

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 1 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "GENERAL PROVISIONS" BY AMENDING SECTION 1-15, ENTITLED "FEE SCHEDULE," BY AMENDING APPENDIX "A" THEREOF TO REPEAL AUTOMATIC 5-YEAR CONSUMER PRICE INDEX ADJUSTMENTS TO PARKING RATES; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: September 25, 2024 First Reading

TITLE: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 1 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "GENERAL PROVISIONS" BY AMENDING SECTION 1-15, ENTITLED "FEE SCHEDULE," BY AMENDING APPENDIX "A" THEREOF TO REPEAL AUTOMATIC 5-YEAR CONSUMER PRICE INDEX ADJUSTMENTS TO PARKING RATES; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

RECOMMENDATION

BACKGROUND/HISTORY

ANALYSIS

See Revised Memorandum attached.

FISCAL IMPACT STATEMENT

The sponsors of this item request that the Administration be prepared to address the fiscal impact of this measure.

Does this Ordinance require a Business Impact Estimate? Yes
(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-notices/>

FINANCIAL INFORMATION

CONCLUSION

Applicable Area

Citywide

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

Yes

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

No

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

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

Department

City Attorney

Sponsor(s)

Commissioner Alex Fernandez
Commissioner David Suarez
Commissioner Tanya K. Bhatt
Commissioner Laura Dominguez
Commissioner Joseph Magazine
Mayor Steven Meiner
Commissioner Kristen Rosen Gonzalez

Co-sponsor(s)

Condensed Title

1st Rdg, Ch. 1, Repeal Automatic CPI Adjustment-Resident Parking Rates.
(AF/DS/TB/LD/JM/SM/KRG) CA



Ricardo J. Dopico, City Attorney

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

COMMISSION MEMORANDUM

TO: Mayor Steven Meiner and Members of the City Commission
Eric Carpenter, City Manager

FIRST READING

FROM: Ricardo J. Dopico, City Attorney

DATE: September 25, 2024

SUBJECT: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 1 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "GENERAL PROVISIONS" BY AMENDING SECTION 1-15, ENTITLED "FEE SCHEDULE," BY AMENDING APPENDIX "A" THEREOF TO REPEAL AUTOMATIC 5-YEAR CONSUMER PRICE INDEX ADJUSTMENTS TO PARKING RATES; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

The attached Ordinance was prepared at the request of Vice-Mayor Alex J. Fernandez, Commissioner David Suarez, Commissioner Tanya K. Bhatt, Commissioner Laura Dominguez, Commissioner Joseph Magazine, Mayor Steven Meiner, and Commissioner Kristen Rosen Gonzalez for consideration at the September 25, 2024 City Commission meeting.

In 2019, the Mayor and City Commission adopted Ordinance No. 2019-4299, providing, among other things, for an annual adjustment by the City Manager to certain specified fees and charges in Appendix A to the City Code, entitled "Fee Schedule," to reflect increases in the Consumer Price Index ("CPI"). The Parking fees were scheduled to adjust every five (5) years consistent with the CPI, rounded up to the nearest dollar, with the first five 5-year adjustment scheduled to occur on October 1, 2024.

Some of the changes to parking rates resulting from this 5-year adjustment include increasing the fee for the Resident Parking Discount Program from \$1 to \$2 per hour and increasing the parking meter rate for the Entertainment District Parking Zone from \$4 to \$6 per hour for on-street parking.

In order to mitigate the financial burden of the CPI adjustment on the City's residents, the workforce, and its visitors, the Mayor and City Commission now wish to repeal the automatic 5-year CPI adjustment. The Administration has determined that the repeal of the automatic 5-year CPI adjustment for parking rates will reduce revenues by approximately \$4,800,000 in FY 2025-26 but will not impact City's operational budget or affect the operations of the Parking Department.

