



# MIAMIBEACH

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

## COMMITTEE MEMORANDUM

TO: Mayor Matti H. Bower and Members of the City Commission

FROM: City Manager Jorge M. Gonzalez

DATE: March 24, 2011

This shall serve as written notice that a meeting of the Finance and Citywide Projects Committee has been scheduled for March 24, 2011, at 3:30 P.M. in the City Manager's Large Conference Room.

The agenda is as follows:

### OLD BUSINESS

1. **Discussion regarding recent billing of Parking Impact Fees and the possibility of a moratorium due to present economic market conditions, and the effect on business in North Beach** (*October 14, 2010 F&CWP Item 8*) (*January 19, 2011 Commission Item C4L*)

Richard Lorber – Acting Planning Director  
Jorge Gomez – Assistant City Manager

2. **Status update regarding the Convention Center Expansion and Enhancement Plan** (*November 17, 2010 Commission Item C4C*)

Jorge Gonzalez – City Manager

### NEW BUSINESS

3. **Discussion regarding an ordinance amending Article III, Division 28 of the City Code, entitled "Capital Improvement Projects Oversight Committee;" amending Section 2-190.127, entitled "Establishment; Purpose; Membership," by adding a non-voting-ex-officio** (*January 19, 2011 Commission Item R9I*)

Deborah Turner – First Assistant City Attorney

4. **Discussion on the role of the Capital Improvement Projects Oversight Committee.**

Jorge Gomez – Assistant City Manager

- 5. Discussion regarding a proposed ordinance which will require mandatory recycling, via the establishment of a City of Miami Beach Recycling Program, for multifamily residences and commercial establishments in the City (January 19, 2011 Commission Item C6C)**

Fred Beckmann – Public Works Director

- 6. Discussion regarding a parking solution – “Parking App” (January 19, 2011 Commission Item R9E)**

Saul Frances – Parking Director

- 7. Discussion regarding a proposed lease agreement with Gigi’s Restaurant for use of 7,000 sf of space in the City-owned property located at 1661 Pennsylvania Avenue.**

Anna Parekh – Director of Real Estate Housing and Community Development

- 8. Discussion regarding renewal of agreement with Clear Channel ADSHEL, Inc. to construct, operate, and maintain bus shelters (March 9, 2011 Commission Item C4J)**

Fred Beckmann – Public Works Director

**Finance and Citywide Projects Committee Meetings for 2011:**

**April 27, 2011**

**May 19, 2011**

**June 23, 2011**

**July 28, 2011**

**August 17, 2011**

**September 28, 2011**

**October 25, 2011**

**December 28, 2011**

JMG/PDW/rs/th

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Cc. Mayor and Members of the City Commission  
Management Team

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# MIAMIBEACH

## MEMORANDUM

TO: Finance and Citywide Projects Committee

FROM: Jorge M. Gonzalez, City Manager *JMG for JMG*

DATE: March 24, 2011

SUBJECT: **Discussion regarding recent billing of Parking Impact Fees and the possibility of a moratorium due to present economic market conditions, and the effect on business in North Beach**

### **BACKGROUND**

A discussion regarding the City's most recent billing of Parking Impact Fees, and the possibility of a moratorium due to present economic market conditions, was held by the City Commission on September 15, 2010, at the request of Commissioner Wolfson. After briefly discussing the matter, the issue was referred to the Finance and Citywide Projects Committee. The Commission also expressed their desire for the City to hold off on sending collection letters until the item is discussed at committee.

At the December 16, 2010 Finance and Citywide Projects Committee meeting, the Committee discussed various staff recommendations, and requested staff return with analysis on how other cities handle parking requirements, and recommendations on how to reduce the parking requirement by providing valet service. The Committee approved and referred the following initiatives directly to the Planning Board:

- allowing a yearly fee to be paid for new construction
- accept the modifications to the map for parking districts
- reducing the percentage for the yearly fee from 3% to 2%

The attached Planning Board memorandum and proposed ordinance was advertised and will be presented to the Planning Board at its March 22, 2011. Staff will provide a verbal update on the results of that meeting at the March 24, 2011 Finance and Citywide Projects Committee meeting.

### **CONCLUSION AND RECOMMENDATIONS**

The Administration recommends that the Finance and Citywide Projects Committee advise staff as to additional policy direction they wish to take.

JMG/JGG/RGL

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# MIAMI BEACH

## PLANNING DEPARTMENT Staff Report & Recommendation

## PLANNING BOARD

TO: Chairperson and Members  
Planning Board

DATE: March 22, 2011

FROM: Richard G. Lorber, AICP. LEED AP  
Acting Planning Director

SUBJECT: **File 2001 - Parking district boundaries and parking in lieu fees.**  
An Ordinance of the Mayor and City Commission of the City of Miami Beach, Florida amending the Land Development Regulations of the Code of the City of Miami Beach, by amending Chapter 130, "Off Street Parking", Article II, "District Requirements", by amending Section 130-31, "Parking Districts Established", to expand the boundaries of the existing parking districts; by amending Section 130-33, "Off-street Parking Requirements for parking districts nos. 2, 3 and 4," to amend regulations pertaining to parking districts 2, 3, and 4; and by amending Article V, "Fee in Lieu of Parking Program," Section 130-132, "Fee Calculation", to allow a yearly fee in lieu of parking to be paid for new construction, and reducing the yearly fee in lieu of parking from the current 3 percent of the one-time payment to a lesser percentage; providing for Repealer, Codification, Severability and an Effective Date.

### **BACKGROUND**

A discussion regarding the City's most recent billing of Parking Impact Fees, and the possibility of a moratorium due to present economic market conditions, was held by the City Commission on September 15, 2010, at the request of Commissioner Wolfson. After briefly discussing the matter, the issue was referred to the Finance and Citywide Projects Committee. The Commission also expressed their desire for the City to hold off on sending collection letters until the item is discussed at committee.

