

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: November 20, 2024 9:25 a.m. Second Reading Public Hearing

TITLE: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING APPENDIX A OF THE CITY CODE TO: (1) ROLLBACK ALL PARKING FEES AND RESIDENT PARKS AND RECREATION FEES (EXCLUDING-GOLF-COURSE FEES) AT THE FY 2024 RATES, INCLUDING ALL PARKING RATES THAT WERE SCHEDULED FOR AN AUTOMATIC 5-YEAR CONSUMER PRICE INDEX (CPI) ADJUSTMENT ON OCTOBER 1, 2024 PURSUANT TO ORDINANCE NO. 2019-4299; (2) PROVIDE FOR ADJUSTMENT OF ALL PARKING FEES AND RELATED RATES BY ANNUAL CPI ADJUSTMENTS WITH A 3% CAP ; AND (3) RESCIND CERTAIN PARKING RATE MODIFICATIONS APPROVED VIA ORDINANCE NO. 2024-4619 TO CONFORM SUCH PARKING RATES IN ANTICIPATION OF THE 5-YEAR CPI ADJUSTMENT THAT WAS SCHEDULED TO OCCUR ON OCTOBER 1, 2024; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

RECOMMENDATION

The proposed Ordinance was approved on First Reading at the October 30, 2024 City Commission meeting. No changes have been made between First and Second Reading.

BACKGROUND/HISTORY

ANALYSIS

The attached Ordinance was prepared at the request of Vice-Mayor Alex J. Fernandez and Commissioner Kristen Rosen Gonzalez for consideration by the Mayor and City Commission.

In 2019, the Mayor and City Commission adopted Ordinance No. 2019-4299, providing, among other things, for an annual adjustment by the City Manager to certain specified fees and charges in Appendix A to the City Code, entitled "Fee Schedule," to reflect increases in the Consumer Price Index ("CPI").

Certain parking fees were scheduled to adjust every five (5) years consistent with the CPI, rounded up to the nearest dollar, with the first five 5-year adjustment scheduled to occur on October 1, 2024. If implemented, this 5-year automatic adjustment would have increased the discounted fee for parking by residents registered in the Resident Parking Discount Program from \$1 to \$2 per hour and increased the parking meter rate for the Entertainment District Parking Zone from \$4 to \$6 per hour for on-street parking, among other increases.

Pursuant to Resolution No. 2024-33300, the Mayor and City Commission directed the Administration to refrain from implementing any automatic 5-year CPI parking fee increases.

To mitigate the financial burden of the CPI adjustment for parking fees on the City's residents, the

workforce, and its visitors, the sponsors of this Ordinance wish to maintain all parking fees at the FY 2024 rates during FY 2025.

The fees for Parks and Recreation services have been subject to CPI increases over the years without a cap. The Mayor and City Commission wish to further provide some financial relief to City residents by maintaining Parks and Recreation service fees (excluding golf course fees) at their FY 2024 levels during FY 2025.

The proposed Ordinance seeks to adjust all parking fees and Parks and Recreation service fees to increase by CPI annually, with a 3% cap, with certain parking fees to be rounded to nearest cent and other parking fees as well as all Parks and Recreation service fees to be rounded to the nearest dollar starting in FY 2026, as set forth in the revised Appendix A attached as "Exhibit A."

Furthermore, certain parking rate modifications adopted via Ordinance No. 2024-4619 in anticipation of the first five-year increase on October 1, 2024 are no longer applicable and will be rescinded such that those fees remain at their FY 2024 levels to avoid any unintended conflicts in parking rates; and

The proposed Ordinance also seeks to adjust other fees by CPI annually, with a 3% cap starting in FY 2026 as detailed in the revised Appendix A; and

The Administration has determined that maintaining the parking fees and resident Parks and Recreation service fees (excluding golf course fees) at the FY 2024 rates as contemplated by this Ordinance will not materially impact the City's operational budget or affect the operations of the Parking Department or the Parks and Recreation Department.

FISCAL IMPACT STATEMENT

The fiscal impact of this measure, FY 2025 is estimated at approximately \$5,302,000 across all Parking funds and \$105,300 for Parks and Recreation fees (non-golf courses)..

Does this Ordinance require a Business Impact Estimate? Yes
(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on: 11/5/2024.
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

CONCLUSION

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

No

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

City Attorney

Sponsor(s)

Commissioner Alex Fernandez

Co-sponsor(s)

Commissioner Joseph Magazine

Condensed Title

9:25 a.m. 2nd Rdg, Amend Appendix A - Fee Schedule, Retroactive to October 1, 2024.
(AF/KRG/JM) CA