



MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC # 282-2006

LETTER TO COMMISSION

TO: Mayor David Dermer and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: November 17, 2006

SUBJECT: Special Event Permit Application - Salon Des Artiste (Lincoln Road), Art Basel

This Letter to Commission serves to clarify the circumstances surrounding a special event permit application submitted for an event adjacent to Lincoln Road during Art Basel Miami Beach. It is important to note that this event is not proposed for Lincoln Road but, rather, for a private parking lot that is accessed through Lincoln Lane South, between the 800 and 900 block.

You may not be aware, but the City's Special Events Staff works with the Lincoln Road Marketing Association (LRM) throughout the year on a variety of events either coordinated by the association, or taking place on the Road. In fact, staff attends the LRM's meetings on a regular basis to provide the Association with information regarding submitted applications, obtaining input from them for events their area hosts that they do not produce. The City has taken a proactive approach in assisting Lincoln Road Association with their produced or coordinated events and has offered them generous flexibility with regards to application deadlines and producer-required deliverables. In the past 13 months, LRM and its designees applied directly for six permits, four of which did not meet the required application deadlines. This occurred most recently for the approved Halloween on Lincoln Road event, a very complex, annual event that requires much coordination with various agencies and departments.

It should also be noted that the City's application deadlines are necessary as they provide adequate time for the various City's departments to review, coordinate and allocate resources to the event. During a time such as Art Basel, planning is even more critical to ensure better management of the multitude of events in the overall MEP. Please be advised that the City received thirteen (13) timely special events applications for the Art Basel period, and did not accept another five applications received after the deadline, exclusive of this particular application.

The following is a very brief chronology relating to this particular application: Event representatives (not Lincoln Road Association representatives) initially contacted the City on October 12 to inquire about the potential of producing the subject event. They were provided all required information and advised of the deadline, which was October 26th - or two weeks later. There was no denial of their request, as no application had been submitted. However, please be advised that there were concerns raised by staff to the initial suggestion by the event representatives regarding the use of the City's public parking lot for the event. Please also note that the October 26th deadline date is an extended deadline that was initiated for Art Basel Miami Beach and was designed specifically to be responsive to events on private property that pose minimal to no public disruption. This type of extension has become a common practice during larger event periods to accommodate typically last

minute requests from the business community, specifically the hotel industry. The typical 60 day application deadline, as specified in the special event guidelines and application, would have been October 8th.

Although the deadline requirements for special event permits for Art Basel Miami Beach were shared in person with the event representatives as early as two weeks prior to the extended deadline for submission of applications, our staff received an application relating to this event on November 8, 2006, or nearly two weeks after the deadline, and almost a month after the initial meeting with our staff. I have attached a copy of the application for your reference.

The missed, extended deadline for submission of the application is only one issue regarding this event. Staff reviewed the request and identified concerns with the location and orientation of the proposed event site. For example, the proposed public access to the event can only be provided through Lincoln Lane South, an active, heavily utilized road and not a safe pedestrian walkway; this access would also disrupt the sole egress of one of the City's mini public parking lots. Since Lincoln Lane South cannot be closed to vehicular traffic, the location of the proposed event, should this be the only access to the site, is logistically a problem. In addition to some minor inconsistencies on the application, there were also concerns regarding impacts on the adjacent residential neighborhood, etc. It is important to note that the total event period is six days (including load in and break down), with event hours running from 2:00 p.m. to 11:00 p.m. from December 6th – 10th. It is typical for us to solicit input from those impacted by special events or, at a minimum, provide notification.

That said, the Administration was called by other representatives of Lincoln Road and was reviewing their request at the time that emails were distributed by one of the Lincoln Road tenants. Staff met with representatives of the applicant this week and discussed the above noted concerns. They have indicated that they will review these concerns with the applicant and advise how and if they can address these issues. A satisfactory resolution of these issues remains essential for any consideration of their request and they have been advised that we will review their revised application expeditiously once we receive it. It is important to point out that issues such as those identified for this proposed event are precisely the reason why the City requires that sufficient time be provided for review of applications, and works with organizations to ensure they submit their applications in a timely manner.

