

**RESOLUTION NO. 2023-32746**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE TERM SHEET REFLECTING THE ESSENTIAL BUSINESS TERMS OF A PILOT PROGRAM FOR CROSS-BAY PASSENGER WATER TAXI/FERRY SERVICES AT THE PURDY AVENUE DOCK; FURTHER AUTHORIZING THE ADMINISTRATION TO NEGOTIATE AND FINALIZE A ONE-YEAR AGREEMENT WITH POSEIDON FERRY LLC FOR THE PILOT PROGRAM, SAID AGREEMENT TO BE CONSISTENT WITH THE TERMS SET FORTH IN THE TERM SHEET; AND FURTHER, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE FINAL NEGOTIATED AGREEMENT SUBJECT TO AND CONTINGENT UPON BUDGET APPROPRIATION.**

**WHEREAS**, a water taxi is a watercraft that provides public transport service, usually, but not always, in an urban environment; and

**WHEREAS**, aside from being an attraction to tourists who enjoy the scenic cross-bay route, water taxi service can also provide a convenient and reliable alternative mobility option to commuters traveling daily to and from Downtown Miami and Miami Beach; and

**WHEREAS**, on November 29, 2020, Poseidon Ferry LLC ("Poseidon") launched a cross-bay passenger water taxi/ferry service (the "Prior Service") providing connectivity to and from the Hyatt Regency located at 400 SE 2 Avenue in Downtown Miami and the Bentley Bay Marina located at 520 West Avenue in Miami Beach; and

**WHEREAS**, the Prior Service was privately owned and operated by Poseidon with no public subsidy from Miami-Dade County, the City of Miami, or the City of Miami Beach (the "City") and utilized a double-deck vessel with an air-conditioned lower deck; and

**WHEREAS**, on December 31, 2022, Poseidon suspended the Prior Service due to low ridership and concerns with the long-term feasibility of the service given the lack of a public subsidy; and

**WHEREAS**, on June 28, 2023, the City Commission adopted Resolution No. 2023-32644, waiving, by 5/7th vote, the formal competitive bidding requirement in Section 2-367(e) of the City Code, finding such waiver to be in the best interest of the City, and accepting the recommendation of the Finance and Economic Resiliency Committee, at its May 24, 2023 meeting, directing the City Administration to (1) negotiate a one (1) year agreement beginning in fiscal year ("FY") 2024 with Poseidon Ferry, LLC to provide a cross-bay passenger water taxi/ferry service pilot program ("Pilot Program") between Miami Beach and Downtown Miami; (2) identify funding for a potential operating subsidy; (3) identify locations where operation will be conducted; and (4) define the City contribution, and fare structure for the Pilot Program and

**WHEREAS**, the implementation of the Pilot Program contingent upon 1) City Commission approval of a budget enhancement in the proposed FY 2024 operating budget in the amount of \$600,000, to fund a subsidy representing approximately 50% of the annual operation and maintenance costs of the proposed water taxi/ferry service based on Poseidon's business model and 2) Poseidon securing all necessary permits and licenses for operating water taxi/ferry operations associated with the Pilot Program; and

**WHEREAS**, the Agreement with Poseidon for the Pilot Program shall include the terms set forth in the Term Sheet attached as Attachment D to the Memorandum accompanying this Resolution (the "Term Sheet"); and

**WHEREAS**, notwithstanding anything to the contrary in Resolution No. 2023-32644, the Mayor and City Commission desire to approve the Term Sheet and authorize the City Manager to execute the final agreement consistent therewith.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission hereby approve the Term Sheet attached as Exhibit D to the Memorandum accompanying this Resolution reflecting the essential business terms of a pilot program for cross-bay passenger water taxi/ferry services at the Purdy Avenue dock; and further authorize the Administration to negotiate and finalize a one-year agreement with Poseidon Ferry, LLC for the pilot program, said agreement to be consistent with the terms set forth in the Term Sheet; and further authorize the City Manager and City Clerk to execute the final negotiated agreement subject to and contingent upon budget appropriation.

**PASSED and ADOPTED** this 13th day September, 2023.

**ATTEST:**



\_\_\_\_\_  
Rafael E. Granado, City Clerk

SEP 20 2023



\_\_\_\_\_  
Dan Gelber, Mayor



APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

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

9/5/2023  
\_\_\_\_\_  
Date

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission  
FROM: Alina T. Hudak, City Manager  
DATE: September 13, 2023

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE TERM SHEET REFLECTING THE ESSENTIAL BUSINESS TERMS OF A PILOT PROGRAM FOR CROSS-BAY PASSENGER WATER TAXI/FERRY SERVICES AT THE PURDY AVENUE DOCK; FURTHER AUTHORIZING THE ADMINISTRATION TO NEGOTIATE AND FINALIZE A ONE-YEAR AGREEMENT WITH POSEIDON FERRY LLC FOR THE PILOT PROGRAM, SAID AGREEMENT TO BE CONSISTENT WITH THE TERMS SET FORTH IN THE TERM SHEET; AND FURTHER, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE FINAL NEGOTIATED AGREEMENT SUBJECT TO AND CONTINGENT UPON BUDGET APPROPRIATION.

### RECOMMENDATION

The Administration recommends that the Mayor and City Commission ("City Commission") approve the Resolution.

### BACKGROUND/HISTORY

A water taxi is a watercraft that provides public transport service, often in an urban environment. The service may be fixed schedule/ fixed route with multiple stops, operating similarly to a bus, or on-demand to many locations, operating similarly to a taxi. Aside from being an attraction to tourists who enjoy the scenic cross-bay route, water taxi service can also provide a convenient and reliable alternative mobility option to commuters traveling daily to and from Downtown Miami and Miami Beach.

On November 29, 2020, Poseidon Ferry LLC ("Poseidon") launched a cross-bay passenger water taxi/ferry service providing connectivity to and from the Hyatt Regency located at 400 SE 2 Avenue in Downtown Miami and the Bentley Bay Marina located at 520 West Avenue in Miami Beach, where the water taxi connected to the County's MetroMover system and the South Beach Trolley service, respectively. The water taxi service was privately owned and operated by Poseidon with no public subsidy from Miami-Dade County, the City of Miami, or the City of Miami Beach ("City") and utilized a double-deck vessel with an air-conditioned lower deck. Service commencement was shared with the City Commission via LTC No. 422-2020 (Attachment A). Poseidon suspended the service route on December 31, 2022 due to low

ridership and concerns with the long-term feasibility of the service given the lack of a public subsidy. It is worth noting that many water taxi/ferry services currently in operation around the world rely on public subsidies for service longevity, similar to most public transit systems around the world.

On June 28, 2023, the City Commission adopted Resolution No. 2023-32644 (Attachment B), waiving, by 5/7th vote, the formal competitive bidding requirement in Section 2-367(e) of the City Code, finding such waiver to be in the best interest of the City, and accepting the recommendation of the Finance and Economic Resiliency Committee, at its May 24, 2023 meeting, directing the City Administration to (1) negotiate a one (1) year agreement beginning in fiscal year ("FY") 2024 with Poseidon Ferry, LLC to provide a cross-bay passenger water taxi/ferry service pilot program ("Pilot Program") between Miami Beach and Downtown Miami; (2) identify funding for a potential operating subsidy; (3) identify locations where operation will be conducted; and (4) define the City contribution, and fare structure for the Pilot Program; and further requiring that the final agreement be subject to approval by the Mayor and City Commission.

### **ANALYSIS**

The implementation of the Pilot Program is contingent upon 1) City Commission approval of a budget enhancement in the proposed FY 2024 operating budget in the amount of \$600,000, to fund a subsidy representing approximately 50% of the annual operation and maintenance costs of the proposed water taxi/ferry service based on Poseidon's business model and 2) Poseidon securing all necessary permits and licenses for water taxi/ferry operations associated with the Pilot Program.

Attachment C depicts the service plan for the proposed Pilot Program. The agreement with Poseidon for the Pilot Program ("Agreement") shall include, at a minimum, the essential business terms reflected in Attachment D to this Memorandum, as well as such other provisions as are customarily included in City agreements of this nature, subject to good faith negotiations.

### **SUPPORTING SURVEY DATA**

According to the 2022 Miami Beach Community Survey, 84.3% of residents use a car as their primary mode of transportation for trips to the mainland.

### **FINANCIAL INFORMATION**

The cost associated with subsidizing 50% of the annual operation and maintenance costs of the pilot cross-bay water taxi/ferry service (based on Poseidon's business model) is approximately \$600,000. This cost has been proposed as a FY 2024 operating budget enhancement for consideration by the City Commission.

**Amount(s)/Account(s):**

N/A

### **CONCLUSION**

The Pilot Program with Poseidon represents a strategic step forward in addressing the City's regional multimodal transportation needs. Leveraging the lessons learned from past initiatives and the insights gained from Poseidon's previous service, the key terms outlined above encompass key operational aspects such as schedules, fares, and compliance, aiming to

establish a reliable and convenient water taxi/ferry service throughout the one-year duration of the Pilot Program. While contingent upon budget approval and securing necessary permits, the Pilot Program aligns with the City's goal to be less car-centric as well as the Administration's commitment to innovative and sustainable mobility solutions.

Should the City Commission approve this Resolution, and the associated proposed FY 2024 operating budget enhancement via separate Resolution, the Administration will work with Poseidon to finalize the terms and execute the Agreement for the commencement of the Pilot Program on an expeditious basis.

**Applicable Area**

Middle Beach

**Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?**

No

**Does this item utilize G.O. Bond Funds?**

No

**Strategic Connection**

Mobility - Increase multi-modal mobility citywide and connectivity regionally.

**Legislative Tracking**

Transportation and Mobility

**Sponsor**

Vice-Mayor David Richardson

**ATTACHMENTS:**

**Description**

- Attachment A - LTC No. 422-2020
- Attachment B - Resolution 2023-32644
- Attachment C - Water Taxi Pilot Service Plan
- Attachment D - Water Taxi Pilot Term Sheet
- Resolution

# MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC # **422-2020**

LETTER TO COMMISSION

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DocuSigned by:  
*Jimmy Morales*  
78CA1B194070498

DATE: November 25, 2020

SUBJECT: **Commuter Waterborne Transportation Service by Poseidon Ferry LLC**

The purpose of this LTC is to inform the City Commission of Poseidon Ferry LLC's launch of commuter water ferry service between Miami Beach and downtown Miami anticipated for November 29, 2020, using a double deck vessel with an air-conditioned lower deck. **The service is privately owned and operated with no public subsidy from Miami-Dade County, City of Miami, or City of Miami Beach.**

The service is intended to cater to commuters during morning and afternoon peak periods both on weekdays and weekends and the proposed commuter fare structure is competitive with current public transit fares (\$3/passenger each way). The service is scheduled to operate 7 days a week from approximately 6am-10pm Monday through Thursday, and 6am-8pm Friday through Sunday with as many as 16 scheduled hourly departures from Miami Beach each day. The established pick-up and drop-off locations are the Bentley Bay Condominium marina in South Beach and the Hyatt Regency/James L. Knight Center marina in downtown Miami in proximity to the Knight Center Metromover station. Poseidon is planning to add a second vessel in early 2021 which would double the number of departures and provide a service frequency of approximately 30 minutes.

In Miami Beach, Poseidon explored various docking locations within and in proximity to the Miami Beach Marina. Unfortunately, after almost a year of coordinating with the Miami Beach Marina management, Poseidon was unable to secure docking rights at the marina. As an alternative, Poseidon secured the Bentley Bay marina for vessel operation and retail space within the building for a ticket office and passenger waiting area with restrooms.

Poseidon presented its proposed water ferry service operating plan to the City's Marine and Waterfront Protection Authority (MWPA) on September 8, 2020 and responded to questions from board members and the public. The water ferry item was continued by the MWPA to December 2020 to provide Poseidon time to secure the required permits and approvals. The proposed service has received mixed feedback from some residents of the Bentley Bay Condominium; and Poseidon is working closely with the Bentley Bay Condominium Association to address any outstanding concerns with the upcoming service. In the meanwhile, Poseidon has secured Florida Department of Environmental Protection (FDEP) approval to use the existing dock at the Bentley Bay marina on a temporary basis while the lease with the Bentley Bay marina is amended to allow

LTC- Commuter waterborne transportation service by Poseidon  
November 25, 2020

for permanent use of the dock. Poseidon will present its operating plan to MWPA in December.

In addition to the commuter ferry service, Poseidon is pursuing sightseeing and music cruises to subsidize the commuter service. Based on information received from the County and Poseidon, these recreational services will operate only on the City of Miami side and will not be arriving at or departing from the Bentley Bay marina.

**It is important to note that the City has no role in this private venture other than the ministerial function of issuing a BTR once Poseidon has secured all required approvals. As a condition of the issuance of its BTR, Poseidon agrees to follow all applicable federal, state, and local laws, in addition to strictly adhering to those conditions set forth in its BTR and included in Acknowledgment Letter. The intent of the Acknowledgment Letter is to ensure that Poseidon's ferry service operation provides for a high level of safety and security of ferry passengers and does not adversely affect the quality of life of residents in the area (Attachment A).**

From the standpoint of transit connectivity and parking, the Bentley Bay marina is strategically located as it is in close proximity to the South Beach Trolley service, County regional bus service, and the Alton Road/5<sup>th</sup> Street parking garage which can serve as a park-and-ride facility for the proposed ferry service.