At the December 16, 2010 Finance and Citywide Projects Committee meeting, the Committee discussed various staff recommendations, and requested staff return with analysis on how other cities handle parking requirements, and recommendations on how to reduce the parking requirement by providing valet service. The Committee approved and referred the following initiatives directly to the Planning Board:

- allowing a yearly fee to be paid for new construction
- accept the modifications to the map for parking districts
- reducing the percentage for the yearly fee from 3% to 2%

### **ANALYSIS**

In certain specific cases a parking impact fee may be paid to the city in lieu of providing required parking. Rather than a traditional "impact fee", it is really a "fee-in-lieu", which

means that one has the option to either provide the required parking either on-site or within a specified distance, or, pay a fee in lieu of providing that parking.

The fee is set by the City based upon the estimated cost of constructing one parking space in a typical structured parking garage, and is adjusted from time to time to reflect changes in the cost of land and construction. In 2006, the City increased the fee to \$35,000 per space, which was estimated to be the amount it would cost the City to construct one space; subsequent analysis of the parking garage projects reviewed by the City has proven that amount to be justified, as the costs reflect an average cost per space very close to this figure.

The rationale for the fee-in-lieu of parking is that where a developer cannot provide parking on site, and is unable to obtain off-site parking to satisfy the parking requirements, the funds generated by the parking impact fees can be used by the City to provide public parking garages. The City is divided into three districts, north, middle and south, and funds generated are segregated into three accounts according to the district they are in.

In South Beach, the City has used these fees to help fund the Municipal Multipurpose Center garage at 17<sup>th</sup> Street and Meridian Avenue. The Sunset Harbour garage, which is located in the Mid-Beach parking impact fee district, is funded partially with parking impact fees. The proposed garage on 23<sup>rd</sup> Street is also located in the Mid-Beach account area. There are funds in the account for North Beach which are expected to help fund the future North Beach Town Center garage.

New construction of buildings must pay a one-time parking impact fee at the time of building permit approval. However, for the intensification of an existing building from a less intense use such as office or retail to a more intensive use such as restaurant, which requires additional parking, a yearly fee payment option is offered, which is 3% of the one-time fee, payable per year. The full fee is currently \$35,000, so the yearly fee is 3% of that, or \$1,050 per year. The yearly fee is also an option for outdoor cafés associated with an indoor restaurant use.

Intensification of existing buildings in our historic districts does not trigger any parking requirements, so within historic districts there are very few yearly parking impact fee accounts. The majority of yearly accounts are located in areas that are not in historic district, and are not in areas of the City which have special parking reductions or parking districts. (Lincoln Road, 41<sup>st</sup> Street, and 71<sup>st</sup> Street are "parking districts" which have no parking requirements for retail or restaurant uses.) The attached graphic shows that there are concentrations of yearly parking impact fee accounts along Alton Road, in Sunset Harbour, in South Pointe, and in North Beach either along Collins Avenue south of 71<sup>st</sup> Street or clustered around the Normandy fountain. These concentrations are in areas that are neither considered "parking districts" nor are designated as local historic districts. As such, the intensification of uses within the existing buildings in these areas have required the payment of the yearly parking impact fees, when adequate parking was not available on-site to accommodate the increased parking requirements.

#### **Amending the map for parking districts**

The Planning Department has been looking at various potential policy solutions to address the concerns of small businesses with respect to the parking impact fees. For example, in one case brought to the Department's attention, a business that was on Alton Road at 41<sup>st</sup> Street was required to pay parking impact fees several years ago when they created a restaurant and later added more seats in what was once a real estate office. While

parking is normally required for this type of intensification, all properties fronting on 41<sup>st</sup> Street are part of "parking district #3" and as such, have no parking requirements for retail or restaurants. However, this property, since was on the curved portion of Alton Road just adjacent to the south from 41<sup>st</sup> Street, wasn't technically included in the parking district. Staff suggests that the definition of this parking district could be easily amended to include all properties zoned CD-3 commercial high-intensity, located within one block of 41<sup>st</sup> Street, and thereby include the five or six lots that are left out of the parking district as currently defined. This would be very logical from a planning standpoint and would not have a significant impact on the 41<sup>st</sup> Street area.

Similar changes could be contemplated in the North Beach area, where 71<sup>st</sup> Street is a parking district, but the areas around Normandy Fountain or south of 71<sup>st</sup> Street are not. The concept of the parking district is linked to the presence of adequate public parking, and as a public parking garage project is contemplated, the extension of the parking district could also be explored. (The North Beach Town Center plan includes a modest increase of the parking district #4). The proposed ordinance would extend the parking district south along Collins Avenue and north to 75<sup>th</sup> Street (mostly already a historic district).

The following modifications are suggested to the definitions of Parking Districts 3 and 4:

*Parking district no. 3.* Parking district no. 3 includes those properties in the CD-3 Commercial, High Intensity zoning district, within one block north or south of a lot line on Arthur Godfrey Road, from the east side of Alton Road to west side of Indian Creek Waterway.

*Parking district no. 4.* Parking district no. 4 includes those properties within the CD-2 and CD-3 commercial districts with a lot line on 71st Street, or between 67<sup>th</sup> Street and 72<sup>nd</sup> Street, from the west side of Collins Avenue to the east side of Rue Notre Dame, and those properties with a lot line on Normandy Drive from the west side of the Indian Creek Waterway to the east side of Rue Notre Dame, and those properties in the CD-2 and MXE districts between 73 street and 75 Street.

Note also that an ordinance creating parking district #5 along the Alton Road corridor between 5<sup>th</sup> Street and the Collins Canal is currently being contemplated as part of the package of ordinances addressing the buffer zone between the commercial corridor and the Flamingo Park historic neighborhood. This ordinance should eliminate several yearly parking impact fee accounts along the corridor. Finally, the Commission has directed staff to explore revisions to the parking requirements to the Sunset Harbour neighborhood, once the City's new parking garage project is open and operating in that neighborhood.

#### **Lowering the percentage paid per year**

For the intensification of an existing building from a less intense use such as office or retail to a more intensive use such as restaurant, which requires additional parking, a yearly fee payment option is offered, which is 3% of the one-time fee, payable per year. The yearly fee is also an option for outdoor cafés associated with an indoor restaurant use. Currently the full fee is \$35,000, so the yearly fee is 3% of that, or \$1,050 per year.

