

OFF-STREET PARKING BOARD
AGENDAS

for

FINANCE COMMITTEE
MEETING

and

MONTHLY BOARD
MEETING

WEDNESDAY, OCTOBER 2, 2024

**OFF-STREET PARKING BOARD
FINANCE COMMITTEE MEETING
AGENDA**

WEDNESDAY, OCTOBER 2, 2024

8:00 A. M.

A G E N D A
OFF-STREET PARKING BOARD
FINANCE COMMITTEE MEETING
CITY OF MIAMI, FLORIDA

October 2, 2024

8:00 a.m.

40 N.W. 3rd St., Suite 1103

1. August 2024 Financial Statements
 - A. Miami Parking Authority
 - B. Knight Center Garage
2. August 2024 Bank Reconciliations

Any person may be heard by the Off-Street Parking Board of Directors, through the Chair, for not more than two minutes, on any proposition before the Board of Directors unless modified by the Chair. The Chair will advise the public when the public may have the opportunity to address the Board of Directors during the Public Comment Period or at any other designated time.

In accordance with the Americans with Disabilities Act of 1990, as amended, persons needing special accommodations to participate in this proceeding may contact the Miami Parking Authority at (305) 373-6789 ext. 227 or ext. 228 (Voice) no later than six (6) business days prior to the proceeding. TTY users may call via 711 (Florida Relay Service) no later than six (6) business days prior to the proceeding.



TO: Honorable Chairperson and Members of the Off-Street Parking Board

FROM: Alejandra Argudin, Chief Executive Officer, Miami Parking Authority *me for AA*

SUBJECT: Financial Summaries For the Period Ended August 31, 2024

DATE: October 2, 2024

The attached summaries represent the financial performance for the Miami Parking Authority and the Knight Center Garage for the month ended August 31, 2024.

AA:ss

Attachment

MIAMI PARKING AUTHORITY

Revenue & Expenses Summary

For the Eleven Months Ended August 31, 2024

Page 1

Year-To-Date	FY 2024		FY 2023	Variances				
	Actual	Adopted		Actual	Actual		FY 2024 Actual	
		Budget			FY 2024 Versus FY 2023		Versus 2024 Budget	
		\$			\$	\$	\$	%
Operating Revenue	55,683,968	49,982,454	52,841,828	2,842,140	5.38	5,701,514	11.41	
Direct Operating Expenses	25,365,261	23,965,363	22,689,596	(2,675,665)	(11.79)	(1,399,898)	(5.84)	
Operating Results	30,318,707	26,017,091	30,152,232	166,475	0.55	4,301,616	16.53	
Non-Operating Revenues (Expenses):								
Depreciation & Amortization	(3,517,185)	(3,575,000)	(3,484,099)	(33,086)	(0.95)	57,815	1.62	
Interest Income	1,744,454	160,886	435,439	1,309,015	300.62	1,583,568	984.28	
Lower of Cost of Market - Investments	623,015	-	285,629	337,386	118.12	623,015	-	
Gain (Loss) on Disposal Property	(150,176)	-	22,968	(173,144)	(753.85)	(150,176)	-	
Interest Expense Net of Interest Income	(1,317,535)	(1,434,344)	(1,562,743)	245,208	(15.69)	116,809	(8.14)	
Other Gains/(Losses)	-	-	-	-	-	-	-	
Transfer to City of Miami	-	-	-	-	-	-	-	
Budgeted Reserves	-	-	-	-	-	-	-	
Net Revenue In Excess of Expenses	27,701,280	21,168,633	25,849,426	1,851,854	7.16	6,532,647	30.86	

The above summary represents the financial performance of the agency for the (11) months ended August 31, 2024 based on the reporting requirements of Ordinance No. 11719.



ALEJANDRA ARGUDIN
CHIEF EXECUTIVE OFFICER



SCOTT SIMPSON
CHIEF FINANCIAL OFFICER

MIAMI PARKING AUTHORITY

Revenue & Expenses Summary

For the Month Ended August 2024

Page 2

Current Month	FY 2024			Variances			
		Adopted	FY 2023	Actual		FY 2024 Actual	
	Actual	Budget	Actual	FY 2024 Versus FY 2023		Versus 2024 Budget	
	\$	\$	\$	\$	%	\$	%
Operating Revenue	4,667,144	4,177,413	4,614,080	53,064	1.15	489,731	11.72
Direct Operating Expenses	2,209,529	2,100,290	2,066,605	(142,924)	(6.92)	(109,239)	(5.20)
Operating Results	2,457,615	2,077,123	2,547,475	(89,860)	(3.53)	380,492	18.32
Non-Operating Revenues (Expenses):							
Depreciation & Amortization	(283,845)	(325,000)	(314,355)	30,510	9.71	41,155	12.66
Interest Income	199,982	(889)	124,622	75,360	60.47	200,871	(22,595.16)
Lower of Cost of Market - Investments	100,069	-	4,466	95,603	2,140.69	100,069	-
Gain (Loss) on Disposal Property	19,417	-	-	19,417	-	19,417	-
Interest Expense Net of Interest Income	(119,776)	(2,956)	(142,068)	22,292	(15.69)	(116,820)	3,951.96
Other Gains/(Losses)	-	-	-	-	-	-	-
Transfer to City of Miami	-	-	-	-	-	-	-
Budgeted Reserves	-	-	-	-	-	-	-
Net Revenue In Excess of Expenses	2,373,462	1,748,278	2,220,140	153,322	6.91	625,184	35.76