The proposed service aligns with City Commission Resolution No. 2019-30757 (Attachment B) which recommends that the Administration pursue strategies to help mitigate traffic impacts and ensure mobility for residents, visitors, and workforce employees during the construction of the Florida Department of Transportation (FDOT) I-395 Signature Bridge project and other active and planned FDOT roadway projects in and around the City.

Should you have any questions, please feel free to contact me.

Attachment A: Acknowledgment Letter  
Attachment B: Resolution No. 2019-30757

ATH SRG MM

JLM/ATH/JRG/MM

https://miamibeach-my.sharepoint.com/personal/jlm@cityofmiamibeachfl.gov/Documents/Waterborne/Poseidon\_Ferry/LTC\_-\_Waterborne\_Transportation\_Service\_by\_Poseidon\_November\_2020.docx

Attachment A

# MIAMI BEACH

**City of Miami Beach**, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)  
OFFICE OF THE CITY ATTORNEY  
Tel: 305-673-7470 Fax: 305-673-7002

November 25, 2020

Poseidon Ferry, LLC  
400 SE 2<sup>nd</sup> Avenue  
Miami, FL 33131

Dear Sir or Madam:

This correspondence shall serve as an acknowledgment of those conditions included in the Business Tax Receipt ("BTR") issued by the City of Miami Beach, Florida ("City") to Poseidon Ferry, LLC ("Poseidon"), a Foreign Limited Liability Company, authorized to do business in the State of Florida, and the City of Miami Beach, Florida.

Poseidon operates a privately owned water ferry commuter service between Miami Beach (Bentley Bay Marina) and downtown Miami. As a condition of the issuance of its BTR, Poseidon agrees to follow all applicable federal, state, and local laws (in addition to strictly adhering to those conditions set forth in its BTR) in order to operate within the City's jurisdictional limits.

Consequently, the failure of Poseidon to comply with any of the conditions set forth below (and as set forth in its BTR) will result in the City issuing a notice of violation to Poseidon, which shall be subject to those enhanced penalties for any violation(s) of same, and may result in a suspension and/or revocation of Poseidon's BTR.

- 1) Permits:
  - a) Poseidon shall secure all necessary approvals and permits for operation of such water ferry service from all applicable agencies involved and shall maintain all permits in active status and good standing.
- 2) Safety and security:
  - a) Poseidon shall provide security personnel on the ferry at all times during operational hours;
  - b) Poseidon shall provide shore side personnel at all times during operational hours to assist with securing the vessel, along with assisting and guiding passengers;
  - c) Poseidon shall ensure passenger queuing lines are closely monitored and shall not obstruct pedestrian pathways along the public right-of-way.
- 3) Noise:
  - a) Poseidon shall comply with applicable State and local noise ordinances at all times.
- 4) Signage:
  - a) Poseidon shall install adequate directional signage for passengers upon Bentley Bay Marina's property and/or the City's right-of-way. Prior to the installation of any signage on the City's right-of-way, Poseidon must seek and obtain written approval from the City.

5) Operation:

- a) Poseidon shall communicate any changes in operating plan to the City's Transportation and Mobility Department;
- b) Poseidon shall report passenger statistics (number of persons boarding in Miami Beach and the City of Miami respectively) to the City's Transportation and Mobility Department on a monthly basis.

It is expressly agreed that nothing contained herein shall operate as a waiver or limitation of any rights or remedies afforded to the City, whether conferred by this acknowledgment or pursuant to law.

CITY OF MIAMI BEACH, FLORIDA

POSEIDON FERRY, LLC

DocuSigned by  
 By Jimmy Morales  
 11/25/2020 1:15 PM EST

By: \_\_\_\_\_

Jimmy L. Morales

Print Name:

City Manager

Title:

CITY OF MIAMI BEACH  
 1700 Convention Center Drive, 4th Floor  
 Miami Beach, Florida 33139

POSEIDON FERRY, LLC  
 400 SE 2<sup>nd</sup> Avenue  
 Miami, FL 33131

DS DS DS  
 ATH JRG MM

ATH/JRG/MM

**RESOLUTION NO. 2019-30757**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE POTENTIAL TRAFFIC MITIGATION STRATEGIES RECOMMENDED BY THE CITY ADMINISTRATION, RECOMMENDING THAT THE ADMINISTRATION WORK WITH MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION TO DEPLOY THE POTENTIAL TRAFFIC MITIGATION STRATEGIES TO HELP REDUCE THE TRAFFIC IMPACTS OF THE "CONNECTING MIAMI" CONSTRUCTION PROJECT ON THE RESIDENTS, VISITORS, AND WORKFORCE OF THE CITY OF MIAMI BEACH; AND, REFERRING THE ITEM TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE TO MONITOR PROGRESS ON THE ISSUE AND DISCUSS RESULTS AND IMPACTS.**

**WHEREAS**, the I-395/SR 836/I-95 Project ("Connecting Miami") is a partnership between the Florida Department of Transportation (FDOT) and the Miami-Dade Expressway Authority (MDX), with construction limits on State Road (SR) 836 beginning at NW 17 Avenue and continuing through the SR 836/I-395/I-95 (Midtown) Interchange to the MacArthur Causeway Bridge; and

**WHEREAS**, the Connecting Miami Project commenced in Summer 2018 and is anticipated to be completed by Fall 2023; and

**WHEREAS**, traffic impacts during the multi-year construction project due to multiple and continuous lane and ramp closures and detours along I-95, SR 836, and I-395 are expected to adversely affect mobility for Miami Beach residents, visitors, and workforce employees; and

**WHEREAS**, the City Administration recommends that various traffic mitigation strategies be explored and deployed, in collaboration with FDOT and Miami-Dade County, to reduce the impact of the construction of this major project on the Miami Beach community; and

**WHEREAS**, the traffic mitigation strategies to be explored should include, but not be limited to, the following:

1. Accelerate the implementation of the Beach Express North Bus Express Rapid Transit (BERT) Demonstration Service and Route 150 (Airport Express) modifications
2. Enhance service of the County Route "A"
3. Explore waiving tolls on the Venetian Causeway
4. Explore waterborne transportation service connecting Downtown Miami and Miami Beach; and

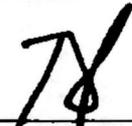
**WHEREAS**, the City Commission deems it advisable to refer this item to the Finance and Citywide Projects Committee to monitor the Connecting Miami Project and discuss results and impacts.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA** that the Mayor and City Commission hereby approve the potential traffic mitigation strategies recommended by the Administration, recommend that the Administration work with Miami-Dade County and the Florida Department of Transportation to deploy the potential traffic mitigation strategies to help reduce the impact on mobility from the construction of the Connecting Miami Project on the residents, visitors, and workforce of the City of Miami Beach, and refer the item to the Finance and Citywide Projects Committee to monitor progress on the issue and discuss results and impacts.

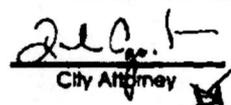
**PASSED and ADOPTED** this 13<sup>th</sup> day of March, 2019.

ATTEST:

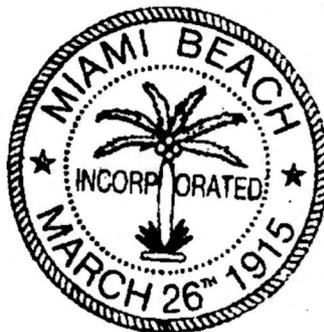
  
\_\_\_\_\_  
Dan Gelber, Mayor

 3/25/19  
\_\_\_\_\_  
Rafael E. Granada, City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

 3-5-19  
\_\_\_\_\_  
City Attorney                      Date

T:\AGENDA\2019\03 March\Transportation\Resolution Traffic Mitigation



**Resolutions - R7 G**

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission  
FROM: Jimmy L. Morales, City Manager  
DATE: March 13, 2019

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE POTENTIAL TRAFFIC MITIGATION STRATEGIES RECOMMENDED BY THE CITY ADMINISTRATION, RECOMMENDING THAT THE ADMINISTRATION WORK WITH MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION TO DEPLOY THE POTENTIAL TRAFFIC MITIGATION STRATEGIES TO HELP REDUCE THE TRAFFIC IMPACTS OF THE "CONNECTING MIAMI" CONSTRUCTION PROJECT ON THE RESIDENTS, VISITORS, AND WORKFORCE OF THE CITY OF MIAMI BEACH; AND, REFERRING THE ITEM TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE TO MONITOR PROGRESS ON THE ISSUE AND DISCUSS RESULTS AND IMPACTS.

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### **RECOMMENDATION**

The Administration recommends that the Mayor and City Commission approve the Resolution.

### **BACKGROUND**

The I-395/SR 836/I-95 Project ("Connecting Miami") is a partnership between the Florida Department of Transportation (FDOT) and the Miami-Dade Expressway Authority (MDX), with construction limits on State Road (SR) 836 beginning at NW 17 Avenue and continuing through the SR 836/I-395/I-95 (Midtown) Interchange to the MacArthur Causeway Bridge. The limits on I-95 are from NW 8 Street to NW 29 Street.

Enhancements along I-395 are from the SR 836/I-95/I-395 (Midtown) Interchange to the MacArthur Causeway, approximately 1.4 miles long. The project will completely reconstruct the existing facility and create a signature bridge that will span 1,025 feet over NE 2 Avenue and SR5/Biscayne Boulevard, redefining the Miami skyline with its six sweeping arches.

The project will create additional capacity on I-395 with a total of three (3) through lanes in each direction and provide separate connector ramps for traffic to and from I-95. The existing I-395 eastbound off-ramps at NE 2 Avenue will be moved west to North Miami Avenue, and the westbound on-ramps at NE 1 Avenue will be shifted to the west of North Miami Avenue. NW 2 Avenue will also be reconnected under I-395, providing residents greater access.

Mobility will be enhanced for residents, commuters and tourists by increasing capacity on SR 836, I-95 and I-395. SR 836 will be double-decked to allow for a direct connection between SR 836 and I-395.

The Connecting Miami Project commenced in Summer 2018 and is anticipated to be completed by Fall 2023. Traffic impacts during the multi-year construction project due to multiple and continuous lane/ramp closures and detours along I-95, SR 836, and I-395 are expected to adversely affect mobility for Miami Beach residents, visitors, and workforce employees.

As an example, over the three (3) year period that the FDOT Alton Road Reconstruction Project from 5 Street to Michigan Avenue was under construction (from April 2013 to March 2016), average daily traffic volumes on the MacArthur Causeway decreased by approximately 9% as compared to pre-construction volumes. In contrast, average daily traffic volumes on the Julia Tuttle Causeway increased by approximately 7% (essentially, over 10,000 additional vehicles per day on the already congested Julia Tuttle Causeway).

This magnitude of traffic diversion from one major arterial to another as a result of a major roadway reconstruction project is not uncommon as these types of projects are known to effectuate changes in traffic patterns not only temporarily during construction, but sometimes permanently even after construction is over.

## **ANALYSIS**

The City of Miami Beach is concerned with the potential effects of the multi-year construction of the Connecting Miami Project and recommends that various traffic mitigation strategies be explored and deployed to ensure mobility for residents, visitors, and workforce employees during the construction of this major project.

The traffic mitigation strategies to be explored should include, but not be limited to, the following:

1. Accelerate the implementation of the Beach Express North Bus Express Rapid Transit (BERT) Demonstration Service or Route 150 (Airport Express) Modifications.

The Miami-Dade County Strategic Miami Area Rapid Transit (SMART) Plan contains six (6) Rapid Transit Corridors and nine (9) Bus Express Rapid Transit (BERT) routes for Miami-Dade County. BERT service consists of enhanced branded buses operating limited stop service on shoulders or dedicated transit lanes, where feasible, to reduce travel time and help ensure service schedule reliability. Advancing the BERT routes to Miami Beach could help mitigate the impacts of the Connecting Miami projects.

There are three (3) BERT routes that are proposed to connect the mainland to Miami Beach. The Beach Express North BERT route will run from Golden Glades Multimodal Center to the Miami Beach City Center area via the Julia Tuttle Causeway. The Beach Express Central BERT route will run from the Miami Civic Center/Health District complex to the Miami Beach City Center area via the Julia Tuttle Causeway. The Beach Express South BERT route will run from Downtown Miami to the Miami Beach City Center area via the MacArthur Causeway.

Via a Resolution of the City Commission, the City of Miami Beach allocated funding in the amount of \$5.1 million for a 3-year Beach Express North BERT demonstration service using the shoulders of the Julia Tuttle Causeway. The City's contribution is equally matched by FDOT funds for the demonstration service.

As of December 5, 2018, FDOT has programmed funds for the design and construction of the inside shoulders modifications needed to operate the BERT service on the Julia Tuttle Causeway by 2022. A goal of all parties is to work toward implementation prior to the estimated 2022 completion date.