As you know, the City encourages events such as these and assists with ensuring these events do not have unintended negative impacts. That is why there is a detailed process to review and consider all applications submitted, and a deadline to ensure sufficient time is provided to identify any issues and work on mutually agreeable and beneficial solutions – especially during periods of time when multiple requests are submitted and must be reviewed, considered and coordinated. The correspondence that has been shared with you and your staff fails to recognize the existing process and the role of the applicant in staff's initial denial of the untimely application.

As always, please feel free to call me should you have any questions or require additional information.

Attachment

cc: Hilda M. Fernandez, Assistant City Manager
Max Sklar, TCD

SPECIAL EVENTS APPLICATION

RECEIVED

NOV 08 2006

DATE OF APPLICATION: 10-31-06TITLE OF EVENT: SALON DES ARTISTES BY: _____

EVENT DESCRIPTION (please attached schedule of events or programming involved): _____

ART + DESIGN EXHIBITION
PHOTO GRAPHICEVENT DATE(S): 12/6/06 - 12/10/06EVENT HOURS: 2 PM - 11 PMEVENT LOCATION AND COMPLETE ADDRESS(S): 846 Lincoln Road (Rear)
Private parking lot behind bldg. (Please attach site plan)SPECIFY LOCATION: Beach West of Dune Beach East of Dune Park
 Hotel Pool Deck/Area Sidewalk Street OtherESTIMATED ATTENDANCE (PER DAY): 200SET UP DATE & HOURS: 12-4-06 2 pm/pm to 11 am/pmBREAKDOWN DATE & HOURS: 12-10-06 11 am/pm to 1:00 am/pm

EVENT SPONSORS: _____

LOGISTICAL/PRODUCTION COMPANY: Odalis Mon Gout. Consultant.NAME OF HOST ORGANIZATION: Regina Nuesse Art Gallery. For profit organization If you are a non-profit organization (please provide proof of not-for-profit status)EVENT COORDINATOR: REGINA NUESSETITLE: _____ COMPANY: GALERIE D'ARTS DECORATIFSMAILING ADDRESS: 1629 JEFFERSON AVECITY: MIAMI BEACH STATE: FL ZIP: 33139PHONE: 305 674-0123 MOBILE: _____ FAX: 305-674-9633WEB-SITE: WWW.DECORATIFGALLERY.COM E-MAIL: REGINA@20035REGINA.COMON SITE CONTACT: REGINA + GINDE MOBILE: 786-277704

EVENT INFO

1. Please describe the nature and scope of proposed event and the programming involved with it (attachments accepted):

CONTEMPORARY PHOTO GRAPHY BY WILHELM ROSEN
* FURNITURE - DESIGN OF THE 20TH CENTURY

2. Is this an annual event? YES NO (please check one)

3. How many years have you held this event? FIRST

4. Please list two previous events you have coordinated along with City Government references with

YES NO (please check one)

6. Please state admission/ticket fee(s): N/A.

7. Specify type of event (Check more than one box if applicable):

- Community
- Festival
- Parade
- Religious
- Concert/performance
- Filming/Broadcast
- Political
- Sports/recreational
- Fair/carnival
- Fund raiser
- Private party
- Other ART

8. Applicant's Status:

- For profit organization
- Non-profit organization -tax exempt no. _____

9. If any portion of your event will be filmed please call the Film office at 305-673-7070 or log on to www.filmiami.org to apply for a permit.

10. Will the event require the renting of a City facility? N/A.

If yes, which facility: _____

11. Please list any other venues or event locations in which you will be holding pre or post event parties:

N/A.

NEIGHBORHOOD REVIEW/PLANNING BOARD

Events planned in the City of Miami Beach are subject to review and recommendation by the corresponding neighborhood association(s). Applicants will be required to present their event before the appropriate neighborhood association. Where a neighborhood association does not exist and events with expected attendance exceeding 200 persons per day will require approval from the Planning Board and/or commercial sign-offs from adjacent properties. Recommendations from the respective associations or Planning Board stating its position on the proposed event should be submitted to the Office of Film & Event Production Management at least 30 days prior to the event. Please visit the Special Events section of the City's website to download a signature survey form. For more information on Neighborhood Associations visit our website at www.miamibeachfl.gov.