RJD/FA/ag

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 1 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "GENERAL PROVISIONS" BY AMENDING SECTION 1-15, ENTITLED "FEE SCHEDULE," BY AMENDING APPENDIX "A" THEREOF TO REPEAL AUTOMATIC 5-YEAR CONSUMER PRICE INDEX ADJUSTMENTS TO PARKING RATES; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

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

WHEREAS, the Parking fees were scheduled to adjust every five (5) years consistent with the CPI, rounded up to the nearest dollar, with the first five 5-year adjustment scheduled to occur on October 1, 2024; and

WHEREAS, some of the changes to parking rates resulting from this 5-year adjustment include increasing the fee for the Resident Parking Discount Program from \$1 to \$2 per hour and increasing the parking meter rate for the Entertainment District Parking Zone from \$4 to \$6 per hour for on-street parking; and

WHEREAS, in order to mitigate the financial burden of the CPI adjustment on the City's residents, the workforce, and its visitors, the Mayor and City Commission now wish to repeal the automatic 5-year CPI adjustment; and

WHEREAS, the Administration has determined that the repeal of the automatic 5-year CPI adjustment for parking rates will reduce revenues by approximately \$4,800,000 in FY 2025-26 but will not impact City's operational budget or affect the operations of the Parking Department.

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

SECTION 1. Appendix A to the City Code, entitled "Fee Schedule," is hereby amended as follows:

FEE SCHEDULE

Pursuant to section 1-15 of this Code, this appendix includes all fees and charges established by the city commission that are referred to in the indicated sections of the Code of Ordinances. Certain specified fees and charges, as identified herein, shall be subject to annual adjustment by the city manager, pursuant to the provisions of section

1-15 and this Appendix "A". A schedule of all current city fees and charges as set forth in Appendix "A" shall be maintained on the city's website.

* * *

Section of this Code	Description	FY2024 Fee	Annual adjustment (References shown are defined at the end of this Appendix A)
* * *			
	Chapter 106. Traffic and Vehicles		
* * *			
	Article II. Metered Parking.		
* * *			
106.55(a)(1)	Parking meter rates for Entertainment District Parking Zone:		
	Per hour for on-street - 24 hours a day, seven (7) days a week	4.00	[F]
	Per hour for off-street - 24 hours a day, seven (7) days a week	2.00	[F]
106-55(a)(2)	Parking meter rates for South Beach Parking Zone:		
	Per hour for on-street - 9:00 A.M. to 3:00 A.M.	4.00	[F]
	Per hour for off-street - 9:00 A.M. to 3:00 A.M.	2.00	[F]
106-55(a)(3)	Parking meter rates for East Middle Beach Zone:		
	Per hour for on-street - 9:00 A.M. to 3:00 A.M.	3.00	[F]
	Per hour for off-street - 9:00 A.M. to 3:00 A.M.	2.00	[F]

106-55(a)(4)	Parking meter rates for West Middle Beach Zone:		
	Per hour for on-street - 8:00 A.M. to 6:00 P.M.	1.00	{F}
	Per hour for off-street - 8:00 A.M. to 6:00 P.M.	1.00	{F}
106-55(a)(5)	Parking meter rates for North Beach Zone:		
	Per hour for on-street - 8:00 A.M. to 6:00 P.M.	1.00	{F}
	Per hour for off-street - 8:00 A.M. to 6:00 P.M.	1.00	{F}
106-55(b)(1)	7th Street Garage Rates and Charges:		
	Transient rate per hour and any portion thereof up to four hours	2.00	{F}
	Transient rate per hour from fourth hour up to the 9th hour	1.00	{F}
	Maximum daily rate for any time exceeding nine hours/event flat rate/lost ticket rate	9th hour rate	{F}
	Monthly parking, per month, per permit (not including applicable sales tax)	128.00	[A]
106-55(b)(2)	12th Street Garage Rates and Charges:		
	Transient rate per hour and any portion thereof up to four hours	2.00	{F}
	Transient rate per hour from fourth hour up to the 9th hour	2.00	{F}
	Maximum daily rate for any time exceeding 9 hours/event flat rate/lost ticket rate	9th hour rate	{F}
	Monthly parking, per month, per permit (not including applicable sales tax)	128.00	[A]
106-55(b)(3)	13th Street Garage Rates and Charges:		
	Transient rate per hour and any portion thereof up to four hours	2.00	{F}
	Transient rate per hour from fourth hour up to the 9th hour	1.00	{F}
	Maximum daily rate for any time exceeding nine hours/event flat rate/lost ticket rate	9th hour rate	{F}
	Monthly parking, per month, per permit (not including applicable sales tax)	128.00	[A]
106-55(b)(4)	16th Street Garage Rates and Charges:		
	Transient rate per hour and any portion thereof up to four hours	2.00	{F}