MIAMI PARKING AUTHORITY

Schedule of Revenue and Expenses

For the Eleven Months Ended August 31, 2024

Page 3

	FY 2024			Variances				
		Adopted	FY 2023	Actual		FY 2024 Actual		
	Actual	Budget	Actual	FY 2024 Versus FY 2023		Versus 2024 Budget		
	\$	\$	\$	\$	%	\$	%	Note(s)
Operating Revenue								
Off-Street Facilities	6,493,274	3,161,750	5,257,876	1,235,398	23.50	3,331,524	105.37	
Parking Lots	10,384,992	9,398,295	10,073,820	311,171	3.09	986,697	10.50	
On-Street	36,556,621	35,687,214	35,452,397	1,104,224	3.11	869,407	2.44	
Management Fees	1,085,428	818,532	935,458	149,970	16.03	266,896	32.61	
Other	1,163,654	916,663	1,122,277	41,377	3.69	246,991	26.94	
Total Operating Revenue	55,683,968	49,982,454	52,841,828	2,842,140	5.38	5,701,514	11.41	
Operating Expenses								
Salaries, Wages & Fringe Benefits	9,640,361	9,538,776	8,482,416	(1,157,945)	(13.65)	(101,585)	(1.06)	
Repairs, Maintenance, Cleaning & Landscape	2,657,144	2,044,181	2,576,958	(80,186)	(3.11)	(612,963)	(29.99)	
Security	1,552,315	1,269,859	1,365,967	(186,348)	(13.64)	(282,456)	(22.24)	
Utilities	561,805	618,246	611,122	49,317	8.07	56,441	9.13	
Insurance	1,358,982	1,450,251	641,859	(717,123)	(111.73)	91,269	6.29	
Rental - Building/Land/Auto	368,792	373,156	116,727	(252,065)	(215.94)	4,364	1.17	
Assessment Expenses	833,217	892,562	578,716	(254,501)	(43.98)	59,345	6.65	
Revenue Sharing	2,450,030	2,657,500	2,496,581	46,551	1.86	207,470	7.81	
Parking Meter Parts & Installation	290,823	96,382	88,446	(202,377)	(228.81)	(194,441)	(201.74)	
Professional - Audit	124,586	154,363	124,586	-	-	29,777	19.29	
Professional - Legal Services	107,822	107,833	107,822	-	-	11	0.01	
Professional - Other	742,526	669,054	966,372	223,846	23.16	(73,472)	(10.98)	
Professional - Pay and Display Fees	66,332	47,300	15,750	(50,582)	(321.16)	(19,032)	(40.24)	
Bank Charges	2,846,344	2,619,828	2,718,704	(127,640)	(4.69)	(226,516)	(8.65)	
Supplies and Miscellaneous	554,828	459,923	716,416	161,588	22.56	(94,905)	(20.64)	
Other Expenses	398,542	247,937	376,763	(21,779)	(5.78)	(150,605)	(60.74)	
Advertising & Promotion	810,812	718,212	704,391	(106,421)	(15.11)	(92,600)	(12.89)	
Total Operating Expenses	25,365,261	23,965,363	22,689,596	(2,675,665)	(11.79)	(1,399,898)	(5.84)	
Operating Results Before Depr & Amort	30,318,707	26,017,091	30,152,232	166,475	0.55	4,301,617	16.53	
Depreciation & Amortization	(3,517,185)	(3,575,000)	(3,484,099)	(33,087)	(0.95)	57,815	1.62	
Operating Results	26,801,522	22,442,091	26,668,134	133,388	0.50	4,359,431	19.43	
Non-Operating Revenues (Expenses):								
Interest Income	1,744,454	160,886	435,439	1,309,015	300.62	1,583,568	984.28	
Lower of Cost of Market - Investments	623,015	-	285,629	337,386	118.12	623,015	-	
Gain (Loss) on Disposal Property	(150,176)	-	22,968	(173,144)	(753.85)	(150,176)	-	
Interest Expenses	(1,317,535)	(1,434,344)	(1,562,743)	245,208	(15.69)	116,809	(8.14)	
Other Gains/(Losses)	-	-	-	-	-	-	-	
Transfer to City of Miami	-	-	-	-	-	-	-	
Budgeted Reserves	-	-	-	-	-	-	-	
Total Non-Operating	899,758	(1,273,458)	(818,707)	1,718,465	(209.90)	2,173,216	(170.65)	
Net Revenue In Excess of Expenses	27,701,280	21,168,633	25,849,427	1,851,853	7.16	6,532,647	30.86	

