

C7 S 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, MADE AT ITS OCTOBER 18, 2024 MEETING, AND DIRECTING THE ADMINISTRATION TO WORK WITH THE LINCOLN ROAD BUSINESS IMPROVEMENT DISTRICT TO DEVELOP THE ELEMENTS OF A ONE-YEAR PUBLIC SEATING SPONSORSHIP PILOT PROGRAM ON LINCOLN ROAD., AND PRESENT TO THE CITY COMMISSION FOR ITS APPROVAL PRIOR TO IMPLEMENTATION.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: October 30, 2024

TITLE: 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, MADE AT ITS OCTOBER 18, 2024 MEETING, AND DIRECTING THE ADMINISTRATION TO WORK WITH THE LINCOLN ROAD BUSINESS IMPROVEMENT DISTRICT TO DEVELOP THE ELEMENTS OF A ONE-YEAR PUBLIC SEATING SPONSORSHIP PILOT PROGRAM ON LINCOLN ROAD., AND PRESENT TO THE CITY COMMISSION FOR ITS APPROVAL PRIOR TO IMPLEMENTATION.

RECOMMENDATION

The Administration recommends approving the Resolution.

BACKGROUND/HISTORY

On September 11, 2024, at the request of Commissioners Alex Fernandez and Joseph Magazine, the Mayor and City Commission (City Commission) approved a referral to the Finance and Economic Resiliency Committee (FERC), item C4 I (Attachment A), to discuss the implementation of a public seating sponsorship pilot program on Lincoln Road, aimed at supporting small businesses and enhancing public amenities.

Based on the referral memorandum, small businesses, particularly those offering food and beverage services in compact spaces typically under 2,500 square feet, may often face challenges in providing adequate seating for customers, hindering their growth and overall customer experience.

The proposed pilot program would involve the deployment of a limited number of outdoor seating arrangements on the public right-of-way on Lincoln Road with a focus on locations adjacent to “grab and go” types of food and beverage establishments such as ice cream shops. Seating areas would primarily serve customers at these businesses but also be available for the public to use, benefiting a broader community.

Key elements of the Pilot Program to be considered:

1. Program Scope and Eligibility:

- Define the eligibility criteria for businesses to participate, focusing on those with premises less than 2,500 square feet.
 - Take out only establishments with no indoor seating would be eligible for this program.
- Identify potential locations for the seating installations, ensuring they are in areas with high foot traffic and where they can most benefit the businesses and public.
 - Selected locations for seating would be approved by the Public Works and Facilities and Fleet Management Departments, in coordination with the Lincoln Road Business

Improvement District (LRBID) so as not to conflict with existing outdoor dining concessions (Attachment B) or dedicated emergency routes.

2. Sponsorship and Funding:

- Explore the possibility of sponsorship opportunities, wherein businesses, local organizations, or private donors could contribute to the funding of the seating installations.
 - Working with the LRBID, businesses will be identified that can benefit from such a program and the City will coordinate with them to procure suitable seating furniture.
- Discuss potential City funding sources or partnerships to support the initial rollout of the Pilot Program.
 - It is intended that the adjacent participating business or working with the LRBID to identify sponsors, will cover expenses needed to procure the seating.

3. Design and Maintenance:

- Discuss design standards for the seating to ensure they are attractive, durable, and consistent with the aesthetic of the surrounding area.
 - The City currently has in effect, a master Special Event Permit for the LRBID. The permit authorizes the LRBID to activate Lincoln Road, between Washington Avenue and Alton Road. The permit delineates allowances, requirements, and permit conditions. The LRBID, in coordination with the businesses, will submit furniture specifications for approval to the Facilities and Fleet Management Department.
- Consider maintenance responsibilities, including potential partnerships with participating businesses or community groups to ensure the seating areas are well-maintained.
 - As part of the permit issued to the LRBID, such daily seating, removal and storage of the furniture after hours will be coordinated with the business. The proposed seating will not be affixed and must be removed each night.