Additionally, the Administration is working with the County to potentially modify existing bus routes (such as the Airport Express (Route 150)) to provide a connection to the Earlington Heights Metrorail station (providing access to commuters from northwest Miami-Dade and west Broward) and stop at Mt. Sinai and Fontainebleau, as an interim service enhancement. The goal is to implement the interim service as part of the County's new service line-up in November 2019. Advancing a modified Route 150 could also help mitigate the traffic impacts of the Connecting Miami Project.

## 2. Enhance service of the County Route "A"

The original Route A operated along the Venetian Causeway connecting Omni Station in Miami and Washington Avenue/Lincoln Road area in Miami Beach. As a result of weight restrictions imposed by the County on the Venetian Causeway bridges in 2014, the route and service plan was modified and currently consists of limited service between Omni Station and Sunset Harbour using smaller vehicles (cutaways), operating on a limited schedule of 7.5 hours per day (7:00AM to 9:32AM and 2:00PM to 6:52PM). On a long term basis, the County's plan is to reestablish the original Route A service plan when all the Venetian Causeway bridges are reconstructed and allow for operation of regular bus service. In the meanwhile, the County does not have any plans for enhancing the current service. Route A service enhancement was most recently discussed by the City Commission in February 2018 and a Resolution was adopted by the City Commission urging Miami-Dade County to reinstate, at no cost to the City of Miami Beach, the original Route A service plan; however, no service improvements have been made by the County.

Enhancing the Route A service could be a potential traffic mitigation strategy. Based on an previous analysis conducted by staff in coordination with the County, the incremental cost of restoring the original Route A service plan would be approximately \$230,000/year for approximately 11 hours of service per day from Monday to Sunday.

## 3. Explore waiving tolls on the Venetian Causeway

During previous construction projects on the City's causeways, at the request of the City, Miami-Dade County has waived toll collection along the Venetian Causeway. This initiative has been put into effect to improve capacity and mobility between Miami Beach and the mainland. Waiving tolls on the Venetian Causeway can assist in reducing traffic demand on the MacArthur Causeway which will be affected by the Connecting Miami Project. Further, this Initiative could help balance traffic volumes along the other causeways into the City and reduce the overall

impact of the project. This measure would require prior approval by the Miami-Dade Board of County Commissioners, thus, coordination with Miami-Dade County would be required if this option is explored.

#### 4. Explore waterborne transportation service connecting Downtown Miami and Miami Beach

The City's most recent solicitation for waterborne transportation services was issued in 2014 and resulted in only one (1) operator (Water Taxi Miami, Inc.) submitting a bid and ultimately operating a one (1) year water taxi pilot program from December 30, 2016 to December 30, 2017, connecting the Purdy Avenue Dock, Sea Isle Marina, Bayside Marketplace, and Miami Beach Marina. The original solicitation stipulated that the water taxi services shall be provided at no cost to the City and for the operator to provide necessary infrastructure for the safe operation, including docking facility, of the service. The water taxi pilot program with Water Taxi Miami was terminated on December 30, 2017 and for various reasons, the pilot was not deemed to be a practical, competitive, reliable, convenient, or financially viable operation.

A temporary water taxi service operating between Miami and Miami Beach could potentially help mitigate the traffic impacts of the Connecting Miami Project. The same docks used during the City's previous water taxi pilot program could be used for the temporary service. Establishing a reliable water taxi service, albeit as a temporary traffic mitigation strategy, would likely require an operating subsidy. Moreover, given a water taxi service would need to connect the cities of Miami Beach and Miami, it is recommended that this option be explored in collaboration with Miami-Dade County and current water taxi operators.

#### Active Work Zone Traffic Monitoring and Management

As part of the Connecting Miami Project, FDOT will deploy Active Work Zone Traffic Monitoring and Management services along the affected project corridors. This initiative consists of deploying cameras to monitor traffic conditions, wi-fi/Bluetooth devices to gauge travel time, Variable Message Signs to disseminate real-time information on closures and incidents to the motoring public, and Road Rangers to help clear incidents blocking travel lanes. This effort will be managed by FDOT SunGuide Traffic Management Center and the same contractor that has been providing Traffic Monitoring and Management Services for the City of Miami Beach for over 4 years.

This initiative was utilized during the Alton Road Reconstruction Project between 5 Street and N. Michigan Avenue and proved to be successful in reducing some of the congestion created by the lane closures and detours. The implementation of Active Work Zone Traffic Monitoring and Management for the FDOT Connecting Miami Project would extend the capabilities of the City's current Traffic Monitoring and Management effort and planned Intelligent Transportation System and Smart Parking System Project by enhancing the sharing of real-time traffic information, traffic data, incident information, and other relevant items to assist in managing congestion and help reduce spill-back onto City roads.

#### **CONCLUSION**

The construction of the \$800 million Connecting Miami Project currently being undertaken in a partnership between FDOT and MDX is expected to have a significant impact on mobility for

Miami Beach residents, visitors, and workforce employees due to multi-year lane closures, ramp closures, and detours on I-95, I-395, and SR 836.

The City is concerned with the anticipated impacts to mobility during project construction and believes that the implementation of traffic mitigation strategies in collaboration with FDOT and the County is essential to reduce the impact of the project on the Miami Beach community.

**KEY INTENDED OUTCOMES SUPPORTED**

Ensure Comprehensive Mobility Addressing All Modes Throughout The City

**Legislative Tracking**

Transportation

**Sponsor**

Commissioner Mark Samuelian

**ATTACHMENTS:**

**Description**

- Resolution

RESOLUTION NO: 2023-32644

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF MIAMI BEACH FLORIDA, WAIVING, BY 5/7TH VOTE, THE FORMAL COMPETITIVE BIDDING REQUIREMENT IN SECTION 2-367(E) OF THE CITY CODE, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY, AND ACCEPTING THE RECOMMENDATION OF THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE, AT ITS MAY 24, 2023 MEETING, DIRECTING THE CITY ADMINISTRATION TO (1) NEGOTIATE A ONE (1) YEAR AGREEMENT BEGINNING IN FISCAL YEAR 2024 WITH POSEIDON FERRY, LLC TO PROVIDE A WATER TAXI SERVICE PILOT PROGRAM ("PILOT PROGRAM") BETWEEN MIAMI BEACH AND DOWNTOWN MIAMI; (2) IDENTIFY FUNDING; (3) IDENTIFY LOCATIONS WHERE OPERATION WILL BE CONDUCTED; AND (4) DEFINE THE CITY CONTRIBUTION, AND FARE STRUCTURE FOR THE PILOT PROGRAM; AND FURTHER REQUIRING THAT THE FINAL AGREEMENT BE SUBJECT TO APPROVAL BY THE MAYOR AND CITY COMMISSION.**

**WHEREAS**, a water taxi is a watercraft that provides public transport service, usually, but not always, in an urban environment; and

**WHEREAS**, aside from being an attraction to tourists who enjoy the scenic cross-bay route, more importantly, water taxi service can also provide a convenient and reliable alternative mobility option to commuters traveling daily to and from Downtown Miami and the City of Miami Beach ("City"), connecting various destinations in the City and on the mainland; and

**WHEREAS**, on January 2012, the City's Marine and Waterfront Protection Authority ("MWPA") discussed this subject and passed a resolution recommending that the City develop a plan for waterborne transportation services within the City and to mainland Miami; and

**WHEREAS**, on July 23, 2014, the City Commission adopted Resolution No. 2014-28665 directing the City Administration to prepare an Invitation to Negotiate ("ITN") to seek proposals from qualified firms interested in providing the City with waterborne public transportation services; and

**WHEREAS**, the ITN resulted in only one (1) responsive and responsible bidder, Water Taxi Miami, Inc.; and

**WHEREAS**, the City executed a contract with Water Taxi Miami, Inc. to operate a one (1) year water taxi pilot program from December 30, 2016 to December 30, 2017, at no cost to the City; and

**WHEREAS**, due to its high fares, weekend-only service, and infrequent weekday service, the pilot was not deemed a practical, competitive, reliable, convenient, or financially viable operation and was terminated on December 30, 2017; and

**WHEREAS**, on September 8, 2020, Poseidon Ferry LLC ("Poseidon") presented a water ferry service operating plan to the City's Marine and Waterfront Protection Authority (MWPA); and

**WHEREAS**, Poseidon launched service on November 29, 2020, using a double-deck vessel with an air-conditioned lower deck; and

**WHEREAS**, Poseidon's water taxi service was privately owned and operated, with no public subsidy from Miami-Dade County, the City of Miami, or the City; and

**WHEREAS**, the service was suspended on December 31, 2022 due to low ridership; and

**WHEREAS**, on March 27, 2023, at the request of Commissioner David Richardson, the City Commission referred a discussion (Item C4 N) to the Finance and Economic Resiliency Committee ("FERC") to discuss implementing a water taxi/ ferry service in the City, and providing a potential subsidy for the program, in an effort to reduce the fares charged to passengers and promote an alternative mode of transportation between Miami Beach and downtown Miami; and

**WHEREAS**, Poseidon represented that the net annual operating and maintenance cost of the service was approximately \$600,000.00 per year for one (1) vessel operating seven (7) days a week at a service frequency of one (1) hour from Sunday to Friday (from 7:30 a.m. to 7:30 p.m.) and limited departures on Saturday; and

**WHEREAS**, during the May 24, 2023 FERC meeting, the Committee discussed the item and passed a motion, recommending a waiver of the formal competitive bidding process, if required to do so, and directing the Administration to: (1) proceed with negotiating a one-year pilot program with Poseidon, commencing during FY 2024, including related contract terms, such as identifying the locations where the operations would be conducted, the final City contribution toward the operation of the program, and the fare structure for use of the services; and

**WHEREAS**, on March 27, 2023, at the request of Commissioner Steven Meiner, the City Commission referred a discussion (Item C4 O) to the Public Safety and Neighborhood Quality of Life Committee ("PSNQLC") and the Finance and Economic Resiliency Committee ("FERC") to discuss obtaining federal, state and county funding to implement a free water taxi/ferry service program in Miami Beach, to incentivize residents to use water taxis as an alternative mode of transportation; and

**WHEREAS**, following the May 23, 2023 PSNQLC meeting, the Administration is submitting a companion agenda item, recommending that the City Administration: (1) study the possibility of developing a new dock, and the various components of such a development, including the cost and possible funding sources for a local match, should any State and Federal grants be available; (2) add a water taxi/ferry service to the City's list of legislative priorities; (3) refer the discussion of the development of a new dock to the Marine and Waterfront Protection Authority and the Transportation, Parking and Bicycle-Pedestrian Facilities Committee to discuss and seek input on the appropriate location for a new dock; and (4) explore the different components of a water ferry program, including evaluating the different approaches to the service operating plans and vessel type/technologies, in anticipation of an issuance of a competitive solicitation for the service; and

**WHEREAS**, based upon the foregoing, and in preparation for the anticipated issuance of a competitive bidding solicitation for a water ferry service, the City Manager recommends waiving, by 5/7<sup>th</sup> vote, the formal competitive bidding requirement in Section 2-367(e) of the City Code, finding such waiver to be in the best interest of the City, and accepting the recommendation of the FERC, at its May 24, 2023 meeting, to utilize FY 2024 funds and negotiate a one-year pilot program with Poseidon.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA,** that the Mayor and City Commission hereby waive, by 5/7th vote, the formal competitive bidding requirement in Section 2-367(e) of the City Code, finding such waiver to be in the best interest of the City, and accept the recommendation of the Finance and Economic Resiliency Committee, at its May 24, 2023 meeting, directing the City Administration to (1) negotiate a one (1) year agreement beginning in fiscal year 2024 with Poseidon Ferry, LLC to provide a water taxi service pilot program ("Pilot Program") between Miami Beach and Downtown Miami; (2) identify funding; (3) identify locations where operation will be conducted; and (4) define the City contribution, and fare structure for the Pilot Program; and further require that the final agreement be subject to approval by the Mayor and City Commission.

**PASSED and ADOPTED** this 28th day June, 2023.

**ATTEST:**



\_\_\_\_\_  
Dan Gelber, Mayor



JUL - 5 2023

\_\_\_\_\_  
Rafael E. Granado, City Clerk



APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

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

6-27-23  
\_\_\_\_\_  
Date

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission  
FROM: Alina T. Hudak, City Manager  
DATE: June 28, 2023

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE, AT ITS MAY 24, 2023 MEETING, WAIVING THE FORMAL COMPETITIVE BIDDING REQUIREMENT IN SECTION 2-367(E) AND DIRECTING THE CITY ADMINISTRATION TO (1) NEGOTIATE A ONE (1) YEAR AGREEMENT BEGINNING IN FISCAL YEAR 2024 WITH POSEIDON, LLC TO PROVIDE A WATER TAXI SERVICE PILOT PROGRAM ("PILOT PROGRAM") BETWEEN MIAMI BEACH AND DOWNTOWN MIAMI; (2) IDENTIFY FUNDING; (3) IDENTIFY LOCATIONS WHERE OPERATION WILL BE CONDUCTED; AND (4) DEFINE THE CITY CONTRIBUTION, AND FARE STRUCTURE FOR THE PILOT PROGRAM.