MIAMI PARKING AUTHORITY

Schedule of Revenue and Expenses

For the Month Ended August 2024

Page 4

	FY 2024		FY 2023	Variances				
	Actual	Adopted Budget	Actual	Actual FY 2024 Versus FY 2023		FY 2024 Actual Versus 2024 Budget		
	\$	\$	\$	\$	%	\$	%	Note(s)
Operating Revenue								
Off-Street Facilities	555,767	179,006	494,323	61,443	12.43	376,761	210.47	1
Parking Lots	790,682	813,924	798,326	(7,645)	(0.96)	(23,242)	(2.86)	
On-Street	3,116,739	3,026,738	3,142,880	(26,141)	(0.83)	90,001	2.97	
Management Fees	89,666	74,412	94,358	(4,692)	(4.97)	15,254	20.50	
Other	114,291	83,333	84,193	30,098	35.75	30,958	37.15	
Total Operating Revenue	4,667,144	4,177,413	4,614,080	53,064	1.15	489,731	11.72	
Operating Expenses								
Salaries, Wages & Fringe Benefits	913,955	899,761	827,117	(86,838)	(10.50)	(14,194)	(1.58)	
Repairs, Maintenance, Cleaning & Landscape	246,421	176,832	222,649	(23,772)	(10.68)	(69,589)	(39.35)	2
Security	91,265	86,919	132,981	41,716	31.37	(4,346)	(5.00)	
Utilities	(5,528)	50,186	57,244	62,772	109.66	55,714	111.02	3
Insurance	130,417	131,841	55,292	(75,125)	(135.87)	1,424	1.08	
Rental - Building/Land/Auto	39,581	33,923	15,851	(23,730)	(149.71)	(5,658)	(16.68)	
Assessment Expenses	91,144	81,142	51,030	(40,114)	(78.61)	(10,002)	(12.33)	
Revenue Sharing	175,714	211,399	182,724	7,010	3.84	35,685	16.88	4
Parking Meter Parts & Installation	3,829	8,762	45,636	41,807	91.61	4,933	56.29	
Professional - Audit	11,326	14,033	11,326	-	-	2,707	19.29	
Professional - Legal Services	9,802	9,803	9,802	-	-	1	0.01	
Professional - Other	85,547	59,914	54,841	(30,706)	(55.99)	(25,633)	(42.78)	
Professional - Pay and Display Fees	6,712	4,300	-	(6,712)	-	(2,412)	(56.09)	
Bank Charges	241,855	218,268	195,334	(46,521)	(23.82)	(23,587)	(10.81)	5
Supplies and Miscellaneous	64,903	35,003	93,961	29,058	30.93	(29,900)	(85.42)	6
Other Expenses	43,130	12,912	46,985	3,855	8.21	(30,218)	(234.03)	7
Advertising & Promotion	59,456	65,292	63,832	4,376	6.86	5,836	8.94	
Total Operating Expenses	2,209,529	2,100,290	2,066,605	(142,924)	(6.92)	(109,239)	(5.20)	
Operating Results Before Depr & Amort	2,457,615	2,077,123	2,547,475	(89,859)	(3.53)	380,492	18.32	
Depreciation & Amortization	(283,845)	(325,000)	(314,355)	30,510	9.71	41,155	12.66	
Operating Results	2,173,770	1,752,123	2,233,120	(59,349)	(2.66)	421,647	24.06	
Non-Operating Revenues (Expenses):								
Interest Income	199,982	(889)	124,622	75,360	60.47	200,871	(22,595.16)	
Lower of Cost of Market - Investments	100,069	-	4,466	95,603	2,140.69	100,069	-	
Gain (Loss) on Disposal Property	19,417	-	-	19,417	-	19,417	-	
Interest Expenses	(119,776)	(2,956)	(142,068)	22,292	(15.69)	(116,820)	3,951.96	
Other Gains/(Losses)	-	-	-	-	-	-	-	
Transfer to City of Miami	-	-	-	-	-	-	-	
Budgeted Reserves	-	-	-	-	-	-	-	
Total Non-Operating	199,692	(3,845)	(12,980)	212,672	(1,638.46)	203,537	(5,293.55)	
Net Revenue In Excess of Expenses	2,373,462	1,748,278	2,220,140	153,323	6.91	625,184	35.76	

- 1 **Off-Street Facilities** - The positive variance of \$376.8k is primarily attributable to revenue recognition in Garage #3 in the amount of \$237.3k. The FY 2024 budget anticipated Garage #3 coming off line at the end of January.
- 2 **Repairs, Maintenance, Cleaning & Landscape** - The negative variance of \$69.6k is attributable to systemwide electrical repair projects (\$41.5k).
- 3 **Utilities** - The favorable variance of \$55.7k is attributable to a \$57.2k water refund from Miami-Dade County. The refund is the result of incorrect meter assignments at Regatta Harbour Garage dating back to FY 2022.
- 4 **Revenue Sharing** - This category is a contractual amount that is either a percentage of revenue or net revenue in excess of expenses. This number has a direct relationship with revenues as revenues increase/decrease for these managed operations there will be a proportional increase/decrease in the expense category.
- 5 **Bank Charges** - The unfavorable variance of \$23.6k is attributable to system-wide credit card usage being higher than anticipated.
- 6 **Supplies and Miscellaneous** - The negative variance of \$29.9k is due additional ITD security applications and year-end reconciliation of all prepaid ITD agreements.
- 7 **Other Expenses** - The negative variance (\$30.2k) is the result of timing recognition for various sponsorships.

