Morning Breakfast Club
June 17	-	Finance Committee – Present Summary of Negotiated Terms with NWS
July 2	-	**CITY COMMISSION MEETING**
	-	Referral of Amendment to Land Development Regulations (LDR) for waiver of Development Regulations.
	-	Set Public Hearing for First Reading of Development Agreement
July 8	-	Meeting with Lincoln Road Marketing Inc.
July 14	-	Land Use Committee Meeting
July 16	-	Finance Committee Meeting
July 23	-	Negotiating Session with Administration
July 29	-	Town Hall Meeting with Lincoln Road Property Owners, Businesses and Hotels at Lincoln Theater
July 29	-	Planning Board (Commission Chambers)
		- Amend CCC District for City owned land to waive development regulations – parking requirement
July 30	-	**CITY COMMISSION MEETING**
	-	Resolution approving on First reading of Development Agreement
	-	Resolution to Set Public Hearing for Lease Agreement
	-	Ordinance on First reading of Amendment to CCC District for City owned land to waive development regulations – parking requirement'
	-	Resolution authorizing City to engage URS as program manager and proceed with City Hall Expansion Garage

Future Meetings:

September 10	-	**CITY COMMISSION MEETING**
	-	Second Reading of Development Agreement
	-	Second reading of Amendment to CCC District
	-	Approval of Lease Agreement
	-	Resolution authorizing RFQ for City Hall Expansion Garage
October 15	-	**CITY COMMISSION MEETING**
	-	Set Public Hearing to Consider Waiver of Dev. Regulations
November 5	-	**CITY COMMISSION MEETING**
	-	Public Hearing to Consider Waiver of Dev. Regulations

Schedule of 2003 City Commission Meetings:
November 5 and 25
December 10

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ATTACHMENT 3 – PUBLIC BENEFITS

Soundspace Impact Statement
The creation and operation of Soundspace will provide significant benefits to the City of Miami Beach and its citizens. As described below, the returns to Miami Beach, in terms of revenues, jobs, publicity, education, culture, and business opportunities will far outweigh its investment in land, additional parking and, should it be realized, the costs of creating and operating a surrounding park. Soundspace will also provide the New World Symphony with unique opportunities to expand its educational and cultural activities to benefit every citizen of Miami Beach. The most significant of these opportunities include:

Soundspace Smart Card
Corresponding with the opening of Soundspace, the link with residents of Miami Beach will be a "Smart Card". Working together, the City of Miami Beach and NWS will create a redemption and distribution system for these cards. All cardholders will have frequent, discounted access to selected Soundspace presentations, and can be given priority access to other presentations. The Smart Card program will be publicized prominently in the opening season of Soundspace in hopes that it would become a new and efficient way to promote increased attendance for NWS programming.

NWS currently presents over 16 free concerts and 36 paid-admission concerts annually. Soundspace will allow NWS to expand its offerings to the public, including the development of a series of short presentations, ranging from 15 to 20 minutes to as long as an hour, that will combine local live music making with electronic transmissions from all major music centers in this country and around the world. Internet2 also makes it possible to broadcast musical events from other parts of the world that would not necessarily use NWS fellows and coaches. Assuming each presentation could be repeated eight times per weekend over ten weekends of the season, this totals 80 new events in the inaugural season of Soundspace. NWS might charge $5 per adult admission to these presentations, but they would be free to Smart Card holders, providing Miami Beach residents up to $280,000 in value annually.

Each Smart Card will also hold $50 of value that can be applied for discounts to select ticketed Soundspace offerings. Given the current population, this puts $4.9 million directly into the hands of Miami Beach residents.

NWS in the Schools
NWS currently offers mentoring opportunities to students in Miami Beach schools with programs such as the Music Mentor Program, In-School Performances and Instrumental Coaching Sessions. Area elementary and middle schools often host In-School Performances while NWS fellows frequently coach students at Miami Beach Senior High. The use of Internet2 by NWS in master classes and concert settings provides students with greater accessibility to artists and composers around the world.

In preparation for the opening of Soundspace, NWS proposes to meet with representatives of every Miami Beach school to develop customized educational programs for the benefit of their students. Using the worldwide reach of Internet2, Soundspace will provide Miami Beach students with greater access to artists and teachers from around the world. Skill-based instrumental training, broader work in the social context of artistic activity, and exposure to cutting edge technology will stimulate the imaginations of each and every student in the Miami Beach school system. These

activities will take place in Soundspace as well as in the individual schools. The commitment of NWS resources for these programs will exceed $250,000 annually.

Video Programming for Park
NWS is prepared to provide regular video programming for the park. This programming will take many formats, from broadcasting entire NWS concerts and portions of concerts, to special events and other creative video presentations. Programming for the park will also feature other cultural organizations, local to international, and can include anything from dance to film to other forms of musical and visual art presentation. The commitment of NWS resources for this programming will be at least $200,000 annually.

Concerts for the City
With the opening of Soundspace, NWS would be pleased to provide at least one full orchestra concert annually for the direct benefit of the City of Miami Beach. Whether this takes the form of a holiday concert for Miami Beach residents, a special concert for City employees, or is part of a major joint promotional event, the possibilities are endless. Based on fees NWS commands for performances while on tour, each such concert is worth at least $50,000 to the City.

Soundspace will also provide other direct and indirect benefits to the City of Miami Beach. These include:

Economic Impact

- NWS will invest an estimated $35 million in the construction of Soundspace. The construction phase will generate additional jobs and income for the local community. NWS will consider purchasing appropriate RIMS II Multipliers from the *US Department of Commerce, Bureau of Economic Analysis* in order to calculate the impact this construction will have on the local economy.

- Using published multiplier statistics for estimating economic value based on local spending, NWS' current operating expenditures of $7.3 million supports close to 300 full-time equivalent jobs in the Miami-Dade County region generating personal income of nearly $7 million, and over $300,000 in direct local government revenue each year. Much of this impact accrues directly to Miami Beach. Once constructed, Soundspace will increase NWS' operating budget by close to $2 million annually, creating over 75 new jobs and nearly $2 million in personal income for Miami-Dade and increasing government revenues proportionately. These figures do not include the impact of audience ancillary spending, which is discussed below.

- NWS already brings over 20,000 visitors to Miami Beach each year to experience live concerts. While a certain amount of concert activity will shift from the Lincoln Theatre to Soundspace, NWS expects the new facility to have a positive affect on concert attendance, by drawing more local residents and an increased number of visitors. To be designed by a world-renowned architect, the facility itself will become a destination for many people.

    - According to the "2001 Profile of Visitors to Greater Miami and the Beaches," published by the *Greater Miami Convention and Visitors Bureau*, South Beach ranks as the #1 destination for all visitors to South Florida. Using statistics

published by the GMCVB, a modest increase of 10,000 visitors could generate in excess of $2 million in additional visitor spending on lodging, meals, transportation, entertainment and shopping per year, more than half of which would likely be spent directly on Miami Beach.

- *American's for the Arts* June 2002 publication "Arts & Economic Prosperity" identified cultural tourists as being far more lucrative to local markets than traditional tourists – they spend nearly 40% more, are more inclined to use hotels and stay longer, and are more likely to shop. Using these figures, the 10,000 additional visitors cited above could generate significantly more additional visitor spending than as calculated using GMCVB statistics.

- The national *American's for the Arts* study cited above was based on in-depth market research in 91 communities nationwide, including Miami-Dade County. According to the Miami-Dade County Cultural Affairs Council, the 128 Miami-Dade based, non-profit cultural organizations generate economic activity – including the value of voluntary services and capital expenditures – of $2.69 for each dollar they spend. Using this multiplier, Soundspace should generate nearly $100 million in economic activity during its construction and first year of operation and over $5 million annually thereafter.

- While recognizing that Miami Beach is already a well-established tourist destination, it is instructive to note that the activities of the Guggenheim Museum in Bilbao generated a four-fold increase in direct tourist expenditures, area GDP and jobs for the Basque Country in 1997, the year the facility opened, and this increased level of economic impact has been sustained each succeeding year. Bilbao has now become a major tourist destination. Given the number of visitors to South Florida and the percentage that cite South Beach as their #1 destination, even a modest increase in the number of visitors to South Florida will provide substantial and direct benefits to the economy of Miami Beach. It is not difficult to argue that South Beach will see its share of domestic and international visitors increase substantially more than cited above once a signature building is constructed.

- If a park is constructed to surround a Soundspace fitted with a giant exterior screen, the local economy will receive a further boost, as park activities and screen broadcasts will draw more and more people to the northern edge of the Art Deco District, directly benefiting the merchants and restaurants in the Lincoln Road area.

Publicity

The work of an internationally recognized architect designing a signature building should generate articles in the top 50 American and the top 100 international daily newspapers, as well as coverage by all major feature, news, travel, and lifestyle magazines. With each national and international article about Soundspace, Miami Beach will increase its market penetration. This coverage will begin with the announcement of the architect and continue for at least a decade after completion of the building. Press coverage for new music presentation formats will be equally powerful with major musical figures joining New World fellows and guest artists through Internet2 transmissions. Examples of cultural marketing enhancing city and/or regional tourism include the Philadelphia Art Museum, MassMOCA, Boston Museum of Fine Art, and the Guggenheim Museum in Bilbao, Spain.

Culture
Existing and new Miami Beach arts organizations will have the opportunity to use Soundspace, thereby expanding and enriching their cultural activities. The Lincoln Theatre will also become a more accessible venue for other arts organizations, contributing to the City's reputation as a major arts-friendly community. By shifting certain concert activity to Soundspace, NWS will free up prime dates within the calendar for use by other arts organizations. NWS regularly limits or turns away dozens of organizations each year, from the Miami Symphony Orchestra, the Miami Film Festival and the Florida Philharmonic, to many independent organizations, who at present cannot get some or all of the dates they want due to NWS activities. NWS would be pleased to work with the City of Miami Beach to offer reduced rental rates at the Lincoln Theatre for small or emerging arts organizations.

Business
The City of Miami Beach and the Convention Center will have access to Soundspace for an agreed number of events per year. No other city government or convention center will have access to media as powerful as Internet2. NWS, the City and the Convention Center can work together to bring leaders in all fields to selected events in the Soundspace facility. Convention related events could be staged each year to promote the Center to potential clients and/or add value to the conventions that choose Miami Beach. The first use allows the Convention Center to increase its visibility without the cost of staff travel. The second addresses the ever increasing demand for high speed, high quality communications, making the Convention Center one of the most attractive venues in America.

Summary
NWS will invest at least $35 million in the building and development of Soundspace, and increase its operating budget by an estimated $2 million annually. Rapid improvement in technology will require steady high-cost capital and operating investment. Standard economic analysis demonstrates that the impact these investments will have on the local economy will be significant. This commitment of resources by a cultural institution is unprecedented in Miami Beach. If NWS is to make the most of this opportunity going forward, we need the City of Miami Beach to be a full contributing partner. The returns to Miami Beach, in terms of revenues, jobs, publicity, education, culture, and business opportunities will far outweigh its investment in land, additional parking and, should it be realized, the costs of creating and operating a surrounding park.

15-Jul-03 [NWS Financials.xls]

NEW WORLD SYMPHONY
FINANCIAL SUMMARY

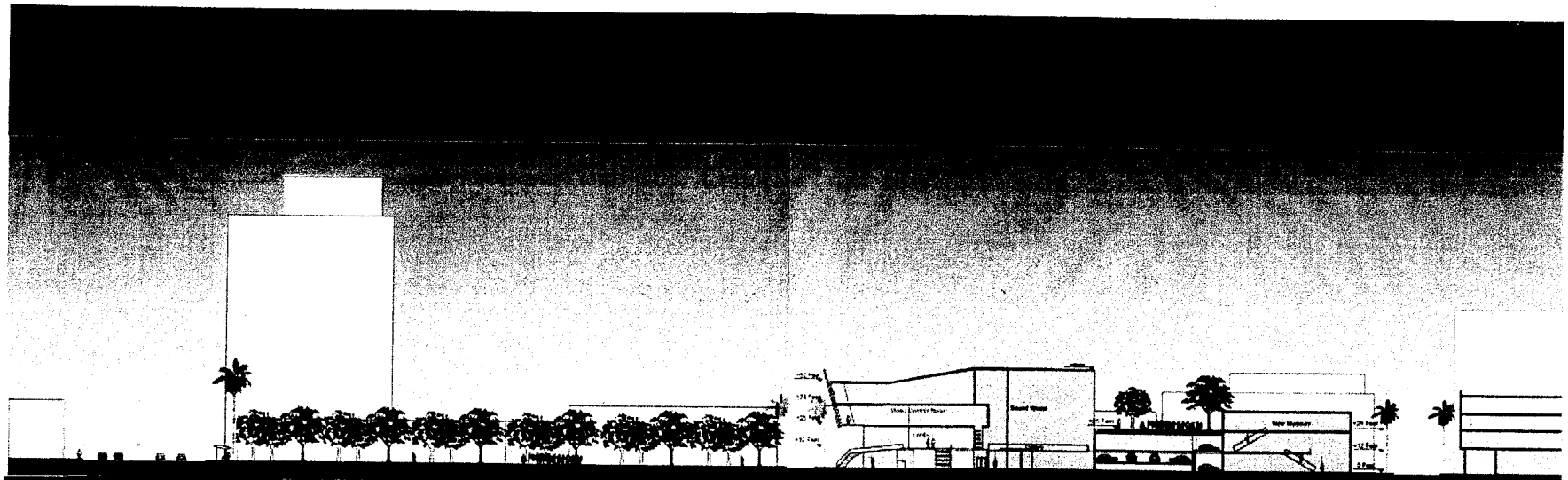
	ACTUAL			PROJECTED	APPROVED BUDGET	SOUND SPACE ONLY
	FY99-00	FY00-01	FY01-02	(9) FY02-03	FY03-04	FY08-09
REVENUES						
Earned Income (1)	923,759	907,998	871,670	952,447	962,068	0
Contributed Income	2,556,111	2,842,344	2,837,306	2,880,040	3,067,000	0
Endowed Income (2)	3,479,573	3,602,329	3,576,248	3,478,128	3,224,399	2,100,000
Tours & Other (3)	227,716	367,635	0	0	827,500	0
Total Revenues	7,187,159	7,720,306	7,285,224	7,310,615	8,080,967	2,100,000
EXPENSES						
Core Programs (4)	4,075,356	4,514,373	4,251,063	4,280,242	4,211,424	1,000,000
Fundraising	642,781	652,664	708,218	770,223	749,135	150,000
Marketing & Publicity	494,241	669,546	440,244	442,829	396,574	100,000
Facilities (5)	744,896	812,445	877,021	981,734	1,022,897	750,000
Administrative and Other	1,004,702	1,071,253	871,732	835,553	873,437	100,000
Tours & Other (6)	225,156	0	136,916	0	827,500	0
Total Expenses	7,187,132	7,720,281	7,285,194	7,310,581	8,080,967	2,100,000
SURPLUS (DEFICIT) (7)	27	25	30	34	0	0
ENDOWMENTS (FYE) (8)	82,822,077	67,077,268	55,721,370	56,588,000		42,000,000

NOTES

1) Fluctuations based on # of ticketed concerts
2) 5% of multi-quarter trailing average
3) Includes IRS refund
4) Artists, orchestra, coaching, community engagement, Internet2
5) Excludes separately funded capital improvements
6) Includes executive search expenses
7) No operating deficits since inception in 1987; unqualified audits for all years can be povided
8) Net of contribution to NWS; inclusive of new gifts
9) FY03 results not yet final

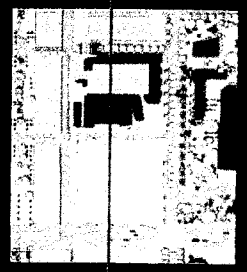
ATTACHMENT 4 – OPERATING PROFORMA

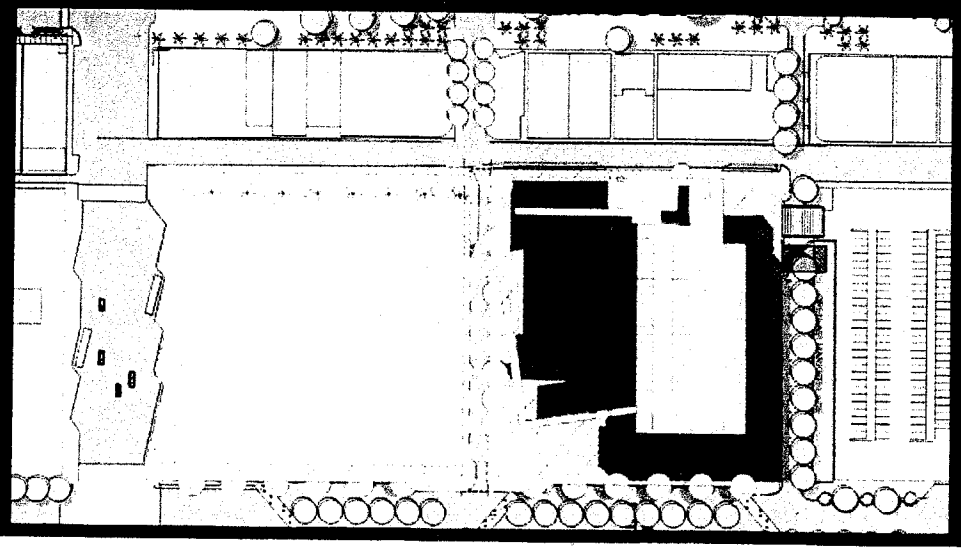
ATTACHMENT 5 – PRELIMINARY MASTER PLAN



East - West Section

Section





Zyscovich

Zyscovich Inc.
100 N. BISCAYNE BLVD. #2700 MIAMI FL 33132
TEL 305 372 5222 FAX 305 577 4521
REGISTRATION NO. AAC001431

17th Street
CITY OF MIAMI BEACH
MIAMI BEACH, FLORIDA

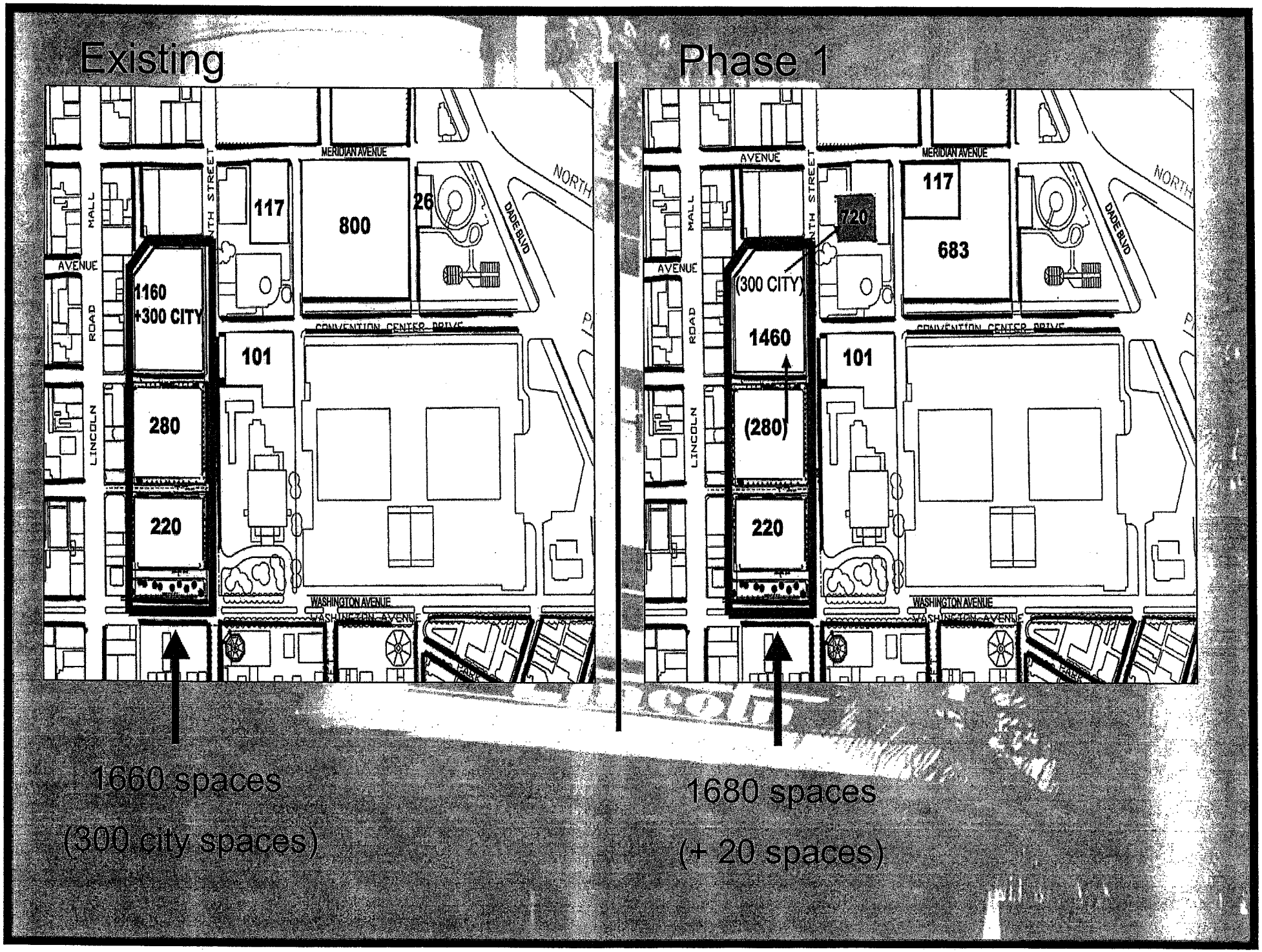
17th Street Site Proposal
Option A

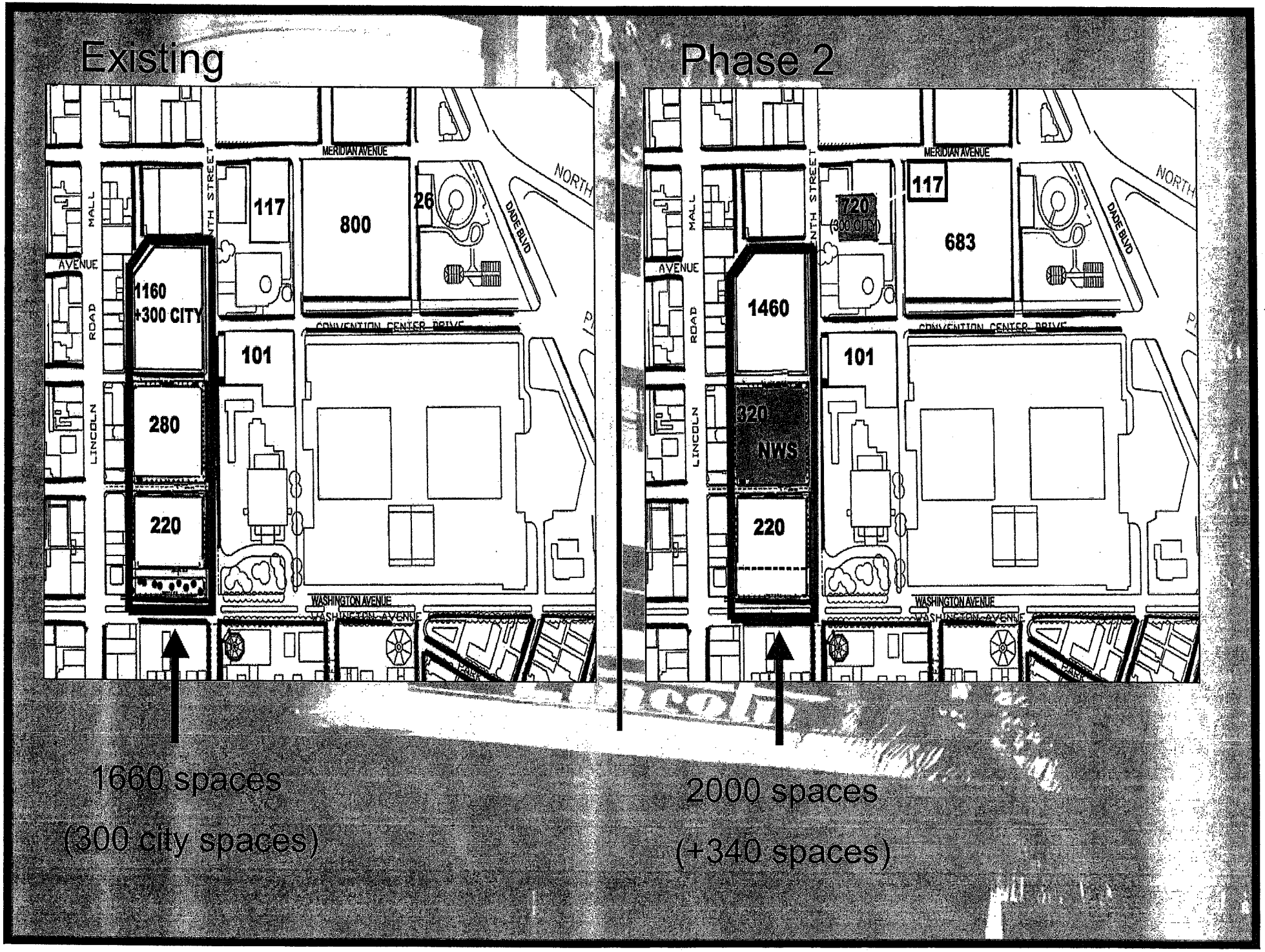
SEPTEMBER 21, 2001

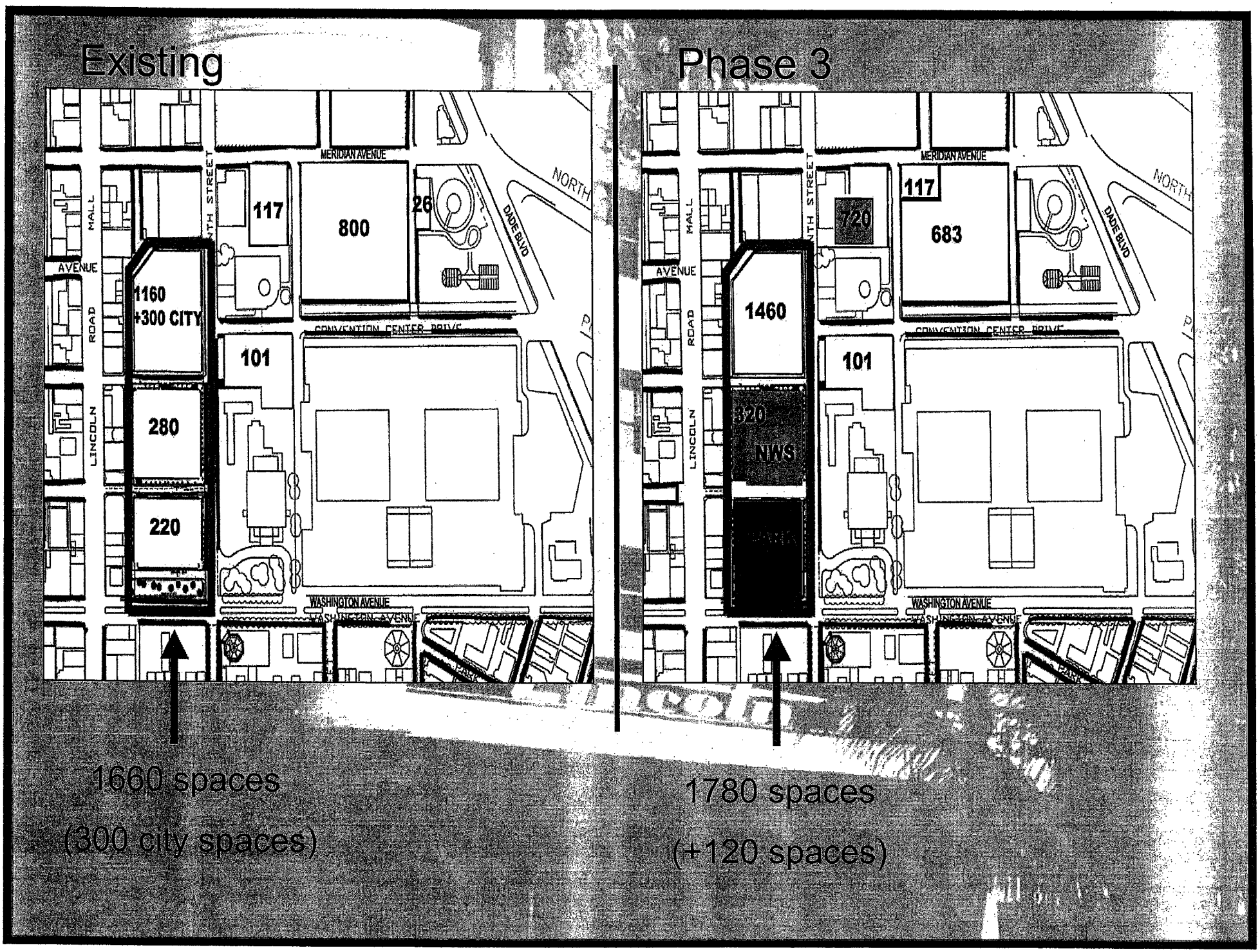
Agenda Item R7I
Date 7-30-03

Parking Capacity Review

Parking Lots	Existing Number of Spaces	Proposed Number of Spaces (Low End)	(High End)
17th Street Surface Lots	508	240	320
City Hall Expansion Garage	152	600	720
P-Lot	800	1900	2430
Total Spaces	**1460**	**2740**	**3470**
Less: Existing Spaces		(1460)	(1460)
Net Gain in Spaces		1280	2010


Existing
Phase 1
MERIDIAN AVENUE
NORTH
DADE BLVD
CONVENTION CENTER DRIVE
WASHINGTON AVENUE
LINCOLN ROAD MALL
AVENUE
117
800
26
1160
+300 CITY
101
280
220
720
683
(300 CITY)
1460
(280)
1660 spaces
(300 city spaces)
1680 spaces
(+ 20 spaces)


Existing
Phase 2
MERIDIAN AVENUE
NORTH
DADE BLVD
MALL
AVENUE
ROAD
LINCOLN
NTH STREET
CONVENTION CENTER DRIVE
WASHINGTON AVENUE
117
800
26
1160
+300 CITY
101
280
220
720
(300 CITY)
683
1460
320
NWS
1660 spaces
(300 city spaces)
2000 spaces
(+340 spaces)


Existing
Phase 3
MERIDIAN AVENUE
NORTH
DADE BLVD
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26
1160
+300 CITY
101
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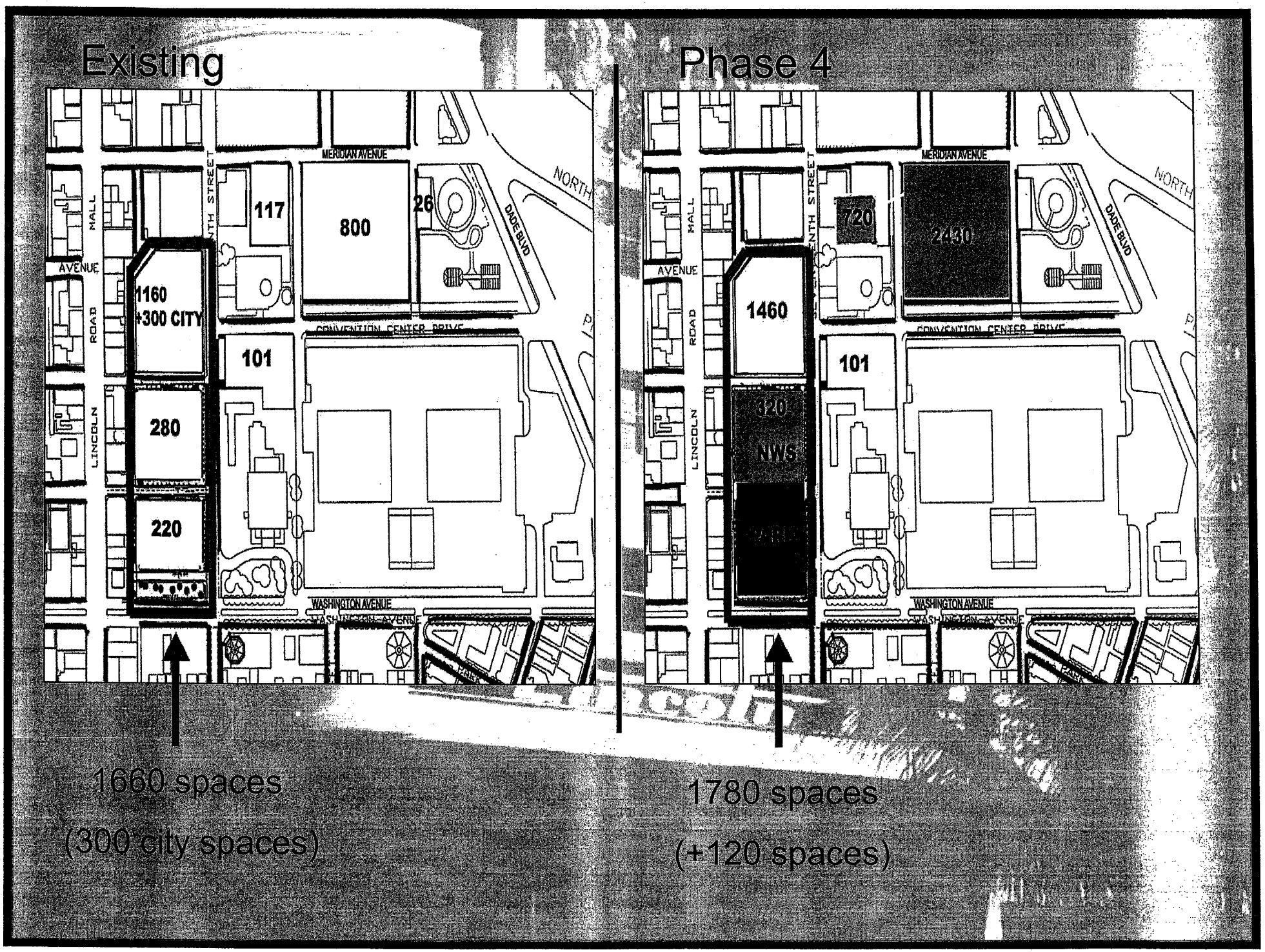
720
683
1460
320
NWS
WASHINGTON AVENUE
1660 spaces
(300 city spaces)
1780 spaces
(+120 spaces)


Existing
Phase 4
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NORTH
DADE BLVD
CONVENTION CENTER DRIVE
WASHINGTON AVENUE
LINCOLN ROAD
MALL
AVENUE
117
800
26
1160
+300 CITY
101
280
220
720
2430
1460
320
NWS
1660 spaces
(300 city spaces)
1780 spaces
(+120 spaces)

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING ON FIRST PUBLIC READING, IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 163.3220 – 163.3243 FLORIDA STATUTES, ALSO REFERRED TO AS THE FLORIDA LOCAL GOVERNMENT DEVELOPMENT AGREEMENT ACT, A PROPOSED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND THE NEW WORLD SYMPHONY FOR THE DEVELOPMENT OF THE SURFACE PARKING LOT, BOUNDED BY 17TH STREET TO THE NORTH, NORTH LINCOLN LANE TO THE SOUTH, WASHINGTON AVENUE TO THE EAST AND PENNSYLVANIA AVENUE TO THE WEST, FOR CONSTRUCTION OF AN APPROXIMATELY 50,000 SQUARE FOOT EDUCATIONAL, PERFORMANCE AND INTERNET BROADCAST FACILITY WITH AN EXTERIOR SCREEN ("SOUNDSPACE"), AND AN APPROXIMATELY 320-SPACE (+/-) PUBLIC PARKING GARAGE FACILITY; AND FURTHER SETTING THE SECOND PUBLIC HEARING FOR CONSIDERATION OF THE DEVELOPMENT AGREEMENT ON SEPTEMBER 10, 2003

WHEREAS, concurrent with completion of the first phase of the 17th Street Master Plan study by Zyscovich, Inc., in October, 2001, (Master Plan), the Administration has been in negotiations with the New World Symphony (NWS) regarding its proposed lease of a portion of the 17th Street Surface Parking Lot to accommodate the development and construction of an approximately 50,000 square foot educational, performance, and internet broadcast facility with an exterior screen, referred to as "Soundspace", and an adjacent 320 (+/-) public parking garage facility (the Project); and

WHEREAS, concurrent with the negotiations, the NWS has and continues with its outreach initiative, scheduling meetings with various Citywide committees to advise on the Symphony's expansion plans and to obtain community input relative to the proposed Project; and

WHEREAS, since January, 2003, NWS has presented its plans and proposed terms before the Cultural Arts Council, the Lincoln Road Marketing Association, the Convention Center Advisory Board, the Tuesday Morning Breakfast Club, the Parking and Transportation Committee, the Land Use and Development Committee and the Finance and Citywide Projects Committee; and

WHEREAS, on July 2nd , 2003, the City Commission voted to expand the scope of the Development Agreement to encompass the east surface lot as well in order to provide the Architect with greater flexibility in the design of the Project; and

WHEREAS, on July 16, 2003, the Finance and Citywide Projects Committee voted to support the Project subject to certain conditions, including:

1. the Development Agreement defines the minimum level of investment by the NWS relative to the hard construction costs of the Project;
2. that the Project's Architect will endeavor to maximize the number of parking places in the design and layout; and
3. that further consideration be given to the City's proposed level of investment in NWS' parking component; 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 on first public reading, in accordance with the requirements of sections 163.3220-163.3243, Florida Statutes, also referred to as the Florida Local Government Development Agreement Act, a proposed Development Agreement between the City of Miami Beach and the New World Symphony for the development of the surface parking lot, bounded by 17th Street to the north, North Lincoln Lane to the south, Washington Avenue to the east and Pennsylvania Avenue to the west, for construction of an approximately 50,000 square foot educational, performance, and internet broadcast facility with an exterior screen ("Soundspace"), and an approximately 320-space (+/-) public parking garage facility; and further setting the second public hearing for consideration of the Development Agreement for September 10, 2003.

PASSED and **ADOPTED** this ____ day of July 2003.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney 7-24-03 Date

JMG:CMC:kob

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CITY OF MIAMI BEACH
NOTICE OF A PUBLIC HEARING

NOTICE IS HEREBY given that a public hearing will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, July 30, 2003, at 10:00 a.m.,** to consider the following:

TO CONSIDER APPROVING, ON FIRST READING, A PROPOSED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND THE NEW WORLD SYMPHONY FOR THE DEVELOPMENT OF THE SURFACE PARKING LOT, GENERALLY BOUNDED BY 17TH STREET TO THE NORTH, NORTH LINCOLN LANE TO THE SOUTH, WASHINGTON AVENUE TO THE EAST AND PENNSYLVANIA AVENUE TO THE WEST, FOR CONSTRUCTION OF AN APPROXIMATELY 50,000 SQUARE FOOT EDUCATIONAL, PERFORMANCE, AND RECORDING FACILITY WITH AN EXTERIOR SCREEN ("SOUNDSPACE"), AND AN APPROXIMATELY 320-SPACE (+/-) PUBLIC PARKING GARAGE FACILITY. SOUNDSPACE WILL CONTAIN APPROXIMATELY 21,880 SQUARE FEET OF PERFORMANCE SPACE CAPABLE OF ACCOMODATING NO MORE THAN 800 SEATS, APPROXIMATELY 8,325 SQUARD FEET OF STAGE SUPPORT SPACE, 4,650 SQUARE FEET OF TEACH AND PRACTICE SPACE AND 4,725 SQUARE FEET OF ADMINISTRATIVE-SUPORT SPACE.

Inquiries may be directed to the Economic Development Department at (305) 673-7193.

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 this ordinance are available for public inspection during normal business hours in the City Clerk's Office, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting may be continued and under such circumstances additional legal notice would not be provided.

Robert E. Parcher, City Clerk

City of Miami Beach

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

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding, or to request information on access for persons with disabilities, or to request this publication in accessible format, or to request sign language interpreters, should contact the City Clerk's office at (305) 673-7411, no later than four days prior to the proceeding. If hearing impaired, contact the City Clerk's office via the Florida Relay Service numbers, (800) 955-8771 (TTY) or (800) 955-8770 (VOICE).

(Ad #0190)

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution approving and authorizing the Mayor and City Clerk, to execute a lease agreement between the City and the Miami Beach Federal Credit Union, for use of approximately 1350 square feet of City-owned property located at 1701 Meridian Avenue; and further waiving, by 5/7ths vote, the competitive bidding and appraisal requirements.

Issue:

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

Item Summary/Recommendation:

The Credit Union has been occupying space in the 555 17th Street building. As part of the City's office relocation plan, it was deemed that relocating the Credit Union to 1701 Meridian Avenue, would best serve the City's interest. The space currently occupied by the Credit Union, will be renovated in order to relocate the Human Resource Department. The parties mutually agreed to a one (1) year lease, with one year renewal option(s) at the City's sole discretion. Historically, the Credit Union has not paid the City any rent and/or operating expenses. They maintain that rent payments could not be supported by their budget, but have agreed to begin paying for its proportionate share of operating expenses, insurance, and real estate taxes at the 1701 location.

Administration recommends adoption of the Resolution.

Advisory Board Recommendation:

N/A

Financial Information:

Amount to be expended: None

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

Sign-Offs:

Department Director	Assistant City Manager	City Manager
	CMC	

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AGENDA ITEM R7J

DATE 7-30-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK, FOLLOWING A DULY NOTICED PUBLIC HEARING, TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY AND THE MIAMI BEACH FEDERAL CREDIT UNION, FOR USE OF APPROXIMATELY 1350 SQUARE FEET OF CITY-OWNED PROPERTY LOCATED AT 1701 MERIDIAN AVENUE, MIAMI BEACH, FLORIDA; AND FURTHER WAIVING, BY 5/7THS VOTE, THE COMPETITIVE BIDDING AND APPRAISAL REQUIREMENTS; AS REQUIRED BY SECTION 82-39 OF THE MIAMI BEACH CITY CODE, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

For more than a decade, the Miami Beach Federal Credit Union (Credit Union) has been occupying approximately 1635 square feet of space in the City-owned 555 17th Street building. As part of the City's office relocation plan, it was deemed in the City's best interest to relocate the Credit Union to the vacant retail ground floor space (775 17th Street) in the recently acquired 1701 Meridian Avenue building.

The City Commission authorized the purchase of the 1701 Meridian Avenue building, in part, to address the City's ongoing need for administrative office expansion space on a graduated basis. Furthermore, the building located at 555 17th Street, and more specifically, the space currently occupied by the Credit Union, will be renovated in order to relocate and house the City's Human Resource Department.

The City and the Credit Union have agreed to enter into a one (1) year lease, with any renewal option(s) being at the City's sole discretion, for the use of approximately 1350 square feet of ground floor space located at 775 17th Street as a federal credit union. Historically, the Credit Union has not paid the City any rent and/or operating expenses at the 555 17th Street location. When relocation to the 1701 Meridian Avenue building was discussed with the Credit Union representatives, they advised that their budget would not

support the funding of lease rental payments. However, under the proposed Lease Agreement, the Credit Union has identified funding for and agreed to pay the City its proportionate share of operating expenses, insurance, and real estate taxes.

While the Administration has begun addressing the City's aforestated administrative office expansion needs at both buildings, the Administration also considers that the preservation of a retail environment on the ground floor of the 1701 Meridian Avenue property, at this time, is conducive to maintaining the pedestrian character of the linkage between Lincoln Road Mall and the Civic/Convention Center area. The Administration deems the proposed move of the Credit Union to this new location is in the City's best interest. Furthermore, since the Credit Union's operation is viewed as an amenity and benefit to the City and its employees, it is recommended and deemed in the City's best interest to waive the competitive bidding and appraisal requirements.

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

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

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

On July 2, 2003, the City Commission adopted Resolution No. 2003-25246, setting a public hearing on July 30, 2003.

Based on the foregoing, the Administration recommends that the Mayor and City Commission, following the duly noticed public hearing, approve and authorize the Mayor and City Clerk, to execute a Lease Agreement between the City and the Miami Beach Federal Credit Union, for use of approximately 1350 square feet of City-owned property located at 1701 Meridian Avenue, Miami Beach, Florida; and further waiving, by 5/7ths vote, the competitive bidding and appraisal requirements; as required by Section 82-39 of the Miami Beach City Code, finding such waiver to be in the best interest of the City.

JMG\CMC\JD\rlr
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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, FOLLOWING A DULY NOTICED PUBLIC HEARING, TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY AND THE MIAMI BEACH FEDERAL CREDIT UNION, FOR USE OF APPROXIMATELY 1350 SQUARE FEET OF CITY-OWNED PROPERTY LOCATED AT 1701 MERIDIAN AVENUE, MIAMI BEACH, FLORIDA; AND FURTHER WAIVING, BY 5/7THS VOTE, THE COMPETITIVE BIDDING AND APPRAISAL REQUIREMENTS; AS REQUIRED BY SECTION 82-39 OF THE MIAMI BEACH CITY CODE, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY

WHEREAS, the City and the Miami Beach Federal Credit Union (Credit Union) have agreed to enter into a one (1) year lease, with any renewal option(s) being at the City's sole discretion, for the use of approximately 1350 square feet of City-owned property located at 1701 Meridian Avenue (the Property), more specifically, the ground floor space identified as 775 - 17th Street, as a federal credit union; and

WHEREAS, Section 82-39 of the Miami Beach City Code, governing the sale/lease of public property, requires a public bidding process, a Planning Department analysis, and an independent appraisal to determine the value of the leasehold interest; as well as a public hearing to obtain citizen input; and

WHEREAS, on July 2, 2003, the City Commission adopted Resolution No. 2003-25246, setting a public hearing on July 30, 2003; and

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

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission of the City of Miami Beach, Florida, approve and authorize the Mayor and City Clerk, following a duly noticed public hearing, to execute a Lease Agreement between the City and the Miami Beach Federal Credit Union, for use of approximately 1350 square feet of City-owned property located at 1701 Meridian Avenue, Miami Beach, Florida; and further waiving, by 5/7ths vote, the competitive bidding and appraisal requirements; as required by Section 82-39 of the Miami Beach City Code, finding such waiver to be in the best interest of the City.

PASSED and ADOPTED this 30th day of July, 2003.

ATTEST:

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

_____ _____

CITY CLERK **MAYOR**

JMG\CMC\JD\rlr

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1-17-03

City Attorney **Date**

LEASE AGREEMENT

THIS LEASE AGREEMENT, made this **30th** day of **July**, **2003**, by and between the **CITY OF MIAMI BEACH**, a Florida municipal corporation, (hereinafter referred to as "City" or "Landlord"), and **Miami Beach Federal Credit Union**, a federally chartered credit union, (hereinafter referred to as "Tenant").

1. Demised Premises.
Landlord, in consideration of the rentals hereinafter reserved to be paid and of the covenants, conditions and agreements to be kept and performed by the Tenant, hereby leases, lets and demises to the Tenant, and Tenant hereby leases and hires from the Landlord, those certain premises hereinafter referred to as the "Demised Premises", located in the City of Miami Beach, 777-17th Street (a.k.a. 1701 Meridian Avenue), Miami Beach, Florida 33139, and more fully described as follows:

> Unit **775-17th Street:** encompassing one thousand three hundred and fifty square feet **(1,350 sq. ft.)** on the ground floor (total leasable space). Such space on the ground floor is specified in "Exhibit A", which is hereby made a part of this Lease Agreement.

2. Term.

2.1. The Tenant shall be entitled to have and to hold the Demised Premises for a term of **one (1) year**, commencing on the **1st** day of **August**, **2003** (Commencement Date), and ending on the **30th** day of **July**, **2004**.

2.2. The term of this lease agreement shall automatically extend for additional one-year periods, at the Landlord's sole discretion, and without the Landlord being required to take any additional action to extend same. In the event Tenant intends not to have the term extended beyond the Lease term which is currently in effect, Tenant shall communicate same, in writing, to Landlord at least 120 days prior to the end of the current Lease term.

3. Rent.

3.1 Base Rent: Base Rent for the Demised Premises shall begin to accrue **on August 1, 2003** (the Commencement Date), and shall be based upon a total leasable space of 1,350 square feet.

3.1.1 Base Rent for the Demised Premises shall total one dollar ($1.00) for the term, including any extensions thereof, payable in advance upon execution of this agreement.

3.2 Additional Rent:
In addition to the monthly Base Rent, as set forth in Section 3.1, Tenant shall also pay to Landlord **Additional Rent** as provided below:

3.2.1 Operating Expenses:

Tenant shall pay Landlord **three hundred ninety-two dollars and thirty-three cents ($392.33) per month,** towards "Operating Expenses" which are defined as follows:

"Operating Expenses" shall mean the total cost and expenses incurred by Landlord in operating, repairing, and maintaining the Common Facilities (hereinafter defined) actually used, or the Common Facilities (hereinafter defined) available for use by the Tenant and its employees, agents, servants, customers and invitees, excluding only the items included within the Base Rent amount.

"Common Facilities" shall mean all areas, space, equipment and special services, including without limitation, water service to the building, sewer service to the building, trash removal from the building, costs incurred for gardening and landscaping, repairing and maintaining elevator(s), painting, janitorial services (except for areas within the Demised Premises), lighting, cleaning, striping, policing, removing garbage and other refuse and trash, removing ice and snow, repairing and maintaining sprinkler systems, water pipes, air-conditioning systems, temperature control systems, and security systems, fire alarm repair and maintenance and other equipment in the common areas and the exterior and structural portions of the building, paving and repairing, patching and maintaining the parking areas and walkways, and cleaning adjacent areas, management fees and the Landlord's employment expenses to employees furnishing and rendering any services to the common areas, together with an additional administration charge equal to fifteen percent (15%) of all other expenses included in the annual common area expenses, provided by the Landlord for the common or joint use and/or benefit of the occupants of 777-17th Street, their employees, agents, servants, customers and other invitees.

Irrespective of the items listed above, amounts due to Landlord by Tenant, associated with Common Facilities Operating Expenses, will be determined based on the items more specifically described in "Exhibit B", which is hereby made a part of this Lease Agreement. Tenant agrees, and understands, that the costs incurred by the Landlord for Operating Expenses may increase or decrease, and as such the Tenant's pro-rata share of Operating Expenses shall increase or decrease accordingly.

3.2.2 Property Taxes:
The Property Tax Payment shall be payable by Tenant, in accordance with Section 11. The Property Tax Payment for 2002 is estimated at **one hundred dollars and five cents ($100.05).**

3.2.3 Insurance:
Tenant shall pay to Landlord **seventy-eight dollars and eighty-seven cents ($78.87) per month,** toward estimated insurance costs incurred by Landlord (Landlord's Insurance) to insure the whole of the building and property at 1701 Meridian Avenue. The preceding insurance coverage is in addition to the insurance required pursuant to Section 10, which shall be obtained at Tenant's sole cost and expense. A copy of Landlord's certificate of insurance will be provided to Tenant.

3.3 INTENTIONALLY OMITTED

3.4 Sales Tax:
Concurrent with the payment of the monthly installment of Base Rent and Additional Rent provided herein, the Tenant shall also include any and all additional sums for all applicable sales and use tax, as provided in Section 3.5, now or hereafter prescribed by State, Federal or local law, and now described by Florida Statute 212.031, presently at the rate of seven (7%) percent of the rental payments.

4. Location for Payments.
All rents or other payments due hereunder shall be paid to the City of Miami Beach at the following address:

City of Miami Beach
Finance Department
c/o Revenue Manager
1700 Convention Center Drive
Miami Beach, Florida 33139

5. Parking.

5.1 Neither Tenant nor its employees shall be permitted to park in the adjacent parking lot (Municipal Parking Lot 5M), located at 1721 Meridian Avenue.

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

6. ~~Security Deposit~~. INTENTIONALLY OMITTED

7. Use and Possession of Demised Premises.

7.1 The Demised Premises shall be used by the Tenant solely as a federal credit union to provide financial services to members comprised primarily of City of Miami Beach employees. Said Premises shall be open for business in accordance with Federal Law. Nothing herein contained shall be construed to authorize hours contrary to the laws governing such operations.

7.2 It is understood and agreed that the Demised Premises shall be used by the Tenant during the term of this Lease only for the above purposes, and for no other purposes or uses whatsoever. Tenant will not make or permit any use of the Demised Premises that, directly or indirectly, is forbidden by public law, ordinance or government regulation, or that may be dangerous to life, limb or property. Tenant may not commit waste on the Demised Premises, use the Demised Premises for any illegal purpose, or commit a nuisance on the Demised Premises. In the event that the Tenant uses the Demised Premises for any purposes not expressly permitted herein, then the Landlord may declare this Lease in default pursuant to Section 18, or without notice to Tenant, restrain such improper use by injunction or other legal action.

8. Improvements.

8.1 Tenant acknowledges that the Landlord has constructed improvements, to accommodate Tenants needs in accordance with the plans approved by the Tenant, at Landlord's sole cost and expense, which are reasonably necessary for Tenant to carry on its permitted use(s), as set forth above. In the event Tenant wishes to additionally improve or alter the Demised Premises, the plans for such improvements shall be submitted to the Landlord for the Landlord's prior written consent, which will not be unreasonably withheld or delayed. All permanent (fixed) improvements to the Demised Premises shall remain the property of the Landlord upon termination of the Lease. Upon the lawful termination of the Lease, all personal property and trade fixtures belonging to the Tenant may be removed by the Tenant from the Demised Premises without damage to the Demised Premises. The failure of Tenant to complete the any additional improvements and be granted a Certificate of Occupancy or Certificate of Completion (whichever is applicable) within a reasonable time from the date of execution of this Lease shall be deemed a default by Tenant. Tenant will permit no liens to attach to the Demised Premises arising from, connected with or related to the construction of the additional improvements. Moreover, such construction shall be accomplished through the use of licensed, reputable contractors who are acceptable to Landlord, approval of which will not be unreasonably withheld. Any and all permits and or licenses required for the installation of improvements shall be the sole responsibility of Tenant.

8.2 The above requirements for submission of plans and the use of specific contractors shall not apply to maintenance or repairs which do not exceed ten thousand ($10,000.00) dollars, provided that the work is not structural, and provided that it is permitted by applicable law.

8.3 Signs: See Section 22 below.

9. Landlord's Right of Entry.

9.1 The Landlord, or its authorized agent or agents, shall have the right to enter upon the Demised Premises at all reasonable times for the purpose of inspecting same, preventing waste, making such repairs as the Landlord may consider necessary and for the purpose of preventing fire, theft or vandalism. However, Landlord agrees that whenever possible, Landlord shall provide reasonable notice, in writing, to Tenant, except in the event of an emergency as provided below, and provided Tenant is allowed to reasonably enjoy the Premises and conduct its business and shall enter the Premises only when accompanied by an authorized representative of the Tenant, unless the need to enter the Demised Premises is an emergency, as deemed by Landlord at its sole discretion, which if not immediately addressed could cause property damage, loss of life or limb, or other injury to persons. Nothing herein shall imply any duty on the part of the Landlord to do any work that under any provisions of this Lease the Tenant may be required to perform, and the performance thereof by the Landlord shall not constitute a waiver of the Tenant's default.

9.2 If the Tenant shall not be personally present to open and permit entry into the Demised Premises at any time, for any reason, and any entry thereon shall be necessary or permissible, the Landlord, or its agents, may enter the Demised Premises by master key, or may forcibly enter the Demised Premises without rendering the Landlord or such agents liable therefore.

9.3 Tenant shall furnish Landlord duplicate keys to all locks including exterior and interior doors upon the effective date of this Lease Agreement. Tenant shall not change the locks to the Demised Premises without the prior written consent of Landlord, not to be unreasonably withheld, and in the event such consent is given Tenant shall furnish Landlord duplicate keys to said locks in advance of their installation.

10. Tenant's Insurance.

10.1 The Tenant shall, at its sole cost and expense, comply with all insurance requirements of the Landlord. It is agreed by the parties that the Tenant shall not occupy the Demised Premises until proof of the following insurance coverages have been furnished to and approved by the City's Risk Manager:

10.1.1 Comprehensive General Liability in the minimum amount of

$1,000,000 per occurrence for bodily injury and property damage. The City of Miami Beach and the Miami Beach Redevelopment Agency must be named as additional insured parties on this policy.

10.1.2 Workers Compensation and Employers Liability coverage in accordance with Florida statutory requirements.

10.2 Proof of these coverages must be provided by submitting original certificates of insurance. All policies must provide thirty (30) days written notice of cancellation to both the City's Risk Manager and Asset Manager at 1700 Convention Center Drive, Miami Beach, Florida, 33139. All insurance policies shall be issued by companies authorized to do business under the laws of the State of Florida and must have a rating of B+:VI or better per A.M. Best's Key Rating Guide, latest edition, and certificates are subject to the approval of the City's Risk Manager.

11. Property Taxes and Assessments.
For the purposes of this Section and other provisions of this Lease:

11.1 The term "Property Taxes" shall mean (i) the real estate taxes, assessments, and special assessments of any kind which may be imposed upon the tax lot on which the building is constructed (the "Land") and (ii) any expenses incurred by Landlord in obtaining a reduction of any such taxes or assessments.

11.2 The term "Property Tax Year" shall mean the period of twelve (12) calendar months, beginning on January 1st of each year.

11.3 The term "Tenants Proportionate Share" shall mean the ratio that the square footage of the Demised Premises bears to the square footage of the leasable space in the entire building.

11.4 Tenant shall pay, as Additional Rent pursuant to Section 3.2.2, for such Property Tax Year an amount ("Property Tax Payment") equal to Tenant's Proportionate Share of the Property Taxes, if any, for such Property Tax Year. If a Property Tax Year ends after the expiration or termination of the term of this Lease, the Property Tax Payment therefore shall be prorated to correspond to that portion of such Property Tax Year occurring within the term of this Lease. The Property Tax Payment shall be payable by Tenant along with the rent on the first day of each month in accordance with the provisions of Section 3.3.2. The monthly Property Tax Payment shall be equivalent to 1/12th of the estimated yearly taxes, based on the previous year's actual taxes. A copy of the tax bill(s) or other evidence of such taxes issued by the taxing authorities, together with Landlord's computation of the Property Tax Payment, will be made available to Tenant once received from the taxing authorities, if requested by Tenant. Tenant shall pay any

difference in the amount between the estimated property taxes and the actual property taxes to Landlord immediately upon receipt of request for said payment from the Landlord.

12. Assignment and Subletting.

12.1. Tenant shall not have the right to assign or sublet the Demised Premises, in whole or in part, without the prior written consent of Landlord, approval of which will not be unreasonably withheld. Such written consent is not a matter of right and Landlord is not obligated to give such consent. If granted as provided herein, the making of any assignment or sublease will not release Tenant from any of its obligations under this Lease. A sale or transfer of a majority interest of the stock of Tenant's corporate entity shall be deemed an assignment, and for purposes of this Lease Agreement, the Landlord shall have the right to approve the new majority owner. Said approval shall be provided in writing. A change in majority interest shall not be deemed to occur if ownership interests change among any of the Tenant's current shareholders. However, any such change in majority interest shall be communicated to the Landlord in writing immediately upon said occurrence. Tenant is prohibited from assigning or subletting this Lease to any person or entity which is not of the same or higher financial responsibility as Tenant, as shall be determined by Landlord, in its sole judgment and discretion.

12.2 Any consent by the Landlord to any act of assignment shall apply only to the specific transaction thereby authorized. Such consent shall not be construed as a waiver of the duty of the Tenant or the legal representatives or assigns of the Tenant, to obtain from the Landlord consent to any other or subsequent assignment, or as modifying or limiting the rights of the Landlord under the foregoing covenants of the Tenant not to assign without such consent.

12.3 Any violation of the provisions of this Lease, whether by act or omissions, by assignee, sub-tenant, or under-tenant or occupant, shall be deemed a violation of such provision by the Tenant, it being the intention and meaning of the parties hereto, that the Tenant shall assume and be liable to the Landlord for any and all acts and omissions of any and all assignees, sub-tenants, or under-tenants or occupants. If the Lease be assigned, the Landlord may and is hereby empowered to collect rent from the assignee; if the Demised Premises or any part thereof be underlet or occupied by any person, other that the Tenant, the Landlord, in the event of the Tenant's default, may, and is hereby empowered to, collect rent from the under-tenant or occupants; in either of such events, the Landlord may apply the net amount received by it for rent herein reserved, and no such collection shall be deemed a waiver of the covenant herein against assignment or the acceptance of the assignee, under-tenant or occupant as tenant, or a release of the Tenant from the further performance of the covenants herein

contained on the part of the Tenant.

13. Maintenance and Repair.

13.1 Tenant shall maintain the Demised Premises and the fixtures and appurtenances therein, and at its sole cost and expense shall make all repairs thereto as and when needed to preserve them in good working order and condition. Landlord shall be responsible for the maintenance of the roof, the exterior of the building, the structural electrical and plumbing (other than plumbing surrounding any sink within the Demised Premises), the common areas and the chilled water supply system. Landlord shall maintain and/or repair those items that it is responsible for, so as to keep same in proper working condition. Tenant shall also be responsible for all interior walls and the interior and exterior of all windows and doors, as well as immediate replacement of any and all plate glass or other glass in the Demised Premises which may become broken using glass of the same or better quality, at its sole cost and expense.

Landlord shall provide a separate air-conditioning unit for the Demised Premises. Tenant may request that Landlord inspect same to ensure that it is in proper working order. If the unit is not in proper working order, Landlord shall, at its sole discretion, repair or replace the unit.

13.2 All damage or injury of any kind to the Demised Premises and to its fixtures, glass, appurtenances, and equipment, if any, or to the building fixtures, glass, appurtenances, and equipment, if any, except damage caused by the wrongful acts or negligence of the Landlord, shall be the obligation of Tenant, and shall be repaired, restored or replaced promptly by Tenant at its sole cost and expense to the satisfaction of Landlord.

13.3 All of the aforesaid repairs, restorations and replacements shall be in quality and class equal to the original work or installations and shall be done in good and workmanlike manner.

13.4 If Tenant fails to make such repairs or restorations or replacements, the same may be made by the Landlord, at the expense of Tenant, and all sums spent and expenses incurred by Landlord shall be collectable as Additional Rent and shall be paid by Tenant within ten (10) days after rendition of a bill or statement thereof. **IN ALL OTHER RESPECTS, THE DEMISED PREMISES ARE BEING LEASED IN ITS PRESENT "AS IS" CONDITION.**

13.5 It shall be Tenant's obligation to insure that any renovations, repairs and/or improvements made by Tenant to the Demised Premises comply with all applicable building codes and life safety codes of governmental authorities having jurisdiction.

14. Governmental Regulations.
The Tenant covenants and agrees to fulfill and comply with all statutes, ordinances, rules, orders, regulations, and requirements of any and all governmental bodies, including but not limited to Federal, State, Miami-Dade County, and City governments, and any and all of their departments and bureaus applicable to the Demised Premises and shall also comply with and fulfill all rules, orders, and regulations for the prevention of fire, all at Tenant's own cost and expense. The Tenant shall pay all cost, expenses, claims, fines, penalties, and damages that may be imposed because of the failure of the Tenant to comply with this Section, and shall indemnify and hold harmless the Landlord from all liability arising from each event of non-compliance.

15. Liens.
Tenant will not permit any mechanics, laborers, or materialman's liens to stand against the leased premises or improvements for any labor or materials to Tenant or claimed to have been furnished to Tenant's agents, contractors, or sub-tenants, in connection with work of any character performed or claimed to have performed on said premises, or improvements by or at the direction or sufferance of the Tenant, provided however, Tenant shall have the right to contest the validity or amount of any such lien or claimed lien. In the event of such contest, Tenant shall give the Landlord reasonable security as may be demanded by Landlord to insure payment thereof and prevent sale, foreclosure, or forfeiture of the premises or improvements by reasons of such non-payment. Such security need not exceed one and one half (1-1/2) times the amount of such lien or such claim of lien. Such security shall be posted by Tenant within ten (10) days of written notice from Landlord, or Tenant may "bond off" the lien according to statutory procedures. Tenant will immediately pay any judgment rendered with all proper cost and charges and shall have such lien released or judgment satisfied at Tenant's own expense.

16. Enforcement.
Tenant agrees to pay the Base Rent and any Additional Rent herein reserved at the time and in the manner aforesaid, and should said rents herein provided, at any time remain due and unpaid for a period of fifteen (15) days after the same shall become due, the Landlord may exercise any or all options available to it hereunder, which options may be exercised concurrently or separately or the Landlord may pursue any other remedies enforced by law.

17. Condemnation.

17.1 If at any time during the term of this Lease and any renewal term hereunder, all or any part or portion of the building in which the Demised Premises are located, sufficient in size, to cause the Demised Premises to be untenantable, is taken, appropriated, or condemned by reason of Eminent Domain proceedings (except if the Eminent Domain proceedings are initiated by the City of Miami Beach), then this Lease shall be terminated as of the date of such taking, and shall thereafter be completely null and void, and neither of the parties hereto shall thereafter have any rights against the other by reason of this Lease or anything contained therein, except that any rent

prepaid beyond the date of such taking shall be prorated to such date, and the Tenant shall pay any and all rents, additional rents, utility charges, or other costs including excess taxes for which it is liable under the terms of this Lease, up to the date of such taking.

17.2 Except as hereunder provided, Tenant shall not be entitled to participate in the proceeds of any award made to the Landlord in any such Eminent Domain proceeding, excepting, however, the Tenant shall have the right to claim and recover from the condemning authority, but not from the Landlord, such compensation as may be separately awarded or recoverable by Tenant in Tenant's own right on account of any and all damage to Tenant's business by reasons of the condemnation and for or on account of any cost or loss which Tenant might incur in removing Tenant's furniture and fixtures.