4. Program Evaluation:

- Develop metrics for evaluating the success of the Pilot Program, such as increased foot traffic, business revenue, and public satisfaction. Determine the duration of the Pilot Program and criteria for potential expansion if successful.
 - This pilot program will be evaluated over the duration of pilot with the LRBID to see if continuation or expansion is desired and warranted. The LRBID will provide testimony or opinions of the business(es) if they are seeing positive business growth and a better customer experience. The LRBID will also weigh in on the additional seating being utilized by the public and visitors to Lincoln Road. City staff will gather information from Public Works including Sanitation as well as Facilities and Fleet Management of any negative impacts or unidentified consequences of the furniture provided under this pilot program.

On October 3, 2024 the City Administration had preliminary discussions with the LRBID to discuss the requirements and constraints of a proposed Lincoln Road pilot program and concluded with the following:

- The pilot program will be processed through the LRBID master permit.
- Terms and conditions in the LRBID master Special Event Permit including authority, permit requirements, compliance with permit and laws, insurance, indemnification, risk, removal of materials and venue will apply towards the proposed pilot program.

- Required documents: Site plans, and right-of-way permits active over the duration of the pilot program.
- The LRBID will be recommending a location(s) for the placement of the furniture. The City will approve the final location and furniture design.
- The duration of the pilot program is recommended to last six (6) months.
- Salt and Straw located at 749 Lincoln Road, will be considered for the pilot program, among potential additional businesses to be identified that meet the criteria.

On October 18, 2024, FERC members were presented with the proposed public seating sponsorship pilot program on Lincoln Road as listed above. The discussion concluded with FERC members approving a motion, directing the Administration to work with the LRBID to establish a one (1) year pilot program (as opposed to six (6) months), and to bring it to the City Commission for approval.

FISCAL IMPACT STATEMENT

No fiscal impact since the LRBID will be funding the furniture.

CONCLUSION

The Administration recommends accepting the recommendation of the Finance and Economic Resiliency Committee at its October 18, 2024 meeting, to establish a one (1) year public seating sponsorship pilot program on Lincoln Road, aimed at supporting small businesses and enhancing public amenities.

Applicable Area

South Beach

<u>Is this a “Residents Right to Know” item, pursuant to City Code Section 2-17?</u>	<u>Is this item related to a G.O. Bond Project?</u>
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Yes

No

Department

Public Works

Sponsor(s)

Commissioner Alex Fernandez
 Commissioner Joseph Magazine
 Commissioner Kristen Rosen Gonzalez
 Commissioner David Suarez

Condensed Title

Work w/ LRBID, Establish a One (1) Year Public Seating Sponsorship Pilot Program on Linc Rd. (Fernandez/Magazine/Rosen Gonzalez/Suarez) PW

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioners Alex Fernandez and Joseph Magazine
DATE: September 11, 2024
TITLE: REFERRAL TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE:
DISCUSS IMPLEMENTATION OF A PUBLIC SEATING SPONSORSHIP PILOT
PROGRAM ON LINCOLN ROAD.

RECOMMENDATION

BACKGROUND/HISTORY

ANALYSIS

Please place on the September 11, 2024 agenda a referral to the Finance and Economic Resiliency Committee ("FERC") to explore the feasibility and benefits of establishing a Public Seating Sponsorship Pilot Program aimed at supporting small businesses and enhancing public amenities on Lincoln Road.

In urban environments, small businesses, particularly those offering food and beverage services in compact spaces (typically under 2,000-2,500 square feet), often face challenges in providing adequate seating for their customers. This limitation can hinder their growth and diminish the overall customer experience. Additionally, the availability of outdoor seating contributes to the vibrancy of public spaces, enhancing the pedestrian environment and offering residents and visitors an inviting place to relax and enjoy the city.

The proposed Public Seating Sponsorship Pilot Program (the "Pilot Program") would involve the installation by the City of a limited number of outdoor seating arrangements on the public right-of-way in Lincoln Road, with a focus on locations adjacent to small food and beverage businesses, such as ice cream shops and "grab and go" establishments. These seating areas would primarily serve the customers of these businesses but would also be available for public use, thereby benefiting the broader community.

Key elements of the Pilot Program to be discussed include:

1. Program Scope and Eligibility:

- Define the eligibility criteria for businesses to participate, focusing on those with premises less than 2,000-2,500 square feet.