The above summary represents the major variances from budget for the month of August 2024.


ALEJANDRA ARGUDIN
CHIEF EXECUTIVE OFFICER


SCOTT SIMPSON
CHIEF FINANCIAL OFFICER

JAMES L. KNIGHT CENTER GARAGE

Revenue and Expenses Summary

For the Eleven Months Ended August 31, 2024

Page 6

Year-To-Date	FY 2024		FY 2023 Actual \$	Variances		FY 2024 Actual Versus FY 2024 Budget	
	Actual	Adopted Budget		Actual FY 2024 Versus FY 2023		\$	%
	\$	\$		\$	%	\$	%
Operating Revenue	2,988,371	2,404,948	2,644,396	343,975	13.0	583,423	24.3
Direct Operating Expenses	2,275,885	1,199,446	1,255,416	(1,020,469)	(81.3)	(1,076,439)	(89.7)
Net Revenue In Excess of Expenses	712,486	1,205,502	1,388,980	(676,494)	(48.7)	(493,016)	(40.9)

The above summary represents the financial performance of the James L. Knight Center for the (11) months ended August 31, 2024.


ALEJANDRA ARGUDIN
CHIEF EXECUTIVE OFFICER


SCOTT SIMPSON
CHIEF FINANCIAL OFFICER

JAMES L. KNIGHT CENTER GARAGE

Revenue and Expenses Summary
For the Month Ended August 2024

Page 7

Year-To-Date	FY 2024		FY 2023 Actual \$	Variances			
	Actual \$	Adopted Budget \$		Actual FY 2024 Versus FY 2023		FY 2024 Actual Versus FY 2024 Budget	
				\$	%	\$	%
Operating Revenue	249,843	240,815	264,766	(14,923)	(5.6)	9,028	3.7
Direct Operating Expenses	459,108	105,236	103,999	(355,109)	(341.5)	(353,872)	(336.3)
Net Revenue In Excess of Expenses	(209,265)	135,579	160,767	(370,032)	(230.2)	(344,844)	(254.3)

JAMES L. KNIGHT CENTER GARAGE

Schedule of Revenue and Expenses

For the Eleven Months Ended August 31, 2024

Page 8

	FY 2024		FY 2023 Actual \$	Variances				Note(s)
	Actual \$	Adopted Budget \$		Actual FY 2024 Versus FY 2023		FY 2024 Actual Versus FY 2024 Budget		
				\$	%	\$	%	
Operating Revenue								
Monthly Revenue	1,778,194	1,412,707	1,541,093	237,101	15.4	365,487	25.9	
Daily Revenue	912,738	763,068	762,379	150,359	19.7	149,670	19.6	
Special Event Revenue	302,779	229,173	340,593	(37,814)	0.0	73,606	32.1	
Other	(5,340)	-	330	(5,670)	(1,718.2)	(5,340)	0.0	
Total Operating Revenue	2,988,371	2,404,948	2,644,396	343,975	13.0	583,423	24.3	
Operating Expenses								
Salaries, Wages & Fringe Benefits	310,283	281,959	279,449	(30,834)	(11.0)	(28,324)	(10.0)	
Repairs, Maintenance, Cleaning & Landscape	99,382	190,768	243,040	143,658	59.1	91,386	47.9	
Security & Enforcement	410,407	408,065	388,445	(21,961)	(5.7)	(2,342)	(0.6)	
Utilities	85,121	71,947	79,025	(6,097)	(7.7)	(13,174)	(18.3)	
Insurance	111,348	98,991	82,108	(29,240)	(35.6)	(12,357)	(12.5)	
Legal & Professional	1,091,601	19,068	45,105	(1,046,496)	(2,320.13)	(1,072,533)	(5,624.8)	
Supplies & Printing	10,614	8,251	2,408	(8,206)	-	(2,363)	(28.6)	
Mgmt Fees & Admin O/H	149,419	120,397	132,220	(17,199)	(13.01)	(29,022)	(24.1)	
Other Expenses	1,533	-	3,616	2,083	57.60	(1,533)	0.0	
Advertising & Promotion	-	-	-	-	-	-	0.0	
Taxes & Permits	6,176	-	-	(6,176)	-	(6,176.38)	0.0	
Budgeted Reserves	-	-	-	-	-	-	-	
Total Operating Expenses	2,275,885	1,199,446	1,255,416	(1,020,469)	(81.3)	(1,076,439)	(89.7)	
Net Revenue In Excess of Expenses	712,486	1,205,502	1,388,980	(676,494)	(48.7)	(493,016)	(40.9)	