ENTERTAINMENT AMPLIFIED SOUND

SECTION NOT APPLICABLE: (~~X~~)

Please be advised that the City of Miami Beach does not allow the override or violation of the Miami Dade County Noise Ordinance. Applicant shall abide by the Miami Dade County Noise Ordinance and City of Miami Beach ARTICLE IV noise section of the City Code.

1. Will the event require music or amplified sound: YES NO (please check one)
2. What type of amplified sound will you be using:
 PA system Amplified Sound/Recorded/DJ Live
3. Hours of amplified sound: _____ am/pm to _____ am/pm
4. Sound check hours: _____ am/pm to _____ am/pm
5. Do any of these elements take place out doors? YES NO (please check one)
6. Please list of acts/performers and times of performances: _____

PUBLIC SAFETY POLICE AND FIRE

SECTION NOT APPLICABLE: (X)

You may be required to hire off-duty Police and Fire, please refer to the City contact information for contact numbers. The Police and Fire Departments determine minimum staffing levels for the event. Please note that it is the applicant's responsibility to secure off-duty Police and off-duty Fire personnel for the event.

1. Describe your internal security plan: _____

2. Will the event require closing a street (s)? _____

If yes, which street (s)? _____

During what days/hours? _____ am/pm to _____ am/pm.

3. Will the event require "Vehicle Beach Access Pass (s)" _____

If yes, how many? _____

Vehicle Beach Policy: Vehicles are not allowed on the beach without a Vehicle Beach Access Pass and a Police escort. While on the beach the Vehicle Beach Access Pass must be displayed on the vehicle at all times. All vehicles must utilize lights and flashers when traveling on the beach, please inform your vendors of such policy. Any vehicle that is stationed on the beach for long periods of time must place an absorbent pad under the engine compartment. This will help prevent any leakage on the sand. These pads shall be properly disposed of once the vehicle vacates the beach. For more detailed information please visit our website at www.miamibeachfl.gov.

4. Will the event include: Fireworks Pyrotechnics Open Fire Gas for cooking (please check all that apply). Please list the company you are working with: _____

ALCOHOL SERVICE

SECTION NOT APPLICABLE: (X)

Please be advised that events that are open to the public and feature alcohol are required to designate an area for alcohol consumption (e.g. the area must be fenced off, preventing access to minors, and must have security at egress at all times).

A scaled site plan of your alcohol service area is required for City approval. Permittee is responsible for the enforcement of alcohol not leaving alcohol service areas. Also note that glass containers are not allowed on the beach. Food and beverages must be dispensed in paper or plastic containers.

1. Will you be serving alcohol at this event? YES NO (please check one)
If you are selling liquor you are required to obtain a State of Florida Liquor License. Please click here to download an application www.state.fl.us/dbpr/abt/contact/index.shtml. Please see below on how about obtaining a license.
2. Describe your sales/distribution plan: _____

3. Describe how will this be monitored and/or controlled? _____

4. If the event is open to a twenty-one and under crowd please describe how you will prevent service to minors? _____

5. Will alcoholic beverages be sampled/served? YES NO (please check one) If you are sampling or serving alcohol please provide liquor liability on your certificate of insurance.
6. Will non-alcoholic beverages be sampled/served? YES NO (please check one)

STEPS FOR OBTAINING LIQUOR LICENSE: Please note an applicant requesting a temporary liquor license must be a non-profit entity.

1. Download application for 3-day liquor permit at: www.state.fl.us/dbpr/abt/contact/index.shtml
2. Visit the City of Miami Beach City Planning Department 2nd Floor to obtain sign-off. Miami Beach City Hall, 1700 Convention Center Drive, Miami Beach, FL 33139.
3. Visit the Florida Department of Revenue (IRS) to obtain sign-off. State of Florida Department of Revenue, 8175 NW 12 Street #119, Miami, FL 33172, Ph: 305-470-5001.
4. Take the application with \$25.00 to State of Florida Department of Business and Professional Regulation. Division of Alcoholic Beverages & Tobacco, 8685 NW 53rd Street #100, Miami, FL 33166, Ph: 305-470-6787 x2266 (Daisy Tejera).
5. Please note you must provide the City of Miami Beach Special Events office with a copy of the liquor license.

BUILDING DEPARTMENT PERMITS

SECTION NOT APPLICABLE: ()

Please note you will need to obtain Building Department permit(s) for the following temporary structures, check all that apply. Please inform your vendors that they must obtain an owners affidavit from the Office of Film & Event Production Management in order to obtain a permit from the Building Department. Building Department permits are good for thirty (30) days and they must be submitted to the Office of Film & Event Production Management no later than two (2) weeks prior to the event date. Failure to do so may result in non-permitted temporary structures which will not be part of the Special Event permit and will not be allowed at the event site. Per the Miami-Dade County Noise Ordinance any set up or breakdown activity/operations must cease by 11:00pm and resume the next day at 7:00pm, unless otherwise stated on the Special Event permit.

Temporary Structure(s)	Name of Vendor	Size(s)	Qty.
<input checked="" type="checkbox"/> Tents	TBD		
<input type="checkbox"/> Electrical-Generator			
<input type="checkbox"/> Staging			
<input type="checkbox"/> Fencing			
<input type="checkbox"/> Plumbing-Restrooms			
<input type="checkbox"/> Bleachers or Chair Risers			
<input type="checkbox"/> Temporary Structure:			
<input type="checkbox"/> Other:			

If you are setting a riser two (2) feet or less in height, please submit a letter to the Special Events office stating that the riser will only be used for productions purposes and the public will not be allowed on it. The letter must be on company letter head signed by the applicant.

Please be advised that Turtle Season is extends from May 1 through October 31. Please visit of website at www.miamibeachfl.gov for a copy of the Special Events Conditions for Marine Turtle Protection.

TEMPORARY OCCUPANT LOAD:

A temporary occupant load is required any time you enclose an area greater than 750 square feet, (e.g. a fenced in site or enclosed tent). A temporary occupant load is also required when you are exceeding the prescribed load of any given area (e.g. a hotel pool deck or allowable roof top).

Please supply two (2) sets of scaled drawings showing:

- 1) Number of entrance/exits
- 2) Plumbing facilities for the entire site
- 3) Furniture layout / floor plan
- 4) Location of temporary structures such as tents, stages, fencing, trusses, towers, bleachers (if applicable).

Building Department Contact Mr. Mohsen Jarahpour, Chief Engineering Inspector, (305) 673-7000 ext. 6770 for more information or e-mail him at mjarahpour@miamibeachfl.gov.

PARKING PLAN

1. Please describe your parking plan for event production (including load-in and load-out) and attendees: Exhibit is for L. Road patrons -
Parking garages & public parking.

2. Will your event require parking meters rentals? NO How many? _____
Where? _____
List the day(s)/date(s) you will need the meters? N/A.

Please note that meters are only reserved for production vehicles loading-in or out. Please log on to our website to download a meter rental form www.miamibeachfl.gov.

3. Will your event need staging for production vehicles? N/A. How many? _____
Where? _____
List the day(s)/date(s) you will need the meters? _____

4. Will you be hiring a valet company? YES NO (please check one)
If yes which one? _____ Please note the Valet Company must obtain a license in order to operate at the event location. The Valet Company must be authorized to operate by the City of Miami Beach Parking Department and secure private storage for the vehicles.

CONCESSIONS

SECTION NOT APPLICABLE: (X)

If your event sells food, beverage, merchandise, tickets or collects booth rentals the applicant/producer may be required enter into a Concession Agreement with the City of Miami Beach. The Special Events office will determine that at the time of application.

1. Will you sell any of the following? Food Beverage Merchandise Tickets Booth Rental (Please check all that apply)
2. Are you working with a catering company? _____ If yes who? _____
3. Describe type and number of vendors you will hire (e.g. food vendors, beverage vendors, and merchandise vendors)? _____
4. Will local businesses be invited to participate as vendors? _____

Please be advised, as the event producer you are solely responsible for the compliance of your vendors. Any non-compliance could lead to cancellation of your permit regardless of what stage of the event you are at.

SANITATION PLAN

Please be advised that the City will hold your security deposit if additional sanitation services are needed after the conclusion of your event. Please see fee schedule for more information.

1. Please describe sanitation plan or submit a scope of services for the event (attachments accepted):

Van Dyke's will provide the
sanitation services for the
event.

2. Please list the name of the sanitation company you are working with: _____
If you do not have a designated sanitation company and you would like utilize the City's Sanitation Services, please contact Domingo Macias 786-236-2393.

3. Number of trash receptacles? _____

4. Will your event require a dumpster(s)? YES NO (please check one)
How many? _____ Where? _____

5. List number of port-o-lets placed at the event: _____
List number of disabled: _____

ECONOMIC IMPACT

1. List estimated organizational budget: \$ 1,000

2. State status: Profit organization Non-profit organization (please check one)
Please list event beneficiary/charities (ies): _____

3. List the methods by which you intend to promote this event (check all that apply):

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Light pole banners | <input type="checkbox"/> Billboards | <input type="checkbox"/> Local Radio | <input type="checkbox"/> National Radio |
| <input type="checkbox"/> Local TV | <input type="checkbox"/> National TV | <input type="checkbox"/> Cable TV | <input checked="" type="checkbox"/> Local Newspaper |
| <input type="checkbox"/> National Newspaper | <input checked="" type="checkbox"/> Direct Mail/Flyers | <input checked="" type="checkbox"/> Internet | <input checked="" type="checkbox"/> E-mail |
| <input type="checkbox"/> Other _____ | | | |

Please be advised that all incurred marketing cost in advance of permit approval is strictly of the producers/promoters own risk. Producers/promoters may not hold the City of Miami Beach liable for marketing costs if permit is denied.

4. Was the event open to the public? YES NO (please check one)
If yes please state estimated attendance: # _____

5. What was the average admission fee, per person, for this event? (circle only one)

- Free Under \$10 \$10 - \$25 \$26-\$50 Over \$50

6. What percentages of your audience are?

Residents 30 %
Regional 25 %
Tourists 45 %

7. Where would the majority of your events be held? (circle only one)

South Beach (23rd St and Below) Middle Beach (24th St - 63rd St.) North Beach (64th St - 87th Terrace)

8. List the venues you will be utilizing? (check all that apply)

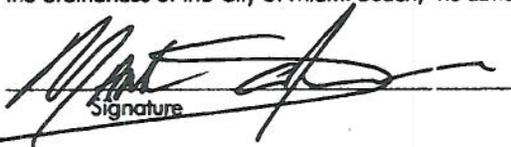
- Miami Beach Convention Center - 1901 Convention Center Drive
- Jackie Gleason Theater - 1700 Washington Avenue
- Lincoln Theatre - 541 Lincoln Road
- Colony Theater - 1040 Lincoln Road
- Byron Carlyle Theater - 500 71st Street
- Miami Beach Botanical Garden - 2000 Convention Center Drive
- 73rd Street Bandshell - 73rd Street & Collins Avenue
- Other _____

9. Please list the Miami Beach Hotels you are working with: _____

10. Please list estimated number of hotel rooms _____ and nights _____ generated in Miami Beach.

11. Please describe any collaboration established with Miami Beach Economic Industries (nightlife, hotels, restaurants, City): THIS EVENT WILL GREATLY BENEFIT ALL MERCHANTS ON LINCOLN ROAD.

Please sure have filled out the application completely. Please provide as much application as possible, for items that do not apply please list N/A. Please be advised that all Applications are considered new and "same as last year" is not an appropriate answer. Please note that applications will be returned, unprocessed, if not filled out completely. A complete application includes the required site map to scale. Site maps may be drawn in any size format as long as the reviewing staff can clearly understand the placement of all temporary structures/fixtures within the area features. Site maps should be as descriptive as possible, with boundaries and landmarks drawn to scale, and event amenities located as accurately as possible. When returning the application, please include payment for application fee. All payments must be in the form of a cashier's check, money order or corporate check payable to the City of Miami Beach. **NO PERSONAL CHECK WILL BE ACCEPTED.** If you would like to pay with a credit card please visit the Special Events office, we will prepare payment for the cashier to process. Applicant agrees that he/she has thoroughly read the City of Miami Beach's Special Event Application and Guidelines and agrees to faithfully observe and comply with the conditions, regulations, and provisions prescribed herein and by ordinances of the City of Miami Beach, the Laws of the State of Florida and the United States of America. Applicants shall ensure that all guests, vendors, concessionaires and exhibitors comply with the conditions, regulations and provisions prescribed herein and by the ordinances of the City of Miami Beach, the Laws of the State of Florida and the United States of America.


Signature

10-31-06
Date

