

ORDINANCE NO. 2017-4103

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 106, ENTITLED "TRAFFIC AND VEHICLES," BY AMENDING ARTICLE II, ENTITLED "METERED PARKING," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 106-55, ENTITLED "PARKING RATES, FEES, AND PENALTIES"; BY AMENDING METERED PARKING SPACE RENTALS FOR PRODUCTIONS AND FILM; ESTABLISHING A PRODUCTION COMPANY RECREATIONAL VEHICLES (PCRV) PARKING PERMIT PROGRAM AND RELATED FEES; PROVIDING FOR CREW PARKING AT MUNICIPAL PARKING GARAGES AND RELATED DAILY FEES; AND, PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, metered parking space rentals and related services/fees, including those for production and film, are established by Ordinance by the Mayor and City Commission; and

WHEREAS, the production and film industry have identified parking as a service that is critical for the industry to flourish, and certain parking programs and fees would facilitate this growth and expansion; and

WHEREAS, on April 26, 2017, the Mayor and Commission discussed Agenda Item No. R9T regarding various incentives for the production and film industry, including the establishment of parking incentives and related fees that will facilitate the use of municipal parking facilities in the course of productions and filming; and

WHEREAS, the Mayor and City Commission directed the Administration to expeditiously pursue all legislation that would provide incentives for the production and film industry in the City of Miami Beach.

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

SECTION 1. That Chapter 106, "Traffic and Vehicles," Article II, "Metered Parking," Division 1, "Generally," Section 106-55, "Parking Rate Fees, and Penalties," of the Code of the City of Miami Beach, Florida, is hereby amended as follows:

CHAPTER 106

TRAFFIC AND VEHICLES

* * *

Article II. Metered Parking

Division I. Generally

* * *

Sec. 106-55. Parking rates, fees, and penalties; exceptions.

* * *

(g) *Metered parking space rentals.*

* * *

(4) *Production and film space rental:* The city may provide on an as-needed basis, rented spaces to accommodate production and film needs. A copy of a valid, city issued production/film permit must accompany each application for space rental. The fee per space is \$10.00 per day, payable in advance at least 48 hours or two (2) business days, whichever is greater. Rented spaces for production and film use shall state, "No Parking/Tow Away," and shall be strictly enforced. Only essential vehicles shall be allowed to park at rented spaces, arrangements for crew parking on a first-come, first-served basis can be arranged with the parking department at underutilized parking garages and lots, as determined by the Parking Department Director. A daily flat rate of \$10.00 per vehicle shall apply. Rented spaces for production and film use shall state, "No Parking/Tow Away," and shall be strictly enforced. Production vehicles may obtain a Production Company Recreational Vehicle (PCRVR) parking permit. A PCRVR parking permit for production and film recreational vehicles may be used at metered parking spaces citywide and at taxi stands during non-operational hours. A PCRVR parking permit is not valid in residential parking zones. A valid production/film permit must be prominently displayed on the driver's side dashboard. The PCRVR parking permit is valid only during the days/hours stated on the production/film permit displayed. Metered parking rates are effective at all other applicable enforcement hours. The PCRVR parking permit fee is \$70.00 monthly, plus sales tax.

SECTION 2. CODIFICATION.

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

SECTION 3. REPEALER.

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

SECTION 4. SEVERABILITY.

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

SECTION 5. EFFECTIVE DATE.

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

PASSED AND ADOPTED this 7 day of June, 2017

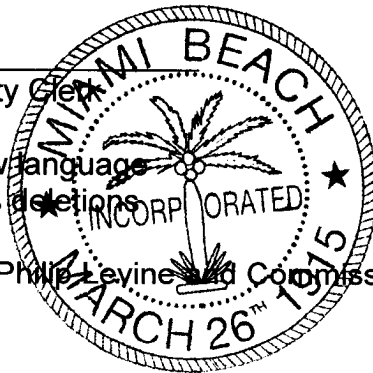

Philip Levine, Mayor

ATTEST:

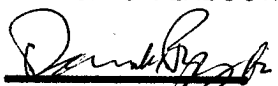

6/15/17
Rafael E. Granado, City Clerk

Underline denotes new language
~~Strike through~~ denotes deletions

(Sponsored by Mayor Philip Levine and Commissioner Michael Grieco)



APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION


City Attorney 5/17/17
Date

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Jimmy L. Morales, City Manager
DATE: June 7, 2017

10:40 a.m. Second Reading Public Hearing

SUBJECT: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 106, ENTITLED "TRAFFIC AND VEHICLES," BY AMENDING ARTICLE II, ENTITLED "METERED PARKING," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 106-55, ENTITLED "PARKING RATES, FEES, AND PENALTIES"; BY AMENDING METERED PARKING SPACE RENTALS FOR PRODUCTIONS AND FILM; ESTABLISHING A PRODUCTION COMPANY RECREATIONAL VEHICLES (PCRv) PARKING PERMIT PROGRAM AND RELATED FEES; PROVIDING FOR CREW PARKING AT MUNICIPAL PARKING GARAGES AND RELATED DAILY FEES; AND, PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

RECOMMENDATION

The Mayor and Commission approved the attached ordinance on first reading on May 17, 2017. The Administration recommends the Mayor and Commission approve the attached Ordinance at Second Reading Public Hearing on June 7, 2017.

Background

At the April 26, 2017, the Mayor and Commission discussed Item No. R9T, entitled, "Discuss potential film incentives for Miami Beach to support the film and television industry on a local level".

The Administration presented an overview of the state of the film and print industry in Miami Beach. As was reported, Miami Beach has historically been a major national hub for film and print production for the better part of five decades, hosting major celebrities and box office and ratings sensations, including Miami Vice, Burn Notice, Magic City, Bird Cage, Bad Boys 1 & 2, Iron Man 3 and the recent Oscar winner Moonlight, and generating a significant revenue stream for the City. Miami Beach had seen steady growth in these fields since creating a film office in the 1990's, with a substantial boost of 83% in permits issued and 403% in production dollars spent in Miami Beach immediately following passage and implementation of the State of Florida's Film and Entertainment Incentive Program in July, 2010.

As we know, this incentive program was not supported by the current Governor or Legislature in recent sessions. Additional tax credit requests by the industry have been denied and the program was sunset altogether as of July, 2016. Since the program effectively ran out of available tax credits in 2013, the film and print permit figures collected by the City's Film and Print office have since seen a decline of 44% in dollars spent and 36% in hotel room nights used in Miami Beach alone. Those

numbers are expected to decline further.

ANALYSIS

The City currently has some incentives built into the codified guidelines that benefit the industry; however, the following parking related incentives were recommended and endorsed by the City Commission:

- Eliminate the signed consent requirement for reservation of metered parking. A notification form with all details could supplant this use. Note: this is the practice in New York City and Los Angeles, CA.
- Re-instate the PCRV (Production Company Recreational Vehicle) parking permit. Recreational vehicles and the like displaying a valid city issued production/film permit would be honored at available metered parking and at taxi stands during non-operational hours. The PCRV parking permit would be open to local and national productions and service companies, and would require monthly renewal, at a rate of \$70.00, plus sales tax. Each PCRV pass must be prominently displayed in the front windshield of the vehicle, along with a copy of the active permit for which it is being employed for inspection. Failure to display the PCRV and the active permit may result in Parking and Film Permit violation.
- Crew parking at municipal parking garages where/when capacity permits at a reduced daily flat parking rate. Typically, utilization at municipal garages during events/weekends/nights is high; however, there are opportunities to accommodate some level of crew parking at municipal garages during lower demand periods. As an example, the Miami Beach Convention Center Garage, when completed, could serve as crew parking when the Convention Center is either dark or when parking demand permits. Other municipal garages have fluctuations that may also serve this purpose. A daily flat rate of \$10 per vehicle equating to a 50% discount off of the maximum daily rate of \$20 at most garages are consistent with the existing film/production daily parking space rental fee of \$10.

The attached ordinance reflects the aforementioned amendments necessary to codify and enact these incentives.

CONCLUSION

The Mayor and Commission approved the attached ordinance on first reading on May 17, 2017. The Administration recommends the Mayor and Commission approve the attached Ordinance at Second Reading Public Hearing on June 7, 2017.

Legislative Tracking

Parking

Sponsor

Commissioner Michael Grieco & Co-sponsored by Mayor Philip Levine

ATTACHMENTS:

Description

▫ Ordinance