- Identify potential locations for the seating installations, ensuring they are in areas with high foot traffic and where they can most benefit the businesses and public.
- 2. Sponsorship and Funding:**
- Explore the possibility of sponsorship opportunities, wherein businesses, local organizations, or private donors could contribute to the funding of the seating installations.
 - Discuss potential City funding sources or partnerships to support the initial rollout of the Pilot Program.
- 3. Design and Maintenance:**
- Discuss design standards for the seating to ensure they are attractive, durable, and consistent with the aesthetic of the surrounding area.
 - Consider the maintenance responsibilities, including potential partnerships with participating businesses or community groups to ensure the seating areas are well-maintained.
- 4. Program Evaluation:**
- Develop metrics for evaluating the success of the Pilot Program, such as increased foot traffic, business revenue, and public satisfaction.
 - Determine the duration of the Pilot Program and criteria for potential expansion if successful.

The Administration should have representative from the various departments that would be involved in the design and implementation of the Pilot Program (e.g., Public Works, Planning, Economic Development) be prepared to address the issues identified above.

FISCAL IMPACT STATEMENT

N/A

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?

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

No

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 Joseph Magazine

Co-sponsor(s)

Condensed Title

Ref: FERC - Lincoln Road Public Seating Sponsorship Pilot Program. (Fernandez/Magazine)
CA

Permit Name	Street #	Street Name
I SCREAM GELATO	211	Lincoln Road
MUNCHIES	324	Lincoln Road
HAAGEN DAZS	424	Lincoln Road
ANDRES CARNE DE RES	455	Lincoln Road
ROSINELLA	525	Lincoln Road
PIZZERIA ROMANA	533	Lincoln Road
TAPELIA	551	Lincoln Road
CHEESECAKE FACTORY	600	Lincoln Road
STARBUCKS #13007	605	Lincoln Road
OSTERIA DA FORTUNATA	607	Lincoln Rd
THE LOBSTER SHACK	613	Lincoln Road
BAKLAVA	618	Lincoln Road
ZEKE'S ROADHOUSE	625	Lincoln Road
BRAZA Y LENA (OLE OLE)	626	Lincoln Road
NESPRESSO	643	Lincoln Road
HAAGEN DAZS	665	Lincoln Road
PIZZA TUA (CUBANITA)	667	Lincoln Road
MAMMAMIA	670	Lincoln Rd
SPRIS INC.	731	Lincoln Road
HAVANA 1957	819	Lincoln Road
STARBUCKS #8251	826	Lincoln Road
ROMINA'S	833	Lincoln Road
OH MEXICO (LA CERVECERIA DEL BARRIO)	836	Lincoln Road
PLAYA MIAMI	915	Lincoln Road
TASCA PAELLA	920	Lincoln Road
AURA AT BOOKS	927	Lincoln Road
GROOVY'S PIZZA	938	Lincoln Road
FINNEGANS ROAD	942	Lincoln Road
IT ITALIAN TRATTORIA	1014	Lincoln Road
ISSABELLA'S	1022	Lincoln Road
CAPITAL ONE CAFÉ	1029	Lincoln Road
SEGAFREDO/COLONY THEATER	1040	Lincoln Road
SHAKE SHACK	1111	Lincoln Road
PIZZETTE	1223	Lincoln Road
PANIZZA BISTRO	1229	Lincoln Road
POLLOS Y JARRAS	1237	Lincoln Road
CVI.CHE 105	1245	Lincoln Road

RESOLUTION NO. _____

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, MADE AT ITS OCTOBER 18, 2024 MEETING, AND DIRECTING THE ADMINISTRATION TO WORK WITH THE LINCOLN ROAD BUSINESS IMPROVEMENT DISTRICT TO DEVELOP THE ELEMENTS OF A ONE-YEAR PUBLIC SEATING SPONSORSHIP PILOT PROGRAM ON LINCOLN ROAD., AND PRESENT TO THE CITY COMMISSION FOR ITS APPROVAL PRIOR TO IMPLEMENTATION.