JAMES L. KNIGHT CENTER GARAGE

Schedule of Revenue and Expenses

For the Month Ended August 2024

Page 9

	FY 2024		FY 2023 Actual \$	Variances				Note(s)
	Actual \$	Adopted Budget \$		Actual FY 2024 Versus FY 2023		FY 2024 Actual Versus FY 2024 Budget		
				\$	%	\$	%	
Operating Revenue								
Monthly Revenue	164,165	143,118	154,482	9,683	6.3	21,047	14.7	1
Daily Revenue	75,130	76,864	71,570	3,559	5.0	(1,734)	(2.3)	
Special Event Revenue	11,106	20,833	38,683	(27,577)	0.0	(9,727)	(46.7)	2
Other	(558)	-	30	(588)	(1,960.0)	(558)	-	
Total Operating Revenue	249,843	240,815	264,765	(14,922)	(5.6)	9,028	3.7	
Operating Expenses								
Salaries, Wages & Fringe Benefits	26,842	21,333	30,497	3,656	12.0	(5,509)	(25.8)	
Repairs, Maintenance, Cleaning & Landscape	7,524	17,326	8,982	1,458	16.2	9,802	56.6	
Security & Enforcement	35,366	36,935	33,841	(1,525)	(4.5)	1,569	4.2	
Utilities	6,844	6,590	7,984	1,141	14.3	(254)	(3.8)	
Insurance	10,537	8,982	7,574	(2,963)	(39.1)	(1,555)	(17.3)	
Legal & Professional	359,089	1,735	1,820	(357,269)	(19,630.1)	(357,354)	(20,596.7)	3
Supplies & Printing	-	749	-	-	0.0	749	100.0	
Mgmt Fees & Admin O/H	12,492	11,586	13,238	746	5.6	(906)	(7.8)	
Other Expenses	-	-	62	62	100.0	-	0.0	
Advertising & Promotion	-	-	-	-	0.0	-	0.0	
Taxes & Permits	416	-	-	(416)	0.0	(416)	0.0	
Budgeted Reserves	-	-	-	-	-	-	-	
Total Operating Expenses	459,108	105,236	103,999	(355,109)	(341.5)	(353,872)	(336.3)	
Net Revenue In Excess of Expenses	(209,265)	135,579	160,766	(370,032)	(230.2)	(344,845)	(254.3)	

JAMES L. KNIGHT CENTER GARAGE

Summary of Major Variances

For the Month Ended August 2024

Page 10

- 1 **Monthly Revenue** - Monthly revenue is better than budget due to the increased the number of monthly permits purchased.
- 2 **Special Event Revenue** - Special Event revenue is significantly below budget due to the timing of events compared to prior year.
- 3 **Legal & Professional** - The negative variance of \$357,4k is for the current draw for Phase 2 Upgrade project. The total for this project is approximately \$7,326,000.

The above summary represents the major variances from budget for the month of August 2024.