18. Default.

18.1 Default by Tenant: At the Landlord's option, any of the following shall constitute an Event of Default under this Lease:

18.1.1 The Base Rent, Additional Rent, or any installment thereof is not paid promptly when and where due within fifteen (15) days of due date and if Tenant shall not cure such failure within five (5) days after receipt of written notice from Landlord specifying such default;

18.1.2 Any other payment provided for under this Lease is not paid promptly when and where due;

18.1.3 The Demised Premises shall be deserted, abandoned, or vacated;

18.1.4 The Tenant shall fail to comply with any material term, provision, condition or covenant contained herein other than the payment of rent and shall not cure such failure within thirty (30) days after the receipt of written notice from Landlord specifying any such default; or such longer period of time acceptable to Landlord, at its sole discretion;

18.1.5 Receipt of notice of violation from any governmental authority having jurisdiction dealing with a code, regulation, ordinance or the like, which remains uncured for a period of thirty (30) days from its issuance, or such longer period of time acceptable to Landlord, at its sole discretion;

18.1.6 Any petition is filed by or against Tenant under any section or chapter of the Bankruptcy Act, as amended, which remains pending for more than sixty (60) days, or any other proceedings now or hereafter authorized by the laws of the United States or of any state for the purpose of discharging or extending the time for

payment of debts;

18.1.7 Tenant shall become insolvent;

18.1.8 Tenant shall make an assignment for benefit of creditors;

18.1.9 A receiver is appointed for Tenant by any court and shall not be dissolved within thirty (30) days thereafter; or

18.1.10 The leasehold interest is levied on under execution.

19. Rights on Default.

19.1 Rights on Default: In the event of any default by Tenant as provided herein, Landlord shall have the option to do any of the following in addition to and not in limitation of any other remedy permitted by law or by this Lease;

19.1.1 Terminate this Lease, in which event Tenant shall immediately surrender the Demised Premises to Landlord, but if Tenant shall fail to do so Landlord may, without further notice, and without prejudice to any other remedy Landlord may have for possession or arrearages in rent or damages for breach of contract, enter upon Demised Premises and expel or remove Tenant and his effects in accordance with law, without being liable for prosecution or any claim for damages therefore, and Tenant agrees to indemnify and hold harmless Landlord for all loss and damage which Landlord may suffer by reasons of such Lease termination, whether through inability to re-let the Demised Premises, or through decrease in rent, or otherwise.

19.1.2 Declare the entire amount of the Base Rent and Additional Rent which would become due and payable during the remainder of the term of this Lease to be due and payable immediately, in which event Tenant agrees to pay the same at once, together with all rents therefore due, at the address of Landlord, as provided in the Notices section of this Lease; provided, however, that such payment shall not constitute a penalty, forfeiture, or liquidated damage, but shall merely constitute payment in advance of the rents for the remainder of said term and such payment shall be considered, construed and taken to be a debt provable in bankruptcy or receivership.

19.1.3 Enter the Demised Premises as the agent of Tenant, by force if necessary, without being liable to prosecution or any claim for damages therefore, remove Tenant's property there from, and re-let the Demised Premises, or portions thereof, for such terms and upon such conditions which Landlord deems, in its sole discretion, desirable, and to receive the rents therefore, and Tenant shall pay

Landlord any deficiency that may arise by reason of such re-letting, on demand at any time and from time to time at the office of Landlord; and for the purpose of re-letting, Landlord may (i) make any repairs, changes, alterations or additions in or to said Demised Premises that may be necessary or convenient; (ii) pay all costs and expenses therefore from rents resulting from re-letting; and (iii) Tenant shall pay Landlord any deficiency as aforesaid.

19.1.4 Take possession of any personal property owned by Tenant on said Demised Premises and sell the same at public or private sale, and apply same to the payment of rent due, holding the Tenant liable for the deficiency, if any.

19.1.5 It is expressly agreed and understood by and between the parties hereto that any installments of rent accruing under the provisions of this Lease which shall not be paid when due shall bear interest at the maximum legal rate of interest per annum then prevailing in Florida from the date when the same was payable by the terms hereof, until the same shall be paid by Tenant. Any failure on Landlord's behalf to enforce this Section shall not constitute a waiver of this provision with respect to future accruals of past due rent. No interest will be charged for payments made within the grace period, such grace period to be defined as within five days of the due date. In addition, there will be a late charge of $50.00 for any payments submitted after the grace period.

19.1.6 If Tenant shall default in making any payment of monies to any person or for any purpose as may be required hereunder, Landlord may pay such expense but Landlord shall not be obligated to do so. Tenant upon Landlord's paying such expense shall be obligated to forthwith reimburse Landlord for the amount thereof. All sums of money payable by Tenant to Landlord hereunder shall be deemed as rent for use of the Demised Premises and collectable by Landlord from Tenant as rent, and shall be due from Tenant to Landlord on the first day of the month following the payment of the expense by Landlord.

19.1.7 The rights of the Landlord under this Lease shall be cumulative but not restrictive to those given by law and failure on the part of the Landlord to exercise promptly any rights given hereunder shall not operate to waive or to forfeit any of the said rights.

19.2 Default by Landlord:
The failure of Landlord to perform any of the covenants, conditions and agreements of the Lease which are to be performed by Landlord and the continuance of such failure for a period of sixty (60) days after notice thereof in writing from Tenant to Landlord (which notice shall specify the respects in

which Tenant contends that Landlord failed to perform any such covenant, conditions and agreements) shall constitute a default by Landlord, unless such default is one which cannot be cured within sixty (60) days because of circumstances beyond Landlord's control, and Landlord within such sixty (60) day period shall have commenced and thereafter shall continue diligently to prosecute all actions necessary to cure such defaults.

However, in the event Landlord fails to perform within the initial 30 day period provided above, and such failure to perform prevents Tenant from operating its business in a customary manner and causes an undue hardship for the Tenant, then such failure to perform (regardless of circumstances beyond its control) as indicated above, shall constitute a default by Landlord.

20. Indemnity Against Costs and Charges.

20.1 The Tenant shall be liable to the Landlord for all costs and charges, expenses, reasonable attorney's fees, and damages which may be incurred or sustained by the Landlord, by reason of the Tenant's breach of any of the provisions of this Lease. Any sums due the Landlord under the provisions of this item shall constitute a lien against the interest of the Tenant and the Demised Premises and all of Tenant's property situated thereon to the same extent and on the same conditions as delinquent rent would constitute a lien on said premises and property.

20.2 If Tenant shall at any time be in default hereunder, and if Landlord shall deem it necessary to engage an attorney to enforce Landlord's rights and Tenant's obligations hereunder, the Tenant will reimburse the Landlord for the reasonable expenses incurred thereby, including, but not limited to, court costs and reasonable attorney's fees, whether suit be brought or not and if suit be brought, then Tenant shall be liable for expenses incurred at both the trial and appellate levels.

21. Indemnification Against Claims.

21.1 The Tenant shall indemnify and save the Landlord harmless from and against any and all claims or causes of action (whether groundless or otherwise) by or on behalf of any person, firm, or corporation, for personal injury or property damage occurring upon the Demised Premises or upon any parking lot or other facility or appurtenance used in connection with the Demised Premises, occasioned in whole or in part by any of the following:

21.1.1 An act or omission on the part of the Tenants, or any employee, agent, invitee, or guest, assignee or sub-tenant of the Tenant;

21.1.2 Any misuse, neglect, or unlawful use of the Demised Premises or the building in which the Demised Premises is located or any of its facilities by Tenant, or any employee, agent, invitee, or guest, assignee or sub-tenant or the Tenant, but not to include

trespassers upon the Demised Premises;

21.1.3 Any breach, violation, or non-performance of any undertaking of the Tenant under this Lease;

21.1.4 Anything growing out of the use or occupancy of the Demised Premises by the Tenant or anyone holding or claiming to hold through or under the Lease.

21.2 Tenant agrees to pay all damages to the Demised Premises or other facilities used in connection therewith, caused by the Tenant or any employee, guest, or invitee of the Tenant.

22. Signs and Advertising.
Without the prior written consent of Landlord, Tenant shall not permit the painting and display of any signs, plaques, lettering or advertising material of any kind on or near the Demised Premises. All signage shall comply with signage standards established by Landlord and comply with all applicable building codes, and any other Municipal, County, State and Federal laws.

23. Effect of Conveyance.
The term "Landlord" as used in the Lease means only the owner for the time being of the land and building containing the Demised Premises, so that in the event of any sale of said land and building, or in the event of a lease of said building, the Landlord shall be and hereby is entirely freed and relieved of all covenants and obligations of the Landlord hereunder, and it shall be deemed and construed without further agreement between the parties, or between the parties and the purchaser at such sale, or the lease of this building, that the purchaser or Tenant has assumed and agreed to carry out all covenants and obligations of the Landlord hereunder.

24. Damage to the Demised Premises.

24.1 The building in which the Demised Premises are located is insured under Landlord's fire insurance policy. If the Demised Premises shall be damaged by the elements or other casualty not due to Tenant's negligence, or by fire, but are not thereby rendered untenantable, as determined by Landlord, in whole or in part, and such damage is covered by Landlord's insurance, if any, (hereinafter referred to as "such occurrence"), Landlord, shall, as soon as possible after such occurrence, utilize the insurance proceeds to cause such damage to be repaired and the rent shall not be abated. If by reason of such occurrence, the Demised Premises shall be rendered untenantable, as determined by Landlord, only in part, Landlord shall as soon as possible utilize the insurance proceeds to cause the damage to be repaired, and the rent meanwhile shall be abated proportionately as to the portion of the Demised Premises rendered untenantable; provided however, if the Demised Premises are by reason of such occurrence, rendered more than 50% but less than 100% untenantable, as determined by Landlord, Landlord shall

promptly obtain a good faith estimate of the time required to render the Demised Premises tenantable. If such time exceeds sixty (60) days, the Tenant shall have the option of canceling this Lease, which option shall be exercised by Tenant in writing within ten (10) days of receipt of notice of same from Landlord.

24.2 If the Demised Premises shall be rendered wholly untenantable by reason of such occurrence, the Landlord shall utilize the insurance proceeds to cause such damage to be repaired and the rent meanwhile shall be abated in whole; provided, however, that Landlord shall have the right, to be exercised by notice in writing delivered to Tenant within sixty (60) days from and after said occurrence, to elect not to reconstruct the destroyed Demised Premises, and in such event, this lease and the tenancy hereby created shall cease as of the date of said occurrence, the rent to be adjusted as of such date. If the Demised Premises shall be rendered wholly untenantable, the Tenant shall have the right, to be exercised by notice in writing, delivered to Landlord within thirty (30) days from and after said occurrence, to elect to terminate this lease, the rent to be adjusted accordingly. Notwithstanding any clause contained in this Section, if Landlord becomes self insured or the damage is not covered by Landlord's insurance, then Landlord shall have no obligation to repair the damage, but Landlord shall advise Tenant in writing within thirty (30) days of the occurrence giving rise to the damage and of its decision not to repair, and the Tenant may, at any time thereafter, elect to terminate the lease, and the rent shall be adjusted accordingly.

25. Quiet Enjoyment.
The Tenant shall enjoy quiet enjoyment of the Demised Premises and shall not be evicted or disturbed in possession of the Demised Premises so long as Tenant complies with the terms of this Lease.

26. Waiver.

26.1 It is mutually covenanted and agreed by and between the parties hereto that the failure of Landlord to insist upon the strict performance of any of the conditions, covenants, terms or provisions of this Lease, or to exercise any option herein conferred, will not be considered or construed as a waiver or relinquishment for the future of any such conditions, covenants, terms, provisions or options but the same shall continue and remain in full force and effect.

26.2 A waiver of any term expressed herein shall not be implied by any neglect of Landlord to declare a forfeiture on account of the violation of such term if such violation by continued or repeated subsequently and any express waiver shall not affect any term other than the one specified in such waiver and that one only for the time and in the manner specifically stated.

26.3 The receipt of any sum paid by Tenant to Landlord after breach of any condition, covenant, term or provision herein contained shall not be deemed

a waiver of such breach, but shall be taken, considered and construed as payment for use and occupation, and not as rent, unless such breach be expressly waived in writing by Landlord.

27. Notices.
The addresses for all notices required under this Lease shall be as follows, or at such other address as either party shall be in writing, notify the other:

LANDLORD:	City Manager City of Miami Beach 1700 Convention Center Drive Miami Beach, Florida 33139
With copies to:	City Attorney City of Miami Beach 1700 Convention Center Drive Miami Beach, Florida 33139
And:	Asset Manager City of Miami Beach 1700 Convention Center Drive Miami Beach, Florida 33139
TENANT:	Credit Union Manager Miami Beach Federal Credit Union 775 – 17th Street Miami Beach, Florida 33139
With copies to:	Saraga & Lipshy, P.A. 201 NE 1st Avenue Delray Beach, Florida 33444 Attn: Brian Louis Lipshy, Esq.

All notices shall be hand delivered and a receipt requested, or by certified mail with Return receipt requested, and shall be effective upon receipt.

28. Entire and Binding Agreement.
This Lease contains all of the agreements between the parties hereto, and it may not be modified in any manner other than by agreement in writing signed by all the parties hereto or their successors in interest. The terms, covenants and conditions contained herein shall inure to the benefit of and be binding upon Landlord and Tenant and their respective successors and assigns, except as may be otherwise expressly provided in this Lease.

29. Provisions Severable.
If any term or provision of this Lease or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Lease, or the application of such term or provision to persons or circumstances

other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term and provision of this Lease shall be valid and be enforced to the fullest extent permitted by law.

30. Captions.
The captions contained herein are for the convenience and reference only and shall not be deemed a part of this Lease or construed as in any manner limiting or amplifying the terms and provisions of this Lease to which they relate.

31. Number and Gender.
Whenever used herein, the singular number shall include the plural and the plural shall include the singular, and the use of one gender shall include all genders

32. Governing Law.
This Lease shall be governed by and construed in accordance with the law of the State of Florida.

33. Limitation of Liability.
The Landlord desires to enter into this Agreement only if in so doing the Landlord can place a limit on Landlord's liability for any cause of action for money damages due to an alleged breach by the Landlord of this Agreement, so that its liability for any such breach never exceeds the sum of Ten Thousand Dollars and no/100 ($10,000.00). Tenant hereby expresses its willingness to enter into this Agreement with the Tenant's recovery from the Landlord for any damage action for breach of contract to be limited to a maximum amount of Ten Thousand (10,000.00) Dollars. Accordingly, and notwithstanding any other term or condition of this Agreement, Tenant hereby agrees that the Landlord shall not be liable to Tenant for damage in an amount in excess of Ten Thousand ($10,000.00) Dollars for any action or claim for breach of contract arising out of the performance or non-performance of any obligations imposed upon the Landlord by this Agreement. Nothing contained in this Section or elsewhere in this Agreement is in any way intended to be a waiver of the limitation placed upon Landlord's liability as set forth in Florida Statutes, Section 768.28.

34. Surrender of the Demised Premises.
The Tenant shall, on or before the last day of the term herein demised, or the sooner termination thereof, peaceably and quietly leave, surrender and yield upon to the Landlord the Demised Premises, together with any and all equipment, fixtures, furnishings, appliances or other personal property, if any, located at or on the Demised Premises and used by Tenant in the maintenance, management or operation of the Demised Premises, excluding any trade fixtures or personal property, if any, which can be removed without material injury to the Demised Premises, free of all liens, claims and encumbrances and rights of others or broom-clean, together with all structural changes, alterations, additions, and improvements which may have been made upon the Demised Premises, in good order, condition and repair, reasonable wear and tear excepted, subject, however, to the subsequent provisions of this Article. Any property which pursuant to the provisions of this Section is removable by Tenant on or at the Demised Premises upon the

termination of this Lease and is not so removed may, at the option of the Landlord, be deemed abandoned by the Tenant, and either may be retained by the Landlord as its property or may be removed and disposed of at the sole cost of the Tenant in such manner as the Landlord may see fit. If the Demised Premises and personal property, if any, be not surrendered at the end of the term as provided in this Section, the Tenant shall make good the Landlord all damages which the Landlord shall suffer by reason thereof, and shall indemnify and hold harmless the Landlord against all claims made by any succeeding tenant or purchaser, so far as such delay is occasioned by the failure of the Tenant to surrender the Demised Premises as and when herein required.

35. Time is of the Essence.
Time is of the essence in every particular and particularly where the obligation to pay money is involved.

36. Venue.
This Lease Agreement shall be enforceable in Miami-Dade County, Florida, and if legal action is necessary by either party with respect to the enforcement of any and all the terms or conditions herein, exclusive venue for the enforcement of same shall lie in Miami-Dade County, Florida.

LANDLORD AND TENANT HEREBY KNOWINGLY AND INTENTIONALLY WAIVE THE RIGHT TO TRIAL BY JURY IN ANY ACTION OR PROCEEDING THAT THE LANDLORD AND TENANT MAY HEREIN AFTER INSTITUTE AGAINST EACH OTHER WITH RESPECT TO ANY MATTER ARISING OUT OF OR RELATED TO THIS LEASE AGREEMENT.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be signed by the respective duly authorized officers, and the respective corporate seals to be affixed this **30th** day of **July**, **2003**.

ATTEST: **LANDLORD:** **CITY OF MIAMI BEACH, FLORIDA**

BY:

CITY CLERK **MAYOR**

ATTEST: **TENANT: MIAMI BEACH FEDERAL CREDIT UNION**

BY:

SECRETARY **CREDIT UNION MANAGER**

Susan Davis Hickerson
(Print Name)

CORPORATE SEAL
(affix here)

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

F:\DDHP\$ALL\ASSET\777-17th Street\Credit Union\LeaseAgreement4.DOC

City Attorney 7-9-03 Date

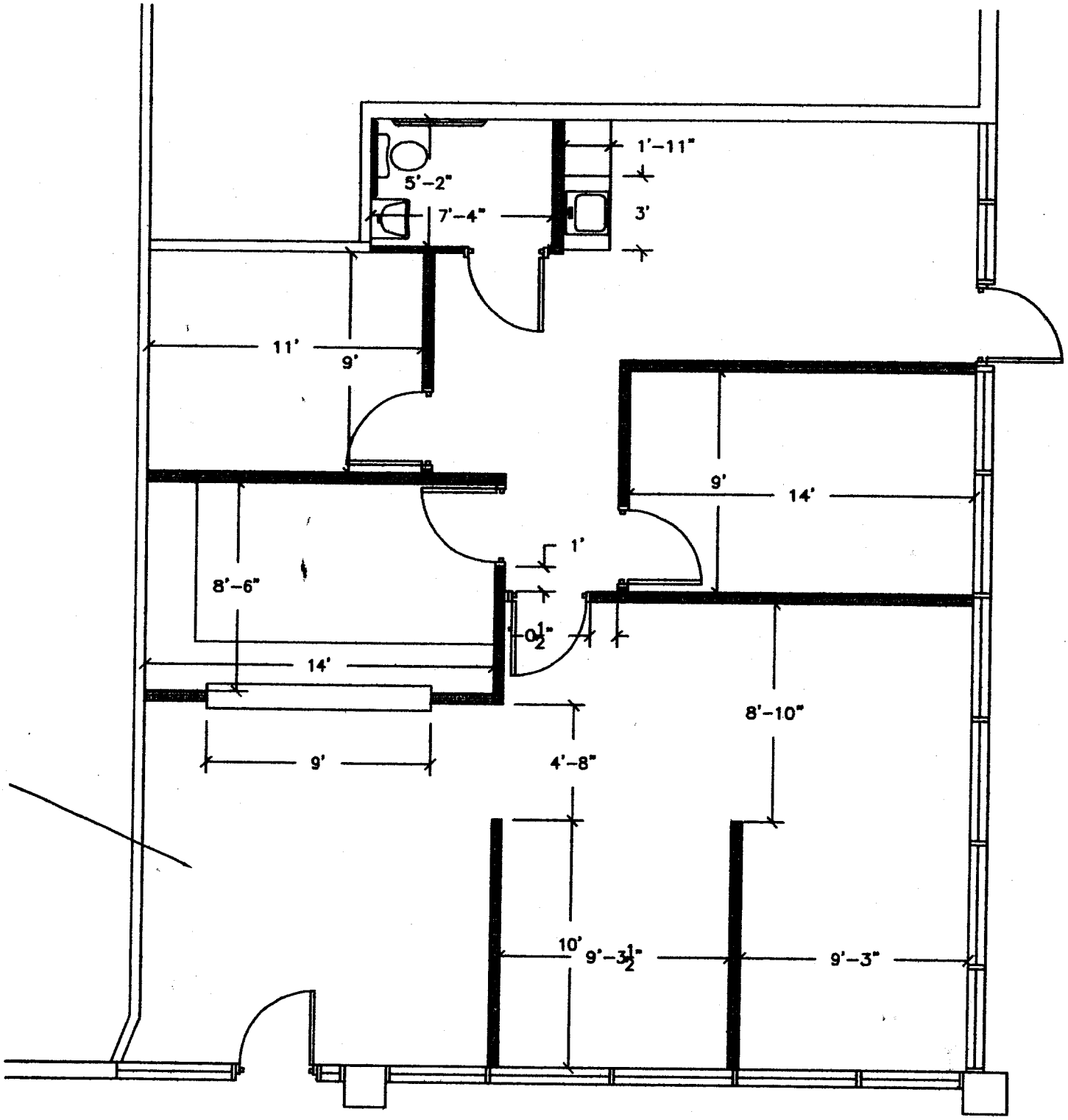

EXHIBIT "A"

CITY OF MIAMI BEACH
Planning Department
Interoffice Memorandum

To: Cristina M. Cuervo
Assistant City Manager

Date: July 25, 2003

From: Jorge G. Gomez
Planning Director

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

The following is the Planning analysis pursuant to Section 82-38 of the City Code for the use of office space on the first floor of 777 17th Street, which is owned by the City. This analysis is for the lease with the Credit Union.

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

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

2. **The impact on adjacent property, including the potential positive or negative impacts such as diminution of open space, increased traffic, noise level or enhanced property values, improved development patterns and provision of necessary services. Based on the proposed use of the property, the City shall determine the potential impact of the project on City utilities and other infrastructure needs and the magnitude of the costs associated with needed infrastructure improvements. Should it become apparent that further evaluation of traffic impact is needed, the proponent shall be responsible for obtaining a traffic impact analysis from a reputable traffic engineer.**

   The proposed use is not expected to have any detrimental impact on any adjacent properties, as this use is replacing a previous retail use within this office building. This use in a limited portion of the existing structure is not foreseen to have any increase in traffic or other infrastructure needs.

3. **A determination as to whether or not the proposed use is in keeping with a public purpose and community needs, such as expanding the City's revenue base, reducing City costs, creating jobs, creating a significant revenue stream, and improving the community's overall quality of life.**

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

4. **Determination as to whether or not the development is in keeping with the surrounding neighborhood, will block views, or create other environmental intrusions, and evaluation of the design and aesthetic considerations of the project.**

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

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

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

6. **A determination as to whether or not alternatives are available for the proposed disposition, including assembly of adjacent properties, and whether the project could be accomplished under a private-ownership assembly.**

   It is possible that the rental of office space to the Credit Union could be accomplished in other places within the City; however no other readily available site provides as much convenience to City employees as the current location within the 777 building.

7. **Within the constraints of public objectives, the department should examine financial issues such as job generation, providing housing opportunities and the return to the City for its disposition of property.**

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

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

   None.

JGG/RGL

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CITY OF MIAMI BEACH
NOTICE OF A PUBLIC HEARING

NOTICE IS HEREBY given that a public hearing will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, July 30, 2003, at 10:30 a.m.**, to consider the following:

TO HEAR PUBLIC COMMENT REGARDING A LEASE AGREEMENT WITH MIAMI BEACH FEDERAL CREDIT UNION, FOR THE LEASE OF APPROXIMATELY 1350 SQUARE FEET OF CITY-OWNED PROPERTY LOCATED AT 1701 MERIDIAN AVENUE, MIAMI BEACH, FLORIDA; FURTHER TO CONSIDER WAIVER, BY 5/7THS VOTE, OF THE COMPETITIVE BIDDING AND APPRAISAL REQUIREMENTS; AS REQUIRED BY SECTION 82-39 OF THE MIAMI BEACH CITY CODE.

Inquiries may be directed to the Economic Development at (305) 673-7193.

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 this ordinance are available for public inspection during normal business hours in the City Clerk's Office, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting may be continued and under such circumstances additional legal notice would not be provided.

Robert E. Parcher, City Clerk
City of Miami Beach

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

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding, or to request information on access for persons with disabilities, or to request this publication in accessible format, or to request sign language interpreters, should contact the City Clerk's office at (305) 673-7411, no later than four days prior to the proceeding. If hearing impaired, contact the City Clerk's office via the Florida Relay Service numbers, (800) 955-8771 (TTY) or (800) 955-8770 (VOICE).

(Ad #0191)

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A resolution of the Mayor and City Commission of the City of Miami Beach Florida, establishing an administrative process to review all city fees based on a threshold change in the Consumer Price Index (CPI) in concert with a survey of fees for similar services in surrounding communities or an increased cost for providing such service

Issue:

To recommend that a methodology be put in place to trigger a review of all city fees when a defined threshold change in the CPI occurs.

Item Summary/Recommendation:

Therefore it is recommended that a review of the fees be initiated whenever the change in the CPI, between the current CPI and the date of CPI used to establish the last rate adjustment, is greater than five percent (5%). Upon reaching this threshold, and following a survey of fees for similar services in surrounding communities and/or an analysis to review the current cost of providing such services, adjustment to such fees will be incorporated into an amended ordinance or resolution, as appropriate, and submitted to the Mayor and City Commission for approval.

Advisory Board Recommendation:

Financial Information:

Additional Revenue Projection

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Patricia Walker

Sign-Offs:

Department Director	Assistant City Manager	City Manager

AGENDA ITEM R7K

DATE

CITY OF MIAMI BEACH
CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
http:\\ci.miami-beach.fl.us

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH FLORIDA, ESTABLISHING AN ADMINISTRATIVE PROCESS TO REVIEW ALL CITY FEES BASED ON A THRESHOLD CHANGE IN THE CONSUMER PRICE INDEX (CPI) IN CONCERT WITH A SURVEY OF FEES FOR SIMILAR SERVICES IN SURROUNDING COMMUNITIES OR AN INCREASED COST OF PROVIDING SUCH SERVICE(S).**

ADMINISTRATION RECOMMENDATION:

Adopt the resolution.

ANALYSIS:

On May 12, 2003, the Finance and Citywide Projects Committee recommended fee increases for Occupational Licenses, Certificate of Use, Fire Inspection Fee, Sidewalk Café permits fee, Parks and Recreation fees and Building Permit Fees. Additionally they requested that an annual review based on increase in the CPI, be implemented to ensure that rates keep up with the increased cost of providing the services, and with those charged in surrounding communities.

On the first reading of the proposed ordinance amendments on July 2, 2003, the Mayor and the City Commission accepted the Finance and Citywide Projects Committee's recommendations, with the exception of the automatic annual increase provisions, which were not accepted.

It was then recommended that a methodology be put in place to review the fees when a defined threshold change in the CPI occurs. Therefore it is recommended that a review of the fees will be initiated whenever the change in the CPI, between the current CPI and the date of CPI used to establish the last rate adjustment, is greater than five percent (5%). Upon reaching this threshold, and following a survey of fees for similar services in surrounding communities and/or an analysis to review the current cost of providing such services, adjustment to such fees will be incorporated into an amended ordinance or

resolution, as appropriate, and submitted to the Mayor and City Commission for approval. This process will help to insure that the city is recovering costs for services provided and keeping fees competitive and in line with cost of living increases.

JMG/PDW/GPE/ris

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH FLORIDA, ESTABLISHING AN ADMINISTRATIVE PROCESS TO REVIEW ALL CITY FEES BASED ON A THRESHOLD CHANGE IN THE CONSUMER PRICE INDEX (CPI), IN CONCERT WITH A SURVEY OF FEES FOR SIMILAR SERVICES IN SURROUNDING COMMUNITIES OR AN INCREASED COST OF PROVIDING SUCH SERVICE(S).

WHEREAS, On May 12, 2003, the Finance and Citywide Projects Committee recommended fee increases for Occupational Licenses, Certificate of Use, Fire Inspection Fee, Sidewalk Café permits fee, Parks and Recreation fees and Building Permit Fees; and

WHEREAS, the Mayor and City Commission requested that an annual review based on an increase in the Consumer Price Index (CPI), be implemented to ensure that rates keep up with the increased cost of providing the services, and with those charged in surrounding communities; and

WHEREAS, on the first reading of the proposed ordinance amendments on July 2, 2003, the Mayor and the City Commission accepted the Finance and Citywide Projects Committee's recommendations, with the exception of the automatic annual increase provisions; and

WHEREAS, It was then recommended that an administrative methodology be put in place to review City fees when a defined threshold change in the CPI occurs.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AS FOLLOWS:
1) An administrative review of the City fees shall be initiated whenever the change in the CPI, between the current CPI and the date of the CPI used to establish the last fee adjustment, is greater than five percent (5%).
2) Upon reaching this threshold and, following a survey of fees for similar services in surrounding communities and/or an analysis to review the current cost of providing such services, the Administration shall prepare its recommendation that adjustment to City fees be incorporated into an amended ordinance or resolution, as appropriate, with final approval of same by the Mayor and City Commission.

PASSED and ADOPTED this _____ day of _____, 2003.

ATTEST:

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

_____ 7-24-03 _____

CITY CLERK City Attorney Date MAYOR

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CITY OF MIAMI BEACH
CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
http:\\ci.miami-beach.fl.us

COMMISSION MEMORANDUM NO.

TO: **Mayor David Dermer and Members of the City Commission**

DATE: July 30, 2003

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

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA SETTING 1) THE PROPOSED OPERATING MILLAGE RATE; 2) THE REQUIRED DEBT SERVICE MILLAGE RATE; 3) THE CALCULATED "ROLLED-BACK" RATE; AND, 4) THE DATE, TIME, AND PLACE OF THE FIRST PUBLIC HEARING TO CONSIDER THE MILLAGE RATES AND BUDGETS FOR FISCAL YEAR (FY) 2003/04; FURTHER AUTHORIZING THE CITY MANAGER TO TRANSMIT THIS INFORMATION TO THE MIAMI-DADE COUNTY PROPERTY APPRAISER IN THE FORM REQUIRED BY SECTION 200.065, FLORIDA STATUTES.**

SUMMARY

The Administration is recommending the City's operating millage rate at the current rate of 7.299, and has calculated a decrease of 0.149 in the current debt service millage rate of 1.023 to 0.874. Although the overall millage will decrease (0.149), due to increases in assessed value there will be a net increase of $13.15 in the amount of taxes that the average residential homeowner will pay to the City in the coming fiscal year. The School Board has announced a decrease and while the County has announced no overall increase in their property tax rate, (except that due to increases in assessed values) they have added the amount of the reduction in debt service millage to their general operating millage. The combined impact on the average homeowner in Miami Beach will be an increase of $66.21. The Administration has also considered the millage adjustment methodology implemented by the County, which is discussed later in this memo under the caption "Millage for Maintenance."

ADMINISTRATION RECOMMENDATION

The Administration recommends that the Mayor and City Commission adopt the attached resolution which authorizes the City Manager to transmit the following information to the Miami-Dade County Property Appraiser:

Agenda Item R7L
Date 7-30-03

1) Proposed Millage Rates for FY 2003/04:

General Operating	7.299 mills	(7.299 last year)
Debt Service	0.874 mills	(1.023 last year)
	8.173 mills	(8.322 last year)

2) "Rolled-Back" Rate (Truth in Millage) 6.527 mills

3) The first public hearing to consider the proposed millage rates and tentative budgets for FY 2003/04 shall be at 5:01 p.m., Thursday, September 4, 2003 in the City Commission Chambers, City Hall, 1700 Convention Center Drive, Miami Beach, Florida.

DECISION-MAKING PROCESS

The budget development process has included participation from within and from outside City Hall. An economic overview was presented to the Finance and Citywide Projects Committee on April 21st and Commission Budget Briefings were held on July 18th, July 22nd and July 24th to inform the Commission and the citizens of preliminary General Fund revenue projections and department expenditure requests for FY 2003/04.

The Budget Advisory Committee (BAC) reviewed the proposed budgets of all major departments and offered comments and suggestions throughout the process. The Administration will make a presentation today for the purpose of informing both you and the citizens about the status of the proposed budget which will include an overview of the budgets for General Fund, Enterprise Funds, Resort Tax Fund and the Internal Service Funds. In addition, we will provide information on both enhanced services and service level reductions. .

Maintaining the basic service level into FY 2003/04 will translate into a total operating budget (net of RDA) of $152,362,436 which is $8,371,322 or 5.8% greater than the adopted budget of $143,991,114 (net of RDA).

This proposed General Fund budget includes new or increased services in the net amount of $1.2 million.

In the Police Department, several enhancements are being proposed. To increase police visibility on the streets and promote stronger community partnerships, several officers will be reassigned to proactive uniform patrol positions throughout the City. One sergeant and four officers have been reassigned from the Criminal Investigations Division, Special Investigations Squad. This transfer will not eliminate the services currently provided, but will enhance specialized field operations. Two officers have also been reassigned from the School Resource Office to assume uniform patrol duties. Their duties as police liaisons to the schools will be assumed by two retired police officers who will be contracted to provide a continued presence in the schools. One sergeant from the Support Services Division will

be reassigned to uniform patrol. In addition, fifteen new sworn officers will be hired for the two Redevelopment Areas within Miami Beach as part of our continued community policing initiatives. These efforts will result in a total of twenty three additional sworn uniform officers for the Patrol Division.

The Parks and Recreation Department will undergo a reorganization that will enable the department to be much more responsive and accountable for quality recreation services. A key component of this reorganization is the creation of designated facility managers who will have the responsibility for the management and the offering of services in their respective facilities. The larger City facilities, including the new North Shore Park and Youth Center, the expanded Scott Rakow Youth Center and Flamingo Park will each have their own manager. Each of the facilities will also have additional resources to deliver the services desired and requested by our citizens. The North Shore Park and Youth Center, Normandy Isle Park and Pool and the expanded Scott Rakow Youth Center, will receive approximately $1.1 million in staff and resources to open and operate under our new structure and service levels. Programming at Fairway, Tatum and Normandy Shores Parks will be eliminated and those resources will be used for the newer expanded facilities. These parks will be used for athletic programs, open field play, and as satellite facilities when needed to accommodate program volume needs from the newer facilities in North Beach. These closings are a conscious effort by the department to effectively manage their resources and provide quality programming throughout the City.

The City's Beach Patrol will be supplemented by a new Park Ranger program which will provide additional security and monitoring of our parks and beaches, improved customer service and enhanced public safety. This program will deploy 11 full-time Park Rangers throughout our parks and beaches and two part-time Park Rangers to provide support and relief. These enhancements are being funded through our community policing program from the Redevelopment Agency and with reallocated security funds from Parks and Recreation. As a result of this program, it is recommended that the City close two lifeguard towers located on 81st and 83rd Streets and shift remaining area lifeguard towers located on 77th, 79th, and 85th Streets to provide coverage in the North Shore Open Space Park. It is also recommended that the Beach Patrol shifts be reduced from ten hours to eight hours during nine months of the year and that temporary lifeguard positions be reduced.

The Public Works Department will also undergo a reorganization that will streamline the department and the services it provides. As a result, several enhancements are proposed. The Sanitation Division has consolidated litter routes allowing savings to fund two crews that will be dedicated to the operation of the new MadVac XL 600's and replace hand-sweeping crews in residential areas. Mechanization of this function will increase the frequency in these residential areas and allow the Division to reassign hand-sweeping crews to areas currently being cleaned on an as needed basis. This service enhancement continues to make the Division more proactive to litter control around the City. Additional savings will be used to fund the South Beach Service Team Superintendent position; who will act as a link between the business owners and the City of Miami Beach Departments. This enhancement is a vital part of the City's vision to consolidate the customer service

core, to restructure the organization to include a middle management layer and ensure the success of the Sanitation, South Beach Service Team.

Additional enhancements in this department include the creation of an additional streetlight maintenance crew to maintain the newly constructed capital projects and provide adequate maintenance and repair of citywide lighting; the establishment of a waterway maintenance program that will address erosion, debris, seawalls and docks; increasing the stormwater drainage system cleaning capability through the use of additional contractual services; continuing the development of an Infrastructure Management System which will integrate all the maintenance efforts within the various divisions of Public Works Department into a centralized maintenance management system; and continuing the development of a City Geographic Information System (GIS) which would provide a detailed layered presentation of all maintenance, construction and infrastructure.

In the Building Department, one Senior Building Inspector has been added to enhance our Building Code Compliance program on a proactive basis. In the Planning Department, and one additional Planner and an Office Associate III have been funded to staff the concurrency function that is being transferred from the Public Works Department. Additionally, a Code Compliance officer is being added to provide expanded community interaction in the areas of occupational license, certificate of use and resort tax.

An enhancement in the City Clerk's Office will provide full funding of the Secondary Audio Program (SAP) in Spanish which will provide better communication with our Spanish-speaking residents through the live translation of City Commission meetings and various other City meetings on the City's government-access cable channel 20.

STATUTORY REQUIREMENTS

FS 200.065, entitled "Method of Fixing Millage" establishes specific guidelines that must be used by all local government entities in setting millage (property tax) rates. Under the statute, the City is required, within 35 days of receipt of the "Certification of Taxable Value" (received July 1, 2003), to advise the Miami-Dade County Property Appraiser of the proposed general operating millage rate, the calculated"rolled-back" rate and the date, time, and place of the first public hearing to consider the proposed millage rates and tentative budgets for FY 2003/04. The required Debt Service millage rate must also be set at the same time.

After setting the proposed operating millage rate, the Commission may, at any time prior to the final adoption, lower the rates by adjusting priorities. Increasing the millage rate may only be accomplished by an expensive mailing and advertising process to every property owner on Miami Beach.

ANALYSIS OF PROPERTY VALUES IN MIAMI BEACH

On July 1, 2003, the City received the "2003 Certification of Taxable Value" from the Property Appraiser's Office stating that the taxable value for the City of Miami Beach is $12,094,161,830, including $483,118,130 in new construction, which is the largest increase this City has experienced in its recent history.

The preliminary 2003 value represents an increase of 16.5 percent over 2002's final value of $10,382,919,209. Alternately, the increase is 14.5 percent over 2002's preliminary value of $10,560,066,688. The difference of $177,147,479 between 2002's preliminary and final values represents the equalization loss of less than 1.7 percent due to appeals, etc.

The comparative assessed values for the Miami Beach Redevelopment Agency South Pointe redevelopment district increased by $386,913,776 or 42.0 percent from $920,742,376 to $1,307,656,152. The assessed values in the City Center redevelopment district increased by $138,828,548 or 10.2 percent from $1,359,799,118 to $1,498,627,666.

DETERMINING THE OPERATING MILLAGE LEVY

The first building block in developing a municipal budget is the establishment of the value of one mill of taxation, wherein the mill is defined as $1.00 of ad valorem tax for each $1,000 of property value. For the City of Miami Beach, this value is determined by the 2003 Certification of Taxable Value and has been set at $12,094,161,830. Florida Statutes permit a discount of up to five percent for early payment discounts, delinquencies, etc. For the City of Miami Beach, the discount utilized is 3.5 percent. Therefore, the 96.5 percent value of the mill is $11,670,866.

Preliminary budget estimates reveal that the current millage rate of 7.299 mills will be sufficient to fund a current, basic service level as it presently exists, and selected service enhancements, into the next year.

The proposed millage rate of 7.299 mills will generate ad valorem tax revenues of $85,185,650 (of which $17,016,674 will be transferred to the Redevelopment Agencies) for a net revenue total of $68,168,976 in the General Fund. The total amount is $10,805,446 more than the prior year levy of $74,380,204 reflecting a 14.5 % increase. The net General Fund ad valorem budget has increased $7,118,062 (11.7%) from $61,050,914 to $68,168,976.

DETERMINING THE DEBT SERVICE MILLAGE LEVY

The debt service payment for FY 2003/04 is $ 10,200,337 and requires a tax rate of 0.874 mills. This rate is 0.149 mills, or fourteen and six tenths percent (14.6%) less than the FY 2002/03 rate of 1.023 mills. This rate includes the debt service of $62,465,000 of General Obligation Bonds which were sold and closed during July 2003. These bonds represent the

final issue of the $92,465,000 of bonds authorized by the voters in November 1999, completing this authorization.

COMBINING THE OPERATING AND DEBT SERVICE MILLAGE LEVIES

Illustrated below is a comparison of the combined millage rates and ad valorem revenues to the City of Miami Beach for FY 2002/03 (final) and FY 2003/04 (preliminary).

	Tax Rate			Tax Levy		
	FY 02/03	FY 03/04	Inc/(Dec)	FY 02/03	FY 03/04	Inc/(Dec)
General Operating	7.299	7.299	0.000	$73,132,455	$85,185,650	$12,053,195
Debt Service	1.023	0.874	(0.149)	10,249,966	10,200,337	(49,629)
TOTAL	8.322	8.173	(0.149)	$83,382,421	$95,385,987	$12,003,566

If these recommended millage rates are tentatively adopted, then the combined tax rate will decrease by 0.149 mills, or 1.79% less than the current year. The operating millage will remain constant, and debt service millage will decrease by 0.149 mills, or 14.6 percent.

OPPORTUNITY TO ESTABLISH A MILLAGE FOR MAINTENANCE

For the upcoming FY 2003/04 the City has an opportunity to establish a restricted account for the maintenance of City parks, streets, sidewalks, buildings and other facilities. This concept is in response to concerns expressed by our citizens throughout the development and implementation of our Capital Improvement Program and the Administration's desire to maintain the City in a "world class" manner. This opportunity would result in a restricted amount for FY 2003/04 of approximately $1.4 million to be used exclusively to provide for additional infrastructure maintenance over and above the $13.1 million already included in the City's Proposed FY 2003/04 Budget.

The funding of this restricted account could be accomplished by adding the amount of the FY 2003/04 Debt Service Millage reduction (1.023 - 0.874 = 0.149 mills) to the FY 2003/04 General Operating Millage (7.299 + 0.149 = 7.448). Therefore, the Total City millage would not increase but would remain at 8.322 as it was in FY 2002/03. City property owners would pay the same total tax millage for FY2003/04 as they did in FY 2002/03. The chart below illustrates the "Millage for Maintenance" concept.

	"Millage for Maintenance" Tax Levy		
	FY 02/03	**FY 03/04**	**Inc/(Dec)**
General Operating	7.299	7.448	0.149
Debt Service	1.023	0.874	(0.149)
TOTAL	8.322	8.322	(0.000)

As assessed values in the City continue to rise over the upcoming years, the cost of debt service on outstanding general obligation bonds will be spread over a larger value resulting in a decrease in debt service millage each year. If the City were to continue this process, thereby, adding the decrease in debt service millage each year to the general operating millage until the amount of the millage associated with maintenance reached 0.5 mills, it would generate (based on today's value of a mill) a minimum of $4.6 million for additional infrastructure maintenance each year.

COMBINING JURISDICTIONAL OPERATING AND DEBT SERVICE MILLAGE LEVIES

City of Miami Beach property owners must also pay property taxes to Miami-Dade County, the Miami-Dade County School Board, the South Florida Water Management District, and the Florida Inland Navigation District. In FY 02/03, the Miami Beach portion of the total tax bill was 33.2 percent. **The recommended millage rates for FY 2003/04 will place the Miami Beach portion of the tax bill at 32.99 percent based on tax rates announced by other jurisdictions.**

Revised FY 2003/04 tax rates may be considered by Miami-Dade County on September 3, 2003. The countywide tax rate will increase to 5.994 mills; the County's debt service will decrease to 0.285 mills. The Library District has announced that the millage will remain at 0.486 mills. While it is not possible to determine the exact amount returned in additional services, it should be noted that Miami-Dade County returned $10,788,150 during FY 2002/03 in tax-increment funds for the Redevelopment Agency and its two tax-increment districts.

The Miami-Dade County School Board is scheduled to discuss its final tax rate on September 10, 2003 but has tentatively announced a rate of 9.100 mills; a decrease of 0.152 mills.

The South Florida Water Management District has proposed no increase from the current rate of 0.697 mills. The South Florida Inland Navigation District has proposed no increase from the current rate of 0.039 mills.

Illustrated in the following chart are the current and proposed tax rates for the multiple taxing authorities.

	Adopted FY 02/03	Proposed FY 03/04	Inc/(Dec)	% Change	% of Total
Miami Beach					
General Operating	7.299	7.299	0.000	0.00	32.99
Debt Service	1.023	0.874	(0.149)	(14.57)	
Miami-Dade County					
Countywide Operating	5.889	5.964	0.105	1.78	27.31
Library	0.486	0.486	0.000	0.00	
Debt Service	0.390	0.285	(0.105)	(26.92)	
School Board	9.252	9.100	(0.152)	(1.64)	36.73
Other	0.736	0.736	(0.000)	(0.00)	2.97
Totals	25.075	24.774	(0.301)	(1.20)	100.00

COMBINED MILLAGE LEVY IMPACT ON THE HOMEOWNER

Amendment 10 to the State Constitution took effect on January 1, 1995 and limited the increase in assessed value of homesteaded property to the percentage increase in the consumer price index (CPI) or three percent (3%), whichever is less. For 2003, the CPI has been determined to be 2.4 percent and therefore, the increase is capped at 2.4% for increased values as of January 1, 2003. The $25,000 homestead exemption is applied after the increase in value as follows: assuming that the average residential property in Miami Beach was valued at $200,000, that value is increased by the 2.4% to a new value of $204,800. The homestead exemption of $25,000 is then deducted, yielding a taxable value of $179,800.

Using the proposed tax rates, that value is then taxed as follows:

Taxing Jurisdiction	Proposed Millage	Millage for Maintenance
	@ 7.299	@ 7.448
	0.874	0.874
	8.173	8.322
Miami Beach	$13.15	$39.94
Miami-Dade County	32.46	32.46
School Board	17.08	17.08
Other	3.52	3.52
Totals	$ 66.21	$ 93.00

At the combined proposed millage rate of 8.173, the total dollars for both operating and debt service paid to the City when compared to the prior year's taxable value of $200,000 and 8.322 millage rate, would increase by $13.15. The overall taxes would increase by $66.21. This, of course, assumes that the other taxing jurisdictions adopt these millages.

For illustrative purposes, under the previously discussed "Millage for Maintenance" concept at the combined millage rate of 8.322, the total dollars for both operating and debt service paid to the City when compared to the prior year's taxable value of $200,000 and the FY 2002/03 8.322 millage rate, would increase by an additional $26.79.

BUDGET RECOMMENDATION

The Administration recommends that you adopt the **operating millage rate of 7.299 mills and 0.874 mills for debt service, which will maintain current basic service levels,** fund operational costs for projects as they come on-line, and fund enhanced service levels as possible. In addition, you may select any millage rate up to the constitutional cap of 10 mills.

FIRST PUBLIC HEARING

The first public hearing on the proposed millage rates and tentative budgets for Fiscal Year 2003/04 must be held no later than 80 days (September 18th) or earlier than 65 days (September 3rd) from the start of the TRIM ("Truth In Millage") calendar (July 1st). Other guidelines are: 1) the public hearing cannot be scheduled on a Sunday or on those days utilized by Miami-Dade County or the Miami-Dade County School Board for their public hearings; and 2) if on a day other than Saturday, the public hearing must be after 5:00 P.M.

Based on these guidelines, the first hearing must be held between September 3rd and September 18th. These dates are unavailable for the following reasons:

September 7 & 14	Sundays
September 3 and 17	Miami-Dade County Public Hearings
September 10	Miami-Dade County School Board Public Hearing

Of the remaining days, it is recommended that the first public hearing be set for 5:01 P.M., Thursday, September 4, 2003 in the City Commission Chambers, City Hall, 1700 Convention Center Drive.

I wish to take this opportunity to thank the Office of Management and Budget, the Finance Department, the Department Directors, Assistant City Managers, and all City personnel who worked so diligently on this budget. The Administration looks forward to continued assistance from the Budget Advisory Committee, the City Boards and Committees, and community groups upon release of the Proposed Budget and at the public hearings to be held in September.

JMG:PDW:JC

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CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT SETTING 1) THE PROPOSED GENERAL OPERATING MILLAGE RATE FOR THE NORMANDY SHORES NEIGHBORHOOD IMPROVEMENT DISTRICT; 2) THE CALCULATED ROLLED-BACK RATE; AND, 3) THE DATE, TIME AND PLACE OF THE FIRST PUBLIC HEARING TO CONSIDER THE OPERATING MILLAGE RATE AND BUDGET FOR FISCAL YEAR (FY) 2003/04; FURTHER AUTHORIZING THE CITY MANAGER TO TRANSMIT THIS INFORMATION TO THE MIAMI-DADE COUNTY PROPERTY APPRAISER IN THE FORM REQUIRED BY SECTION 200.065, FLORIDA STATUTES**

ADMINISTRATION RECOMMENDATION

The Administration recommends that the Mayor and City Commission, acting in its capacity as the Board of Directors for the Normandy Shores Local Government Neighborhood Improvement District, adopt the attached resolution which authorizes the City Manager to transmit the following information to the Miami-Dade County Property Appraiser:

1) Proposed Operating Millage Rate of the Normandy Shores Neighborhood Improvement District for FY 2003/04:

General Operating	1.123 mills

2) "Rolled-Back" Rate (Truth In Millage) 1.074 mills

3) The first public hearing to consider the proposed Normandy Shores Neighborhood Improvement District operating millage rate and tentative budget for FY 2003/04 shall be at 5:02 P.M., Wednesday, September 4, 2003 in the City Commission Chambers, City Hall, 1700 Convention Center Drive, Miami Beach, Florida.

Agenda Item R7M
Date 7-30-03

BACKGROUND

The Normandy Shores Local Government Neighborhood Improvement District, a dependent taxing district of its principal, the City of Miami Beach, was established in 1994 to provide continual 24-hour security to this gated community; FY 2003/04 represents its tenth year of operation.

It was established by Ordinance 93-2881, and has the authority *"to levy an ad-valorem tax on real and personal property of up to two mills, provided that no parcel of property will be assessed more than $500 annually for such improvements"*. However, on August 29, 2002, the Administration met with the Normandy Shores Local Government Neighborhood Improvement District representatives and agreed to eliminate the $500 cap on the highest valued home in the District. The enabling legislation was adopted by the Commission on September 25, 2002. This ensures that the City's contribution from the General Fund remains at 35% of the operating budget of the District.

Statutory Requirement

FS 200.065, entitled Method of Fixing Millage establishes specific guidelines that must be used by all local government entities, including dependent taxing districts like Normandy Shores in setting its millage (Property tax) rates. Not unlike its principal taxing authority (City of Miami Beach), Normandy Shores is also required to transmit within 35 days from receipt of the Certification of Taxable Value (received July 1, 2003), to the Miami-Dade County Property Appraiser, a proposed operating millage rate, the calculated rolled-back rate and the date, time, and place of the first public hearing to consider the proposed operating millage rate and tentative budget for Fiscal Year 2003/04.

After setting the proposed operating millage rate for Normandy Shores, the City Commission may, at any time prior to the final adoption, lower the millage rate; however any increase above the 1.123 millage rate would require an expensive mailing and advertising process to each an every property owner of Miami Beach. Therefore, this proposed millage rate is viewed as the ceiling.

ANALYSIS

On July 1, 2003, the City received the 2003 Certification of Taxable Value from the Property Appraiser's Office stating that the taxable value for Normandy Shores is $75,443,157, which included $221,722 in new construction. The preliminary value represents an increase of 11.6 percent over 2002's final value of $67,627,523. Alternately, the increase is 11.5 percent over 2002's preliminary value of $67,674,913. The difference of $47,390 between 2002's preliminary and final values represents the equalization loss of less than one percent due to appeals.

Operating Millage and Budget

The tentative ad valorem millage recommended by the Administration is 1.123 mills to provide the level of security required by this district. This tax levy will generate proceeds of $81,758. The total operating budget to provide security services to this district is $125,800. This is comparable to the current year end projections. The difference between the revenues which will be generated from ad-valorem tax proceeds and the total budgetary requirement of the district must be supplemented by a contribution from the General Fund in the amount of $44,042 or 35% of the total operating budget.

The General Fund has funded this difference for each of the nine years since the District was established. The amount provided by the General Fund for this purpose in FY 2002/03 was $42,000.

During FY 99 the amount of annual funding to be provided by the City and the dependent status of the District were issues discussed by the Finance and Citywide Projects Committee. A determination was reached that the City would fund 35% of the annual cost of the operation of the community gate guard. This cost will eventually be funded from the golf course operation of the Normandy Shores Golf Course. The City Attorney's Office is reviewing the issue regarding the dependent status of the District. It was further agreed that the City would continue to supplement the District at current levels until both issues were resolved.

It must be noted that in accordance with State Statute, there is a 10 mill operating cap which cannot be exceeded without voter approval. Combining both millages from the dependent district (1.123) and the principal taxing authority (7.299) totals **8.422** mills, which is **1.578** mills less than the **10 mill cap.**

First Public Hearing

The first public hearing on the proposed operating millage rate and tentative budget for FY 2003/04 must be held no later than 80 days (September 18th) or earlier than 65 days (September 3rd) from the start of the TRIM calendar (July 1st). Other guidelines are: 1) The public hearing cannot be scheduled on a Sunday or on those days utilized by Miami-Dade County or the Miami-Dade County School Board for their public hearing; 2) If on a day other than Saturday, it must be held after 5:00 P.M.; and 3) must be held immediately following discussion of the tentative millage and budget of its principal taxing authority (City of Miami Beach).

Based on these guidelines, the first hearing must be held between September 3rd and September 18th. These dates are unavailable for the following reasons:

September 7 & 14	Sundays
September 3 and 17	Miami-Dade County Public Hearings
September 10	Miami-Dade County School Board Public Hearing

Of the remaining days, it is recommended that the first public hearing be set for 5:02 P.M., Wednesday, September 4, 2003 in the City Commission Chambers, City Hall, 1700 Convention Center Drive, immediately following the City of Miami Beach's public hearing.

JMG:PDW:JC

RESOLUTION NO._____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT SETTING 1) THE PROPOSED GENERAL OPERATING MILLAGE RATE FOR THE NORMANDY SHORES NEIGHBORHOOD IMPROVEMENT DISTRICT; 2) THE CALCULATED ROLLED-BACK RATE; AND, 3) THE DATE, TIME AND PLACE OF THE FIRST PUBLIC HEARING TO CONSIDER THE OPERATING MILLAGE RATE AND BUDGET FOR FISCAL YEAR (FY) 2003/04; FURTHER AUTHORIZING THE CITY MANAGER TO TRANSMIT THIS INFORMATION TO THE MIAMI-DADE COUNTY PROPERTY APPRAISER IN THE FORM REQUIRED BY SECTION 200.065, FLORIDA STATUTES.

WHEREAS, Section 200.065, Florida Statutes, has specified the method by which municipalities may fix the operating millage rate and adopt an annual budget for dependent taxing districts; and

WHEREAS, the Mayor and City Commission of the City of Miami Beach, acting as the Board of Directors of the Normandy Shores Local Government Neighborhood Improvement District propose that the District's General Operating Millage Rate be set at 1.123 mills and that the Rolled Back Rate be set at 1.074 mills; and

WHEREAS, the City of Miami Beach is required to advise the Miami-Dade County Property Appraiser of the Proposed Normandy Shores Neighborhood Improvement District Operating Millage Rate, the Rolled-Back Rate, and the date, time, and place of the first public hearing.

NOW THEREFORE, BE IT DULY RESOLVED BY THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT, that the following recommendations of the Administration be and are hereby ratified for transmittal to the Miami-Dade County Property Appraiser, as specified in Section 200.065, Florida Statutes:

1) Proposed Normandy Shores Local Government Neighborhood Improvement District Operating Millage Rate for FY 2003/04

	General Operating	1.123 mills
2)	"Rolled-Back Rate"	1.074 mills

3) The first public hearing on the proposed Normandy Shores Local Government Neighborhood Improvement District operating millage rate and tentative budget for FY 2003/04 shall be held on Wednesday, September 4, 2003 at 5:02 P.M., in the City Commission Chambers, City Hall, 1700 Convention Center Drive, Miami Beach, Florida.

PASSED and ADOPTED this 30th day of July, 2003.

ATTEST:

CITY CLERK **MAYOR**

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 7-25-03 Date

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

Resolution amending resolution No. 2000-23445 increasing the present Fire Rescue Transport Fee from $310 for both Basic Life Support and Advanced Life Support to $330 for Basic Life Support, $380 for Advanced Life Support 1 and $490 for Advanced Life Support 2.

Issue:

Shall the City Commission amend the present transport fees to those described in this resolution due to increased cost and to maintain uniformity with surrounding local Fire Departments' fee schedules

Item Summary/Recommendation:

This resolution requests an increase in transport fees to offset rising operating costs and decreasing budgetary resources and to maintain uniformity with other local departments' fee schedules. This amended fee schedule would generate approximately $130,000 in additional revenue for FY03/04. This Administration recommends that the City Commission adopt this Resolution

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Jeff Duckworth A/Chief EMS

Sign-Offs:

Department Director	Assistant City Manager	City Manager
Floyd Jordan		

Agenda Item R7N

Date

-CITY OF MIAMI BEACH
CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING RESOLUTION NO. 2000-23445 INCREASING THE PRESENT FIRE RESCUE TRANSPORT FEE FROM $310 FOR BOTH BASIC LIFE SUPPORT AND ADVANCED LIFE SUPPORT, TO $330 FOR BASIC LIFE SUPPORT, $380 FOR ADVANCED LIFE SUPPORT 1 AND TO $490 FOR ADVANCED LIFE SUPPORT 2.**

ADMINISTRATIVE RECOMMENDATION:

Adopt the Resolution.

BACKGROUND:

The Fire Department presently provides medical transportation for persons requiring Basic Life Support (BLS) or Advanced Life Support (ALS) at a rate of $310 per BLS or ALS transport. (Established by Resolution No. 92-20593 on September 16, 1992, amended July 26, 1995 by Resolution No. 95-21653 and further amended on January 12, 2000 by Resolution No. 2000-23445.)

In an effort to provide the highest quality emergency medical treatment, the Fire Department has imposed both internal procedure modifications and upgraded emergency equipment and supplies. These improvements have increased the cost of Fire Rescue Transports and combined with budgetary restraints has caused the department to request increases in the fees for rescue transports in an effort to offset these rising costs. In addition to offsetting some of the increased expenses, this increased transport fee will also serve to unify the City of Miami Beach with the rates now being used by Miami-Dade Fire Rescue.

ANALYSIS

The proposed rate increase for Fire Rescue Transports will provide needed revenue to the Fire Department to offset budgetary costs. The proposed annual budget for the Rescue Division for 03/04 is $8,679,000. Revenue from Rescue Transports is projected to be 1,069,416 at the current fees. The revenue increase due to fee adjustments is projected to be approximately $130,000 during FY03/04.

No individual will be denied Fire Rescue transport services due to an inability to pay for such services. The proposed increases are as follows:

	Present	Proposed
Basic Life Support	$310.00	$330.00
Advanced Life Support (1)	$310.00	$380.00
Advanced Life Support (2)	N/A	$490.00

CONCLUSION:

It is recommended that Resolution No. 2000-23445, Schedule of Fire Rescue Transport Fees for The Fire Department be amended.

EJ.
JMG/FJ/JD/dd

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING RESOLUTION NO.2000-23445, INCREASING THE PRESENT FIRE RESCUE TRANSPORT FEES FROM $310 FOR BASIC LIFE SUPPORT AND ADVANCED LIFE SUPPORT, TO $330 FOR BASIC LIFE SUPPORT, $380 FOR ADVANCED LIFE SUPPORT 1, AND $490 FOR ADVANCED LIFE SUPPORT 2 AND MAINTAINING THE CURRENT FEES FOR ALL EXPENDABLE MEDICAL SUPPLIES, WITH SERVICES NOT TO BE WITHHELD DUE TO A PERSON'S INABILITY TO PAY.

WHEREAS, it is necessary to raise the established Fire Rescue Transport Fees for Basic Life Support and Advanced Life Support, due to increased operation expenses and to become uniform with Miami-Dade County Fire Rescue Services; and

WHEREAS, the present rates for said services are $310 for both Basic Life Support and Advanced Life Support Transports; and

WHEREAS, ALS Transports shall be divided into two categories, type 1 and type 2; and

WHEREAS, all fees for expendable medical supplies shall remain the same; and

WHEREAS, the increased fees for transport services shall be as follows:

Basic Life Support	$330.00
Advanced Life Support 1	$380.00
Advanced Life Support 2	$490.00
Mileage Charge/per Mile	$ 7.50
Cardiac Monitoring	$ 25.00
I.V. / I.O.	$ 25.00
Intubation	$ 25.00
Oxygen	$ 30.00
Spinal Immobilization	$ 25.00

WHEREAS, notwithstanding the above fees, no individuals shall be deprived of Fire Rescue Transport Services due to the inability to pay for such services.

BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that resolution 2000-23445, is herein amended, increasing the present fire rescue transport fees, maintaining the current fees for all expendable medical supplies, with services not to be withheld due to a person's inability to pay.

PASSED AND ADOPTED this _____ day of _____, 2003.

ATTEST:

_____ _____

CITY CLERK MAYOR

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney Date 5-18-03

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

Resolution to approve the amending of One Year Action Plans to reprogram prior year unspent CDBG funds in the amount of $1,291,142 and ESG funds in the amount of $335 for new or amended activities. Authorization for the Mayor and City Clerk to execute any related agreements.

Issue:

Should the City of Miami Beach Commission amend One Year Action Plans in order to reallocate prior year unspent CDBG and ESG funds?

Item Summary/Recommendation:

Periodically, it is necessary to reallocate prior year unspent CDBG and ESG funds in order to fund new or amended activities. These new or amended activities have been identified to receive funding based on their need in the community and their ability to expend the funds in a timely manner (see Exhibit 1). This reallocation of funds is necessary to maximize the City's use of federal funds. These actions also keep the City in compliance with HUD's federal regulation for CDBG grantees to expend funds in a timely manner.

Advisory Board Recommendation:

On June 17, 2003, the Community Development Advisory Committee approved the reallocation of funds as outlined in Exhibit 1.

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1	$1,291,142	133.5080.000349	
2	$ 335	137.5190.000345	
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Vivian P. Guzman

Sign-Offs:

Department Director	Assistant City Manager	City Manager

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AGENDA ITEM R7O

DATE 7-30-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE ONE YEAR ACTION PLANS FOR FEDERAL FUNDS FOR FISCAL YEARS 1995/1996, 1997/1998, 1998/1999, 1999/2000, 2000/2001, 2001/2002, AND 2002/2003, TO REPROGRAM PRIOR YEAR CDBG FUNDS IN THE AMOUNT OF $1,291,142 AND UNSPENT ESG FUNDS IN THE AMOUNT OF $335, AS DESCRIBED IN EXHIBIT I; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE RELATED AGREEMENTS FOR THE REALLOCATION OF THE AFOREMENTIONED FUNDS.**

The City of Miami Beach is an entitlement recipient of federal formula grant programs from the U.S. Department of Housing and Urban Development (HUD). Each year, the City prepares an annual One-Year Action Plan detailing how it intends to allocate funds received from HUD to conduct eligible activities for the benefit of low and moderate-income Miami Beach residents. The City Commission will consider the Fiscal Year 2003/04 One-Year Action Plan component of the Five Year Consolidated Plan for Federal Funds at this July 30, 2003 City Commission meeting.

From time to time, the City amends the One Year Action Plans for Federal funds for purposes of reallocating prior year unspent funds to fund new or amended activities. The reallocation of funds ensures maximum use of federal funds. HUD requires that CDBG grantee communities like Miami Beach not have a balance of unexpended CDBG funds on hand greater than 1.5 times the total annual amount of their CDBG award. HUD checks to see if this ratio is in compliance 60 days prior to the end of the grantee's fiscal program year. Oftentimes, the City is able to maintain the required 1.5 timeliness expenditure ratio by reprogramming funds. Currently, the timeliness ratio is 1.55, however, the City expects to meet its timeliness test prior to the end of the fiscal program year (July 31, 2003) and thus be in compliance.

A summary of the proposed amendments to the Plan are listed in Exhibit I. Amendments to the One Year Action Plan for FY 2000/01, 2001/02 and 2002/03 include reallocating unspent funds to fund new Fiscal Year 2003/04 activities. Among the new activities to be funded are the change in use of CDBG funds from rehabilitation in the amount of $501,221 to new construction for Fire Station #4; reallocating unspent funds in the amount of $300,000 from prior years to fund the new activity of the Owner Occupied Rehabilitation program which will preserve the existing housing stock and maintain affordable housing for low and moderate income persons; reallocating $174,832 from prior year unspent funds for

facility improvements for the Log Cabin Training Center which provides life skills and vocational training for developmentally disabled adults; and to retroactively approve the reallocation of prior year unspent funds for the tree planting activity on 81st Street and Crespi Boulevard and the landscaping of the mini-park at 79th Terrace which occurred during the National Community Development Week celebration of April 21 – 27, 2003.

The funds to be reprogrammed under the Emergency Shelter Grants (ESG) program include a small amount of unspent funds from fiscal year 2001/02 to be reallocated to the fiscal year 2003/04 entitlement amount for homeless prevention and homeless support service activities.

The proposed reallocation of funds is subject to a 30 day public comment period held from June 12, 2003 to July 11, 2003. No comments were received during the comment period on the proposed amendments. In addition, the members of the Community Development Advisory Committee (CDAC) were advised of the proposed amendments at their June meeting held June 17, 2003.

The Administration recommends approval of the amendments.

JMG/RCM/VPG/JR/jfq
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EXHIBIT 1

Fiscal Year	REPROGRAMMED FUNDS AGENCY/PROJECT	AMOUNT	REDISTRIBUTION OF FUNDS AGENCY/PROJECT	AMOUNT
	One Year Action Plan (CDBG Program)		**One Year Action Plan (CDBG Program)**	
2000/2001 **2001/2002** **2002/2003**	City of Miami Beach Relocation Assistance Miami Beach Senior High School/ Fire Gates CDBG Planning & Administration City of Miami Beach Office of Homeless Coordination/Homeless Assistance Program Jewish Community Services/Homeless Outreach Prevention & Employment RAIN Parents/Family Services UNIDAD of Miami Beach / Project Link Homeless Providers/Emergency and Transitional Housing Request for Proposals	$50,000 $15,973 $112,426 $3,725 $8,980 $155 $4,540 $100,000	**FY 2003/2004 One Year Action Plan** For activities as described in the FY 2003/2004 One-Year Action Plan for Federal Funds	$295,799
1997/1998 **1998/1999**	City of Miami Beach Fire Department/Fire Station 4 Rehabilitation City of Miami Beach Fire Department / Fire Station 4 Rehabilitation	$280,021 $221,200	**FY 2002/2003 One Year Action Plan** City of Miami Beach Fire Department / Fire Station 4 Relocation and Construction	$501,221
1999/2000 **2000/2001** **2001/2002**	City of Miami Beach Housing Programs City of Miami Beach Housing Programs City of Miami Beach Housing Programs	$4,850 $240,000 $55,150	**FY 2002/2003 One Year Action Plan** Miami Beach Community Development Corporation/Owner-Occupied Rehab Program	$300,000
1995/1996 **1998/1999** **1999/2000** **2000/2001**	City of Miami Beach Relocation Assistance City of Miami Beach Multi- Family Rehabilitation Program CDBG Planning & Administration CDBG Planning & Administration City of Miami Beach Multi-Family Rehabilitation Program	$199 $10,857 $75,014 $82,178 $6,584	**FY 2002/2003 One Year Action Plan** City of Miami Beach Log Cabin Training Center / Facility Improvements	$174,832
1995/1996	Calais Drive Street Improvements Miami Beach Police Athletic League/Juvenile Center	$13,815 $2,355	**FY 2002/2003 One Year Action Plan** City of Miami Beach Parks and Recreation Department/ Park at 81st & Crespi Blvd.	$16,170
1995/1996	Miami Beach Police Athletic League/Juvenile Center	$3,120	**FY 2002/2003 One Year Action Plan** City of Miami Beach Parks and Recreation Department / Tree Planting on 79th Terrace	$3,120
	Total CDBG Funds	**$1,291,142**	**Total CDBG Funds**	**$1,291,142**

	REPROGRAMMED FUNDS AGENCY/PROJECT	AMOUNT	REDISTRIBUTION OF FUNDS AGENCY/PROJECT	AMOUNT
	One Year Action Plan (ESG Program)		**One Year Action Plan (ESG Program)**	
2001/2002	City of Miami Beach Office of Children's Affairs/Neighborhoods First Support Team RAIN Parents, Inc. / Family Services	$283 $52	**FY 2003/2004 One-Year Action Plan** As described As described in the FY 2003/2004 One-Year Action Plan for Federal Funds	$335
	Total ESG Funds	**$335**	**Total ESG Funds**	**$335**

RESOLUTION NO._____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE ONE YEAR ACTION PLAN FOR FEDERAL FUNDS FOR FISCAL YEARS 1995/1996, 1997/1998, 1998/1999,1999/2000, 2000/2001, 2001/2002, AND 2002/2003, TO REPROGRAM CDBG FUNDS IN THE AMOUNT OF $1,291,142, AND ESG FUNDS IN THE AMOUNT OF $335, AS DESCRIBED IN EXHIBIT I TO THIS RESOLUTION; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE RELATED AGREEMENTS FOR THE REALLOCATION OF AFOREMENTIONED FUNDS.

WHEREAS, the City of Miami Beach is an entitlement recipient of federal formula HUD grant programs as follows: Community Development Block Grant (CDBG) funds, HOME Investment funds (HOME), and Emergency Shelter Grants (ESG), and the City expects to continue to receive entitlement funds from these grant programs to operate the City's housing and community development activities; and

WHEREAS, each year, the City prepares an annual One Year Action Plan detailing how it intends to allocate funds received from HUD to conduct eligible activities for the benefit of low and moderate-income Miami Beach residents; and

WHEREAS, periodically, it is necessary for the City to amend the One Year Action Plans by reallocating funds from previously funded activities to fund new or amended CDBG and ESG activities; and

WHEREAS, the proposed amendments to the One Year Action Plans are detailed in Exhibit 1, attached hereto; and

WHEREAS, for CDBG grantees, the U.S. Department of Housing and Urban Development (HUD) regulations require that grantees must maintain an expenditure ratio of less than 1.5 times the annual grant award amount; and

WHEREAS, the City intends to be compliant with this timeliness ratio once the proposed reallocations are approved and executed, thereby, maximizing the use of all federal funds received; and

WHEREAS, in accordance with HUD regulations and the City's Citizen Participation Plan concerning substantive amendments, the Administration held a 30-day citizen comment period, which was advertised on June 12, 2003 through July 11, 2003, and no comments were received.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and Commission approve amendments the One Year Action Plans for Federal Funds for Fiscal Years 1995/1996, 1997/1998, 1998/1999, 1999/2000, 2000/2001, 2001/2002, and 2002/2003, to reprogram CDBG funds in the amount of $1,291,142, and ESG funds in the amount of $335 as described in Exhibit 1 to this Resolution; and further authorizing the Mayor and City Clerk to execute the related agreements for the reallocation of the aforementioned funds.

PASSED AND ADOPTED this _____ day of _____, 2003.

_____
MAYOR

ATTEST:

_____
CITY CLERK

JMG/RCM/VG/JR/jfq

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 7-18-03 Date

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

Approval of the City of Miami Beach's Five-Year Consolidated Plan for Fiscal Years 2003/2004 through 2007/2008.

Issue:

Should the City of Miami Beach Commission adopt the Five-Year Consolidated Plan as required by the U.S. Department of Housing and Urban Development for submission to HUD on or before the August 16, 2003 deadline?

Item Summary/Recommendation:

The Five-Year Consolidated Plan is the City of Miami Beach's long-term plan on how it intends to use formula federal grant funds (CDBG, HOME, ESG) for fiscal years 2003/04 through 2007/08.

This Plan is being prepared under new guidance from HUD, which is attempting to create a more streamlined model that all cities can follow on a national scale. This simplification has resulted in a Plan with a very broad and generic focus. The actual detailed implementation strategies are not reflected in the Consolidated Plan, but are left to individual jurisdictions to undertake as outlined and adopted in their One-Year Action Plan. The City of Miami Beach's One-Year Action Plan for FY 2003/04 is included on the July 30, 2003 agenda for separate action.

This Consolidated Plan incorporates very broad goals that are similar to those followed in the past. These goals include: to expand the availability and supply of safe, decent and affordable housing; improve and preserve the existing affordable housing stock; increase homeownership opportunities; develop linkages between housing and social services providers for low and moderate income individuals and families; and create economic development opportunities through economic and infrastructure development.

Advisory Board Recommendation:

At the July 28, 2003 meeting of the Neighborhoods Committee, the Consolidated Plan for Federal funds for Fiscal Years 2003/04 through 2007/08 will be reviewed and a verbal report will be presented at the July 30,2003 Commission meeting.

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Vivian P. Guzman

Sign-Offs:

Department Director	Assistant City Manager	City Manager

T:\AGENDA\2003\july3003\regular\Consolidated Plan Summary

AGENDA ITEM R7P

DATE 7-30-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE FIVE-YEAR CONSOLIDATED PLAN FOR FISCAL YEARS 2003-2007; AUTHORIZING THE ADMINISTRATION AND THE OFFICE OF THE CITY ATTORNEY TO MAKE MINOR NON-SUBSTANTIVE CHANGES TO THE CONSOLIDATED PLAN AND/OR AFORESTATED AGREEMENTS BEFORE EXECUTION; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL APPLICABLE DOCUMENTS, AND SUBMIT THE FIVE-YEAR CONSOLIDATED PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD); AND AUTHORIZING THE APPROPRIATION OF ALL FEDERAL FUNDS WHEN RECEIVED.**

ADMINISTRATIVE RECOMMENDATION

Adopt the Resolution.

ANALYSIS

The Five-Year Consolidated Plan (Plan) is a federal requirement for all U.S. Department of Housing and Urban Development (HUD) entitlement cities. The City of Miami Beach is a HUD designated entitlement city as determined by the decennial census information on population growth lag, age of housing stock and poverty. As an entitlement city, the City of Miami Beach automatically qualifies for an annual allocation of federal funding under HUD's grant programs. The annual allocation of funds, or One Year Action Plan, is one component of the Five Year Consolidated Plan.

The Five Year Consolidated Plan (the "Plan") is a strategic long-range planning and needs assessment on the intended use of federal funds as it relates to housing and community development, including the needs of the homeless and persons living with AIDS. There are five HUD required components of the Plan which are: 1) a description of the Plan's development process; 2) an assessment of housing and homeless needs; 3) a housing market analysis; 4) a five year strategy; and 5) the One Year Action Plan.

The Consolidated Plan addresses the housing and community development needs and provides strategies to follow the goals of the formula grant programs. The three formula grant programs included in the Plan are the Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), and the Emergency Shelter Grants (ESG) programs.

This Five-Year Consolidated Plan is being prepared under new guidance from HUD, which is attempting to create a more streamlined model that all cities can follow on a national scale. As a result of this simplification, the Plan is now very broad and generic in its focus. Actual detailed implementation strategies and actions are not reflected in the Plan and are left to individual jurisdictions to undertake with each year's Action Plan adoption. This year's One-Year Action Plan with program detail is included on the July 30, 2003 agenda for separate action.

The proposed Five-Year Consolidated Plan ,with the exception of the new format, does not differ significantly from the current plan and incorporates very broad goals that are similar to goals followed in the past. These goals are the most significant part of the plan and include:

- Expand the availability and supply of safe, decent and affordable housing (including rental) for low and moderate income individuals and families
- Improve and preserve the existing affordable housing stock
- Increase homeownership opportunities
- Develop linkages between the housing and social services providers for low and moderate income persons
- Create economic development opportunities through economic and infrastructure development

In the preparation of the Five-Year Consolidated Plan for Fiscal Years 2003-2007, the Administration consulted with its government partners, its residents, organizations, and other interested parties. Staff worked with the Community Development Advisory Committee (CDAC), the Loan Review Committee, the Committee on the Homeless, the Neighborhoods Committee and the community at large to develop the Five-Year Consolidated Plan. In addition to the two mandated public hearings held on March 18, 2003 and June 17, 2003, two additional public workshops were scheduled. A workshop was held in south beach on April 23, 2003 at the Seymour Building located at 945 Pennsylvania Avenue and the second workshop was held on June 26, 2003 at the Shane Watersports Center located at 6500 Indian Creek Drive.

Approval is being sought for the new Five Year Consolidated Plan which covers the planning and strategic planning for fiscal years 2003 – 2007. Approval to adopt the Plan is requested at this meeting since the Commission recesses in August and does not reconvene until September 10, 2003. The Plan must be submitted to U.S. HUD prior to the August 15, 2003 deadline.

The strategy component of the Plan provides a guideline for the City to continue to develop partnerships with community based service providers, including the City's community development corporations (MBCDC and NBDC), the Housing Authority, and other entities that provide housing and other community development activities to benefit

the low and moderate income persons of Miami Beach. As such, the Plan stipulates that a Certification of Consistency with the Plan be obtained via City Commission review and approval, thus keeping the citizenry and commission informed of activities to be implemented. As the Plan is intended to be a useful working document, HUD has provisions to implement amendments should they be necessary to better undertake housing and community development activities.

Per HUD guidelines, the City Manager is the designated agent for all the formula grants, and executes the Grant Applications, the Grant Agreements, and other applicable HUD documents. The Housing and Community Development Division coordinates the planning, preparation, submission and monitoring of the Five-Year Consolidated Plan and the One-Year Action Plans for all subsequent years of the Five-Year Plan.

CONCLUSION

The Administration recommends that the Mayor and City Commission approve the attached resolution adopting the City's Five-Year Consolidated Plan.

JMG/RCM/VPG/JR/jfq

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RESOLUTION NO._____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE FIVE-YEAR CONSOLIDATED PLAN FOR FEDERAL FUNDS FOR FISCAL YEARS 2003-2007; AUTHORIZING THE ADMINISTRATION AND THE OFFICE OF THE CITY ATTORNEY TO MAKE MINOR NON-SUBSTANTIVE CHANGES TO THE FIVE-YEAR CONSOLIDATED PLAN BEFORE EXECUTION; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL APPLICABLE DOCUMENTS, AND SUBMIT THE FIVE-YEAR CONSOLIDATED PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

WHEREAS, the City of Miami Beach is a U.S. Department of Housing and Urban Development (HUD) entitlement city as determined by the decennial census information on population growth lag, age of housing stock and poverty; and

WHEREAS, it is a requirement of all entitlement cities to prepare and submit five-year consolidated plans which serve to provide strategic long range planning and needs assessment on the intended use of federal funds; and

WHEREAS, the Five-Year Consolidated Plan (the "Plan") is a strategic long-range planning and needs assessment document for Fiscal Years 2003-2007; and

WHEREAS, the Plan addresses the housing and community development needs of the City of Miami Beach, including the homeless and persons living with AIDS; and

WHEREAS, the Plan has five main components which are: 1) a description of the Plan's development process; 2) an assessment of housing and homeless needs; 3) a housing market analysis; 4) a five-year strategy; and 5) the One-Year Action Plan that provides the basis for annual assessment performance; and

WHEREAS, The Plan references strategies to address the goals of the Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), and Emergency Shelter Grants (ESG) programs; and

WHEREAS, these goals include expanding the availability and supply of safe, decent and affordable housing (including rental) for low and moderate-income individuals and families; improving and preserving the existing affordable housing stock; increasing the homeownership opportunities; developing linkages between the housing and social services providers for low and moderate-income persons; and creating economic development opportunities through economic and infrastructure development; and

WHEREAS, a comprehensive planning phase was initiated by the City and the Community Development Advisory Committee (CDAC) on March 18, 2003, which was the first of two public hearings to obtain citizen input; and

WHEREAS, the final public hearing with CDAC was held on June 17, 2003, and two additional public workshops were held April 23rd and June 26th for additional opportunities to identify the priority needs for housing and community development; and

WHEREAS, the City Manager is the HUD designated agent for all formula grants, and executes the grant applications, the Agreements, and other applicable HUD documents.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, adopting the Five-Year Consolidated Plan for Federal funds for Fiscal Years 2003-2007; authorizing the Administration and the Office of the City Attorney to make minor non-substantive changes to the Five-Year Consolidated Plan before execution; authorizing the City Manager to execute all applicable documents, and submit the Five-Year Consolidated Plan to the U.S. Department of Housing and Urban Development (HUD).

PASSED and **ADOPTED** this ____ day of _____, 2003.

ATTEST:

_____
MAYOR

_____
CITY CLERK

JMG/RCM/VG/JR/jfq

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APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney 7-18-03 Date

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution adopting the One-Year Action Plan component of the Five Year Consolidated Plan for Federal Funds for Fiscal Year 2003/04 for the Community Development Block Grant (CDBG) Program; the HOME Investment Partnerships Program (HOME); and the Emergency Shelter Grants (ESG) Program.

Issue:

Should the City of Miami Beach adopt the One-Year Action Plan component of the Five Year Consolidated Plan and submit to the U.S. Department of Housing and Urban Development (HUD) for approval to receive federal funds prior to the August 16, 2003 deadline; and execute the contracts with providers as outlined in Exhibit I; and authorize the appropriation of funds when received?

Item Summary/Recommendation:

Adopt the One-Year Action Plan component of the Five Year Consolidated Plan for Federal Funds for Fiscal Year 2003/04 for the CDBG, ESG and HOME programs; authorize the execution of the contracts with the providers of activities as outlined in Exhibit I; and authorize the appropriation of funds when received from HUD.

In preparing the Action Plan, staff worked with the Community Development Advisory Committee (CDAC), the Loan Review Committee, the Committee on the Homeless, and the community to identify the community development and housing needs of Miami Beach. The attached Action Plan is the culmination of a citizen participation process that included residents, community-based organizations, staff, the CDAC and the Administration. The funding recommendations of the One-Year Action Plan were approved by CDAC during their meeting with the City Manager on May 19, 2003.

It is recommended to adopt the One-Year Action for FY 2003/04 as presented.

Advisory Board Recommendation:

On May 19, 2003, the Community Development Advisory Committee unanimously approved the 2003/04 One-Year Action Plan component of the Five-Year Consolidated Plan.

Financial Information:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Vivian P. Guzman

Sign-Offs:

Department Director	Assistant City Manager	City Manager

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AGENDA ITEM R7Q

DATE 7-30-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE ONE-YEAR ACTION PLAN COMPONENT OF THE FIVE-YEAR CONSOLIDATED PLAN FOR FEDERAL FUNDS FOR FISCAL YEAR 2003/04, WHICH INCLUDES THE BUDGETS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, THE HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM, AND THE EMERGENCY SHELTER GRANTS (ESG) PROGRAM; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AGREEMENTS NECESSARY TO IMPLEMENT THE CDBG, HOME AND ESG ACTIVITIES OF THE ONE-YEAR ACTION PLAN COMPONENT OF THE FIVE YEAR CONSOLIDATED PLAN, AS FOLLOWS: TWENTY-NINE (29) CDBG SUB-RECIPIENT AGREEMENTS, THREE (3) CDBG INTERDEPARTMENTAL COOPERATION AGREEMENTS,ONE (1) ESG INTERDEPARTMENTAL COOPERATION AGREEMENT; AUTHORIZING THE ADMINISTRATION AND THE OFFICE OF THE CITY ATTORNEY TO MAKE MINOR NON-SUBSTANTIVE CHANGES TO THE ONE-YEAR ACTION PLAN AND/OR AFORESTATED AGREEMENTS BEFORE EXECUTION; AMENDING CERTAIN AGREEMENTS, AS SET FORTH IN THE BODY OF THIS RESOLUTION, FOR FISCAL YEAR 2002/03, FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM TO EXTEND THE EXPIRATION DATES OF SAID AGREEMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL APPLICABLE DOCUMENTS, AND SUBMIT THE ONE-YEAR ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD); AND AUTHORIZING THE APPROPRIATION OF ALL FEDERAL FUNDS WHEN RECEIVED.**

ADMINISTRATIVE RECOMMENDATION

Adopt the Resolution.

ANALYSIS

The City of Miami Beach is a U.S. Department of Housing and Urban Development (HUD) designated entitlement city as determined by population growth lag, age of housing stock and poverty. As an entitlement city, the City of Miami Beach automatically qualifies for an annual allocation of federal funding under HUD's grant programs. The annual allocation of federal funds and their intended scope of activities are described in the first year of the Five Year Consolidated Plan, which is on this same agenda (7/30/03) for separate action.

The first year of the new Five Year Consolidated Plan is the One Year Action Plan for Federal funds for FY 2003/04. In subsequent years of the Five Year Consolidated Plan, only the One Year Action Plan for Federal funds will be approved by Commission, as the document serves as both a planning tool and application for the federal formula grant programs (CDBG, HOME, and ESG). The One Year Action Plan follows the strategies outlined in the Five Year Consolidated Plan with respect to the priorities and objectives of the housing and community development needs for low and moderate income individuals and families.

For fiscal year 2003/04, the City expects to receive a total of $3,550,021 in federal grants from HUD as follows: $2,163,000 in CDBG program funds for housing and community development activities; $1,292,021 in HOME funds for home ownership and other housing activities; and $95,000 in ESG program funds for emergency shelter and other essential services for the homeless.

This was a particularly difficult year in making funding recommendations as it was the first year where as a result of the 2000 census, the City as an entitlement city saw reductions in all three federal grant programs. The greatest reduction in funds occurred in the CDBG program where there was a 22% reduction in CDBG grant funds. As a means of comparison, the total amount available for distribution last year (FY 2002/03) in CDBG funds was $1,724,453. Of this, $1,217,182 was available for capital improvements and housing; and $507,271 was available for public services. For the new fiscal year 2003/04, the total available for distribution is $1,351,199. The breakdown of this figure is as follows: $929,268 available for "bricks and mortar" activities and $421,931 for public services. Nevertheless, after lengthy reviews and difficult choices, a mutually agreed set of funding recommendations was reached. (See Exhibit I for a list of activities and Exhibit II for a geographic distribution of CDBG funds). Not all proposals could be funded nor could they be funded at the desired amounts due to this year's reduction in funds.

In the preparation of the One-Year Action Plan for Federal Funds for Fiscal Year 2002/2003, the Administration consulted with its government partners, with its residents, organizations, and other interested parties. Staff worked directly with the Community Development Advisory Committee (CDAC), the Loan Review Committee, the Committee on the Homeless, and the community at large to prepare the One Year Action Plan for Fiscal Year 2003/04. On May 19, 2003, the Administration, together with CDAC, approved a series of consensus CDBG, HOME and ESG funding recommendations for the One-Year Action Plan. A draft of this Plan was made available to the public for a 30-day comment period commencing June 12, 2003 and ending July 11, 2003.

Annually, the One-Year Action Plan is approved by the City Commission in July to meet the August 16th HUD deadline for submission. This year, the One Year Action Plan will be included as a component of the Five Year Consolidated Plan and the Plan will be submitted to HUD as one document. Per HUD guidelines, the City Manager is the designated agent for all formula grants, and executes the Grant Applications, the Grant

agreements, and other applicable HUD documents. The Housing and Community Development Division coordinates the planning, preparation, submission and monitoring of the One Year Action Plan.

CONCLUSION

The Administration recommends that the Mayor and City Commission approve the attached resolution adopting the City's One-Year Action Plan for Federal Funds for Fiscal Year 2003/2004.

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EXHIBIT I

CITY OF MIAMI BEACH
ONE-YEAR ACTION PLAN FOR FEDERAL FUNDS FISCAL YEAR 2003-2004
LIST OF ACTIVITIES

I. **COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)** - This list of activities includes entitlement funds of $2,163,000, reprogrammed funds of $295,799 and estimated program income of $1,000,000.

- **ArtCenter South Florida - Artist Micro-Enterprise Services - $60,000** - An incubator for local arts micro-enterprises for low to moderate-income artists to create and retain a significant number of jobs in the arts, provide vocational development and affordable subsidized studio, teaching and showroom space to low- and moderate-income artists. This activity will retain approximately $600,000 in anticipated program income.
- **Boys and Girls Clubs of Miami - Miami Beach Juvenile Program - $40,000** - To provide a "no charge" after-school program to youth ranging in ages from 5 to 16. The programs include components such as homework assistance, educational field trips, athletic field trips, sports, league activities, and recreational activities both indoor and outdoor.
- **City of Miami Beach Housing Division – Capital Improvements Office - $138,848** - To renovate the multi-purpose courts, playgrounds and fields, and other landscaping and park improvements.
- **City of Miami Beach Code Compliance Division - North Beach District $45,000** - To provide a full time Code Compliance Officer to assist in the implementation of the North Beach Economic Development Strategic Plan and the proposed North Beach Neighborhood Revitalization Strategy.
- **City of Miami Beach Office of Homeless Coordination - City of Miami Beach Homeless Programs - $70,000** - To provide outreach, case management and placement services to Miami Beach homeless people.
- **City of Miami Beach – Housing and Community Development Division - Planned Repayment of Section 108 Principal - $360,000** - To repay the principal balance of a HUD Section 108 loan in the amount of $4,000,000. The loan was acquired to implement a comprehensive streetscape improvement program in the North Beach area, including Normandy Isle; and to complete construction of the North Shore Youth Center as part of a neighborhood revitalization strategy for North Beach.
- **City of Miami Beach Community Development Division - CDBG Administration - $632,600** - To continue to provide the necessary funding to manage, oversee, coordinate, monitor, audit and evaluate the CDBG program and sub-recipients in accordance with federal regulations. Funding includes activities to ensure compliance with federal fair housing/EEO requirements, environmental review, fiscal management, citizen participation, public information and planning and management activities.
- **Fienberg Fisher Adult and Community Education Center – Child Care - $5,000** – To provide child care services of adult parent students attending vocational training or educational classes.
- **Food for Life Network, Inc. - Home-Delivered Meals - $10,000** - To provide weekly, home-delivered prepared meals to income-eligible homebound AIDS patients in Miami Beach.
- **Food for Life Network, Inc. – Home Delivered Groceries - $10,000** - To provide home-delivered groceries to income-eligible homebound AIDS patients in Miami Beach.

- **Housing Opportunities Project for Excellence, Inc. (H.O.P.E., Inc.) - Fair Housing Education Program - $7,500** - To provide a Fair Housing Education Program. This activity will be funded through a line item in the CDBG Administration budget and will be supplemented with a $7,500 set-aside of HOME Program Administration funds.
- **Jewish Community Services - Homeless Outreach, Prevention and Employment - $15,000** - To provide employment and job training services to promote client and family self-sufficiency for low to moderate income, situational and economically homeless individuals, homeless persons in families with children, and those in danger of becoming homeless.
- **Jewish Community Services of South Florida - Miami Beach Senior Center Improvements - $22,920** - To make repairs to the Miami Beach Senior Center, which provides services to low- and moderate-income seniors.
- **Jewish Community Services - Miami Beach Senior Center Adult Day Care Services - $10,000** - To provide an aide to supervise day care services to frail elderly senior citizens in a structured supportive setting with daily activities, nutritionally balanced meals and therapies that provide or prolong the need for institutionalization.
- **Jewish Community Services - Senior Meals on Wheels Program- $15,000** - To partially fund drivers to deliver meals to homebound elderly participants residing in eligible target areas, and to fund a shopper to purchase necessary items for frail elders unable to shop for themselves.
- **Little Havana Activities and Nutrition Centers of Dade County, Inc. - Miami Beach Elderly Meals Program - $41,500** - To provide nutritionally balanced meals daily to Miami Beach elderly clients in a familiar surrounding where they can have access to other services provided by Little Havana Activities and Nutrition Centers of Dade County. The meals program will be provided at two congregate meal sites: 533 Collins Avenue and 8638 Harding Avenue.
- **Little Havana Activities and Nutrition Centers of Dade County, Inc. - Rainbow Intergenerational Child Care - $40,000** - To provide affordable preschool day care for Miami Beach children who are income-eligible. Miami Beach senior citizens will be trained to be day care workers at the day care facility.
- **Log Cabin Enterprises, Inc. - Log Cabin Plant Nursery - $60,000** - To provide funding for a nursery business program that creates and/or retains jobs for developmentally disabled adults. In addition, this activity will retain approximately $240,000 in anticipated program income.
- **Miami Beach Community Development Corporation - Housing Counseling - $40,000** - To provide housing counseling to participants in the HOME-funded homebuyer assistance program.
- **Miami Beach Community Development Corporation - Multi-Family Housing Program - $125,000** -To provide operational funds to acquire, rehabilitate and manage rental units targeted to income-eligible persons.
- **Miami Beach Community Development Corporation – Owner Occupied Home Repair Program - $150,000** - To provide funds to low and moderate income homeowners for the rehabilitation and/or correction of code violations in order to maintain housing that is safe, decent and sanitary.
- **Miami Beach Community Development Corporation - Scattered Site Home Buyer Assistance Program - Acquisition - $80,000** - To provide scattered site home ownership opportunities to eligible

first-time homebuyers in Miami Beach. The activity is expected to generate an additional $80,000 in program income.

- **Miami Beach Community Development Corporation - Scattered Site Home Buyer Assistance Program - Disposition - $80,000** - To provide scattered site home ownership opportunities to eligible first-time homebuyers in Miami Beach. The activity is expected to generate an additional $80,000 in program income.
- **Miami Beach Community Development Corporation - Tenants Service Coordinator - $15,000** - To fund a coordinator that brings together existing program services for mostly low and very low income elderly and special needs tenants.
- **Miami Beach Community Health Center - Beverly Press Satellite Center - $30,000** - To offer a full range of preventive, diagnostic and treatment services to persons of all ages, races, ethnicity and genders at the North Beach satellite.
- **Miami Beach Community Health Center - Children of the World School-Based Health Care - $20,000** - To provide health care services to children at Fienberg-Fisher Elementary School.
- **Miami Beach Methodist Child Care Center, Inc. - St. John's Child Care Center - $13,000** - To provide reduced-fee child care scholarships to children of income-eligible families.
- **Miami Beach Methodist Child Care - Playground Improvements - $12,500** - To provide improvements to the playground in a facility that provides affordable child care to low- and moderate income families.
- **North Beach Development Corporation - North Beach Youth Corps - $20,000** - To employ and train eligible Miami Beach youth attending Miami Beach Senior High School to serve the North Beach community up to 10 hours per week.
- **North Beach Development Corporation - North Beach Facade Renovation Program - $100,000** - To provide matching grants to property and business owners in the designated CDBG target areas in order to rehabilitate commercial buildings and encourage economic revitalization.
- **R.A.I.N. Parents, Inc. - Family Network Services: Emergency Housing Assistance - $35,000** - To provide vouchers for emergency food, medical, child care, and housing assistance, for families with children residing in Miami Beach who have received eviction notices or who are already homeless, with peer counseling for assisting parents in making positive life changes towards self-sufficiency.
- **The Shelbourne Apartment Building - Shelbourne House - $17,000** - To provide supportive services in a secure and healthy environment to individuals living with AIDS who choose to live independently.
- **South Beach AIDS Project - Positive Support - $10,431** - To provide up-to-date HIV/AIDS information about HIV prevention, use of services, medical treatment and assistance with re-entering the work force.
- **UNIDAD of Miami Beach - Senior Center - $75,000** - To provide additional funding for the acquisition of a facility to be rehabilitated as a senior center to serve the low- and moderate income population.
- **UNIDAD of Miami Beach, Inc. - Project Link - $15,000** - To provide information and referral services, employment activities and bilingual assistance to income-eligible Miami Beach residents at the Miami Beach Hispanic Community Center.

PRIOR YEARS' CDBG ACTIVITIES - This list of activities includes prior year CDBG funded activities to be carried over from fiscal year 2002/03 and included in the activities for fiscal year 2003/04.

- **City of Miami Beach Fire Department – Construction of Fire Station Number 4 - $501,221** - To provide funds for the construction of the new facility for Fire Station Number 4.
- **City of Miami Beach Housing and Community Development Division - City of Miami Beach Housing Programs - $684,596** - To provide decent, safe and sanitary housing through matching grants to rehabilitate multi-unit buildings. Thus, continuing to upgrade the existing housing stock and maintain affordable housing.
- **City of Miami Beach Property Management - Byron Carlyle Rehabilitation Project - $400,000** - To rehabilitate the Byron Carlyle Theater.
- **Jewish Community Services of South Florida - Miami Beach Senior Center Improvements - $25,000** – For improvements to the Miami Beach Senior Center which provides services to low- and moderate-income seniors.
- **Log Cabin Training Center – Facility Improvements - $174,832** – For facility improvements and ADA accessible ramps and restrooms for the training center which provides life skills and job training for developmentally disabled adults.
- **Miami Beach Community Development Corporation - Preservation and Rehabilitation Program - $159,109** - To provide funding for hard costs only to program providing grants for façade improvements.
- **Miami Beach Methodist - St. John's Child Care Playground improvements - $12,500** - To provide improvements to the playground in a facility that provides affordable child care to low- and moderate income families.
- **North Beach Development Corporation - North Beach Façade Renovation Program - $213,097** - To provide funding for hard costs only to program providing direct grants to commercial property owners for eligible façade improvements and the correction of code violations.
- **UNIDAD of Miami Beach - Senior Center - $75,000** - To provide additional funding for the acquisition of a facility to be rehabilitated as a senior center to serve the low- and moderate income population.

II. **EMERGENCY SHELTER GRANTS (ESG) PROGRAM** - This list of activities includes entitlement funds of $95,000 and reprogrammed prior year funds of $335.

- **City of Miami Beach Office of Homeless Coordination - Homeless Assistance Program - $28,600** - To provide vouchers for emergency housing assistance for individuals or families who are homeless or are at risk of becoming homeless. Assistance will also include information resource and referral.
- **City of Miami Beach Office of Homeless Coordination - Emergency Shelter - $61,835** - To fund emergency shelter and transitional housing beds, outreach activities for the homeless on Miami Beach.
- **City of Miami Beach Community Development Division - ESG Administration - $4,767** - To administer and monitor the City's ESG activities.

III. **HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM** - This list of activities includes entitlement funds of $1,292,021.

- **City of Miami Beach - HOME Program Administration - $129,202 -** For management, oversight, coordination, monitoring, evaluation, staff and overhead, public information, fair housing education activities, indirect costs and planning activities. This line item includes $7,500 set-aside for Housing Opportunities Project for Excellence, Inc. (H.O.P.E., Inc.) for a Fair Housing Education Program, which is matched by an equal amount of CDBG funds.
- **Community Housing Development Organization (CHDO) Project Set-Aside - MBCDC - $800,000** - Acquisition and/or rehabilitation, multi-unit residential. To provide rental and/or homeownership opportunities.
- **Community Housing Development Organization (CHDO) Expenses (5%) - MBCDC - $64,601** - Funds to pay salaries, wages, and other employee compensation and benefits, rent, utilities, employee education, travel, training, communication costs, taxes, insurance, equipment, materials, and supplies.
- **HOME Projects - $598,218** - To provide funding for rehabilitation initiatives to upgrade the housing stock in the City of Miami Beach. May also include acquisition.

EXHIBIT II
Geographic Distribution of CDBG Funds

North Beach Target Areas (47%)

Bricks & Mortar			03-04 Request	02/03 Award	Final Recommendations
3	No Bch Dev Corp	Façade Renovation Prog	$ 400,000	$150,000	$100,000
15	CMB Capital Improve	Normandy Park & Pool	$ 100,000	N/A	$138,848
30	Unidad - Comm Ctr	Senior Activity & Service Center	$ 280,800	$75,000	$75,000
A	Code Compliance	Code Officer for No Bch	$ 45,000	$42,000	$45,000
	Subtotal - Bricks & Mortar			$267,000	$358,848

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Public Services - North Beach					
1	NBDC	North Beach Youth Corps	$ 60,000	$19,678	$20,000
31	UNIDAD	Project Link	$ 30,000	$ 20,000	$15,000
48	Log Cabin	Log Cabin Plan Nursery	$ 112,800	$60,000	$60,000
18	MB Comm Hlth Ctr	Beverly Press Center	$ 85,000	$40,000	$30,000
	Subtotal - Public Services for North Beach			$139,678	$125,000
	Subtotal CDBG Funds for North Beach			$406,678	$483,848
		+Section 108 Funds		$340,000	$360,000
	TOTAL CDBG FUNDS FOR NORTH BEACH			$746,678	$843,848

South Beach Target Areas (14%)

Bricks & Mortar			03-04 Request	02/03 Award	Final Recommendations
11	ArtCenter	ADA Compliance Prog.	$ 50,000	N/A	$20,000
12	ArtCenter	MicroEnterprise	$ 125,000	$60,000	$40,000
22	MB Methodist Child (	St John's Child Care - Playground	$ 20,000	$12,500	$12,500
27	Jewish Comm Svcs	Sr Center-Improvements	$ 22,920	$ 25,000	$ 22,920
	Subtotal - Bricks & Mortar			$97,500	$95,420

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Public Services - South Beach					
41	Shelbourne House	Shelbourne & Fernwood Houses	$ 30,000	$22,000	$17,000
42	South Beach AIDS P	Positive Support	$ 17,475	$15,000	$10,431
46	Fienberg/Fisher	After School Program	$ 36,000	N/A	$5,000
24	Little Havana Activiti	Rainbow Child Care	$ 83,147	$56,500	$40,000
23	MB Methodist Child (	St. John's Child Care Center	$ 15,000	$15,000	$13,000
28	Jewish Comm Svcs (	Miami Beach Senior Ctr	$ 40,355	$14,250	$10,000
52	Boys & Girls Clubs o	Juvenile Program	$ 92,000	$52,000	$40,000
20	MB Comm Hlth Ctr	Children of the World	$ 40,000	$20,000	$20,000
	Subtotal - Public Services for South Beach			$194,750	$155,431
	TOTAL CDBG FUNDS FOR SOUTH BEACH			$292,250	$250,851

EXHIBIT II
Geographic Distribution of CDBG Funds

City-wide (39%)

			03-04 Request	02/03 Award	Final Recommendations
Bricks & Mortar					
4	MBCDC	Multi-Family Rental Program	$ 180,000	$125,000	$125,000
5	MBCDC	Home Repair Program	$ 300,000	$0	$150,000
7	MBCDC	Scattered Site Homebuyers	$ 160,000	$160,000	$160,000
9	MBCDC	Housing Counseling	$60,000	$40,000	$40,000
	Subtotal - Bricks & Mortar			$325,000	$475,000
Public Services - City Wide					
47	RAIN Parents Inc	Family Services	$ 49,020	$38,343	$35,000
39	Food For Life Netwo	Home Delivered Groceries	$ 59,310	$15,000	$10,000
40	Food For Life Netwo	Home Delivered Meals	$ 58,400	$15,000	$10,000
29	Jewish Comm Svcs (	Senior Meals Program	$ 33,477	$19,000	$15,000
25	Little Havana Activiti	Elderly Meals Program	$ 116,284	$45,500	$41,500
43	HOPE Inc	Fair Housing	$ 15,000	$7,500	$7,500
26	Jewish Comm Svcs (	Homeless Outreach/Employment	$ 50,767	$20,000	$15,000
8	MBCDC	Tenants Service Coordinator	$ 60,000	$20,000	$15,000
	Office of Homeless	Outreach and Referrals	$ 70,000	$70,000	$70,000
	Subtotal - Public Services for City Wide			$250,343	$219,000
	TOTAL CDBG FUNDS - CITY WIDE			$575,343	$694,000

RESOLUTION NO._____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE ONE-YEAR ACTION PLAN COMPONENT OF THE FIVE-YEAR CONSOLIDATED PLAN FOR FEDERAL FUNDS FOR FISCAL YEAR 2003/04, WHICH INCLUDES THE BUDGETS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, THE HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM, AND THE EMERGENCY SHELTER GRANTS (ESG) PROGRAM; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AGREEMENTS NECESSARY TO IMPLEMENT THE CDBG, HOME AND ESG ACTIVITIES OF THE ONE-YEAR ACTION PLAN AS FOLLOWS: TWENTY-NINE (29) CDBG SUB-RECIPIENT AGREEMENTS, THREE (3) CDBG INTERDEPARTMENTAL COOPERATION AGREEMENTS, ONE (1) ESG INTERDEPARTMENTAL COOPERATION AGREEMENT; AUTHORIZING THE ADMINISTRATION AND THE OFFICE OF THE CITY ATTORNEY TO MAKE MINOR NON-SUBSTANTIVE CHANGES TO THE ONE-YEAR ACTION PLAN AND/OR AFORESTATED AGREEMENTS BEFORE EXECUTION; AMENDING CERTAIN AGREEMENTS, AS SET FORTH IN THE BODY OF THIS RESOLUTION, FOR FISCAL YEAR 2002/03, FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM TO EXTEND THE EXPIRATION DATES OF SAID AGREEMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL APPLICABLE DOCUMENTS, AND SUBMIT THE ONE-YEAR ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD); AND AUTHORIZING THE APPROPRIATION OF ALL FEDERAL FUNDS WHEN RECEIVED.

WHEREAS, the One Year Action Plan for Federal funds is a federal requirement under the United States Department of Housing and Urban Development (HUD) formula grant programs which include the Community Development Block Grant (CDBG), Home Investment Partnerships (HOME) and the Emergency Shelter Grants (ESG) programs; and

WHEREAS, the One Year Action Plan for Federal funds for Fiscal Year 2003/04 is one component of the Five-Year Consolidated Plan; and

WHEREAS, the One Year Action Plan serves as both a planning document and as an annual application for the formula grant programs; and

WHEREAS, the City anticipates it will receive a total of $3,550,021 in federal grants from HUD for Fiscal Year 2003/04 as follows: $2,163,000 in CDBG funds; $1,292,021 in HOME funds; and $95,000 in ESG funds; and

WHEREAS, a comprehensive planning phase was initiated by the City on February 3, 2003, with the issuance of a Request for Proposals for housing and community development activities; and

WHEREAS, a public hearing was held on March 18, 2003 with the Community Development Advisory Committee (CDAC) to obtain citizen input on determining the priorities and needs for housing and community development; and

WHEREAS, additional public workshops were held on April 23rd and June 26th for additional opportunities to provide public comments on the proposed activities using the federal grant programs; and

WHEREAS, on May 19, 2003, the Administration, together with the Community Development Advisory Committee (CDAC), approved funding recommendations for the proposed ESG and CDBG-funded activities, for the One-Year Action Plan component of the Five-Year Consolidated Plan and for HOME-funded activities to foster affordable housing as listed in Exhibit 1 of this Resolution; and

WHEREAS, a draft of the One Year Action Plan for Federal funds for Fiscal Year 2003/04 was made available for a 30 day public review and comment period from June 12, 2003 to July 11, 2003; and

WHEREAS, the One Year Action Plan must be submitted to HUD prior to August 16, 2003; and

WHEREAS, the City Manager is the HUD designated agent for all the formula grants, and executes the Grant Applications, the Grant Agreements, and other applicable HUD documents.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, adopting the City's One-Year Action Plan for Fiscal Year 2003/04, which includes the budgets for the Community Development Block Grant (CDBG) program, the HOME Investment Partnerships (HOME) program, and the Emergency Shelter Grants (ESG) program; authorizing the Mayor and City Clerk to execute Agreements necessary to implement the CDBG, HOME and ESG activities of the One-Year Action Plan component of the Five-Year Consolidated Plan, as follows: twenty-nine (29) CDBG sub-recipient Agreements, three (3) CDBG Interdepartmental Cooperation Agreements, one (1) ESG Interdepartmental Cooperation Agreement; authorizing the Administration and the Office of the City Attorney to make minor non-substantive changes to the One-Year Action Plan and/or aforestated Agreements before execution; amending certain Agreements, as set forth in the body of this Resolution, for Fiscal Year 2002/03, for the Community Development Block Grant program to extend the expiration dates of said agreements; authorizing the City Manager to execute all applicable documents, and submit the One-Year Action Plan to the U.S. Department of Housing and Urban Development (HUD); and authorizing the appropriation of all Federal funds when received.

PASSED and **ADOPTED** this ____ day of _____, 2003.

ATTEST:

_____ _____

CITY CLERK **MAYOR**

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

7-18-03

City Attorney **Date**

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A. A resolution establishing a schedule of user fees for parks and recreation programs and services, facility admissions and rentals and other related activities effective October 1, 2003 and repealing previous fee resolutions and adopting a scholarship schedule for eligible youth participating in the city's programs.

B. A resolution authorizing the administration to include in its negotiations for recreation provider fees minimum revenues of 20% and to allow special fee packages and annual passes to be issued.

Issue:

A. Shall the recreation program fees be modified to reflect current service costs and the current market for comparable programs and services being provided by other municipalities in the South Florida area and to include a revised scholarship schedule for eligible participants?

B. Shall the administration be allowed to negotiate recreation provider fees and to issue special fee packages and annual passes to parks and park programs?

Item Summary/Recommendation:

Due to new facilities coming on line, the increased cost of their operation, the demand for more and higher quality services as indicated by the May 14, 2002 report by the Parks & Recreation Programs Blue Ribbon Citizens' Committee and the fact that the majority of parks and recreation fees have not been adjusted since the late 1980's the City retained KPMG to conduct a cost study and fee comparison of comparable markets throughout Dade and Broward. The KPMG study was supplemented with a thorough analysis of other cities program costs. At the May 12, 2003 special meeting of the Finance and Citywide Projects Commission Committee the results of the KPMG report and a review of Parks and Recreation fees as well as various scenarios and fee structure modifications were presented. The impact of the 100% fee scholarships offered to qualified families was also discussed. The Committee required the Administration to take the fee recommendations to the Parks and Recreational Facilities Board for discussion and approval prior to submitting them to the full Commission.

As directed, the Administration held Advisory Board meetings to discuss increasing fees for all Recreation programs and services with the Board approving the fee modifications and scholarship as proposed.

Resolution A sets the various fees, rental rates for facilities and establishes the new scholarship rates, while resolution B grants the administration the authority to negotiate recreation provider rates and to create and issue special packages and annual passes for parks and park programming.

Advisory Board Recommendation:

Recommended for approval by the Parks and Recreational Facilities Advisory Board at meetings held on May 28, June 4, and June 23, 2003.

City Clerk's Office Legislative Tracking:

Sign-Offs:

Department Director	Assistant City Manager	City Manager

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AGENDA ITEM R7R A&B

DATE 7/30/03

CITY OF MIAMI BEACH
CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
http:\\ci.miami-beach.fl.us

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING A SCHEDULE OF USER FEES FOR VARIOUS PARKS AND RECREATION PROGRAMS AND SERVICES, FACILITY ADMISSIONS AND RENTALS, AND OTHER RELATED ACTIVITIES, AS SET FORTH IN ATTACHMENT "1" HERETO; SAID FEES EFFECTIVE ON OCTOBER 1, 2003; REPEALING RESOLUTION NO. 86,18593, WHICH ESTABLISHED A SCHEDULE OF MEMBERSHIP AND USER FEES FOR TENNIS CENTERS, POOLS, COMMUNITY CENTERS AND PLAYGROUND RECREATION PROGRAMS, AND FURTHER RESOLUTION NO. 86-18677 WHICH ESTABLISHED A SCHEDULE OF FEES FOR RENTAL AND/OR USE OF CITY OF MIAMI BEACH PARKS AND RECREATION FACILITIES; FURTHER ADOPTING THE SCHOLARSHIP SCHEDULE, AS DELINEATED IN "ATTACHMENT 2" HERETO, FOR ELIGIBLE YOUTH PARTICIPATING IN THE CITY'S RECREATIONAL PROGRAMS.**

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE ADMINISTRATION TO INCLUDE, IN ITS NEGOTIATION FOR OUTSIDE SERVICE PROVIDER RECREATION PROGRAMS, A REVENUE SHARING FORMULA NOT TO BE LESS THAN 20%, BASED ON ECONOMIC VIABILITY AND MARKET ANALYSIS; FURTHER PROVIDING THAT THE CITY MANAGER OR HIS DESIGNEE MAY OFFER SPECIAL PACKAGES AND ANNUAL PASSES FOR RESIDENTS TO FACILITIES, INCLUDING BUT NOT LIMITED TO SWIMMING POOLS, THE ICE RINK, AND YOUTH CENTERS.**

ADMINISTRATION RECOMMENDATION:

Adopt the Resolutions.

ANALYSIS

Due to concerns associated with new facilities coming on line, the increased cost of their operation, the growing number of new facility users, the demand for more and higher quality services as indicated by the May 14, 2002 report by the Parks & Recreation Programs Blue Ribbon Citizens' Committee, a comprehensive revenue/cost and fee analysis was undertaken by the City.

The City retained KPMG LLP to conduct a cost of service study and fee comparison of comparable markets throughout Dade and Broward and analyze the current fee structure within the City as the initial effort of the review.

In addition to the KPMG analysis, the City undertook a thorough review of the City's various programs. The City review evaluated fees charged by other cities and assessed the specific elements of each program to assure that the KPMG cost data was realistic and fair. The review indicated that fees have not been raised since the 1980's and that our City fees were significantly less than those charged by other cities.

An example of the City's increased costs of operation is the new Flamingo Pool facility. When the old Flamingo Pool was operational it was costing the City approximately

$175,000 annually to staff, operate and maintain. Based on a cost study recently completed by KPMG, the new annual cost of the Flamingo Pool for FY 2002-03 is estimated at $598,541. This represents an increase of 342% increase in cost and a projected per user cost of $8.50, with a total user base of 70,408 swimmers annually.

At the current admission fee of $1.25 for adults and .75 per child the KPMG study projected total annual revenue of $88,010, which represents only 15% of the operational cost. This increased operational cost scenario will be duplicated repeatedly as the new facilities such as North Shore Park and Youth Center, the new Normandy Park and Pool, the new Scott Rakow Youth Center improvements (new much larger ice rink, gymnastics area etc.), and North Shore Open Space Park all come on line. The operating budget for 2003-04 will include new costs for the new facilities in the amount of approximately $1.1 million.

At the May 12, 2003 special meeting of the Finance and Citywide Projects Commission Committee the Administration presented the results of the KPMG report and a thorough review of Parks and Recreation fees as well as various scenarios and fee structure modifications to the members. A major component of the current fee structure is the 100% fee scholarships offered to qualified families.

At the conclusion of this discussion the Commission Committee directed the Administration to implement the following actions;

- Draft an amendment to the Parks and Recreation User Fees legislation, increasing the fees in order to recover some of the costs associated with operations and maintenance.
- Maintain fees in line with what other comparable municipalities and Miami-Dade County are charging for like amenities and programs.
- To require a review of user fees whenever the change in the Consumer Price Index (CPI) between the latest CPI and the date of the CPI used for the last fee adjustment is 5% or greater.
- Bring back the updated legislation to the full Commission for approval once the recommended amendments have been drafted.

Additionally, the Committee required the Administration to take the fee recommendations to the Parks and Recreational Facilities Board for discussion and approval prior to submitting them to the full Commission.

In compliance with the directive to take fee recommendations to the Parks and Recreational Facilities Board the Parks and Recreation Administration held Advisory Board meetings on May 28, June 4, and June 23, 2003. At these meetings discussions related to increasing fees for all areas of Recreation programs and services were held. At the conclusion of the discussions the members of the Parks and Recreational Facilities Board approved the following recommendations:

A) Comprehensively modify program, activity and rental fees to reasonably reflect the findings of the KPMG analysis and/ or to be in line with the current market for South Florida. Such modification will consider fees for both residents and non-residents. See "Attachment 1" for a comprehensive listing of fee recommendations as approved by the Parks and Recreational Facilities Board. (Resolution A sets the fees upon approval by the Commission)
B) Charge facility use rental fees to allow the administration to recover, at minimum all direct cost and be able to charge over and above direct costs as market allows. (Provided in Resolution A)
C) Allow the administration the ability to negotiate for outside service provider programs with a revenue sharing formula not to be less than 20% to the City. Fee establishment would be based on economic viability and market analysis. (Provided in Resolution B).
D) Give the administration authorization to develop and offer special packages and annual passes for residents to enable more affordable multiple use of facilities. For example - annual pool pass. (Provided in Resolution B).
E) The Administration is required to review user fees whenever the change in the Consumer Price Index (CPI) between the latest CPI and the date of the CPI used for the last fee adjustment is 5% or greater.
F) Recommended that a maximum scholarship of 75% should be made available to eligible youth participating in the City's programs. The Board further recommended that this should be a goal, however, consideration should be given on a case by case basis and no child should be denied access to programs based on their inability to pay.

   "Attachment 2" incorporates the recommendation of the Parks and Recreation Board but also adds a category for very low income full scholarship and a sliding scholarship schedule based on the U.S. Department of Housing and Urban Development's Median Income guidelines. This schedule is sensitive to our lower income resident while still accomplishing the goal of some fee payment for programs based on ability to pay. The ranges are guidelines that would be used to determine the appropriate scholarship awarded to a resident (youth).

G) The sibling discount of 50% of the established fee for the first child would also be applied for each additional child, when applicable.

The Administration recommends the attached resolution be adopted to permit fees to be established that are comparable to other municipalities in the area, and provides for regulated attendance to maximize safety and availability of quality customer services for all citizens of Miami Beach.

JMG/RCM/KS
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ATTACHMENT "1"

CITY OF MIAMI BEACH
PARKS AND RECREATION DEPARTMENT
REVISED USER FEE RECOMMENDATIONS
JULY 2003

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POOLS

SINGLE USE FEES RESIDENTS AND NON-RESIDENTS
(All fees include tax)

Current Fees

No Residency Required

Adults	(age 18 and over)	$ 1.25	(Memorial Day through Labor Day)
Seniors	(age 62 & older)	$ 0 .75	(Memorial Day through Labor Day)
Juniors		$ 0.75	(Memorial Day through Labor Day)

Recommended by Administration and Parks & Recreation Facilities Advisory Board

		Resident/Non-Resident
Adults	**(age 18 and over)**	**$ 3.00 / $ 6.00**
Juniors	**(age 4 to 17)**	**$ 2.00 / $ 4.00**

***Toddlers (age 3 and under) FREE**

- **Toddlers must be less than 36 inches in height.**
- **Toddlers must be accompanied by an adult (ratio: one (1) adult with a maximum of two (2) toddlers).**
- **Toddlers must wear an approved protective pool diaper.**
- **Adult re-entry may be permitted on the same day large swimming pool usage, as available.**

Proposed rates may represent a " pool session ", to be determined by user response.

City may offer a discount to residents only who purchase a 10-ticket booklet.

Proof of residency required for all program locations. One of the following: Lease or tax statements or Two of the following: Picture ID, voter's card, passport, Driver's license, utility bill.
Recreation Division may require additional documentation.

POOLS (cont.)

ANNUAL/SEASONAL PASSES
(All fees include tax)

Annual: October 1 through September 30
Seasonal/Winter: October 1 through March 31
Seasonal/Summer: April 1 through September 30

RESIDENTS

Current Fees

No Annual Passes

Recommended by Administration and Parks & Recreation Facilities Advisory Board

		Annual/Seasonal
Adults	(age 18 and over)	$ 200 / $ 125
Juniors	(age 4 to 17)	$ 150 / $ 100
Toddlers (age 3 and under)		**N/A**
Family (2 adults & children)		**$ 500 / $ 275**

- **Toddlers must be less than 36 inches in height.**
- **Toddlers must be accompanied by an adult (ratio: one (1) adult with a maximum of two (2) toddlers).**
- **Toddlers must wear an approved protective pool diaper.**
- **Birth certificate required for children on family pass**

Proposed rates may represent a " pool session " to be determined by user response.
Note: Pass holders are entitled to access only one session per day, in advance and may be re-admitted to pool for additional sessions subject to availability. Pass holders may also use pool during all open session times.

NON-RESIDENTS

Current Fees

Recommended by Administration and Parks & Recreation Facilities Advisory Board

ANNUAL/SEASONAL *SEASONAL PASSES AVAILABLE FOR RESIDENTS ONLY*

POOLS (cont.)

PARTY RENTAL

(During operating hours – 2 hours)

Current Fee	**Resident:**	**Recommended by Administration and Parks & Recreation Facilities Board.**
N/A	**$ 50 plus admission of $ 2.00 per person (all ages including *toddlers), with reservation for a maximum of 25 persons includes party location with 20' Sunbrella. Party packages and concessions may be available for separate purchase.**	
	Non-Resident:	**Recommended by Administration and Parks & Recreation Facilities Advisory Board.**
N/A	**$ 250 plus admission of $ 3.00 per person (all ages including *toddlers), with reservation for a maximum of 25 persons includes party location with 20' Sunbrella. Party packages and concessions may be available for separate purchase.**	

- **Toddler: Adult ratio must be strictly enforced (ratio: one (1) adult with a maximum of two (2) toddlers).**
- **Group usage (10 or more) must be reserved (minimum) one week in advance, subject to availability.**
- **Chaperones for group usage require 1 chaperone (no charge) per 10 children over the age of four (4).**

FACILITY RENTALS ** (Not available during regular operating hours)

Current Fees	**Recommended by Administration and Parks & Recreation Facilities Board Resident**	**Recommended by Administration and Parks & Recreation Advisory Board Non-Resident**
$ 125 includes a four-hour rental	**$150 includes a three-hour rental**	**$ 750 includes a three-hour rental**
$ 35 for each additional hour	**$ 40 for each additional hour**	**$ 150 for each additional hour**
$ 20 per hour per staff (min 4 hours)	**$ 25 per hour per staff (min of 4 hours)**	**$ 50 per hour per staff (min of 4 hours)**

**** Including but not limited to film and photo production, private parties, swim teams, non-Miami Beach schools, religious organizations etc.**

** Insurance per City of Miami Beach Risk Management.

RECREATION CENTERS

NORTH SHORE PARK AND YOUTH RECREATION CENTER

	Current Fees	Proposed	
MEMBERSHIP RATES		**Resident/ Non-Resident**	
SEASONAL MEMBERSHIP	$ 75.00/qtr	**$150.00/$300.00 -qtr**	
AFTER SCHOOL PROGRAM	$ 75.00/qtr	**$150.00/$300.00-qtr**	
SUMMER CAMP PROGRAM	$175.00/ summer Sibling discount: 50%	**$500.00/$750.00-qtr** **Sibling discount: 50%**	
LITTLE RASCALS PROGRAM	$ 50.00/qtr	**$100.00/$200.00**	
DAY PASSES	Half day $1.50 Full day $3.00	**$ 5.00/$ 10.00** **$ 10.00/$ 20.00**	
RENTALS 4 Hrs.		**Resident** **No admission/Admission**	**Non-Resident** **No admission/Admission**
Single Event plus Tax (Day or Night)	$125.00		
GYMNASIUM	N/A	**$500.00/$700.00**	**$1,000.00/$ 1,500.00**
AUDITORIUM/MULTI PURPOSE	N/A	**$500.00/$700.00**	**$1,000.00/$1,500.00**
		Events lasting over four (4) hours will be charged an additional $75.00 per hour.	
MEET/DANCE/GAME RM	N/A Events lasting over four (4) hours will be charged an additional $25.00 per hr.	**$250.00/$300.00** **Events lasting over four (4) hours will be charged an additional $50.00 per hour.**	**$500.00/750.00**
ENTIRE FACILITY GYMNASIUM AUDITORIUM/GAME ROOM DANCE		**$1,500.00/$3000.00** **Events lasting over four (4) hours will be charged an additional $100.00 per hour.** **The above rental rate does not include any applicable tax, janitorial, insurance and other direct costs. A fee of $ 25.00 per hour per employee (minimum of 4 hrs) assigned to the event will be paid to the City of Miami Beach. The number of employees required will be determined by the Parks and Recreation Department.** **Rentals may not be available during regular operating hours**	**$3,000.00/$6,000.00**

RECREATION CENTERS

NORTH SHORE PARK AND YOUTH RECREATION CENTER (cont.)

	Current Fees	Proposed	
		Residents	**Non-residents**
RENTAL FOR BIRTHDAY PARTIES - 3 HOURS (DURING OPERATING HOURS) 1 HOUR FOR SET UP AND BREAK DOWN	N/A	**Package A** **Party room** **$5.00 per person**	**Package A** **Party room** **$10.00 per person**
		Package B **Party room** **Other area** **$8.00 per person**	**Package B** **Party room** **Other area** **$16.00 per person**
		Package C **Party room** **Ceramics** **$15.00 per person**	**Package C** **Party room** **$16.00 per person small pieces** **$20.00 per person medium pieces**
		Package D **Party room** **Other area** **Ceramics** **$20.00 per person**	**Package D** **Party room** **Gymnasium** **Ceramics** **small pieces** **$30.00 per person**

RECREATION CENTERS

SCOTT RAKOW YOUTH CENTER

2700 Sheridan Avenue	Current Fees	**Proposed Fees**
		Resident/Non resident
SEASONAL MEMBERSHIP	$ 75.00/qtr	**$150.00/$300.00**
AFTER SCHOOL PROGRAM	$ 75.00/qtr	**$150.00/$300.00**
SUMMER CAMP PROGRAM	$175.00/ summer	**$500.00/$750.00**
	Sibling discount: 50%	**Sibling discount: 50%**
LITTLE RASCALS PROGRAM	$ 50.00/qtr	**$100.00/$200.00**
DAY PASSES	Half day $1.50	**$ 5.00/$ 10.00**
	Full day $3.00	**$ 10.00/$ 20.00**
RENTALS: 4 HOURS		
MEETING/CLASS RM	$35.00/hr	**$250.00/ $ 500.00**
ARTS & CRAFTS	N/A	**$250.00/ $ 500.00**
BOWLING	$35.00/hr	**$250.00/ $ 500.00**
GAMEROOM	$35.00/hr	**$250.00/ $ 500.00**
GYMNASIUM	$35.00/hr	**$500.00/$ 1,000.00**
SWIMMING POOL	$35.00/hr	**$500.00/$ 1,000.00**

SCOTT RAKOW YOUTH CENTER	Current Fees	**Proposed Fees**
		Resident / Non resident
ENTIRE FACILITY	$250.00	**$600.00/$2,000.00**

A fee of $ 20.00 per hour per employee assigned to the event will be paid to the City of Miami Beach. The number of employees required will be determined by the Parks and Recreation Department.

Rental rates listed do not include taxes as applicable Additional costs for rentals include staffing @ $25,00 per hour per staff, 4 hour minimum (number of staff to be determined by supervisor), insurance, janitorial and/or other direct costs.

RECREATION CENTERS

SCOTT RAKOW YOUTH CENTER (cont.)

ICE RINK:	Resident Memb/Non-Member	Non-Resident Memb/Non-Member	**Resident Memb/Non-Member**	**Non-Resident Memb/Non-Member**
FIGURE SKATING CLASSES				
6 WEEKS	$45.00 / $52.50	$45.00/$60.00	**$ 50.00/ $60.00**	**$ 57.50 /$ 95.00**
8 WEEKS	N/A	N/A	**$ 70.00/$ 80.00**	**$ 77.50/$115.00**
HOCKEY CLASSES				
12 WEEKS	$120.00/ $127.50	$120.00/ $135.00	**$130.00/ $150.00**	**$137.50/$190.00**
HOCKEY LEAGUES	N/A	N/A	**$300.00/$350.00**	**$300.00/$450.00**
Includes 10 games, 10 practices & playoffs [three (3) sessions four(4) months long]				
ADULT HOCKEY	N/A	N/A	**N/A /$135.00**	**N/A /$250.00**
ADULT SCRIMMAGE	N/A	N/A	**N/A /$15.00**	**N/A /$30.00**
PARENT/CHILD	N/A	N/A	**N/A /$15.00 both**	**N/A /$30.00 both**
PRIVATE LESSONS	$24.00/25 mins	$24.00/25 mins	**$25.00/$27.00 – 25 mins**	**$25.00/$30.00 – 25 mins**
OPEN SESSION				
Weekday	Free/ Child $1.50	Free/Child $3.00	**Free/Child: $3.00**	**Free/ Child: $6.00**
Weekend	Free/ Child $3.00	Free/Child $6.00	**Free/Child: $6.00**	**Free/ Child: $9.00**
			N/A /Adult: $6.00	**N/A /Adult: $10.00**
FRIDAY NIGHT TEEN SKATE		N/A	**$ 2.00/$5.00**	**$2.00/$15.00**
PROMOTIONAL ADULT SKATE		N/A	**N/A /$5.00**	**N/A /$10.00**
ICE RINK RENTAL – 2 HOURS (non groups)		$35.00	**$100.00/$200.00**	**$200.00/$ 400.00**
ICE RINK RENTAL – 2 HOURS (group)		N/A	**$250.00/$500.00**	**$500.00/$1,000.00**

RECREATION CENTERS

SCOTT RAKOW YOUTH CENTER (cont.)

RENTAL FOR PARTIES (DURING OPERATING HOURS), 2 HOURS

	Current Fees per person	**Proposed Fees per person Resident/Non resident**
Package A - Party area	$4.50	**$ 5.00/$ 8.00**
Package B - Party area plus Bowling	$5.75	**$ 7.00/$14.00**
Package C - Party area plus Annex	N/A	**$ 7.00/$14.00**
Package D - Party area plus Ice	$5.50	**$ 7.00/$20.00**
Package E - Party area plus Swimming pool	N/A	**$ 7.00/$14.00**
Package F - Party area plus Bowling Annex	N/A	**$10.00/$25.00**
Package G- Party area plus Bowling Ice	$6.75	**$10.00/$25.00**
Package H- Party area plus Ice Annex	N/A	**$10.00/$25.00**
Package I- Party area plus Ice Bowling Swimming pool	$6.75	**$10.00/$25.00**

COMMUNITY CENTERS

	Current Fees	Proposed Fees Resident /Non Resident
CITY SPONSORED EVENTS i.e. dances	$1.00	**$2.00/$4.00**

21ST STREET RECREATION CENTER

2100 Washington Avenue

	No Admiss/Admission chrg	Resident No admiss/Admission	Non Resident No admiss/Admission
AUDITORIUM – ENTIRE FACILITY	$500.00/$750.00 or 10% of Gross	**$700.00/$1,000.00**	**$800.00/$1,100.00**
AUDITORIUM	$250.00 or 10% gross	**$300.00/$ 600.00** **$30.00 each additional hr**	**$400.00/$ 700.00** **$60.00 each additional hr**
MEETING AREAS	$125.00 or 10% gross	**$150.00/$300.00** **$25.00 each additional hr**	**$250.00/$400.00** **$50.00 each additional hr**
BANDSHELL	$ 200.00 Single event plus Tax	**$250.00/$500.00** **$25.00 each additional hr**	**$350.00/$600.00** **$50.00 each additional hr**
LITTLE STAGE THEATRE	N/A	**$150.00/$150.00** **25.00 each additional hr**	**$250.00/$250.00** **$50.00 each additional hr**

A fee of $ 20.00 per hour per employee assigned to the event will be paid to the City of Miami Beach. The number of employees required will be determined. by the Parks and Recreation Department.

The above rental rates does not include any applicable tax, janitorial, insurance and other direct costs. A fee of $ 25.00 per hour per employee (minimum of 4 hrs) assigned to the event will be paid to the City of Miami Beach. The number of employees required will be determined by the Parks and Recreation Department.

NORTH SHORE COMMUNITY CENTER

7275 Collins Avenue

BANDSHELL	$200.00	**$250.00/$500.00** **$25.00 each additional hr**	**$350.00/$600.00** **$50.00 each additional hr**
ACTIVITY CENTER BUILDING	$ 125.00	**$150.00/$300.00** **$25.00 each additional hr**	**$250.00/$400.00** **$50.00 each additional hr**

Single event plus Tax. The following schedule is on an "as available" basis, subject to the approval of the determined Director of Parks and Recreation.

The above rental rates does not include any applicable tax, janitorial, insurance and other direct costs. A fee of $ 25.00 per hour per employee (minimum of 4 hrs) assigned to the event will be paid to the City of Miami Beach. The number of employees required will be determined by the Parks and Recreation Department..

PLAYGROUND PROGRAMS

	Current Fees Resident/non-resident	**Proposed Fees** **Resident/non-resident**
PLAY SCHOOL	$ 50.00/$100.00-month	**$75.00/$150.00-month**
AFTERSCHOOL PROGRAM	$ 75.00/$150.00-quarter	**$150.00/$300.00-quarter**
	Sibling discount: 50%	**Sibling discount: 50%**
DAY PASS – Weekdays (half day)	$1.50	**$ 5.00/$ 10.00**
Weekdays (full day)	$3.00	**$ 10.00/$ 20.00**

PLAYGROUND RENTALS

RENTAL FOR PARTIES (DURING OPERATING HOURS), 2 HOURS		**3 HOURS**
i.e. birthday, wedding, baby shower, family celebration, etc. Not to exceed 50 people.	$75.00-$150.00	**$125.00/$250.00**

The above rental rate does not include any applicable tax, janitorial, insurance and/or other direct costs. A fee of $ 25.00 per hour per employee (minimum of 4 hrs) assigned to the event will be paid to the City of Miami Beach. The number of employees required will be determined by the Parks and Recreation Department.

NEIGHBORHOOD PARK AREAS

		Residents **No Admiss/ Admiss**	**Non-residents** **No Admiss/Admiss**
These include Stillwater, Tatum, Crespi, Muss, Fisher, Island View, Normandy Shores and other open space areas.			
Single Event plus tax (Daylight only)	$100.00	**$100.00/$200.00**	**$200.00 /$400.00**
	A fee of $ 20.00 per hour per employee assigned to the event will be paid to the City of Miami Beach. The number of employees required will be determined by the Parks and Recreation Department.	**The above rental rate does not include any applicable tax, janitorial, insurance and other direct costs. A fee of $ 25.00 per hour per employee (minimum of 4 hrs) assigned to the event will be paid to the City of Miami Beach. The number of employees required will be determined by the Parks and Recreation Department.**	

NEIGHBORHOOD PARK AREAS
FAIRWAY PARK

RENTALS (DURING NON OPERATING HOURS)

	Current Resident/non-resident	Proposed Resident No Admiss/Admission	Proposed Non-resident No Admiss/Admission
200 Fairway Drive			
Multi Use Sports Field (lighting available)	N/A	**Day: $150.00/$250.00** **Evening: $250.00/$350.00**	**Day: $300.00/$500.00** **Evening: $500.00/ $700.00**

The rental rates include field marking (except weekends and holidays). An additional fee of $100.00 will be charged for any events taking place on weekends or holidays requiring field markings. Events lasting over four (4) hours will be charged an additional $35.00 per hour. Additional cost for rentals include staffing @ $25.00 per hour per staff, 4 hour minimum. (Number of staff to be determined by supervisor), insurance, janitorial and/or other direct costs.

Rentals may not be available during regular operating hours

INDOOR BUILDING Single Event plus Tax (Daylight Only)	Resident/non-resident	Residents No Admiss/Admission	Non Residents No Admiss/Admission
	$100.00/$200.00	**$175.00/$350.00**	**$350.00/$700.00**

Events lasting over four (4) hours will be charged an additional $50.00 per hour. Additional cost for rentals include tax as applicable, staffing @ $25.00 per hour per staff, 4 hour minimum. (Number of staff to be determined by supervisor), insurance, janitorial and/or other direct costs.

Rentals may not be available during regular operating hours

A fee of $ 20.00 per hour per employee assigned to the event will be paid to the City of Miami Beach. The number of employees required will be determined the Parks and Recreation Department.

The above rental rate does not include any applicable tax, janitorial, insurance and other direct costs. A fee of $ 25.00 per hour per employee (minimum of 4 hrs) assigned to the event will be paid to the City of Miami Beach. The number of employees required will by **be determined by the Parks and Recreation Department.**

NEIGHBORHOOD PARK AREAS

NORMANDY ISLE PARK

	Current	Proposed	
		Residents	**Non Residents**
INDOOR BUILDING	Resident/non-resident	**No Admiss/Admission**	**No Admiss/Admission**
Single Event plus Tax (Daylight Only	$100.00/$200.00	**$175.00/$350.00**	**$350.00/$700.00**
		Events lasting over four (4) hours will be charged an additional $50.00 per hour. Additional cost for rentals include tax as applicable, staffing @ $25.00 per hour per staff , 4 hour minimum (number of staff to be determined by supervisor), insurance, janitorial and/or other direct costs.	
		Rentals may not be available during regular operating hours	
	A fee of $ 20.00 per hour per employee assigned to the event will be paid to the City of Miami Beach. The number of employees required will be determined by the Parks and Recreation Department.	**The above rental rate does not include any applicable tax, janitorial, insurance and other direct costs. A fee of $ 25.00 per hour per employee (minimum of 4 hrs) assigned to the event will be paid to the City of Miami Beach. The number of employees required will be determined by the Parks and Recreation Department.**	

FLAMINGO PARK STADIUMS/FIELDS

	No admiss/admiss chrge	**Residents/Non Residents No admission/admiss charge**	
BASEBALL STADIUM 1435 Michigan Avenue and	$250.00/$500.00 (day) $ 500.00/$ 750.00(evening)	**$350.00/$700.00 (day)** **$600.00/$1,000.00 (evening)**	
MEMORIAL FOOTBALL FIELD 11th Street and Alton Road	$250.00/$500.00 (day) $500.00/$750.00 (evening)	**$350.00/$700.00 (day)** **$600.00/$1,000.00 (evening)**	
GATED PRACTICE FIELDS 14TH Street and Meridian Avenue	$ 75.00/ N/A (day) $ 150.00/ N/A (evening)	**$150.00 (day)/** **$250.00 (evening)/**	**N/A for non-residents** **N/A for non-residents**
	The above rental rates include field marking (except weekends and holidays). An additional fee of $ 160.00 will be charged for any events taking place on weekends or holidays requiring field marking Events lasting over four (4) hours will be charged an additional $ 50.00 per hour	**The above rental rates include field marking (except weekends and holidays). An additional fee of $ 200.00 will be charged for any events taking place on weekends or holidays requiring field marking Events lasting over four (4) hours will be charged an additional $ 50.00 per hour.**	

FLAMINGO PARK STADIUMS/FIELDS

	Current Fees	**Proposed Fees Residents/Non Residents**
SOFTBALL FIELDS: 13th street and Meridian Avenue	$ 75.00+ tax (daytime) $ 100.00+ tax (evening)	**$150.00+ tax/$300.00+ tax (daytime)** **$250.00+ tax/$500.00+ tax (evening)**
	The above rental rates include field marking (except weekends and holidays). An additional fee of $ 80.00 will be charged for any events taking place on weekends or holidays requiring field markings.	**The above rental rates include field marking (except weekends and holidays). An additional fee of $ 200.00 will be charged for any events taking place on weekends or holidays requiring field markings.**
	Events lasting over four (4) hours will be charged an additional $ 25.00 per hour.	
HOLTZ STADIUM 1290 Meridian Ave	No admiss/admiss chrge $250.00/$500.00 (day) $ 500.00/$ 750.00(evening)	**No admission/admiss charge** **$350.00/$700.00 (day)** **$600.00/$1,000.00 (evening)**

SOUTH POINTE PARK

1 Washington Avenue FIELD AS SPECIAL EVENTS AREA (Contains Electrical Outlets)	$250.00+ tax Single Event The above rental rates are for a minimum for four (4) event hours (maximum of 2 hours set-up and 2 hours beak-down are included in the rental fees above). Events lasting over four (4) hours will be charged an additional fee (per hour) as follows:	**All fees to remain the same until renovations**
AMPHITHEATER FIELD (Field use only)	$ 25.00 each additional hour	**All fees to remain the same until renovations**

SOUTH POINTE PARK

	Current Fees	**Proposed Fees**
SPECIAL EVENTS AREA (Contains electrical outlets) *Personnel Requirements (All Facilities)*	$ 100.00 each additional hour	**All fees to remain the same until renovations determined**

The rental rates listed above do not include any electricians, program personnel, stagehands, lifeguards, or maintenance personnel required by lessee. A fee of $ 25.00/hour for electricians and $20.00/hour for program personnel, stagehands, lifeguards, or maintenance personnel (4 hour minimum) per employee assigned to the event or for clean-up after the event will be paid to the City of Miami Beach. The number of employees required will be determined by the Parks and Recreation Department.

ATHLETIC PROGRAMS

	Residents/Non-residents	**Residents/Non-residents**
Seasonal Athletic Leagues/ Clinics	$ 50.00/$100.00	**$100/ $200**

TENNIS

	Residents/Non-residents	**Residents/Non-residents**
Annual Pass (10/1-9/30)		
Adult	$150.00/$350.00	**$185.00/$375.00**
Senior Citizen	$125.00/$250.00	**$150.00/$250.00**
Junior (under 18)	$ 50.00/$ 70.00	**$ 50.00/$ 75.00**
Family (2 adults, 2 children)	$300.00/$700.00	**$400.00/$700.00**
Each additional child	$ 40.00/$ 60.00	**$ 50.00/$ 75.00**
Half Year Rates		**Available at half the annual fee Annual renewal 10/1 ½ rate available for April through September**
Hourly Court Fees	$ 2.50 Day/per hour $ 3.00 Night/per hour	**$ 4.00/$ 8.00 per hour**
Additional fee for night play	$ 1.00 Night/per hour for members only	**$ 1.50 Lights**
Locker Rooms	$ 50.00 with annual membership $100.00 without annual membership $ 2.00 daily with own lock	**$ 50.00 with annual membership $100.00 without annual membership $ 2.00 daily with own lock**

PERSONNEL

ELECTRICIANS	$25.00	**As per internal charges**
PROGRAM PERSONNEL, AND LIFEGUARDS, MAINTENANCE	$20.00	**$25.00 per hour (4 hour minimum)**

SPECIALIZED CLASSES AND PROGRAMS

Current:

Specialized classes and programs are established on a self-supporting basis excluding facility costs, with class program fee established by the City Manager or his designee to meet program costs.

Proposed:

No change

CITY OF MIAMI BEACH EMPLOYEES RATE

Current:

City of Miami Beach employees and retirees receive resident rate for all fees.
City of Miami Beach employees and retirees receive 50% discount on rental rates.

Proposed:

No change for fees. City of Miami Beach employees and retirees receive resident rate for all fees.
City of Miami Beach employees and retirees to receive resident rates for all rentals.

RENTAL RATES FOR USE OF RECREATION DIVISION FACILITIES ON A CONTINUING BASIS

Current:

At the present time a reduced rental rate policy is in effect for the use of its facilities on a continuing basis. For those organizations renting the same area for a minimum of three (3) times during a six (6) month period, a reduction of 25% of the established rental rates.

Proposed:

No change

USE OF RECREATIONAL FACILITES BY ALL SCHOOLS (BOTH PAROCHIAL AND PRIVATE) WITHIN THE CITY LIMITS OF MIAMI BEACH

Current:

The Parks and Recreation Department, throughout the year, receives periodic requests to use various recreation facilities, such as softball fields, tennis courts, swimming pools, etc. from local private/parochial schools. As a result according to Commission Memorandum No. 209.83 recommendation, in effect any school within the city limits of Miami Beach will be permitted to use recreational facilities without charge; however, they must pay for direct costs, such as lights, personnel, etc., incurred by the City of Miami Beach Parks and Recreational Department. All mandated insurance coverage must be provided in a timely fashion.

Proposed:

Additional usage subjects to availability. Fifty-percent reduction in all rental rates and admission fees. Schools must pay for direct costs, such as lights, personnel, etc. incurred by the City of Miami Beach Parks and Recreation Department. Additionally, all mandated insurance coverage must be provided in a timely fashion.

ATTACHMENT 2

DRAFT

CITY OF MIAMI BEACH PARKS AND RECREATION DEPARTMENT

SCHOLARSHIP WORKSHEET

(For use by Recreation Staff Only)

Household Size	Moderate Income 50% Scholarship Range	Low Income 75% Scholarship Range	Very Low Income 100% Scholarship
1	$ 20,221 to $ 27,000	$15,165 to $ 20,220	$ 15,164
2	$ 23,161 to $ 30,850	$ 17,370 to $ 23,160	$ 17,369
3	$ 26,041 to $ 34,700	$ 19,530 to $ 26,040	$ 19,529
4	$ 28,921 to $ 38,550	$ 21,690 to $ 28,920	$ 21,689
5	$ 31,261 to $ 41,650	$ 23,445 to $ 31,260	$ 23,444
6	$ 33,541 to $ 44,750	$ 25,155 to $ 33,540	$ 25,154
7	$ 35,881 to $ 47,800	$ 26,910 to $ 35,880	$ 26,909
8	$ 38,161 to $ 50,900	$ 28,620 to $ 38,160	$ 28,619

(Source: U.S. Department of Housing and Urban Development)

OR

Other Criterion:

Free or reduced Price Lunch, Medicaid, AFDC or Food Stamps

OR

Other Financial Verification:

Will be handled on an individual need basis as determined by a Recreation Supervisor.

Amount of Scholarship requested: $_____

Document(s) Presented: _____

Percentage of scholarship approved: $_____

Applicant interviewed by: _____ Date: _____

Approved by: _____

RESOLUTIONS TO BE SUBMITTED

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution raising the Franchise Fee paid to the City by private waste contractors from the current fourteen percent to sixteen percent of the Franchisee's total monthly gross receipts from waste removal in the City.

Issue:

Should the Mayor and the City Commission raise the private waste collection Franchise Fee?

Item Summary/Recommendation:

The City Commission adopted Ordinance No. 91-2742 granting Non-Exclusive waste contractor Franchise Agreement on October 9, 1991. Chapter 90 of the Miami Beach City Code, Section 90-221 provides for regulations, fees and procedures, and specifies that the City has the option of raising the Franchise Fee once yearly, said raises not to exceed two percent (2%). Pursuant to City Code, the franchisees were given a 30 day notice prior to the proposed increase. The additional revenues collected in the amount of approximately $220,000 per year will be used by to reduce the General Fund contribution to the South Beach Service Team by this amount. Specifically, two MSWI and two MSWII positions representing approximately $120,000 plus benefits, and approximately $90,000 in litter control expenses such as operating supplies, training, and repair / maintenance of small equipment and vehicles.

This fee increase affects solid waste franchisees that provide service to commercial accounts and multi-family units. Because of the varied type of accounts serviced it is difficult to provide an average cost increase per account. However, as an example, the average cost of waste disposal per yard is $4.50; therefore, a ten (10) unit complex that has a two yard container that is being serviced twice a week could incur an increase of $1.44 per month or $ .14 monthly per unit.

The administration recommends approval of the Resolution.

Advisory Board Recommendation:

Financial Information:

Amount to be expended:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

Sign-Offs:

Department Director	Assistant City Manager	City Manager

AGENDA ITEM R7S

DATE 7-30-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE INCREASE OF THE FRANCHISE FEE PAID TO THE CITY BY PRIVATE WASTE CONTRACTORS FROM THE CURRENT FEE OF FOURTEEN PERCENT (14%) OF THE FRANCHISEE'S TOTAL MONTHLY GROSS RECEIPTS FOR WASTE REMOVAL IN THE CITY, TO SIXTEEN PERCENT (16%) OF SAID RECEIPTS.**

ADMINISTRATION RECOMMENDATION

Adopt the resolution.

ANALYSIS

Under Chapter 90 of the Miami Beach City Code, Section 90-221 provides for regulations, fees, and procedures, and specifies that the City has the option of raising the Franchise Fee once yearly, said raises not to exceed two percent and shall be imposed only by resolution after a public hearing and thirty days prior notice to all Franchise Waste Contractors. As a point of comparison, the following table lists, in ascending order, the residential solid waste service rates of several local municipalities:

MUNICIPALITY		
Coral Gables	12%	
Miami-Dade County	15%	
Miami Beach	**16 %**	**(Proposed Increase)**
North Miami	17.5%	
Miami	20%	

The proposed Franchise Fee increase from fourteen percent (14%) to sixteen percent (16%) will generate additional estimated revenue of $220,000 per year. The additional revenues collected in the amount of approximately $220,000 per year will be used by to reduce the General Fund contribution to the South Beach Service Team by this amount. Specifically, two MSWI and two MSWII positions representing approximately $120,000 plus benefits, and approximately $90,000 in litter control expenses such as operating supplies, training, and repair / maintenance of small equipment and vehicles.

This fee increase affects solid waste franchisees that provide service to commercial accounts and multi-family units. Because of the varied type of accounts serviced it is difficult to provide an average cost increase per account. However, as an example, the average cost of waste disposal per yard is $4.50; therefore, a ten (10) unit complex that has a two yard container that is being serviced twice a week could incur an increase of $1.44 per month or $ .14 monthly per unit.

JMG:RCM:FHB:AZ

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, PURSUANT TO SECTION 90-221 OF THE MIAMI BEACH CITY CODE, AND FOLLOWING A DULY NOTICED PUBLIC HEARING RAISING THE FRANCHISE FEE PAID TO THE CITY BY PRIVATE WASTE CONTRACTORS FROM THE CURRENT FEE OF FOURTEEN PERCENT (14%) OF THE FRANCHISEE'S TOTAL MONTHLY GROSS RECEIPTS FOR WASTE REMOVAL IN THE CITY, TO SIXTEEN PERCENT (16%) OF SAID GROSS RECEIPTS, SAID RAISE TO BE EFFECTIVE ON OCTOBER 1, 2003.

WHEREAS, pursuant to Section 90-221 of the Miami Beach City Code, the City Commission may adopt a resolution once yearly, raising the amount of the franchise fee currently paid to the City by private waste contractor franchisees, raising said fee by up to two percent (2%) of the franchisees' total monthly gross receipts; and

WHEREAS, the Administration now recommends that the franchise fee be raised from the current fee of fourteen percent (14%) of the franchisee's total monthly gross receipts for waste removal within the City of Miami Beach, to a fee of sixteen percent (16%) of receipts, said raise to be effective on October 1, 2003; and

WHEREAS, to consider the recommendation of the Administration, and as also required by Section 90-221 of the City Code, a public hearing was held by the City Commission, on July 30, 2003.

NOW, THEREFORE BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, following a duly noticed public hearing, and pursuant to Section 90-221 of the Miami Beach City Code, the Mayor and City Commission herein approve and authorize a raise of the franchise fee paid to the City by private waste contractors from the current fee of fourteen percent (14%) of the franchisees' total monthly gross receipts for waste removal in the City, to sixteen percent (16%) of said gross receipts; said raise to become effective on October 1, 2003.

PASSED and **ADOPTED** this _____ day of _____, 2003.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

_____ 2-22-03
City Attorney Date

CITY OF MIAMI BEACH
NOTICE OF A PUBLIC HEARING

NOTICE IS HEREBY given that a public hearing will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, July 30, 2003, at 10:45 a.m.,** pursuant to Section 90-221 of the Miami Beach City Code, to consider raising the Franchise Fee paid to the City by Private Waste Contractors from the current fee of Fourteen Percent (14%) of the Franchisees' Total Monthly Gross Receipts for Waste Removal in the City, to Sixteen Percent (16%) of said gross receipts.

Inquiries may be directed to Public Works at (305) 673-7080.

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 this ordinance are available for public inspection during normal business hours in the City Clerk's Office, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting may be continued and under such circumstances additional legal notice would not be provided.

Robert E. Parcher, City Clerk
City of Miami Beach

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

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding, or to request information on access for persons with disabilities, or to request this publication in accessible format, or to request sign language interpreters, should contact the City Clerk's office at (305) 673-7411, no later than four days prior to the proceeding. If hearing impaired, contact the City Clerk's office via the Florida Relay Service numbers, (800) 955-8771 (TTY) or (800) 955-8770 (VOICE).

(Ad #0193)

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY

Condensed Title:

A Resolution of the Mayor and City Commission of the City of Miami Beach, Florida, approving and authorizing $592,239.00 in City of Miami Beach Quality of Life/Resort Tax funding from fiscal year 2001/2002 (less five percent for administrative charges to North Beach Development Corporation) for improvements in the North Beach community; and reallocating $73,000.00 in prior years' Quality of Life funding, in the amounts of $15,000.00 from fiscal year 99/00; and $58,000.00 from fiscal year 00/01; providing for a total of $665,239.00 for the purpose of funding tourism oriented projects in the North Beach area.

Issue:

Shall the City of Miami Beach appropriate $592,239.00 in Fiscal Year 2001/2002 (less $15,786.00, which is the 5% administrative charge to North Beach Development Corporation) and reallocating $73,000.00 in prior years' Quality of Life funding to be expended on projects as recommended by the City Administrations in the Appendix A?

Item Summary/Recommendation:

In 1992, the City of Miami Beach voters agreed to a one percent increase in the resort tax collection on hotel room rent. Half of the one percent was to create public incentives for a Convention Center Headquarter Hotel, and the other 50% was designated for the promotion of Quality of Life (Q.O.L.) tourism related activities and facilities. That 50% Quality of Life increment has been equally split in thirds for improvements in the North, Middle and South Beach communities.

The one-third portion available through Resort Tax collections for the North Beach community in Fiscal Year 2001/2002 Quality of Life funds equals $592,239.00, less five percent (5%) for administrative charges to NBDC. In addition, NBDC has reviewed prior years' funds and propose reprogramming $15,000.00 from Fiscal Year 99/00 (program year five) and $58,000.00 from Fiscal Year 00/01 (program year six) providing for an additional $73,000.00 be included as a reallocation and a part of the 2001/2002 Quality of Life budget, which provides a total of $665,239.00 of Quality of Life funds available through Resort Tax Collections for the North Beach community.

A public meeting was held on May 14, 2003, to reach community agreement on how best to expend the available Quality of Life/Resort Tax funds from Fiscal Year 2001/2002 (program year seven) for the North Beach community. Projects totaling $1,033,177.00 were reviewed and prioritized by the North Beach community and the list was reduced to match available funding. Last year, NBDC also committed funding $55,777.00 of Quality of Life funds from Fiscal Year 2001/2002 Program year seven) to complete the North Shore Tennis Center project. These funds were already approved and authorized by the City Commission through Resolution No. 2002-25048 on November 13, 2002. Subsequently, the City Administration met with NBDC on July 16, 2003 to review their recommendations. The Administration and NBDC have not reached consensus on the recommended funding levels for this year's North Beach Quality of Life Program. The City recommends including funding for the Byron Carlyle, Normandy Park, North Beach Canal Cleanups, and All-America City program. This recommendation was based on the City Commission's priorities and established commitment toward these projects. Furthermore, the Administration recommends recalculating the five percent (5%) that NBDC receives for administration netting out all City of Miami Beach projects that do not require their administrative oversight.

Advisory Board Recommendation:

NBDC Board reviewed and approved the community's recommendations at their May 20, 2003 meeting.

Financial Information:

Amount to be expended:

Source of Funds:

	Amount	Account	Approved
1	$592,239.00 (FY 01/02)	161.6235.000343	
2	$73,000.00 (FY 99/00 & 00/01)	161.6235.000343	
3			
4			
Total	$665,239.00		

Finance Dept.

Sign-Offs:

Department Director	Assistant City Manager	City Manager
	RCM	JMG

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AGENDA ITEM R7T

DATE 7-30-03

CITY OF MIAMI BEACH
CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING $592,239.00 IN CITY OF MIAMI BEACH QUALITY OF LIFE/RESORT TAX FUNDING FROM FISCAL YEAR 2001/2002 (LESS FIVE PERCENT FOR ADMINISTRATIVE CHARGES TO NORTH BEACH DEVELOPMENT CORPORATION) FOR IMPROVEMENTS IN THE NORTH BEACH COMMUNITY; AND REALLOCATING $73,000.00 IN PRIOR YEARS' QUALITY OF LIFE FUNDING, IN THE AMOUNTS OF $15,000.00 FROM FISCAL YEAR 99/00; AND $58,000.00 FROM FISCAL YEAR 00/01; PROVIDING FOR A TOTAL OF $665,239.00 FOR THE PURPOSE OF FUNDING TOURISM ORIENTED PROJECTS IN THE NORTH BEACH AREA.**

ADMINSTRATION RECOMMENDATION

Adopt the Resolution and approve the City Administration's funding recommendations.

FUNDING

Funding is available from Quality of Life/Resort Tax funding from fiscal year 2001/02 and a reallocation of $73,000.00 from Fiscal Year 1999/2000 and Fiscal Year 2000/01North Beach Quality of Life funds.

ANALYSIS

In 1992, the City of Miami Beach voters agreed to a one percent increase in the resort tax collection on hotel room rent. Half of the one percent was to create public incentives for a Convention Center Headquarter Hotel, and the other 50% was designated for the promotion of Quality of Life (Q.O.L.) tourism related activities and facilities. That 50% Quality of Life increment has been equally split in thirds for improvements in the North, Middle and South Beach communities.

North Beach Development Corporation (NBDC) is entering year seven of this program. The one-third portion available through Resort Tax collections for the North Beach community in Fiscal Year 2001/2002 Quality of Life funds equals $592,239.00, less five percent (5%) for administrative charges to NBDC. In addition, NBDC has reviewed prior years' funds and propose reprogramming $15,000.00 from Fiscal Year 99/00 (program

year five) and $58,000.00 from Fiscal Year 00/01 (program year six) providing for an additional $73,000.00 be included as a reallocation and a part of the 2001/2002 Quality of Life budget. The reallocated amounts include:

Year	Project	Funding Per Project	Total Reallocated
FY 99/00	Latin Literary Series	10,000.00	
Year 5	Flags on Light Poles	5,000.00	**15,000.00**
FY 00/01	Arts in North Beach	10,000.00	
Year 6	Stone Crab Festival	45,000.00	
	Miami Modernism	3,000.00	**58,000.00**
	TOTAL		**73,000.00**

The $592,239.00 in Fiscal Year 2001/2002, which includes five percent (5%) for administrative charges to NBDC, plus the reallocated balance of $73,000.00, provides a total of $665,239.00 of Quality of Life funds available through Resort Tax Collections for the North Beach community.

Since 1995, NBDC has assisted the North Beach community in prioritizing projects to be implemented. Participation from all parts of the community is encouraged; public meetings are advertised and held to develop the project "wish list". Consensus is built through these workshops to fund projects that will yield the greatest benefits for the community at large.

A public meeting was held on May 14, 2003, to reach community agreement on how best to expend the available Quality of Life/Resort Tax funds from Fiscal Year 2001/2002 (program year seven) for the North Beach community. Of the sixteen (16) individuals in attendance, only five (5) households were represented at the meeting. All others in attendance were project applicants (please refer to Appendix B for the May 14, 2003 community meeting sign in sheet).

Projects totaling $1,033,177.00 were reviewed and prioritized by the North Beach community and the list was reduced to match available funding. Preference was given to projects with strong tourism components that would clearly benefit both visitors and residents of the North Beach area. Please see attached Appendix A for a full project list with descriptions and cost estimates. Last year, NBDC also committed funding $55,777.00 of Quality of Life funds from Fiscal Year 2001/2002 (program year seven) to complete the North Shore Tennis Center project. These funds were already approved and authorized by the City Commission through Resolution No. 2002-25048 on November 13, 2002. NBDC Board reviewed and approved the community's recommendations at their May 20, 2003 meeting.

Subsequently, the City Administration met with NBDC on July 16, 2003 to review their recommendations. It is standard practice for the Administration to review funding recommendations with advisory boards (i.e Community Development Block Grant and Cultural Arts Council) prior to City Commission review and approval to ensure that grant allocations are in line with the City Commission's priorities. Furthermore, despite efforts made by NBDC, the public meeting held on May 14, 2003 failed to have broad community

representation, which only emphasized the need for appropriate City Administration and City Commission review. As directed at the Finance and Citywide Projects Committee meeting of July 16, a workshop will be scheduled for the City Commission to review the Quality of Life program and process in its entirety.

Discussions at the July 16 meeting with NBDC focused on project funding levels and the administrative set aside of five percent (5%) for NBDC. Unfortunately, the Administration and NBDC have not reached consensus on the recommended funding levels for this year's North Beach Quality of Life Program. The City recommends including funding for the Byron Carlyle, Normandy Park, North Beach Canal Cleanups, and All-America City program. This recommendation was based on the City Commission's priorities and established commitment toward these projects. In order to accomplish this, the Administration recommends reducing or eliminating funding for the following NBDC recommended projects: Stone Crab Festival, North Beach Art & Culture Thursday Nights, Log Cabin Calendar of Events, NBDC Marketing Campaign, and the NBDC Events Coordinator. (Please refer to Appendix A for a full project list, NBDC's Recommendations, and the City Administration's recommendations).

Furthermore, the Administration recommends recalculating the five percent (5%) that NBDC receives for administration netting out all City of Miami Beach projects that do not require their administrative oversight. This will reduce their administrative funding from $29,612.00 to $15,786.00 for program year seven and into the future. This reduction was based on the result of an analysis completed by the City, which compared the NBDC's operation to the Cultural Arts Council (CAC) and the Miami Beach Visitor and Convention Authority (VCA). This comparison was done because all three (3) organizations are not-for-profit marketing and granting agencies. The chart below demonstrates the operational and program funding levels of all three (3) organizations over the last three (3) fiscal years and projections for the coming fiscal year.

FY 03/04 (PROJECTED)	**CAC**	**VCA**	**NBDC**
Program Funds	$708,428.00	$970,000.00	$592,239.00
Operating Funds	$161,135.00	$130,000.00	$294,612.00
% of Admin to Program Cost	**22.75%**	**13.40%**	**49.75%**

FY 02/03	**CAC**	**VCA**	**NBDC**
Program Funds	$744,150.00	$792,800.00	$674,144.38
Operating Funds	$144,747.00	$129,000.00	$277,412.00
% of Admin to Program Cost	**19.45%**	**16.27%**	**41.15%**

FY 01/02	**CAC**	**VCA**	**NBDC**
Program Funds	$850,263.00	$664,178.00	$749,675.68
Operating Funds	$129,155.00	$120,000.00	$240,842.00
% of Admin to Program Cost	**15.19%**	**18.07%**	**32.13%**

FY 00/01	**CAC**	**VCA**	**NBDC**
Program Funds	$1,252,980.00	$806,400.00	$560,000.00
Operating Funds	$143,739.00	$120,000.00	$147,724.00
% of Admin to Program Cost	**11.47%**	**14.88%**	**26.38%**

As you can see, NBDC currently administers their programs with substantially higher administrative overhead than both the CAC and VCA. It is for this reason that the Administration recommends recalculating their administrative allocation netting out all City of Miami Beach projects that do not require their administrative oversight. It is also important to note that the City has committed an additional $20,000 from the General Fund and $20,000 from the CDBG façade program allocation toward their administrative operation, plus $2,000 and $3,000 in a Police Grant and CDBG Grant respectively for the Teen Job Corps, which equals an annual City contribution of $110,799 toward operating capital for NBDC. Moreover, the City provides them with an additional $32,000 towards the production of the Miami Beach Festival of the Arts for a total of $72,000.

CONCLUSION

The Administration recommends approving the Resolution which appropriates $592,239.00 in Fiscal Year 2001/2002 (less $15,786.00, which is the 5% administrative charge to North Beach Development Corporation) and reallocating $73,000.00 in prior years' Quality of Life funding to be expended on projects as recommended by the City Administrations in the Appendix A, providing $649,440.00 in available Resort tax funds for the purpose of funding tourism oriented projects in the North Beach area.

JMG/RCM/mas
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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING $592,239.00 IN CITY OF MIAMI BEACH QUALITY OF LIFE/RESORT TAX FUNDING FROM FISCAL YEAR 2001/2002 (LESS FIVE PERCENT FOR ADMINISTRATIVE CHARGES TO NORTH BEACH DEVELOPMENT CORPORATION) FOR IMPROVEMENTS IN THE NORTH BEACH COMMUNITY; AND REALLOCATING $73,000.00 IN PRIOR YEARS' QUALITY OF LIFE FUNDING, IN THE AMOUNTS OF $15,000.00 FROM FISCAL YEAR 99/00; AND $58,000.00 FROM FISCAL YEAR 00/01; PROVIDING FOR A TOTAL OF $665,239.00; ALL FUNDS TO BE USED FOR THE PURPOSE OF FUNDING TOURISM RELATED PROJECTS IN THE NORTH BEACH AREA.

WHEREAS, in 1992, the City of Miami Beach voters agreed to a one percent increase in the resort tax collection on hotel room rent; and

WHEREAS, half of the one percent was to create public incentives for a Convention Center Headquarter Hotel, and the other 50% was designated for the promotion of Quality of Life (Q.O.L.) tourism related activities and facilities; and

WHEREAS, that 50% Quality of Life increment has been equally split in thirds for improvements in the North, Middle and South Beach communities; and

WHEREAS, the one-third portion available through Resort Tax collections for the North Beach community in Fiscal Year 2001/2002 Quality of Life funds equals $592,239.00, less five percent (5%) for administrative charges to North Beach Development Corporation (NBDC); and

WHEREAS, in addition to the $592,239.00, North Beach Development Corporation (NBDC) has reviewed prior years' funds and propose that balances left from Fiscal Year 99/00 (program year five) and $58,000.00 from Fiscal Year 00/01 (program year six) providing for an additional $73,000.00 be included as a reallocation and a part of the 2001/2002 Quality of Life budget; and

WHEREAS, the $592,239.00 in Fiscal Year 2001/2002, which includes five percent (5%) for administrative charges to NBDC, plus the reallocated balance of $73,000.00, provides a total of $665,239.00 of Quality of Life funds available through Resort Tax Collections for the North Beach community; and

WHEREAS, since 1995, North Beach Development Corporation (NBDC) has assisted the City in prioritizing projects to be implemented; and

WHEREAS, a public meeting was held on May 14, 2003, to reach community agreement on how best to expend the available Quality of Life/Resort Tax funds from Fiscal Year 2001/2002 (program year seven) for the North Beach community; and

WHEREAS, projects totaling $1,033,177.00 were reviewed and prioritized by the North Beach community and the list was reduced to match available funding; and

WHEREAS, preference was given to projects with strong tourism components that would clearly benefit both visitors and residents of the North Beach area; and

WHEREAS, last year, NBDC also committed funding $55,777.00 of Quality of Life funds from Fiscal Year 2001/2002 Program year seven) to complete the North Shore Tennis Center project and these funds were already approved and authorized by the City Commission through Resolution No. 2002-25048 on November 13, 2002; and

WHEREAS, NBDC Board reviewed and approved the community's recommendations at their May 20, 2003 meeting; and

WHEREAS, the Administration and NBDC have not reached consensus on the recommended funding levels for this year's North Beach Quality of Life Program and the City recommends including funding for the Byron Carlyle, Normandy Park, North Beach Canal Cleanups, and the All-America City Program; and

WHEREAS, this recommendation was based on the City Commission's priorities and established commitment toward these projects; and

WHEREAS, the Administration recommends reducing or eliminating funding for the following NBDC recommended projects: Stone Crab Festival, North Beach Art & Culture Thursday Nights, Log Cabin Calendar of Events, NBDC Marketing Campaign, and the NBDC Events Coordinator; and

WHEREAS, the Administration recommends recalculating the five percent (5%) that NBDC receives for administration netting out all City of Miami Beach projects that do not require their administrative oversight; 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 herein approve the appropriation of $592,239.00 in Fiscal Year 2001/2002 (less $15,799.00, which is the 5% administrative charge for to North Beach Development Corporation) and reallocating $73,000.00 in prior years' Quality of Life funding to be expended on projects as recommended

by the City Administration in Appendix A, providing $649,440.00 in available Resort tax funds for the purpose of funding tourism oriented projects in the North Beach area.

PASSED and ADOPTED this 30th day of July, 2003.

MAYOR

ATTEST:

CITY CLERK

JMG/RCM/mas
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APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

7-25-03

City Attorney Date

Quality of Life - Year 7
NBDC Recommendations

APPENDIX A

Applicant	Category	Projects	Year 7 Applications	NBDC Recommendations	CMB Recommendations
Shane	Cap Imp	RW Shane Watersports Center Expansion	$50,000	$50,000	$50,000
City	Cap Imp	North Shore Park Tennis Courts	$55,777	$55,777	$55,777
* Shane	Cap Imp	RW Shane - Landscaping	$35,000	$0	$0
Fontana	Cap Imp	North Shore Youth Center	$200,000	$0	$0
* City	Cap Imp	Restroom Building for North Shore Park	$150,000	$100,000	$100,000
	NEW	Byron Carlyle		$0	$25,000
	NEW	Normandy Park		$0	$25,000
		SubTotal Capital Improvements	$490,777	$205,777	$255,777
CenterPeace	Festival	Wise Women Weekend	$18,000	$8,000	$8,000
Rhythm Fdn.	Festival	World Comes to North Beach	$5,000	$4,000	$4,000
NBDC	Festival	Miami Beach Festival of the Arts	$45,000	$40,000	$40,000
City	Festival	2003 4th of July Festival	$25,000	$25,000	$25,000
Kiwanis	Festival	Stone Crab Festival	$45,000	$30,000	$0
Ctr. Em. Arts	Festival	Flashing on the 60s - Woodstock	$42,000	$10,000	$10,000
Childers	Festival	North Beach Triathlon	$5,000	$5,000	$5,000
Childers	Festival	North Beach Fitness Festival	$5,000	$0	$0
Cuban Pete	Festival	Mambo Mania	$15,000	$0	$0
Momentum	Festival	North Beach Dance Festival	$12,000	$6,000	$6,000
NBDC	Festival	North Beach - Theater/Fringe Festival	$10,000	$0	$0
NBDC	Festival	North Beach Art & Culture Thursday Nights	$15,000	$15,000	$0
Log Cabin	Festival	Log Cabin Calendar of Events	$18,000	$9,000	$0
		SubTotal Festivals	$260,000	$152,000	$98,000
Shane	Marketing	Marketing Program	$5,000	$5,000	$5,000
NBDC	Marketing	NBDC Marketing Campaign	$60,000	$60,000	$53,339
NBDC	Marketing	Marketing Director's Salary	$50,000	$50,000	$50,000
		SubTotal Marketing	$115,000	$115,000	$108,339
NBDC	Other	Events Coordinator	$25,000	$25,000	$0
Teen Job Corp	Other	North Beach Youth "Teen Job" Corps.	$50,000	$45,450	$45,450
Ecomb	Other	Beach Cleanups/Biscayne Point & Tatum Waterw	$1,400	$1,400	$1,400
NBDC/City	Other	Additional Code Enforcement Officer	$36,000	$36,000	$36,000
CMB Police	Other	Off Duty Police Services	$55,000	$55,000	$55,000
	NEW	Canal Cleanup		$0	$40,000
	NEW	All America City		$0	$9,474
		SubTotal Other	$167,400	$162,850	$187,324
		GRAND TOTAL	**$1,033,177**	**$635,627**	**$649,440**
		Year 7 Funds	$592,239	$592,239	$592,239
		NBDC Admin 5%	$29,612	$29,612	$15,799
		Total	$562,627	**$562,627**	**$576,440**
		Plus Reallocation	$73,000	$73,000	$73,000
		TOTAL FUNDS AVAILABLE	**$635,627**	**$635,627**	**$649,440**
		Surplus/(Deficit)	**($397,550)**	**$0**	**$0**

Reallocations:
Latin Literary Series $10,000
Flags on Light Poles $5,000
Arts in North Beach $10,000
Stone Crab Festival $45,000
Miami Modernism $3,000
Total Reallocations: $73,000

** Admin calculated netting out CMB projects

*** Canal Clean up project commits $10,000 additional to Teen Job Corp with a 11/2 match from their allocation (totaling $25,000) from Teen Job Corps for cleaning canals.

North Beach Community Meeting
Year 7 Quality of Life Funding Review
May 14th, 2003

People who stayed for end of Mtg.

	Name	Resident	Property Owner	Business Owner	Board Member	QOL Applicant	Address	Phone Number
1	Alba Munoz	X	X				7300 Wayne Ave. #218, Park View Isl.	305-867-1683
2	Mattie Snyder	X	X				7414 Gary Ave. Park View Island	305-864-1282
3	Miryam Rojas	X	X				900 Bay Dr. #824	305-865-3963
4	Jeffrey Czajkowski	X					900 Bay Dr. #824	305-865-3963
5	Donna Miller	X					1265 Marseilles	305-494-2984
6	M. Schmitz	X	X				8011 Crespi Blvd.	305-866-2695
7	Paula Schmitz	X	X	X			8011 Crespi Blvd.	305-866-2695
8	Mike Thompson-Teen Job Corp.	X	X	X	X	X	2140 Calais Drive	305-864-6564
9	Hannah Baumgarten-Dance Fest.	X		X		X	PO Box 416525 MB 33141	305-975-8489
10	Gladstone Phillips-Lob Cabin			X		X	Log Cabin - 8128 Collins Ave	305-993-2008
11	Robert Childers-Triathlon					X	13007 NW 14th St. Pembroke Pines	954-433-3276
12	Mercedes Childers-Triathlon					X	13007 NW 14th St. Pembroke Pines	954-433-3276
13	Karyn Altman-Wise Women					X	PO Box 190202 Miami Beach	305-672-7759
14	Ava Rado-Woodstock					X	800 West Ave. #737 Miami Beach	305-538-2803
15	Ira Nusbaum-Shane					X	4101 Pinetree Dr. #1804	305-532-3402
16	Deborah Ruggiero-Teen Job Corp.	X	X			X	7356 Gary Avenue, Park View Island	305-868-5830
16	Cristina Fernandez-NBDC					X	210 71st St. 33141	305-865-4147

MEMORANDUM

TO: City of Miami Beach Mayor and Commission
FROM: Brian Kraus, Quality of Life Chairperson
DATE: May 20, 2003

Year 7 Quality of Life Funding
North Beach Community Meeting - May 14, 2003

I am honored for the fourth year to be able to present the North Beach community's recommendations for the allocation of Quality of Life Funds. In February 2003, I requested North Beach Development Corporation to begin the Quality of Life Fund application process. North Beach Development Corporation advertised the application process in the Miami Herald - Neighbors Beach Section on February 23, 2003; the SunPost on February 27, 2003; the application form was posted on the NBDC website; and past applicants were mailed an application. The deadline to submit applications was March 21, 2003.

In April 2003, I requested North Beach Development Corporation to begin advertising the public meeting where the North Beach community would make its recommendations for the allocation of the Quality of Life Funds. North Beach Development Corporation advertised the public meeting in the Miami Herald - Neighbors Beach Section on May 11, 2003 and May 8, 2003; the SunPost on May 8, 2003; Meeting Notices were sent to the NBDC database (over 600 people); approximately 600 fliers were distributed throughout the commercial, residential and resort districts; several Condo Associations and Home Owners Associations were informed and either e-mailed or provided with fliers to distribute to its owners (King Cole, Burleigh House, The Manhattan, Normandy Sud. Home Owners Association, St. Tropez, Normandy Shores Homeowners Association, Park View Island etc...); the meeting was posted on the NBDC website in the Community Events section; NBDC Board was e-mailed several times and each board member was asked to tell their neighbors about the meeting.

The meeting was held on May 14, 2003 at the Shane Watersports Center. The meeting was called to order at 6:00pm. Barry Klein, President of North Beach Development, opened the meeting with his introduction and then turned the meeting over to me as the chairperson. Barry left immediately after his introduction. The meeting ended five hours later at 11:00pm.

Because the Quality of Life Fund recommendations are supposed to be a community process, an attendance count was taken at the beginning of the meeting. I felt comfortable proceeding with the meeting given that there were 12 North Beach community members in the room that were not affiliated with the North Beach Development Corporation Board of Directors nor were Quality of Life Fund applicants. Throughout the meeting there were several people who arrived late and several people who left before the meeting adjourned. Listed below is the final count of attendees:

47 total attendees

- 24 attendees were North Beach residents, property owners or business owners with no affiliation to NBDC nor were Quality of Life Fund applicants
- 21 attendees were Quality of Life Fund applicants (4 of which were also North Beach residents, 1 was both a resident and a NBDC Board Member)
- 1 attendee was an NBDC Board Member and North Beach resident
- 1 attendee fell into the *other* category: Miami Dade Commissioner Sally Heyman's Aide

I started the meeting by explaining where Quality Of Life Funds come from and what they are required to be used for; specifically "for the promotion of the tourist industry, which shall include, but not be restricted to the following: publicity, bureau activities, promotional events, convention bureau activities, capital improvements and the maintenance of all physical assets in connection therewith." I explained that the North Beach community is privileged each year to recommend to the City Commission on how the community would like to see the Quality of Life Funds allocated.

Everyone in the room was provided with a list detailing each project, the amount of Quality of Life Funds applied for and my initial funding recommendations. My recommendations were based on my initial review of the applications. My recommendations were subject to change after hearing each applicant's presentation and discussing each application with the North Beach community. Each applicant was given approximately 5 minutes to present their application, followed by an additional 5 minutes for questions from the community. After all the projects were reviewed, the community in attendance revisited each application to determine if their project met the criteria for Quality of Life Funds, the project's potential impact to North Beach tourism and the project's history, viability and prior success. Some projects were recommended to be funded in full, some funded in part and some no funding at all. I have attached the community's recommendation for your review.

Unfortunately there were not enough Year 7 Quality of Life Funds to recommend for each and every applicant. The community in attendance felt that the Shane Water Sport Center's success in the promotion of tourism in the North Beach community was to be recognized and would like the City Commission to pre-approve $35,000 to be allocated from Year 8 Quality of Life Funds for the landscaping project submitted by the Shane Water Sports Center.

The community also wants you to know that Robert Childers who applied for the *North Beach Triathlon Project* and who was recommended for $5,000 has agreed to donate 50% of the proceeds from his event to the *Teen Job Corp. Program.*

Quality of Life - Year 7
Community Recommendations

Applicant	Category	Projects	Year 7 Applications	Community's Recommendations
Shane	Cap Imp	RW Shane Watersports Center Expansion	$50,000	$50,000
City	Cap Imp	North Shore Park Tennis Courts	$55,777	$55,777
* Shane	Cap Imp	RW Shane - Landscaping	$35,000	$0
Fontana	Cap Imp	North Shore Youth Center	$200,000	$0
City	Cap Imp	Restroom Building for North Shore Park	$150,000	$100,000
		SubTotal Capital Improvements	$490,777	$205,777
CenterPeace	Festival	Wise Women Weekend	$18,000	$8,000
Rhythm Fdn.	Festival	World Comes to North Beach	$5,000	$4,000
NBDC	Festival	Miami Beach Festival of the Arts	$45,000	$40,000
City	Festival	2003 4th of July Festival	$25,000	$25,000
Kiwanis	Festival	Stone Crab Festival	$45,000	$30,000
Ctr. Em. Arts	Festival	Flashing on the 60s - Woodstock	$42,000	$10,000
Childers	Festival	North Beach Triathlon	$5,000	$5,000
Childers	Festival	North Beach Fitness Festival	$5,000	$0
Cuban Pete	Festival	Mambo Mania	$15,000	$0
Momentum	Festival	North Beach Dance Festival	$12,000	$6,000
NBDC	Festival	North Beach - Theater/Fringe Festival	$10,000	$0
NBDC	Festival	North Beach Art & Culture Thursday Nights	$15,000	$15,000
NBDC	Festival	Arts in North Beach Programs	$20,000	$15,450
Log Cabin	Festival	Log Cabin Calendar of Events	$18,000	$9,000
		SubTotal Festivals	$280,000	$167,450
Shane	Marketing	Marketing Program	$5,000	$5,000
NBDC	Marketing	NBDC Marketing Campaign	$60,000	$60,000
NBDC	Marketing	Marketing Director's Salary	$50,000	$50,000
		SubTotal Marketing	$115,000	$115,000
NBDC	Other	Events Coordinator	$25,000	$25,000
Teen Job Corps	Other	North Beach Youth "Teen Job" Corps.	$50,000	$30,000
Ecomb	Other	Beach Cleanups/Biscayne Point & Tatum Waterway	$1,400	$1,400
NBDC/City	Other	Additional Code Enforcement Officer	$36,000	$36,000
CMB Police	Other	Off Duty Police Services	$55,000	$55,000
		SubTotal Other	$167,400	$147,400
		GRAND TOTAL	$1,053,177	$635,627
		Year 7 Funds	$592,239	$592,239
		NBDC Admin 5%	$29,612	$29,612
		Total	$562,627	$562,627
		Plus Reallocation	$73,000	$73,000
		TOTAL FUNDS AVAILABLE	$635,627	$635,627
		Surplus/Deficit	-$417,550	$0

Reallocations:
Latin Literary Series $10,000
Flags on Light Poles $5,000
Arts in North Beach $10,000
Stone Crab Festival $45,000
Miami Modernism $3,000
Total Reallocations: $73,000

** It was recommended to allocate $35,000 for Shane Landscaping from Year 8 Funds*

North Beach Community Meeting
Year 7 Quality of Life Funding Review
May 14th, 2003

People who stayed for end of Mtg.

	Name	Resident	Property Owner	Business Owner	Board Member	QOL Applicant	Address	Phone Number
1	Alba Munoz	X	X				7300 Wayne Ave. #218, Park View Isl.	305-867-1683
2	Mattie Snyder	X	X				7414 Gary Ave. Park View Island	305-864-1282
3	Miryam Rojas	X	X				900 Bay Dr. #824	305-865-3963
4	Jeffrey Czajkowski	X					900 Bay Dr. #824	305-865-3963
5	Donna Miller	X					1265 Marseilles	305-494-2984
6	M. Schmitz	X	X				8011 Crespi Blvd.	305-866-2695
7	Paula Schmitz	X	X	X			8011 Crespi Blvd.	305-866-2695
8	Mike Thompson-Teen Job Corp.	X	X	X	X	X	2140 Calais Drive	305-864-6564
9	Hannah Baumgarten-Dance Fest.	X		X		X	PO Box 416525 MB 33141	305-975-8489
10	Gladstone Phillips-Lob Cabin			X		X	Log Cabin - 8128 Collins Ave	305-993-2008
11	Robert Childers-Triathlon					X	13007 NW 14th St. Pembroke Pines	954-433-3276
12	Mercedes Childers-Triathlon					X	13007 NW 14th St. Pembroke Pines	954-433-3276
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15	Ira Nusbaum-Shane					X	4101 Pinetree Dr. #1804	305-532-3402
16	Deborah Ruggiero-Teen Job Corp.	X	X			X	7356 Gary Avenue, Park View Island	305-868-5830
16	Cristina Fernandez-NBDC					X	210 71st St. 33141	305-865-4147

Creating Experiences that transform our world, one heart at a time...

May 17, 2003

Ms. Cristina Fernandez, Marketing Director
Mr. Brian Kraus, Chairperson, Quality of Life Funding Committee
C/O North Beach Development Corporation
500 71st Street
Miami Beach, FL 33141

Dear Cristina and Brian,

I'm writing first of all, to thank you both for the terrific job you did moderating last week's Quality of Life Funds Community Meeting. Coordinating the long list of presenters while simultaneously, orchestrating the myriad of different personalities volleying for a chance to offer their suggestions was no easy feat! Although the meeting went on long after any of us had ever anticipated, it appeared that everyone who had something to present or an opinion to express did was given an opportunity to do so.

Which brings me to my second reason for writing. I realized during that meeting, just how important community gatherings of this type really are. Giving the community a forum to express their feelings about the allocation of money that impacts their lives (and the quality of their lives) is something we need to see more of. It's a terrific example of how democracy at the grass roots level should work. So, although at times it seemed like the meeting was never going to end, and although there were moments when it was a bit frustrating having to listen to the personal agendas of some of the residents in attendance, it really was an excellent model of how a community should work.

I applaud North Beach and the City of Miami Beach for their commitment to making sure that the community is involved with these types of decisions and thank you both again (as well as the N.B.D.C. and the Quality of Life Funding Committee) for all of your efforts in making this possible.

Sincerely,

Karyn Altman, President
CenterPeace, Inc.
Founder, The Wise Women Weekend

P.O. Box 190202 • Miami Beach, FL 33119
305.672.7759 • info@center-peace.com
www.center-peace.com

NORTH BEACH

NORTH BEACH DEVELOPMENT CORPORATION
210 71ST Street, Suite 310 • Miami Beach, FL • 33141
305-865-4147 • 305-865-4175 (fax) • *www.gonorthbeach.com*

MEMORANDUM

TO: City of Miami Beach, Mayor & Commission
FROM: Barry Klein, President of North Beach Development Corporation
DATE: May 21, 2003

RE: Quality of Life Year 7 Funding Recommendations

The Quality of Life Year 7 Funding Recommendations that were made at the May 14, 2003 North Beach Community Meeting were reviewed at the NBDC Board of Directors Meeting on May 20, 2003. The Board supported the recommendations with the following two additions:

1) A 2nd pre-allocation of Year 8 funds for $50,000 was recommended for the City's Capital Improvements Project: *"Restroom Building for North Shore Park"*.

2) NBDC withdrew its application for $15,450 for the *"Arts in North Beach Programs"* after determining that the $15,000 that was recommended for *"North Beach Art & Culture Thursday Nights"* was sufficient for "Arts" efforts. The $15,450 was moved to the *"Teen Job Corps. Program"*, a program that is struggling for funding.

It is important to note that several North Beach residents and Quality of Life applicants were present at the NBDC Board Meeting who were also present at the May 14th Community Meeting. Specifically, there were four North Beach residents (with no affiliation to the applicants or NBDC Board) present. The NBDC Board was able to take their input into account at the Board Meeting.

Quality of Life - Year 7
NBDC Recommendations

Applicant	Category	Projects	Year 7 Applications	NBDC Recommendations
Shane	Cap Imp	RW Shane Watersports Center Expansion	$50,000	$50,000
City	Cap Imp	North Shore Park Tennis Courts	$55,777	$55,777
* Shane	Cap Imp	RW Shane - Landscaping	$35,000	$0
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Log Cabin	Festival	Log Cabin Calendar of Events	$18,000	$9,000
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NBDC	Marketing	Marketing Director's Salary	$50,000	$50,000
		SubTotal Marketing	$115,000	$115,000
NBDC	Other	Events Coordinator	$25,000	$25,000
Teen Job Corps	Other	North Beach Youth "Teen Job" Corps.	$50,000	$45,450
Ecomb	Other	Beach Cleanups/Biscayne Point & Tatum Waterway	$1,400	$1,400
NBDC/City	Other	Additional Code Enforcement Officer	$36,000	$36,000
CMB Police	Other	Off Duty Police Services	$55,000	$55,000
		SubTotal Other	$167,400	$162,850
		GRAND TOTAL	$1,033,177	$635,627
		Year 7 Funds	$592,239	$592,239
		NBDC Admin 5%	$29,612	$29,612
		Total	$562,627	$562,627
		Plus Reallocation	$73,000	$73,000
		TOTAL FUNDS AVAILABLE	$635,627	$635,627
		Surplus/Deficit	-$397,550	$0

Reallocations:

Latin Literary Series $10,000
Flags on Light Poles $5,000
Arts in North Beach $10,000
Stone Crab Festival $45,000
Miami Modernism $3,000
Total Reallocations: $73,000

** It was recommended to pre-allocate $35,000 for Shane Landscaping and $50,000 for the City's Restroom Building for North Shore Park out of Year 8 Funds*

Quality of Life Applications (Year 7)

Capital Improvements

North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: DR. RONALD SHANE

Organization/Company: MIAMI BEACH WATERSPORTS CENTER, INC.

Street Address: 6500 INDIAN CREEK DRIVE

City: MIAMI BEACH State: FL Zip Code: 33141

Telephone: 305 861 8876 Fax: 305 861 8841

Project / Event Details (Additional Information may be Requested)

Project / Event Name: EXPANSION OF MIAMI BEACH WATERSPORTS CTR.

Project / Event Description: CONSTRUCTION OF BOATHOUSE ANNEX AND ADDITION OF SECOND FLOOR TO EXISTING FACILITY.

Estimated Total Cost of Project / Event: $ 1.1 MILLION

Quality of Life Funds Requested: $ 50,000

Commencement Date: SEP 2002 Estimated Completion Date: DEC 2003

How does the Project / Event promote tourism or related activities, as described below:

BY EXPANDING OUR STATE-OF-THE ART FACILITY WE WILL BE ABLE TO ATTRACT EVEN MORE OUT-OF-STATE ROWERS TO MIAMI BEACH.

Marie Loden
Signature

3/21/03
Date

- *Deadline for applications: March 31st, 2003. Additional information may be requested.*
  North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147
- *Quality of Life funds are to be used for the promotion of the tourist industry, which shall include, but not be restricted to the following: Publicity, bureau activities, promotional events, convention bureau activities, capital improvements and the maintenance of all physical assets in connection therewith.*
- *Quality of Life funds are to be used within 12 months of the date awarded by the City of Miami Beach Commission. Funding may be rescinded if the money is not utilized without due cause within this time period.*
- *Quality of Life funds are available on a reimbursement basis only. Invoices and canceled checks are required to be presented along with the request for reimbursement.*

North Beach Quality of Life
Year 6 Funding Application

Applicant Information

Name of Person Applying/Presenting: City of Miami Beach

Organization/Company: Contact Persons - Joyce Meyers, Planning Department or Michel Magloire, CIP Office

Street Address: 1700 Convention Center Drive

City: Miami Beach State: FL Zip Code: 33139

Telephone: (305) 673-7550 Fax: (305) 673-7559

Project / Event Details (Additional Information may be Requested)

Project / Event Name: **North Shore Tennis Courts Completion**

Project / Event Description: North Shore Park is undergoing a major renovation, including construction of a first-class tennis center. The facility will include ten hydro-courts, two clay courts, a practice court, pro shop, restrooms, showers, and storage. The requested funds are needed to cover the short fall in the funding for the overall park renovation. Value engineering has significantly reduced the total construction cost. The package of value-engineering modifications agreed upon by the City's CIP Office, the Program Manager (URS), the Architect (B&A) and the Contractor will bring the project within budget. However, the North Shore Park Youth Center Oversight Committee does not agree with some of the recommend modifications to the Youth Center building. Therefore, the City Commission asked the Administration to seek additional funding. The $117,000 requested from Quality of Life will be used to build 4 new tennis courts and allow other funding in the budget to cover construction of the Youth Center building without some of the value engineering modifcations. The construction contract has been awarded and work will begin in February 2002.

Estimated Total Cost of Project / Event: $ 7,444,967 (includes $160,000 CDBG)

Quality of Life Funds Requested: $ 117,000

Commencement Date: Summer 2002 Estimated Completion Date: Summer 2003

How does the Project / Event promote tourism or related activities, as described below:

This projects fits into the strategy recommended in the North Beach Strategic Plan to promote tourism in North Beach by improving parks and providing family-oriented attractions. The tennis courts will add to the choices of outdoor recreational activities for visitors to North Beach.

Joyce Meyers
Signature

1/31/02
Date

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North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: DR. RONALD W. SHANE

Organization/Company: MIAMI BEACH WATERSPORTS CENTER, INC.

Street Address: 6500 INDIAN CREEK DRIVE

City: MIAMI BEACH State: FL Zip Code: 33141

Telephone: 305 861 8876 Fax: 305 861 8841

Project / Event Details (Additional Information may be Requested)

Project / Event Name: LANDSCAPING OF THE CENTER'S EXPANSION PROJECT

Project / Event Description: WE RETURNED $35,000.00 AWARDED BY QUALITY OF LIFE 2 YEARS AGO, FOR LANDSCAPING AT THE CENTER, IN EXPECTATION IT WOULD BE RETURNED TO US TO ENHANCE OUR EXPANDED FACILITY.

Estimated Total Cost of Project / Event: $ 35,000.00

Quality of Life Funds Requested: $ 35,000.00

Commencement Date: 2003 Estimated Completion Date: 2003

How does the Project / Event promote tourism or related activities, as described below:

LANDSCAPING OF OUR EXPANDED, STATE-OF-THE-ART FACILITY WILL MAKE THE CENTER AN EVEN BIGGER ATTRACTION TO OUT OF TOWN UNIVERSITIES AND CLUBS FOR TRAINING & EVENTS.

Ronald W. Shane
Signature

3/15/03
Date

- ***Deadline for applications: March 21st, 2003. Additional information may be requested.***
  North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147
- *Quality of Life funds are to be used for the promotion of the tourist industry, which shall include, but not be restricted to the following: Publicity, bureau activities, promotional events, convention bureau activities, capital improvements and the maintenance of all physical assets in connection therewith.*
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North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: Joe Fontana

Organization/Company: North Shore Youth Center

Street Address: 5750 Collins Avenue, Unit 16G

City: Miami Beach State: FL Zip Code: 33140

Telephone: 305-861-0054 Fax: 305-861-0659

Project / Event Details (Additional Information may be Requested)

Project / Event Name: North Shore Youth Center

Project / Event Description: Furnish and equip the Youth Center.

Estimated Total Cost of Project / Event: $

Quality of Life Funds Requested: $ 200,000

Commencement Date: Estimated Completion Date:

How does the Project / Event promote tourism or related activities, as described below:

The Youth Center will provide a necessary venue for youth of our city and our tourist.

Signature Date

- ***Deadline for applications: March 21st, 2003. Additional information may be requested.***
  North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147
- *Quality of Life funds are to be used for the promotion of the tourist industry, which shall include, but not be restricted to the following: Publicity, bureau activities, promotional events, convention bureau activities, capital improvements and the maintenance of all physical assets in connection therewith.*
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North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: City of Miami Beach

Organization/Company: Contact Persons - Joyce Meyers, Planning Department or Michel Magloire, Capital Improvements Department

Street Address: 1700 Convention Center Drive

City: Miami Beach State: FL Zip Code: 33139

Telephone: (305) 673-7550 Fax: (305) 673-7559

Project / Event Details (Additional Information may be Requested)

Project / Event Name: **Restroom Building for North Shore Park**

Project / Event Description: The restroom building in North Shore Park is necessary to serve the softball fields, outdoor basketball court, shuffleboard courts and playground. It will be located on the southern edge of the Park along 72nd Street in the area previously used as a parking lot. The building also includes a food concession area and storage for recreation equipment. This building was included in the bid documents (as a part of Ad Alternate #2) for the North Shore Park, Youth Center and Tennis Center, however, it had to be omitted from the original construction contract due to lack of funding. If Quality of Life funding is awarded to this project now, it will allow the building to be added back into the current construction contract; and the building can conceivably be completed within the calendar year.

Estimated Total Cost of Project / Event: $ 300,000 – $ 350,000

Quality of Life Funds Requested: $ 150,000

Commencement Date: Spring 2003 Estimated Completion Date: End of 2003

How does the Project / Event promote tourism or related activities, as described below:

This project serves a variety of family-oriented activities and attractions available to tourists. It is located in the newly renovated North Shore Park, which has received Quality of Life funding in the past.

Joyce Meyers
Signature

4/3/03
Date

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TOTAL P.01

Quality of Life Applications (Year 7)

Festivals

North Beach Quality of Life
Funding Application

Applicant Information:

Name: **Karyn Altman**

Company: CenterPeace, Inc.
Street Address: P.O. Box 190202
City: Miami Beach **State:** FL **Zip Code:** 33119

Telephone: 305 672 7759 **Fax Number:** 305 672 7656

Project/Event Details:

Project / Event Name: **The Fifth Annual, WISE WOMEN WEEKEND September 6 & 7, 2003**
Location: Radisson Deauville Resort, 6701 Collins Ave. Miami Beach

Project / Event Description:

The Wise Women Weekend is a two-day, community-based festival conference of health and wellness for women, now in it's fifth year, which takes place in North Beach at the Radisson Deauville Hotel. This educational weekend of wellness, which is open to the public, offers women of all ages, cultures and lifestyles tools and techniques to manage stress, achieve better health and enhance their lives and their relationships. The program includes an array of workshops and lectures presented by locally and nationally known professionals. The reasonably priced conference admission includes two full-days of educational seminars and lectures, a keynote address by a recognized speaker, a musical concert, 2 meals, (welcome breakfast and banquet lunch), plus a trade show/exhibit area, (which is free and open to the public). As is our tradition, the Wise Women Weekend is also a benefit. All proceeds for the 2003 conference will be donated to StartNow™, a program under the Suited for Success umbrella of programs, focused on empowering the lives of at-risk teens. Additionally, it is our intention to sponsor or co-sponsor at least 10 attendees who could not otherwise afford to attend. In 2002, we sponsored 8 women, many of whom were domestic violence victims. We also sponsored or partially sponsored admissions for some students.

History of the Event: The first Wise Women Weekend (August, 1999), attracted 150 attendees from 4 different states, with 41 total room nights at the Radisson Deauville. The 2000 program (July 15 &16) included 190 attendees, occupying 79 room nights at the Radisson Deauville. In 2001, 210 women participated with a total of 81 room nights at the Radisson Deauville, the Holiday Inn at 6060 Indian Creek and the Day's Inn at Ocean Terrace. We needed those hotels for overflow due to the Radisson Deauville being sold out on the peak night of the conference. In 2003, in addition to increasing our sleeping room numbers (129 at the Radisson, numerous others at neighboring hotels) and our attendance, (300 women), North Beach and the Wise Women Weekend benefited greatly from the media exposure we received, thanks in part to our two, powerhouse keynote speakers, Rosie O'Donnell and Marianne Williamson. Here are more specifics regarding media exposure in 2002:
Local & National Media Attention: Here is a sample of the coverage received in 2002:

- Front Page article in the Sun-Sentinel
- Three articles in the Miami Herald
- A feature interview on WLRN with Audrey Finkelstein
- Articles in Entertainment News & Vive Magazine, Community Newspapers (1 per paper, 5 editions), Miracle Journeys, Natural Awakenings, Horizon Magazine (Space Coast area), Tampa Tribune, the Indiana Star
- Radio Spots on WLRN (4x per day for the week prior to the conference), Love94, LiteFM
- Small story in People Magazine
- Two television stories on Deco Drive (including mention of the Radisson Deauville), plus stories on Channel 7 News, Channel 4 news

North Beach Quality of Life Funding Application

Estimated Total Cost of Project / Event: **$81,000**

Quality of Life Funds Requested: $ 18,000
The Quality of Life Funding from the North Beach Development Corporation will be designated for marketing and advertising so that we can achieve our target of 350 attendees at the 2003 Wise Women Weekend. We will use the money to increase our advertising budget and expand our direct mail campaign.

Commencement Date: September 6, 2003 **Estimated Completion Date**: September 7, 2003

How does the project / Event Meet the Quality of Life Funding Requirements?
When we first introduced the Wise Women Weekend in 1999, although we did offer sleeping rooms, we expected this to be mostly a transient conference with few people staying at the hotel. Much to our surprise, we attracted many more women staying at hotel for the weekend, then we had ever imagined. Today, the Wise Women Weekend has become a high profile, locally and nationally known event with attendees arriving from around the state and around the country. It has also gained a reputation as a retreat for women residing in different parts of Florida, wishing to escape for a quick weekend without going far away from home. In 2001, more then 40% of all attendees stayed at the hotel, (25% stayed more then one night). In 2002, more then 65% of attendees stayed either at the Radisson Deauville or at neighboring hotels. Here are the ways this event meets the NBDC Quality of Life funding requirements to promote tourism:

1) The Wise Women Weekend generates tourism revenue and awareness of North Beach from attendee participation in the following areas:

   a. **Hotel Room Revenue**: Radisson Deauville: 41 room nights in 1999, 79 room nights in 2000, 81 in 2001, 129 in 2002, 145 projected in 2003. Neighboring Hotels: 2001: approximately 11 room nights, 2002: Approximately 16 room nights. 2003 goal is 25 room nights at neighboring hotels. We will be happy to include, as we have in the past, other hotel options in the registration materials, in addition to the host hotel.
   b. **Hotel food and beverage Revenue**: 2 meals are included in the program. Many women staying at the Radisson enjoyed the hotel restaurants for the times the group was not in session, as did many of the transient attendees.
   c. **Local Area Restaurant Revenue**. We include a list of North Beach restaurants and a Miami Beach map and guide in the registration materials and our hospitality staff is trained to answer questions regarding local eating establishments and to make reservations. Restaurants in and around the Radisson during the conference are always filled with Wise Women attendees!
   d. **Miami / Miami Beach tourist attraction revenue** (for pre- and post conference attendees and the times the program is not in session.