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### **RECOMMENDATION**

The Administration recommends that the Mayor and City Commission ("City Commission") approve the Resolution.

### **BACKGROUND/HISTORY**

A water taxi is a watercraft that provides public transport service, usually, but not always, in an urban environment. The service may be fixed schedule/ fixed route with multiple stops, operating similarly to a bus, or on-demand to many locations, operating similarly to a taxi. Aside from being an attraction to tourists who enjoy the scenic cross-bay route, more importantly, water taxi service can also provide a convenient and reliable alternative mobility option to commuters traveling daily to and from Downtown Miami and the City of Miami Beach ("City"), connecting various destinations in the City and on the mainland.

In January 2012, the City's Marine and Waterfront Protection Authority ("MWPA") discussed this subject and passed a resolution recommending that the City develop a plan for waterborne transportation services within the City and to mainland Miami. The recommendation included the development of a pier or dock at the Lincoln Road street-end with the potential for additional dock locations at 5 Street, 10 Street, 14 Street, and the Purdy Avenue Dock at Maurice Gibb Park.

At the October 28, 2013 Neighborhood and Community Affairs Committee ("NCAC") meeting, the NCAC recommended that the City Administration explore the feasibility of the proposed dock

locations, gather more details regarding the potential service, and provide an update to the NCAC. On December 11, 2013, the City Commission adopted Resolution No. 2013-28430 (Attachment A), accepting the recommendation of the NCAC.

At the April 30, 2014 NCAC meeting, City staff provided feedback regarding potential locations for water taxi terminals and recommended conducting public meetings to obtain community input regarding potential water taxi dock locations. The NCAC recommended that prior to conducting any public meetings, staff conduct a survey of City employees to determine if water taxi service would provide a suitable alternative to commute to work.

On July 23, 2014, the City Commission adopted Resolution No. 2014-28665 (Attachment B), rejecting the NCAC's recommendation and, instead, directed the City Administration to prepare an Invitation to Negotiate ("ITN") to seek proposals from qualified firms interested in providing the City with waterborne public transportation services. Pursuant to this direction, the City issued an ITN for a pilot cross-bay waterborne transportation service. The solicitation required that the water taxi service be provided at no cost to the City and that the operator provide all necessary infrastructure, including a docking facility, for the safe operation of the service. The ITN resulted in only one (1) responsive and responsible bidder ("Water Taxi Miami, Inc."). As such, the City executed a contract with Water Taxi Miami, Inc. to operate a one (1) year water taxi pilot program from December 30, 2016 to December 30, 2017, at no cost to the City, connecting the Purdy Avenue Dock at Maurice Gibb Park, Sea Isle Marina at Omni, Bayside Marketplace in Downtown Miami, and the Miami Beach Marina. Due to its high fares, weekend-only service, and infrequent weekday service, the pilot was not deemed a practical, competitive, reliable, convenient, or financially viable operation and was terminated on December 30, 2017.

On September 8, 2020, Poseidon Ferry LLC ("Poseidon") presented a water ferry service operating plan to the MWPA. Poseidon launched service on November 29, 2020, using a double-deck vessel with an air-conditioned lower deck. The water taxi service was privately owned and operated with no public subsidy from Miami-Dade County, the City of Miami, or the City. The service provided connectivity to and from the Hyatt Regency located at 400 SE 2nd Avenue in Downtown Miami and the Bentley Bay Marina located at 520 West Avenue in Miami Beach, where the water taxi connected to the County's MetroMover system and the South Beach Trolley service, respectively. Service commencement was shared with the City Commission via LTC No. 422-2020 (Attachment C). Poseidon's fare structure was competitive with current public transit fares (\$3 per passenger each way for commuters). Per Poseidon, the net annual operating and maintenance cost of the service was approximately \$600,000 for one (1) vessel operating seven (7) days a week at a service frequency of one (1) hour from Sunday to Friday (from 7:30 a.m. to 7:30 p.m.) and limited departures on Saturday. The service was suspended on December 31, 2022 due to low ridership.

On March 27, 2023, at the request of Commissioner David Richardson, the City Commission referred a discussion (Item C4 N) to the Finance and Economic Resiliency Committee ("FERC") to discuss implementing a water taxi/ ferry service in the City, and providing a potential subsidy for the program, in an effort to reduce the fares charged to passengers and promote an alternative mode of transportation between Miami Beach and downtown Miami.

During the May 24, 2023 FERC meeting, the Committee discussed this item and passed a motion to proceed with a pilot program with Poseidon, authorizing the City Administration to negotiate an agreement with Poseidon and work with Poseidon to identify the locations where the operations will be conducted, and recommending waiver of the competitive bidding process if required to do so, with the final City contribution and related terms, such as the discounted

rates, to be determined in the agreement.

FERC recommended in favor of moving the item to the City Commission for consideration of its motion.

### **ANALYSIS**

Water taxi service could provide an alternative mode of transportation for residents, visitors, and workforce using waterways between the cities of Miami Beach and Miami. This connectivity is essential for residents who work, study, or engage in recreational activities in both cities. Currently, the options available to residents, visitors, and workforce are to use their personal vehicles or micromobility device, taxi/ride-share services, or public transportation (Miami-Dade County buses). However, with an efficient cross-bay water taxi service, residents, visitors, and workforce can avoid traffic congestion on the causeways and reduce travel time, making it a convenient, attractive, and affordable commuting option.

Based on information received from Poseidon, which operated ferry service between Miami Beach and Miami until December 31, 2022, the net annual operating cost of the service was approximately \$600,000 (excluding docking fees) for one (1) vessel operating seven (7) days per week with one (1)-hour frequency of service from Sunday to Friday (from 7:30 am to 7:30 pm) and limited departures on Saturday. The fare for Florida residents was \$5 per person per trip, and the fare for visitors was \$10 per person per trip. Poseidon's fare structure was competitive with current public transit fares at \$3 per passenger each way for commuters.

### **SUPPORTING SURVEY DATA**

N/A

### **FINANCIAL INFORMATION**

The cost associated with subsidizing the net annual operations and maintenance costs of a cross-bay water taxi service (based on Poseidon's operating costs) is approximately \$600,000. Currently, funding has not been identified; however, this cost has been presented as part of a tentative proposed FY 2024 operating budget enhancement for consideration by the City Commission. Given cross-bay water taxi service constitutes a regional transportation service extending beyond the jurisdictional limits of Miami Beach, should the City Commission wish to explore an operating subsidy for the service, the Administration recommends pursuing a collaboration and potential funding partnership with the City of Miami and/or Miami-Dade County.

### **CONCLUSION**

This item is being presented to the City Commission for acceptance of the recommendation of FERC's motion directing the Administration to (1) negotiate a one (1) year agreement starting Fiscal Year 2024 with Poseidon to provide a water taxi service pilot program between Miami Beach and Downtown Miami; (2) identify funding; (3) identify locations where operation will be conducted, and (4) define the City's contribution, and fare structure for the pilot program.

Furthermore, the City Administration recommends pursuing a competitive solicitation for the service to better position the City to seek certain external funding opportunities, and to compare and evaluate multiple vendors' approaches to the service, operating plans, and vessel types/technologies.

### **Applicable Area**

Citywide

**Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?**

No

**Does this item utilize G.O. Bond Funds?**

No

**Strategic Connection**

Mobility - Increase multi-modal mobility citywide and connectivity regionally.

**Legislative Tracking**

Transportation and Mobility

**Sponsor**

Commissioner David Richardson

**ATTACHMENTS:**

**Description**

- Attachment A – Resolution No. 2013-28430
- Attachment B – Resolution No. 2014-28665
- Attachment C – LTC No. 422-2020

RESOLUTION NO. 2013-28430

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE NEIGHBORHOODS/COMMUNITY AFFAIRS COMMITTEE DIRECTING THE CITY ADMINISTRATION TO EXPLORE POTENTIAL LOCATIONS AND TIMES FOR WATER TAXI SERVICE WITHIN THE CITY AND TO MAINLAND MIAMI.

WHEREAS, a water taxi is a watercraft used to provide public transport, usually but not always, in an urban environment which can operate similar to a bus or taxi and can serve as a charter or commuter service; and

WHEREAS, the City is about to begin developing its Transportation Master Plan (TMP) which will study the City's transportation network, analyze existing conditions, and make recommendations for projected future conditions, including maximizing the use of its Blueways throughout the City; and

WHEREAS, the City's Marine Authority Board discussed this subject and passed a Resolution in January 2012 recommending that the City develop water transportation services within the City and to mainland Miami for commercial and private vessels; and

WHEREAS, the City's Marine Authority Board also recommended the development of a pier or dock at the Lincoln Road street-end with the potential for additional sites at 5th Street, 10th Street, 14th Street, and the Purdy Boat Ramp; and

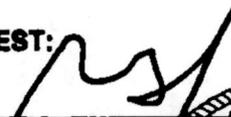
WHEREAS, the City Administration was recently approached by Island Queen Cruises with a proposal for the establishment of permanent locations in the City of Miami Beach in order to provide water taxi service between Bayfront Park and Miami Beach; and

WHEREAS, at the October 28, 2013 Neighborhoods/Community Affairs Committee meeting, the Committee passed a motion requesting that the Administration explore water taxis as an alternative mode of transportation and to further research the issue, including possible pick-up and drop-off locations and times; and to bring the item back to the Committee for further discussion and refinement of the concept.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby accept the recommendation of the Neighborhoods/Community Affairs Committee directing the City Administration to explore potential locations for water taxi service in the City and to further research possible pick-up and drop-off locations and times and to bring the item back to the Committee for further discussion and refinement of the concept.

PASSED and ADOPTED this 11<sup>th</sup> day of December, 2013

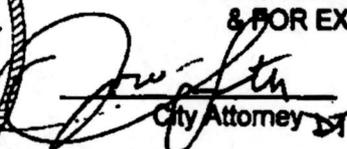
ATTEST:

  
Rafael E. Granado, City Clerk

  
Philip Levine, Mayor



APPROVED AS TO  
FORM AND LANGUAGE  
& FOR EXECUTION

  
City Attorney 12/4/13  
Date

**Condensed Title:**

A Resolution Of The Mayor And City Commission Of The City Of Miami Beach, Florida, Accepting The Recommendation Of The Neighborhood/Community Affairs Committee Directing The Administration To Explore Potential Locations For Water Taxi Service

**Key Intended Outcome Supported:**

Enhance Mobility throughout the City

**Supporting Data (Surveys, Environmental Scan, etc.):** In a recent survey, 31% of residents and 43% of businesses rate the traffic flow as excellent or good.

**Item Summary/Recommendation:**

A water taxi is a watercraft used to provide public transport, usually but not always in an urban environment. Service may be scheduled with multiple stops, operating in a similar manner to a bus, or on-demand to multiple locations, operating in a similar manner to a taxi. Water taxis can offer sightseeing, charter and commuter services in order to service both residents and visitors.

The City is about to begin developing its Transportation Master Plan (TMP) which will study the City's transportation network, analyze existing conditions and make recommendations for projected future conditions. Multi-modal alternatives will be a component of the TMP and the City is seeking ways to maximize use navigable waterways. Additionally, the City's 2025 Comprehensive Plan already includes a multi-modal transportation system as a stated goal.

The City's Marine Authority Board discussed this subject and passed a Resolution in January 2012 recommending the City develop water transportation services within the City and connecting to the City of Miami for commercial and private vessels. The recommendation included development of a pier or dock at the Lincoln Road street-end with potential for additional sites at 5th Street, 10th Street, 14th Street, and the Purdy Boat Ramp.

Aside from the attraction to tourists, water taxi service also has the ability to provide an alternative mode of transportation for residents who commute daily to and from Downtown Miami/Brickell area and to connect various destinations in the City of Miami Beach and on the Mainland.

The City Administration was recently approached by Island Queen Cruises with a proposal for the establishment of permanent locations in the City of Miami Beach in order to provide water taxi service between Bayfront Park in the City of Miami and Miami Beach.

This item is being presented to City Commission for acceptance of the recommendation of the NCAC directing the Administration to further explore water taxi service as an alternative form of transportation and gather more details regarding the service, such as possible pick-up and drop-off locations, times, etc., and to bring the item back to the NCAC for further discussion and refinement of the concept.

**Advisory Board Recommendation:**

At the October 28, 2013 meeting of the Neighborhood/Community Affairs Committee (NCAC), City staff and industry representatives provided some background regarding the current and proposed service. The service is currently implemented in the City of Fort Lauderdale. The NCAC endorsed the concept as another alternative to reduce traffic congestion between the City of Miami Beach and the Mainland. The Committee passed a motion, which is why it is being presented to the City Commission for acceptance, to direct the Administration to further explore this concept and gather more details regarding the service, such as potential pick-up and drop-off locations, times, etc. and bring the item back to the NCAC for further discussion and refinement of the concept.