Planning Department staff has continued to explore the issue of the full fee and has examined construction and land acquisition costs for recent City parking garage projects (New World Symphony, Sunset Harbour, 5<sup>th</sup> & Alton, 23<sup>rd</sup> Street). Based on this data staff

believes that the \$35,000 figure remains valid as representative of the City's total average cost for land acquisition and construction of one parking space, which is how the fee is determined as required by Code. However, for yearly accounts, the 3% of the full fee per year is an arbitrary figure which has been revised on previous occasions. To address the impacts of a short-term economic downturn, the City could consider an amendment to this portion of the Code which reduces the percentage for the yearly fee from 3% to a lower number. The table below indicates what the yearly fee would be reduced to at various percentage levels.

Full fee	Percentage	Yearly fee
\$35,000	3% (current)	\$1,050
\$35,000	2.5%	\$875
\$35,000	2%	\$700
\$35,000	1.5%	\$525

Staff believes that temporarily adjusting the annual percentage rate to 2% during economic downturns is a preferable way to address such concerns, without causing undue impact to the traffic and parking conditions in the City. The full fee would continue to serve as a reference for the actual cost of building and providing parking for new construction projects, acting as an incentive to consider actually providing the required parking on site or within the close vicinity of the actual project.

### **REVIEW CRITERIA**

Pursuant to Section 118-163 of the City Code, in reviewing a request for an amendment to these land development regulations, the board shall consider the following when applicable:

- 1. Whether the proposed change is consistent and compatible with the comprehensive plan and any applicable neighborhood or redevelopment plans.**

**Consistent** - The proposed amendment does not contravene the Comprehensive Plan; no amendments to the Comprehensive Plan will be required.

- 2. Whether the proposed change would create an isolated district unrelated to adjacent or nearby districts.**

**Consistent** - The proposed amendment would be citywide.

- 3. Whether the change suggested is out of scale with the needs of the neighborhood or the city.**

**N/A**

- 4. Whether the proposed change would tax the existing load on public facilities and infrastructure.**

**Consistent** -The proposed change should not tax the load on public facilities and infrastructure.

5. **Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.**

**Consistent** – The proposed change would not affect the existing zoning district boundaries.

6. **Whether changed or changing conditions make the passage of the proposed change necessary.**

**Consistent** – The modest reduction in the fee-in-lieu of parking rates may be seen as a response to changing economic conditions, since the economy has become less vigorous in the last two to three years, affecting the ability of small businesses to cover the cost of parking fees.

7. **Whether the proposed change will adversely influence living conditions in the neighborhood.**

**Consistent** - The proposed change should not adversely influence living conditions.

8. **Whether the proposed change will create or excessively increase traffic congestion beyond the levels of service as set forth in the comprehensive plan or otherwise affect public safety.**

**Partially Consistent** - The proposed change would likely to have little or no impact upon traffic.

9. **Whether the proposed change will seriously reduce light and air to adjacent areas.**

**Consistent** - The proposed amendment would not reduce light and air to adjacent areas.

10. **Whether the proposed change will adversely affect property values in the adjacent area.**

**Consistent** - The proposed amendment should not affect property values in the adjacent area.

11. **Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.**

**Consistent** - The proposed amendment should not be a deterrent to the improvement or development of adjacent property.

12. **Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.**

N/A

13. **Whether it is impossible to find other adequate sites in the city for the proposed use in a district already permitting such use.**

N/A

#### **ADDITIONAL POSSIBLE AMENDMENTS**

Staff has also considered other possible amendments, such as a small business exemption up to three spaces when intensifying a use within an existing building, or expanding the type of exemptions with the parking districts to include targeted or strategic industries or businesses the City wishes to attract. Hotels might be included in some of the parking districts, for example. While these concepts were not included in the original referral, the Planning Board may wish to discuss further with staff.

#### **STAFF RECOMMENDATION**

Staff recommends that the Planning Board make a positive recommendation to the City Commission to approve the proposed ordinance.

RGL/rgl

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**Fee-in-Lieu of Parking**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 130, "OFF STREET PARKING", ARTICLE II, "DISTRICT REQUIREMENTS", BY AMENDING SECTION 130-31, "PARKING DISTRICTS ESTABLISHED", TO EXPAND THE BOUNDARIES OF THE EXISTING PARKING DISTRICTS; BY AMENDING SECTION 130-33, "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3 AND 4," TO AMEND REGULATIONS PERTAINING TO PARKING DISTRICTS 2, 3, AND 4; AND BY AMENDING ARTICLE V, "FEE IN LIEU OF PARKING PROGRAM," SECTION 130-132, "FEE CALCULATION", TO ALLOW A YEARLY FEE IN LIEU OF PARKING TO BE PAID FOR NEW CONSTRUCTION, AND REDUCING THE YEARLY FEE IN LIEU OF PARKING FROM THE CURRENT 3 PERCENT OF THE ONE-TIME PAYMENT TO A LESSER PERCENTAGE; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Miami Beach has been examining the Fee in-Lieu-of Parking program and its effect on the City's businesses during present economic market conditions; and,

**WHEREAS**, as part of this discussion, the Finance and Citywide Projects Committee referred several initiatives to the Planning Board; and,

**WHEREAS**, The initiatives include allowing a yearly fee to be paid for new construction, consider modifications to the map for parking districts, and reducing the percentage for the yearly fee from 3% to 2%; and,

**WHEREAS**, the amendments set forth below are necessary to accomplish the above objective;

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

**SECTION 1.** That Chapter 130, "Off Street Parking", Article II, "District Requirements", Section 130-31, "Parking Districts Established" of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended as follows:

**Sec. 130-31. - Parking districts established.**

(a) For the purposes of establishing off-street parking requirements, the city shall be divided into four parking districts.

(1) *Parking district no. 1.* Parking district no. 1 is that area not included in parking districts nos. 2, 3 and 4.

(2) *Parking district no. 2.* Parking district no. 2 includes those properties with a lot

line on Lincoln Road from the west side of Washington Avenue to the east side of Alton Road and those properties north of Lincoln Road and south of 17th Street from the west side of Washington Avenue to the east side of Lenox Court.