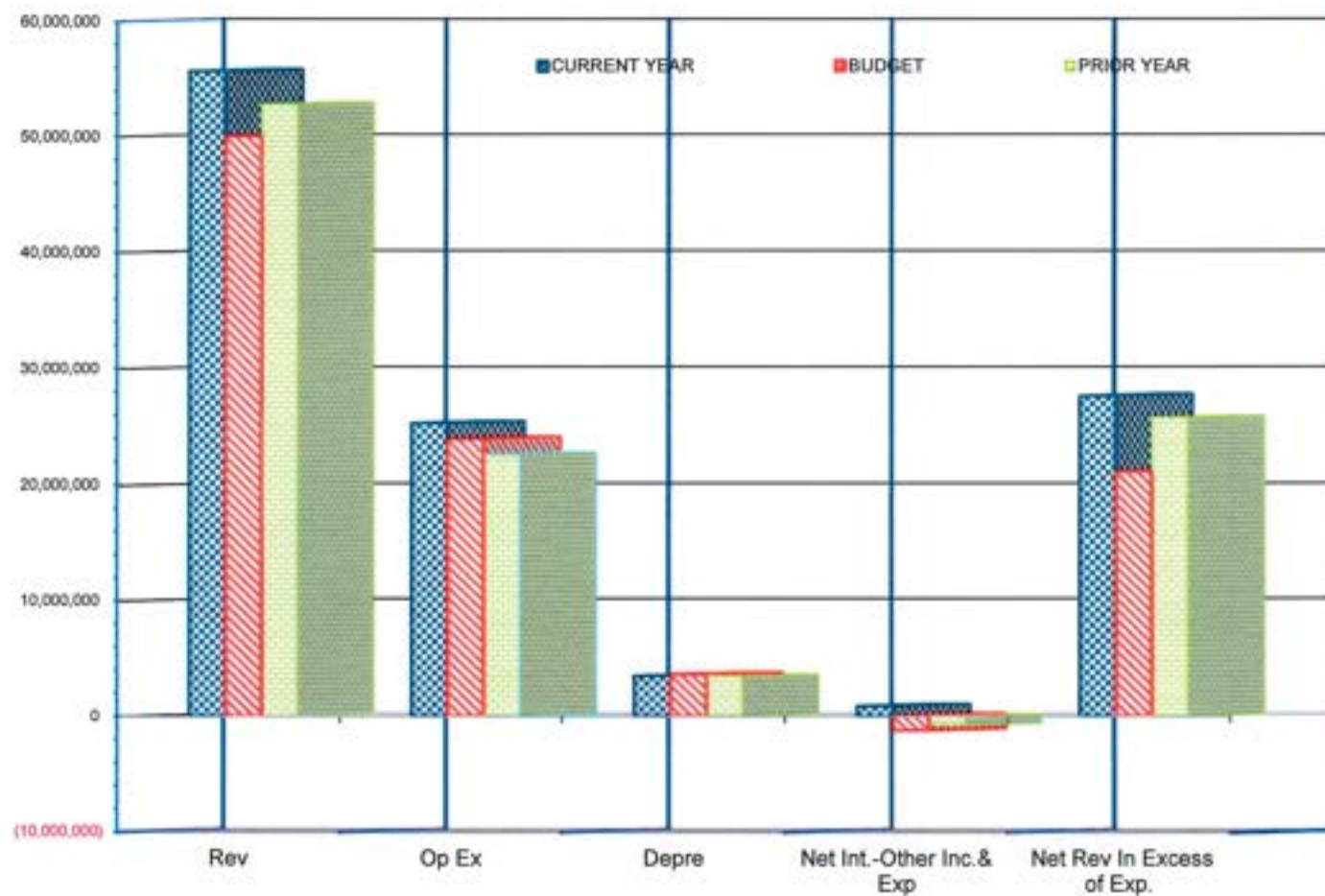


ALEJANDRA ARGUDIN
CHIEF EXECUTIVE OFFICER



SCOTT SIMPSON
CHIEF FINANCIAL OFFICER

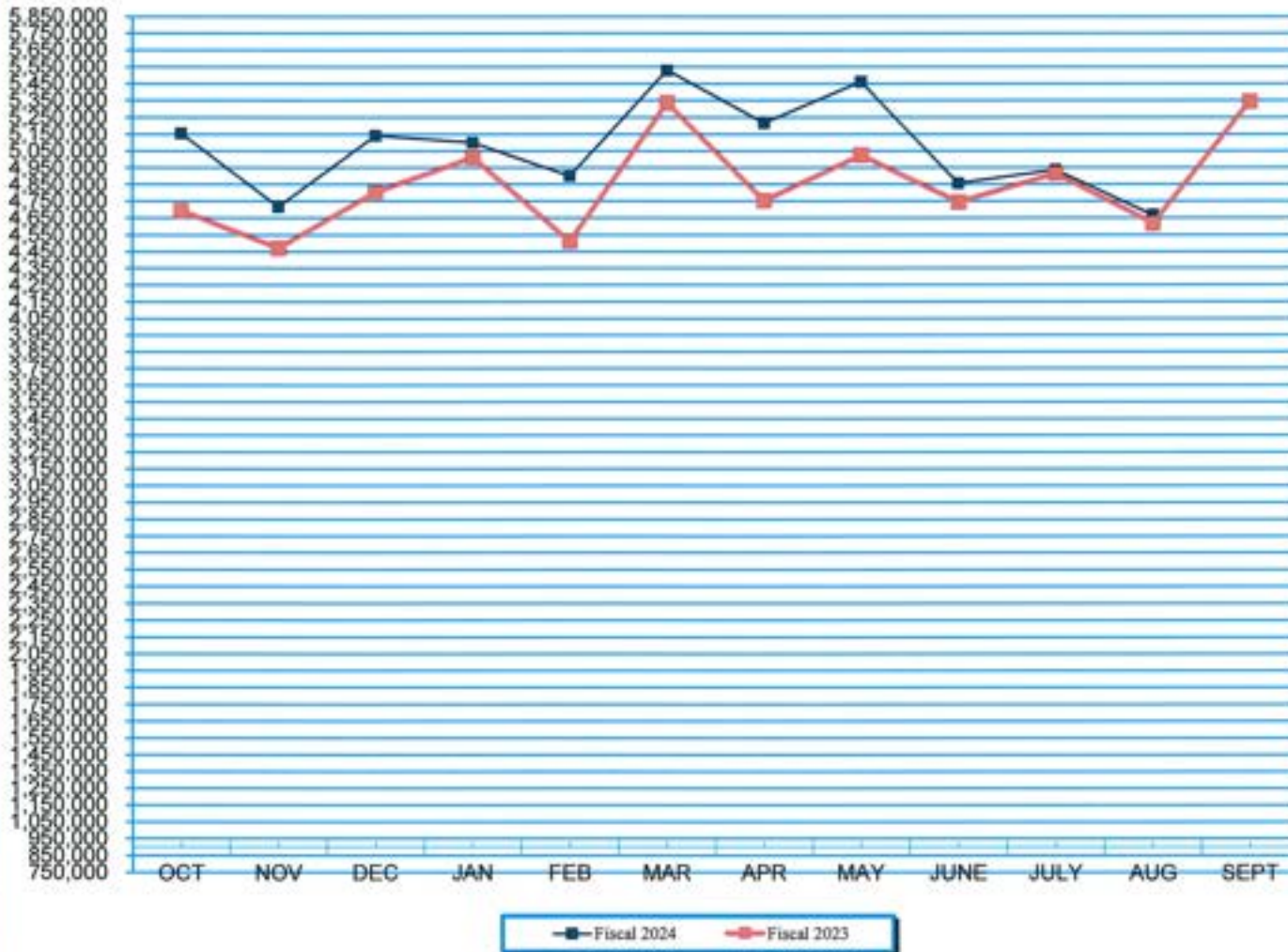
MIAMI PARKING AUTHORITY **FOR THE YEAR ENDED AUGUST 31, 2024**



MIAMI PARKING AUTHORITY OPERATING INCOME



MIAMI PARKING AUTHORITY OPERATING REVENUE




MIAMI PARKING AUTHORITY OPERATING EXPENSE





TO: Honorable Chairperson and Members of the Off-Street Parking Board

FROM: Scott Simpson, Chief Financial Officer, Miami Parking Authority 

SUBJECT: Bank Reconciliations Certification

DATE: October 2, 2024

This is to certify that bank reconciliations for the month of August 2024 for the Miami Parking Authority and its managed facilities have been reviewed and no material differences have been noted.

SS:ss

**OFF-STREET PARKING BOARD
MONTHLY MEETING
AGENDA**

WEDNESDAY, OCTOBER 2, 2024

8:15 A. M.

OFF-STREET PARKING BOARD

Jami Reyes (Chairperson) * Thomas Jelke * James S. Cassel * Deborah Ladron de Guevara * Marvin Wilmoth

AGENDA – October 2, 2024

- I. Public Comments
- II. Employee/Board Recognition/Presentations
 - A. Employee 'Years of Service' Award
 - 1. Jeffrey Medina (10-Year Award)
 - 2. Javier Armenteros (10-Year Award)
 - 3. Monica Montoya (5-Year Award)
 - B. Marlin's Season Ending Recognition
- III. MRD Consulting Report
- IV. Loud and Live Progress Report Presentation
- V. APPROVAL ITEMS
 - 1. 24-1001 August 2024 Financial Statements
 - A. Miami Parking Authority
 - B. Knight Center Garage
 - 2. 24-1002 Regular Board Meeting Minutes
 - A. September 4, 2024 Finance Committee
 - B. September 4, 2024 Off-Street Parking
 - 3. 24-1003 Proposed Changes to Chapter 35 of the Code of the City of Miami, Florida – Motor Vehicles and Traffic
 - 4. 24-1004 Reappointment of Board Finance Committee Chair Pursuant to MPA Resolution No. 20-05

Any person may be heard by the Off-Street Parking Board of Directors, through the Chair, for not more than two minutes, on any proposition before the Board of Directors unless modified by the Chair. The Chair will advise the public when the public may have the opportunity to address the Board of Directors during the Public Comment Period or at any other designated time.

In accordance with the Americans with Disabilities Act of 1990, as amended, persons needing special accommodations to participate in this proceeding may contact the Miami Parking Authority at (305) 373-6789 ext. 227 or ext. 228 (Voice) no later than six (6) business days prior to the proceeding. TTY users may call via 711 (Florida Relay Service) no later than six (6) business days prior to the proceeding.