**Financial Information:**

Source of Funds	Amount	Account
1		
<b>Total</b>		

**Financial Impact Summary:**

**City Clerk's Office Legislative Tracking:**

\_\_\_\_\_

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
ETC 	KGB 	JLM 

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# MIAMI BEACH

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

## COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: December 11, 2013

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE DIRECTING THE ADMINISTRATION TO EXPLORE POTENTIAL LOCATIONS FOR WATER TAXI SERVICE**

### BACKGROUND

A water taxi is a watercraft used to provide public transport, usually but not always in an urban environment. Service may be scheduled with multiple stops, operating in a similar manner to a bus, or on-demand to multiple locations, operating in a similar manner to a taxi. Water taxis can offer sightseeing, charter and commuter services in order to service both residents and visitors.

The City is about to begin developing its Transportation Master Plan (TMP) which will study the City's transportation network, analyze existing conditions and make recommendations for projected future conditions. Multi-modal alternatives will be a component of the TMP and the City is seeking ways to maximize use navigable waterways. Additionally, the City's 2025 Comprehensive Plan already includes a multi-modal transportation system as a stated goal.

The City's Marine Authority Board discussed this subject and passed a Resolution in January 2012 recommending the City develop water transportation services within the City and connecting to the City of Miami for commercial and private vessels. The recommendation included development of a pier or dock at the Lincoln Road street-end with potential for additional sites at 5th Street, 10th Street, 14th Street, and the Purdy Boat Ramp.

Aside from the attraction to tourists, water taxi service also has the ability to provide an alternative mode of transportation for residents who commute daily to and from Downtown Miami/Brickell area and to connect various destinations in the City of Miami Beach and on the Mainland.

The City Administration was recently approached by Island Queen Cruises with a proposal for the establishment of permanent locations in the City of Miami Beach in order to provide water taxi service between Bayfront Park in the City of Miami and Miami Beach.

At the October 28, 2013 meeting of the Neighborhood/Community Affairs Committee (NCAC), City staff and industry representatives provided some background regarding the current and proposed service. The service is currently implemented in the City of Fort Lauderdale. The NCAC endorsed the concept as another alternative to reduce traffic congestion between the City of Miami Beach and the Mainland. The Committee passed a motion, which is why it is being presented to the City Commission for acceptance, to direct the Administration to further explore this concept and gather more details regarding the service, such as potential pick-up and drop-off locations, times, etc. and bring the item back to the NCAC for further discussion and refinement of the concept.

**CONCLUSION**

This item is being presented to City Commission for acceptance of the recommendation of the NCAC directing the Administration to further explore water taxi service as an alternative form of transportation and gather more details regarding the service, such as possible pick-up and drop-off locations, times, etc., and to bring the item back to the NCAC for further discussion and refinement of the concept.

  
KGB/EJ/JFD

T:\AGENDA\2013\December 11\Resolution Accepting Recommendation from NCAC Regarding Water Taxi Service MEMO

RESOLUTION NO. 2014 - 28665

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, REJECTING THE RECOMMENDATION OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE AT ITS APRIL 30, 2014 MEETING TO CONDUCT A SURVEY OF CITY EMPLOYEES REGARDING THE POTENTIAL USE OF WATER TAXI SERVICES FOR COMMUTING PURPOSES AND DIRECTING THE CITY ADMINISTRATION TO PREPARE A REQUEST FOR APPROVAL TO ISSUE AN INVITATION TO NEGOTIATE TO SEEK PROPOSALS FOR WATERBORNE TRANSPORTATION SERVICES AS AN ALTERNATIVE MODE OF PUBLIC TRANSPORTATION IN THE CITY.**

**WHEREAS**, a water taxi is a watercraft used to provide public transportation and that can potentially provide an alternative mode of transportation for residents of Miami Beach; and

**WHEREAS**, at the December 11, 2013 City Commission meeting, the Commission accepted the recommendation of the Neighborhood/Community Affairs Committee (NCAC) to direct the Administration to further explore water taxi service as an alternative form of transportation and gather more details regarding the service, such as possible pick-up and drop-off locations and times; and

**WHEREAS**, at the April 30, 2014 meeting of the NCAC, City staff provided feedback regarding potential locations for water taxi terminals and recommended conducting public meetings in order to educate the community and obtain citizen input regarding potential water taxi dock locations; and

**WHEREAS**, at said meeting, the NCAC recommended that, prior to conducting any public meetings, staff conduct a survey of City employees to determine if water taxi service would provide a suitable alternative to commute to work and to bring the results of such survey back to the NCAC with additional recommendations; and

**WHEREAS**, the Mayor and City Commission reject the NCAC's recommendation and, instead, wish to direct the City Administration to prepare an Invitation to Negotiate (ITN) which will seek proposals from qualified firms interested in providing the City with waterborne public transportation services, and also wish to direct the City Administration to prepare a request for an ITN for the July 30, 2014 City Commission agenda for consideration by the City Commission.

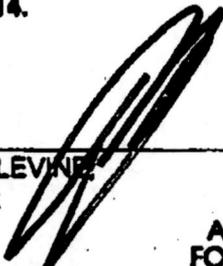
**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission hereby reject the recommendation of the NCAC at its April 30, 2014 meeting and hereby direct the City Administration to prepare a request for approval to issue an Invitation to Negotiate to seek proposals for waterborne transportation services as an alternative mode of public transportation in the City.

**PASSED AND ADOPTED this 23<sup>rd</sup> day of July, 2014.**

**ATTEST:**

  
\_\_\_\_\_  
**RAFAEL E. GRANADO,**  
CITY CLERK

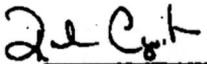


  
\_\_\_\_\_  
**PHILIP LEVINE,**  
MAYOR

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

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

8/6/14  
Date

**Condensed Title:**

A Resolution Of The Mayor And City Commission Of The City Of Miami Beach, Florida, Accepting The Recommendation Of The Neighborhood/Community Affairs Committee Directing The Administration To Conduct A Survey Of City Employees Regarding The Potential Use Of Water Taxi Services For Commuting Purposes.

**Key Intended Outcome Supported:** Commission a Comprehensive Mobility Plan Which Gives Priority Recommendations (From Non-Vehicular To Vehicular And Including Parking).

**Supporting Data (Surveys, Environmental Scan, etc.):** According to the Florida Department of Transportation (FDOT), the Level Of Service (LOS) on the McArthur Causeway and Julia Tuttle Causeway during peak hours is LOS F (Failing) and D, respectively. The existing public transportation system connecting Miami Beach to the mainland is limited to using these congested highways. As recently indicated in the 2014 City of Miami Beach Community Satisfaction Final Report, 28% of the City of Miami Beach residents would be willing to use alternative forms of transportation to access the mainland.

**Item Summary/Recommendation:**

At the December 11, 2013 City Commission meeting, the Commission accepted a recommendation by the Neighborhood/Community Affairs Committee (NCAC) directing the Administration to further explore water taxi service as an alternative form of transportation and gather more details regarding the service, such as possible pick-up and drop-off locations, times, etc., and to bring the item back to the NCAC for further discussion and refinement of the concept.

At the April 30, 2014 meeting of the NCAC, City staff provided feedback regarding potential locations for water taxi terminals and recommended conducting public meetings in order to educate the community and obtain their input regarding potential water taxi dock locations. The NCAC recommended that prior to conducting any public meetings, staff conduct a survey of City employees to determine if water taxi service would provide a suitable alternative to commute to work.

This item is being presented to City Commission for acceptance of the recommendation of the NCAC directing the Administration to conduct a survey and gather data to assess the need for water taxi service as an alternative mode of public transportation in the City, and to bring the item back to the NCAC to report the results of the survey and provide additional recommendations.

Additionally, the Administration will reach out to the Home Owners Associations (HOAs) surrounding the locations that could potentially be used as terminals/stops for water taxi services, in an effort to obtain some feedback on the integration of the proposed dock locations in the residential areas.

**THE ADMINISTRATION RECOMMENDS APPROVAL OF THE RESOLUTION.**

**Advisory Board Recommendation:**

N/A

**Financial Information:**

Source of Funds:	Amount	Account
1		
2		

Financial Impact Summary: N/A

**City Clerk's Office Legislative Tracking:**

Jose R. Gonzalez, ext. 6768

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
JRG <i>JRG</i>	KGB <i>KGB</i>	JLM <i>JLM</i>

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# MIAMI BEACH

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

## COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: July 23, 2014

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE DIRECTING THE ADMINISTRATION TO CONDUCT A SURVEY OF CITY EMPLOYEES REGARDING THE POTENTIAL USE OF WATER TAXI SERVICES FOR COMMUTING PURPOSES**

### **BACKGROUND**

A water taxi is a watercraft used to provide public transportation, usually, but not always in an urban environment. Service may be scheduled with multiple stops, operating in a similar manner to a bus, or on-demand to multiple locations, operating in a similar manner to a taxi. Aside from being a memorable experience to tourists, water taxi service also has the ability to provide an alternative mode of transportation for residents who commute daily to and from Downtown Miami/Brickell area, and to connect various destinations in the City of Miami Beach and on the Mainland.

The potential for waterborne transportation is expected to be further studied in the City's Transportation Master Plan, which will review the City's transportation network, analyze existing conditions and make recommendations for projected future conditions. Additionally, the City's 2025 Comprehensive Plan already includes a multi-modal transportation system as a stated goal.

The City's Marine Authority Board discussed water taxi service and passed a Resolution in January 2012 recommending that the City implement water transportation services within the City and connecting to the City of Miami. The recommendation included development of a pier or dock at the Lincoln Road street-end with potential for additional sites at 5th Street, 10th Street, 14th Street, and the Purdy Boat Ramp.

At the December 11, 2013 City Commission meeting, the Commission accepted the recommendation of the Neighborhood/Community Affairs Committee (NCAC) directing the Administration to further explore water taxi service as an alternative form of transportation and gather more details regarding the service, such as possible pick-up and drop-off locations, times, etc., and to bring the item back to the NCAC for further discussion and refinement of the concept.

**July 23, 2014**

**Page 2 of 2**

At the April 30, 2014 meeting of the NCAC, City staff provided feedback regarding the locations proffered by the Marine Authority Board and recommended conducting public meetings in order to educate the community and obtain their input regarding potential water taxi dock locations. The NCAC recommended that prior to conducting any public meetings, staff conduct a survey of City employees to determine if water taxi service would provide a suitable alternative to commute to work. The Committee passed a motion directing the Administration to conduct a survey and gather data in order to properly evaluate the need for water taxi service as an alternative mode of public transportation in the City.

Additionally, the Administration will reach out to the Home Owners Associations (HOAs) surrounding the locations that could potentially be used as terminals/stops for water taxi services, in an effort to obtain some feedback on the integration of the proposed dock locations in the residential areas.

### **CONCLUSION**

This item is being presented to City Commission for acceptance of the recommendation of the NCAC directing the Administration to conduct a survey and gather data to assess the need for water taxi service as an alternative mode of public transportation in the City, and to bring the item back to the NCAC to report the results of the survey and provide additional recommendations.

  
KGB/JRG/JFG

T:\AGENDA\2014\July\Water Taxi – Acceptance of Recommendations by NCAC MEMO

# MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC # **422-2020**

LETTER TO COMMISSION

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DocuSigned by:  
*Jimmy Morales*  
28CA18194070498

DATE: November 25, 2020

SUBJECT: **Commuter Waterborne Transportation Service by Poseidon Ferry LLC**

The purpose of this LTC is to inform the City Commission of Poseidon Ferry LLC's launch of commuter water ferry service between Miami Beach and downtown Miami anticipated for November 29, 2020, using a double deck vessel with an air-conditioned lower deck. The service is privately owned and operated with no public subsidy from Miami-Dade County, City of Miami, or City of Miami Beach.

The service is intended to cater to commuters during morning and afternoon peak periods both on weekdays and weekends and the proposed commuter fare structure is competitive with current public transit fares (\$3/passenger each way). The service is scheduled to operate 7 days a week from approximately 6am-10pm Monday through Thursday, and 6am-8pm Friday through Sunday with as many as 16 scheduled hourly departures from Miami Beach each day. The established pick-up and drop-off locations are the Bentley Bay Condominium marina in South Beach and the Hyatt Regency/James L. Knight Center marina in downtown Miami in proximity to the Knight Center Metromover station. Poseidon is planning to add a second vessel in early 2021 which would double the number of departures and provide a service frequency of approximately 30 minutes.

In Miami Beach, Poseidon explored various docking locations within and in proximity to the Miami Beach Marina. Unfortunately, after almost a year of coordinating with the Miami Beach Marina management, Poseidon was unable to secure docking rights at the marina. As an alternative, Poseidon secured the Bentley Bay marina for vessel operation and retail space within the building for a ticket office and passenger waiting area with restrooms.