(3) *Parking district no. 3.* Parking district no. 3 includes those properties in the CD-3 Commercial, High Intensity zoning district within one block north or south of a lot line on Arthur Godfrey Road, from the east side of Alton Road to west side of Indian Creek Waterway.

(4) *Parking district no. 4.* Parking district no. 4 includes those properties within the CD-2 and CD-3 commercial districts with a lot line on 71st Street, or between 67<sup>th</sup> Street and 72<sup>nd</sup> Street, from the west side of Collins Avenue to the east side of Rue Notre Dame, and those properties with a lot line on Normandy Drive from the west side of the Indian Creek Waterway to the east side of Rue Notre Dame, and those properties in the CD-2 and MXE districts between 73 street and 75 Street.

**SECTION 2.** That Chapter 130, "Off Street Parking", Article V, "Fee in Lieu of Parking Program", Section 130-132, "Fee Calculation" of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended as follows:

## **ARTICLE V. - FEE IN LIEU OF PARKING PROGRAM**

### **Sec. 130-132. - Fee calculation.**

- (a) *New construction.* The fee in lieu of providing parking for new construction shall be satisfied by one of the following:
- (1) a one-time payment at the time of issuance of a building permit of \$35,000.00 per parking space. The amount of such fee may be changed in accordance with subsection (d) of this section.
  - (2) A yearly payment in the amount of two percent of the payment required by subsection (a)(1) of this section which shall continue as long as the use exists. (The amount of such payment may vary from year to year in accordance with the determination set forth in subsection (d) of this section). However, in lieu of continued yearly payments, a one-time redemption payment may be made at any time of the full amount due pursuant to subsection (a) of this section minus the amount of money already paid through yearly payments; such amount shall be based upon the latest determination made pursuant to subsection (a)(1) of this section as of the time of the redemption payment rather than upon the amount which would have been due if the fee had been paid at the time the work was done

(b) *Existing structures and outdoor cafes.* When alteration or rehabilitation of a structure results in an increased parking requirement, or an outdoor cafe is created or expanded, the fee in lieu of providing parking shall be satisfied by one of the following:

(1) A one time payment as set forth in subsection (a)(1) of this section.

(2) A yearly payment in the amount of ~~three~~ two percent of the payment required by subsection (a) of this section which shall continue as long as the use exists. (The amount of such payment may vary from year to year in accordance with the determination set forth in subsection (d) of this section). However, in lieu of continued yearly payments, a one-time redemption payment may be made at any time of the full amount due pursuant to subsection (a) of this section minus the amount of money already paid through yearly payments; such amount shall be based upon the latest determination made pursuant to subsection (a) (d) of this section as of the time of the redemption payment rather than upon the amount which would have been due if the fee had been paid at the time the work was done, ~~regardless of the number of yearly payments made previously. However, when new floor area is added to the existing building, the impact fee shall be as set forth in subsection (a) of this section.~~

### **SECTION 3. 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 4. REPEALER.**

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

### **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 \_\_\_\_\_, 2011.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

First Reading: \_\_\_\_\_, 2011  
Second Reading: \_\_\_\_\_, 2011

Verified by: \_\_\_\_\_  
Richard Lorber, AICP  
Acting Planning Director

Underscore denotes new language  
03/18/2011

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**Discussion Item**

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# MIAMI BEACH

OFFICE OF THE CITY ATTORNEY

JOSE SMITH, CITY ATTORNEY

## COMMISSION MEMORANDUM

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jose Smith, City Attorney *[Signature]*

CC: Jorge Gonzalez, City Manager

DATE: January 19, 2011

SUBJECT: An Ordinance Amending Capital Improvement Projects Oversight Committee (CIPOC)

[Sponsored by Mayor Matti Herrera Bower]

At the request of Mayor Matti Herrera Bower, the City Attorney's Office has prepared the attached Ordinance which is being submitted for discussion at the January 19, 2011 City Commission meeting. The Ordinance amends the City Code provisions establishing and creating the CIPOC by adding a non-voting ex-officio member to the Committee who is either a member of the disabled community or has special knowledge of Americans with Disabilities Act (ADA) issues.

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Agenda Item R9I  
Date 1-19-11

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ARTICLE III, DIVISION 28 OF THE CITY CODE, ENTITLED "CAPITAL IMPROVEMENT PROJECTS OVERSIGHT COMMITTEE;" AMENDING SECTION 2-190.127, ENTITLED "ESTABLISHMENT; PURPOSE; MEMBERSHIP," BY ADDING A NON-VOTING EX-OFFICIO MEMBER WHO IS EITHER A MEMBER OF THE DISABLED COMMUNITY OR HAS SPECIAL KNOWLEDGE OF AMERICANS WITH DISABILITIES ACT (ADA) ISSUES; AND PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**WHEREAS**, currently, the Capital Improvement Projects Oversight Committee consists of nine (9) voting members who serve in an advisory capacity to the City Commission and Administration in matters pertaining to the oversight and successful implementation of capital improvement projects in the City; and

**WHEREAS**, it is deemed beneficial to expand the membership of the Committee to include an additional non-voting ex-officio member who is either a member of the disabled community or has special knowledge of Americans with Disabilities Act issues to provide accessibility-related input to the Committee.

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

**SECTION 1.**

That Chapter 2, Article III, Division 28, Section 2-190.127 of the Code of the City of Miami Beach, Florida, is hereby amended as follows:

**DIVISION 28. CAPITAL IMPROVEMENT PROJECTS OVERSIGHT COMMITTEE**

**Sec. 2-190.127. Establishment; purpose; membership.**

- (a) The mayor and city commission hereby establish a capital improvement projects oversight committee for the purpose of serving as an advisory body to the city commission and city administration in matters pertaining to the oversight and successful implementation of capital improvement projects initiated and undertaken by the City of Miami Beach including, without limitation, the proposed obligation bond funded projects approved by the mayor and city commission pursuant to Resolution Nos. 99-23299, 99-23300, and 99-23301, adopted on September 17, 1999, and as same may be amended from time to time.
- (b) The capital improvement projects oversight committee shall consist of nine voting members, eight of whom shall be appointed by the city commission as a whole (at-large appointees). The membership of the committee shall further be comprised as follows:

- (1) The mayor or his/her designee, who shall sit as a voting member of the committee, and shall also serve as chairperson of the committee;
- (2) At least two members shall be selected with experience in one of the following technical fields:
  - a. Engineering;
  - b. Architecture and/or landscape architecture; or
  - c. Historic preservation;
- (3) At least two members shall be selected with experience in one of the following technical fields:
  - a. Construction/general contractor; or
  - b. Developer;
- (4) Two members shall be selected with experience in the following technical field and/or the following category:
  - a. Capital budgeting and/or finance; or
  - b. Citizen-at-large; and
- (5) ~~The remaining two members shall be selected from any of the technical experience categories set forth in subsections (2) or (3) above; and~~
- (6) One member shall be either a member of the disabled community or a person with special knowledge of Americans with Disabilities Act (ADA) issues who shall be designated to serve as a non-voting ex-officio member in order to provide accessibility-related input to the committee.

## **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, sentence, clause or phrase of this ordinance 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 this ordinance.

## **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 a 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 ten days following adoption.

**PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.**

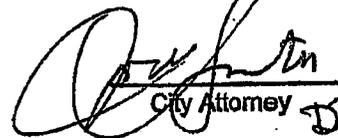
**ATTEST:**

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CITY CLERK**

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

  
\_\_\_\_\_  
City Attorney

1/10/11  
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# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee  
FROM: Jorge M. Gonzalez, City Manager  
DATE: March 24, 2011  
SUBJECT: Discussion of the Proposed Recycling Ordinance.

### **ADMINISTRATION RECOMMENDATION**

The Proposed Recycling Ordinance has been referred to the Finance and Citywide Projects Committee (FCWPC) for discussion.

### **BACKGROUND**

Commissioner Wolfson has been working with the City Administration and City Attorney's Office, as well as members of the City's Sustainability Committee, on a proposed ordinance that will require mandatory recycling, via the establishment of a City of Miami Beach Recycling Program, for multi-family residences and commercial establishments in the City.

Currently, Miami-Dade County Code Sections 15-2.2 to 15-2.4 require multi-family and commercial establishments to have a recycling program.

Additionally, as a result of fiscal constraints at the County level, the County Code requirement to demonstrate a recycling program is not adequately enforced. Numerous multi-family residential buildings and commercial establishments within the City of Miami Beach are currently not providing the required recycling program.

The proposed ordinance, which is an amendment to Chapter 90 (the City's Solid Waste Ordinance), would establish more stringent requirements than the County, and require multi-family residences and commercial establishments in the City to recycle pursuant to the requirements of a City of Miami Beach Recycling Program. The County Code Section (15-2.5) gives the City the authority to establish and enforce its own ordinance, provided such ordinance is equivalent to or more stringent than the County's provisions.

The Miami-Dade County Inter-local Agreement for Inclusion in County Curbside Recycling Program was entered into on June 14, 1990 (Attachment A). The Inter-Local Agreement (Agreement) provides single-stream recycling services to Miami Beach single-family homes and buildings of eight (8) or fewer units on a weekly basis. The Agreement authorizes the County to act on the City's behalf in the administration of the contract for this recycling service in the areas of municipal jurisdiction. The current number of households served by Miami-County within the City of Miami Beach is 5,147 units. The contractor that currently provides the service to Miami Beach through the Agreement every Wednesday is World Waste Services. The County's single-stream recycling program consists of the following acceptable items for collection:

- Paper products – newspaper, magazines, catalogs, telephone books, printer paper, copier paper, mail, all other office paper without wax liners.
- Cardboard – packing boxes, cereal boxes, gift boxes, corrugated cardboard
- Plastic containers – milk, water, detergent, shampoo, & narrow neck bottles without caps

- Aseptic containers – poly-coated drink boxes, juice cartons & milk cartons
- Glass – glass food & beverage containers (clear, brown & green)
- Metal – aluminum & steel food & beverage containers

Commercial facilities and multifamily residences with eight (8) or more units are required by Miami-Dade County Ordinance to hire, by means of a contract, a private hauler for their regular trash pick-up, recycling and bulk pick-up. Miami-Dade County Code Chapter 15 entitled “Solid Waste Management”, Sections 15-2.2 through Sections 15-2.5 require that commercial facilities and multifamily residences provide for the following:

- Owners/Property owners of commercial establishments in Miami-Dade County must provide a recycling program for their employees and tenants, using the services of an authorized waste hauler or private recycling hauler.
- The program must recycle three items from the following list of ten: high grade office paper, mixed paper, corrugated cardboard, glass, aluminum, steel, other scrap production metals, plastics, textiles, wood.
- Modified Recycling Programs -- those which incorporate modifications, substitutions or reductions to the requirements stated above -- may be submitted to the Department of Solid Waste Management for review and approval.

### **CURRENT ENFORCEMENT**

On September 1, 2009, the Miami-Dade County Multifamily and Commercial Recycling Memorandum of Understanding (MOU) between the City and Miami-Dade County Department of Solid Waste Management (SWM) (Attachment B). Under the MOU, the County agrees to enforce recycling under County Code Chapter 15, Sections 15-2.2 through 15-2.5 within the City of Miami Beach. Currently, the City relies on the County for enforcement of recycling under this agreement. When facilities are found to not have a recycling program, the County issues facilities a warning notice followed by a notice of violation that may include fines delineated in Miami-Dade Code Chapter 8CC entitled “Code Enforcement”. However, even though the County Ordinance requires multifamily and commercial establishments to have recycling program, there are numerous multi-family residential buildings and commercial establishments that are not providing a recycling program serviced by a licensed recycling hauler. In January 2011, the franchisee waste haulers provided the Public Works, Sanitation Division with a list of commercial facilities and multi-family residences that were in non-compliance with Miami-Dade County recycling program requirements. The list included a total of 1,558 establishments, which represents 53% of commercial and multi-family accounts in the City.

### **PROGRAM ANALYSIS**

The proposed Ordinance (Attachment C) seeks to establish a Citywide Recycling Program for Multi-family Residences and Commercial Establishments. All multi-family residences will be required to use a single-stream recycling process that includes at least five (5) of the following recyclable materials: newspaper, glass, metal food and beverage containers, other metal containers, and plastics.