	Transient rate per hour from 4th hour up to the 9th hour	1.00	[F]
	Maximum daily rate for any time exceeding nine hours/event flat rate/lost ticket rate	9th hour rate	[F]
	Monthly parking, per month, per permit (not including applicable sales tax)	128.00	[A]
106-55(b)(5)	17th Street Garage Rates and Charges:		
	Transient rate per hour and any portion thereof up to four hours	2.00	[F]
	Transient rate per hour from 4th hour up to 9th hour	1.00	[F]
	Maximum daily rate for any time exceeding nine hours/event flat rate/lost ticket rate	9th hour rate	[F]
	Monthly parking, per month, per permit (not including applicable sales tax)	128.00	[A]
	Employee Value Coupon-Lincoln Road (EVC-LR) daily (17th Street Garage only)	4th hour rate per 24-hour period	[F]
106-55(b)(6)	City Hall Garage Rates and Charges:		
	Transient rate per hour and any portion thereof up to four hours	2.00	[F]
	Transient rate per hour from 4th hour up to the 9th hour	1.00	[F]
	Maximum daily rate for any time exceeding nine hours/event flat rate/lost ticket rate	9th hour rate	[F]
	Monthly parking, per month, per permit (not including applicable sales tax)	128.00	[A]
106-55(b)(7)	Pennsylvania Avenue Garage Rates and Charges:		
	Transient rate per hour and any portion thereof up to four hours	2.00	[F]
	Transient rate per hour from 4th hour up to the 9th hour	1.00	[F]
	Maximum daily rate for any time exceeding nine hours/event flat rate/lost ticket rate	9th hour rate	[F]
	Monthly parking, per month, per permit (not including applicable sales tax)	128.00	[A]
106-55(b)(8)	Sunset Harbor Garage Rates and Charges:		
	Transient rate per hour and any portion thereof up to four hours	2.00	[F]
	Transient rate per hour from 4th hour up to 9th hour	1.00	[F]

	Maximum daily rate for any time exceeding nine hours/event flat rate/lost ticket rate	9th hour rate	[F]
	Monthly parking, per month, per permit (not including applicable sales tax)	128.00	[A]
106-55(b)(9)	42nd Street Garage Rates and Charges:		
	Transient rate per hour and any portion thereof up to six hours	1.00	[F]
	Maximum daily rate for any time exceeding six hours up to 24 hours/lost ticket charge	6th hour rate	[F]
	Monthly parking, per month, per permit (not including applicable sales tax)	91.00	[A]
106-55(b)(10)	Convention Center Garage Rates and Charges:		
	Transient rate per hour and any portion thereof up to four hours	2.00	[F]
	Transient rate per hour from 4th hour up to 9th hour	1.00	[F]
	Maximum daily rate for any time exceeding nine hours/event flat rate/lost ticket rate	9th hour rate	[F]
	Monthly parking, per month, per permit (not including applicable sales tax)	128.00	[A]
106-55(b)(11)	P71 - 46 th Street and Collins Avenue Municipal Parking Lot Rates and Charges:		
	Nonresident flat rate 24 hours daily	20.00	[F]
	Registered resident flat rate 24 hours daily	6.00	[F]
	Registered resident hourly rate	1.00	[F]
	Monthly parking, per month, per permit (not including applicable sales tax)	125.00	[A]
106-55(b)(12)	Collins Park Garage Rates and Charges:		
	Transient rate per hour and any portion thereof up to four hours	2.00	[F]
	Transient rate per hour from 4th hour up to 9th hour	1.00	[F]
	Maximum daily rate for any time exceeding nine hours/event flat rate/lost ticket rate	9th hour rate	[F]
	Monthly parking, per month, per permit (not including applicable sales tax)	128.00	[A]
106-55(c)(1)a.	Monthly permit rate for facility-specific monthly parking in municipal lots (not including applicable sales tax)	91.00	[A]
106-55(c)(1)b.	Rates for facility-specific monthly parking in municipal parking garages:		
	Monthly parking, per month, per permit (not including applicable sales tax)		