Poseidon presented its proposed water ferry service operating plan to the City's Marine and Waterfront Protection Authority (MWPA) on September 8, 2020 and responded to questions from board members and the public. The water ferry item was continued by the MWPA to December 2020 to provide Poseidon time to secure the required permits and approvals. The proposed service has received mixed feedback from some residents of the Bentley Bay Condominium; and Poseidon is working closely with the Bentley Bay Condominium Association to address any outstanding concerns with the upcoming service. In the meanwhile, Poseidon has secured Florida Department of Environmental Protection (FDEP) approval to use the existing dock at the Bentley Bay marina on a temporary basis while the lease with the Bentley Bay marina is amended to allow

LTC- Commuter waterborne transportation service by Poseidon  
November 25, 2020

for permanent use of the dock. Poseidon will present its operating plan to MWPA in December.

In addition to the commuter ferry service, Poseidon is pursuing sightseeing and music cruises to subsidize the commuter service. Based on information received from the County and Poseidon, these recreational services will operate only on the City of Miami side and will not be arriving at or departing from the Bentley Bay marina.

**It is important to note that the City has no role in this private venture other than the ministerial function of issuing a BTR once Poseidon has secured all required approvals. As a condition of the issuance of its BTR, Poseidon agrees to follow all applicable federal, state, and local laws, in addition to strictly adhering to those conditions set forth in its BTR and included in Acknowledgment Letter. The Intent of the Acknowledgment Letter is to ensure that Poseidon's ferry service operation provides for a high level of safety and security of ferry passengers and does not adversely affect the quality of life of residents in the area (Attachment A).**

From the standpoint of transit connectivity and parking, the Bentley Bay marina is strategically located as it is in close proximity to the South Beach Trolley service, County regional bus service, and the Alton Road/5<sup>th</sup> Street parking garage which can serve as a park-and-ride facility for the proposed ferry service.

The proposed service aligns with City Commission Resolution No. 2019-30757 (Attachment B) which recommends that the Administration pursue strategies to help mitigate traffic impacts and ensure mobility for residents, visitors, and workforce employees during the construction of the Florida Department of Transportation (FDOT) I-395 Signature Bridge project and other active and planned FDOT roadway projects in and around the City.

Should you have any questions, please feel free to contact me.

Attachment A: Acknowledgment Letter

Attachment B: Resolution No. 2019-30757

ATH JRG MM

JLM/ATH/JRG/MM

[https://miamibeach-my.sharepoint.com/personal/m\\_lor/majstborvic\\_miamibeachfl\\_gov/Documents/Waterborne/Poseidon Ferry/LTC - Waterborne Transportation Service by Poseidon November 2020.docx](https://miamibeach-my.sharepoint.com/personal/m_lor/majstborvic_miamibeachfl_gov/Documents/Waterborne/Poseidon%20Ferry/LTC%20Waterborne%20Transportation%20Service%20by%20Poseidon%20November%202020.docx)

Attachment A

# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)  
OFFICE OF THE CITY ATTORNEY  
Tel: 305-673-7470, Fax: 305-673-7002

November 25, 2020

Poseidon Ferry, LLC  
400 SE 2<sup>nd</sup> Avenue  
Miami, FL 33131

Dear Sir or Madam:

This correspondence shall serve as an acknowledgment of those conditions included in the Business Tax Receipt ("BTR") issued by the City of Miami Beach, Florida ("City") to Poseidon Ferry, LLC ("Poseidon"), a Foreign Limited Liability Company, authorized to do business in the State of Florida, and the City of Miami Beach, Florida.

Poseidon operates a privately owned water ferry commuter service between Miami Beach (Bentley Bay Marina) and downtown Miami. As a condition of the issuance of its BTR, Poseidon agrees to follow all applicable federal, state, and local laws (in addition to strictly adhering to those conditions set forth in its BTR) in order to operate within the City's jurisdictional limits.

Consequently, the failure of Poseidon to comply with any of the conditions set forth below (and as set forth in its BTR) will result in the City issuing a notice of violation to Poseidon, which shall be subject to those enhanced penalties for any violation(s) of same, and may result in a suspension and/or revocation of Poseidon's BTR.

1) Permits:

- a) Poseidon shall secure all necessary approvals and permits for operation of such water ferry service from all applicable agencies involved and shall maintain all permits in active status and good standing.

2) Safety and security:

- a) Poseidon shall provide security personnel on the ferry at all times during operational hours;
- b) Poseidon shall provide shore side personnel at all times during operational hours to assist with securing the vessel, along with assisting and guiding passengers;
- c) Poseidon shall ensure passenger queuing lines are closely monitored and shall not obstruct pedestrian pathways along the public right-of-way.

3) Noise:

- a) Poseidon shall comply with applicable State and local noise ordinances at all times.

4) Signage:

- a) Poseidon shall install adequate directional signage for passengers upon Bentley Bay Marina's property and/or the City's right-of-way. Prior to the installation of any signage on the City's right-of-way, Poseidon must seek and obtain written approval from the City.

Page 1 of 2

5) Operation:

- a) Poseidon shall communicate any changes in operating plan to the City's Transportation and Mobility Department;
- b) Poseidon shall report passenger statistics (number of persons boarding in Miami Beach and the City of Miami respectively) to the City's Transportation and Mobility Department on a monthly basis.

It is expressly agreed that nothing contained herein shall operate as a waiver or limitation of any rights or remedies afforded to the City, whether conferred by this acknowledgment or pursuant to law.

CITY OF MIAMI BEACH, FLORIDA

POSEIDON FERRY, LLC

DocuSigned by:  
 By: Jimmy Morales  
 11/23/2020 1:15 PM EST

By: \_\_\_\_\_

Jimmy L. Morales

Print Name:

City Manager

Title:

CITY OF MIAMI BEACH  
 1700 Convention Center Drive, 4th Floor  
 Miami Beach, Florida 33139

POSEIDON FERRY, LLC  
 400 SE 2<sup>nd</sup> Avenue  
 Miami, FL 33131

08 08 08  
 ATH JRG MM

ATH/JRG/MM

Attachment B

**RESOLUTION NO. 2019-30757**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE POTENTIAL TRAFFIC MITIGATION STRATEGIES RECOMMENDED BY THE CITY ADMINISTRATION, RECOMMENDING THAT THE ADMINISTRATION WORK WITH MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION TO DEPLOY THE POTENTIAL TRAFFIC MITIGATION STRATEGIES TO HELP REDUCE THE TRAFFIC IMPACTS OF THE "CONNECTING MIAMI" CONSTRUCTION PROJECT ON THE RESIDENTS, VISITORS, AND WORKFORCE OF THE CITY OF MIAMI BEACH; AND, REFERRING THE ITEM TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE TO MONITOR PROGRESS ON THE ISSUE AND DISCUSS RESULTS AND IMPACTS.**

**WHEREAS**, the I-395/SR 836/I-95 Project ("Connecting Miami") is a partnership between the Florida Department of Transportation (FDOT) and the Miami-Dade Expressway Authority (MDX), with construction limits on State Road (SR) 836 beginning at NW 17 Avenue and continuing through the SR 836/I-395/I-95 (Midtown) Interchange to the MacArthur Causeway Bridge; and

**WHEREAS**, the Connecting Miami Project commenced in Summer 2018 and is anticipated to be completed by Fall 2023; and

**WHEREAS**, traffic impacts during the multi-year construction project due to multiple and continuous lane and ramp closures and detours along I-95, SR 836, and I-395 are expected to adversely affect mobility for Miami Beach residents, visitors, and workforce employees; and

**WHEREAS**, the City Administration recommends that various traffic mitigation strategies be explored and deployed, in collaboration with FDOT and Miami-Dade County, to reduce the impact of the construction of this major project on the Miami Beach community; and

**WHEREAS**, the traffic mitigation strategies to be explored should include, but not be limited to, the following:

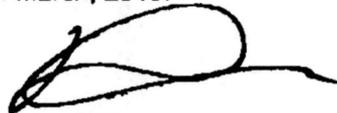
- 1. Accelerate the implementation of the Beach Express North Bus Express Rapid Transit (BERT) Demonstration Service and Route 150 (Airport Express) modifications**
- 2. Enhance service of the County Route "A"**
- 3. Explore waiving tolls on the Venetian Causeway**
- 4. Explore waterborne transportation service connecting Downtown Miami and Miami Beach; and**

**WHEREAS**, the City Commission deems it advisable to refer this item to the Finance and Citywide Projects Committee to monitor the Connecting Miami Project and discuss results and impacts.

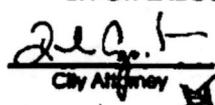
**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA** that the Mayor and City Commission hereby approve the potential traffic mitigation strategies recommended by the Administration, recommend that the Administration work with Miami-Dade County and the Florida Department of Transportation to deploy the potential traffic mitigation strategies to help reduce the impact on mobility from the construction of the Connecting Miami Project on the residents, visitors, and workforce of the City of Miami Beach, and refer the item to the Finance and Citywide Projects Committee to monitor progress on the issue and discuss results and impacts.

**PASSED and ADOPTED** this 13<sup>th</sup> day of March, 2019.

ATTEST:

  
\_\_\_\_\_  
Dan Gelber, Mayor

  
3/25/19  
\_\_\_\_\_  
Rafael E. Granado, City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION  
 3-5-19  
\_\_\_\_\_  
City Attorney      Date

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Resolutions - R7 G

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission  
FROM: Jimmy L. Morales, City Manager  
DATE: March 13, 2019

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE POTENTIAL TRAFFIC MITIGATION STRATEGIES RECOMMENDED BY THE CITY ADMINISTRATION, RECOMMENDING THAT THE ADMINISTRATION WORK WITH MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION TO DEPLOY THE POTENTIAL TRAFFIC MITIGATION STRATEGIES TO HELP REDUCE THE TRAFFIC IMPACTS OF THE "CONNECTING MIAMI" CONSTRUCTION PROJECT ON THE RESIDENTS, VISITORS, AND WORKFORCE OF THE CITY OF MIAMI BEACH; AND, REFERRING THE ITEM TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE TO MONITOR PROGRESS ON THE ISSUE AND DISCUSS RESULTS AND IMPACTS.

---

### **RECOMMENDATION**

The Administration recommends that the Mayor and City Commission approve the Resolution.

### **BACKGROUND**

The I-395/SR 836/I-95 Project ("Connecting Miami") is a partnership between the Florida Department of Transportation (FDOT) and the Miami-Dade Expressway Authority (MDX), with construction limits on State Road (SR) 836 beginning at NW 17 Avenue and continuing through the SR 836/I-395/I-95 (Midtown) Interchange to the MacArthur Causeway Bridge. The limits on I-95 are from NW 8 Street to NW 29 Street.

Enhancements along I-395 are from the SR 836/I-95/I-395 (Midtown) Interchange to the MacArthur Causeway, approximately 1.4 miles long. The project will completely reconstruct the existing facility and create a signature bridge that will span 1,025 feet over NE 2 Avenue and SR5/Biscayne Boulevard, redefining the Miami skyline with its six sweeping arches.

The project will create additional capacity on I-395 with a total of three (3) through lanes in each direction and provide separate connector ramps for traffic to and from I-95. The existing I-395 eastbound off-ramps at NE 2 Avenue will be moved west to North Miami Avenue, and the westbound on-ramps at NE 1 Avenue will be shifted to the west of North Miami Avenue. NW 2 Avenue will also be reconnected under I-395, providing residents greater access.

Mobility will be enhanced for residents, commuters and tourists by increasing capacity on SR 836, I-95 and I-395. SR 836 will be double-decked to allow for a direct connection between SR 836 and I-395.

The Connecting Miami Project commenced in Summer 2018 and is anticipated to be completed by Fall 2023. Traffic impacts during the multi-year construction project due to multiple and continuous lane/ramp closures and detours along I-95, SR 836, and I-395 are expected to adversely affect mobility for Miami Beach residents, visitors, and workforce employees.

As an example, over the three (3) year period that the FDOT Alton Road Reconstruction Project from 5 Street to Michigan Avenue was under construction (from April 2013 to March 2016), average daily traffic volumes on the MacArthur Causeway decreased by approximately 9% as compared to pre-construction volumes. In contrast, average daily traffic volumes on the Julia Tuttle Causeway increased by approximately 7% (essentially, over 10,000 additional vehicles per day on the already congested Julia Tuttle Causeway).

This magnitude of traffic diversion from one major arterial to another as a result of a major roadway reconstruction project is not uncommon as these types of projects are known to effectuate changes in traffic patterns not only temporarily during construction, but sometimes permanently even after construction is over.

## **ANALYSIS**

The City of Miami Beach is concerned with the potential effects of the multi-year construction of the Connecting Miami Project and recommends that various traffic mitigation strategies be explored and deployed to ensure mobility for residents, visitors, and workforce employees during the construction of this major project.

The traffic mitigation strategies to be explored should include, but not be limited to, the following:

1. Accelerate the implementation of the Beach Express North Bus Express Rapid Transit (BERT) Demonstration Service or Route 150 (Airport Express) Modifications.

The Miami-Dade County Strategic Miami Area Rapid Transit (SMART) Plan contains six (6) Rapid Transit Corridors and nine (9) Bus Express Rapid Transit (BERT) routes for Miami-Dade County. BERT service consists of enhanced branded buses operating limited stop service on shoulders or dedicated transit lanes, where feasible, to reduce travel time and help ensure service schedule reliability. Advancing the BERT routes to Miami Beach could help mitigate the impacts of the Connecting Miami projects.