In addition, at least three (3) of following recyclable materials must also be recycled: corrugate cardboard, magazines and catalogs, telephone books, office paper or organic material. Commercial establishments will be required to recycle at least three (3) materials from the following: mixed paper, glass, metal food and beverage containers, other metal containers, plastics, textiles, wood or organic materials.

The proposed amendments also establish an educational tag program, that requires recycling contractors to place on their recycling containers a standard tag, stickers or signage produced by the City's Communications Department that will inform the public of allowable recyclable materials and proper recycling procedures.

The proposed amendments also include separation requirements for both multi-family and commercial establishments and a "red tag" noticing system. Recycling contractors are required to notify their customers with a "red tag" identifying incorrect materials. After two tags the contractor may refuse collection service and include on the subsequent tag a description of what action must be taken for the materials to be collected. If the contractor continues to find incorrect materials in a collection container they are required to report customers that have violated the separation requirements and will be subject to fines and penalties if they collect such waste.

The proposed Ordinance has been reviewed and commented upon by the Sustainability Committee (at its October 2010 and November 2010 meetings). Two versions of the Ordinance were presented for review and consideration by the Land Use and Development Committee (LUDC); Option "A" is the version recommended by Administration and Option "B" is the version recommended by the Sustainability Committee. On December 12, 2010, the LUDC passed Option "A", the Administration's version of the Ordinance and it moved to Finance and Citywide Projects Committee (FCWPC) for discussion.

After incorporating the Sustainability Committee's last round of comments, the only significant differences that emerged between the Administration's recommended version (Option "A") and the Committee's version (Option "B") were in regard to:

1. The dollar amount of the fines (i.e. the Committee's recommendation for first and second offenses did not include a warning and the dollar amounts were higher); and
2. The duration of the overall warning period (i.e. Committee recommended a three (3) month instead of a six (6) month warning period during which only warning citations and not actual monetary or other penalties would be issued).

The proposed program would be slated to begin in the Spring of 2011, where the City of Miami Beach would initiate an aggressive public education campaign to inform the public of the new requirements. This will entail comprehensive community outreach to the chamber of commerce local schools, business associations, and homeowner and condominium associations. In addition, the City will disseminate information about the new program through TV, website, social media, and printed media. Then starting January 2012, the City will provide an additional six (6) month warning period before issuing violations to persons who fail to separate recyclable materials from solid waste.

### **FISCAL ANALYSIS**

Staff conducted research to identify and compare similar programs established in other municipalities across the US. Some of the cities contacted include the cities of Austin (Texas), Gainesville (Florida); Miami-Dade County, and Montgomery County (Maryland).

Staffing levels at these locations varied in terms of their scope of work and goals, and it was as small as four (4) Code Compliance Officers (Waste Diversion Planners) in Austin; or as complex as Montgomery County which has a total of 18 employees (1 Section Chief, 2 Program Coordinators, 2 Compliance Managers, 1 Community Outreach Coordinator, 8 Educational Specialists, and 4 Recycling Investigators).

For the purposes of the City of Miami Beach, and based on scope of work, 5 Full Time Equivalent (FTEs) Code Compliance Officers would provide appropriate staffing levels. More specifically, three (3) Code Compliance Officers (COOs)/Recycling Investigators, 1 Clerk, and 1 Code Compliance Administrator (CCA)/Recycling Coordinator.

The COOs/Recycling Investigators would be deployed by zones and their assignments would be adjusted based on workloads. The CCA/Recycling Coordinator supervises as well as coordinates community outreach and education efforts.

Based on current hourly rate calculations (Attachment D), and based on the above referenced staffing recommendations, the cost to establish a Code Compliance / Recycling Investigation component would be approximately \$266K annually. This excludes tools and other equipment such as vehicles, computers, uniforms and related items.

However, based on historical data, it is expected that the Recycling Unit would generate revenue through the issuance of civil fines violatoin to offset operational costs. However, the revenue generated from the issuance of code violations to scofflaws will depend on the scope of work; but it is realistic to expect at least 50% recovery of funds.

## **CONCLUSION**

This item has been referred by the Land Use and Development Committee to the FCWPC for discussion.

### Attachments:

- A. Miami-Dade County Inter-local Agreement for Inclusion in County Curbside Recycling Program
- B. Miami-Dade County Multifamily and Commercial Recycling Memorandum of Understanding
- C. Proposed Recycling Ordinance
- D. Code Compliance Cost Breakdown

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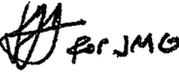


# MIAMI BEACH

OFFICE OF THE CITY MANAGER

## COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee

FROM: Jorge M. Gonzalez, City Manager 

DATE: March 24, 2011

SUBJECT: **DISCUSSION REGARDING A PARKING SOLUTION - "PARKING APP"**

On January 19, 2011, Commissioner Libbin suggested that the Administration should pursue the implementation of a "parking application" available on the internet and/or smart phones for residents, tourists, and/or visitors who are looking for a parking space, to be able to identify municipal parking facilities, including available parking spaces.

The City Manager agreed that this was a worthwhile initiative and advised that the Administration would draft an RFP (Request for Proposals) for said service. The Mayor and Commission referred the item to the Finance and Citywide Projects Committee for further discussion. This initiative was discussed and endorsed by the Transportation and Parking Committee at its meeting on March 7, 2011.

The Parking Department and the IT (Information Technology) Department have compiled the following Scope and Specifications for the issuance of an RFP for the development of a "mobile application" for municipal parking.

### **Scope and Specifications**

The City of Miami Beach Parking Department ("Parking") is dedicated to providing state-of-the-art parking technology and services for its users. This is evident by the enhancements implemented over the last decade, such as, on-street and off-street pay stations with multiple payment options (coins, bills, credit cards); pay on foot stations at its municipal garages; iPark, an in-car parking device; and a number of online services. In the United States alone, many major cities have developed mobile applications for their transportation and parking systems, including New York, Seattle, Las Vegas, Orlando; and San Francisco, to name a few.

In today's world of mobile technology, the next logical step in parking services is to develop a mobile application for all of the City's parking inventory, including garages, surface parking lots, and on-street parking areas. Additional parking information such as rates; payment options; hours of enforcement; prohibited parking areas; restricted residential parking zones; disabled parking, bike sharing stations, SBL (South Beach Local) bus stops; and many other facts and/or tips may be included in the application,

The City's goal and objective is to disseminate and promote its transportation and parking services in an easy, convenient, and reliable format. A mobile application preferred method to provide this information to the maximum number of people in the most cost-efficient manner.

Firms that provide mobile applications should propose a business model that is advantageous to both users and the City. The City will provide: (1) all pertinent information necessary regarding parking inventory and transportation services; (2) endorse the use of the mobile application; and (3) advertise and market the mobile application.

### **Specifications:**

The application should provide Miami Beach public parking facilities information as well as routing (driving directions) from a default\* location to a selected parking location using mapping capabilities. The application should be able to perform on a connected/disconnected environment (map data is stored on the device).

Mobile operating system platforms:

- Symbian
- iPhone
- Android (Google)
- Rim (Blackberry)
- Windows phone

Parking facilities by category:

- Garages
- Open parking lots
- On street
- Residential areas
- Bike Sharing Stations/Bike Racks
- South Beach Local (Miami-Dade Transit) Route/Stops

System Interfaces

- Garage Gated Control System
- GIS/GPS Locator Systems

Parking location information:

- Street address
- Phone number
- Number of spaces
- Parking rates
- Operation hours
- Maximum parking time
- Real time information regarding parking availability
- Additional parking/transportation information and/or services.

*\* Manually entered or computed GPS location*

The Administration will be seeking City Commission approval for the issuance of the RFP. Kindly provide any additional input or comments regarding the above scope and specifications for the RFP.

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# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee

FROM: Jorge M. Gonzalez, City Manager

DATE: March 24, 2011

SUBJECT: Discussion Regarding Renewal of Agreement with Clear Channel Adshel, Inc., to Construct, Operate and Maintain Bus Shelters

### BACKGROUND

In October 2001, an agreement between the City and Clear Channel Adshel, Inc. (Adshel) was executed for Adshel to construct, operate and maintain bus shelter structures and other street furniture on the public Right-of-Way (ROW) throughout the City. Adshel guaranteed revenue to the City in the amount of \$1.5 million for the initial ten (10) year term of the Agreement and \$1.2 million for the five (5) year extension, in addition to an escalating percentage of advertisement revenue sharing from 10% to 25% throughout the life of the Agreement.

For years eight, nine, and ten, Adshel provides to the City minimum guaranteed revenue of \$240,000 per year plus a 20% of net revenue share. The payments received for calendar years 2008, 2009 and 2010 are respectively \$403,669.46, \$388,282.61 and \$486,647.14. Since the beginning of the Agreement through the end of December of 2010, the City has received payments totaling \$2,825,193.54.

Under the terms of the Agreement, Adshel is required to construct, install, operate and maintain, at its sole cost and expense, the bus shelters and street furniture listed in Exhibit A. The status of Adshel's bus shelters and street furniture installation is provided in Exhibit B.

Under the terms of the Agreement, the initial term of ten (10) years terminates on October 1, 2011. At the end of the initial term, the Agreement shall automatically renew for a five (5) year term, provided, however, that the City, at its sole option and discretion, may, after the initial ten (10) year term, elect not to renew the Agreement by notifying Adshel of its intent not to renew, in writing 120 days prior to the expiration of the initial ten (10) year term.

At the end of the term of the Agreement, or upon termination of the Agreement, Adshel shall at its sole cost and expense remove any and all bus shelters and street furniture erected or installed pursuant to the Agreement and, return the City's ROW and adjacent areas to their original condition prior to the installation of any bus shelter and street furniture.

### CONCLUSION

The above information is provided to members of the Finance and Citywide Projects Committee for discussion.

Exhibits:

- A. Bus Shelters and New Street Furniture Requirements
- B. Bus Shelter and Street Furniture Installation Status

DRB\FHB

**Exhibit A - Existing Bus Shelter Locations**

	<b>Street</b>	<b>Cross Street</b>	<b>Unit #</b>
1	Alton Rd	15 ft S/O Chase Av ES	2712
2	Alton Rd	15 ft S/O 23 St ES	2714
3	Alton Rd	100 ft N/O Michigan Av ES	2716
4	Alton Rd	5 ft W/O 19 St. WS	2718
5	Dade Blvd	10 ft W/O Purdy Av SS	2720
6	Lincoln Rd	70 ft W/O West Av NS	2722
7	Alton Rd	60 ft S/O Lincoln Rd WS	2724
8	Alton Rd	50 ft N/O Lincoln Rd ES	2726
9	Alton Rd	50 ft N/O 16 St ES	2728
10	Alton Rd	20 ft N/O 15 St ES	2730
11	Alton Rd	50 ft N/O 14 St ES	2732
12	Alton Rd	50 ft N/O 14 St WS	2734
13	Alton Rd	75 ft N/O 11 St ES	2736
14	Alton Rd	70 ft N/O 10 St ES	2738
15	Alton Rd	15 ft N/O 8 St WS	2740
16	Alton Rd	50 ft N/O 8 St. ES	2742
17	West Av	10 ft N/O 9 St WS	2744
18	Mac Arthur Cswy	250 ft W/O Bridge Rd NS	2746
19	Mac Arthur Cswy	115 ft E/O Terminal Isle SS	2748
20	Alton Rd	100 ft S/O 2 St WS	2752
21	Alton Rd	20 ft S/O 2 St ES	2754
22	Ocean Dr	50 ft S/O 3 St ES	2756
23	5 St	50 ft W/O Lenox Av SS	2758
24	5 St	45 ft W/O Lenox Av NS	2760
25	5 St	50 ft W/O Michigan Av NS	2762
26	5 St	45 ft E/O Michigan Av SS	2764
27	5 St	50 ft E/O Meridian Av SS	2766
28	5 St	44 ft W/O Meridian Av NS	2768
29	Washington Av	25 ft N/O 5 St WS	2772
30	Washington Av	150 ft S/O 7 St WS	2776
31	Washington Av	100 ft N/O 7 St ES	2778
32	Washington Av	165 ft N/O 11 St WS	2780
33	Washington Av	71 ft N/O 13 St WS	2782
34	Washington Av	45 ft N/O 14 St WS	2784
35	Washington Av	175 ft N/O 16 St ES	2786
36	Washington Av	200 ft N/O 16 St WS	2788
37	Washington Av	50 ft S/O 17 St WS	2790
38	Washington Av	45 ft N/O 18 St WS	2792
39	Washington Av	25 ft N/O 18 St ES	2794
40	Washington Av	40 ft N/O 21 St WS	2796
41	Dade Blvd	300 ft E/O Washington Av NS	2798
42	17 St	200 ft W/O Washington Av NS	2800
43	17 St	63 ft W/O Washington Av SS	2802