5. 24-1005 Reappointment of Committee Members (Property Owners) for the Design District Parking Improvement Trust Fund
6. 24-1006 Appointment of Committee Members for the Wynwood Norte Parking Improvement Trust Fund
7. 24-1007 Procurement of Allied Universal Security Services – Piggyback with City of Orlando Contract RFP 24-0031

VI. CHIEF EXECUTIVE OFFICER'S REPORT

- MIMO Project (7500 Biscayne)
- Coconut Grove Playhouse

VII. STATUS REPORT

- August 2024 Operational Report

Any person may be heard by the Off-Street Parking Board of Directors, through the Chair, for not more than two minutes, on any proposition before the Board of Directors unless modified by the Chair. The Chair will advise the public when the public may have the opportunity to address the Board of Directors during the Public Comment Period or at any other designated time.

In accordance with the Americans with Disabilities Act of 1990, as amended, persons needing special accommodations to participate in this proceeding may contact the Miami Parking Authority at (305) 373-6789 ext. 227 or ext. 228 (Voice) no later than six (6) business days prior to the proceeding. TTY users may call via 711 (Florida Relay Service) no later than six (6) business days prior to the proceeding.

Progress Report for Miami Parking Authority

Public Relations Services

September 1 - 30, 2024

TASK	ACTIVITY
Board Meeting	❖ On September 4, 2024, attended the MPA Board of Directors meeting.
PayByPhone	❖ Reviewed and edited the proposed PayByPhone case study.
Public Relations Tactics	<ul style="list-style-type: none">❖ On September 6th, participated in the Loud and Live biweekly Zoom meeting.❖ Drafted specifications concerning topics to test in focus group research.❖ On September 10th, I participated in a Zoom meeting with Ms. Albert Sanchez from The Market Focus, Ms. Alejandra Argudin, and Mr. Angel Diaz to discuss focus groups related to the MPA logo, tagline, and the city of Doral.❖ On September 11th, participated in a Zoom meeting with the MPA team to discuss parking payment apps.❖ On September 17th, I participated in a Zoom

meeting with the MPA/Automotus teams to discuss the communication plan ahead of the launch of the curb digital technology.