There are three (3) BERT routes that are proposed to connect the mainland to Miami Beach. The Beach Express North BERT route will run from Golden Glades Multimodal Center to the Miami Beach City Center area via the Julia Tuttle Causeway. The Beach Express Central BERT route will run from the Miami Civic Center/Health District complex to the Miami Beach City Center area via the Julia Tuttle Causeway. The Beach Express South BERT route will run from Downtown Miami to the Miami Beach City Center area via the MacArthur Causeway.

Via a Resolution of the City Commission, the City of Miami Beach allocated funding in the amount of \$5.1 million for a 3-year Beach Express North BERT demonstration service using the shoulders of the Julia Tuttle Causeway. The City's contribution is equally matched by FDOT funds for the demonstration service.

As of December 5, 2018, FDOT has programmed funds for the design and construction of the inside shoulders modifications needed to operate the BERT service on the Julia Tuttle Causeway by 2022. A goal of all parties is to work toward implementation prior to the estimated 2022 completion date.

Additionally, the Administration is working with the County to potentially modify existing bus routes (such as the Airport Express (Route 150)) to provide a connection to the Earlington Heights Metrorail station (providing access to commuters from northwest Miami-Dade and west Broward) and stop at Mt. Sinai and Fontainebleau, as an interim service enhancement. The goal is to implement the interim service as part of the County's new service line-up in November 2019. Advancing a modified Route 150 could also help mitigate the traffic impacts of the Connecting Miami Project.

## 2. Enhance service of the County Route "A"

The original Route A operated along the Venetian Causeway connecting Omni Station in Miami and Washington Avenue/Lincoln Road area in Miami Beach. As a result of weight restrictions imposed by the County on the Venetian Causeway bridges in 2014, the route and service plan was modified and currently consists of limited service between Omni Station and Sunset Harbour using smaller vehicles (cutaways), operating on a limited schedule of 7.5 hours per day (7:00AM to 9:32AM and 2:00PM to 6:52PM). On a long term basis, the County's plan is to reestablish the original Route A service plan when all the Venetian Causeway bridges are reconstructed and allow for operation of regular bus service. In the meanwhile, the County does not have any plans for enhancing the current service. Route A service enhancement was most recently discussed by the City Commission in February 2018 and a Resolution was adopted by the City Commission urging Miami-Dade County to reinstate, at no cost to the City of Miami Beach, the original Route A service plan; however, no service improvements have been made by the County.

Enhancing the Route A service could be a potential traffic mitigation strategy. Based on an previous analysis conducted by staff in coordination with the County, the incremental cost of restoring the original Route A service plan would be approximately \$230,000/year for approximately 11 hours of service per day from Monday to Sunday.

## 3. Explore waiving tolls on the Venetian Causeway

During previous construction projects on the City's causeways, at the request of the City, Miami-Dade County has waived toll collection along the Venetian Causeway. This initiative has been put into effect to improve capacity and mobility between Miami Beach and the mainland. Waiving tolls on the Venetian Causeway can assist in reducing traffic demand on the MacArthur Causeway which will be affected by the Connecting Miami Project. Further, this initiative could help balance traffic volumes along the other causeways into the City and reduce the overall

impact of the project. This measure would require prior approval by the Miami-Dade Board of County Commissioners, thus, coordination with Miami-Dade County would be required if this option is explored.

#### 4. Explore waterborne transportation service connecting Downtown Miami and Miami Beach

The City's most recent solicitation for waterborne transportation services was issued in 2014 and resulted in only one (1) operator (Water Taxi Miami, Inc.) submitting a bid and ultimately operating a one (1) year water taxi pilot program from December 30, 2016 to December 30, 2017, connecting the Purdy Avenue Dock, Sea Isle Marina, Bayside Marketplace, and Miami Beach Marina. The original solicitation stipulated that the water taxi services shall be provided at no cost to the City and for the operator to provide necessary infrastructure for the safe operation, including docking facility, of the service. The water taxi pilot program with Water Taxi Miami was terminated on December 30, 2017 and for various reasons, the pilot was not deemed to be a practical, competitive, reliable, convenient, or financially viable operation.

A temporary water taxi service operating between Miami and Miami Beach could potentially help mitigate the traffic impacts of the Connecting Miami Project. The same docks used during the City's previous water taxi pilot program could be used for the temporary service. Establishing a reliable water taxi service, albeit as a temporary traffic mitigation strategy, would likely require an operating subsidy. Moreover, given a water taxi service would need to connect the cities of Miami Beach and Miami, it is recommended that this option be explored in collaboration with Miami-Dade County and current water taxi operators.

#### Active Work Zone Traffic Monitoring and Management

As part of the Connecting Miami Project, FDOT will deploy Active Work Zone Traffic Monitoring and Management services along the affected project corridors. This initiative consists of deploying cameras to monitor traffic conditions, wi-fi/Bluetooth devices to gauge travel time, Variable Message Signs to disseminate real-time information on closures and incidents to the motoring public, and Road Rangers to help clear incidents blocking travel lanes. This effort will be managed by FDOT SunGuide Traffic Management Center and the same contractor that has been providing Traffic Monitoring and Management Services for the City of Miami Beach for over 4 years.

This initiative was utilized during the Alton Road Reconstruction Project between 5 Street and N. Michigan Avenue and proved to be successful in reducing some of the congestion created by the lane closures and detours. The implementation of Active Work Zone Traffic Monitoring and Management for the FDOT Connecting Miami Project would extend the capabilities of the City's current Traffic Monitoring and Management effort and planned Intelligent Transportation System and Smart Parking System Project by enhancing the sharing of real-time traffic information, traffic data, incident information, and other relevant items to assist in managing congestion and help reduce spill-back onto City roads.

#### **CONCLUSION**

The construction of the \$800 million Connecting Miami Project currently being undertaken in a partnership between FDOT and MDX is expected to have a significant impact on mobility for

Miami Beach residents, visitors, and workforce employees due to multi-year lane closures, ramp closures, and detours on I-95, I-395, and SR 836.

The City is concerned with the anticipated impacts to mobility during project construction and believes that the implementation of traffic mitigation strategies in collaboration with FDOT and the County is essential to reduce the impact of the project on the Miami Beach community.

**KEY INTENDED OUTCOMES SUPPORTED**

Ensure Comprehensive Mobility Addressing All Modes Throughout The City

**Legislative Tracking**

Transportation

**Sponsor**

Commissioner Mark Samuelian

**ATTACHMENTS:**

**Description**

- Resolution

# MIAMI BEACH

WATERBORNE TRANSPORTATION PILOT PROJECT

2023 / 2024

Operated by:



## **PROPOSED ROUTE**

Total distance: 2.45 mi (3.94 km)

This route has been selected for the following reasons:

- The proximity to multi-modal connectivity and parking on both the Miami Beach and Downtown Miami sides
- This route will not require any bridge openings
- The service will be able to utilize the City of Miami Beach dock located at Purdy Avenue
- The route will not be in competition with other Water Taxi service providers in the area



## Purdy Avenue Proposed Docking Locations

Purdy Avenue was selected because it is one of the few locations in Miami Beach that is City Owned and already allows Commercial Use.



**Option 1:**

This docking location is on the South Side of the boat launch. This location would be ideal as it is easiest for the vessel to maneuver in and out of. The dock already has docking cleats, shore power and the vessel deck and dock and would line up perfectly and passengers would be able to board and disembark from the bow of the vessel. This location has enough water depth for the vessel.

**Location Follow Up Items:**

\* Check with Miami Beach Marine Patrol to ensure there would be enough clearance to maneuver their vessels around the ferry should the need arise for them to depart at the same time the ferry is at the dock.



**Option 2:**

This docking location is on the North side of the boat launch. This location would be less ideal than option 1 as it does not have docking cleats. Also, the vessel would need to load and off-load on the stern of the vessel.

**Location Follow Up Items:**

- Install Cleats on the dock in order to secure the vessel
- Confirm with FDEP with regards to this slip being permitted to the marina. For loading and off loading only.



**Option 3:**

This docking location is on the complete South Side of the Marina at the floating docks. This site is less favorable out of all the options because it will not accommodate ADA passengers with wheel chairs, its proximity to other vessels and jet skis that are moored close by, and the challenges the vessel will face to be able to quickly turn around and depart with the non-commercial marine traffic (jet ski's, kayaks etc.). This location also does not have cleats to secure the vessel, however there are pilings that the vessel can secure too.





## Sea Isle Marina Proposed Options

### Option #1

From an operational standpoint, this location is selected as the most desirable because the bulkhead on the north side does not have a concrete lip and the passenger gangway would line up better with the marina which would allow for easier access for ADA passengers.

From a passenger standpoint, this location is less desirable as it would create a longer walk to get to multi-modal connectivity.

### Option #2

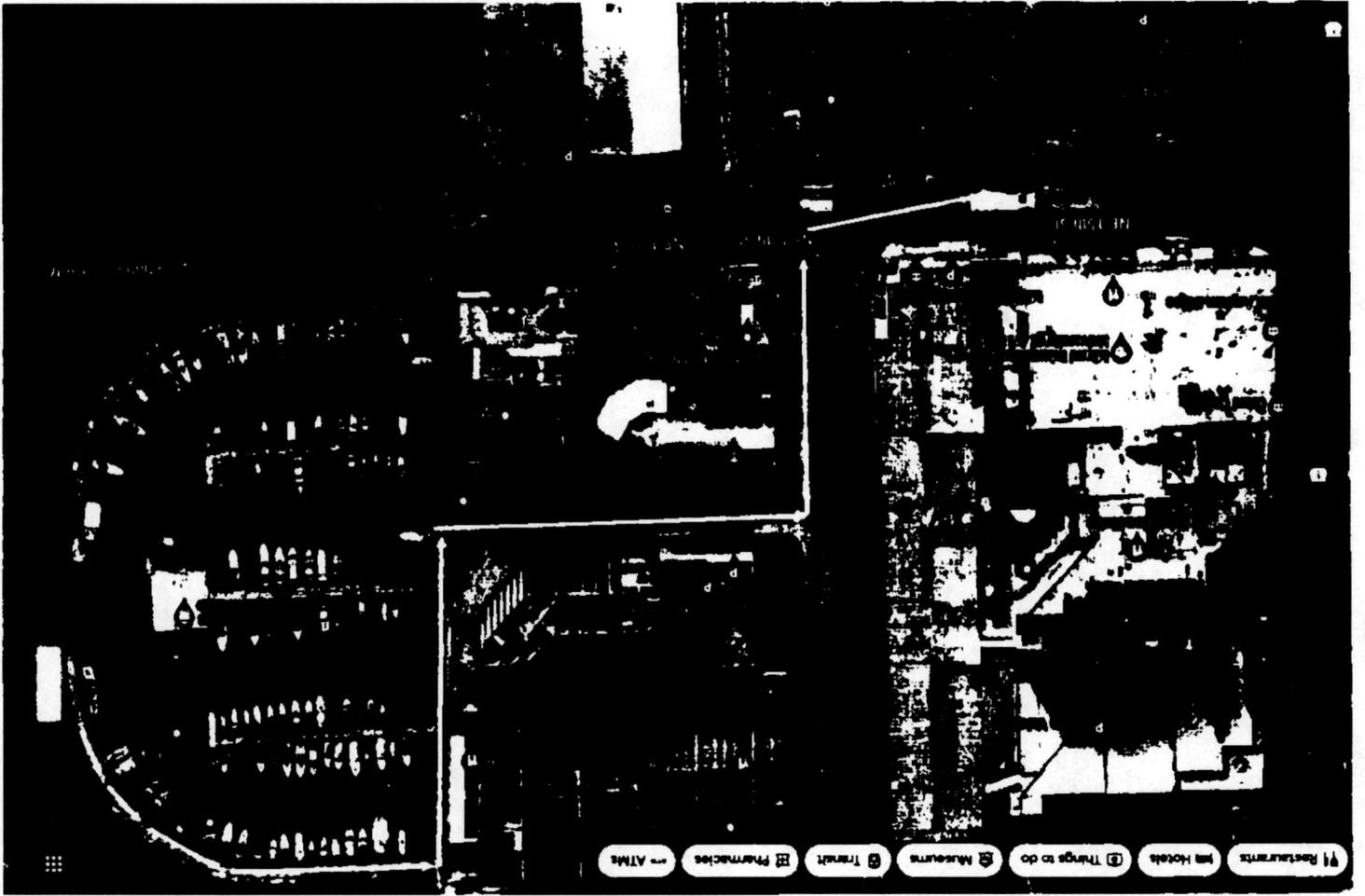
From an operational standpoint this location is selected as the less desirable because the bulkhead on the north side has a concrete lip that prevents the passenger gangway from going flush with the marina. When the gangway is attached to the marina there would be an awkward step down.

From a passenger standpoint, this location is less desirable as it would create a longer walk to get to multi-modal connectivity.

#### Recommendations:

- \* The lip does not appear to be structural, maybe the City's Public Works Department can cut out a piece of the cement on the lip that would allow the gangway to be flush with the marina.

- \* Another option would be to place a second ramp on the dock that would elevate from the marina floor to the top of the lip.



Foot Traffic Pattern to reach Multi-Modal Connectivity from both docking Options

Option #1 (yellow)

Option #2 (red)

### Daily Schedule (Monday - Sunday)

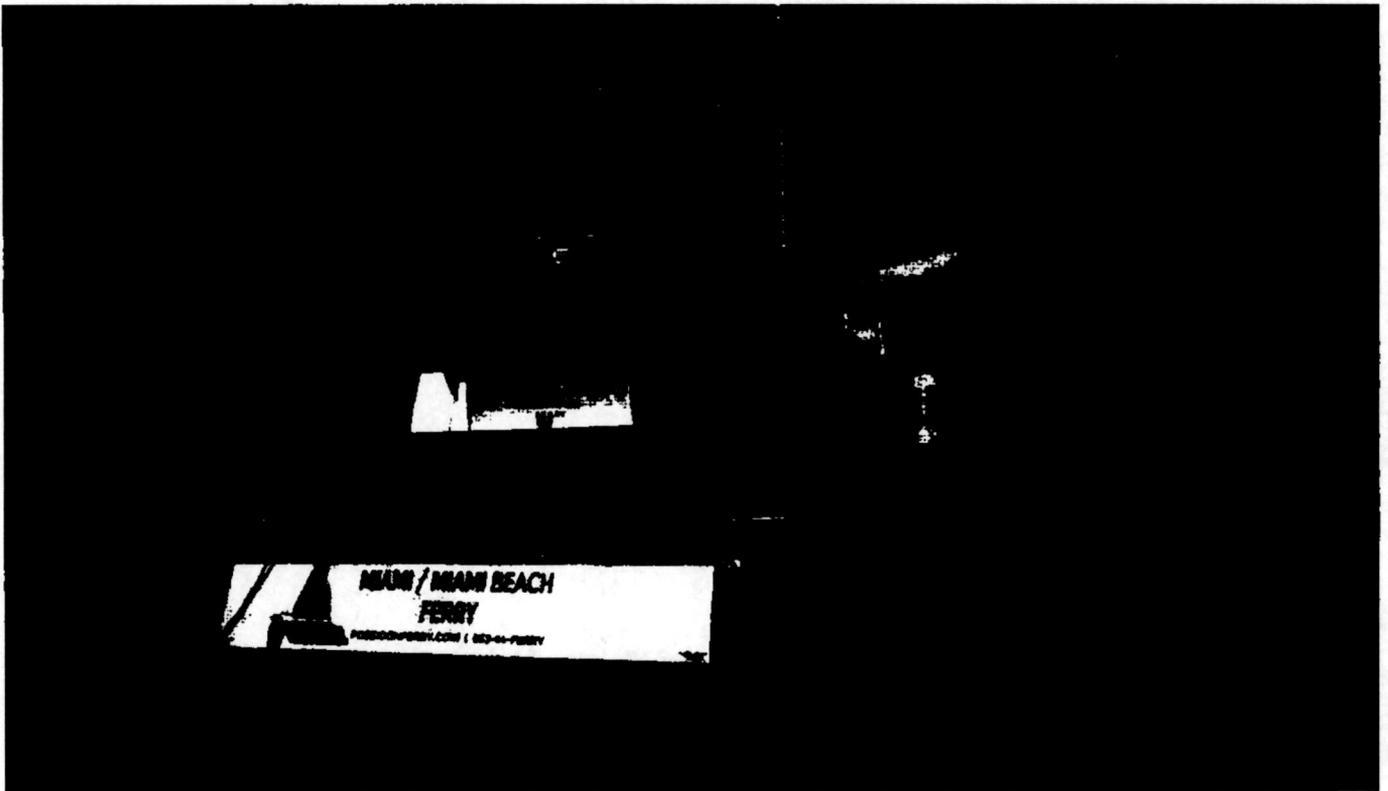
Depart	Arrive	Depart	Arrive
Downtown	MB	MB	Downtown
-	-	7:30am	7:55am
8:00am	8:25am	8:30am	8:55am
9:00am	9:25am	9:30am	9:55am
10:00am	10:25am	10:30am	10:55am
11:00am	11:25am	11:30am	11:55am
12:00pm	12:25pm	12:30pm	12:55pm
1:00pm	1:25pm	1:30pm	1:55pm
-	-	-	-
-	-	3:00pm	3:25pm
4:00pm	4:25pm	4:30pm	4:55pm
5:00pm	5:25pm	5:30pm	5:55pm
6:00pm	6:25pm	6:30pm	6:55pm
7:00pm	7:25pm	-	-

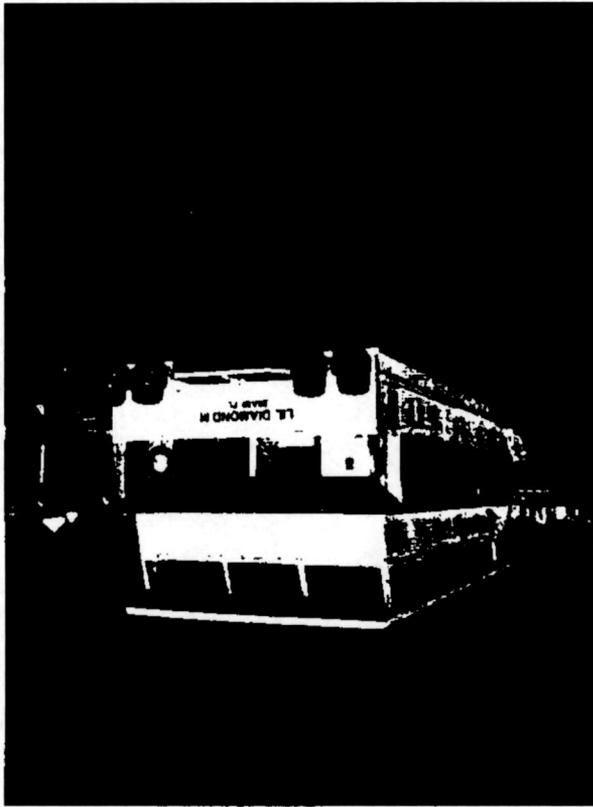
### Pilot Project Proposed Operation Schedule

Weekly Departures:	130
Passenger Capacity Ability p/week:	19370
Monthly Departures:	536
Passenger Capacity Ability p/month:	79864
Annual Departures:	6760
Passenger Capacity Ability p/year:	1007240

This schedule was selected for the following reasons:

- \* It will have the ability to accommodate commuters
- \* It will provide a transportation alternative during peak traffic times.
- \* For Miami Beach events taking place, "alternative schedules" can be incorporated in order to accommodate those events and times.
- \* The last arrival of 7:25pm was chosen so that the ferry does not interfere with quality of life for Miami Beach residents and neighbors of the Purdy Avenue facility.









## TICKETING

Ticket Sales will be conducted through the following media:

- In person onboard the ferry
- Over the phone with a ticket agent
- On the web at POSEIDONFERRY.COM
- On the Poseidon Ferry Mobile App

## FARE STRUCTURE

<i>Fare Type</i>	<i>One Way</i>	<i>Round Trip</i>
Commuter	\$3	\$6
Resident	\$5	\$10
Senior	\$6	\$12
Disabled	\$6	\$12
Non-Resident	\$12	\$24

**\*\* The resident fare will be available to Miami Beach residents with a valid I.D. \*\***

Poseidon Ferry App Features:

- View schedules
- Purchase tickets
- Purchase and replenish digital commuter cards
- Order snacks and drinks from the galley and more!

Poseidon Ferry App available  
December 1st in the Apple App  
Store and Google Play



  
**POSEIDON  
FERRY**  
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**WATER TAXI/FERRY SERVICE PILOT PROGRAM  
TERM SHEET**

1. **Parties:** City of Miami Beach (the "City") and Poseidon Ferry, LLC ("Concessionaire" or "Poseidon")
2. **Nature of Agreement:** Concession Agreement for the turnkey implementation, management and operation (including dock operations) and maintenance of a waterborne transportation services pilot program.
3. **Term:** The term of Concession Agreement shall be one (1) year, commencing on the first date of service operation ("Rollout Date"). The Rollout Date shall be the date the City provides Poseidon with a written notice to proceed with service operation. The notice to proceed shall be given only after Concessionaire has provided the City with the requisite governmental approvals to operate, and the City has approved Concessionaire's insurance coverages.
4. **Concession Area:** The taxi service shall operate between the Sea Isle Marina (Miami) and the Purdy Avenue dock (Miami Beach) (Attachment C). The Sea Isle Marina is in close proximity (approximately 500 feet away) from Omni Station - a major transit hub that is served by multiple Miami-Dade County Bus routes and MetroMover. The Purdy Avenue dock is served by the South Beach trolley with a stop currently located within approximately 200 feet of the dock. Any alternate docking location(s) shall be subject to the City's approval in its sole discretion.
5. **Maintenance of Vessels:** The Concessionaire shall provide, operate, and maintain the vessel(s) used for the Pilot Program ("Program Vessel(s)") in compliance with requirements and regulations of the United States Coast Guard and any other authorities having jurisdiction.
6. **Services/Schedule of Operations:** Concessionaire shall operate a water taxi/ferry service between the locations in Miami and Miami Beach specified above. The services shall be available every hour as follows:

<b>Daily Schedule (Monday – Sunday)</b>			
<b>Depart</b>	<b>Arrive</b>	<b>Depart</b>	<b>Arrive</b>
<b>Downtown</b>	<b>Miami Beach</b>	<b>Miami Beach</b>	<b>Downtown</b>
-	-	7:30 am	7:55 am
8:00 am	8:25 am	8:30 am	8:55 am
9:00 am	9:25 am	9:30 am	9:55 am
10:00 am	10:25 am	10:30 am	10:55 am
11:00 am	11:25 am	11:30 am	11:55 am
12:00 pm	12:25 pm	12:30 pm	12:55 pm
1:00 pm	1:25 pm	1:30 pm	1:55 pm
-	-	-	-
-	-	3:00 pm	3:25 pm
4:00 pm	4:25 pm	4:30 pm	4:55 pm
5:00 pm	5:25 pm	5:30 pm	5:55 pm
6:00 pm	6:25 pm	6:30 pm	6:55 pm
7:00 pm	7:25 pm	-	-

**7. Fare Structure:** Fare structure shall be as follows:

- **General:**
  - Miami Beach Residents - \$5 per person per one-way trip
  - Non-Resident Senior - \$6 per person per one-way trip
  - Non-Resident Disabled - \$6 per person per one-way trip
  - Non-Residents/Visitors - \$12 per person per one-way trip
- **Commuters Fare Option:**
  - One-Week Pass (10 Trips): For a flat rate of \$30 per week, Commuters can enjoy access to 10 one-way trips. This option is ideal for those who have consistent weekly travel needs.
  - Monthly Pack (40 Trips): For a comprehensive monthly fee of \$120, Commuters can secure a pack of 40 one-way trips. This plan is perfectly suited for individuals with more frequent travel requirements.

**8. Revenue from Ticket Sales:** Throughout the duration of the Pilot Program, the Concessionaire shall retain all revenue generated from ticket sales without any obligation to share a percentage of gross sales with the City. Proceeds will be retained by the Concessionaire and no payments to the City are required in this regard. Trip activity and sales information must be retained by the Concessionaire and provided to the City upon request.

**9. Subsidy Payment Schedule:** The total cost of \$600,000 will be disbursed in equal installments of \$50,000 over the course of an anticipated 12-month operational period. Poseidon will invoice the City on a monthly basis. Provided that Poseidon is in compliance with its obligations under the agreement, the City will process and pay each invoice within forty-five (45) days of receipt.

**10. Licenses:** Concessionaire shall be solely responsible (at its sole cost and expense) for obtaining and maintaining current any applicable licenses or permits, as required for the Pilot Program including, without limitation, any occupational licenses required by law for the proposed services contemplated in Section 3 above and for each Concession Area (if required); the U.S. Coast Guard licenses for captains and the Certificates of Inspection for the Program Vessel; the State of Florida license; the Department of Environmental Resources Management (DERM) Marine Operational Permit, and any applicable City licenses. Without limiting the foregoing, Concessionaire shall comply with any other federal, state, county or City Code requirements applicable to Concessionaire, the services or the operation its business or other activities in the City of Miami Beach, including, without limitation, obtaining any Certificate of Use or Business Tax Receipt(s) that may be required for any business activity, timely making payment of all taxes, fees or charges that may be due to the City. Concessionaire shall promptly take corrective action to correct any City Code violation or notice of violation issued by any governmental agency with jurisdiction over Concessionaire or the services.

**11. Other Required Provisions:** The Concession Agreement shall contain provisions required to be included in all City contracts pursuant to the City Code, including without limitation provisions relating to the audit rights of the Office of the Inspector General and record-keeping obligations that will apply to Concessionaire (Section 2-378 of the City Code) and restrictions on the use of single-use beverage straws and single-use plastic stirrers (Section 82-8 of the City Code).