	Deposit required for each access card (permit)	10.00	N/A
	Lost access card replacement fee	33.00	[A]
106-55(c)(1)c	Rates for on-street area	91.00	[A]
106-55(d)	Special realtor permit, per permit placard per month (not including applicable sales tax)	10.00	[A]
106-55(e)	Monthly fee for reserved/restricted on-street spaces, per linear 20 feet of reserved space, per month	96.00	[A]
	Installation of new and replacement signs	40.00	[A]
106-55(f)	Fee for valet storage spaces, per day	40.00	[A]
106-55(g)(1)	Administrative service fees for all space rental requests:		
	Amount assessed for any space rental of five spaces or less	28.00	[A]
	Amount assessed for any space rental of six to ten spaces	33.00	[A]
	Amount assessed for any space rental of 11 spaces or more	40.00	[A]
106-55(g)(2)	Fee for valet ramp space rental, per day	42.00	[A]
106-55(g)(3)	Fee for construction space rental, per day	47.00	[A]
106-55(g)(4)	Fee for production and film space rental, per day	16.00	[A]
106-55(g)(4)	Fee for production company recreational vehicle (PCRVR), per month (not including applicable sales tax)	83.00	[A]
106-55(g)(5)	Fee for special event space rental, per day	33.00	[A]
106-55(g)(5)	Fee for special event space rental, per day for non-profit organizations	16.00	[A]
106-55(h)(1)	Fees for temporary parking meter removal:		
	Removal of any post, per space	65.00	[A]
	Cost for reinstallation of the post, per space	65.00	[A]
	Removal and reinstallation amount to due pay to the parking department in advance, per space	128.00	[A]
106-55(h)(2)	Fee for the private removal of a parking space or loading zone shall be the greater of the rate as the fee in lieu of required parking (as established in the land development regulations) or, per space	40,000.00	N/A
106-55(i)	Fee per hotel hang tag, per day	16.00	[A]

106-55(l)(3)	Miami Beach registered resident discounted hourly rate at on-street meters, off-street meters and garages, per hour	1.00	[F]
106-55(m)	Fee for each daily restricted residential parking visitor permit (valid for 24-hour period)	3.00	[F]
106-55(n)	Smartway city-wide decal per year	128.00	[A]
106-55(o)	Annual residential scooter and motorcycle parking permit, per scooter or motorcycle	128.00	[A]
106-55(p)	Freight loading zone (FLZ) permit:		
	Annual permit fee for each vehicle	458.00	[A]
	Semiannual permit fee for each vehicle	230.00	[A]
	Annual permit fee for up to five vehicle permits if fleet of over ten vehicles is operated	1,876.00	[A]
	Semiannual permit fee for up to five vehicle permits if fleet of over ten vehicles is operated	939.00	[A]
106-55(q)	Alley loading (AL) permit:		
	Annual permit fee for each vehicle	230.00	[A]
	Semiannual permit fee for each vehicle	116.00	[A]
	Annual permit fee for up to five vehicle permits if fleet of over ten vehicles is operated	939.00	[A]
	Semiannual permit fee for up to five vehicle permits if fleet of over ten vehicles is operated	471.00	[A]
106-55(r)	Hostel/Bed and Breakfast (B&B) in Restricted Residential Zones		
	Fee for each permit per vehicle per day (valid for 24-hour period)	3.00	[F]
106-101(2)	Construction parking management plan fee	171.00	[A]
	* * *		

NOTES ON ANNUAL ADJUSTMENTS

[A] Indexed to CPI - Rounded up to the nearest dollar

[B] Indexed to CPI - Rounded up to the nearest cent

[C] Pass through of purchased wholesale water charges - Rounded to the nearest cent

[D] Pass through of purchased wholesale sanitary sewer charges - Rounded to the nearest cent

[E] Solid waste collection rate. Indexed to CPI - No specified rounding

[F] Indexed to CPI - Rounded up to nearest dollar, every 5 years (beginning in FY 2025)

N/A CPI not applicable

* * *

SECTION 2. REPEALER.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. SEVERABILITY.

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

SECTION 4. CODIFICATION.

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

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED and **ADOPTED** this _____ day of _____, 2024.

ATTEST:

Mayor Steven Weiner

Rafael E. Granado, City Clerk

Underline denotes new language

(Sponsored by Vice-Mayor Alex J. Fernandez, Commissioner David Suarez, Commissioner Tanya K. Bhatt, Commissioner Laura Dominguez, Commissioner Joseph Magazine, Mayor Steven Weiner, and Commissioner Kristen Rosen Gonzalez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION