

C7 AQ A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE ADMINISTRATION TO NEGOTIATE AND EXECUTE A FACILITY USE AGREEMENT WITH THE SCHOOL BOARD OF MIAMI-DADE COUNTY FOR THE USE OF THE PARKING LOT AT SOUTH POINTE ELEMENTARY SCHOOL, LOCATED AT 1050 4TH STREET, DURING AFTER-SCHOOL HOURS AND ON WEEKENDS BY EMPLOYEES OF BUSINESSES IN THE VICINITY, AT A COST NOT TO EXCEED \$15,000 PER YEAR, SUCH COSTS TOGETHER WITH ANY OTHER EXPENSES TO BE RECOUPED FROM THE LOCAL BUSINESSES WHOSE EMPLOYEES WILL USE THE PARKING LOT IN AN EQUITABLE MANNER; AND FURTHER DIRECTING THE ADMINISTRATION TO IDENTIFY THE NECESSARY FUNDING AND TO DEVISE AN APPROPRIATE METHOD FOR PASSING THROUGH COSTS TO SUCH LOCAL BUSINESSES.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: July 24, 2024

TITLE: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE ADMINISTRATION TO NEGOTIATE AND EXECUTE A FACILITY USE AGREEMENT WITH THE SCHOOL BOARD OF MIAMI-DADE COUNTY FOR THE USE OF THE PARKING LOT AT SOUTH POINTE ELEMENTARY SCHOOL, LOCATED AT 1050 4TH STREET, DURING AFTER-SCHOOL HOURS AND ON WEEKENDS BY EMPLOYEES OF BUSINESSES IN THE VICINITY, AT A COST NOT TO EXCEED \$15,000 PER YEAR, SUCH COSTS TOGETHER WITH ANY OTHER EXPENSES TO BE RECOUPED FROM THE LOCAL BUSINESSES WHOSE EMPLOYEES WILL USE THE PARKING LOT IN AN EQUITABLE MANNER; AND FURTHER DIRECTING THE ADMINISTRATION TO IDENTIFY THE NECESSARY FUNDING AND TO DEVISE AN APPROPRIATE METHOD FOR PASSING THROUGH COSTS TO SUCH LOCAL BUSINESSES.**

RECOMMENDATION

BACKGROUND/HISTORY

ANALYSIS

The attached Resolution was prepared at the request of the sponsor, Commissioner David Suarez.

FISCAL IMPACT STATEMENT

The fiscal impact of this measure shall not exceed \$15,000.

Does this Ordinance require a Business Impact Estimate?

(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on .

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

CONCLUSION

Applicable Area

Citywide

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

No

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

No

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

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

Department

City Attorney

Sponsor(s)

Commissioner David Suarez

Co-sponsor(s)

Commissioner Joseph Magazine

Condensed Title

Facility Use Agmt., M-DCPS Parking Lot at South Pointe Elem. School. (Suarez/Magazine) CA

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE ADMINISTRATION TO NEGOTIATE AND EXECUTE A FACILITY USE AGREEMENT WITH THE SCHOOL BOARD OF MIAMI-DADE COUNTY FOR THE USE OF THE PARKING LOT AT SOUTH POINTE ELEMENTARY SCHOOL, LOCATED AT 1050 4TH STREET, DURING AFTER-SCHOOL HOURS AND ON WEEKENDS BY EMPLOYEES OF BUSINESSES IN THE VICINITY, AT A COST NOT TO EXCEED \$15,000 PER YEAR, SUCH COSTS TOGETHER WITH ANY OTHER EXPENSES TO BE RECOUPED FROM THE LOCAL BUSINESSES WHOSE EMPLOYEES WILL USE THE PARKING LOT IN AN EQUITABLE MANNER; AND FURTHER DIRECTING THE ADMINISTRATION TO IDENTIFY THE NECESSARY FUNDING AND TO DEVISE AN APPROPRIATE METHOD FOR PASSING THROUGH COSTS TO SUCH LOCAL BUSINESSES.

WHEREAS, the City of Miami Beach recognizes the importance of supporting local businesses and providing adequate parking solutions for their employees; and

WHEREAS, the use of the South Pointe Elementary School parking lot during after-school hours and on weekends provides a viable solution to alleviate parking constraints in the vicinity; and

WHEREAS, if required, the City will submit an Application for Temporary Use of School Building Facilities of the Miami-Dade County Public Schools – Facility Use Agreement; and

WHEREAS, the City's Parking Department will administer the City's use of the South Pointe Elementary School parking lot, and will work with the Finance Department to administer the pass-through of costs to local businesses whose employees use the parking lot; and

WHEREAS, the City shall only pass through the actual costs of making the parking lot available for use by employees of businesses in the vicinity, ensuring an equitable distribution of costs among the benefiting businesses;

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 direct the Administration to negotiate and execute a facility use agreement with the School Board of Miami-Dade County for the use of the parking lot at South Pointe Elementary School, located at 1050 4th Street, during after-school hours and on weekends by employees of businesses in the vicinity, at a cost not to exceed \$15,000 per year, such costs together with any other expenses to be recouped from the local businesses whose employees will use the parking lot in an equitable manner; and further directing the Administration to identify the necessary funding and to devise an appropriate method for passing through costs to such local businesses.

PASSED and ADOPTED this ____ day of _____, 2024.

ATTEST:

Rafael E. Granado, City Clerk

(Sponsored by Commissioner David Suarez)

Steven Meiner, Mayor

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney

7/18/2024

Date