2) **The Wise Women Weekend promotes the Community of North Beach** as we include the NBDC logo (and the Miami Beach logo) on all marketing materials. We will also mention NBDC (and the City of Miami Beach) in our press releases as sponsoring organizations.

3) **Local residents not staying at the hotel will also be contributing to local hotel and restaurant revenue** for meals not included in the program. (Breakfasts, lunches, dinners, etc.)

4) **All Wise Women Weekend attendees have an opportunity to enhance the quality of their lives** (and the lives of the people around them) by learning ways to manage stress, enhance relationships, live healthier lifestyles and learn from a team of expert facilitators.

Signature

3/14/03
Date

North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: Laura Quinlan

Organization/Company: The Rhythm Foundation, Inc.

Street Address: PO Box 398567

City: Miami Beach State: FL Zip Code: 33239

Telephone: 305 672 5202 Fax: 305 672 5202

Project / Event Details (Additional Information may be Requested)

Project / Event Name: The World Comes to North Beach Festival series

Project / Event Description: This project, now in its fourth year, brings a series of festival-style concerts to the 73rd Street Bandshell in the North Shore Community Center. The concerts feature both internationally touring artists from Europe, Africa, and Latin America as well as some locally-based groups. Two highlights are VIVE LA WORLD, featuring three leading world music groups from North and West Africa, and COLOMBIA CUMBIA NIGHT.

Estimated Total Cost of Project / Event: $ $80,000

Quality of Life Funds Requested: $ $5,000

Commencement Date: July 12, 2003 Estimated Completion Date: July 26, 2003

How does the Project / Event promote tourism or related activities, as described below:

This series brings world class music and culture to North Beach's emerging cultural district, presenting tours that also visit major festivals like NYC's Central Park SummerStage and LA's Live at the Hollywood Bowl. Aside from the estimated 50 room nights the tours use, it also brings people from both the tri-county area as well as regional tourists to the North Beach neighborhood, many for the first time.

Signature

March 20, 2003
Date

- ***Deadline for applications: March 21st, 2003. Additional information may be requested.***
  North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147
- *Quality of Life funds are to be used for the promotion of the tourist industry, which shall include, but not be restricted to the following: Publicity, bureau activities, promotional events, convention bureau activities, capital improvements and the maintenance of all physical assets in connection therewith.*
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North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: Neil Fritz

Organization/Company: North Beach Development Corporation

Street Address: 210 71st Street (Suite 310)

City: Miami Beach State: FL Zip Code: 33141

Telephone: 305-865-4147 Fax: 305-865-4175

Project / Event Details (Additional Information may be Requested)

Project / Event Name: 30th Annual Miami Beach Festival of the Arts

Project / Event Description: The Miami Beach Festival of the Arts is an art festival that attracts approximately 150 artists from around the country who sell their art to the public. Included are paintings, sculpture, ceramics, glass, jewelry, and fine crafts. Food, musical entertainment and children's activities are also offered.

Estimated Total Cost of Project / Event: $ $120,000

Quality of Life Funds Requested: $ $45,000

Commencement Date: February 2004 Estimated Completion Date: February 2004

How does the Project / Event promote tourism or related activities, as described below:

The Miami Beach Festival of the Arts is one of the most prestigious festivals on the east coast. The festival attracts approximately 30,000 people, many of whom are tourists. North Beach hotels have stated that they can attribute about 20% of their room sales that weekend to the festival. The event gives tourists a premiere and upscalse outdoor event to attend while staying in South Florida.

T. Neil Fritz, Executive Director — March 20, 2003

Signature — Date

- ***Deadline for applications: March 21st, 2003.***
  North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147
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North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: MICHAEL ALLER

Organization/Company: CITY OF MIAMI BEACH

Street Address: 1700 CONVENTION CENTER DRIVE

City: MIAMI BEACH State: FL Zip Code: 33139

Telephone: (305) 673-7010 Fax: (305) 673-7782

Project / Event Details (Additional Information may be Requested)

Project / Event Name: JULY 4TH

Project / Event Description: PLEASE SEE ATTACHED

Estimated Total Cost of Project / Event: $ 130,000.00

Quality of Life Funds Requested: $ 25,000.00

Commencement Date: JULY 4TH, 2003 Estimated Completion Date: SAME DATE

How does the Project / Event promote tourism or related activities, as described below:

SEE ATTACHED

Signature

3/7/03
Date

- ***Deadline for applications: March 21st, 2003. Additional information may be requested.***
  North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147
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CITY OF MIAMI BEACH
1700 CONVENTION CENTER DRIVE, MIAMI BEACH FLORIDA 33139
E-mail: michaelaller@ci.miami-beach.fl.us

OFFICE OF THE CITY MANAGER
Facsimile (305) 673-7782

Telephone (305) 673-7010

February 27, 2003
Temperature: 78F
Miami Beach, an urban tropical paradise, rated one of the top ten beaches in the World for the fourth consecutive year by the Travel Channel -

Mr. Neil Fritz, Executive Director
North Beach Development Corporation
300- 71 Street, Suite 502
Miami Beach, FL 33141

Dear Neil:

On behalf of the City of Miami Beach and myself as Event Producer, I would like to thank you for your continued support of the July 4th Celebration. The City of Miami Beach and North Beach Development Corporation will hold its 12th Annual 4th of July celebration on the beach, on 72nd Street and the Ocean. The celebration will be bigger than before and will begin at 7:00 p.m. with the swearing-in ceremony for the newly naturalized citizens, (children from all parts of the world).

An hour and a half musical program will follow the ceremony with the Florida Philharmonic Orchestra and a spectacular fireworks show. In addition to providing residents and visitors with the 12th Annual 4th of July celebration, the event will also serve to showcase the North Beach area of Miami Beach. Last year we estimated the audience at 30,000 and we look forward to approximately the same or more this coming year. A mix of Miami Beach, South Florida residents and tourists staying throughout Miami-Dade, Broward and Monroe Counties.

The media sponsors for this event have been enlarged. The Miami Herald; El Nuevo Herald; Channel 6 (NBC6); Clear Channel Radio, which is national.

The City of Miami Beach would like to thank you again for your continued participation for July 4th, 2003. As sponsor of the official 4th of July, the sponsor contribution from Quality of Life monies in the amount of $25, 000 and the benefits include name and logo printed in

The Miami Herald; El Nuevo Herald; local newspapers, Clear Channel Radio PSA's, NBC6 TV PSA's, a banner location in site and listing in the official program and website.

Please make your check payable to North Beach Development Corporation and mail it to:

Michael Aller
Tourism and Convention Director/Chief of Protocol
1700 Convention Center Drive
Miami Beach, FL 33139

I look forward to working together again. Thanking you in advance.

Warmest personal regards.

Cordially yours,

Michael Aller
"Mr. Miami Beach"
Tourism and Convention Director and
Chief of Protocol

MA:lg
Attachments

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North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: Ralph DeMartino

Organization/Company: Miami Beach Kiwanis Club Scholarship Fund

Street Address: 738 Arthur Godfrey Road

City: Miami Beach State: FL Zip Code: 33140

Telephone: 305-695-1105 x123 Fax: 305-695-1143

Project / Event Details (Additional Information may be Requested)

Project / Event Name: 3rd Annual Stone Crab Festival

Project / Event Description: Celebration of the opening of stone crab season in South Florida. This is a festival designed to draw attention to the uniqueness of this culinary delight.

Estimated Total Cost of Project / Event: $ $120,000

Quality of Life Funds Requested: $ $50,000

Commencement Date: October 2003 Estimated Completion Date: October 2003

How does the Project / Event promote tourism or related activities, as described below:

Marketing to local and regional hotels and tour operators will increase the number of tourists visiting North Beach, and will enhance the stay of those visitors and locals who attend.

FOR RALPH DEMARTINO
Signature

3/19/03
Date

- ***Deadline for applications: March 21st, 2003.***
  North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147
- *Quality of Life funds are to be used for the promotion of the tourist industry, which shall include, but not be restricted to the following: Publicity, bureau activities, promotional events, convention bureau activities, capital improvements and the maintenance of all physical assets in connection therewith.*
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North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: Ava L. Rado

Organization/Company: **CENTER FOR EMERGING ART, INC.**

Street Address: 800 West Avenue 737

City: Miami Beach State: FL Zip Code: 33139

Telephone: (305) 538-2803 Fax: (305) 538-2803 must call first E-mail: radoa@fiu.edu

Project / Event Details (Additional Information may be Requested)

Project / Event Name: ***Flashing on the 60s Festival*: Woodstock in North Beach**

Project / Event Description: "Flashing on the 60s" festival will include the performance by Richie Havens on the beach, utilizing the Bandshell area for the showing of multi-media videos, inviting local bands to participate in "Woodstock in North Beach" and showing film projects from the 60s. Panel discussion with invited panelists Shelly Lipton, Woodstock Museum Executive Director, Richie Havens, musician, Rachel Marco Havens, writer-poet, and Lisa Law, filmmaker.

Estimated Total Cost of Project / Event: $ 84,800.

Quality of Life Funds Requested: $42,000.

Commencement Date: January 13, 2004 Estimated Completion Date: January 13, 2004

How does the Project / Event promote tourism or related activities, as described below:

This project will increase tourism to North Beach hotels, visitation to local business and create a lot of publicity for North Beach. Event will bring awareness of North Beach not only as a vacation destination, but as a place to travel because of it's festivals and events. People travel out of they way to attend concerts and festivals of musicians from Woodstock 69. This project represents the artistic collaboration of the Center for Emerging Art, Inc. and the Woodstock Museum and it provides for the creation of "Arts under the Stars". The Center for Emerging Art will promote the event to travel associations, Greater Miami Convention and Visitor's Bureau, the Miami Beach Chamber of Commerce.

Signature March 11, 2003
Date

- ***Deadline for applications: March 21st, 2003. Additional information may be requested. North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147***
- *Quality of Life funds are to be used for the promotion of the tourist industry, which shall include, but not be restricted to the following: Publicity, bureau activities, promotional events, convention bureau activities, capital improvements and the maintenance of all physical assets in connection therewith.*
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North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: Robert Childers

Organization/Company: R.C. Solutions Corp. d/b/a MultiRace.com

Street Address: 13007 NW 14th Street

City: Pembroke Pines State: Florida Zip Code: 33028

Telephone: 954-433-3475, 954-501-7200 Fax: 954-433-3915

Project / Event Details (Additional Information may be Requested)

Project / Event Name: North Beach Triathlon

Project / Event Description: The triathlon will be a .25-mile swim, 10-mile bike, and 3.1 mile run.

Estimated Total Cost of Project / Event: $ $12,000

Quality of Life Funds Requested: $ $5,000

Commencement Date: August 2003 Estimated Completion Date: August 2003

How does the Project / Event promote tourism or related activities, as described below:

The triathlon will bring 300-500 athletes and their families to the North Beach area. The event will also provide an activity for local residents and tourists staying at the local hotels. In addition, all of our events are heavily marketed throughout Florida and we have had many participants from other states and countries.

Robert Childers
Signature

3/19/2003
Date

- ***Deadline for applications: March 21st, 2003. Additional information may be requested.***
  North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147
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North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: Robert Childers

Organization/Company: R.C. Solutions Corp. d/b/a MultiRace.com

Street Address: 13007 NW 14th Street

City: Pembroke Pines State: Florida Zip Code: 33028

Telephone: 954-433-3475, 954-501-7200 Fax: 954-433-3915

Project / Event Details (Additional Information may be Requested)

Project / Event Name: North Beach Fitness Festival

Project / Event Description: A fitness festival that includes multiple athletic events. The list of events include a duathlon (2-mile run, 10-mile bike, the another 2-mile run), a 5K run, and a bicycle time trial. All events will take place within North Beach.

Estimated Total Cost of Project / Event: $ $10,000

Quality of Life Funds Requested: $ $5,000

Commencement Date: October 2003 Estimated Completion Date: October 2003

How does the Project / Event promote tourism or related activities, as described below:

The fitness festival will bring 250-350 athletes and their families to the North Beach area. The event will also provide an activity for local residents and tourists staying at the local hotels. In addition, all of our events are heavily marketed throughout Florida and we have had many participants from other states and countries.

Robert Childers
Signature

3/19/2003
Date

- ***Deadline for applications: March 21st, 2003. Additional information may be requested.***
  North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147
- *Quality of Life funds are to be used for the promotion of the tourist industry, which shall include, but not be restricted to the following: Publicity, bureau activities, promotional events, convention bureau activities, capital improvements and the maintenance of all physical assets in connection therewith.*
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North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: BARBARA CRADDOCK / CUBAN PETE

Organization/Company: CRADDOCK MANAGEMENT LLC

Street Address: 1925 S. OAK HAVEN CIR

City: MIA State: FL Zip Code: 33179

Telephone: 305-931-3336 Fax: 305-933-3357

Project / Event Details (Additional Information may be Requested)

Project / Event Name: MAMBO MANIA

Project / Event Description: LATIN DANCE (MAMBO) REVUE (SHOW) (ARTS + CULTURAL NIGHT) WITH DANCING BEFORE + AFTER SHOW

Estimated Total Cost of Project / Event: $ 1500.00 PER EVENT - 10 EVENTS (ONE or 2 PER MO)

Quality of Life Funds Requested: $15,000.00

Commencement Date: IMMED (IN SEASON) NOV (NOVEMBER - MAY) Estimated Completion Date: MAY

How does the Project / Event promote tourism or related activities, as described below:

BRINGS people to AREA, CREATES AWARENESS of AREA, PROMOTES TOURISM (pro. travel to AREA) - PROVIDES hi-QUALITY ENTERTAINMENT to N. BEACH WHICH PROMOTES AWARENESS of AREA, BRINGS BUSINESS to local RESTAURANTS, HOTELS + SHOPS

Barbara Craddock
Signature

3/3/03
Date

- ***Deadline for applications: March 21st, 2003. Additional information may be requested.***
  North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147
- *Quality of Life funds are to be used for the promotion of the tourist industry, which shall include, but not be restricted to the following: Publicity, bureau activities, promotional events, convention bureau activities, capital improvements and the maintenance of all physical assets in connection therewith.*
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North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: Delma Iles

Organization/Company: Momentum Dance Company

Street Address: PO Box 331973

City: Coconut Grove State: FL Zip Code: 33233-1973

Telephone: 305-858-7002 Fax:

Project / Event Details (Additional Information may be Requested)

Project / Event Name: North Beach Dance Festival

Project / Event Description: A four-day dance festival September 17-19, 2004 featuring Momentum Dance Company, Dance Now Ensemble, Iroko, and Dance Esais. Please see attached project synopsis.

Estimated Total Cost of Project / Event: $ 32,400

Quality of Life Funds Requested: $ 12,000

Commencement Date: 1/1/04 Estimated Completion Date: 6/30/04

How does the Project / Event promote tourism or related activities, as described below:

The North Beach Dance Festival will provide an exciting weekend of dance performances in September, traditionally a slow time of year for cultural events and tourism. It will attract dance enthusiasts, students, teachers, writers, and the general public. The multi-cultural/multi-ethnic makeup of the four participating companies will help to attract a diverse audience, both residents and tourists. Please see attached synopsis and marketing plan for additional details.

Signature

3/20/03
Date

- ***Deadline for applications: March 21st, 2003. Additional information may be requested.***
  North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147
- *Quality of Life funds are to be used for the promotion of the tourist industry, which shall include, but not be restricted to the following: Publicity, bureau activities, promotional events, convention bureau activities, capital improvements and the maintenance of all physical assets in connection therewith.*
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North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: Neil Fritz, Executive Director

Organization/Company: North Beach Development Corporation

Street Address: 210 71st Street, Suite #310

City: Miami Beach State: FL Zip Code: 33141

Telephone: 305-865-4147 Fax: 305-865-4175

Project / Event Details (Additional Information may be Requested)

Project / Event Name: North Beach Theater Festival

Project / Event Description: The proposal for an Annual Theater Festival is put forward to explore the development of several components that could lead to an Annual or several Annual performance events in the North Beach area. There is an interest from coordinators of Summer Stage Central Park ($25000 proposal) and from the Board of Directors of Orlando's very successful International Fringe Theater Festival to create events in North Beach. If the project is funded NBDC will work with these (and other groups) to create a shoulder or off-season event or series of events.

Estimated Total Cost of Project / Event: $ 10,000

Quality of Life Funds Requested: $ $30,000

Commencement Date: May 2003 Estimated Completion Date: Dec 2004

How does the Project / Event promote tourism or related activities, as described below:

Development of a major or series of Annual Theater events could attract an international audience to the area during shoulder or off-season periods. Both current proposals for festival exploration involve successful festival with significant international tourism components.

F. Neil Fritz, Executive Director
Signature

March 20, 2003
Date

- ***Deadline for applications: March 21st, 2003.***
  North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147
- *Quality of Life funds are to be used for the promotion of the tourist industry, which shall include, but not be restricted to the following: Publicity, bureau activities, promotional events, convention bureau activities, capital improvements and the maintenance of all physical assets in connection therewith.*
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North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: Neil Fritz, Executive Director

Organization/Company: North Beach Development Corporation

Street Address: 210 71st Street, Suite #210

City: Miami Beach State: FL Zip Code: 33141

Telephone: 305-865-4147 Fax: 305-865-4175

Project / Event Details (Additional Information may be Requested)

Project / Event Name: North Beach Art & Culture Thursday Nights

Project / Event Description: For the past year and a half, NBDC participated in the Miami Beach Cultural Arts Council's *2nd Thursday Program* by producing events in three North Beach venues (The Normandy Village Fountain Plaza, The Ocean Terrace Bandshell, and the lobby of Byron Carlyle Arts Center.). To date, NBDC produced 15 events that featured mostly live music and dance as well as for several art exhibits. The events have brought a rich variety of cultural themes to audiences that have included residents of Miami Beach and all parts of Dade/Broward Counties as well as for several tourists staying in Miami Beach hotels. Tango, Flamenco, Mid-Eastern Belly Dancing, Swing Dancing, Italian Music, Brazilian Samba, Mambo Mania, Afro-Cuban Dance, and Contemporary Ballet are just some of the different themes and events that have taken place. The program as a whole has been very successful and is growing steadily. The events are advertised considerably through calendar listings of the Miami Herald, New Times and Sun Post and they usually receive an article in the Miami Herald's Neighbor's section prior to the event. Fliers are distributed throughout the North Beach commercial/resort/residential districts and 700 e-mails are sent out days before the event. Several events attracted more than 400 people and have received considerable press coverage. Both the *Mambo Mania* and *Tango Night* events received the front cover of the Miami Herald's Neighbors Section and the Mid-Easter BellyDancing event was featured on Channel 7's Deco Drive. Funds are being sought to continue producing events on the 2nd Thursdays that the City chooses to offer the program and to be able to program events on Thursday nights during months when the City will not offer the program. This way North Beach can offer an event every month..

Estimated Total Cost of Project / Event: $ $30,000

Quality of Life Funds Requested: $ $15,000

Commencement Date: April 2003 Estimated Completion Date: March 2004

How does the Project / Event promote tourism or related activities, as described below:

The continued development of cultural events helps to make North Beach a desirable destination for tourists. The comprehensive character of this proposal will create a 2:1 match for Thursdays activities in the area and increase the marketability of the programs through inclusion in the North Beach Annual Calendar of events.

Signature

March 21, 2003
Date

- ***Deadline for applications: March 21st, 2003.***
  North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147
- *Quality of Life funds are to be used for the promotion of the tourist industry, which shall include, but not be restricted to the following: Publicity, bureau activities, promotional events, convention bureau activities, capital improvements and the maintenance of all physical assets in connection therewith.*
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North Beach Quality of Life
Year 7 funding Application

Applicant Information

Name of Person Applying/Presenting: Applying Gladstone Phillips

Organization/Company: Log Cabin Enterprises, Inc.

Street Address: 8128 Collins Ave

City: Miami Beach State: Florida Zip Code: 33141

Telephone: (305) 993-2008 Fax: (305) 993-2013

Project/Event Detail (Additional information may be requested)

Project/Event Name: Calendar of Events Promotional Materials

Project/Event Description: Printing of Brochures or Calendar of Events to be distributed to all Hotels In Area, to include every month s upcoming special events or Class to be given, Miami Beach Green Map, Area Map of N. Beach Areas Special Public Attractions, Purchase Coupon.

Estimated Total Cost of Project/Event: $ 56,000.00

Quality of Life Funds Requested: $ 18,000.00

Comment Date: June 2003 Estimated Completion Date: Mid. July 2003

How does the Project/Event promoted tourism or related activities, as described below:
Invites Tourists to be a part of Special Gardening Class such as Orchids (see other side Events)
Enjoy Special outdoor Musical Events in a Botanical Garden Setting at a Miami Beach Historic Land Mark

Signature

Date 4/4/03

- *Deadline for applications: March 31st, 2003. Additional information may be requested.*
  North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147
- *Quality of Life funds are to be used for the promotion of the tourist industry, which shall include, but not be restricted to the following: Publicity, bureau activities, promotional events, convention bureau activities, capital improvements and the maintenance of all physical assets in connection therewith.*
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Quality of Life Applications (Year 7)

Marketing Projects

North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: DR RONALD W. SHANE

Organization/Company: MIAMI BEACH WATERSPORTS CENTER

Street Address: 6500 INDIAN CREEK DRIVE

City: MIAMI BEACH State: FL Zip Code: 33141

Telephone: 305 861 8876 Fax: 305 861 8841

Project / Event Details (Additional Information may be Requested)

Project / Event Name: MARKETING TO VISITING CREWS / CLUBS

Project / Event Description: BY PROMOTING THE CENTER AS A PREMIER ROWING FACILITY WE WILL INCREASE AWARENESS OF OUR YEAR ROUND AVAILABILITY

Estimated Total Cost of Project / Event: $ 35,000

Quality of Life Funds Requested: $ 5,000

Commencement Date: ONGOING Estimated Completion Date:

How does the Project / Event promote tourism or related activities, as described below:

THE CENTER ATTRACTS MANY VISITING TEAMS AND INDIVIDUALS TO NORTH BEACH WITH ADDITIONAL PROMOTION WE PROJECT SIGNIFICANT GROWTH IN GENERATING TOURISM.

Elaine Roden
Signature

Date 5/15/03

- *Deadline for applications: March 21st, 2003. Additional information may be requested.*
  North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147
- *Quality of Life funds are to be used for the promotion of the tourist industry, which shall include, but not be restricted to the following: Publicity, bureau activities, promotional events, convention bureau activities, capital improvements and the maintenance of all physical assets in connection therewith.*
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North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: Neil Fritz, Executive Director

Organization/Company: North Beach Development Corporation

Street Address: 210 71st Street, Suite #310

City: Miami Beach State: FL Zip Code: 33141

Telephone: 305-865-4147 Fax: 305-865-4175

Project / Event Details (Additional Information may be Requested)

Project / Event Name: North Beach Marketing Program

Project / Event Description: During the past two years, NBDC has developed a comprehensive program to promote North Beach as a great place to eat, play, party and stay to tourists and local/regional markets. The program provides funding for an "in-season" campaign, a "shoulder/off-season" campaign, and North Beach activities to bring new visitors to North Beach.

Estimated Total Cost of Project / Event: $ $120,000

Quality of Life Funds Requested: $ $60,000

Commencement Date: January 2004 Estimated Completion Date: June 2004

How does the Project / Event promote tourism or related activities, as described below:

The North Beach Marketing Project supports and/or coordinates all events and activities working to increase tourism in the North Beach area of the City of Miami Beach

T. Neil Fritz, Executive Director — March 20, 2003

Signature — Date

- ***Deadline for applications: March 21st, 2003.***
  North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147
- *Quality of Life funds are to be used for the promotion of the tourist industry, which shall include, but not be restricted to the following: Publicity, bureau activities, promotional events, convention bureau activities, capital improvements and the maintenance of all physical assets in connection therewith.*

North Beach Development Corp.
Marketing Budget - Year 7
January - December 2004

Budget Category	$ Budget
26121 - Tourism Campaigns Advertising in strategic Florida and National markets focus on direct mail, web promotions, and targeted print	28,000
26123 - Local Business Market Local Advertising-newspaper, fliers, direct mail, cable, radio North Beach VIP Card Program and Dining Guides	14,000
26124 - Publicity Collateral Material/Distrib. (brochure/newsletter: $10,000) Press Related Expenses (lunches/press kits/ tours/ travel exp: $2,000)	12,000
26125 - Welcome Centers Website Development/Hosting & Maintenance of Welcome Ctr. @ Byron Carlyle	3,000
26129 - Miscellaneous Marketing Memberships, Conference expenses, table top display expenses, creation of banners, photography, courier etc...	3,000
TOTAL	$ 60,000

North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: Neil Fritz, Executive Director

Organization/Company: North Beach Development Corporation

Street Address: 210 71st Street, Suite #310

City: Miami Beach State: FL Zip Code: 33141

Telephone: 305-865-4147 Fax: 305-865-4175

Project / Event Details (Additional Information may be Requested)

Project / Event Name: North Beach Marketing Director

Project / Event Description: Since July 2001, NBDC has employed a Marketing Director to coordinate all efforts to market North Beach and increase tourism in the area. The Director develops and implements a comprehensive marketing plan to promote North Beach as a great place to eat, play, party, and stay.

Estimated Total Cost of Project / Event: $ $50,000

Quality of Life Funds Requested: $ $50,000

Commencement Date: April 2003 Estimated Completion Date: March 2004

How does the Project / Event promote tourism or related activities, as described below:

The North Beach Marketing Director works with all interested parties to support and/or coordinate events campaigns and activities to increase tourism in the North Beach area of the City of Miami Beach

T. Neil Fritz, Executive Director
Signature

March 29, 2003
Date

- ***Deadline for applications: March 21st, 2003.***
  North Beach Development Corporation, 210 71st Street,#310 Miami Beach, FL 33141 (305) 865-4147
- *Quality of Life funds are to be used for the promotion of the tourist industry, which shall include, but not be restricted to the following: Publicity, bureau activities, promotional events, convention bureau activities, capital improvements and the maintenance of all physical assets in connection therewith.*

Quality of Life Applications (Year 7)

Other Projects

North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: Neil Fritz, Executive Director

Organization/Company: North Beach Development Corporation

Street Address: 210 71st Street, Suite #310

City: Miami Beach State: FL Zip Code: 33141

Telephone: 305-865-4147 Fax: 305-865-4175

Project / Event Details (Additional Information may be Requested)

Project / Event Name: North Beach Events Coordinator

Project / Event Description: Beginning last year Quality of Life funding was used to fund a full-time position to create and produce North Beach events including the October Stone Crab SeaFest, the February Miami Beach Festival of the Arts, and 2nd Thursdays events. A successful Annual Calendar of Events is a fundamental component of the marketing strategy for North Beach.

Estimated Total Cost of Project / Event: $ $50,000

Quality of Life Funds Requested: $ $25,000

Commencement Date: April 2003 Estimated Completion Date: March 2004

How does the Project / Event promote tourism or related activities, as described below:

The development and successful production of an annual program of special events will have major impact on future tourism development in the North Beach area.

T. Neil Fritz, Executive Director — Signature

March 20, 2003 — Date

- ***Deadline for applications: March 21st, 2003.***
  North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147
- *Quality of Life funds are to be used for the promotion of the tourist industry, which shall include, but not be restricted to the following: Publicity, bureau activities, promotional events, convention bureau activities, capital improvements and the maintenance of all physical assets in connection therewith.*
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North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: MIKE THOMPSON, PRESIDENT

Organization/Company: TEEN JOB CORPS

Street Address: 210 71ST STREET, SUITE #310

City: MIAMI BEACH State: FL Zip Code: 33141

Telephone: (305) 865-4147 Fax: (305) 865-4175

Project / Event Details (Additional Information may be Requested)

Project / Event Name: NORTH BEACH YOUTH "TEEN JOB" CORPS

Project / Event Description: MIDDLE AND HIGH SCHOOL STUDENTS CLEAN TOURIST AREAS OF NORTH BEACH ON A WEEKLY BASIS. THE QUALITY OF LIFE FUNDS ARE SIGNIFICANTLY LEVERAGED TO FUND THE ONGOING PROGRAM.

Estimated Total Cost of Project / Event: $ 150,000

Quality of Life Funds Requested: $ 50,000

Commencement Date: APRIL 2003 Estimated Completion Date: MARCH 2004

How does the Project / Event promote tourism or related activities, as described below:

NORTH BEACH YOUTH "TEEN JOB" CORPS PARTICIPANTS CLEAN THE AREA ALONG COLLINS AVE CORRIDOR IN NORTH BEACH THIS SERVICE AUGMENTS THE CITY OF MIAMI BEACH AND MIAMI-DADE COUNTY EFFORTS TO MAINTAIN THE AREA AND SIGNIFICANTLY IMPROVES THE APPEARANCE OF THESE TOURIST AREAS ON AN ONGOING BASIS.

Signature Date 3/18/03

- ***Deadline for applications: March 21st, 2003. Additional information may be requested.***
  North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147
- *Quality of Life funds are to be used for the promotion of the tourist industry, which shall include, but not be restricted to the following: Publicity, bureau activities, promotional events, convention bureau activities, capital improvements and the maintenance of all physical assets in connection therewith.*
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North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: LUIZ RODRIGUES

Organization/Company: ECOMB

Street Address: PO BOX 398891

City: MIAMI BEACH State: FL Zip Code: 33239

Telephone: 305.534.3825 Fax: 208.979.2806

Project / Event Details (Additional Information may be Requested)

Project / Event Name: BEACH CLEANUPS / BISCAYNE POINT & TATUM WATERWAY CLEANUP

Project / Event Description: ECOMB proposes to conduct three beach cleanups in the North Beach area at a cost of $300 each, and one canal cleanup, at a cost of $300.

Estimated Total Cost of Project / Event: $ 1,400

Quality of Life Funds Requested: $ 1,400

Commencement Date: MAY 2003 Estimated Completion Date: DECEMBER 2003

How does the Project / Event promote tourism or related activities, as described below:

The above-described projects promotes tourism by not only maintaining, but also cleaning up North Beach's canals and beaches of litter, intentionally or unintentionally left behind by both residents and tourists.

Luiz Rodrigues
Signature

3/18/03
Date

- ***Deadline for applications: March 21st, 2003. Additional information may be requested.***
  North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147
- *Quality of Life funds are to be used for the promotion of the tourist industry, which shall include, but not be restricted to the following: Publicity, bureau activities, promotional events, convention bureau activities, capital improvements and the maintenance of all physical assets in connection therewith.*
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North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: Neil Fritz, Executive Director

Organization/Company: North Beach Development Corporation (for City of Miami Beach)

Street Address: 210 71st Street, Suite #310

City: Miami Beach State: FL Zip Code: 33141

Telephone: 305-865-4147 Fax: 305-865-4175

Project / Event Details (Additional Information may be Requested)

Project / Event Name: Additional North Beach Code Enforcement Officer

Project / Event Description: Beginning in 2001, Quality of Life funding was used to fund an additional City of Miami Beach Code Enforcement Officer ($36,000). This program has led to a very successful effort to improve the appearance and safety of North Beach tourist commercial areas.

Estimated Total Cost of Project / Event: $ $36,000

Quality of Life Funds Requested: $ $36,000

Commencement Date: April 2003 Estimated Completion Date: March 2004

How does the Project / Event promote tourism or related activities, as described below:

The additional Code Enforcement Officer works along North Beach tourist/commercial areas to assure compliance with City Code. The resulting improvement has a significant impact on the perception of the area to visitors. Code violations and the general appearance of commercial areas in North Beach continue to hinder area tourism.

T. Neil Fritz, Executive Director — March 20, 2003

Signature — Date

- ***Deadline for applications March 21st, 2003.***
  North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147
- *Quality of Life funds are to be used for the promotion of the tourist industry, which shall include, but not be restricted to the following: Publicity, bureau activities, promotional events, convention bureau activities, capital improvements and the maintenance of all physical assets in connection therewith.*
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North Beach Quality of Life
Year 7 Funding Application

Applicant Information

Name of Person Applying/Presenting: TOM SKINNER / DAVID DE LA ESPRIELLA

Organization/Company: MIAMI BEACH POLICE DEPARTMENT

Street Address: 1100 WASHINGTON AVE

City: MIAMI BEACH State: FL Zip Code: 33139

Telephone: (305) 993-2060 Fax: (305) 993-2066

Project / Event Details (Additional Information may be Requested)

Project / Event Name: OFF-DUTY POLICE SERVICES

Project / Event Description: PROVIDE FOR OFF-DUTY POLICE SECURITY SERVICES OF BUSINESS DISTRICT IN NORTH BEACH.

Estimated Total Cost of Project / Event: $ 55,000.-

Quality of Life Funds Requested: $ 55,000.-

Commencement Date: OCT 01, 2003 Estimated Completion Date: OCT 01, 2004

How does the Project / Event promote tourism or related activities, as described below:

Signature

02/27/03
Date

- ***Deadline for applications: March 21st, 2003. Additional information may be requested.***
  North Beach Development Corporation, 210 71st Street, #310 Miami Beach, FL 33141 (305) 865-4147
- *Quality of Life funds are to be used for the promotion of the tourist industry, which shall include, but not be restricted to the following: Publicity, bureau activities, promotional events, convention bureau activities, capital improvements and the maintenance of all physical assets in connection therewith.*
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R9

NEW BUSINESS AND

COMMISSION REQUESTS

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH FLORIDA 33139

OFFICE OF THE CITY CLERK

CITY HALL
1700 CONVENTION CENTER DRIVE
TELEPHONE: 673-7411

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **BOARD AND COMMITTEES**

BACKGROUND:

Attached are the applicants that have filed with the City Clerk's Office for Board and Committee appointments.

ADMINISTRATION RECOMMENDATION:

That appointments be made as indicated.

VACANCIES

BOARD OR COMMITTEE:	TOTAL MBRS.	APPOINTED BY:	TOTAL VAC.	PAGE
Art In Public Places	7	City Commission	2	Page 1
Beautification Committee	8	Commissioner Luis R. Garcia, Jr.	1	Page 5
Committee for Quality Education in MB	18	Commissioner Matti H. Bower Commissioner Richard L. Steinberg	1 1	Page 8

AGENDA ITEM R9A
DATE 7-30-03

VACANCIES

BOARD OR COMMITTEE:	TOTAL MBRS.	APPOINTED BY:	TOTAL VAC.	PAGE
Committee on the Homeless	9	Commissioner Simon Cruz	1	Page 9
Community Development Advisory Committee	14	Commissioner Luis R. Garcia, Jr. Mayor David Dermer	1 1	Page 10
Community Relations Board	17	Jorge M. Gonzalez, City Manager	1	Page 11
Convention Center Capital Projects Oversight Com.	7	Mayor David Dermer	1	Page 14
Debarment Committee	7	Commissioner Saul Gross	1	Page 15
Design Review Board	7	City Commission	1	Page 16

AGENDA ITEM _____

DATE _____

VACANCIES

BOARD OR COMMITTEE:	TOTAL MBRS.	APPOINTED BY:	TOTAL VAC.	PAGE
Fine Arts Board	14	Commissioner Matti H. Bower	1	
		Mayor David Dermer	1	Page 17
Florida Sister Cities Program	22	Mayor David Dermer	3	
		Mayor David Dermer	1	Page 18
Health Advisory Committee	11	City Commission	2	Page 20
Health Facilities Authority Board	6	City Commission	2	Page 21
Hispanic Affairs Committee	7	Commissioner Simon Cruz	1	Page 22
Housing Authority	5	Mayor David Dermer	1	Page 24

AGENDA ITEM _____

DATE _____

VACANCIES

BOARD OR COMMITTEE:	TOTAL MBRS.	APPOINTED BY:	TOTAL VAC.	PAGE
Loan Review Committee	7	Commissioner Richard L. Steinberg	1	Page 25
Marine Authority	7	Commissioner Simon Cruz	1	Page 26
Miami Beach Commission on Status of Women	21	Commissioner Jose Smith	1	Page 27
		Commissioner Richard L. Steinberg	2	
Personnel Board	10	City Commission	4	Page 33
Public Safety Advisory Committee	7	Commissioner Matti H. Bower	1	Page 38
		Commissioner Simon Cruz	1	
		Mayor David Dermer	1	
Safety Committee	14	Commissioner Matti H. Bower	1	Page 39

AGENDA ITEM _____

DATE _____

VACANCIES

BOARD OR COMMITTEE:	TOTAL MBRS.	APPOINTED BY:	TOTAL VAC.	PAGE
Youth Center Advisory Board	10	Commissioner Simon Cruz	1	
				Page 43

Attached is breakdown by Commissioner or City Commission:

JMG:REP/lg

City Commission Committees

Committee	Position	First Name	Appointed by	Appointed
Community Affairs Committee				
	Member	Commissioner Saul Gross	Mayor Dermer	11/28/01
	Vice-Chair	Commissioner Luis R. Garcia, Jr.	Mayor Dermer	11/28/01
	Chairperson	Commissioner Simon Cruz	Mayor Dermer	11/28/01
Finance & Citywide Projects Committee				
	Member	Commissioner Matti Herrera Bower	Mayor Dermer	11/28/01
	Vice-Chair	Commissioner Richard Steinberg	Mayor Dermer	11/28/01
	Chairperson	Commissioner Jose Smith	Mayor Dermer	11/28/01
Land Use & Development Committee				
	Member	Commissioner Matti Herrera Bower	Mayor Dermer	11/28/01
	Vice-Chair	Commissioner Saul Gross	Mayor Dermer	11/28/01
	Chairperson	Commissioner Luis R. Garcia	Mayor Dermer	11/28/01
Neighborhoods Committee				
	Chairperson	Commissioner Matti Herrera Bower	Mayor Dermer	11/28/01
	Vice-Chair	Commissioner Simon Cruz	Mayor Dermer	11/28/01
	Member	Commissioner Richard Steinberg	Mayor Dermer	11/28/01

Non-City Commission Committees

Commissioner Bower:
- Performing Arts Center Trust
- Tourist Development Council
- Dade Cultural Alliance
- Miami Beach Transportation Management Association (TMA)

Commissioner Garcia:
- Greater Miami Convention and Visitors Bureau
- Unclassified Employees and Elected Officials Retirement System

Commissioner Smith:
- Metropolitan Planning Organization

Commissioner Steinberg:
- Miami-Dade League of Cities
- Miami-Dade County Homeless Trust Board- Appointed by Miami-Dade League of Cities

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CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From:

Chairman Steve Zack	Appointed by Mayor Dermer
Vice-Chair Jonathan Beloff	Appointed by Commissioner Garcia
Member of the Board Ricky Arriola	Appointed by Commissioner Cruz
Member of the Board Victor Diaz	Appointed by Commissioner Bower
Member of the Board Honorable Seymour Gelber	Appointed by Commissioner Gross
Member of the Board Larry Herrup	Appointed by Commissioner Steinberg
Member of the Board Abraham Laeser	Appointed by Commissioner Smith

Subject: DISCUSSION AND ACCEPTANCE OF THE RECOMMENDATIONS OF THE CHARTER REVIEW AND REVISION BOARD'S SECOND DELIBERATION CONCERNING AMENDMENTS TO THE CITY CHARTER

BACKGROUND:

Pursuant to Section 8.01 of the Miami Beach City Charter, the City Charter shall be reviewed ten years from November 3, 1993 and each tenth year thereafter.

On February 5, 2003, via City Resolution No. 2003-25124, the City Commission created the City Of Miami Beach Ad Hoc Charter Review And Revision Board (CRB) for the purpose of reviewing the City's Charter. The CRB is composed of seven direct appointees with the Mayor and each Commissioner making one appointment. The CRB terms commenced February 5, 2003 and will expire on February 4, 2004 unless sunsetted earlier by the City Commission.

On April 30, 2003, via City Resolution No. 2003-25201, the City Commission enlarged the Board's powers of review to include the City's Related Special Acts portion of the City Code.

The Board held three organizational meetings to develop a process, determine how best to solicit public participation, develop a strategy to categorize discussion issues (see Exhibit A), and to schedule future meetings. The CRB requested the Administration create a Charter Review webpage and an email address for citizen's input (CharterReview@miamibeachfl.gov) to ensure communications between the citizens and the CRB members. The webpage was used to inform the public of agendas, minutes of meetings, public notices regarding meetings, and other relevant information, such as access to the City Charter and Related Special Acts. The CRB agreed that at least three-votes were needed for the CRB to accept issues for discussion, and a supermajority vote of 5/7th of the CRB needed to recommend a change to the City Commission.

Because of the importance of the City Charter review process, the CRB felt it was absolutely necessary to reach the most citizens possible. Given this objective, there were three (3) meetings that were held in the City Commission Chamber and televised "live" on Cable Channel 20 seeking public comment. Seeking to reach all citizens, the meetings were advertised in The Miami Herald Miami Beach Neighbors Section, The SunPost and the local Hispanic newspapers: Art Deco Tropical, Hola Amigo, La Voz de Miami Beach and Tiempo Nuevo. The meeting dates and times were also posted on the webpage, on government Channel 20, an insert was placed in the water bills, and in the City of Miami Beach Meeting Notices. David Leahy from the Miami-Dade County Elections Department spoke on election related issues. Robert Meyers with the Miami-Dade County Commission on Ethics attended a meeting and answered questions regarding ethical issues. At each meeting, whether it was held in the Commission Chamber or in the Mayor's Conference Room, those individuals in attendance had an opportunity to speak.

The first deliberation meeting was held in early June. The recommendations of the CRB being presented today are the result of a particular issue receiving at least three (3) votes of the CRB to consider discussing the item. After discussion was held, the issue also had to receive a 5/7th vote of the CRB to present the issue to the City Commission. A second deliberation meeting was held on July 22 to discuss those items which the CRB felt needed additional information or did not have the required five (5) votes to recommend to the City Commission.

STATUTORY DEADLINES:

The last date by which the Miami Beach City Commission can pass a Resolution placing an issue on the November 4, 2003 ballot, amending the City Charter and Related Special Acts is September 5. September 10 is the first scheduled Commission Meeting after the August recess.

Future Election Dates:
November 4, 2003 → General Elections
March 9, 2004
August 31, 2004
November 2, 2004

RECOMMENDED PROCESS:

Any of the issues which are approved by the City Commission for placement on the November 4, 2003 ballot, shall comply with the following procedures: a motion on each recommendation must be made instructing the City Attorney's Office to draft a resolution calling for a Special Election on November 4, 2003 with the specific ballot language for each question. The City Attorney's Office will prepare the appropriate legislation for the July 30 Commission Meeting (inasmuch as the July 30th meeting is the last regularly-scheduled City Commission meeting prior to the September 5 deadline).

CHARTER REVIEW BOARD RECOMMENDATIONS*:
After public input and CRB discussion, the following Charter and Related Special Act amendments are respectfully being presented for City Commission consideration:

I. City Charter's Bill of Rights.

- Diversity – Add language expressing citizens' right to be free of all forms of discrimination, including that based upon sexual orientation.
  *16. Non-Discrimination. No person shall be deprived of any rights and privileges conferred by law because of race, color, national origin, religion, ~~sex~~, **gender**, sexual orientation, disability, marital status, family status, or age."

II. City Charter

- Increase Mayor's Term -
  Sec. 2.02. Term and compensation.
  Should Sections 2.01 and 2.02 of the City Charter be amended to provide that, commencing with the General Election in November 2005, the term of office for Mayor shall be increased from two years to four years, with the Mayor's term limit increased from six consecutive years to eight consecutive years?

III. Miscellaneous –

A. Telephonic/Electronic Participation
The CRB recommends that the City establish a policy in the City Code permitting absentee Board Members to participate in Board Meetings via telephonic/electronic means when appropriate.

B. Changing CRB Status From Ad Hoc To Standing Committee – It is the recommendation of the CRB to amend the City Code to change the status of the Board from Ad Hoc to a standing (permanent) committee.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CALLING FOR A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2003, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH A QUESTION ASKING WHETHER THE CITY CHARTER SHOULD BE AMENDED TO INCLUDE WITHIN THE CITIZEN'S BILL OF RIGHTS A GUARANTEE THAT NO PERSON SHALL BE DEPRIVED OF ANY RIGHTS AND PRIVILEGES CONFERRED BY LAW BECAUSE OF RACE, COLOR, NATIONAL ORIGIN, RELIGION, GENDER, SEXUAL ORIENTATION, DISABILITY, MARITAL STATUS, FAMILIAL STATUS, OR AGE.

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

SECTION 1.

In accordance with provisions of the Charter of the City of Miami Beach, Florida and the general laws of the State of Florida, a Special Election is hereby called and directed to be held in the City of Miami Beach, Florida, from 7:00 a.m. to 7:00 p.m. on Tuesday, November 4, 2003, for the purpose of submitting to the electorate the question as set forth hereinafter.

SECTION 2.

That the appropriate and proper Miami-Dade County election officials shall conduct the said Special Election hereby called, with Miami-Dade County's certification of the results of said Special Election being accepted by the City Commission. The official returns for each precinct shall be furnished to the City Clerk of the City of Miami Beach as soon as the ballots from all precincts have been tabulated and results duly accepted by said appropriate Miami-Dade County Officials.

SECTION 3.

Said voting precincts in the City of said Special Election shall be as established by the proper and appropriate Miami-Dade County Election Officials. All electors shall vote at the polling places and the voting precincts in which the official registration books show that the said electors reside. A list of the voting precincts and the polling places therein (subject to change by the Supervisor of Elections of Miami-Dade County, in accordance with the laws of Florida) is attached hereto as Exhibit A.

SECTION 4.

Registration of persons desiring to vote in the Special Election shall be in accordance with the general law of the State of Florida governing voter registration. Qualified persons may obtain registration forms to vote at the Office of the City Clerk, City Hall, 1700 Convention Center Drive, First Floor, Miami Beach, Florida 33139, during normal business hours, and at such other voter registration centers and during such times as may be provided by the Supervisor of Elections of Miami-Dade County. Each person desiring to become a registered voter shall be responsible for properly filling out the registration form and returning it to the Miami-Dade County Elections Office. All questions concerning voter registration should be directed to the Miami-Dade County Elections Office, 111 Northwest 1st Street, Floor 19, Miami, Florida 33130; Mailing Address: P.O. Box 012241, Miami, Florida 33101; Telephone: (305) 375-5553.

SECTION 5.

Not less than thirty days' notice of said Special Election shall be given by publication in a newspaper of general circulation in Miami Beach, Miami-Dade County, Florida. Such publication shall be made at least once each week for four consecutive weeks next preceding said Special Election.

SECTION 6.

The notice of election shall be substantially in the following form:

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

AMENDING CITIZEN'S BILL OF RIGHTS RE: NONDISCRIMINATION

SHALL THE MIAMI BEACH CITY CHARTER BE AMENDED TO INCLUDE WITHIN THE CITIZEN'S BILL OF RIGHTS A GUARANTEE THAT NO PERSON SHALL BE DEPRIVED OF ANY RIGHTS AND PRIVILEGES CONFERRED BY LAW BECAUSE OF RACE, COLOR, NATIONAL ORIGIN, RELIGION, GENDER, SEXUAL ORIENTATION, DISABILITY, MARITAL STATUS, FAMILIAL STATUS, OR AGE?

_____ YES

_____ NO

SECTION 7.

The official ballot to be used in the Special Election to be held on November 4, 2003, hereby called, shall be in substantially the following form, to-wit:

OFFICIAL BALLOT

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION, NOVEMBER 4, 2003.

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

AMENDING CITIZEN'S BILL OF RIGHTS RE: NONDISCRIMINATION

SHALL THE MIAMI BEACH CITY CHARTER BE AMENDED TO INCLUDE WITHIN THE CITIZEN'S BILL OF RIGHTS A GUARANTEE THAT NO PERSON SHALL BE DEPRIVED OF ANY RIGHTS AND PRIVILEGES CONFERRED BY LAW BECAUSE OF RACE, COLOR, NATIONAL ORIGIN, RELIGION, GENDER, SEXUAL ORIENTATION, DISABILITY, MARITAL STATUS, FAMILIAL STATUS, OR AGE?

_____ YES

_____ NO

SECTION 8.

Absentee voters participating in said Special Election shall be entitled to cast their ballots in accordance with the provisions of the laws of the State of Florida with respect to absentee voting.

SECTION 9.

That the City of Miami Beach shall pay all expenses for conducting this Special Election and will pay to Miami-Dade County or directly to all persons or firms, upon receipt of invoice or statement approved by the Supervisor of Elections of Miami-Dade County, Florida.

SECTION 10.

If any section, sentence, clause or phrase of the proposed ballot measure is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of said ballot measure.

SECTION 11.

This resolution shall be effective immediately upon its passage.

PASSED and ADOPTED this _____ day of _____, 2003.

ATTEST:

_____
MAYOR

_____
CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 7-22-03
Date

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Proposed Amendment to City Charter Citizen's Bill of Rights for November 4, 2003 Special Election:

A. Proposed Ballot Question

AMENDING CITIZEN'S BILL OF RIGHTS RE: NONDISCRIMINATION

SHALL THE MIAMI BEACH CITY CHARTER BE AMENDED TO INCLUDE WITHIN THE CITIZEN'S BILL OF RIGHTS A GUARANTEE THAT NO PERSON SHALL BE DEPRIVED OF ANY RIGHTS AND PRIVILEGES CONFERRED BY LAW BECAUSE OF RACE, COLOR, NATIONAL ORIGIN, RELIGION, GENDER, SEXUAL ORIENTATION, DISABILITY, MARITAL STATUS, FAMILIAL STATUS, OR AGE?

_____ YES

_____ NO

B. Proposed Text

* * *

16. Nondiscrimination.

No person shall be deprived of any rights and privileges conferred by law because of race, color, national origin, religion, gender, sexual orientation, disability, marital status, familial status, or age.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CALLING FOR A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2003, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH A QUESTION ASKING WHETHER THE CITY CHARTER SECTIONS 2.01 AND 2.02 SHOULD BE AMENDED TO PROVIDE THAT, COMMENCING WITH THE GENERAL ELECTION IN NOVEMBER 2005, THE TERM OF OFFICE FOR MAYOR SHALL BE INCREASED FROM TWO YEARS TO FOUR YEARS, WITH THE MAYOR'S TERM LIMIT INCREASED FROM SIX CONSECUTIVE YEARS TO EIGHT CONSECUTIVE YEARS?

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

SECTION 1.

In accordance with provisions of the Charter of the City of Miami Beach, Florida and the general laws of the State of Florida, a Special Election is hereby called and directed to be held in the City of Miami Beach, Florida, from 7:00 a.m. to 7:00 p.m. on Tuesday, November 4, 2003, for the purpose of submitting to the electorate the question as set forth hereinafter.

SECTION 2.

That the appropriate and proper Miami-Dade County election officials shall conduct the said Special Election hereby called, with Miami-Dade County's certification of the results of said Special Election being accepted by the City Commission. The official returns for each precinct shall be furnished to the City Clerk of the City of Miami Beach as soon as the ballots from all precincts have been tabulated and results duly accepted by said appropriate Miami-Dade County Officials.

SECTION 3.

Said voting precincts in the City of said Special Election shall be as established by the proper and appropriate Miami-Dade County Election Officials. All electors shall vote at the polling places and the voting precincts in which the official registration books show that the said electors reside. A list of the voting precincts and the polling places therein (subject to change by the Supervisor of Elections of Miami-Dade County, in accordance with the laws of Florida) is attached hereto as Exhibit A.

SECTION 4.

Registration of persons desiring to vote in the Special Election shall be in accordance with the general law of the State of Florida governing voter registration. Qualified persons may obtain registration forms to vote at the Office of the City Clerk, City Hall, 1700 Convention Center Drive, First Floor, Miami Beach, Florida 33139, during normal business hours, and at such other voter registration centers and during such times as may be provided by the Supervisor of Elections of Miami-Dade County. Each person desiring to become a registered voter shall be responsible for properly filling out the registration form and returning it to the Miami-Dade County Elections Office. All questions concerning voter registration should be directed to the Miami-Dade County Elections Office, 111 Northwest 1st Street, Floor 19, Miami, Florida 33130; Mailing Address: P.O. Box 012241, Miami, Florida 33101; Telephone: (305) 375-5553.

SECTION 5.

Not less than thirty days' notice of said Special Election shall be given by publication in a newspaper of general circulation in Miami Beach, Miami-Dade County, Florida. Such publication shall be made at least once each week for four consecutive weeks next preceding said Special Election.

SECTION 6.

The notice of election shall be substantially in the following form:

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

AMENDING CHARTER SECTIONS 2.01 AND 2.02 TO INCREASE MAYOR'S TERM OF OFFICE

SHALL MIAMI BEACH CITY CHARTER SECTIONS 2.01 AND 2.02 BE AMENDED TO PROVIDE THAT, COMMENCING WITH THE GENERAL ELECTION IN NOVEMBER 2005, THE TERM OF OFFICE FOR MAYOR SHALL BE INCREASED FROM TWO YEARS TO FOUR YEARS, WITH THE MAYOR'S TERM LIMIT INCREASED FROM SIX CONSECUTIVE YEARS TO EIGHT CONSECUTIVE YEARS?

_____ YES

_____ NO

SECTION 7.

The official ballot to be used in the Special Election to be held on November 4, 2003, hereby called, shall be in substantially the following form, to-wit:

OFFICIAL BALLOT

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION, NOVEMBER 4, 2003.

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING QUESTION:

AMENDING CHARTER SECTIONS 2.01 AND 2.02 TO INCREASE MAYOR'S TERM OF OFFICE

SHALL MIAMI BEACH CITY CHARTER SECTIONS 2.01 AND 2.02 BE AMENDED TO PROVIDE THAT, COMMENCING WITH THE GENERAL ELECTION IN NOVEMBER 2005, THE TERM OF OFFICE FOR MAYOR SHALL BE INCREASED FROM TWO YEARS TO FOUR YEARS, WITH THE MAYOR'S TERM LIMIT INCREASED FROM SIX CONSECUTIVE YEARS TO EIGHT CONSECUTIVE YEARS?

_____ YES

_____ NO

SECTION 8.

Absentee voters participating in said Special Election shall be entitled to cast their ballots in accordance with the provisions of the laws of the State of Florida with respect to absentee voting.

SECTION 9.

That the City of Miami Beach shall pay all expenses for conducting this Special Election and will pay to Miami-Dade County or directly to all persons or firms, upon receipt of invoice or statement approved by the Supervisor of Elections of Miami-Dade County, Florida.

SECTION 10.

If any section, sentence, clause or phrase of the proposed ballot measure is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of said ballot measure.

SECTION 11.

This resolution shall be effective immediately upon its passage.

PASSED and ADOPTED this _____ day of _____, 2003.

ATTEST:

_____
MAYOR

_____
CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney — Date 7-22-03

JKO/ED
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Proposed Amendment to City Charter for November 4, 2003 Special Election:

A. Proposed Ballot Question

AMENDING CHARTER SECTIONS 2.01 AND 2.02 TO INCREASE MAYOR'S TERM OF OFFICE

SHALL MIAMI BEACH CITY CHARTER SECTIONS 2.01 AND 2.02 BE AMENDED TO PROVIDE THAT, COMMENCING WITH THE GENERAL ELECTION IN NOVEMBER 2005, THE TERM OF OFFICE FOR MAYOR SHALL BE INCREASED FROM TWO YEARS TO FOUR YEARS, WITH THE MAYOR'S TERM LIMIT INCREASED FROM SIX CONSECUTIVE YEARS TO EIGHT CONSECUTIVE YEARS?

_____ YES

_____ NO

B. Proposed Text

ARTICLE II. CITY COMMISSION

Sec. 2.01. Number and selection.

* * *

Commissioners in groups numbered I, II and III shall be elected at the general election to be held on the first Tuesday in November, 1997 and at each general election each four (4) years thereafter. Commissioners in groups numbered IV, V, and VI shall be elected at the general election to be held on the first Tuesday in November, 1995 and at each general election each four (4) years thereafter. The Mayor shall be elected at the general election to be held on the first Tuesday in November, ~~1995~~ 2005 and at each general election each ~~two (2)~~ four (4) years thereafter.

* * *

Sec. 2.02. Term and compensation.

The term of office of the Mayor shall be ~~two (2)~~ four (4) years. The term of office of the City Commissioners shall be four (4) years.

Commencing with the General Election in November 1997 (excluding individuals holding City of Miami Beach elective office prior thereto for their unexpired terms), the term limit for Miami Beach Commissioners shall be eight consecutive years and commencing with the General Election in November, 2005 the term limit for Miami Beach Mayor shall be ~~six~~ eight consecutive years respectively, measured retroactively from their first elections said terms not including time served as a member of the City of Miami Beach Commission as a result of having filled a vacancy in the Commission pursuant to Section 2.07 of the City of Miami Beach Charter.

* * *

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **PRESENTATION AT A SCHEDULED PUBLIC HEARING BY ALEX COOPER, FROM COOPER ROBERTSON, CONSULTANT TO THE CITY, IN CONNECTION WITH MEDIATION DISCUSSIONS AND ONGOING LITIGATION BETWEEN WEST SIDE PARTNERS AND THE CITY OF MIAMI BEACH**

ANALYSIS

On July 1, 2003 and July 15, 2003, Architect Alex Cooper, of the firm of Cooper, Robertson & Partners conducted two community design workshops to consider proposals and receive community input to resolve South Pointe Area litigation. The discussion centered on the proposed expansion of public land and Baywalk adjacent to South Pointe park and development of Goodman, Hinson, & Alaska Parcels.

Architect Alex Cooper, of the firm of Cooper, Robertson & Partners, was engaged by the City of Miami Beach to review a variety of plans and development proposals for the South Pointe Area, in the general area bounded by Biscayne Bay, First Street, Ocean Drive and Government Cut in connection with this litigation. On July 30, 2003 Alex Cooper will present his findings and recommendations at a scheduled public hearing in connection with mediation discussions and ongoing litigation between West Side Partners and the City of Miami Beach.

JMG/CMC/rar
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Agenda Item R9C
Date 7-30-03

CITY OF MIAMI BEACH

NOTICE OF A PUBLIC HEARING

NOTICE IS HEREBY given that the City Commission of the City of Miami Beach, Florida will hold a **Public Hearing on Wednesday, July 30, 2003, commencing at 5:00 p.m.,** in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, to provide information and receive input from City Consultants, including a final report and recommendation by Alex Cooper of Cooper, Robertson & Partners, and the public on the existing litigation with West Side Partners, Ltd., East Coastline Development, Ltd., and related Portofino entities, involving development of the Goodman Terrace and Hinson Parcels, the Alaska Parcel, and portions of Blocks 1, 51 and 52 in the South Pointe area, and to discuss and consider possible settlement scenarios in connection therewith. These scenarios include, but are not limited to, the City receiving a substantial portion of the Alaska Parcel at the southern tip of South Pointe, as well as a portion of the Hinson Parcel, for public land, including park land and baywalk, in exchange for a portion of the Federal Triangle, and consideration of additional development rights on the subject parcels.

This public hearing is in furtherance of settlement discussions concerning all pending litigation. Accordingly, nothing said, or prepared, or presented graphically or in writing for or at the public hearing or concerning settlement, shall be used in any litigation relating to or arising out of such public hearing, settlement discussions, or in existing or future litigation between these and any other parties.

Inquiries concerning this public hearing should be directed to the City Clerk's Office at (305) 673-7411.

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. One or more members of the City Commission or other City boards may be in attendance.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding, or to request information on access for persons with disabilities, or to request this publication in accessible format, or to request sign language interpreters, should contact the City Clerk's office at (305) 673-7411, no later than four days prior to the proceeding. If hearing impaired, contact the City Clerk's office via the Florida Relay Service numbers, (800) 955-8771 (TTY) or (800) 955-8770 (VOICE).

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO: **JORGE M. GONZALEZ**
CITY MANAGER

FROM: **MATTI H. BOWER**
COMMISSIONER

DATE: **June 17, 2003**

RE: **Agenda Item-Quality of Life Funds**

I would like to place the Quality of Life Funds and Procedures on the July 2, 2003 Commission Meeting Agenda.

I thank you in advance for your cooperation in this matter. If you have any questions, please do not hesitate to contact my Aide, Lorna Mejia at extension 6627.

Thank you.

MHB/ldm

Agenda Item R9D
Date 7-30-03

Wong, Luis

From: Barry Klein [bk@kleindesigngroup.com]
Sent: Monday, June 16, 2003 9:51 AM
To: Bower, Matti H.; Wong, Luis
Subject: FW: Quality of Life follow up

First email bounced back so I'm trying again and copying Luis.
-----Original Message-----
From: Barry Klein [mailto:bk@kleindesigngroup.com]
Sent: Monday, June 16, 2003 8:57 AM
To: matti@miamibeachfl.gov
Subject: Quality of Life follow up

Dear Commissioner (Matti),

Thanks for taking the time this past Thursday to meet with me about the Quality of Funds and procedures. It's always a pleasure meeting with you.

Per our discussion, I trust you will do all you can to have the Quality of Life discussion moved to the July 2 commission agenda. So many organizations and projects are relying on this funding. Since NBDC's marketeering projects funding is at it's end, we need to process these funds tin order to keep this wonderful momentum going in North Beach.

Also, I want to step up and offer my services to work with you in helping to formalize the distribution process of these funds for ALL areas of Miami Beach.

Finally, I look forward to seeing you at our annual meeting, July 1 at the beautiful Deauville Hotel. This will be a great opportunity for you to meet our new Executive Director, Ms. Jeannie Tidy.

Thanks again for your time and assistance.

Barry Klein, President
North Beach Development Corporation

CITY OF MIAMI BEACH
Office of the City Manager
Interoffice Memorandum

To: Matti Bower
Commissioner

Date: June 24, 2003

From: Christina M. Cuervo
Assistant City Manager

Subject: **AGENDA ITEM – QUALITY OF LIFE FUNDS**

Pursuant to your request to schedule a discussion item on the July 2, 2003 agenda regarding the Quality of Life Funds, please be advised that the City Manager was in the process of reviewing the Quality of Life Funds allocated to North Beach and has not finalized his internal analysis and review in time for presentation on July 2nd. Therefore, I respectfully request that this item be deferred and discussed at the July 30, 2003 City Commission meeting.

If you have any questions, please do not hesitate to contact me.

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c: Honorable Mayor and Members of the City Commission
Jorge M. Gonzalez, City Manager

c: Lilia

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C: CMC
RCM
L.C.

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO: JORGE M. GONZALEZ
CITY MANAGER

FROM: MATTI H. BOWER
COMMISSIONER

DATE: June 25, 2003

RE: WASHINGTON SQUARE PARK

I would like to place three items relating to Washington Square Park on the July 2nd Commission Agenda for discussion. Mr. Valentine will be making a presentation to discuss the following issues related to Washington Square Park.

A) Reimbursement of $5000.00 for out of pocket expenses incurred while clearing and renovating Washington Square Park. Please see attached letter dated October 20, 2002.

B) Collection of signed petitions against turning Washington Square Park into a parking lot. Please see attached letter dated April 1, 2003. Attached are also 20 pages of signed petitions.

C) Leasing Cinema Gardens from the City of Miami Beach.

In addition, I would like to request a time certain of 10:30 AM for Mr. Valentine.

If you have any questions, please do not hesitate to contact my Aide, Lorna Mejia at extension 6627.

RECEIVED
03 JUN 26 PM 3:31
CITY MANAGER'S OFFICE

Thank you.

MHB/ldm

Agenda Item R9E
Date 7-30-03

JAMES VALENTINE

224 2nd St. Miami Beach, FL 33139
PH (305) 535-0923 FX(305)535-0823
mellowdrama@bellsouth.net

TO: Mayor and Commissioners
City of Miami Beach
1700 convention Center Dr
Miami Beach, FL 33139

1 APRIL '03

RE: WASHINGTON PARK RECREATION PETITION

FR: James Valentine
224 2nd St. Suite #1
Miami Beach, FL 33139
(305) 535-0923

Dear City Officials,

The people of **South Pointe** came to me on an individual basis over the last 2 years wanting to have recreation in Washington Park, the last Class "B" designated park in our city's parks and recreation system comprised of 3 adjacent but not contiguous lots all sharing the 200 block of 2nd Street (between Washington and Collins) as a common border.

One lot, 210 2nd Street, is popular as the Cinema Garden for showing outdoor movies, another lot, is next to the tiny library, and the 3rd lot, 135 Washington Blvd., is the current but soon to be former home of the WW II Victory Gardens and also a dilapidated basketball court used by children willing to break the law by trespassing on city property.

It is the children whom I set out to help 2 years ago, but along the way found a great deal of local community interest in Washington Park in general and recreation in particular. We have written and called city management and administration officials as required but you repeatedly ignore that **the residents of South Pointe do not want any parking lots** put on Washington Park but rather **would like to have recreation** installed within the park and more screenings at the Cinema Garden.

400 voters have **signed** the **PETITION** (Please see **sample** on **reverse side** of this letter). The people interested in Basketball, Bocce Ball, Chess, Dominoes, Shuffleboard, Tennis and the Cinema Garden all have representatives whom they would like you to hear from at your next commissioners meeting (9 April ?) Please put their matter on your agenda.

Thank you, James Valentine, James Valentine,Trustee

PETITION

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do hereby petition the city of Miami Beach to:

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nor 210 2nd Street, nor any part of Washington Park,

b) but rather allow for recreation including basketball
and bocce ball at 137 Washington Avenue
and keep 210 2nd Street and Washington Park as parks.

Miami Beach Residents Only

PRINT NAME	STREET ADDRESS/ ZIP CODE	SIGN	(phone to) (volunteer)
1. Eleanor Cazzato	401 Collins 33139	Eleanor Cazzato	
2. JOSEPH PARDO	401 COLLINS 33139 APT. 20	Joseph Pardo	
3. OTTAVIO CAZZATO	401 Collins #16	Ottavio Cazzato	
4. IRENE PARDO	401 Collins APT. 20	Irene Pardo	
5. ANTHONY CAZZATO	401 COLLINS APT. 20	Anthony Cazzato	
6. ELLA CAZZATO	401 COLLINS APT. 20	Ella Cazzato	
7. ANNA DIMSA	401 COLLINS AP 26	Anna Dimsa	
8. Antonina SKRUDDYS	401 Collins Ave	Antonina Skruddys	
9. GUTTADORO MARIA	401 COLLINS AVE	Maria Guttadoro	
10. CARFAGNINI IRMA	COLLIN AVE	Carfagnini Irma	
11. WILLIAM RAGOSIN	401 COLLINS AVE	William Ragosin	
12 Rosalie Marinucci	401 Collins Ave Apt 10	Rosalie Marinucci	
14 Steve Jacobson	401 Collins Ave 1	Steve Jacobson	
15 Jean Jacobson	401 Collins Ave. #1	Jean Jacobson	
16 HELEN STEPHENSON	401 COLLINS AVE # 7	H Stephenson	

MAIL or DROP this PETITION: James Valentine 224 2nd ST #1 Miami Beach, FL 33139
Or drop in black slot in wall on the corner of the building Valentine(305)535-0923

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1. Jeremy KAAN	5445 Collins		
2. Gus Guardiola	11010 SW 50 Ter		
3. Steve Sokolof	3158 Virginia St		
4. Antoine Sandoval	Norman Dr		
5. Alexandre Berger	1565 Drexel Av #9		
6. Jussana Briseño	1556 Euclid Av #4		
7. Alexander Alequin	6767 Collins		
8. Philip de la Roza	1611 Meridian		
9. Luis Esquenazi	910 Jefferson		
10. [illegible]	441 N. Meridian		
11. Fleur Muysson	1617 Michigan Ave		
12 Luis Moreira	1607 Meridian Ave		
14 [illegible]	915 8 St #202		
15 Felipe Orellana	7601 Byron Ave		
16 M. Mead	5003 N. Cumb		

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1. FERNANDO BANDERAS	1974 W. ST. ANDREWS DR.	[signature]	
2. SUZANNE HUTCHINGS	910 WEST AVE #902 MB, FL 33139	Suzanne Hutchings	
3. EDDIE THEOSEVIS	728 OCEAN DR. 33139	[signature]	
4. Johnny DIAZ	1250 WEST AVE. APT#12 MIAMI BEACH 33139	[signature]	
5. Gabriela Angulo	12325 NE 9 Ave Apt#15 N.Miami, Fl 33161	[signature]	
X 6. ALEXANDRA FORT	500 BAYVIEW DRIVE #1025 Sunny Isles FL 33160	[signature]	
X 7. Richard Dean	45 NW 123 St North Miami	[signature]	
8. Oscar Marin	8420 NW 52 St Miami, FL 33166	[signature]	
X 9. Allen Schaye	7328 Pt of Rocks SARASOTA		
10. JOE CASTILLO	334 OCEAN DR Miami Bch	[signature]	
11. Meredith Mohlke	334 Ocean DR	Meredith S. Mohlke	
12 D. DURHAM	124-2ST. MIA BCH.	[signature]	
14 Belkis Quiemes	224 2nd st	[signature]	
15			
16			

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1. Lewis MacGrief	224 9th St	[signature]	[signature]
2. [illegible]	1900 SUNSET HARBOR #1011	[signature]	
3. [illegible]	533 Collins Ave. #208 - M Beach 33139	[signature]	
4. JAMES SANDAAL	5607 N. BAY RD	[signature]	
5. Michael Bartnick	1545 Euclid Ave #6-K 33139	[signature]	
6. LAURA MANNING	650 West Ave, PH14, M. Beach 33139	Laura Manning	
7. ABRAHAM GUNOW	9 ISLAND AVE MB 33139	[signature]	
8. Krisann Taylor	910 West Ave #516 M.B. 33139	Krisann Taylor	
9. Paul French	1401 Bay Rd #312 MB 33139	[signature]	
10. DESTINY RESPESS	1034 PENNSYLVANIA AVE. APT: 7 MB 33139	[signature]	
11. RAUL CARCACHE	702 S.W 1st #1 MIAMI FL, 33130	[signature]	
12. BJ Cook	524 41st ST. STE 300	[signature]	
14. GERARD MNUNZIATA	5049 St	Gerard Munzita	
X 15. Betsy Allen	(NY)		
16. JOEL POTTER	1601 LENOX, Unit 9	[signature]	

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1. Michael CARACCIOLO	1900 Sunset Harbour MIABch-33139	M. Caracciolo	
2. Luis Montero	1035 West ave		
3. Martin Wheeler	837 West Ave	M. W	
4. Andrew Doane	1044 GRANT		
5. Davin Lacuda	1211 Pennsylvania Ave. #E1 MB, 33139		
6. Kevin Armani	" "		
7. Steve VAN HORN	900 Jefferson Ave		
8. Michael KOWALEWSKI	2021 Meridian Ave		
9. LEIF BERTRAND	208 Jefferson #113		
10. Mary Price	710 Jefferson #5		
11. VERONICA BEN-NISSAN	1674 Meridian Ave		
12 Cynthia Andrade	1746 MERIDIAN AVE #35		
14			
15			
16			

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1. Walker Jones	808 Sistuna Ave	[illegible]	
2. [illegible]	345 Michigan	[illegible]	
3. [illegible]	1500 Ocean Drive	[illegible]	
4. Justin Bryner	[illegible]	1400 Ocean D	
5. SHAYLA MCHULLAN	1001 NW. N. RIVER DR.	Justin Bryner [illegible]	
6. Gary Brown	18020 S.W. 109th Ave	Miami Fl. 33157	
7. Raquel Russo	8227 - Crespi Blvd -	Raquel Russo M.B FL - 33141	
8. MICHAEL TRIMBLE	1000 WEST AVE #1611	Michael W Trimble MB 33139	
9. TODD MARTIN -	8227 Crespi Blvd -	Miami Fl 33141 BEACH, [illegible]	
10. Joe Baum	936 Collins Ave	Miami Beach	JB
11. [illegible]	535 Collins	[illegible]	
12 M DAVIDSON	334 OCEAN DRIVE	M. [illegible]	
14 [illegible]	1714 13 NE	Miami Fl [illegible]	
15 V Turner	1763 Collins Miami	V Turner	
16 M Ball	368 Ocean Drive	M Ball	

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1. Jim Freveletti	205 Collins Ave	[signature]	
2. MEGAN MARTINEZ	545 MICHIGAN AVE	[signature]	
3. Devin Ruiz	545 Michigan Ave	[signature]	
4. JEFF PROL	412 OCEAN DR.	[signature]	
5. Jose Diaz	224 Meridian	[signature]	
6. Matt Barney	224 Meridian	[signature]	
7. EDUARD SANCHEZ	324 OCEAN	[signature]	
8. Sonia Copez	510 Washington Ave.		
9. GASTON EGUIGORRY	912 4 STREET #3 33139	[signature]	
10. [illegible]	916 7 ST 33141	[signature]	
11. Simon Goslin	40H N. Meridian 33139	[signature]	
12 Frederik Cloquâtre	8 St Pennsylvania		
14	[signature]		
15 Adrianne Albani	1410 Lincoln Rd	[signature]	
16 Marco Mare Aventura			

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ELLIOTT V. MERLES	723 2nd St	Elliott V. Merles	
David Merles	739 2nd St.		
Bret Sherman	739 2nd Street		
Cat Lowry	739 2nd St.		
~~Natalie J Newman~~ NATALIE J NEWMAN	250 Collins Apt 26	Natalie J Newman	
Bob Wilcox	124 2nd St		
JON ALAN Solowitz	901 Meridian		
MURRAY CORT	401 Ocean Dr	Murray Cort	
Edwin Weiss	221 Meridian Ave	Edwin Weiss	
Florence Weiss	221 Meridian Ave.	Florence Weiss	
RAMIRO RAMIREZ	301 Jefferson AVE APT 5E 33139		
Glen Redding	10040 Pan American Dr.	331 Sq	
Roger Reyes	12601 SW 35st	Miami, FL 33175	
[illegible] Reyes	5801 SW 13st	Miami FL 33[illegible]	

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1. Paul J Gartland	334 Ocean Dr	MB [illegible]	28 322066
2. Matt Cunningham	323 Washington MB 33139	Matt [illegible]	
3. Atis R.	334 Ocean Dr		
4. Mayra E Borgman	635 Michigan Ave		
5. [illegible]	334 Ocean Dr		
6. Joe Castillo	334 Ocean Dr		
7. [illegible]	334 Ocean Dr		
8. John Wisnieski	334 Ocean Drive		
9. Valerie Santos	334 Ocean Drive	Valerie Santos	
10. J. Engels	326 Ocean Dr	J Engels	
11. B. Chekas	321 Ocean Dr		
12 Matt Morell	321 Collins Ave		
14 Tom Smith	1300 Washington Ave 1st	Tom Smith	
15 Robert Raven Kraft	326 Ocean Dr	Robert Raven Kraft	
16 Rick Young	125 Ocean Dr.	Rick Young	

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1. Callie Mahoney	PO Box 790041 Paia, HI 96776	[signature]	(808) 573-5064
2. Tara Weeks	723 2nd St Miami Beach, FL 33139	[signature]	(307) 832-5761
3. Flip	819 2nd St, Miami Beach, FL 33139	[signature]	(305) 318-7745
X 4. Markus Koivusalo	Niilontie 4 60510 Hyllykallio Finland		
X 5. Pairi Koivusalo	—"— —"— —"—		
X 6. Johanna Koivusalo	—"— —"— —"—		
X 7. Reetta Koivusalo	—"— —"— —"—		
8. AMADO MORALES 324 APT 3			
9. [illegible] 105 St. Collins Ave			
10. Rebecca Rutledge	102 Adams Key Amstd. FL 33033		
11. [illegible]	330 meridian	[signature]	
12 Joey	819 2nd st. Miami Beach 33139	[signature]	
14 [illegible]	220 Collins MB, FL		
15 Frank Jokeitin	220 Collins AVE APT 7 Am		
16 Antonio Marrero	1328 Euclid #12	[signature]	305-595-5973

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1. MIROSLAVA LITWAK	3660 N.E 166th St. 33160		
2. David Chowanec	800 West Ave 33139		
3. Ana Valente	2841 NE 163rd St #908 33160 NM Beach		
4. JOHN MUSARRA	2661 NE 166th St 33160		
5. Whitney Brown	100 Lincoln 33139		
6. Jen Araki	100 Lincoln 33139		
7. Bill Kim	988 PENNSYLVANIA AVE		
8. Sean Brett	1658 BAY RD #301 MB 33139		
9. BOB CLARK	800 WEST AVE #205		
10. ROBERTO C. MORENO	1915 BRICKELL AVE.		
11. Brian Scott	Hoake Pan Coast Dr.		
12 Agatha Morel	1688 West Ave. #109 Miami Beach, Fl. 3313		
14 Josue Sanchez	3100 Collins Ave Apt-1105 MB, FL 33140		
15 KATE WILLIS	33F Venetian Way, Miami Beach. Fl. 33139		
16 Kim Nieves	1900 Sunset Harbour Miami Bch 33139		

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1. Joh Family	13 Washington Ave	[illegible]	
2. Marie Foulon	895 Euclid Ave	[illegible]	
3. Phil Trim	426 Meridian Ave Apt 9	[illegible]	
4. Jesse Columbia	900 Ocean Dr	[illegible]	
5. James Phillips	900 Ocean Dr	[illegible]	
6. Rod Spelman	1200 Ocean dr	[illegible]	
7. SAM Williams	1200 Ocean	Samuel	
8. Arthur Jones	560 Meridian Ave	So. Beach	
9. Jhon Joe	543 S Collison		
10. Harry [illegible]	353 Biscayne Blvd		
11. Jo Thomas Davis	945 Washington Di		
12 [illegible]	845 S [illegible]		
14 Louis Santaella	10 [illegible]		
15 Washington Dr	845 Miami		
16 Jo Thomas Clarke	Miami		

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1. JOHN CRICHLOW II	833 MERIDIAN AVE APT #7	[signature]	
2. Scott Brinkley	4100 Collins Ave 33140	[signature]	
3. Susana Beaman		[signature]	
4. JAIME BROWN	2035 WASH AVE #17 MIAMI BEACH 33139		
5. TOMMASO CARDANA	1622 PENN AVE	[signature]	
6. GUSTAVO LUNA	820 EUCLID AV APT #107	[signature]	
7. Rich Milstein	719 Meridian Ave	[signature]	
8. YOUSSEF DAHMANI	528 MERIDIAN AVE	[signature]	
9. PHILIP L DUNN III	1200 WEST AVE #1431	[signature]	
10. STALLONE PASQUALE	900 EUCLID AVE	[signature]	
11. GONZALO [illegible]	911 MICHIGAN AV	[signature]	
12 LUCAS BOZZELLO	750 JEFFERSON AVE	[signature]	
14 Romina Guardiani	1324 EUCLID AVE.	[signature]	
15 [illegible] Talgar	1621 Bay Rd.	[signature]	
16 Sebastian Rose	900 Euclid Av	[signature]	

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1. James Valentine	224 2nd St #1	[illegible]	
2. Ronald - Kodobocz	1610 Collins	[illegible]	
3. John Tomby	1300 [illegible]	[illegible]	
4. Hans Hammerschlicht	1610 Collins	[illegible]	
5. D MICHELL	1050 Collins	[illegible]	
6. [illegible] Jack William	946 Collins	[illegible]	
7. Russell SWARTZ	220 3RD ST.	Russell Swartz	
8. GEORGE - WASHING -	1614 Pen.		
9. John Williams	124 2nd Miami Beach Fla.		33139
10 CRISTOVAM FLORES	7730 CAMINO REAL # FL09		33143
11. Steve Arnett	15701 NW 1st Ave		
12 LUCAS Queral	235 Washington Ave.	Pizza Bar.	
14 Julio Torres	235 Washington Ave.		
15 Joan Hopkins	035 Washington Ave		
16 [illegible]	221 MERIDIAN A.V.	M.B.	

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1. MARIO DIAZ	1488 Euclid Ave		
2. Arnaldo Guillen	1600 SW 3 ST		
3. GAETANO	2899 COLLINS AVE		
4. Oscar Alfonso	256 NW 36 Ave		
5. ERNESTO GARCIA	1658 Pennsylvania		
6. Raymond Molay	1020 Collins Ave		
7. Jose Gonzales	835 Meridian		
8. Pablo D. PESANTES	944 WASHINGTON AV		
9. DR. VOLKAN TÜRKSOY	180 Crown Drive		
10. Joseph Vega	1821 Jefferson AV 33139		
11. Ramiro Waldas	910 OCEAN		
12 Antonio De-la-Ho	800 Collins		
14 Mario Toledo S	14-80 Collins		
15 Andre Crespo	1400 NE 151 ST		
16 Nicole Ortusa	Miami Beach		

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1. FRANK DI FRUSCIA	350 COLLINS AVE APT. 312	Frank Di Fruscia	
2. ROBERT HARRISON	401 COLLINS #17	Robert Harrison	
3. AMEDEO J. CAPPIELLO	401 COLLINS #22	Amedeo Cappiello	
4. HUMBERTO ECHAZABAL	401 COLLINS #23	[illegible]	
5. Bill Silver	401 collins #6	Will Silver	
6. Kemal Tosyali	401	[illegible]	
7. PETER HELD	345 OCEAN	[illegible]	
8. Noah Gamsey	361 Collins	Noah Ga[illegible]	
9. Murdock MacKenzie	327 Jefferson Ave #4	[illegible]	
10. JOE VILONE	401 COLLINS #5	Joe [illegible]	
11. Angela Diaz	805 85th #1	[illegible]	
12 [illegible]	335, Collins Ave #402	[illegible]	
14 MARIA GALLO	335 Collins 402	Maria Gallo	
15 Elizabeth [illegible]	1530 West AVE #4 33139		
16 Sidney ROGOFF	428 Collins Ave	Sidney Rogoff	

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nor 210 2nd Street, nor any part of Washington Park,

b) but rather allow for recreation including basketball
and bocce ball at 137 Washington Avenue
and keep 210 2nd Street and Washington Park as parks.

Miami Beach Residents Only

PRINT NAME	STREET ADDRESS/ ZIP CODE	SIGN	(phone to) (volunteer)
1. David Alvarez			
2. Lisa Hardy			
3. Ebony Hathaway			
4. Fredoso	Rodriguez		
5. Luis			
6. Jose Rodriguez	1707 N Treasure		
7. Kurt Gerdin	235 washington		
8. [illegible]	154 NE 3[illegible]		
9. [illegible]			
10. Rob Bell	411 Washington		
11. Norber Salzmidt			
12 [illegible]			
14 Lydia Lopez	214 Collins		
15 [illegible]	1025 Ocean DR,		
16 [illegible]	220 Collins		

MAIL or DROP this PETITION: James Valentine 224 2nd ST #1 Miami Beach, FL 33139
Or drop in black slot in wall on the corner of the building Valentine(305)535-0923

PETITION

We, the undersigned residents of the city of Miami Beach, do hereby petition the city of Miami Beach to:

a) **not** put a parking lot at 137 Washington Avenue nor 210 2nd Street, nor any part of Washington Park,

b) but rather allow for recreation including basketball and bocce ball at 137 Washington Avenue and keep 210 2nd Street and Washington Park as parks.

PRINT NAME	Miami Beach Residents Only STREET ADDRESS/ ZIP CODE	SIGN	(phone to) (volunteer)
1. [illegible]		Darrell Perez	
2. Emma C. Rodriguez		Emma C. Rodriguez	
3. Tyler King		Tyler King	
4. Darrell Tomova	75 Washington ave #5	[illegible]	
5. Leo Mena		[illegible]	
6. Andrea Slanac		Andrea Slanac	
7. Boriana Ivanov	65 Washington ave ap 19		
8. MONAGHAN	65 washington ave ap 4		
9. CHARLES [illegible]	75 WASHINGTON AVE #16		
10. Silvia Vasilov	65 Washington ap. 6	Silvia Vasilov	
11. James Kevin Sayre	65 Washington Ave #1	[illegible]	
12 Roland Ros	20 Island ave	Roland Ros	
14 Mike Carey	Meridian ad	Michael J. Carey	
15 Jim O'Donnell		Jim O'Donnell	
16 Anthony Regina	20 Island Ave 33139		

MAIL or DROP this PETITION: James Valentine 224 2nd ST #1 Miami Beach, FL 33139
Or drop in black slot in wall on the corner of the building Valentine(305)535-0923

21723

PETITION

We, the undersigned residents of the city of Miami Beach,
do hereby petition the city of Miami Beach to:

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nor 210 2nd Street, nor any part of Washington Park,

b) but rather allow for recreation including basketball
and bocce ball at 137 Washington Avenue
and keep 210 2nd Street and Washington Park as parks.

-- Miami Beach Residents Only --

PRINT NAME	STREET ADDRESS/ ZIP CODE	Phone(will volunteer)
1. David Merles	723 2nd St. Miami Beach FL	
2. Elliott J. Merles	739 2nd St Miami Beach FL	
3. [illegible]	739 2nd St Miami Beach FL	
4. Ronald Sferrino	412 Ocean Dr #7 MB FL	
5. [illegible]	[illegible]	
6.		
7.		
8.		
9.		
10.		
11.		
12		
14		
15		
16		
X 17 [illegible]	224 2nd St A33139	James Valentine

PETITION

We, the undersigned residents of the city of Miami Beach,
do hereby petition the city of Miami Beach to:

a) **not** put a parking lot at 137 Washington Avenue
nor 210 2nd Street, nor any part of Washington Park,

b) but rather allow for recreation including basketball
and bocce ball at 137 Washington Avenue
and keep 210 2nd Street and Washington Park as parks.

PRINT NAME	Miami Beach Residents Only STREET ADDRESS/ ZIP CODE	SIGN	(phone to) (volunteer)
1. David Turner	345 Ocean Dr. #304		(305)672-7020
2. Michael Watson	1218 Drexel Apt 203		538 3846
3. Elaine Carreno	1218 Drexel Apt 204	Elaine Carreno	3059226-6369
4. Rebecca Kleinman	226 Jefferson Ave		
5. Brandon Wlpalka	226 Jefferson Ave		
6. Jason Ferguson	~~1400~~ 900 16th st. #309 Miami 33139		
7. Carolina O'Garia	900 16st. #309 33139		
8.			
9.			
10.			
11.			
12			
14			
15			
16			

MAIL or DROP this PETITION: James Valentine 224 2nd ST #1 Miami Beach, FL 33139
Or drop in black slot in wall on the corner of the building Valentine(305)535-0923

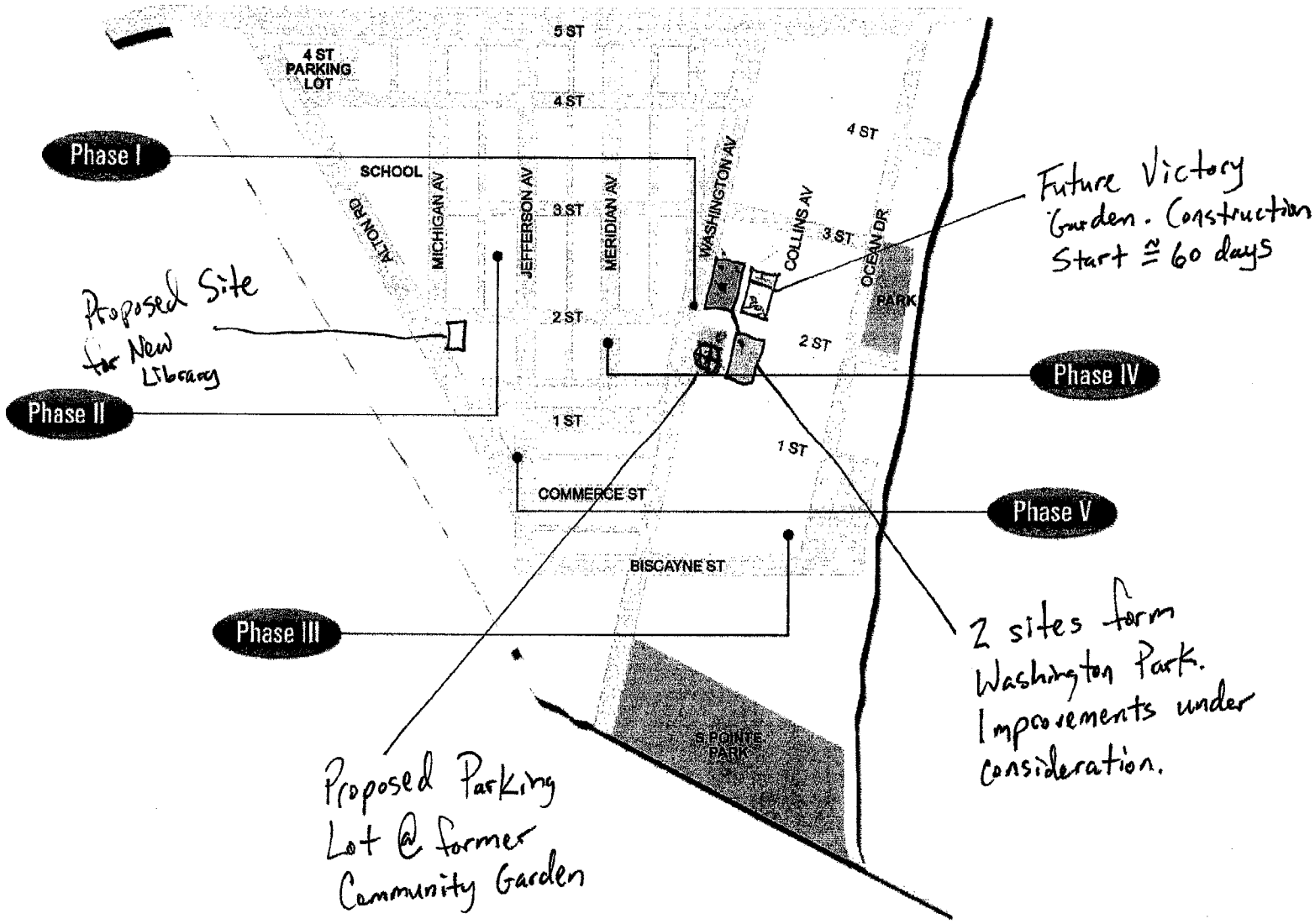
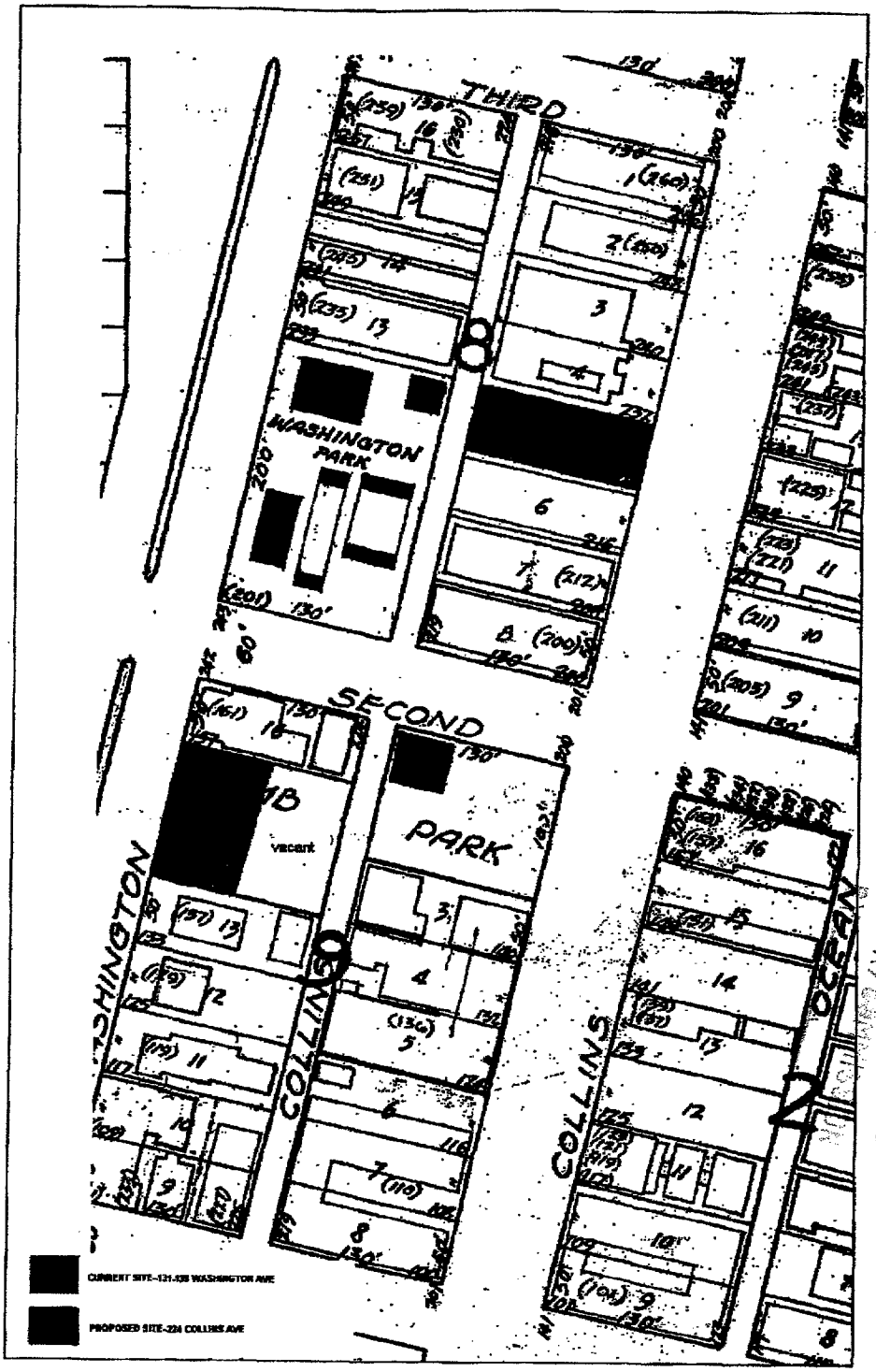

5 ST
4 ST PARKING LOT
4 ST
4 ST
Phase I
SCHOOL
ALTON RD
MICHIGAN AV
JEFFERSON AV
3 ST
MERIDIAN AV
WASHINGTON AV
COLLINS AV
3 ST
OCEAN DR
PARK
Future Victory Garden. Construction Start ≅ 60 days
Proposed Site for New Library
2 ST
2 ST
Phase IV
Phase II
1 ST
1 ST
COMMERCE ST
Phase V
BISCAYNE ST
Phase III
S. POINTE PARK
2 sites form Washington Park. Improvements under consideration.
Proposed Parking Lot @ former Community Garden

EXHIBIT "A"



RECEIVED
03 JUN 25 PM 3:59
MAYOR/MANAGER

City Commissioners and Mayor
City of Miami Beach

20 Oct. '02

James Valentine
224 2nd St, Miami Beach, FL 33139
PH (305)216-4931 (305) 535-0923

Dear City Officials,

Mr. Valentine wishes to be reimbursed for the $5,000.00 in the direct out-of-pocket expenses he incurred in clearing and renovating 137 Washington Ave, a city property (part of Washington Park) which houses the current Victory Gardens and a basketball court. Mr. Valentine spent over 600 hours on the project with support from the Historic Preservation Board and a city whose departments cooperated and coordinated with him in his renovation efforts after an attempt by the RDA and Parking Dept to move the gardens had apparently failed. He realizes the inherent difficulty in pursuing an administrative approach for reimbursement and, therefore, appeals to the city commissioners and mayor to review the following list and accompanying photographs in order to appreciate the amount of work Mr. Valentine did for a city which would have had to have cleared the lot anyway. He is not seeking compensation for the considerable amount of time he spent improving the lot and the city's image.

1.Cleared the property of 9 trash trucks full of debris, transported debris to pick-up site, and coordinated each load's pick-up with Dept of Sanitation.
2.Fixed breaches in the property's fencing.
3.Coordinated with the Public Works Dept to clear the drain system.
4.Coordinated with the City Manager's office to integrate the forgotten drain with the new Washington Ave. construction.
5.Renovated 30% of the property's water system and replaced 70%.
6.Enlisted gardeners and coordinated gardening activities to beautify a property which became a hit with both tourist and local passersby.
7.Coordinated with Parks Dept.
8.Maintained the property for 12 months.
9.Received a Community Service Award from the HPL.
10. Personally put in over 600 hours and spent over $5,000.00.

Thank you,

James Valentine, Trustee

Over—

REIMBURSEMENT

- 21 Oct '02 - drop letter + photos to mayor + commissioners 673-7030

- refered to Trish Walker 673-7466 fx 7795
  - Finance Committee
  - faxed copy of letter twice

- 25 Oct '02 - refer to City Mgr. office by Trish Walker
  - faxed copy Romero Inguanzo 673 7010 or x 6697 fx 7782.
  - sent copy letter from Walker, I
  - I left message, called back, faxed letter
- 25 Oct '02 - Mayor's sec'y refers me to 673-7030 Jose Bermudez left message

- 29 Oct 02 / M Inguanzo, M Bermudez 7030, M Walker, M Mayor's sec'y Francis

- 30 Oct '02 M Bermudez

- 31 Oct '02 - M Bermudez, M Mayor's Sec'y Eliz. Gatlander, M 8:40 City Mgr. not open
  M Trish Walker

>election week<

- 7 Nov 02 - / M Francis mayor's sec'y M Bermudez

Inguanzo wants to speak w/ Trish Walker

- 11 Dec '02 - M Inguanzo M Bermudez M Walker M Francis Mayor's sec'y
  12 Dec 02 - M Inguanzo M Bermudez M Francis

10 Jan 03 - M Kevin Smith M Bermudez photos M Fred Beckman Pub. wks 7080

11 Jan / Robin MacPheason x3539 - pub wks - called, said get Code Compliance to deal w/ Parks Dept
I returned call left message, called back
M Bermudez M Carlos - John Oldenburg
M Mary Mayor receptionist M Al Chidress M Frances

13 Jan / Mary calls - she's not responsible
M Carlos
Sandy Comm Garcia's office - never saw photos
called, interoffice e-mail to find photos

21 Jan 03 - M Carlos - golf course M Oldenburg
Sandy - sent message to everyone in the office, no one aware of photos, one in any commissioners'
M Frances - M Bermudez Jose
Donald Papy - city atty - my position - city no obligation to pay me - over -

C: MHD
De freeze
L.C.
RCM

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO: JORGE M. GONZALEZ
CITY MANAGER

FROM: SIMON CRUZ
VICE-MAYOR

DATE: JULY 9, 2003

RE: AGENDA ITEM

Please place the following Resolution on the July 30th City Commission Agenda:

Resolution endorsing the "No Hate Campaign" which is being spearheaded by the Anti Defamation League and the Miami-Dade Community Relations Board. The Miami Beach CRB will serve as a Liaison between the City and the Campaign. Please feel free to contact Roymi Membiela for additional information.

SC/ml

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03 JUL 10 AM 10:18
CITY MANAGER'S OFFICE

Agenda Item R9F
Date 7-30-03

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA ENDORSING THE "NO PLACE FOR HATE" CAMPAIGN WHICH IS BEING SPEARHEADED BY THE ANTI-DEFAMATION LEAGUE AND THE MIAMI-DADE COUNTY COMMUNITY RELATIONS BOARD.

WHEREAS, the Miami-Dade County Community Relations Board is launching a "No Place For Hate" Campaign, in collaboration with the Anti-Defamation League, which will coincide with their 40th Anniversary conference to be held the first week in September 2003; and The 90th Anniversary of The Anti-Defamation ~~Deg~~ League; and

WHEREAS, the "No Place For Hate" Campaign is a national campaign spearheaded by the Anti-Defamation League to fight prejudice, to fight hate crimes, and to promote respect for differences; and

WHEREAS, the campaign in Miami-Dade County will use the trademark logo of the Anti-Defamation League as its banner and will include outreach to garner participation and commitment across many tiers of the community; and

WHEREAS, the campaign will provide education, training, prejudice prevention, and encourage Miami-Dade County residents to make a personal pledge to stop hate and to practice tolerance through mutual respect, dialogue, and understanding; and

WHEREAS, the Miami Beach Community Relations Board will serve as the liaison between the City of Miami Beach and the campaign in Miami-Dade County.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA that the "No Place For Hate" Campaign being launched by the Miami-Dade County Community Relations Board in conjunction with the Anti-Defamation League is hereby supported.

PASSED and ADOPTED this _____ day of _____, 2003.

ATTEST:

_____
MAYOR

_____
CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

_____ 7-25-03
City Attorney **Date**

f:\atto\$all\Sheila\Reso-Ord.CM\NoHateCampaign.Reso

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CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION

MEMORANDUM

TO: **JORGE M. GONZALEZ**
CITY MANAGER

MURRAY DUBBIN
CITY ATTORNEY

FROM: **JOSE SMITH** JS
COMMISSIONER

DATE: **July 17, 2003**

RE: **AGENDA ITEM**
BERT HARRIS ACT

I would like to place on the July 30, 2003 Commission Agenda a discussion on the decision by the Third District Court of Appeal regarding the Bert Harris Act.

I would like the City Attorney's office to have our outside appellate counsel present for this discussion.

Thank you.

JS/els

Agenda Item R9G
Date 07-30-03

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CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION

MEMORANDUM

TO: JORGE M. GONZALEZ
CITY MANAGER

FROM: LUIS R. GARCIA, JR.
COMMISSIONER

DATE: JULY 24, 2003

RE: AGENDA ITEM FOR DISCUSSION

Please place on the July 30th Commission agenda a discussion on how to propose a legislation to create and adopt a dune project in conjunction with the Miami Beach Parks and Recreation Department, ECOMB, Teen Job Corp and the Miami Dade Extension.

Attached please find Ms. Deborah Ruggiero's detailed e-mail.

Thank you.

LRG/sm

Agenda Item R9H
Date 07-30-03

Subj:	**RE: Creating partnership**
Date:	7/23/2003 11:04:11 AM Eastern Daylight Time
From:	MLKWD2000
To:	MLKWD2000, nobchpro@bellsouth.net

My name is Deborah Ruggiero. I completed the Master Gardener course years ago with Mary Scneider in Miami Beach. Unfortunately, the 100s of hours that I continue to volunteer each year have not been turned in. That is not my problem at this point...

I am currently looking for partners for an adopt-a-dune project. The entire dune across Miami Beach was planted with scaevola years ago. This invasive exotic has now become an insidious and pervasive threat to the integrity of the dune, overgrowing all native plants including the sea oats. In some areas it towers over 14 feet in height with clumps of over 50 feet in diameter. Last December, two hotel owners from the Ocean Terrace area in the North Beach of Miami Beach had the scaevola removed from the dune in front of their hotels. The sea oats in that area areonce again beginning to thrive and slowly begin to take hold of the dune in this particular area. The city recently had plans to spray the scaevola with Roundup across the dunes. With the help of Mark.Taynton@dep.state.fl.us, the spraying plans have been halted After meeting with Mr. Taynton at this particular location, he as well agrees that hand removal of these plants is a more preferred method of scaevola removal. I am the current Program Coordinator of the Teen Job Corps, a nfp employing at-risk teens in MB. In the past, in conjunction with the City of Miami Beach and Environmental Coalition of Miami Beach (ECOMB), the TJC has been involved in many projects involving the manual removal of nonnative plants both on the dune and in North Shore Open Space Park. I am also on the City's Green Map committee which is currently working as a task force, identifying the city's green spaces, including the beachfront and ocean reef areas, in the process of creating a Green Map for the City.
The need for a project such as adopt-a-dune, involving informed local people is essential for the survival of the dune system in MB. The project would include education of the benefits of using native plants, removal of the scaevola and restoration of native plants. The Extension Service's environmental expertise, ECOMB's environmentally conscience volunteer network, Green Map Task force of plant identification process and the TJC's work efforts would create a strong backbone for such a project.

R10

CITY ATTORNEY

REPORTS

OFFICE OF THE CITY ATTORNEY
CITY OF MIAMI BEACH

TO: Mayor David Dermer
Members of the City Commission
City Manager Jorge Gonzalez

FROM: Murray H. Dubbin
City Attorney

SUBJECT: **Notice of Closed Executive Sessions**

DATE: June 23, 2003

Pursuant to Section 286.011, Florida Statutes, Closed Executive Sessions will be held during lunch recess of the City Commission meetings on July 2, 2003 and July 30, 2003 in the City Manager's large conference room, Fourth Floor, City Hall, to discuss pending litigation on the following cases:

West Side Partners, Ltd., a Florida limited partnership; East Coastline Development, Ltd., a Florida limited partnership; 404 Investments, Ltd., a Florida limited partnership; Azure Coast Development, Ltd., a Florida limited partnership; Beachwalk Development Corporation, a Florida corporation; Portofino Real Estate Fund, Ltd., a Florida limited partnership; St. Tropez Real Estate Fund, Ltd., a Florida limited partnership; and Sun & Fun, Inc., a Florida corporation, vs. City of Miami Beach, a Florida municipal corporation. Eleventh Judicial Circuit, General Jurisdiction, Case No. 98-13274 CA-30.

East Coastline Development, Ltd., a Florida limited partnership vs. City of Miami Beach, a Florida municipal corporation. Circuit Court of the Eleventh Judicial Circuit of Florida, General Jurisdiction Division, Case No. 01-26231 CA 32 (removed to US Dist. Court, So. Dist. of Fla. Case No. 01-4921 CIV-MORENO)

East Coastline Development, Ltd., a Florida limited partnership, and Catherine F. Colonnese, a registered voter in the City of Miami Beach, Florida, vs. City of Miami Beach, a Florida municipal corporation. Circuit Court of the Eleventh Judicial Circuit of Florida, General Jurisdiction Division, Case No. 01-25812 CA 30 (on Appeal in Third District Court of Appeal Case No. 3DOI-3350)

The following individuals will be in attendance: Mayor David Dermer; Members of the Commission: Matti H. Bower, Simon Cruz, Luis R. Garcia Jr., Saul Gross, Jose Smith and Richard Steinberg; City Attorney Murray H. Dubbin, City Manager Jorge Gonzalez, Chief Deputy City Attorney Donald M. Papy, Deputy City Attorney Jean Olin, First Assistant City Attorney Debora Turner, First Assistant City Attorney Gary Held, Special Counsels Richard Ovelmen and Dan Paul.

Agenda Item R10A
Date 7-30-03

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OFFICE OF THE CITY ATTORNEY
CITY OF MIAMI BEACH

TO: Mayor David Dermer
Members of the City Commission
City Manager Jorge Gonzalez

FROM: Murray H. Dubbin MD
City Attorney

SUBJECT: **Notice of Closed Executive Session**

DATE: July 2, 2003

Pursuant to Section 286.011, Florida Statutes, a Closed Executive Session will be held during lunch recess of the City Commission meeting on July 30, 2003 in the City Manager's large conference room, Fourth Floor, City Hall, to discuss pending litigation on the following case:

> M/A-COM. Inc., a Florida corporation vs. City of Miami Beach, Florida, a Florida municipal corporation and Motorola, Inc., a Delaware corporation.
> Eleventh Judicial Circuit, General Jurisdiction, Case No. 03-10254 CA 15

The following individuals will be in attendance: Mayor David Dermer; Members of the Commission: Matti H. Bower, Simon Cruz, Luis R. Garcia Jr., Saul Gross, Jose Smith and Richard Steinberg; City Attorney Murray H. Dubbin, City Manager Jorge Gonzalez, and Deputy City Attorney Jean Olin.

Agenda Item R10 B
Date 7-30-03

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OFFICE OF THE CITY ATTORNEY
CITY OF MIAMI BEACH

TO: Mayor David Dermer
Members of the City Commission
City Manager Jorge Gonzalez

FROM: Murray H. Dubbin
City Attorney

SUBJECT: **Revised Notice of Closed Executive Session**

DATE: July 22, 2003

Pursuant to Section 286.011, Florida Statutes, a Closed Executive Session will be held during lunch recess of the City Commission meeting on July 30, 2003, in the City Manager's large conference room, Fourth Floor, City Hall, to discuss strategy related to litigation expenditures in the following case:

> **Royal World Metropolitan Inc. vs. City of Miami Beach**, Eleventh Judicial Circuit Court, Case No. 99-17243 CA 23 and Third District Court of Appeal, Case No. 3D02-3161

The following individuals will be in attendance: Mayor David Dermer; Members of the Commission: Matti H. Bower, Simon Cruz, Luis R. Garcia Jr., Saul Gross, Jose Smith and Richard Steinberg; City Attorney Murray H. Dubbin, City Manager Jorge Gonzalez, First Assistant City Attorney Debora Turner, First Assistant City Attorney Gary Held and outside counsel Jennifer Altman, Esq., Steve Zack, Esq., Richard Ovelmen, Esq. and Dan Paul, Esq.

Agenda Item R10C
Date 7-30-03

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OFFICE OF THE CITY ATTORNEY
CITY OF MIAMI BEACH

TO: Mayor David Dermer
Members of the City Commission
City Manager Jorge Gonzalez

FROM: Murray H. Dubbin
City Attorney

SUBJECT: **Notice of Closed Executive Session**

DATE: July 25, 2003

Pursuant to Section 286.011, Florida Statutes, a Closed Executive Session will be held during lunch recess of the City Commission meeting on June 30, 2003 in the City Manager's large conference room, Fourth Floor, City Hall, to discuss settlement on the following cases:

La Gorce Country Club, Inc., vs. City of Miami Beach, Florida. Eleventh Judicial Circuit, General Jurisdiction Division, Case No. 03-12377 CA 30.

La Gorce Country Club, Inc., vs. City of Miami Beach, Florida, etc. Third District Court of Appeal, Case No. 3D03-1314; Lower Tribunal No. 02-210AP

The following individuals will be in attendance: Mayor David Dermer; Members of the Commission: Matti H. Bower, Simon Cruz, Luis R. Garcia Jr., Saul Gross, Jose Smith and Richard Steinberg; City Attorney Murray H. Dubbin, City Manager Jorge Gonzalez, First Assistant City Attorney Debora J. Turner and First Assistant City Attorney Gary Held.

Agenda Item R10 D
Date 7-30-03

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A. Pursuant To Section 259.032 (10) (B) Of The Florida Statutes, The Following Public Hearing Language Needs To Be Read Into The Record:

NOTICE IS HEREBY GIVEN that an Advisory Group, organized pursuant to Section 259.032 (10) (b) of the Florida Statutes, shall conduct a public hearing, as required by said Statute, to review the proposed and updated Beachfront Management Plan prior to submittal to the State for its approval.

The public hearing will be held at 4:00 p.m. on Wednesday, August 20, 2003, in the City Commission Chambers, 3rd Floor, Miami Beach City Hall, 1700 Convention Center Drive, Miami Beach, Florida.

Agenda Item A
Date 7-30-03

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OFFICE OF THE CITY ATTORNEY

City of Miami Beach

F L O R I D A

MURRAY H. DUBBIN
City Attorney

Telephone: (305) 673-7470
Telecopy: (305) 673-7002

COMMISSION MEMORANDUM

DATE: July 30, 2003

TO: Mayor David Dermer
Members of the City Commission
City Manager Jorge M. Gonzalez

FROM: Murray H. Dubbin
City Attorney

SUBJECT: **City Attorney's Status Report**

I. LAWSUITS FILED AGAINST THE CITY OF MIAMI BEACH SINCE THE LAST REPORT

1. Trintec Construction, Inc. vs. City of Miami Beach. Eleventh Judicial Circuit, General Jurisdiction, Case No. 03-12587 CA 01

   The case was recently filed by Trintec, a contractor who was employed by the City and project managed by the City's CIP division for various improvements to City parks. This breach of contract action is based upon allegations that Trintec was not paid in full. A response to the Complaint was filed; discovery has not commenced.

2. Mortgage Electronic Registration Systems, Inc. vs. Rafael De Jesus Medina, et al. Eleventh Judicial Circuit, General Jurisdiction, Case No. 03-13098 CA 32

   This is a mortgage foreclosure case for real property located at 5951 S.W. 153 Court Road, Miami. Although this property is not located on Miami Beach, an Answer was filed on June 23, 2003 in order to protect any potential interests the City of Miami Beach might have.

3. City of Miami Beach vs. OBR Hotel, Hershell Gill Consulting & Miami Dade County. Circuit Court, Appellate Division, Case No. 03-298 AP

Agenda Item B
Date 7-30-03

This case was recently filed by the City appealing a Miami-Dade Board of Rules and Appeals Order interpreting a structural issue. OBR has indicated it is in the process of filing a motion to dismiss.

4. ABN AMRO Mortgage Group, Inc. successor by merger to Atlantic Mortgage & Investment corporation, vs. Carmen Klepper f/k/a Carmen Lares et al. Eleventh Judicial Circuit, General Jurisdiction, Case No. 03-13494 CA 02

   This is a mortgage foreclosure case for real property located at 545 South Shore Drive, Miami Beach. There are monies due the City for utilities (water, sewer, storm water, waste). An Answer was filed on June 23, 2003.

5. Garey Albert Spurio vs. City of Miami Beach. Eleventh Judicial Circuit, General Jurisdiction, Case No. 03-13508 CA 32

   The City has been served with this Complaint on June 24, 2003 wherein the Plaintiff alleges that on February 27, 2001 he was arrested and placed in a transport van which was negligently operated so that he was through about inside the vehicle and struck his head causing injuries. Plaintiff alleges to have sustained a sever laceration of his forehead and various soft tissue injuries. An answer and affirmative defenses has been filed and discovery propounded.

6. The Association for Disabled Americans, Inc., Daniel Ruiz, and Ernst Rosenkrantz vs. City of Miami Beach. Eleventh Judicial Circuit, General Jurisdiction, Case No. 03-12711 CA 06

   This is a breach of contract action filed in State court claiming that the City has breached a stipulation for settlement, entered into in a prior ADA lawsuit. The City is responding to the allegations.

7. Wachovia Bank, National Association f/k/a First Union National Bank vs. Guillermina Martinez, et al. Eleventh Judicial Circuit, General Jurisdiction, Case No. 03-14388 CA 09

   This is a mortgage foreclosure case for real property located at 865 W. 72nd Street, Hialeah. Although this property is not located on Miami Beach, an Answer was filed on July 2, 2003 in order to protect any potential interests the City of Miami Beach might have.

8. Deutsche Bank National Trust Company f/k/a Bankers Trust Company a/k/a Bankers Trust Company of California N.A. as Trustee vs. Anthony F. Jackowitch et al. Eleventh Judicial Circuit, General Jurisdiction, Case No. 03-15376 CA 06

   This is a mortgage foreclosure case for real property located at 7600 W. 18th Lane, Hialeah. Although this property is not located on Miami Beach, an Answer was filed on July 9, 2003 in order to protect any potential interests the City of Miami Beach might have.

9. Krzysztof Konderla vs. City of Miami Beach, a municipal corporation. Eleventh Judicial Circuit, General Jurisdiction, Case No. 03-15597 CA 01

   The City has been served with this Complaint on July 8, 2003 wherein the Plaintiff alleges that on October 12, 2002, while riding his bicycle on a pedestrian walkway located in Flamingo Park he was thrown from his bicycle and suffered injuries because the bicycle path was in disrepair with large portions of the concrete torn up. Plaintiff alleges to have sustained a fractured left elbow. A timely answer and affirmative defenses will be filed and discovery propounded.

10. Matthew B. Krac, Individually & Raymond A. Klein, Individually vs. The City of Miami Beach, Florida. Eleventh Judicial Circuit, Appellate Division, Case No. 02-448 AP

    Appellants filed a Notice of Appeal requesting review of a final Order of the City's Special Master. Case has been dismissed.

11. 136 Collins Avenue, L.C., a Florida Corporation; and Roman Jones vs. City of Miami Beach, a Florida Municipal Corporation. Eleventh Judicial Circuit, General Jurisdiction, Case No. 03-15647 CA 32

    Plaintiffs, a/k/a Opium Garden, have filed a Breach of Contract Action based upon a proposed settlement of code compliance violations and a Federal Court Action. The City has filed a Motion to Dismiss the Action which will be set down for Hearing shortly.

12. Northern Trust Bank of Florida N.A., vs The unknown spouse, if any, of Decedent(s) Allen G. Korinko, et al. Eleventh Judicial Circuit, General Jurisdiction, Case No. 03-15673 CA 22

This is a mortgage foreclosure case for real property located at 8001 Byron Avenue, Miami Beach. There are monies due the City for utilities (water, sewer, storm water, waste). An Answer was filed on July 23, 2003.

13. David Plitnick vs. Eric Swerdlow, Joyce Jacobson Swerdlow, City of Miami Beach, et al. Eleventh Judicial Circuit, General Jurisdiction, Case No. 03-10668 CA 09

    This is a mortgage foreclosure case for real property located at 985 South Shore Drive, Miami Beach. There are monies due the City for utilities (water, sewer, storm water, waste). An Answer was filed on July 23, 2003.

14. Felix Equities, Inc. vs City of Miami Beach, United States Fidelity & Guaranty, a Foreign corporation, and St. Paul Fire & Marine Insurance Co. Eleventh Judicial Circuit, General Jurisdiction, Case No. 03-16109 CA 22

    This case was recently filed by Felix Equities, a contractor who was employed by the City and project managed by the City's CIP division for the pump station upgrade project. Lincnet, Felix's parent company, declared bankruptcy last year and shortly thereafter, the City declared Felix in default on its project. This is a breach of contract and declaratory judgment action and is part of several cases involving the City and Felix. A response to the Complaint has not yet been filed.

15. Louis Paciocco, Sr., vs. City of Miami Beach, Florida, a municipal Florida corporation. Eleventh Judicial Circuit, General Jurisdiction, Case No. 03-16237 CA 30

    This case was recently filed for breach of alleged oral contract, whereby Plaintiff is seeking damages for his alleged assistance in helping the City procure coverage for the CBS' Thanksgiving Day Parade. A response to the Complaint has not yet been filed.

16. Thomas A. Depledge vs. The City of Miami Beach, and James J. Sutter. United States District Court, Southern District of Florida, Miami Division. Case No. 03-21704 CIV-LENARD

    Mr. Depledge has filed suit in Federal Court claiming he was discriminated against when he was terminated by the City of Miami Beach in violation of his due process rights and the Americans with Disability Act and Title VII. The City is preparing its response to the law suit.

17. Alma Marlene Gonzalez and Luis Gonzalez, her husband, vs. City of Miami Beach d/b/a Miami Beach Botanical Gardens. Eleventh Judicial Circuit, General Jurisdiction, Case No. 03-16639 CA 11

    The City has been served with this Complaint on July 22, 2003 wherein the Plaintiff alleges that on December 8, 2001, she was caused to fall at the Botanical Gardens due to wet dirty debris on the walkway. A letter demanding that Botanical Gardens' insurance company take over the defense and indemnify the City has been sent as the City is an additional insured on the insurance policy. Additionally, a motion to quash service will be timely filed as service was attempted upon one not statutorily designated to receive it. The Plaintiff's alleged injuries are unknown to the City.

18. Daniel Fisher vs. Beach Towing Services, Inc. and Miami Beach Police Department. Eleventh Judicial Circuit, General Jurisdiction, Case No. 03-1826 SP 24 JW 03CMB 0020-1048

    The City has been served with a County Court Statement of Claim on July 22, 2003 wherein the Plaintiff alleges that his boat was illegally towed and stored by Beach Towing. A motion to dismiss the police department has been filed.

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CITY OF MIAMI BEACH
CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us

COMMISSION MEMORANDUM

To: Mayor David Dermer and Members of the City Commission

Date: July 30, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **PARKING STATUS REPORT**

EXECUTIVE SUMMARY

The following comments serve to preface attended parking facilities (garages and lots) performance for the month of June 2003. In June 2003, gross revenues at attended facilities (garage and lots) decreased by 4.57% as compared to the prior year's period; however, year-to-date gross revenues have increased by 5.63%, as compared to the prior period. Five of six garages have experienced increases in gross revenues year-to-date, including a substantial increase (75.72%) at the 42nd Street Garage. In the lone garage (13th Street Garage), there was a nominal decrease of 4.18%. The substantial increase at the 42nd Street Garage is due to increased monthly utilization (see 42nd Street Garage). It should also be noted that net revenues have declined predominantly due to increased operational cost factors. The increased hourly rate for security (Living Wage Compliant), as described below, in conjunction with increased service levels for attendants/cashiers and housekeeping/janitorial services have been the major factors in the decline in net revenues.

During the month of June 2003, the Parking Department's attended locations earned a net profit of $263,661.66. This is a decrease in net profit of $117,734.10 or 30.87% as compared to the same period in the prior year. Operating expenses have increased due to various factors, including but not limited to, increased service levels for cashiers/attendants/supervisors, facility maintenance, and security. Moreover, the hourly rate for security personnel increased 52% due to Armor Security's compliance with the City's Living Wage Ordinance. The security services hourly rate is currently $12.27, a 52% increase from $8.09 per hour.

A) <u>17th Street Municipal Parking Garage: June 2003</u>

During the month of June 2003, the 17th Street Garage had net revenues of $152,778.14. Net revenues are total revenues collected, minus sales tax, and are comprised of facility-specific access-card revenues of $54,300.00, transient parking revenues of $92,178.14, and valet rental fees of $6,300.00. Net revenues decreased from $170,110.52 in 2002, to $152,778.14 in 2003; a 10.19% decrease in net revenues.

After subtracting operating expenses of $95,428.13 the facility had a net profit for the month in the amount of $57,350.01. This represents a decrease in net profit for the facility

Agenda Item C
Date 7-30-03

in the amount of $51,885.89 or 47.50% when compared to the same period in the previous year. This decrease is primarily attributable to a decrease in transient parking revenues of $17,632.38, an increase in attendant/cashier labor expense of $24,637.90, and an increase in security personnel expense of $6,860.18. The 17th Street Garage served a total of 35,824 parkers in the month of June, 2003.

B) 7th Street Municipal Parking Garage: June 2003

During the month of June 2003, the 7th Street Municipal Parking Garage had net revenues of $146,725.47. Net revenues are total revenues collected, minus sales tax, and are comprised of facility-specific access-card revenues of $12,975.00 and transient parking revenues of $133,750.47. When compared to the same month in the prior year (June 2002), net revenues decreased from $154,101.83 in 2002, to $146,725.47 in 2003; a 4.79% decrease in net revenues. After subtracting operating expenses of $63,932.36 and debt service of $59,500.00 the facility had a net profit for the month in the amount of $23,293.11. This is a decrease in net profit of $26,473.19 or 53.20% as compared to the same period in the previous year, 2002.

The 7th Street Garage served a total of 31,233 parkers in the month of June, 2003.

C) 5-A Municipal Surface Parking Lots (Washington Avenue to Pennsylvania and 17th Street): June 2003

During the month of June 2003, the 5-A Surface Lots had net revenues of $123,400.68. Net revenues are comprised of facility-specific access-card revenues of $15,720.00 and transient parking revenues of $107,680.68. When compared to the same period in the prior year (June 2002), net revenues decreased from $133,668.05 in 2002, to $123,400.68 in 2003; representing a 7.68% decrease in net revenues. After subtracting operating expenses of $35,523.92, the facility had a net profit for the month in the amount of $87,876.76. This is a decrease in net profit of $23,832.45 or 21.33% from June 2002. This decrease is primarily attributable to a decrease in transient parking revenues of $9,187.37 and an increase in attendant/cashier labor expense of $12,835.17. The 5-A Municipal Surface Parking Lot served a total of 33,379 parkers in the month of June, 2003.

D) 12th Street Municipal Parking Garage: June 2003

During the month of June 2003, the 12th Street Garage had net revenues of $27,052.23. Net revenues are comprised of facility-specific monthly parking revenues of $4,860.00 and transient parking revenues of $22,192.23. When compared to the same month in the prior year (June 2002), net revenues decreased from $30,890.78 in 2002, to $27,052.23 in 2003; a 12.43% decrease in net revenues. After subtracting operating expenses of $22,950.39 the facility had a net profit for the month in the amount of $4,101.84. This is a decrease in net profit of $11,587.56 or 73.86%. This decrease is primarily attributable to a decrease in transient parking revenues of $3,418.55, an increase in security personnel labor expense of $3,431.00, and an increase in attendant/cashier labor expense of $4,237.02. The 12th Street Garage served a total of 4,149 parkers in the month of June 2003.

E) 13th Street Municipal Parking Garage: June 2003

During the month of June 2003, the 13th Street Garage had net revenues of $51,897.00. Net revenues are comprised of facility-specific monthly parking permit revenues of $8,580.00 and transient parking revenues of $43,317.00. Compared to the same month in the prior year (2002), net revenues decreased from $56,169.10 in 2002, to $51,897.00 in 2003; representing a 7.61% decrease in net revenues. After subtracting operating expenses of $38,378.53, the facility had a net profit for the month in the amount of $13,518.47. This is a decrease in net profit of $16,238.09 or 54.57% from June 2002. This decrease is primarily attributable to a decrease in transient parking revenues of $4,512.10, an increase in security personnel expense of $4,224.19, and an increase in attendant/cashier labor expense of $7,780.35. The 13th Street Garage served a total of 8,325 parkers in the month of June 2003.

F) 42nd Street Municipal Parking Garage: June 2003

During the month of June, 2003, the 42nd Street Garage had net revenues of $37,656.64. Net revenues are comprised of facility-specific monthly parking revenues of $34,680.00 and transient parking revenues of $2,976.64. Compared to the same month in the prior year, 2002, net revenues increased from $20,393.32 in 2002, to $37,656.64 in 2003; representing an 84.65% increase in net revenues. This increase can be attributed to an increase in monthly parking revenues of $16,020.00. The Fontainebleau Hilton's capital improvements increased the demand for monthly parking due to displaced parking during their construction. This demand is expected to continue between 12 and 24 months. After subtracting operating expenses of $19,635.17 the facility had a net profit for the month in the amount of $18,021.47. The 42nd Street Garage served a total of 13,818 parkers in the month of June, 2003.

G) Electronic Parking Meter Revenue Comparison: June 2003

This statement compares parking meter revenue collected in June 2003, with revenue collected in June 2002. When comparing revenues for June 2003 in the amount of $752,804.39 to revenues for June 2002 in the amount of $613,565.18, the report reflects an increase of $139,239.21 or 22.69% in revenues collected. Meter revenue collected does not reflect the change in monthly decal parkers (both commercial and residential), valet rental or construction rental of meters, or metered surface lots either taken out of service, or managed differently than the previous year. In the month of June 2003 decal and permit revenue decreased by $22,728.76 and meter rental revenue (valet, construction, and special events) increased $11,903.46. The combined total revenue produced at meters for the month of June 2003 was $741,979.09. This reflects an increase from the previous year in the amount of $128,413.91 or 20.93%.

H) Parking and Transportation Smart Card Sales: June 2003

In the month of June 2003, the Parking Department sold 2,182 Parking Meter Cards to merchants, vendors, hoteliers, and the public, for revenues in the amount of $53,498.00.

I) Hotel Hangtag Sales: June 2003

In the month of June 2003, the Parking Department sold 1,400 hotel hangtags to hoteliers in the amount of $8,400.00.

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CITY OF MIAMI BEACH
PARKING DEPARTMENT
FINANCIAL REPORT SUMMARY

LOCATION	Revenue 2002 June	Revenue 2003 June	Revenue Increase/ (Decrease)	Revenue Percent of Increase/ (Decrease)	Expenses 2002 June	Expenses 2003 June	Expenses Increase/ (Decrease)	Expenses Percent of Increase/ (Decrease)	Profit/(Loss) 2002 June	Profit/(Loss) 2003 June	Profit/(Loss) Increase/ (Decrease)	Profit/(Loss) Percent of Increase/ (Decrease)
17 St. Garage	170,110.52	152,778.14	**(17,332.38)**	**-10.19%**	60,874.62	95,428.13	**34,553.51**	**56.76%**	109,235.90	57,350.01	**(51,885.89)**	**-47.50%**
7th St. Garage	154,101.83	146,725.47	**(7,376.36)**	**-4.79%**	44,835.53	63,932.36	**19,096.83**	**42.59%**	109,266.30	82,793.11	**(26,473.19)**	**-24.23%**
17th St. Lots	133,668.05	123,400.68	**(10,267.37)**	**-7.68%**	21,958.84	35,523.92	**13,565.08**	**61.78%**	111,709.21	87,876.76	**(23,832.45)**	**-21.33%**
12th St. Garage	30,890.78	27,052.23	**(3,838.55)**	**-12.43%**	15,201.38	22,950.39	**7,749.01**	**50.98%**	15,689.40	4,101.84	**(11,587.56)**	**-73.86%**
13th St. Garage	56,169.10	51,897.00	**(4,272.10)**	**-7.61%**	26,412.54	38,378.53	**11,965.99**	**45.30%**	29,756.56	13,518.47	**(16,238.09)**	**-54.57%**
42nd St. Garage	20,393.32	37,656.64	**17,263.32**	**84.65%**	14,654.93	19,635.17	**4,980.24**	**33.98%**	5,738.39	18,021.47	**12,283.08**	**214.05%**
Totals	**565,333.60**	**539,510.16**	**(25,823.44)**	**-4.57%**	**183,937.84**	**275,848.50**	**91,910.66**	**49.97%**	**381,395.76**	**263,661.66**	**(117,734.10)**	**-30.87%**

	Revenue Per Space	Expenses Per Space	Profit/Loss Per Space	
17 St. Garage	104.64	65.36	39.28	The 17th Street Garage has 1460 spaces.
7th St. Garage	227.13	98.97	128.16	The 7th Street Garage has 646 spaces.
17th St. Lots	243.87	70.21	173.67	The 17th Street Lots have 506 spaces.
12th St. Garage	201.88	171.27	30.61	The 12th Street Garage has 134 spaces.
13th St. Garage	181.46	134.19	47.27	The 13th Street Garage has 286 spaces.
42nd St. Garage	60.74	31.67	29.07	The 42nd Street Garage has 620 spaces.

CITY OF MIAMI BEACH
PARKING DEPARTMENT
FINANCIAL REPORT SUMMARY - YTD

LOCATION	Revenue 2002 June YTD	Revenue 2003 June YTD	Revenue Increase/ (Decrease)	Revenue Percent of Increase/ (Decrease)	Expenses 2002 June YTD	Expenses 2003 June YTD	Expenses Increase/ (Decrease)	Expenses Percent of Increase/ (Decrease)	Profit/(Loss) 2002 June YTD	Profit/(Loss) 2003 June YTD	Profit/(Loss) Increase/ (Decrease)	Profit/(Loss) Percent of Increase/ (Decrease)
17 St. Garage	1,687,558.02	1,807,155.67	**119,597.65**	**7.09%**	538,369.95	659,873.59	**121,503.64**	**22.57%**	1,149,188.07	1,147,282.08	**(1,905.99)**	**-0.17%**
7th St. Garage	1,493,746.33	1,525,420.67	**31,674.34**	**2.12%**	388,314.12	481,254.50	**92,940.38**	**23.93%**	1,105,432.21	1,044,166.17	**(61,266.04)**	**-5.54%**
17th St. Lots	1,231,426.08	1,263,055.31	**31,629.23**	**2.57%**	200,264.42	240,482.38	**40,217.96**	**20.08%**	1,031,161.66	1,022,572.93	**(8,588.73)**	**-0.83%**
12th St. Garage	303,449.59	303,844.07	**394.48**	**0.13%**	127,978.38	166,926.13	**38,947.75**	**30.43%**	175,471.21	136,917.94	**(38,553.27)**	**-21.97%**
13th St. Garage	548,532.16	525,603.84	**(22,928.32)**	**-4.18%**	229,430.33	283,663.07	**54,232.74**	**23.64%**	319,101.83	241,940.77	**(77,161.06)**	**-24.18%**
42nd St. Garage	193,805.56	340,554.34	**146,748.78**	**75.72%**	118,829.04	143,551.08	**24,722.04**	**20.80%**	74,976.52	197,003.26	**122,026.74**	**162.75%**
Totals	**5,458,517.74**	**5,765,633.90**	**307,116.16**	**5.63%**	**1,603,186.24**	**1,975,750.75**	**372,564.51**	**23.24%**	**3,855,331.50**	**3,789,883.15**	**(65,448.35)**	**-1.70%**

	Revenue Per Space	Expenses Per Space	Profit/Loss Per Space	
17 St. Garage	1,237.78	451.97	785.81	The 17th Street Garage has 1460 spaces.
7th St. Garage	2,361.33	744.98	1,616.36	The 7th Street Garage has 646 spaces.
17th St. Lots	2,496.16	475.26	2,020.90	The 17th Street Lots have 506 spaces.
12th St. Garage	2,267.49	1,245.72	1,021.78	The 12th Street Garage has 134 spaces.
13th St. Garage	1,837.78	991.83	845.95	The 13th Street Garage has 286 spaces.
42nd St. Garage	549.28	231.53	317.75	The 42nd Street Garage has 620 spaces.

CITY OF MIAMI BEACH
PARKING DEPARTMENT
17th St. Garage
PROFIT AND LOSS STATEMENT

LOCATION	ACCOUNTING CODE	2002 June	2003 June	Increase/ Decrease	Percent of Increase/ Decrease	Revenue/ Expense Per Space
17th St. Garage-2G						
Revenue-Ticket	480-8000-344583	109,810.52	92,178.14	-17,632.38		
Revenue - Valet	480-8000-344583	6,300.00	6,300.00	0.00		
Revenue-Monthly Permits	480-8000-344514	54,000.00	54,300.00	300.00		
	17th St. Garage REVENUE (Sales Tax Excluded)	170,110.52	152,778.14	**-17,332.38**	**-10.19%**	**$104.64**
Expenses						
Security Personnel		13,739.92	20,600.10	6,860.18 (1)		
Attendant/Cashier Labor		35,232.98	59,870.88	24,637.90 (2)		
FP&L		5,704.54	6,473.39	768.85 (3)		
Revenue Control Equipment Maintenance		1,666.67	1,666.67	0.00		
Armed Guard Revenue Pickup		517.18	517.18	0.00		
Elevator Maintenance		613.00	613.00	0.00		
Landscape Maintenance		108.33	108.33	0.00		
Garage Cleaning/Maintenance		3,292.00	5,578.58	2,286.58 (4)		
	17th St. Garage EXPENSES	60,874.62	95,428.13	**34,553.51**	**56.76%**	**$65.36**
	17th St. Garage PROFIT/(LOSS)	109,235.90	57,350.01	**-51,885.89**	**-47.50%**	**$39.28**
					Number of Spaces	**1460**

(1) Variance due to 51.70% increase in average rate per hour. Also, the total number of hours in 2003 is 19 lower than 2002.
(2) There is an increase of 3.90% in the average rate per hour. Also, the total number of hours in 2003 is 2214 higher than 2002. (June 2003 includes three pay periods as compared to two pay periods in 2002.)
(3) June 2003 estimate: average of October 2002 through February 2003 FPL actual charges.
(4) June 2003 expense based on regular monthly service charge from Best Maintenance ($5331.08) plus $247.50 for additional services during the Memorial Day weekend.

Note:
The 17th Street Garage has 1460 spaces. Approximately 40% of the annual revenue is from monthly parkers including valet rentals. The remainder of income is derived from Lincoln Road/Conventions/TOPA/New World Symphony.

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City of Miami Beach
Parking Department
17th Street Garage - 2G

June-03

Date	Day	Total Vehicle Entries	Peak Period	Peak Vehicle Count	Daily Ticket Revenue
1	Sunday	336	00:00 - 00:59	410	$3,364.49
2	Monday	1656	17:00 - 17:59	283	$1,474.77
3	Tuesday	730	17:00 - 17:59	282	$1,784.01
4	Wednesday	853	17:00 - 17:59	279	$1,787.85
5	Thursday	885	18:00 - 18:59	264	$2,078.50
6	Friday	1397	18:00 - 18:59	334	$3,557.01
7	Saturday	2066	19:00 - 19:59	503	$6,362.49
8	Sunday	1559	18:00 - 18:59	407	$4,394.39
9	Monday	617	17:00 - 17:59	279	$1,286.92
10	Tuesday	764	17:00 - 17:59	261	$1,622.43
11	Wednesday	1979	17:00 - 17:59	649	$6,927.10
12	Thursday	1218	17:00 - 17:59	345	$3,714.02
13	Friday	1428	17:00 - 17:59	352	$3,591.21
14	Saturday	2300	22:00 - 22:59	570	$6,728.97
15	Sunday	1288	00:00 - 00:59	361	$3,306.54
16	Monday	808	17:00 - 17:59	282	$1,624.30
17	Tuesday	823	17:00 - 17:59	284	$1,704.61
18	Wednesday	777	17:00 - 17:59	270	$1,648.60
19	Thursday	840	17:00 - 17:59	286	$1,878.50
20	Friday	1178	20:00 - 20:59	286	$2,895.33
21	Saturday	1287	19:00 - 19:59	289	$3,528.04
22	Sunday	905	14:00 - 14:59	264	$2,216.82
23	Monday	661	17:00 - 17:59	253	$1,364.49
24	Tuesday	864	17:00 - 17:59	292	$1,838.55
25	Wednesday	1090	17:00 -17:59	311	$2,457.94
26	Thursday	922	17:00 - 17:59	296	$1,922.43
27	Friday	1615	20:00 - 20:59	398	$4,000.00
28	Saturday	1906	22:00 - 22:59	370	$5,397.20
29	Sunday	2284	14:00 - 14:59	627	$6,027.17
30	Monday	788	17:00 - 17:59	292	$1,693.46
	TOTAL	**35,824**			**$92,178.14**

MONTHLY PERMIT REVENUE	**$54,300.00**
VALET REVENUE	**$6,300.00**
TOTAL NET REVENUE	**$152,778.14**

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CITY OF MIAMI BEACH
PARKING DEPARTMENT
7th St. Garage
PROFIT AND LOSS STATEMENT

LOCATION	ACCOUNTING CODE	2002 June	2003 June	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
7th St. Garage-1G						
Revenue-Ticket	142-8000-344404	139,551.83	133,750.47	-5,801.36		
Revenue-Monthly Permits	142-8000-344404	14,550.00	12,975.00	-1,575.00		
	7th St. REVENUE (Sales Tax Excluded)	154,101.83	146,725.47	**-7,376.36**	**-4.79%**	**$227.13**
Expenses						
Security Personnel		17,513.64	25,778.86	8,265.22 (1)		
Attendant/Cashier Labor		15,943.55	25,407.34	9,463.79 (2)		
Landscape Maintenance		984.00	918.67	-65.33		
FP&L		2,891.16	3,067.37	176.21 (3)		
Revenue Control Equipment Maintenance		700.00	700.00	0.00		
Garage Cleaning/Maintenance		4,864.00	5,111.50	247.50 (4)		
Armed Guard Revenue Pickup		517.18	517.18	0.00		
Elevator Maintenance		985.00	1,936.44	951.44 (5)		
Surveillance System Maintenance		437.00	495.00	58.00		
	7th St. EXPENSES	44,835.53	63,932.36	**19,096.83**	**42.59%**	**$98.97**
	7th St. Estimated Debt Service	59,500.00	59,500.00	**0.00**	**0.00%**	**$92.11**
	7th St. PROFIT/(LOSS)	49,766.30	23,293.11	**-26,473.19**	**-53.20%**	**$36.06**
					Number of Spaces	**646**

(1) Variance due to 51.70% increase in the average rate per hour. Also, the total number of hours in 2003 is 64 lower than 2002.
(2) There is an increase of 5.0% in the average rate per hour. Also, the total number of hours in 2003 is 819 higher than 2002.
(June 2003 includes three pay periods as compared to two pay periods in 2002.)
(3) June 2003 estimate: average of October 2002 through February 2003 FPL actual charges.
(4) June includes $247.50 charge from Best Maintenance for additional services during the Memorial Day weekend.
(5) June 2003 includes three additional service calls from Thyssen for a total of $951.44.

Note:
Generators for this garage are local workers, restaurants, hotels, construction, visitors to SOBE, local beach goers, restaurant patrons and nightclub patrons.

Excel (Fdrive/Ping/$Pers/P&L/2003/June/7thstga.xls)LN

City of Miami Beach
Parking Department
7th Street Garage-1G

June-03

Date	Day	Total Vehicle Entries	Peak Period	Peak Vehicle Count	Daily Space Rental Goldman - No Tax	Daily Space Rental Other - Incl. Tax	Daily Revenue Including Tax
1	Sunday	1770	14:00 - 14:59	288	$375.00	$61.53	$6,660.00
2	Monday	520	15:00 - 15:59	105	$375.00	$61.53	$1,449.00
3	Tuesday	514	13:00 - 13:59	85	$375.00	$61.53	$1,407.00
4	Wednesday	524	16:00 - 16:59	89	$375.00	$61.53	$1,630.00
5	Thursday	698	14:00 - 14:59	132	$375.00	$61.53	$2,092.00
6	Friday	1280	23:00 - 23:59	229	$375.00	$61.53	$8,967.00
7	Saturday	1676	23:00 - 23:59	308	$375.00	$61.53	$10,477.00
8	Sunday	1659	16:00 - 16:59	314	$375.00	$61.53	$6,589.00
9	Monday	443	14:00 - 14:59	95	$375.00	$61.53	$1,403.00
10	Tuesday	567	19:00 - 19:59	100	$375.00	$61.53	$1,697.00
11	Wednesday	752	13:00 - 13:59	125	$375.00	$61.53	$2,384.00
12	Thursday	829	18:00 - 18:59	133	$375.00	$61.53	$2,805.00
13	Friday	1378	23:00 - 23:59	254	$375.00	$61.53	$9,395.00
14	Saturday	1972	23:00 - 23:59	286	$375.00	$61.53	$12,135.00
15	Sunday	1190	00:00 - 00:59	316	$375.00	$61.53	$4,112.00
16	Monday	588	16:00 - 16:59	97	$375.00	$61.53	$1,988.00
17	Tuesday	626	18:00 - 18:59	101	$375.00	$61.53	$1,838.00
18	Wednesday	804	16:00 - 16:59	144	$375.00	$61.53	$2,455.00
19	Thursday	771	23:00 - 23:59	133	$375.00	$61.53	$2,651.00
20	Friday	1209	23:00 - 23:59	251	$375.00	$61.53	$8,881.30
21	Saturday	1674	13:00 - 13:59	269	$375.00	$61.53	$9,503.00
22	Sunday	1410	14:00 - 14:59	292	$375.00	$61.53	$4,735.00
23	Monday	453	23:00 - 23:59	73	$375.00	$61.53	$1,309.00
24	Tuesday	620	19:00 - 19:59	102	$375.00	$61.53	$1,645.00
25	Wednesday	698	16:00 - 16:59	118	$375.00	$61.53	$2,318.00
26	Thursday	859	23:00 - 23:59	150	$375.00	$61.53	$2,801.80
27	Friday	1243	23:00 - 23:59	238	$375.00	$61.53	$8,165.93
28	Saturday	1777	23:00 - 23:59	266	$375.00	$61.53	$10,914.00
29	Sunday	1977	15:00 - 15:59	311	$375.00	$61.53	$8,330.00
30	Monday	752	00:00 - 00:59	126	$375.00	$61.53	$2,376.00
	TOTAL	**31,233**			**$11,250.00**	**$1,845.75**	**$143,113.00**

TOTAL GROSS REVENUE	**$11,250.00**	**$1,845.75**	**$143,113.00**
SALES TAX	**$0.00**	**$120.75**	**$9,362.53**
TOTAL NET REVENUE	**$11,250.00**	**$1,725.00**	**$133,750.47**

Monthly Budgeted Revenue Needed to Break Even - FY 02/03 (Includes Debt Service)			**$135,092.92**
Less Current Month Net Revenue			**$146,725.47**
Over/(Short)			**$11,632.55**
Monthly Space Rental			
Goldman Properties - 150	**$11,250.00**	**No tax included**	
Other - 23	**$1,845.75**	**With Tax**	

Excel (F drive/Ping/$Pers/P&L/2003/June/7thstrevJune 2003.xls)OL/LN

CITY OF MIAMI BEACH
PARKING DEPARTMENT
5A Surface Lots East and West
PROFIT AND LOSS STATEMENT

LOCATION	ACCOUNTING CODE	2002 June	2003 June	Increase/ (Decrease)	Percent of Increase/ (Decrease)
17th St. Parking Lots - 5A					
Revenue-Ticket	480-8000-344515	116,868.05	107,680.68	-9,187.37	
Revenue-Monthly Permits	480-8000-344596	16,800.00	15,720.00	-1,080.00	
	17th St. Lots REVENUE (Sales Tax Excluded)	133,668.05	123,400.68	**-10,267.37**	**-7.68%**
Expenses					
Security Personnel		1,471.71	2,172.81	701.10 **(1)**	
Attendant/Cashier Labor		17,955.12	30,790.29	12,835.17 **(2)**	
Revenue Control Equipment Maintenance		1,666.67	1,666.67	0.00	
Landscape Maintenance		502.67	502.67	0.00	
FP&L		362.67	391.48	28.81	
	17th St. Lots EXPENSES	21,958.84	35,523.92	**13,565.08**	**61.78%**
	17th St. Lots PROFIT/(LOSS)	111,709.21	87,876.76	**-23,832.45**	**-21.33%**

(1) Variance due to 51.70% increase in the average rate per hour.
(2) There is an increase of 5.0% in the average rate per hour. Also, the total number of hours in 2003 is 1200 higher than 2002.
(June 2003 includes three pay periods as compared to two pay periods in 2002.)

Excel (Fdrive/Ping/$Pers/P&L/2003/June/5alots.xls)LN

City of Miami Beach
Parking Department **June-03**
5A Surface Lots East and West

Date	Day	East Total Vehicle Entries	East Daily Ticket Revenue	West Total Vehicle Entries	West Daily Ticket Revenue	Total Daily Ticket Revenue
1	Sunday	312	$1,443.93	666	$797.20	$2,241.13
2	Monday	878	$1,238.32	667	$507.48	$1,745.80
3	Tuesday	546	$1,264.49	273	$479.44	$1,743.93
4	Wednesday	550	$1,258.88	414	$743.93	$2,002.81
5	Thursday	547	$1,630.84	341	$840.19	$2,471.03
6	Friday	745	$3,041.12	437	$1,650.47	$4,691.59
7	Saturday	846	$3,852.34	681	$3,628.97	$7,481.31
8	Sunday	675	$2,242.06	591	$1,578.50	$3,820.56
9	Monday	423	$1,023.36	179	$417.76	$1,441.12
10	Tuesday	562	$1,287.85	238	$497.20	$1,785.05
11	Wednesday	867	$3,168.22	865	$3,464.49	$6,632.71
12	Thursday	782	$3,114.95	815	$3,309.35	$6,424.30
13	Friday	842	$3,390.65	373	$1,500.93	$4,891.58
14	Saturday	884	$3,783.18	595	$2,925.23	$6,708.41
15	Sunday	635	$1,185.65	427	$810.28	$1,995.93
16	Monday	540	$1,220.56	265	$527.10	$1,747.66
17	Tuesday	541	$1,225.23	230	$478.50	$1,703.73
18	Wednesday	568	$1,328.97	284	$595.33	$1,924.30
19	Thursday	561	$1,687.85	258	$774.77	$2,462.62
20	Friday	690	$2,957.09	344	$1,460.75	$4,417.84
21	Saturday	752	$3,166.36	333	$1,220.56	$4,386.92
22	Sunday	530	$1,177.57	265	$553.27	$1,730.84
23	Monday	454	$988.79	174	$330.84	$1,319.63
24	Tuesday	595	$1,395.33	301	$542.06	$1,937.39
25	Wednesday	649	$2,397.20	367	$1,266.36	$3,663.56
26	Thursday	606	$1,909.35	283	$853.27	$2,762.62
27	Friday	914	$4,430.84	437	$1,806.54	$6,237.38
28	Saturday	1172	$5,279.44	1030	$4,751.40	$10,030.84
29	Sunday	976	$3,000.93	773	$2,289.31	$5,290.24
30	Monday	545	$1,442.06	286	$545.79	$1,987.85
	TOTAL	**20,187**	**66,533.41**	**13,192**	**$41,147.27**	**$107,680.68**
			MONTHLY PERMIT REVENUE			**$15,720.00**
			TOTAL NET REVENUE			**$123,400.68**

Excel (Fdrive/Ping/$Pers/P&L/2003/June/5alotsrevJune2003.xls)OL/LN

CITY OF MIAMI BEACH
PARKING DEPARTMENT
12th St. Garage
PROFIT AND LOSS STATEMENT

LOCATION	ACCOUNTING CODE	2002 June	2003 June	Increase/ Decrease	Percent of Increase/ Decrease	Revenue/ Expense Per Space
12th St. Garage - 2A						
Revenue-Ticket	480-8000-344504	25,610.78	22,192.23	-3,418.55		
Revenue-Monthly Permits	480-8000-344593	5,280.00	4,860.00	-420.00		
	12th St. REVENUE (Sales Tax Excluded)	30,890.78	27,052.23	**-3,838.55**	**-12.43%**	**$201.88**
Expenses						
Security Personnel		6,871.50	10,302.50	3,431.00 **(1)**		
Attendant/Cashier Labor		6,538.83	10,775.85	4,237.02 **(2)**		
FP&L		60.30	108.54	48.24		
Elevator Maintenance		125.00	0.00	-125.00 **(3)**		
Garage Cleaning/Maintenance		1,605.75	1,763.50	157.75 **(4)**		
	12th St. EXPENSES	15,201.38	22,950.39	**7,749.01**	**50.98%**	**$171.27**
	12th St. PROFIT/(LOSS)	15,689.40	4,101.84	**-11,587.56**	**-73.86%**	**$30.61**
					Number of Spaces	**134**

(1) There is an increase of 51.70% in the average rate per hour. Also, the total number of hours in 2003 is 10 lower than 2002.
(2) There is an increase of 5.00% in the average rate per hour. Also, the total number of hours in 2003 is 393 higher than 2002.
(June 2003 includes three pay periods as compared to two pay periods in 2002.)
(3) Elevator out of service during June 2003: no maintenance paid to Atlantic Elevator.
(4) June 2003 includes additional services provided by Best Maintenance during the Memorial Day weekend.

Note:
The 12th Street Garage achieves 16% of it revenue from permits, the balance is from transients arriving for court appearances, local workers, beachgoers, and nightclub patrons.

Excel (F drive/Ping/$Pers/P&L/2003/June/12thstga.xls)LN

City of Miami Beach
Parking Department
12th Street Garage - 2A Garage **June-03**

Date	Day	CMB	ARMOR	P.O	EMPLOYEE	COURT	BEST	HAND.	OTHERS	DAILY TICKETS	TOTAL ENTRIES	Daily Ticket Revenue
1	Sunday	0	0	0	0	0	0	0	0	89	89	$734.58
2	Monday	0	2	1	0	2	0	3	13	120	141	$534.58
3	Tuesday	1	1	0	0	1	0	5	44	102	154	$441.12
4	Wednesday	0	3	1	0	0	0	5	19	89	117	$452.34
5	Thursday	0	0	1	0	0	0	1	28	89	119	$478.50
6	Friday	0	0	2	0	3	0	4	0	207	216	$1,401.48
7	Saturday	0	2	0	0	0	0	3	1	142	148	$1,166.36
8	Sunday	0	0	0	0	0	0	0	0	106	106	$848.60
9	Monday	0	0	0	0	3	0	2	15	107	127	$512.15
10	Tuesday	1	1	0	2	4	0	1	29	86	124	$418.69
11	Wednesday	0	1	0	0	3	0	2	13	84	103	$403.74
12	Thursday	3	1	1	1	1	1	1	13	114	136	$542.06
13	Friday	3	1	0	0	1	0	1	2	201	209	$1,328.97
14	Saturday	0	0	1	0	0	0	4	4	183	192	$1,385.05
15	Sunday	1	0	0	0	0	0	0	1	64	66	$562.62
16	Monday	2	1	0	0	7	0	5	10	101	126	$446.73
17	Tuesday	0	0	1	0	4	0	3	39	87	134	$383.18
18	Wednesday	1	2	0	0	1	0	2	12	90	108	$435.51
19	Thursday	3	1	1	0	1	0	0	25	104	135	$528.97
20	Friday	0	2	0	0	1	0	2	1	152	158	$1,028.03
21	Saturday	0	0	0	0	0	0	4	0	162	166	$1,299.07
22	Sunday	0	0	0	0	0	0	2	0	81	83	$689.72
23	Monday	2	1	1	0	5	0	3	12	140	164	$605.61
24	Tuesday	3	0	1	0	3	0	3	31	97	138	$450.47
25	Wednesday	2	1	0	0	11	0	2	12	94	122	$558.88
26	Thursday	3	1	4	0	0	0	5	26	98	137	$521.50
27	Friday	1	0	2	0	1	0	5	1	165	175	$1,099.07
28	Saturday	0	0	1	0	0	0	2	0	158	161	$1,233.71
29	Sunday	0	0	0	0	0	0	1	0	124	125	$1,003.74
30	Monday	1	3	0	0	4	0	4	14	144	170	$697.20
	TOTAL	**27**	**24**	**18**	**3**	**56**	**1**	**75**	**365**	**3580**	**4149**	**$22,192.23**
									MONTHLY PERMIT REVENUE			**$4,860.00**
									TOTAL NET REVENUE			**$27,052.23**

Excel (Fdrive/Ping/$Pers/P&L/2003/June/12thstrevJune2003.xls)OL/LN

CITY OF MIAMI BEACH
PARKING DEPARTMENT
13th St. Garage
PROFIT AND LOSS STATEMENT

LOCATION	ACCOUNTING CODE	2002 June	2003 June	Increase/ Decrease	Percent of Increase/ Decrease	Revenue/ Expense Per Space
13th St. Garage-17A						
Revenue-Ticket	480-8000-344566	47,829.10	43,317.00	-4,512.10		
Revenue-Monthly Permits	480-8000-344527	8,340.00	8,580.00	240.00		
	13th St. REVENUE (Sales Tax Excluded)	56,169.10	51,897.00	**-4,272.10**	**-7.61%**	**$181.46**
Expenses						
Security Personnel		8,637.02	12,861.21	4,224.19 (1)		
Attendant/Cashier Labor		13,999.64	21,779.99	7,780.35 (2)		
Landscape Maintenance		216.67	216.67	0.00		
FP&L		1,255.03	1,404.98	149.95		
Revenue Control Equipment Maintenance		0.00	0.00	0.00		
Elevator Maintenance		304.00	0.00	-304.00 (3)		
Armed Guard Revenue Pickup		517.18	517.18	0.00		
Garage Cleaning/Maintenance		1,483.00	1,598.50	115.50 (4)		
	13th St. EXPENSES	26,412.54	38,378.53	**11,965.99**	**45.30%**	**$134.19**
	13th St. PROFIT/(LOSS)	29,756.56	13,518.47	**-16,238.09**	**-54.57%**	**$47.27**
					Number of Spaces	**286**

(1) There is an increase of 51.70% in the average rate per hour. Also, the number of hours decreased by 19 in 2003.
(2) There is an increase of 5.0% in the average rate per hour. Also, the total number of hours in 2003 is 661 higher than 2002. (June 2003 includes three pay periods as compared to two pay periods in 2002.)
(3) Elevator under warranty: no maintenance paid for June 2003.
(4) June 2003 includes additional services provided by Best Maintenance during the Memorial Day weekend.

Note:
The 13th Street Garage achieves 15% of its revenue from permits, the balance is transient revenue. The generators are residents, local workers, construction, visitors to SOBE, beachgoers and restaurant patrons.

Excel (Fdrive/ping/$pers/P&L/2003/June/13thstga.xls)LN

City of Miami Beach
Parking Department
13th Street Garage - 17A

June-03

Date	Day	(Art Deco) Residential Decals	Monthly Permits	Handicap	City Wide Decals	Standard Attendants	Armor Security	Best Maintenance	Daily Tickets	Total Entries	Daily Ticket Revenue
1	Sunday	25	1	3	1	10	2	0	419	461	$2,231.78
2	Monday	24	2	1	1	5	2	1	144	180	$920.56
3	Tuesday	14	1	2	0	6	2	0	167	192	$994.39
4	Wednesday	15	1	0	1	6	2	0	164	189	$851.40
5	Thursday	21	0	1	2	5	1	0	168	198	$1,016.82
6	Friday	16	0	2	1	12	1	0	296	328	$1,903.74
7	Saturday	21	4	1	1	7	3	0	342	379	$2,115.89
8	Sunday	17	0	1	1	7	2	0	382	410	$2,125.76
9	Monday	15	1	1	1	4	2	1	144	169	$923.36
10	Tuesday	21	1	2	0	3	2	0	136	165	$766.36
11	Wednesday	16	0	2	1	5	3	0	176	203	$845.79
12	Thursday	20	1	1	1	6	1	0	205	235	$1,033.64
13	Friday	24	1	1	1	8	2	0	338	375	$2,227.10
14	Saturday	23	0	1	1	5	3	0	420	453	$2,371.96
15	Sunday	27	1	0	1	4	2	0	258	293	$1,587.85
16	Monday	17	0	1	1	4	4	1	169	197	$1,024.30
17	Tuesday	18	0	1	0	4	3	1	141	168	$755.14
18	Wednesday	14	0	2	0	4	3	1	169	193	$1,040.19
19	Thursday	21	0	1	1	6	4	1	156	190	$878.50
20	Friday	23	1	1	1	11	1	1	279	318	$1,694.39
21	Saturday	22	0	2	2	6	5	1	379	417	$2,118.69
22	Sunday	17	1	0	1	5	3	1	353	381	$2,077.57
23	Monday	24	1	1	0	6	3	2	121	158	$797.20
24	Tuesday	17	0	1	1	5	3	1	160	188	$894.39
25	Wednesday	14	3	4	0	6	2	1	189	219	$849.53
26	Thursday	18	1	1	1	5	2	1	221	250	$1,016.82
27	Friday	14	1	2	1	6	3	1	322	350	$2,033.97
28	Saturday	12	0	1	1	7	5	1	342	369	$2,071.03
29	Sunday	22	0	1	1	7	3	1	431	466	$2,997.20
30	Monday	19	0	0	1	6	3	2	200	231	$1,151.68
	TOTAL	**571**	**22**	**38**	**26**	**181**	**77**	**19**	**7391**	**8325**	**$43,317.00**
								MONTHLY PERMIT REVENUE			**$8,580.00**
								TOTAL NET REVENUE			**$51,897.00**

Excel (Fdrive/Ping/$Pers/P&L/2003/June/13thstrevJune2003.xls)OL/LN

CITY OF MIAMI BEACH
PARKING DEPARTMENT
42nd St. Garage
PROFIT AND LOSS STATEMENT

LOCATION	ACCOUNTING CODE	2002 June	2003 June	Increase/ Decrease	Percent of Increase/ Decrease	Revenue/ Expense Per Space
42nd St. Garage - 8A						
Revenue-Ticket	480-8000-344531	1,733.32	2,976.64	1,243.32		
Revenue-Monthly Permits	480-8000-344595	18,660.00	34,680.00	16,020.00		
	42nd St. REVENUE (Sales Tax Excluded)	20,393.32	37,656.64	**17,263.32**	**84.65%**	**$60.74**
Expenses						
Security Personnel		9,240.26	11,395.97	2,155.71 (1)		
Attendant/Cashier Labor		2,479.02	4,430.24	1,951.22 (2)		
FP&L		1,650.65	1,805.96	155.31		
Revenue Control Equipment Maintenance		0.00	0.00	0.00		
Elevator Maintenance		0.00	536.00	536.00 (3)		
Landscape Maintenance		0.00	182.00	182.00 (4)		
Garage Cleaning/Maintenance		1,285.00	1,285.00	0.00		
	42nd St. EXPENSES	14,654.93	19,635.17	**4,980.24**	**33.98%**	**$31.67**
	42nd St. PROFIT/(LOSS)	5,738.39	18,021.47	**12,283.08**	**214.05%**	**$29.07**
					Number of Spaces	**620**

(1) Variance due to 51.70% increase in the average rate per hour. Also, the total number of hours in 2003 is 213 lower than 2002.
(2) There is an increase of 5.0% in the average rate per hour. Also, the total number of hours in 2003 is 184 higher than 2002.
(June 2003 includes three pay periods as compared to two pay periods in 2002.)
(3) New elevator in 42nd Street Garage: monthly maintenance charge from Atlantic Elevator.
(4) June 2003 includes $182.00 for irrigation repair charge from Country Bills.

Note:
The primary users of this facility are monthly parkers engaged in local business.

Excel (Fdrive/Ping/$Pers/P&L/2003/June/8agar.xls)LN

CITY OF MIAMI BEACH
PARKING DEPARTMENT
ELECTRONIC METER REVENUE COMPARISON

LOCATION	ACCOUNTING CODE	June 2003 # of Meters	2002 June	2003 June	Increase/ (Decrease)	Percent of Increase/ (Decrease)
1X - (Washington - 4th & Lincoln) - On Street	480-8000-344501	291	38,123.29	50,921.17	12,797.88	33.57%
1A - (1st Street & Ocean Dr.) - Off Street	480-8000-344502	57	3,955.89	8,791.36		
1A - (1st Street & Ocean Dr.) - Attended	480-8000-344502	0	0.00	0.00		
Total		57	3,955.89	8,791.36	4,835.47	122.23%
2X - (Washington - 5th & Lincoln) - On Street	480-8000-344503	370	47,228.96	53,452.07	6,223.11	13.18%
2B - (6/7 & Meridian) - Off Street	480-8000-344505	22	300.41	486.97	186.56	62.10%
3X - (Collins & Euclid Ave.) On Street	480-8000-344507	68	6,259.71	7,123.47	863.76	13.80%
4X - (Alton 7th St.- Dade Blvd.) - On Street	480-8000-344509	491	54,402.69	73,627.73	19,225.04	35.34%
4B - (Alton & 20th St.-Purdy-Dade Blvd.) - On Street	480-8000-344511	213	9,558.60	10,485.60	927.00	9.70%
4C - (West Ave & 17th St.) - Off Street	480-8000-344512	66	12,239.46	8,660.08	(3,579.38)	-29.24%
4D - (West Ave & Lincoln Rd.) - Off Street	480-8000-344513	30	2,777.99	2,696.27	(81.72)	-2.94%
5C - (Convention Ctr. Dr. & 17th Street) - Off Street	480-8000-344517	85	2,036.54	2,056.11		
5C - (Convention Ctr. Dr. & 17th Street) - Attended	480-8000-344517	0	0.00	0.00		
Total		85	2,036.54	2,056.11	19.57	0.96%
5F - (Meridian Ave & 18th Street) - Off Street	480-8000-344519	97	430.23	287.20		
5F - (Meridian Ave & 18th Street) - Attended	480-8000-344519	0	0.00	0.00		
Total		97	430.23	287.20	(143.03)	-33.25%
5H - (19th Street & Meridian Ave) - Off Street	480-8000-344521	27	870.32	517.45	(352.87)	-40.54%
5M - (17th & Meridian Ave) - Off Street	480-8000-344506	27	1,883.27	2,384.52	501.25	26.62%
6X - (Collins - 20th to 24th St) - On Street	480-8000-344522	236	12,546.06	18,492.22	5,946.16	47.39%
6A - (22nd Street & Park)- Off Street	480-8000-344523	14	291.41	224.95	(66.46)	-22.81%
6B - (Collins Ave & 21st Street) - Off Street	480-8000-344524	190	7,555.27	13,980.76		
6B - (Collins Ave & 21st Street) - Attended	480-8000-344524	0	0.00	0.00		
Total		190	7,555.27	13,980.76	6,425.49	85.05%
7X - (Ocean - Biscayne - 15th St) - On Street	480-8000-344525	442	33,470.75	64,955.92	31,485.17	94.07%
7A - (Collins Ave, 4th to 15th St) - On Street	480-8000-344526	591	109,715.87	133,481.14	23,765.27	21.66%
7C - (Collins Ave & 6th St) - Off Street	480-8000-344528	14	797.78	417.75		
7C - (Collins Ave & 6th St) - Attended	480-8000-344528	0	0.00	478.51		
		14	797.78	896.26	98.48	12.34%
8X - (Pinetree-Alton - 40th to 42nd St) - On Street	480-8000-344530	386	15,525.56	18,523.55	2,997.99	19.31%
8A - (42nd Street Garage) - Off Street Meters	480-8000-344531	11	333.51	337.37	3.86	1.16%
8B - (42nd Street & Royal Palm) - Off Street	480-8000-344532	173	2,270.49	3,042.65		
8B - (42nd Street & Royal Palm) - Attended	480-8000-344532	0	0.00	360.00		
		173	2,270.49	3,402.65	1,132.16	49.86%
8C - (40/41 Street & Chase) - Off Street	480-8000-344533	88	1,141.12	1,354.71	213.59	18.72%
8D - (47th Street & Pinetree) - Off Street	480-8000-344534	16	53.91	87.22	33.31	61.79%
8E - (41st Street & Alton) - Off Street	480-8000-344535	40	1,466.99	1,393.55	(73.44)	-5.01%
8F - (41st Street & Jefferson) - Off Street	480-8000-344536	30	464.17	482.14	17.97	3.87%
9X - (Collins - 64th to 79th St) - On Street	480-8000-344537	527	19,437.66	22,997.65	3,559.99	18.31%
9A - (Harding & 71st St) - Off Street	480-8000-344538	48	336.83	422.18	85.35	25.34%
9B - (72nd St. & Collins) - Off Street - Attended	480-8000-344539	0	0.00	0.00	0.00	
9C (Carlyle & 71st St) - Off Street	480-8000-344540	14	69.14	60.36	(8.78)	-12.70%
9D - (Collins & 76th St) - Off Street	480-8000-344541	33	1,049.16	782.02	(267.14)	-25.46%

CITY OF MIAMI BEACH
PARKING DEPARTMENT
ELECTRONIC METER REVENUE COMPARISON

LOCATION	ACCOUNTING CODE	June 2003 # of Meters	2002 June	2003 June	Increase/ (Decrease)	Percent of Increase/ (Decrease)
9E - (71st St. & Harding) - Off Street	480-8000-344542	31	148.70	160.88	12.18	8.19%
9F - (75th & Collins) - Off Street	480-8000-344543	106	2,266.54	3,355.39	1,088.85	48.04%
10A - (Lincoln Lane & Lenox) - Off Street	480-8000-344544	70	10,609.67	10,256.42	(353.25)	-3.33%
10B - (Lincoln Lane & Michigan) - Lease	480-8000-344545	0	14,583.33	14,583.33		
10B - (Lincoln Lane & Michigan) - Attended	480-8000-344545	0	0.00	0.00		
Total		0	14,583.33	14,583.33	0.00	0.00%
10C - (Lincoln Lane & Meridian) - Off Street	480-8000-344546	141	24,658.87	23,730.70	(928.17)	-3.76%
10D - (Lincoln Lane & Jefferson - W) - Off Street	480-8000-344547	62	8,715.59	9,172.25	456.66	5.24%
10E - (Lincoln Lane & Jefferson - E) - Off Street	480-8000-344548	19	3,001.79	2,999.45	(2.34)	-0.08%
10F - (Lincoln Lane & Euclid) - Off Street	480-8000-344549	36	5,737.55	6,155.79	418.24	7.29%
10G - (Lincoln Lane & Michigan) - Off Street	480-8000-344550	21	2,242.07	2,527.81	285.74	12.74%
11X - (Collins & 11th Street) - Off Street	480-8000-344551	0	0.00	0.00		
11X - (Collins & 11th Street) - Attended	480-8000-344551	0	1,269.48	0.00		
Total		0	1,269.48	0.00	(1,269.48)	-100.00%
12X - (Washington & 9th Street) - Off Street	480-8000-344552	23	3,482.17	4,384.58		
12X - (Washington & 9th Street) - Attended	480-8000-344552	0	0.00	0.00		
Total		23	3,482.17	4,384.58	902.41	25.92%
13X - (Washington & 10th Street) - Off Street	480-8000-344553	33	4,536.31	5,594.38		
13X - (Washington & 10th Street) - Attended	480-8000-344553	0	0.00	0.00		
Total		33	4,536.31	5,594.38	1,058.07	23.32%
15X - (16th to 18th East of Collins) - On Street	480-8000-344556	43	7,260.57	8,029.91	769.34	10.60%
15A - (Washington, 17th to 20th) - On Street	480-8000-344557	91	11,136.38	10,703.54	(432.84)	-3.89%
15B - (Convention Center Drive) - On Street	480-8000-344558	46	3,159.62	2,443.41	(716.21)	-22.67%
16X - (25th to 32nd, E of Collins) - On Street	480-8000-344559	78	3,807.83	6,530.31	2,722.48	71.50%
16A - (35th to 43rd, E of Collins) - On Street	480-8000-344560	117	5,478.84	7,923.39	2,444.55	44.62%
16B - (Indian Crk Dr, 27th to 32nd) - On Street	480-8000-344561	219	3,424.53	4,707.80	1,283.27	37.47%
16C - (Indian Crk - 33rd to 43rd) - On Street	480-8000-344562	230	6,685.61	9,004.25	2,318.64	34.68%
16D - (Collins Ave & 34th St) - Off Street	480-8000-344563	64	1,343.83	1,589.82		
16D - (Collins Ave & 34th St) - Attended	480-8000-344563	0	0.00	0.00		
Total		64	1,343.83	1,589.82	245.99	18.31%
16E - (Collins Ave & 35th St) - Off Street	480-8000-344564	72	1,706.44	2,845.90		
16E - (Collins Ave & 35th St) - Attended	480-8000-344564	0	0.00	0.00		
Total		72	1,706.44	2,845.90	1,139.46	66.77%
17X - (Collins & 13th Street) - Off Street	480-8000-344565	54	4,068.94	4,323.49		
17X - (Collins & 13th Street) - Attended	480-8000-344565	0	6,985.92	7,678.50		
Total		54	11,054.86	12,001.99	947.13	8.57%
18X - (Indian Crk & 65th St) - Off Street	480-8000-344567	53	90.96	241.60	150.64	165.61%
18A - (Collins & 64th St) - Off Street	480-8000-344568	67	2,033.71	2,952.81		
18A - (Collins & 64th St) - Attended	480-8000-344568	0	0.00	0.00		
Total		67	2,033.71	2,952.81	919.10	45.19%
19X - (Collins & 46th Street) - Off Street	480-8000-344569	449	8,482.71	9,716.16		
19X - (Collins & 46th Street) - Attended	480-8000-344569	0	8,937.08	8,615.77		
Total		449	17,419.79	18,331.93	912.14	5.24%
19A - (Collins & 46th Street) - On Street	480-8000-344570	19	2,393.72	1,254.51	(1,139.21)	-47.59%
19B - (Collins & 53rd Street) - Off Street	480-8000-344571	158	1,798.23	1,494.30		
19B - (Collins & 53rd Street) - Attended	480-8000-344571	0	3,370.91	5,355.14		
Total		158	5,169.14	6,849.44	1,680.30	32.51%

CITY OF MIAMI BEACH
PARKING DEPARTMENT
ELECTRONIC METER REVENUE COMPARISON

LOCATION	ACCOUNTING CODE	June 2003 # of Meters	2002 June	2003 June	Increase/ (Decrease)	Percent of Increase/ (Decrease)
20X - (Collins Ave & 27th St) - Off Street	480-8000-344572	121	2,826.82	3,601.94		
20X - (Collins Ave & 27th St) - Attended	480-8000-344572	0	0.00	0.00		
	Total	121	2,826.82	3,601.94	775.12	27.42%
22X - (Carlyle & 72nd St) - Off Street	480-8000-344574	45	0.00	0.00	0.00	#DIV/0!
23X - (83rd & Abbott) - Off Street	480-8000-344575	25	16.08	8.86	(7.22)	-44.90%
24X - (Normandy Isle & Bay Dr) - On Street	480-8000-344576	102	2,941.80	3,681.15	739.35	25.13%
24A - (Normandy Isle & Bay Dr) - Off Street	480-8000-344577	26	480.16	529.81	49.65	10.34%
24B - (Normandy Isle & Vendome) - Off Street	480-8000-344578	22	397.39	406.42	9.03	2.27%
24C - (Normandy Isle & Bay Rd S/S) - Off Street	480-8000-344579	33	440.07	331.59	(108.48)	-24.65%
25X - (Bonita Drive & 71st St) - Off Street	480-8000-344580	15	396.15	341.75	(54.40)	-13.73%
26X - (Collins, 79th to 87th Terr) - On Street	480-8000-344581	283	2,107.74	3,292.34	1,184.60	56.20%
10X - (Lincoln Lane & Lenox - Off Street)	480-8000-344582	99	16,196.96	14,853.97		
10X - (Lincoln Lane & Lenox - Attended	480-8000-344582	0	0.00	0.00		
Total		99	16,196.96	14,853.97	(1,342.99)	-8.29%
26A - (Collins & 80th Street) - Off Street	480-8000-344584	62	482.55	696.91	214.36	44.42%
26B - (Collins & 84th Street) - Off Street	480-8000-344585	62	326.02	808.01	481.99	147.84%
4E (Purdy & 18th Street) - Off Street	480-8000-344586	39	3,963.74	3,392.29		
4E (Purdy & 18th Street) - Attended	480-8000-344586	0	0.00	1,867.29		
		39	3,963.74	5,259.58	1,295.84	32.69%
8G - (40th Street & Royal Palm) - Off Street	480-8000-344592	43	1,961.02	1,630.84	(330.18)	-16.84%
8H - (40th Street & Prairie) - Off Street	480-8000-344594	71	2,231.77	2,344.44	112.67	5.05%
26C - (Collins & 79th Street) - Off Street	480-8000-344600	34	408.45	311.67	(96.78)	-23.69%
26D - (Collins & 83rd Street) - Off Street	480-8000-344601	95	55.18	255.16	199.98	362.41%
SLSP00 - (Southpoint Lot) - Off Street	480-8000-344602	108	7,210.27	5,481.76		
SLSP00 - (Southpoint Lot) - Attended	480-8000-344602	0	0.00	8,525.17		
		108	7,210.27	14,006.93	6,796.66	94.26%
4th & Alton Lot - Off Street	480-8000-344604	21	541.05	663.45	122.40	22.62%
4A - 1833 Bay Road	480-8000-344608	0	0.00	0.00	0.00	#DIV/0!
7D - 10-11th & Collins (Lease)	480-8000-344529	0	3,500.00	3,500.00	0.00	0.00%
10H - (Lincoln Rd. So. & Lenox) - Off Street	480-8000-344611	0	2,487.69	0.00	(2,487.69)	-100.00%
14A - 16th Street & Washington (Lease)	480-8000-344555	0	14,583.33	14,583.33	0.00	0.00%
TOTAL		**8,305**	**613,565.18**	**752,804.39**	**139,239.21**	**22.69%**

CITY OF MIAMI BEACH
PARKING DEPARTMENT
DEBIT CARD REVENUE: JUNE 2003

VENDOR	$10	$25	$25 CARDS W/10% DISCOUNT $22.50	MACHINE SALES $ AMT	REFUNDS	COLLECTOR CARDS $20	COLL. CARDS W/10% DISCOUNT $18	TOTALS
BAY SUPERMARKET	0	0	0			0	0	$0.00
BRIGHAM GARDENS	0	0	0			0	0	$0.00
COMPASS MARKET	0	0	0			0	0	$0.00
CHAMBER OF COMMERCE	0	0	0			0	0	$0.00
CLEAN MACHINE	0	0	0			0	0	$0.00
FINANCE DEPARTMENT	0	69	66			0	0	$3,210.00
KOSHER WORLD	0	0	0			0	0	$0.00
LEE ANN DRUGS	0	0	0			0	0	$0.00
NEWS CAFE	0	0	0			0	0	$0.00
PARKING DEPARTMENT	0	229	86		($47.00)	0	0	$7,613.00
PUBLIX SUPERMARKET	0	0	1732			0	0	$38,970.00
PRKG MACHINE - CASH	0	0	0	$1,420		0	0	$1,420.00
PRKG MACHINE - CREDIT	0	0	0	$2,285		0	0	$2,285.00
ZELICK'S TOBACCO	0	0	0			0	0	$0.00
WOLFSONIAN	0	0	0			0	0	$0.00
SHEMTOV'S	0	0	0			0	0	$0.00
TOTAL # OF CARDS	**0**	**298**	**1,884**	**N/A**	**N/A**	**0**	**0**	**2,182.00**
TOTAL $ AMOUNT	**$0.00**	**$7,450.00**	**$42,390.00**	**$3,705.00**	**($47.00)**	**$0.00**	**$0.00**	**$53,498.00**

Excel (Fdrive/Ping/$Pers/P&L/2003/June/Debitcrd.xls)

CITY OF MIAMI BEACH
PARKING DEPARTMENT
DEBIT CARD REVENUE: OCTOBER 2002 - JUNE 2003

VENDOR	$10	$25	$25 CARDS W/10% DISCOUNT $22.50	MACHINE SALES $ AMT	REFUNDS	COLLECTOR CARDS $20	COLL. CARDS W/10% DISCOUNT $18	TOTALS
BAY SUPERMARKET	0	102	26			60		$4,335.00
BRIGHAM GARDENS	0	8	0			7		$340.00
COMPASS MARKET	0	10	0			135	1	$2,968.00
CHAMBER OF COMMERCE	0	35	30			25		$2,050.00
CLEAN MACHINE	0	0	0			20		$400.00
FINANCE DEPARTMENT	0	691	386			0		$25,960.00
KOSHER WORLD	0	0	0			0		$0.00
LEE ANN DRUGS	0	100	142			57	25	$7,285.00
NEWS CAFE	0	0	0			0		$0.00
PARKING DEPARTMENT	3	2439	536		($166.75)	50.75		$73,913.25
PUBLIX SUPERMARKET	0	9420	9057			0		$439,282.50
PRKG MACHINE - CASH	0	0	0	$16,990		0		$16,990.00
PRKG MACHINE - CREDIT	0	0	0	$18,040		0		$18,040.00
ZELICK'S TOBACCO	0	26	0			0		$650.00
WOLFSONIAN	0	0	0			25		$500.00
SHEMTOV'S	0	0	0			0		$0.00
TOTAL # OF CARDS	**3**	**12,831**	**10,177**	**N/A**	**N/A**	**379.75**	**26**	**23,416.75**
TOTAL $ AMOUNT	**$30.00**	**$320,775.00**	**$228,982.50**	**$35,030.00**	**($166.75)**	**$7,595.00**	**$468.00**	**$592,713.75**

Excel (Fdrive/Ping/$Pers/P&L/2003/June/Debitytd.xls)

CITY OF MIAMI BEACH
PARKING DEPARTMENT
17th St. Garage
PROFIT & LOSS STATEMENT

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 Total
17th St. Garage-2G														
Revenue-Ticket	480-8000-344583	105,641.20	159,877.65	136,339.53	153,112.01	199,421.53	147,306.63	99,839.26	135,459.72	92,178.14	0.00	0.00	0.00	1,229,175.67
Revenue - Space Rental	480-8000-344583	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	0.00	0.00	0.00	56,700.00
Revenue-Monthly Permits	480-8000-344514	60,000.00	61,560.00	59,820.00	56,760.00	57,960.00	58,740.00	58,680.00	53,460.00	54,300.00	0.00	0.00	0.00	521,280.00
	17th St. REVENUE (Sales Tax Excluded)	171,941.20	227,737.65	202,459.53	216,172.01	263,681.53	212,346.63	164,819.26	195,219.72	152,778.14	0.00	0.00	0.00	1,807,155.67
Expenses														
Security Personnel		16,561.95	16,616.47	16,549.18	20,680.62	17,432.22	16,471.66	20,612.78	16,448.34	20,600.10	0.00	0.00	0.00	161,973.32
Attendant/Cashier Labor		33,192.78	56,286.32	36,137.49	39,265.13	48,329.64	37,381.35	32,521.25	34,321.57	59,870.88	0.00	0.00	0.00	377,306.41
FP&L		5,352.35	5,507.51	6,007.59	5,672.16	9,827.33	6,473.39	6,473.39	6,473.39	6,473.39	0.00	0.00	0.00	58,260.50
Revenue Control Equipment Maintanance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,860.67	1,666.67	0.00	0.00	0.00	15,194.03
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	0.00	0.00	0.00	4,654.62
Elevator Maintenance		613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	0.00	0.00	0.00	5,517.00
Landscape and Lot Maintenance		108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	0.00	0.00	0.00	974.97
Garage Cleaning/Maintenance		3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	5,331.08	5,331.08	5,578.58	0.00	0.00	0.00	35,992.74
	17th St. EXPENSES	61,304.26	84,607.48	64,891.44	71,815.09	81,786.37	66,523.58	67,843.68	65,673.56	95,428.13	0.00	0.00	0.00	659,873.59
	17th St. PROFIT/(LOSS)	110,636.94	143,130.17	137,568.09	144,356.92	181,895.16	145,823.05	96,975.58	129,546.16	57,350.01	0.00	0.00	0.00	1,147,282.08

(Fdrive/Ping/$Pers/P&L/2003/17thstga.xls)

LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/2002 Total
17th St. Garage-2G														
Revenue-Ticket	480-8000-344583	95,980.84	88,650.62	117,454.92	129,924.57	193,183.71	173,980.26	137,297.11	123,415.47	109,810.52	97,670.31	100,261.80	101,232.96	1,468,863.09
Revenue - Space Rental	480-8000-344583	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	75,600.00
Revenue-Monthly Permits	480-8000-344514	46,380.00	49,200.00	50,040.00	48,780.00	49,200.00	50,940.00	58,260.00	54,360.00	54,000.00	59,760.00	59,880.00	60,180.00	640,980.00
	17th St. REVENUE (Sales Tax Excluded)	148,660.84	144,150.62	173,794.92	185,004.57	248,683.71	231,220.26	201,857.11	184,075.47	170,110.52	163,730.31	166,441.80	167,712.96	2,185,443.09
Expenses														
Security Personnel		12,311.04	12,073.41	11,853.44	12,243.49	12,971.98	11,674.27	12,081.92	11,200.98	13,739.92	16,653.15	19,575.84	17,759.89	164,139.33
Attendant/Cashier Labor		36,820.66	30,740.16	30,863.50	35,009.60	44,561.13	32,597.89	38,714.70	38,742.83	35,232.98	31,239.96	32,357.63	34,965.22	421,846.26
FP&L		5,519.53	5,106.15	5,446.66	5,793.30	5,678.30	5,251.72	5,381.93	5,279.30	5,704.54	5,485.43	5,460.87	6,099.82	66,207.55
Revenue Control Equipment Maintanance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	20,000.04
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	6,206.16
Elevator Maintenance		613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	7,356.00
Landscape and Lot Maintenance		108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	1,299.96
Garage Cleaning/Maintenance		3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	39,504.00
	17th St. EXPENSES	60,848.41	54,116.90	54,360.78	59,243.57	69,408.59	55,721.06	62,375.73	61,420.29	60,874.62	59,575.72	63,591.52	65,022.11	726,559.30
	17th St. PROFIT/(LOSS)	87,812.43	90,033.72	119,434.14	125,761.00	179,275.12	175,499.20	139,481.38	122,655.18	109,235.90	104,154.59	102,850.28	102,690.85	1,458,883.79

CITY OF MIAMI BEACH
PARKING DEPARTMENT
17th St. Garage
PROFIT & LOSS STATEMENT

LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/02 Total
17th St. Garage-2G														
Revenue-Ticket	480-8000-344583	95,980.84	88,650.62	117,454.92	129,924.57	193,183.71	173,980.26	137,297.11	123,415.47	109,810.52	97,670.31	100,261.80	101,232.96	1,468,863.09
Revenue - Space Rental	480-8000-344583	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	75,600.00
Revenue-Monthly Permits	480-8000-344514	46,380.00	49,200.00	50,040.00	48,780.00	49,200.00	50,940.00	58,260.00	54,360.00	54,000.00	59,760.00	59,880.00	60,180.00	640,980.00
	17th St. REVENUE (Sales Tax Excluded)	148,660.84	144,150.62	173,794.92	185,004.57	248,683.71	231,220.26	201,857.11	184,075.47	170,110.52	163,730.31	166,441.80	167,712.96	2,185,443.09
Expenses														
Security Personnel		12,311.04	12,073.41	11,853.44	12,243.49	12,971.98	11,674.27	12,081.92	11,200.98	13,739.92	16,653.15	19,575.84	17,759.89	164,139.33
Attendant/Cashier Labor		36,820.66	30,740.16	30,863.50	35,009.60	44,561.13	32,597.89	38,714.70	38,742.83	35,232.98	31,239.96	32,357.63	34,965.22	421,846.26
FP&L		5,519.53	5,106.15	5,446.66	5,793.30	5,678.30	5,251.72	5,381.93	5,279.30	5,704.54	5,485.43	5,460.87	6,099.82	66,207.55
Revenue Control Equipment Maintanance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	20,000.04
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	6,206.16
Elevator Maintenance		613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	7,356.00
Landscape and Lot Maintenance		108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	1,299.96
Garage Cleaning/Maintenance		3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	39,504.00
	17th St. EXPENSES	60,848.41	54,116.90	54,360.78	59,243.57	69,408.59	55,721.06	62,375.73	61,420.29	60,874.62	59,575.72	63,591.52	65,022.11	726,559.30
	17th St. PROFIT/(LOSS)	87,812.43	90,033.72	119,434.14	125,761.00	179,275.12	175,499.20	139,481.38	122,655.18	109,235.90	104,154.59	102,850.28	102,690.85	1,458,883.79

(Fdrive/Ping/$Pers/P&L/2002/17thstga.xls)

LOCATION	ACCOUNTING CODE	2000 October	2000 November	2000 December	2001 January	2001 February	2001 March	2001 April	2001 May	2001 June	2001 July	2001 August	2001 September	FY 00-01 Total
17th St. Garage-2G														
Revenue-Ticket	480-8000-344583	154,516.05	83,853.38	108,410.22	107,384.71	198,605.18	126,687.69	105,367.19	117,179.01	103,369.49	96,154.87	90,845.20	95,361.73	1,387,734.72
Revenue - Space Rental	480-8000-344583	5,250.00	5,250.00	5,250.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	72,450.00
Revenue-Monthly Permits	480-8000-344514	46,400.00	46,792.96	46,564.65	46,500.00	53,700.00	51,360.00	50,880.00	52,800.00	53,280.00	51,600.00	50,280.00	49,500.00	599,657.61
	17th St. REVENUE (Sales Tax Excluded)	206,166.05	135,896.34	160,224.87	160,184.71	258,605.18	184,347.69	162,547.19	176,279.01	162,949.49	154,054.87	147,425.20	151,161.73	2,059,842.33
Expenses														
Security Personnel		12,488.42	12,460.99	12,521.22	13,717.43	17,794.60	16,726.55	14,938.95	15,805.87	15,123.28	18,013.51	16,532.87	9,543.62	175,667.31
Attendant/Cashier Labor		39,872.89	27,874.18	33,481.20	31,484.67	46,076.19	34,108.59	33,146.27	35,925.02	40,717.87	34,371.00	33,316.62	36,376.10	426,750.60
FP&L		5,484.35	4,727.95	4,663.43	5,630.98	5,040.83	5,256.77	5,825.97	6,184.34	6,445.63	5,376.92	6,133.14	6,324.38	67,094.69
Revenue Control Equipment Maintanance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	20,000.04
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	6,206.16
Elevator Maintenance		613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	7,356.00
Landscape and Lot Maintenance		108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	1,299.96
Garage Cleaning/Maintenance		3,465.25	3,292.00	3,292.00	3,292.00	3,754.00	3,754.00	3,754.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	41,063.25
	17th St. EXPENSES	64,216.09	51,260.30	56,863.03	57,030.26	75,570.80	62,751.09	60,570.37	64,112.41	68,483.96	63,958.61	62,179.81	58,441.28	745,438.01
	17th St. PROFIT/(LOSS)	141,949.96	84,636.04	103,361.84	103,154.45	183,034.38	121,596.60	101,976.82	112,166.60	94,465.53	90,096.26	85,245.39	92,720.45	1,314,404.32

CITY OF MIAMI BEACH
PARKING DEPARTMENT
7th St. Garage
PROFIT AND LOSS STATEMENT

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 Total
7th St. Garage-1G														
Revenue-Ticket	142-8000-344404	136,186.19	137,501.35	140,246.61	148,182.44	153,858.76	221,547.82	161,549.46	174,847.57	133,750.47	0.00	0.00	0.00	1,407,670.67
Revenue-Monthly Permits	142-8000-344404	13,125.00	13,125.00	13,125.00	13,125.00	13,125.00	13,050.00	13,050.00	13,050.00	12,975.00	0.00	0.00	0.00	117,750.00
	7th St. REVENUE (Sales Tax Excluded)	149,311.19	150,626.35	153,371.61	161,307.44	166,983.76	234,597.82	174,599.46	187,897.57	146,725.47	0.00	0.00	0.00	1,525,420.67
Expenses														
Security		21,087.06	20,743.70	20,245.12	26,257.88	21,150.87	21,933.85	26,125.51	22,612.39	25,778.86	0.00	0.00	0.00	205,935.24
Attendant/Cashier Labor		16,755.52	25,273.02	16,806.12	17,276.43	16,664.70	17,694.64	16,755.04	16,893.83	25,407.34	0.00	0.00	0.00	169,526.64
Landscape Maintenance		984.00	984.00	984.00	984.00	984.00	984.00	918.67	1,067.67	918.67	0.00	0.00	0.00	8,809.01
FP&L		2,667.70	2,747.44	2,709.51	2,462.61	4,749.59	3,067.37	3,067.37	3,067.37	3,067.37	0.00	0.00	0.00	27,606.33
Revenue Control Equipment Maintenance		700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	0.00	0.00	0.00	6,300.00
Garage Cleaning/Maintenance		4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	5,111.50	0.00	0.00	0.00	44,023.50
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	0.00	0.00	0.00	4,654.62
Elevator Maintenance		985.00	985.00	985.00	985.00	985.00	985.00	1,180.88	1,264.84	1,936.44	0.00	0.00	0.00	10,292.16
Surveillance System Maintenance		437.00	437.00	437.00	437.00	437.00	437.00	495.00	495.00	495.00	0.00	0.00	0.00	4,107.00
	7th St. EXPENSES	48,997.46	57,251.34	48,247.93	54,484.10	51,052.34	51,183.04	54,623.65	51,482.28	63,932.36	0.00	0.00	0.00	481,254.50
	7th Street Estimated Debt Service	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	0.00	0.00	0.00	535,500.00
	7th St. PROFIT/(LOSS)	40,813.73	33,875.01	45,623.68	47,323.34	56,431.42	123,914.78	60,475.81	76,915.29	23,293.11	0.00	0.00	0.00	508,666.17

(Fdrive/Ping/$Pers/P&L/2003/7thst.xls)

LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/2002 Total
7th St. Garage-1G														
Revenue-Ticket	142-8000-344404	98,891.68	105,333.01	144,735.13	153,866.18	138,843.74	240,191.44	171,039.15	163,294.17	139,551.83	163,218.25	175,770.79	135,339.42	1,830,074.79
Revenue-Monthly Permits	142-8000-344404	15,975.00	16,350.00	15,825.00	16,800.00	14,550.00	14,700.00	14,700.00	14,550.00	14,550.00	13,800.00	13,725.00	13,800.00	179,325.00
	7th St. REVENUE (Sales Tax Excluded)	114,866.68	121,683.01	160,560.13	170,666.18	153,393.74	254,891.44	185,739.15	177,844.17	154,101.83	177,018.25	189,495.79	149,139.42	2,009,399.79
Expenses														
Security		15,394.28	15,695.07	14,460.29	15,772.87	15,146.88	17,041.38	15,881.17	15,768.28	17,513.64	22,057.41	25,611.88	22,611.97	212,955.12
Attendant/Cashier Labor		15,209.20	15,854.69	16,107.91	16,346.08	16,018.67	15,976.15	16,429.77	16,357.45	15,943.55	15,952.92	16,684.59	17,149.19	194,030.17
Landscape Maintenance		984.00	984.00	984.00	984.00	984.00	984.00	984.00	984.00	984.00	984.00	984.00	984.00	11,808.00
FP&L		3,153.54	2,599.76	2,754.67	2,964.55	2,773.25	2,567.84	2,733.33	2,574.07	2,891.16	2,700.17	2,849.96	3,069.84	33,632.14
Revenue Control Equipment Maintenance		700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	8,400.00
Garage Cleaning/Maintenance		4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	58,368.00
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	6,206.16
Elevator Maintenance		985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	11,820.00
Surveillance System Maintenance		437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	5,244.00
	7th St. EXPENSES	42,244.20	42,636.70	41,810.05	43,570.68	42,425.98	44,072.55	43,531.45	43,186.98	44,835.53	49,197.68	53,633.61	51,318.18	542,463.59
	7th Street Estimated Debt Service	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	714,000.00
	7th St. PROFIT/(LOSS)	13,122.48	19,546.31	59,250.08	67,595.50	51,467.76	151,318.89	82,707.70	75,157.19	49,766.30	68,320.57	76,362.18	38,321.24	752,936.20

CITY OF MIAMI BEACH
PARKING DEPARTMENT
7th St. Garage
PROFIT AND LOSS STATEMENT

LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 01/02 Total
7th St. Garage-1G														
Revenue-Ticket	142-8000-344404	98,891.68	105,333.01	144,735.13	153,866.18	138,843.74	240,191.44	171,039.15	163,294.17	139,551.83	163,218.25	175,770.79	135,339.42	1,830,074.79
Revenue-Monthly Permits	142-8000-344404	15,975.00	16,350.00	15,825.00	16,800.00	14,550.00	14,700.00	14,700.00	14,550.00	14,550.00	13,800.00	13,725.00	13,800.00	179,325.00
	7th St. REVENUE (Sales Tax Excluded)	114,866.68	121,683.01	160,560.13	170,666.18	153,393.74	254,891.44	185,739.15	177,844.17	154,101.83	177,018.25	189,495.79	149,139.42	2,009,399.79
Expenses														
Security		15,394.28	15,695.07	14,460.29	15,772.87	15,146.88	17,041.38	15,881.17	15,768.28	17,513.64	22,057.41	25,611.88	22,611.97	212,955.12
Attendant/Cashier Labor		15,209.20	15,854.69	16,107.91	16,346.08	16,018.67	15,976.15	16,429.77	16,357.45	15,943.55	15,952.92	16,684.59	17,149.19	194,030.17
Landscape Maintenance		984.00	984.00	984.00	984.00	984.00	984.00	984.00	984.00	984.00	984.00	984.00	984.00	11,808.00
FP&L		3,153.54	2,599.76	2,754.67	2,964.55	2,773.25	2,567.84	2,733.33	2,574.07	2,891.16	2,700.17	2,849.96	3,069.84	33,632.14
Revenue Control Equipment Maintenance		700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	8,400.00
Garage Cleaning/Maintenance		4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	58,368.00
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	6,206.16
Elevator Maintenance		985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	11,820.00
Surveillance System Maintenance		437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	5,244.00
	7th St. EXPENSES	42,244.20	42,636.70	41,810.05	43,570.68	42,425.98	44,072.55	43,531.45	43,186.98	44,835.53	49,197.68	53,633.61	51,318.18	542,463.59
	7th Street Estimated Debt Service	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	714,000.00
	7th St. PROFIT/(LOSS)	13,122.48	19,546.31	59,250.08	67,595.50	51,467.76	151,318.89	82,707.70	75,157.19	49,766.30	68,320.57	76,362.18	38,321.24	752,936.20

(Fdrive/Ping/$Pers/P&L/2002/7thst.xls)

LOCATION	ACCOUNTING CODE	2000 October	2000 November	2000 December	2001 January	2001 February	2001 March	2001 April	2001 May	2001 June	2001 July	2001 August	2001 September	FY 00/01 Total
7th St. Garage-1G														
Revenue-Ticket	142-8000-344404	131,842.25	150,811.51	156,023.57	178,907.44	183,107.04	243,390.85	199,376.52	181,127.64	172,931.38	180,147.40	178,179.31	129,355.67	2,085,200.58
Revenue-Monthly Permits	142-8000-344404	13,312.44	14,457.60	13,725.00	13,725.00	13,800.00	15,900.00	16,575.28	16,425.00	16,575.00	15,075.00	16,725.00	16,125.00	182,420.32
	7th St. REVENUE (Sales Tax Excluded)	145,154.69	165,269.11	169,748.57	192,632.44	196,907.04	259,290.85	215,951.80	197,552.64	189,506.38	195,222.40	194,904.31	145,480.67	2,267,620.90
Expenses														
Security		16,606.89	15,900.96	16,737.66	17,600.45	15,784.88	16,663.92	16,862.51	18,493.94	17,581.52	21,315.42	21,799.78	12,722.18	208,070.11
Attendant/Cashier Labor		15,613.84	16,231.83	15,793.60	15,877.70	15,321.62	16,330.48	16,375.86	15,945.36	15,967.60	16,533.21	16,411.39	16,394.57	192,797.06
Landscape Maintenance		1,134.00	1,134.00	1,134.00	1,134.00	1,134.00	1,134.00	1,134.00	1,134.00	1,134.00	984.00	984.00	984.00	13,158.00
FP&L		2,936.30	2,263.21	2,251.51	2,714.10	2,216.32	16,794.21	2,929.83	2,837.98	3,138.57	4,862.61	3,367.56	3,394.45	49,706.65
Revenue Control Equipment Maintenance		700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	8,400.00
Garage Cleaning/Maintenance		4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	58,368.00
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	6,206.16
Elevator Maintenance		985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	11,820.00
Surveillance System Maintenance		437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	5,244.00
	7th St. EXPENSES	43,794.21	43,033.18	43,419.95	44,829.43	41,960.00	58,425.79	44,805.38	45,914.46	45,324.87	51,198.42	50,065.91	40,998.38	553,769.98
	7th Street Estimated Debt Service	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	714,000.00
	7th St. PROFIT/(LOSS)	41,860.48	62,735.93	66,828.62	88,303.01	95,447.04	141,365.06	111,646.42	92,138.18	84,681.51	84,523.98	85,338.40	44,982.29	999,850.92

CITY OF MIAMI BEACH
PARKING DEPARTMENT
5A Surface Lots East and West
PROFIT & LOSS STATEMENT

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2002 June	2003 July	2003 August	2003 September	FY 2002/2003 Total
17th St. Parking Lots - 5A														
Revenue-Ticket	480-8000-344515	105,889.88	120,891.93	120,890.56	132,337.75	139,792.51	139,949.44	111,002.09	127,300.47	107,680.68	0.00	0.00	0.00	1,105,735.31
Revenue-Valet	480-8000-344515	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Revenue-Monthly Permits	480-8000-344596	17,820.00	18,120.00	17,700.00	18,360.00	16,500.00	17,700.00	16,560.00	18,840.00	15,720.00	0.00	0.00	0.00	157,320.00
	17th St. REVENUE (Sales Tax Excluded)	123,709.88	139,011.93	138,590.56	150,697.75	156,292.51	157,649.44	127,562.09	146,140.47	123,400.68	0.00	0.00	0.00	1,263,055.31
Expenses														
Security Personnel		1,883.74	1,884.70	1,797.93	2,334.72	1,591.97	1,750.52	2,157.89	1,786.10	2,172.81	0.00	0.00	0.00	17,360.38
Attendant/Cashier Labor		17,939.85	30,340.05	19,183.60	21,628.82	22,409.89	20,603.96	18,238.36	18,745.80	30,790.29	0.00	0.00	0.00	199,880.62
Revenue Control Equipment Maintenance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,860.67	1,666.67	0.00	0.00	0.00	15,194.03
Landscape and Lot Maintenance		502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	0.00	0.00	0.00	4,524.03
FP&L		386.87	350.40	332.23	322.18	565.72	391.48	391.48	391.48	391.48	0.00	0.00	0.00	3,523.32
	17th St. EXPENSES	22,379.80	34,744.49	23,483.10	26,455.06	26,736.92	24,915.30	22,957.07	23,286.72	35,523.92	0.00	0.00	0.00	240,482.38
	17th St. PROFIT/(LOSS)	101,330.08	104,267.44	115,107.46	124,242.69	129,555.59	132,734.14	104,605.02	122,853.75	87,876.76	0.00	0.00	0.00	1,022,572.93

(Fdrive/Ping/$Pers/P&L/2003/5alots.xls)

LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/2002 Total
17th St. Parking Lots - 5A														
Revenue-Ticket	480-8000-344515	84,476.22	86,054.63	129,752.12	132,730.72	133,767.55	155,170.88	123,970.06	119,955.85	116,868.05	108,329.32	115,012.11	102,521.07	1,408,608.58
Revenue-Valet	480-8000-344515	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Revenue-Monthly Permits	480-8000-344596	17,760.00	16,080.00	16,140.00	14,940.00	15,780.00	17,460.00	17,040.00	16,680.00	16,800.00	16,080.00	17,760.00	17,760.00	200,280.00
	17th St. REVENUE (Sales Tax Excluded)	102,236.22	102,134.63	145,892.12	147,670.72	149,547.55	172,630.88	141,010.06	136,635.85	133,668.05	124,409.32	132,772.11	120,281.07	1,608,888.58
Expenses														
Security Personnel		857.65	726.48	726.48	728.00	489.20	964.75	955.32	1,327.81	1,471.71	1,554.13	1,691.61	1,559.16	13,052.30
Attendant/Cashier Labor		17,436.09	16,120.74	17,827.14	18,512.07	19,388.97	20,846.52	21,119.07	19,675.74	17,955.12	17,566.44	19,212.48	20,566.65	226,227.03
Revenue Control Equipment Maintenance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	20,000.04
Landscape and Lot Maintenance		502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	6,032.04
FP&L		457.83	601.13	483.88	354.56	335.36	324.34	348.11	343.62	362.67	362.54	417.81	404.38	4,796.23
	17th St. EXPENSES	20,920.91	19,617.69	21,206.84	21,763.97	22,382.87	24,304.95	24,591.84	23,516.51	21,958.84	21,652.45	23,491.24	24,699.53	270,107.64
	17th St. PROFIT/(LOSS)	81,315.31	82,516.94	124,685.28	125,906.75	127,164.68	148,325.93	116,418.22	113,119.34	111,709.21	102,756.87	109,280.87	95,581.54	1,338,780.94

CITY OF MIAMI BEACH
PARKING DEPARTMENT
5A Surface Lots East and West
PROFIT & LOSS STATEMENT

LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 01/02 Total
17th St. Parking Lots - 5A														
Revenue-Ticket	480-8000-344515	84,476.22	86,054.63	129,752.12	132,730.72	133,767.55	155,170.88	123,970.06	119,955.85	116,868.05	108,329.32	115,012.11	102,521.07	1,408,608.58
Revenue-Valet	480-8000-344515	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Revenue-Monthly Permits	480-8000-344596	17,760.00	16,080.00	16,140.00	14,940.00	15,780.00	17,460.00	17,040.00	16,680.00	16,800.00	16,080.00	17,760.00	17,760.00	200,280.00
	17th St. REVENUE (Sales Tax Excluded)	102,236.22	102,134.63	145,892.12	147,670.72	149,547.55	172,630.88	141,010.06	136,635.85	133,668.05	124,409.32	132,772.11	120,281.07	1,608,888.58
Expenses														
Security Personnel		857.65	726.48	726.48	728.00	489.20	964.75	955.32	1,327.81	1,471.71	1,554.13	1,691.61	1,559.16	13,052.30
Attendant/Cashier Labor		17,436.09	16,120.74	17,827.14	18,512.07	19,388.97	20,846.52	21,119.07	19,675.74	17,955.12	17,566.44	19,212.48	20,566.65	226,227.03
Revenue Control Equipment Maintenance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	20,000.04
Landscape and Lot Maintenance		502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	6,032.04
FP&L		457.83	601.13	483.88	354.56	335.36	324.34	348.11	343.62	362.67	362.54	417.81	404.38	4,796.23
	17th St. EXPENSES	20,920.91	19,617.69	21,206.84	21,763.97	22,382.87	24,304.95	24,591.84	23,516.51	21,958.84	21,652.45	23,491.24	24,699.53	270,107.64
	17th St. PROFIT/(LOSS)	81,315.31	82,516.94	124,685.28	125,906.75	127,164.68	148,325.93	116,418.22	113,119.34	111,709.21	102,756.87	109,280.87	95,581.54	1,338,780.94

(Fdrive/Ping/$Pers/P&L/2001/5alots.xls)

LOCATION	ACCOUNTING CODE	2000 October	2000 November	2000 December	2001 January	2001 February	2001 March	2001 April	2001 May	2001 June	2001 July	2001 August	2001 September	FY 01/02 Total
17th St. Parking Lots - 5A														
Revenue-Ticket	480-8000-344515	126,444.25	106,217.42	127,447.92	134,885.11	137,984.50	151,533.44	122,319.08	125,994.76	111,138.52	95,315.24	105,145.07	91,450.19	1,435,875.50
Revenue-Valet	480-8000-344515	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Revenue-Monthly Permits	480-8000-344596	20,800.00	21,308.17	19,330.00	17,820.00	21,480.00	19,640.00	18,120.00	18,060.00	17,770.00	18,840.00	18,720.00	18,360.00	230,248.17
	17th St. REVENUE (Sales Tax Excluded)	147,244.25	127,525.59	146,777.92	152,705.11	159,464.50	171,173.44	140,439.08	144,054.76	128,908.52	114,155.24	123,865.07	109,810.19	1,666,123.67
Expenses														
Security Personnel		524.68	519.64	620.54	1,140.17	726.48	726.48	628.10	837.47	562.52	913.15	1,319.27	544.86	9,063.36
Attendant/Cashier Labor		19,547.71	17,175.06	19,895.53	19,581.55	17,201.57	19,324.21	19,732.80	19,699.20	20,851.26	17,673.09	19,412.67	18,590.28	228,684.93
Revenue Control Equipment Maintenance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	20,000.04
Landscape and Lot Maintenance		502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	6,032.04
FP&L		822.57	379.68	366.63	371.34	377.44	353.75	387.01	360.98	494.69	612.36	505.15	500.02	5,531.62
	17th St. EXPENSES	23,064.30	20,243.72	23,052.04	23,262.40	20,474.83	22,573.78	22,917.25	23,066.99	24,077.81	21,367.94	23,406.43	21,804.50	269,311.99
	17th St. PROFIT/(LOSS)	124,179.95	107,281.87	123,725.88	129,442.71	138,989.67	148,599.66	117,521.83	120,987.77	104,830.71	92,787.30	100,458.64	88,005.69	1,396,811.68

CITY OF MIAMI BEACH
PARKING DEPARTMENT
12th St. Garage
PROFIT & LOSS STATEMENT

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 Total
12th St. Garage-2A														
Revenue-Ticket	480-8000-344504	23,808.81	26,646.02	27,241.35	27,276.87	28,087.39	39,739.49	29,315.86	33,756.05	22,192.23	0.00	0.00	0.00	258,064.07
Revenue-Monthly Permits	480-8000-344593	5,340.00	5,520.00	5,220.00	4,860.00	4,920.00	5,100.00	5,040.00	4,920.00	4,860.00	0.00	0.00	0.00	45,780.00
	12th St. REVENUE (Sales Tax Excluded)	29,148.81	32,166.02	32,461.35	32,136.87	33,007.39	44,839.49	34,355.86	38,676.05	27,052.23	0.00	0.00	0.00	303,844.07
Expenses														
Security Personnel		8,245.44	8,232.15	8,235.63	10,779.20	8,166.92	8,233.17	10,238.91	8,237.06	10,302.50	0.00	0.00	0.00	80,670.98
Attendant/Cashier Labor		7,054.55	10,280.84	6,892.87	7,315.74	6,912.77	7,052.06	6,810.78	6,945.10	10,775.85	0.00	0.00	0.00	70,040.56
FP&L		102.79	81.67	98.93	90.60	168.69	108.54	108.54	108.54	108.54	0.00	0.00	0.00	976.84
Elevator Maintenance		125.00	125.00	125.00	125.00	125.00	125.00	0.00	0.00	0.00	0.00	0.00	0.00	750.00
Garage Cleaning/Maintenance		1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,557.25	1,532.50	1,763.50	0.00	0.00	0.00	14,487.75
	12th St. EXPENSES	17,133.53	20,325.41	16,958.18	19,916.29	16,979.13	17,124.52	18,715.48	16,823.20	22,950.39	0.00	0.00	0.00	166,926.13
	12th St. PROFIT/(LOSS)	12,015.28	11,840.61	15,503.17	12,220.58	16,028.26	27,714.97	15,640.38	21,852.85	4,101.84	0.00	0.00	0.00	136,917.94

(Fdrive/Ping/$Pers/P&L/2003/12thga.xls)

LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/2002 Total
12th St. Garage-2A														
Revenue-Ticket	480-8000-344504	19,351.18	20,201.87	24,554.47	26,555.85	27,769.02	43,802.33	28,116.91	29,947.18	25,610.78	29,315.51	29,535.22	20,867.59	325,627.91
Revenue-Monthly Permits	480-8000-344593	8,040.00	6,960.00	8,160.00	8,160.00	5,100.00	5,280.00	5,280.00	5,280.00	5,280.00	5,340.00	5,160.00	4,320.00	72,360.00
	12th St. REVENUE (Sales Tax Excluded)	27,391.18	27,161.87	32,714.47	34,715.85	32,869.02	49,082.33	33,396.91	35,227.18	30,890.78	34,655.51	34,695.22	25,187.59	397,987.91
Expenses														
Security Personnel		5,626.00	5,647.95	4,077.36	6,053.88	5,471.53	5,445.92	5,466.54	6,157.30	6,871.50	8,471.54	9,914.88	8,846.72	78,051.12
Attendant/Cashier Labor		6,349.23	6,522.24	7,031.79	7,057.86	6,517.50	6,538.83	6,640.74	7,730.94	6,538.83	7,145.55	6,980.04	6,960.03	82,013.58
FP&L		73.28	88.02	82.31	85.34	77.11	68.73	64.09	56.51	60.30	60.94	49.38	105.95	871.96
Elevator Maintenance		125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	1,500.00
Garage Cleaning/Maintenance		1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	19,269.00
	12th St. EXPENSES	13,779.26	13,988.96	12,922.21	14,927.83	13,796.89	13,784.23	13,902.12	15,675.50	15,201.38	17,408.78	18,675.05	17,643.45	181,705.66
	12th St. PROFIT/(LOSS)	13,611.92	13,172.91	19,792.26	19,788.02	19,072.13	35,298.10	19,494.79	19,551.68	15,689.40	17,246.73	16,020.17	7,544.14	216,282.25

CITY OF MIAMI BEACH
PARKING DEPARTMENT
12th St. Garage
PROFIT & LOSS STATEMENT

LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/2002 Total
12th St. Garage-2A														
Revenue-Ticket	480-8000-344504	19,351.18	20,201.87	24,554.47	26,555.85	27,769.02	43,802.33	28,116.91	29,947.18	25,610.78	29,315.51	29,535.22	20,867.59	325,627.91
Revenue-Monthly Permits	480-8000-344593	8,040.00	6,960.00	8,160.00	8,160.00	5,100.00	5,280.00	5,280.00	5,280.00	5,280.00	5,340.00	5,160.00	4,320.00	72,360.00
	12th St. REVENUE (Sales Tax Excluded)	27,391.18	27,161.87	32,714.47	34,715.85	32,869.02	49,082.33	33,396.91	35,227.18	30,890.78	34,655.51	34,695.22	25,187.59	397,987.91
Expenses														
Security Personnel		5,626.00	5,647.95	4,077.36	6,053.88	5,471.53	5,445.92	5,466.54	6,157.30	6,871.50	8,471.54	9,914.88	8,846.72	78,051.12
Attendant/Cashier Labor		6,349.23	6,522.24	7,031.79	7,057.86	6,517.50	6,538.83	6,640.74	7,730.94	6,538.83	7,145.55	6,980.04	6,960.03	82,013.58
FP&L		73.28	88.02	82.31	85.34	77.11	68.73	64.09	56.51	60.30	60.94	49.38	105.95	871.96
Elevator Maintenance		125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	1,500.00
Garage Cleaning/Maintenance		1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	19,269.00
	12th St. EXPENSES	13,779.26	13,988.96	12,922.21	14,927.83	13,796.89	13,784.23	13,902.12	15,675.50	15,201.38	17,408.78	18,675.05	17,643.45	181,705.66
	12th St. PROFIT/(LOSS)	13,611.92	13,172.91	19,792.26	19,788.02	19,072.13	35,298.10	19,494.79	19,551.68	15,689.40	17,246.73	16,020.17	7,544.14	216,282.25

(Fdrive/Ping/$Pers/P&L/2002/12thga.xls)

LOCATION	ACCOUNTING CODE	2000 October	2000 November	2000 December	2001 January	2001 February	2001 March	2001 April	2001 May	2001 June	2001 July	2001 August	2001 September	FY2000/2001 Total
12th St. Garage-2A														
Revenue-Ticket	480-8000-344504	21,871.36	28,214.65	27,817.45	32,785.97	33,408.83	42,092.01	37,729.54	34,569.98	29,836.64	31,211.25	32,959.64	20,892.00	373,389.32
Revenue-Monthly Permits	480-8000-344593	4,400.00	4,953.71	4,800.00	3,780.00	3,420.00	3,794.79	4,860.00	4,440.00	5,460.00	6,000.00	6,180.00	8,040.00	60,128.50
	12th St. REVENUE (Sales Tax Excluded)	26,271.36	33,168.36	32,617.45	36,565.97	36,828.83	45,886.80	42,589.54	39,009.98	35,296.64	37,211.25	39,139.64	28,932.00	433,517.82
Expenses														
Security Personnel		6,595.37	5,556.94	5,575.16	5,825.36	5,623.68	6,222.92	5,465.64	5,686.42	5,747.90	7,171.73	7,623.70	4,224.98	71,319.80
Attendant/Cashier Labor		6,725.10	6,588.98	7,474.59	7,179.92	7,246.58	7,016.32	7,725.17	7,355.57	7,844.70	7,951.35	8,330.55	7,557.93	89,096.76
FP&L		89.20	86.84	76.59	98.86	83.78	82.27	79.33	75.09	73.38	74.55	68.76	0.00	888.65
Elevator Maintenance		125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	1,500.00
Garage Cleaning/Maintenance		1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,549.00	1,549.00	1,605.75	1,605.75	1,605.75	16,910.25
	12th St. EXPENSES	14,819.67	13,742.76	14,536.34	14,514.14	14,364.04	14,731.51	14,680.14	14,791.08	15,339.98	16,928.38	17,753.76	13,513.66	179,715.46
	12th St. PROFIT/(LOSS)	11,451.69	19,425.60	18,081.11	22,051.83	22,464.79	31,155.29	27,909.40	24,218.90	19,956.66	20,282.87	21,385.88	15,418.34	253,802.36

CITY OF MIAMI BEACH
PARKING DEPARTMENT
13th St. Garage
PROFIT & LOSS STATEMENT

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 Total
13th St. Garage-17A														
Revenue-Ticket	480-8000-344566	44,400.00	45,402.69	45,391.52	51,063.89	53,442.14	67,925.37	52,972.45	49,388.78	43,317.00	0.00	0.00	0.00	453,303.84
Revenue-Monthly Permits	480-8000-344527	8,280.00	8,640.00	8,100.00	7,320.00	7,380.00	7,620.00	7,860.00	8,520.00	8,580.00	0.00	0.00	0.00	72,300.00
	13th St. REVENUE (Sales Tax Excluded)	52,680.00	54,042.69	53,491.52	58,383.89	60,822.14	75,545.37	60,832.45	57,908.78	51,897.00	0.00	0.00	0.00	525,603.84
Expenses														
Security Personnel		10,242.93	10,602.13	10,541.72	13,658.91	10,514.70	10,220.71	12,820.10	10,737.48	12,861.21	0.00	0.00	0.00	102,199.89
Attendant/Cashier Labor		14,601.28	21,909.69	14,624.04	15,326.91	14,675.83	14,744.77	14,598.18	14,460.50	21,779.99	0.00	0.00	0.00	146,721.19
Landscape Maintenance		216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	0.00	0.00	0.00	1,950.03
FP&L		1,150.96	1,172.72	1,276.13	1,245.87	2,179.24	1,404.98	1,404.98	1,404.98	1,404.98	0.00	0.00	0.00	12,644.84
Revenue Control Equipment Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	239.00	0.00	0.00	0.00	0.00	239.00
Elevator Maintenance		304.00	304.00	304.00	304.00	304.00	304.00	0.00	0.00	0.00	0.00	0.00	0.00	1,824.00
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	0.00	0.00	0.00	4,654.62
Garage Cleaning/Maintenance		1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,450.00	1,598.50	0.00	0.00	0.00	13,429.50
	13th St. EXPENSES	28,516.02	36,205.39	28,962.74	32,752.54	29,890.62	28,891.31	31,040.11	29,025.81	38,378.53	0.00	0.00	0.00	283,663.07
	13th St. PROFIT/(LOSS)	24,163.98	17,837.30	24,528.78	25,631.35	30,931.52	46,654.06	29,792.34	28,882.97	13,518.47	0.00	0.00	0.00	241,940.77

(Fdrive/Ping/$Pers/P&L/2003/13thstga.xls)

LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/2002 Total
13th St. Garage-17A														
Revenue-Ticket	480-8000-344566	35,899.53	39,704.67	48,733.70	54,790.14	54,390.32	77,671.33	59,950.29	54,383.08	47,829.10	49,161.20	53,615.90	40,880.78	617,010.04
Revenue-Monthly Permits	480-8000-344527	9,180.00	8,940.00	8,760.00	8,820.00	8,220.00	7,980.00	7,620.00	7,320.00	8,340.00	7,260.00	7,980.00	8,220.00	98,640.00
	13th St. REVENUE (Sales Tax Excluded)	45,079.53	48,644.67	57,493.70	63,610.14	62,610.32	85,651.33	67,570.29	61,703.08	56,169.10	56,421.20	61,595.90	49,100.78	715,650.04
Expenses														
Security Personnel		7,142.75	7,108.79	7,166.41	7,119.48	6,997.61	7,147.96	7,195.87	8,245.09	8,637.02	10,823.70	12,883.59	11,049.26	101,517.53
Attendant/Cashier Labor		13,937.21	14,172.20	14,461.81	14,696.96	13,857.82	14,075.59	14,164.58	14,765.85	13,999.64	14,581.81	14,755.44	14,789.62	172,258.53
Landscape Maintenance		216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	2,600.04
FP&L		1,280.63	921.48	1,494.51	1,596.48	1,530.93	1,387.84	1,244.67	1,138.47	1,255.03	1,171.78	1,162.33	1,327.70	15,511.85
Elevator Maintenance		304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	3,648.00
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	6,206.16
Garage Cleaning/Maintenance		1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	17,796.00
	13th St. EXPENSES	24,881.44	24,723.32	25,643.58	25,933.77	24,907.21	25,132.24	25,125.97	26,670.26	26,412.54	29,098.14	31,322.21	29,687.43	319,538.11
	13th St. PROFIT/(LOSS)	20,198.09	23,921.35	31,850.12	37,676.37	37,703.11	60,519.09	42,444.32	35,032.82	29,756.56	27,323.06	30,273.69	19,413.35	396,111.93

CITY OF MIAMI BEACH
PARKING DEPARTMENT
13th St. Garage
PROFIT & LOSS STATEMENT

LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/2002 Total
13th St. Garage-17A														
Revenue-Ticket	480-8000-344566	35,899.53	39,704.67	48,733.70	54,790.14	54,390.32	77,671.33	59,950.29	54,383.08	47,829.10	49,161.20	53,615.90	40,880.78	617,010.04
Revenue-Monthly Permits	480-8000-344527	9,180.00	8,940.00	8,760.00	8,820.00	8,220.00	7,980.00	7,620.00	7,320.00	8,340.00	7,260.00	7,980.00	8,220.00	98,640.00
	13th St. REVENUE (Sales Tax Excluded)	45,079.53	48,644.67	57,493.70	63,610.14	62,610.32	85,651.33	67,570.29	61,703.08	56,169.10	56,421.20	61,595.90	49,100.78	715,650.04
Expenses														
Security Personnel		7,142.75	7,108.79	7,166.41	7,119.48	6,997.61	7,147.96	7,195.87	8,245.09	8,637.02	10,823.70	12,883.59	11,049.26	101,517.53
Attendant/Cashier Labor		13,937.21	14,172.20	14,461.81	14,696.96	13,857.82	14,075.59	14,164.58	14,765.85	13,999.64	14,581.81	14,755.44	14,789.62	172,258.53
Landscape Maintenance		216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	2,600.04
FP&L		1,280.63	921.48	1,494.51	1,596.48	1,530.93	1,387.84	1,244.67	1,138.47	1,255.03	1,171.78	1,162.33	1,327.70	15,511.85
Elevator Maintenance		304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	3,648.00
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	6,206.16
Garage Cleaning/Maintenance		1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	17,796.00
	13th St. EXPENSES	24,881.44	24,723.32	25,643.58	25,933.77	24,907.21	25,132.24	25,125.97	26,670.26	26,412.54	29,098.14	31,322.21	29,687.43	319,538.11
	13th St. PROFIT/(LOSS)	20,198.09	23,921.35	31,850.12	37,676.37	37,703.11	60,519.09	42,444.32	35,032.82	29,756.56	27,323.06	30,273.69	19,413.35	396,111.93

(Fdrive/Ping/$Pers/P&L/2002/13thstga.xls)

LOCATION	ACCOUNTING CODE	2000 October	2000 November	2000 December	2001 January	2001 February	2001 March	2001 April	2001 May	2001 June	2001 July	2001 August	2001 September	FY 2000/2001 Total
13th St. Garage-17A														
Revenue-Ticket	480-8000-344566	44,850.70	58,213.07	53,613.13	66,305.03	65,657.89	76,994.28	68,830.42	64,985.89	58,123.48	60,005.37	50,676.06	33,699.53	701,954.85
Revenue-Monthly Permits	480-8000-344527	8,450.00	8,940.00	8,880.00	7,140.00	7,500.00	7,420.00	8,060.00	8,700.00	8,540.00	8,580.00	8,820.00	9,180.00	100,210.00
	13th St. REVENUE (Sales Tax Excluded)	53,300.70	67,153.07	62,493.13	73,445.03	73,157.89	84,414.28	76,890.42	73,685.89	66,663.48	68,585.37	59,496.06	42,879.53	802,164.85
Expenses														
Security Personnel		8,104.64	8,126.24	8,231.98	8,101.96	8,072.51	8,685.36	8,009.56	5,686.42	8,159.37	10,416.64	10,616.56	4,142.35	96,353.59
Attendant/Cashier Labor		13,574.53	13,393.51	13,572.09	13,834.28	13,345.26	13,653.07	13,914.94	13,531.92	14,068.13	14,242.59	13,973.37	14,063.18	165,166.87
Landscape Maintenance		216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	2,600.04
FP&L		946.78	896.18	863.53	1,058.38	1,064.47	1,156.30	1,274.92	1,219.51	1,248.68	1,365.12	1,208.59	890.43	13,192.89
Elevator Maintenance		304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	3,648.00
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	6,206.16
Garage Cleaning/Maintenance		1,483.00	1,483.00	1,450.00	1,483.00	1,450.00	1,450.00	1,450.00	1,450.00	1,450.00	1,483.00	1,483.00	1,483.00	17,598.00
	13th St. EXPENSES	25,146.80	24,936.78	25,155.45	25,515.47	24,970.09	25,982.58	25,687.27	22,925.70	25,964.03	28,545.20	28,319.37	21,616.81	304,765.55
	13th St. PROFIT/(LOSS)	28,153.90	42,216.29	37,337.68	47,929.56	48,187.80	58,431.70	51,203.15	50,760.19	40,699.45	40,040.17	31,176.69	21,262.72	497,399.30

CITY OF MIAMI BEACH
PARKING DEPARTMENT
42nd St. Garage
PROFIT & LOSS STATEMENT

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 Total
42nd St. Garage-8A														
Revenue-Ticket	480-8000-344531	2,068.55	1,661.97	1,616.89	2,474.77	6,040.17	2,375.90	2,602.80	3,376.65	2,976.64	0.00	0.00	0.00	25,194.34
Revenue-Monthly Permits	480-8000-344595	36,300.00	35,940.00	35,640.00	34,680.00	35,160.00	34,320.00	34,440.00	34,200.00	34,680.00	0.00	0.00	0.00	315,360.00
	42nd St. REVENUE (Sales Tax Excluded)	38,368.55	37,601.97	37,256.89	37,154.77	41,200.17	36,695.90	37,042.80	37,576.65	37,656.64	0.00	0.00	0.00	340,554.34
Expenses														
Security Personnel		10,877.14	8,244.21	8,143.74	10,305.98	8,690.43	8,230.10	10,989.83	8,988.60	11,395.97	0.00	0.00	0.00	85,866.00
Attendant/Cashier Labor		2,639.24	3,696.43	2,477.56	2,507.41	3,984.97	2,718.84	2,631.78	2,989.97	4,430.24	0.00	0.00	0.00	28,076.44
FP&L		1,539.31	1,459.55	1,341.18	1,510.98	3,178.78	1,805.96	1,805.96	1,805.96	1,805.96	0.00	0.00	0.00	16,253.64
Revenue Control Equipment Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	217.50	-217.50	0.00	0.00	0.00	0.00	0.00
Elevator Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	536.00	536.00	536.00	0.00	0.00	0.00	1,608.00
Landscape Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	182.00	0.00	0.00	0.00	182.00
Garage Cleaning/Maintenance		1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	0.00	0.00	0.00	11,565.00
	42nd St. EXPENSES	16,340.69	14,685.19	13,247.48	15,609.37	17,139.18	14,039.90	17,466.07	15,388.03	19,635.17	0.00	0.00	0.00	143,551.08
	42nd St. PROFIT/(LOSS)	22,027.86	22,916.78	24,009.41	21,545.40	24,060.99	22,656.00	19,576.73	22,188.62	18,021.47	0.00	0.00	0.00	197,003.26

(Fdrive/Ping/$Pers/P&L/2003/42ndgar.xls)

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LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/2002 Total
42nd St. Garage-8A														
Revenue-Ticket	480-8000-344531	1,601.88	1,333.32	1,521.14	1,880.75	12,211.58	1,915.21	2,176.52	3,171.84	1,733.32	2,189.65	2,268.56	1,882.57	33,886.34
Revenue-Monthly Permits	480-8000-344595	21,540.00	19,200.00	19,500.00	18,060.00	16,380.00	17,040.00	18,120.00	17,760.00	18,660.00	18,300.00	36,360.00	35,700.00	256,620.00
	42nd St. REVENUE (Sales Tax Excluded)	23,141.88	20,533.32	21,021.14	19,940.75	28,591.58	18,955.21	20,296.52	20,931.84	20,393.32	20,489.65	38,628.56	37,582.57	290,506.34
Expenses														
Security Personnel		5,790.16	8,179.71	7,737.08	7,429.88	7,516.66	7,530.52	7,768.30	7,628.81	9,240.26	11,182.27	13,105.58	12,017.45	105,126.68
Attendant/Cashier Labor		3,050.19	2,474.28	2,320.23	2,242.02	4,680.24	2,737.35	2,471.91	2,628.33	2,479.02	2,381.85	2,526.02	2,522.32	32,513.76
FP&L		1,471.76	1,480.00	744.79	1,423.20	1,433.94	1,850.98	1,647.89	1,655.88	1,650.65	1,629.72	1,358.53	1,597.13	17,944.47
Garage Cleaning/Maintenance		1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	15,420.00
	42nd St. EXPENSES	11,597.11	13,418.99	12,087.10	12,380.10	14,915.84	13,403.85	13,173.10	13,198.02	14,654.93	16,478.84	18,275.13	17,421.90	171,004.91
	42nd St. PROFIT/(LOSS)	11,544.77	7,114.33	8,934.04	7,560.65	13,675.74	5,551.36	7,123.42	7,733.82	5,738.39	4,010.81	20,353.43	20,160.67	119,501.43

CITY OF MIAMI BEACH
PARKING DEPARTMENT
42nd St. Garage
PROFIT & LOSS STATEMENT

LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/2002 Total
42nd St. Garage-8A														
Revenue-Ticket	480-8000-344531	1,601.88	1,333.32	1,521.14	1,880.75	12,211.58	1,915.21	2,176.52	3,171.84	1,733.32	2,189.65	2,268.56	1,882.57	33,886.34
Revenue-Monthly Permits	480-8000-344595	21,540.00	19,200.00	19,500.00	18,060.00	16,380.00	17,040.00	18,120.00	17,760.00	18,660.00	18,300.00	36,360.00	35,700.00	256,620.00
	42nd St. REVENUE (Sales Tax Excluded)	23,141.88	20,533.32	21,021.14	19,940.75	28,591.58	18,955.21	20,296.52	20,931.84	20,393.32	20,489.65	38,628.56	37,582.57	290,506.34
Expenses														
Security Personnel		5,790.16	8,179.71	7,737.08	7,429.88	7,516.66	7,530.52	7,768.30	7,628.81	9,240.26	11,182.27	13,105.58	12,017.45	105,126.68
Attendant/Cashier Labor		3,050.19	2,474.28	2,320.23	2,242.02	4,680.24	2,737.35	2,471.91	2,628.33	2,479.02	2,381.85	2,526.02	2,522.32	32,513.76
FP&L		1,471.76	1,480.00	744.79	1,423.20	1,433.94	1,850.98	1,647.89	1,655.88	1,650.65	1,629.72	1,358.53	1,597.13	17,944.47
Garage Cleaning/Maintenance		1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	15,420.00
	42nd St. EXPENSES	11,597.11	13,418.99	12,087.10	12,380.10	14,915.84	13,403.85	13,173.10	13,198.02	14,654.93	16,478.84	18,275.13	17,421.90	171,004.91
	42nd St. PROFIT/(LOSS)	11,544.77	7,114.33	8,934.04	7,560.65	13,675.74	5,551.36	7,123.42	7,733.82	5,738.39	4,010.81	20,353.43	20,160.67	119,501.43

(Fdrive/Plng/$Pers/P&L/2002/42ndgar.xls)

LOCATION	ACCOUNTING CODE	2000 October	2000 November	2000 December	2001 January	2001 February	2001 March	2001 April	2001 May	2001 June	2001 July	2001 August	2001 September	FY 2000/2001 Total
42nd St. Garage-8A														
Revenue-Ticket	480-8000-344531	1,688.27	1,560.56	1,464.79	2,171.81	8,999.14	2,525.84	2,269.04	2,795.65	2,991.54	2,706.10	2,946.47	2,324.90	34,444.11
Revenue-Monthly Permits	480-8000-344595	11,850.00	13,200.00	17,640.00	21,540.00	23,280.00	23,820.00	24,960.00	22,320.00	21,900.00	19,740.00	20,760.00	20,760.00	241,770.00
	42nd St. REVENUE (Sales Tax Excluded)	13,538.27	14,760.56	19,104.79	23,711.81	32,279.14	26,345.84	27,229.04	25,115.65	24,891.54	22,446.10	23,706.47	23,084.90	276,214.11
Expenses														
Security Personnel		5,604.95	5,787.76	5,831.68	6,144.74	6,904.18	5,827.64	5,838.84	5,848.73	5,841.95	7,314.23	7,318.53	4,372.83	72,636.06
Attendant/Cashier Labor		2,799.31	2,176.24	2,401.98	2,282.34	4,954.28	2,354.58	2,347.81	2,411.70	2,509.83	2,381.85	2,569.08	2,377.11	31,566.11
FP&L		9.58	9.58	9.58	6,251.71	1,439.03	1,562.93	0.00	0.00	0.00	1,777.19	0.00	1,914.82	12,974.42
Garage Cleaning/Maintenance		1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	15,420.00
	42nd St. EXPENSES	9,698.84	9,258.58	9,528.24	15,963.79	14,582.49	11,030.15	9,471.65	9,545.43	9,636.78	12,758.27	11,172.61	9,949.76	132,596.59
	42nd St. PROFIT/(LOSS)	3,839.43	5,501.98	9,576.55	7,748.02	17,696.65	15,315.69	17,757.39	15,570.22	15,254.76	9,687.83	12,533.86	13,135.14	143,617.52

ADD to agenda

C: RCM
VG
LH

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO:	**JORGE GONZALEZ** **CITY MANAGER**
CC:	**MAYOR & COMMISSIONERS**
FROM:	**RICHARD STEINBERG** RLS/DM **COMMISSIONER**
DATE:	**July 10, 2003**
RE:	**For Your Information- Miami Dade Homeless Trust Board May 30, 2003 Meeting Minutes**

Attached please find the minutes for the May 30th meeting of the Miami Dade Homeless Trust Board for your information and review.

RLS/dm

RECEIVED
03 JUL 10 AM 10:27
CITY MANAGER'S OFFICE

Agenda Item D-1
Date 7-30-03

ASAP Fax Transmission

6/20/03 8:25am 7

To:	Richard Steinberg	From:	Maggie Olano, Board Support
Company:	City of Miami Beach	Company:	Miami-Dade County Homeless Trust
Phone:	305-673-7030	Phone:	(305) 375-1490/4035
Fax:	305-673-7096	Fax:	2

Comments:

RECEIVED
03 JUN 20 AM 9:56
CITY CLERK'S OFFICE
BY

MIAMI-DADE COUNTY HOMELESS TRUST
TRUST BOARD MEETING MINUTES
MAY 30, 2003

The following members were in attendance:

Ronald Book, Esq., Acting Chair for Mayor Alex Penelas, Chairman
Marylin Rey for Sergio Gonzalez, Esq.
Commissioner Richard Steinberg
Ben Burton for Dr. Juanita de a Cruz
Gilda Ferradaz for Samara Kramer
Carolyn Wilson for Jerry Coleman
Alina Perez for Judge Steven Leifman
Brad Simon for City Manager Joe Arriola
Bruce Netter for Marguerite Schantz
Rondy Johnson
Elizabeth Von Werne
Brian Stevens for Bishop Thomas Wenski
Joseph Mathos for Merrett Stierheim
Stephen Alvarez for Danny Alvarez
Olga Golik
Robert J. Koch for Judge Jeffrey Rosinek
Rev. Marilyn L. Hardy
Arthur Fournier, M.D.
Mark Cooper for Cleveland Bell, III

The following persons were also present:

Cynthia Johnson-Stacks, Esq.
David Raymond
Julie Edwards
Dan Vincent
César Deville
Alicia Apfel
Howard Rubin
Chuck Resnick
Lynn M. Summers
Barbara Golphin
Roger Soman
José Lopez
Joseph A. Martínez
Karen Mahar
Allen Hart
Farren Oglesby
Dan Ricker
Maggie Olano

WELCOME AND INTRODUCTIONS

Ms. Marylin Rey, in the interim of Mr. Ron Book's arrival, called the meeting to order at 10:35 a. m. and for the record stated that there was a quorum. Ms. Rey welcomed everyone and self-introductions were made. Ms. Rey proceeded to consider the meeting agenda.

APPROVAL OF MINUTES

Ms. Rey asked if there were any questions or comments concerning the March 28 and April 25, 2003 meeting minutes. Not being any, Ms. Elizabeth Von Werne made a motion to approve the minutes. Mr. Rondy Johnson seconded the motion. All members present approved the March 28 and April 25, 2003 meeting minutes unanimously. Ms. Rey proceeded with item four. *(Mr. Ron Book joined the meeting at 10:46 a.m.)*

HMIS RFA-RATIFICATION

David Raymond provided the Board members with a background of the recent events concerning the HMIS costs, Federal, requirement, and timelines involved. Staff, as authorized by this Board issued a competitive process, with guidance from ITD, DPM, and eGov to seek proposals for the HMIS. Two (2) proposals were received following the nationwide HMIS RFP. David explained the scoring methodology utilized in the Selection Committee recommendations and the differences that inclined the Selection

Committee to accept the Bowman Service Point System rather than the Foothold Technologies proposal. Staff is still collecting user need data. There was some discussion concerning the differences in the scoring on the two systems. The importance of the compatibility, flexibility, and customization with not only our present system, but also that of CPHI was also discussed. Mr. Book stated that the issue of the product warranty and penalties was extensively discussed at the Executive Committee meeting. Ms. Johnson-Stacks stated there are several matters that are still pending negotiation with Bowman, including but not limited to implied and express warranties, travel expenses, confidentiality, damage limitations among other issues. Further, that at the suggestion of the Department of Procurement a performance bond is being investigated. The Homeless Trust staff and Ms. Cynthia Johnson-Stacks, Assistant County Attorney were directed by the Executive Committee to aggressively negotiate with Bowman the terms of the contract. The terms and conditions of the contract are to be expressly and clearly stated, and are not to be subject to any misinterpretations or ambiguity. Staff and the County Attorney are also to ensure that the terms of the HMIS contract, without a doubt, are legally protective of Trust's interest entirely, specifically matter concerning:

- The amount of system users permitted for the price or better price
- Better warranties
- Better performance guarantees via a penalty clauses
- Explore other funding
  - Foundations
    - Knight Foundation
    - Health Foundation of South Florida
    - MacArthur Foundation
    - Walmart Foundation
  - Alter SuperNOFA priorities (at the discretion of staff)
- Ensure that the system is within market price

There were serious concerns among several Board members regarding any consideration to change the SuperNOFA priorities. Mainly, that there would be a risk of a program(s) not getting funded; there was a suggestion of perhaps the providers paying for the additional users' access. David, Julie Edwards, and Alicia Apfel clarified the HUD application pro rata, funding priorities process; this would involve little or no risk of jeopardizing any program/project and it would certainly be the last resort. Additionally, this year providers can apply for their own HMIS funding. There were also some concerns regarding the functionality of the system. David suggested that Board members who wish to view the system to please contact him to make the necessary arrangements. Following a synergetic discussion it was agreed that the HMIS was a vital tool for the improvement of the continuum of care and it should be a top priority. Mr. Book requested for staff to obtain information regarding contract specifications and/or samples from other jurisdictions and utilize this information as a model for our negotiations.

Mr. Bruce Netter made a motion to authorize staff and the County Attorney's Office to proceed with the contract negotiations with Bowman Service Point, Inc. regarding warranties, performance guaranties, penalties, user access, price, and legal protections, and other contract terms and conditions that are in the best interest of the Homeless Trust and the Continuum of Care, subject to the final approval of the Finance Committee. Ms. Gilda Ferradaz seconded the motion. All members present approved motion unanimously.

Ms. Marylin Rey made a motion to authorize staff, after exhausting all other possible funding resources, to change the SuperNOFA funding priorities in order to meet any future, expanded financial obligations

of the HMIS. Mr. Joseph Mathos seconded the motion. There were seventeen (17) votes approving the motion set forth and one vote (1) opposed. The motion was approved by majority vote.
(Mr. Ronald Book joined the meeting at 10:46 a.m.)

TECHNICAL ASSISTANCE RFA-RATIFICATION

David Raymond stated, that as authorized by this Board last month staff issued a Request for Proposals (RFP) for a 26-month contract in the amount of $133,714, to seek a provider of Technical Assistance for the Homeless Trust. The 26-month contact aligns the contract with the County budget year-end. The Trust Board also directed staff to allow the contract for two addition one-year extensions, at the sole discretion of the County and subject to the availability of funds. David provided the Board members with a detailed background of the Selections Committee's recommendation, scoring methodology, and evaluation criteria for the two proposals received. Further that these recommendations were approved by the Executive Committee and comes to this Board for ratification. Therefore, it is staff's recommendation that the Trust Board, following it's review of the attached memo to the County Manager approve the Selection Committee and Executive Committee's recommendations and enter into a 26-month contract in the amount of $133,714 with Apple Tree Perspectives for the provision of technical assistance. The contract shall include provision for two additional one-year extensions at the discretion of the Homeless Trust Board, subject to the availability of funds, and also will permit up to a 2% increase per year following a satisfactory performance review by the Homeless Trust Staff, Finance Committee, and Board. Mr. Joseph Mathos made a motion to ratify the Executive Committee' action concerning the Technical Assistance contract with Apple Tree Perspectives. Ms. Marylin Rey seconded the motion. All members present approved the motion set forth unanimously.

HOMELESS AND RUNAWAY YOUTH GRANT RFA - RECOMMENDATIONS

David Raymond stated that at the last Trust Board meeting staff was authorized to issue a Request for Applications (RFA) pursuant to the United States Department of Health and Human Services Notice of Availability of Financial Assistance for it's Runaway and Homeless Youth Programs Grant. This program provides funding to local communities for the provision of shelter, transitional housing, and services for runaway and homeless youths, included in the targeted population is also the children that age out of foster care. Staff received one application from The Center for Family and Child Enrichment, Inc. David also explained the evaluation criteria for this grant and the scoring methodology utilized by the Selection Committee.

It is staff's recommendation, that the Trust Board following its review of the attached memo approve the Selection Committee's recommendation not to include the Center of Family and Child Enrichment, Inc. in an application to the U.S. Department of Health Human Services. Among other concerns, the respondent did not adequately address key criteria of the grant. Further, as we have no viable service provider applicant, the Homeless Trust will forego applying for this programming. Mr. Mark Cooper made a motion to approve the Selection Committee's recommendation not to move forward with this application. Mr. Joseph Mathos seconded the motion. All members present approved the motion set forth unanimously.

HOMELESS CENSUS

David provided the Board members a final report of the recent census count and the methodology used for these figures. Also, that as requested by Commissioner Steinberg there is a life-to-date summary included in the meeting package for review. David pointed out that the City of Miami is at its highest point since

June 2001. Number of outreach teams is disproportionate to the area that must be covered. County efforts must be enhanced, to have a more accurate assessment of homeless people throughout the entire county.

CPHI REPORT

Mr. Dan Vincent stated they had 58.2% outplacements at the South HAC, 67.5% at the North HAC, life-to-date is 57.4%. They were able to obtain insurance for the Kennel, so it is now open. Plans are underway for the 2nd Annual Fund Raising Gala on October 17, 2003 at the Marriott Hotel; without invitations going out, they have already sold forty of fifty tables.

APPLE TREE PERSPECTIVES REPORT

Ms. Alicia Apfel briefly reviewed the report provided in the meeting package and provided some of the highlights for the members. Ms. Apfel addressed several specific questions raised by Mr. Book regarding the progress of the project developers. Mr. Book requested more specific information related to Ms. Apfel's concerns related to delays in project implementation in future reports.

Carrfour Corp.
City View
Commencement of construction and timeline of construction.

Family Resource Center
Liberty City Family Transition
Need timelines for accountability purposes.

Camillus-South Dade
Transitional Housing for Families
Execution of HOME contract from OCED pending from County Manager's Office.
Ms. Karen Mahar stated that yes the contract has been executed.

Naranja Cottages
Installation of Water and Sewer lines gap funding.

Fellowship House
Permit delays and rehabilitation completion date.

14 Unit Permanent
Housing
Environmental review, delays.

Mr. Book asked that the issues that were raised today be re-addressed at next month's meeting so that the progress can be monitored. David also stated that Alicia Apfel and himself are making arrangements to visit the sites personally so that monitoring mechanism can be improved.

ECONOMIC INDICATOR REPORT

Tax Collection Report for the Most Recent Collection Period: Mr. Cesar Deville stated that there was an 8.84% increase in tax earnings for the month of April 2003 (as compared to the same period last year). The year-to-date actual collection stands at 5.01% greater than the same period last year. Actual revenue collection to date is $4,986,592.34.

Local, State, and National Unemployment Rates: National average has slightly increased to 6.0% for April 2003 as compared to February (5.8%). The State average has remained constant at 5.3% in February for the third consecutive month. The Miami-Dade County, unemployment average has slightly decreased to 7.3% for the month of February as compared to 7.8% in January.

Utilization Analysis for Homeless Help Line: The Homeless Helpline received a total of 1,269 calls for the month of February 2003. Total minutes were 3,013 with an average of 2.37 minutes per call. Following a brief discussion concerning the peaks and valleys of the calls, members agreed that a mechanism needed to be implemented to track the outcome of the telephone calls that come in to the Helpline. It was agreed that staff would look at other models such as Broward County and City of Miami so that it could be implemented in the new HMIS. Also, that giving access to the HMIS to the outreach teams would benefit staff in facilitating this information. Brad Simon briefly stated there is a 22% increase in call from families; 3% increase in the Trust toll free line.

EXECUTIVE DIRECTOR'S REPORT

FOOD AND BEVERAGE TAX COLLECTION: David stated that at the request of Mr. Book, our Finance Chair, at the Executive Committee meeting this month, a letter of recognition was sent to Mr. Alan Eagle. Additionally, Mr. Eagle will be requesting from ITD to not charge us for a report regarding the tax trend. The report will include a list with the names of all the establishments that are supposed to be paying the food and beverage tax and track who is not complying. There was a brief discussion regarding the idea of aggressively pursuing the extension of the tax to the three cities that presently do not participate in the tax collection.

SPECIAL DISTRICT LIGHTING TAX UPDATE: David Raymond stated that he is pleased to report that staff has received written confirmation from the Tax Collector's Office that the interest on past due tax assessment from South Dade will be applied towards next year's assessment.

AIR BASE PROPERTY UPDATE: David Raymond provided the Board members with an update of staff's efforts in attempting to obtain in-kind service to clear the property in South Dade. Safe Neighborhood Parks, Department of Corrections do not have the equipment to perform this type of work but suggested that perhaps the Fire Department can do "controlled burning," however that would not involve clearing the bulky objects and may prove hazardous. Team Metro sent an estimate for approximately $43,000.00. Staff will continue to pursue possible avenues and provide an update at the next meeting.

SINGLE ASSET CORPORATION UPDATE: David Raymond stated that in the meeting package there is a letter from HUD stating that the Homeless Trusting can continue the Single Asset Policy as long at the Parent grantee has control over the entity.

WEAPONS OF MASS DESTRUCTION TRAINING: David thanked Bruce Netter for a successful and informative training, there was a very good turn out and excellent feedback.

STATE FUNDING: David Raymond stated that by virtue of his position at the alliance of human service board, Alex Douglas has asked him to co-chair the Revenue Maximization Committee to develop strategies to match local funds against federal funds in some better manner. David also briefly provided some highlights concerning the reduction in State funding.

MIAMI BEACH PANHANDLING ORDINANCE: David expressed concern regarding the financial impact the Miami Beach arrests for aggressive and passive panhandling may have on the HAC and other programs in our Continuum, as homeless individuals may be released into downtown via discharge from the Dade County Jail.

OTHER ITEMS

CAMILLUS HOUSE METATHERAPY LEASE ASSIGNMENT

David Raymond provided the Board members with a background of the issues that Metatherapy had with some State and Homeless Trust contracts. Metatherapy Institute Inc. was assumed by Camillus House and has been operating under an SHP grant since. There is a fifty-year lease agreement with Metatherapy. However, since that corporation is now defunct, Camillus House is seeking the dissolution of the Metatherapy Corporation. Staff discussed with Ms. Johnson-Stacks the possibility of an administrative assignment of the lease. Ms. Johnson-Stacks informed staff they may use an assignment clause in the lease and this option can be pursued with the approval of HHS. HHS has been receptive to this option in preliminary discussions with them. Ms. Karen Mahar of the Camillus House staff, and David and Cynthia provided clarification to some questions raised during a brief discussion concerning the reasons for this step and to the question if there would be any negative effect on any of the providers or services. David stated that as members may recall the issue of the Single Asset Corporation at last month's meeting; this will also establish privity between agency and HUD. Ms. Johnson-Stacks assured the concerned members that this is a minor legality establishing a change of ownership in where the interest of the Trust would be better protected. Ms. Olga Golik made a motion to approve the administrative assignment of the Metatherapy lease to Camillus House. Mr. Mark Cooper seconded the motion. All members present approved the motion set forth unanimously.

ELIZABETH VON WERNE BOARD TERM EXPIRATION: Mr. Book on behalf of the Mayor, the Board of County Commissioner, the Trust Board, and the countless men, women, and children in our community expressed gratitude for her dedication and commitment to this community.

There being no further business, the meeting adjourned at 12:35 p.m.

Ronald L. Book, Esquire
Acting Chairman for Mayor Alex Penelas
Finance and Audit Committee Chair

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO: MAYOR AND COMMISSIONERS

CC: JORGE GONZALEZ
CITY MANAGER

FROM: MATTI H. BOWER
COMMISSIONER

DATE: JULY 8, 2003

RE: For Your Information-Provided by the Performing Arts Center Trust

Attached please find PACT Board Resolutions as of July 8, 2003 and PACT Construction Progress as of July 3, 2003.

MB/lw

Agenda Item D-2
Date 7-30-03

Board Resolutions

Performing Arts Center Trust
Tuesday, July 8, 2003
Temple Israel of Greater Miami

Resolution No. 1
Resolution relating to the President and the CEO continuing discussions with the Performing Arts Center Foundation concerning an amended cooperative agreement and staff consolidation; authorizing the Executive Committee to negotiate all necessary terms of the agreement to be submitted to the full board for approval.

Resolution No. 2
Resolution authorizing execution of a letter of understanding between the Performing Arts Center Trust and the Miami-Dade Water and Sewer Department (WASD) granting WASD the right and privilege with 48 hours notice to construct, install, maintain, relocate, repair, replace, remove and inspect water transmission and distribution facilities and sewer collection facilities. WASD shall not be liable for any damage to the decorative brick pavers or custom manhole covers as may arise out of WASD's repair, construction, or maintenance of any water and sewer facilities.

Resolution No. 3
Resolution to approve a contract with Cosentini and Associates in the amount of $208,175 to be funded from the Furniture, Fixtures and Equipment budget for the development of design-build specifications for telephone, data and paging.

Performing Arts Center Trust
Executive Committee Minutes
July 03, 2003
10:00 AM

A meeting of the Performing Arts Center Trust Executive Committee was held in the office of the President, 1444 Biscayne Boulevard, Suite 202.

In Attendance: Parker Thomson, Stu Blumberg, David Wilson, Michael Hardy, Juan Loumiet and Valerie Riles Robinson.

Performing Arts Center Trust Executive Committee Chairman, Parker Thomson called the meeting to order.

Michael Hardy presented the Performing Arts Center Trust and Foundation consolidation outline.

Resolution relating to the President and the CEO continuing discussions with the Performing Arts Center Foundation concerning an amended cooperative agreement and staff consolidation; authorizing the Executive Committee to negotiate all necessary terms of the agreement to be submitted to the full board for approval.

The Executive Committee will review similar models at FIU and Miami-Dade College. The committee will also retain legal counsel to review the structure of the agreement.

Dr. Hardy presented a proposed Letter of Understanding between the Trust and Miami-Dade County's Water and Sewer Department.

Resolution authorizing execution of a letter of understanding between the Performing Arts Center Trust and the Miami-Dade Water and Sewer Department (WASD) granting WASD the right and privilege with 48 hours notice to construct, install, maintain, relocate, repair, replace, remove and inspect water transmission and distribution facilities and sewer collection facilities. WASD shall not be liable for any damage to the decorative brick pavers or custom manhole covers as may arise out of WASD's repair, construction, or maintenance of any water and sewer facilities.

Dr. Hardy presented a proposal from Consentini and Associates to develop design-build specifications for telephone, data and paging. Upon completion of the schematic and design development documents, Cosentini and Associates will assist with the bidding, permitting and construction administration phases. Their scope will generally include specifications for cabling infrastructure, PBX switch, local area network and paging system. Dr. Hardy will consult with other outside telecommunication experts to help monitor the design phase and to ensure the system is operationally sound.

Resolution to approve a contract with Cosentini and Associates in the amount of $208,175 to be funded from the Furniture, Fixtures and Equipment budget for the development of design-build specifications for telephone, data and paging.

Meeting adjourned.

The Future Relationship between the Performing Arts Center Trust and Foundation
by Michael Hardy

(Note: In December 2002, Parker Thomson and Michael Hardy met with the Executive Committee of the Foundation to discuss the future relationship between the two organizations. The following is an excerpt from a report Hardy was asked to prepare following that meeting.)

When the Performing Arts Center opens, there will be an ongoing need for a variety of fund development functions which can best be fulfilled by a staff and non-profit board of directors with a private 501(c)3 structure similar to that of the current Performing Arts Center Foundation (PACF). These needs include:

- Continuing patron relationships with donors to the capital campaign
- Membership program and benefits
- Continued procurement and management of large individual gifts
- Patron services to all donors
    - Special ticketing privileges
    - Management of donor lounges
    - New services such as special parking, food services and rental discounts
- Endowment management and growth
- Special fundraising events (annual gala, artist receptions, etc.)

The reason for these functions to be carried out by a private organization related to the Performing Arts Center are clear:

The Board of Directors must be chosen and cultivated for its ability to provide leadership and guidance to the fundraising function. The PACT Board of Directors, with its appointive structure, cannot effectively play that role.

It is also rational that the fundraising activities of the enterprise should be integrated seamlessly with the operational management of the Center to ensure that the goals, policies, and communications of the Performing Arts Center are effectively coordinated by a centralized management.

Finally, it would be more effective use of resources to retain the board depth and staff expertise developed by PACF during the capital campaign, rather than to disband the organization and, essentially, recreate it without the current sense of history and commitment.

The outline of an organizational plan which will meet the private funding needs of the Performing Arts Center while taking maximum advantage of current assets needs to consider first what the most effective structure should be after the Performing Arts Center has opened. Consideration can then be given to how to accomplish the transition between the current structure and the eventual one.

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June 12, 2003

Augusto E. Maxwell
305 755 5827
amaxwell@akerman.com

Guillermo R. Peña, RA
Senior Project Manager
Performing Arts Center of Greater Miami
1444 Biscayne Boulevard
Suite 202
Miami, Florida 33132

David Murray, Esq.
County Attorney's Office
111 N.W. 1st Street
Suite 2800
Miami, Florida 33128

Re: Letter of Understanding

Dear Gentlemen:

Enclosed please find a copy of the proposed Letter of Understanding between the Performing Arts Center Trust ("PACT") and the County's Water & Sewer Department. It's my recommendation that Mr. Hardy have approval of the PACT Board and that thereafter he execute the letter and send it on to David Murray.

Please feel free to call me should you have any questions.

Sincerely,

Augusto E. Maxwell

AEM:agd
Enclosure
cc: Richard C. Milstein

{MI943867;1}

LETTER OF UNDERSTANDING

THIS LETTER OF UNDERSTANDING, made and entered into this _____ day of _____, 2003, by and between the Performing Arts Center Trust Inc., a Florida corporation(the "PACT") and the Miami-Dade Water and Sewer Department (the "WASD");

W I T N E S S E T H

WHEREAS, the Board of County Commissioners of Miami-Dade County ("the County") intends to cause a Performing Arts Center ("the Center") to be designed, built and operated for the benefit of residents and visitors to Miami-Dade County; and

WHEREAS, the County will own the land, the structures and the appurtenances of the Center (the "Property"), and

WHEREAS, the County also established PACT to obtain independent professional management services in connection with the design, construction and operation of the Center; and

WHEREAS, the County and PACT by an Operating Management Agreement dated December 29, 2000 designated PACT to operate and manage the Property on behalf of the County; and

WHEREAS, PACT and WASD seek to better define and state their respective responsibilities regarding the Center's water supply;

NOW, THEREFORE, in consideration of the premises set out, PACT and the WASD hereby convey and agree as follows:

1. PACT has granted and does hereby grant, to WASD, its Successors and assigns, forever, the right and privilege with 48 hours notice to PACT to construct, re-construct, lay, install, operate, maintain, relocate, repair, replace, improve, remove and inspect water transmission and distribution facilities and sewer collection facilities and all appurtenances thereto, and all appurtenant equipment, with full right of ingress thereto and egress there from, on the Property. PACT shall have the right to have a representative present during the all such WASD work on the Property.

2. PACT hereby acknowledges and agrees that certain water transmission and distribution facilities and sewer collection facilities to be located within the Property, will be covered with decorative brick pavers and custom made manhole covers which do not conform to WASD's regulations. PACT agrees that it will be solely responsible for all costs and expenses to repair such pavers and manhole covers in the event that WASD damages the decorative brick pavers and custom made manhole covers as a result of construction, repair or maintenance operations of the water and/or sewer facilities or WASD's use of its easement area rights. WASD shall not be liable for any such damage to the decorative brick pavers or custom manhole covers as may arise out of WASD's use of the easements and/or the repair, construction, or maintenance of any water and sewer facilities.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by their respective officials as of the day and year above written.

_____
Tomas R. Goicouria, Chief
Utilities Development Division
Miami-Dade Water and Sewer Department
Miami-Dade County

PERFORMING ARTS CENTER TRUST INC. a Florida not-for-profit corporation

By:_____
Michael Hardy, President

{MI915230;3}

PERFORMING
ARTS CENTER OF
GREATER MIAMI

1444 Biscayne Boulevard · Suite 202
Miami, Florida 33132
Tel: 305.372.7611 · Fax: 305.372.7659

Gail L. Thompson, A.I.A.
Director

Memorandum

To: Michael Hardy

From: Gail L. Thompson

Date: June 27, 2003

Re: Telecommunications Project

We have finalized negotiations with CP&A and their sub consultant, Cosentini & Associates, for telecommunications consulting. They will provide all consulting services necessary to develop a design-build specification for telephone, data and paging. They will also provide construction administration phase services once a contract has been awarded for installation of these systems.

As we discussed, we have recommended that CP&A/Cosentini provide these services because this firm has also provided mechanical, electrical and plumbing engineering services on the project and is most familiar with the drawings. We believe that this will streamline both the reporting and management of this aspect of the project. However we will expect that the final design/build bid package, prepared by CP&A/Cosentini, will be competitively bid.

Once the PACT has executed an agreement with CP&A/Cosentini, PACMO will assist you in the management oversight of CP&A/Cosentini's work product and deliverables. We will also provide oversight during the bidding and installation phase of the telecommunications scope of work.

Although I have attached the final negotiated proposal to this memorandum, a brief summary of the consulting scope is as follows:

CP&A/Cosentini will consult with the PACT to develop the program needs, scope and requirement for the project. Based on this discussion CP&A/Cosentini will provide schematic and design development documents. An RFP will be developed for bidding the agreed upon scope. CP&A/Cosentini will assist in the bidding, permitting and construction administration phases as well. The scope will generally include specifications for a cabling infrastructure, PBX switch, local area network and paging system.

The total cost shall be $208,175.00, which includes both fee and reimbursable expenses for CP&A and Cosentini. Once approved by the PACT's Executive Committee, PACMO will develop a Work Order on your behalf. The contract will be funded from the project's furniture, fixtures and equipment budget. We will transfer the necessary funds to the PACT.

If you have any questions, please do not hesitate to let me know. Thank you.

Performing Arts Center of Greater Miami
Construction Progress Report
July 3, 2003

Construction Progress

We have completed twenty-one (21) months of our thirty-six month construction schedule. The majority of trades have been contracted, representing approximately $209.969M (Million) of the $212.795M project hard costs. The balance making up the original $254.650M GMP value includes contingencies, fees and general conditions costs. The current projected value of the GMP is $251.233M as of Pay Application No. 20. This results in additional buy-out savings that PACB can utilize as additional contingency, as per contract. The savings left at the end of the project will be shared between the County and PACB at a 75% and 25% ratio, respectively.

Sanford and Dolores Ziff Ballet/Opera House

The cooling towers were delivered and installed early last week. The erection of the first truss occurred early in June. Erection and bolting of other trusses in the lobby and audience chamber will continue through July. The erection of steel in the stage area is scheduled to commence next Monday and will last six weeks. Installation of metal decking continues at the second, third and box tier levels and will be ongoing through the third week of July. Masonry work in the "Back of House", loading dock and service area is ongoing. The exterior wall on NW 14th street is scheduled to be completed by the third week of July. The installation of mechanical ducts and associated equipment will continue through the month. The installation of overhead electrical conduits and plumbing/fire protection pipes on the box through third tier levels will continue through the month. Masonry work at the intermediate level parapet wall, excavation around the bridge piles, and formwork for the pile caps has commenced this month.

Carnival SymphonyHall

Erection of structural steel is ongoing in zones C1A and has currently reached the catwalk level of the Concert Hall. The installation of metal decking continues in zone C1B, catwalk and roof levels in zone C3 back-of-house. Elevator shaft and shear wall construction at Elevator 5 has been completed and preparations for the "tie-in" of structural steel elements is under way. Installation of concrete in the area of the loading dock, receiving office and stage loading area is scheduled to be completed by July 11, 2003. Installation of concrete block at the orchestra level, box tier, 2nd tier and 3rd tier levels of C3-back-of-house is ongoing and will continue throughout the month of July. Penetrations in concrete block for the installation of HVAC equipment at "Back-of-House" areas will be ongoing throughout the year. Adjustment to the Rear Stage Entry curtain wall structural framing will be ongoing throughout the erection of the building envelope. Installation of steel reinforcing is underway at tie beam locations adjacent to the organ blower. Installation of mechanical, plumbing and fire sprinkler lines are ongoing throughout the orchestra level. Installation of electrical rough-in at the orchestra level will be ongoing throughout the month of July.

Art Deco Tower

The structural restoration of the various beams, columns, floor slabs, and exterior stucco was completed last Friday. Installation of the lower café slab will commence once the scaffolding is removed. The steel subcontractor is preparing the second and third floors to receive the installation of the structural beams that will support the air handling units.

Schedule

PACB submitted their latest up-date schedule with a (newly) reported 320 calendar day delay, an increase of 33 days since last period. A request for time extension, seeking 250 calendar days, has been received and is currently under review. Until such time as the review is complete; a decision rendered; and a change to the contract duly executed; the subject delay(s) are *not accepted.* Notwithstanding, the projected completion date is currently July 2005. The up-date schedule indicates approximately **27.9%** completion at the Sanford and Dolores Ziff Ballet/Opera House and **25.1%** at the Carnival Symphony Hall. The involvement of an independent scheduling consultant will assist in resolving current disputes over the accuracy of the schedule. The forum to address issues that cannot be resolved in this manner will be the Dispute Resolution Board.

CSBE Participation Status

PACB has surpassed the goal of 10% for CSBE participation for the Construction Management part of their contract by attaining **12.10%**. To date they have contracted with **four** CSBE firms for a combined CSBE dollar amount of **$4,543,611.54**. The CSBE firms have been paid **$1,834,714.70** or **40.38%**, to date. PACB has a goal of 19.11% for CSBE participation for the construction part of the project. To date, **fourteen** CSBE firms, with a combined CSBE dollar amount of **$27,849,730.34** (or **12.83%** of the total construction cost) have been contracted. PACB has developed a plan to meet the balance of its goal as construction progresses.

Workforce employed on site to date

The total number of individuals employed to date is **1323**, as reported by PACB. This includes administrative staff and represents an increase from last month.

Comprehensive Employment Strategy Agreement (CESA)

PACB has recorded **157** new hires toward its goal of 400 individual new hires. Of these, **fifteen** resides in Priority Zone 1; **thirty-two** in Priority Zone 2; **Seventy-two** in Priority Zone 3; and **thirty-eight** individuals reside in Priority Zone 4.

Art in Public Places

Design criteria/scope packages for the organ scrim have been approved and work orders set up for each consultant. PACB will be supplying Architectural Glass Art with a bottom rail support sample to be used as part of the load testing mock-up. Site visits to review examples of Artistic Surfaces' completed terrazzo projects took place June 10, 2003. CP&A will set up local site visits to demonstrate the standard of quality that is expected. Anna Murch will be completing the 3-D drawings of the fountain within the next two weeks, and she will proceed with fabrication of the foam panel wave element mock-up immediately following. PACB's fountain manufacturer will construct a full size section of the water feature by the end of July that will be tested in conjunction with the wave element. The follow-up meeting to review Robert Zakanitch's half scale painted image for the Opera House Curtain on canvas has been scheduled for July 7, 2003, in New Haven with Cesar Pelli to discuss the final design and color scheme. Fabrication of the full-size mock-up on the actual curtain fabric may proceed if approved by the team. Bisazza continues with production of Cundo's Studio Theater glass mosaic which is currently at 50% completion. An inspection is being scheduled at the plant to review production progress and quality. Final grout color is still to be determined.

Project Budget Summary

PACMO has requested an increase in the overall project budget of $4.2 M, bringing the proposed budget to $344.338 M. The projected requirement is a result of increased administrative and soft costs necessitated by the projected delays.

Work In Place

Total Work in Place:	**$64,959,776.46**
Total Paid PACB To Date:	$61,127,224.00
Retainage Withheld:	$ 3,832,552.46

Direct Material Purchase Program

Sales Tax Savings Goal:	$2,680,000.00
Tax Savings Achieved To Date:	$2,716,622.46
Tax Goal Savings Exceeded By:	**$ 36,622.54**

Owner Controlled Insurance Program (OCIP)

OCIP Savings Goal:	$5,151,731.00
OCIP Savings Achieved To Date:	$6,269,908.97
OCIP Goal Savings Exceeded By:	**$1,118,177.97**

Value Engineering

Value Engineering Savings Goal:	$591,289.00
VE Savings To Date:	$ 92,152.27
VE Balance to be Achieved:	**$499,136.73**

Contingency

Contingency Amount:	$18,000,000.00
Change Orders (up to CO 65):	$ 7,588,921.00
Balance Remaining In Contingency:	**$10,411,079.00**

Not included in the balance is $1,383,000 to be reimbursed to the County, in October 2003, by PACT. This is for the compensating lift and the donor wall. The Change Order amount of $7.58M includes a $6.0M Owner's Allowance Account that will be internal to the GMP.

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