WHEREAS, on September 11, 2024, at the request of Vice-Mayor Alex Fernandez and Commissioner Joseph Magazine, the Mayor and City Commission approved a referral to the Finance and Economic Resiliency Committee (FERC) to discuss the implementation of a Public Seating Sponsorship Pilot Program (the “Pilot Program”) on Lincoln Road, aimed at supporting small businesses and enhancing public amenities; and

WHEREAS, based on the referral memorandum, small businesses, particularly those offering food and beverage services in compact spaces typically under 2,500 square feet, may often face challenges in providing adequate seating for customers, hindering their growth and overall customer experience; and

WHEREAS, the proposed Pilot Program would involve the deployment of a limited number of outdoor seating arrangements on the public right-of-way on Lincoln Road with a focus on locations adjacent to “grab and go” types of food and beverage establishments such as ice cream shops; and

WHEREAS, seating areas would primarily serve customers at these businesses but also be available for the public to use, benefiting a broader community; and

WHEREAS, key elements of the Pilot Program to be considered:

1. Program Scope and Eligibility:

- Define the eligibility criteria for businesses to participate, focusing on those with premises less than 2,500 square feet.
- Take out only establishments with no indoor seating would be eligible for this program.
- Identify potential locations for the seating installations, ensuring they are in areas with high foot traffic and where they can most benefit the businesses and public.
- Selected locations for seating would be approved by the Public Works and Facilities and Fleet Management Departments, in coordination with the Lincoln Road Business Improvement District (LRBID) so as not to conflict with existing outdoor dining concessions (Attachment B) or dedicated emergency routes.

2. Sponsorship and Funding:

- Explore the possibility of sponsorship opportunities, wherein businesses, local organizations, or private donors could contribute to the funding of the seating installations.
- Working with the LRBID, businesses will be identified that can benefit from such a program and the City will coordinate with them to procure suitable seating furniture.
- Discuss potential City funding sources or partnerships to support the initial rollout of the Pilot Program.
- It is intended that the adjacent participating business will cover expenses needed to procure the seating.

3. Design and Maintenance:

- Discuss design standards for the seating to ensure they are attractive, durable, and consistent with the aesthetic of the surrounding area.
 - The City currently has in effect, a master Special Event Permit for the LRBID. The permit authorizes the LRBID to activate Lincoln Road, between Washington Avenue and Alton Road. The permit delineates allowances, requirements, and permit conditions. The LRBID, in coordination with the businesses, will submit furniture specifications for approval to the Facilities and Fleet Management Department.
- Consider maintenance responsibilities, including potential partnerships with participating businesses or community groups to ensure the seating areas are well-maintained.
 - As part of the permit issued to the LRBID, such daily seating, removal and storage of the furniture after hours will be coordinated with the business.

4. Program Evaluation:

- Develop metrics for evaluating the success of the Pilot Program, such as increased foot traffic, business revenue, and public satisfaction. Determine the duration of the Pilot Program and criteria for potential expansion if successful.
 - This pilot program will be evaluated over the duration of the pilot with the LRBID to see if continuation or expansion is desired and warranted; and

WHEREAS, on October 3, 2024 the City Administration had preliminary discussions with the LRBID to discuss the requirements and constraints of a proposed Lincoln Road Pilot Program:

- The Pilot Program will be processed through the LRBID master permit.
- Terms and conditions in the LRBID master Special Event Permit including authority, permit requirements, compliance with permit and laws, insurance, indemnification, risk, removal of materials and venue will apply towards the proposed pilot program.
- Required documents: Site plans, and right-of-way permits active over the duration of the pilot program.
- The LRBID will be recommending a location(s) for the placement of the furniture. The City will approve the final location and furniture design.
- The duration of the pilot program is recommended to last six (6) months.
- Salt and Straw located at 749 Lincoln Road, will be considered for the pilot program, among potential additional businesses to be identified that meet the criteria; and

WHEREAS, on October 18, 2024, FERC members were presented with the proposed Public Seating Sponsorship Pilot Program on Lincoln Road as listed above, after which they passed a motion directing the Administration to work with the LRBID to establish a one-year Pilot Program (instead of six-months), and to bring it to the full City Commission for approval.

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 Finance and Economic Resiliency Committee, made at its October 18, 2024 meeting, and direct the Administration to work with the Lincoln Road Business Improvement District (LRBID) to develop the elements of a one-year Public Seating Sponsorship Pilot Program on Lincoln Road, and present to the City Commission for its approval prior to implementation.

PASSED AND ADOPTED this _____ day of _____ 2024.

Steven Meiner, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

10/23/2024

Date