Agreement Bus Shelter Structures and Other Street Furniture  
 City of Miami Beach and Clear Channel Adshel

	Street	Cross Street	Unit #
44	17 St	20 ft E/O Convention Center Dr NS	2804
45	17 St	40 ft W/O Pennsylvania Av SS	2806
46	17 St	65 ft W/O Meridian Av NS	2808
47	Indian Crk Dr	200 ft S/O 41 St WS	2826
48	Indian Crk Dr	5 ft W/O 29 St WS	2828
49	Indian Crk Dr	50 ft S/O 43 St WS	2830
50	Collins Av	40 ft S/O 44 St WS	2832
51	Collins Av	200 ft N/O 44 St ES	2834
52	Collins Av	25 ft S/O 45 St WS	2836
53	Collins Av	300 ft N/O 47 St ES	2838
54	Pine Tree Dr	50 ft N/O 24 St ES	2840
55	Pine Tree Dr	40 ft N/O 24 St WS	2842
56	Collins Av	20 ft N/O 35 St ES	2844
57	41 St	85 ft W/O Collins Av NS	2846
58	Collins Av	200 ft N/O 47 St WS	2848
59	Collins Av	50 ft N/O 49 St ES	2850
60	Collins Av	500 ft S/O 52 St ES	2852
61	Collins Av	160 ft N/O 52 St WS	2854
62	Collins Av	300 ft N/O 53 St WS	2856
63	Collins Av	2 ft N/O 54 St ES	2858
64	Collins Av	100 ft N/O 56 St ES	2860
65	Collins Av	700 ft S/O 58 St WS	2862
66	Collins Av	50 ft S/O 59 St ES	2864
67	Collins Av	200 ft S/O 65 St ES	2866
68	Collins Av	25 ft S/O 69 St ES	2868
69	Collins Av	80 ft N/O 75 St ES	2870
70	Collins Av	20 ft N/O 79 St ES	2872
71	Collins Av	20 Ft N/O 83 St ES	2874
72	Collins Av	8 ft N/O 87 St ES	2876
73	Harding Av	50 ft S/O 75 St WS	2878
74	Harding Av	20 ft N/O 72 St WS	2880
75	71 St	50 ft E/O Dickens Av NS	2882
76	71 St	75 ft E/O Dickens Av SS	2884
77	Normandy Dr	50 ft E/O Rue Versailles NS	2886
78	Normandy Dr	35 ft W/O Trouville Esplanade NS	2888
79	Normandy Dr	75 ft E/O West Bay Rd NS	2890
80	71 St	60 ft E/O Bearritz Dr SS	2892
81	71 St	70 ft Trouville Esplanade SS	2894
82	71 St	50 ft E/O Rue Versailles SS	2896
83	71 St	85 ft E/O East Bay Dr SS	2898
84	Abbott Av	120 ft N/O 69 St WS	2900
85	Abbott Av	100 ft N/O Indian Crk Dr WS	2902
86	Pine Tree Dr	25 ft N/O 47 St WS	2904
87	41 St	110 ft W/O Prairie Av NS	2908
88	41 St	10 ft E/O Alton Rd NS	2910

Agreement Bus Shelter Structures and Other Street Furniture  
City of Miami Beach and Clear Channel Adshel

	Street	Cross Street	Unit #
Units removed 4/9/01 due to construction			
89	Alton Rd	75 ft N/O 41 St ES	2912
90	Alton Rd	45 ft N/O North Bay Rd WS	2914
91	Collins Av	50 ft N/O 72 St ES	2916
92	41 St	137 ft N/O Prairie Av SS	2958
93	Collins Ave	S/O 22 St	
94	Collins Ave	N/O 21 St	
95	Collins Ave	N/O 18 ST	
96	Collins Ave	N/O 24 St	
97	Collins Ave	N/O 21 St	
98	Collins Ave	N/O 23 St	
99	Washington St	N/O 5 St	
100	5 St	E/O Washington Ave	

Clear Channel Adshel will submit to City updates of locations for bus shelters and other street furniture items as well as build-out status reports on a quarterly basis.

### Exhibit A - New Street Furniture

No.	Description
180	Max. Bus Benches at locations where Bus Shelters may not be placed.
25	Min. Directory Structures with Limited Advertising - Locations as mutually agreed
300	Max. Waste Receptacles - Locations as mutually agreed
50	Min. Bicycle Racks - Locations as mutually agreed
20	Min. Internet Network Stations - Locations as mutually agreed - Limited Advertising
20	Min. Multi-Purpose Pillars - Locations as mutually agreed - Limited Advertising
75	Max. Modular Newsracks - Locations approved by the City
	Automatic Public Toilets - As determined by the City in the future
	Bicycle Rental Stands - As determined by the City in the future

## Exhibit B

No.	Description	Status	Comments
106	Bus Shelter	Completed	82 have been upgraded, 19 are new and 5 are pending due to easement/ utility conflict issues.
180 Max.	Bus Benches	Completed	
25 Min.	Directories	TBD	
300 Max.	Trash Cans	Completed	
50 Min.	Bike Rack	Completed	
20 Min.	Internet Sta.	TBD	
20 Min.	Multi Purpose Pillars	TBD	
75 Max.	Modular Newsracks		City elected not to install them.
	Automated Public Toilets		City elected not to install them.
	Bicycle Rental Stands		City elected not to install them.