- ❖ On September 20th, participated via Zoom with the MPA/Loud and Live biweekly meeting.
- ❖ On September 23rd, participated via Zoom with Ms. Argudin and Ms. Meagan Camp, the Modern Take, to discuss LinkedIn strategies.
- ❖ On September 23rd, met with the MPA team to discuss the Doral statistics for the IPMI Awards of Excellence entry.
- ❖ On September 27th, participated via Zoom in the Miami Beach agreement meeting.
- ❖ For the IPMI Award of Excellence submission, requested figures from Operations, Enforcement, Command Center, and the social media team key performance indicators (KPI).
- ❖ Drafted Mr. Angel Diaz's quote for the proposed PayByPhone case study. Provided revisions to the case study.
- ❖ Received and shared the PArByPhone pr plan quote from Loud and Live.
- ❖ Drafted quote for Ms. Argudin's Customer Service Week graphic.
- ❖ Drafted Ms. Argudin's biosketch for the Sigep Career Day at FIU.
- ❖ Provided photo and caption for the enforcement

	<p>officers' training to the social media team to post.</p> <ul style="list-style-type: none"> ❖ Drafted content for the LinkedIn page for the MOVE America conference promotion. ❖ Drafted several versions of the media pitch announcing Ms. Argudin's appointment to the IPMI chairmanship. Forwarded the media pitch to: <ul style="list-style-type: none"> ○ Florida Trend magazine ○ Forbes ○ Bloomberg ○ Latina Style magazine ○ South Florida Business and Wealth magazine ○ Tech Crunch ○ USA Today ○ ABC GMA ○ NBC6 ○ NBC Universal ○ Channel 10 ○ CBS4 ○ Channel 7 ○ Voice of America ○ The Miami Herald/el Nuevo Herald ○ Haute Living magazine ○ South Florida Business Journal ○ Sun Sentinel ○ Channel 23 ○ Miami Today ❖ Drafted templates for feature stories for the December 2024 Parking and Mobility magazine issue, due October 15th.
Community Events	<ul style="list-style-type: none"> ❖ October - Pedestrian Safety Month ❖ October - Breast Cancer Awareness Month ❖ October 1st – Miami-Dade Croqueta Day

- ❖ October 1 – 31, National Highway Traffic Safety Administration's Pedestrian Safety Month.
- ❖ October 5th – Humane Society of Miami-Dade's Walk with the Animals
- ❖ October 7 -11 – Customer Service Week
- ❖ October 12 – Savannah Bananas at loanDepot Park
- ❖ October Date TBD – Miami-Dade League of Cities Best Practices Conference
- ❖ October 25 – Nov. 2 – Florida Mobility Week
- ❖ November 12 – The Lotus House Thanksgiving celebration
- ❖ November 14 – Latin Grammys, Kaseya Center
- ❖ November 13-16 – National League of Cities Conference and Centennial Celebration, Tampa
- ❖ November 14 – Latin Grammys at the Kaseya Center
- ❖ November 17 – 24 – Miami International Book Fair
- ❖ December 6 – 8 – Miami Art Basel
- ❖ December 16th – Miami-Dade League of Cities' Best Practices Conference
- ❖ December Dates TBD – Holiday Courtesy Citation Program

	<ul style="list-style-type: none"> ❖ April 1 – 30 – National Distracted Driving Awareness, including parking in lots and garages. (National Safety Council) ❖ February 12 – 16, 2025 – Miami International Boat Show ❖ April 4 – 13, 2025 - Miami International Film Festival 2025 – Dates yet to be determined. ❖ May 6, 2025 – Teacher Appreciation Day
<p><u>Quarter 4</u></p> <p>October</p> <p>to</p> <p>December 2024</p>	<ul style="list-style-type: none"> ❖ Work on the IPMI Award of Excellence entry due on October 18th. ❖ Develop material and strategic approach for the city of North Miami PayByPhone rollout. ❖ Draft a feature story about Innovation for the December 2024 Parking and Mobility magazine. ❖ Highlight Ms. Argudin’s panel discussions and speaking opportunities on LinkedIn and other platforms. ❖ Plan focus group research for late January 2025. ❖ Develop the 2024 IPMI Award of Entry submission about the success of the Doral parking management program. ❖ Pitch media coverage of Ms. Argudin’s chairmanship of the IPMI board. ❖ Develop speaking points to communicate the smart city digital technology pilot programs for curb

	<p>management.</p> <ul style="list-style-type: none">❖ Plan communication for the annual Holiday Courtesy Citation program in December.❖ Continue identifying and recommending not-for-profit events aligned with MPA's mission for quarter 4.❖ Continue to create pitches for feature stories highlighting the initiatives MPA is implementing to stimulate parking and give back to the community.❖ Update marketing and public relations roadmap for 2024 community initiatives for MPA to engage with the public.
Loud and Live Progress Report and Invoice	<ul style="list-style-type: none">❖ Processed Loud and Live's invoice and progress report for September 2024.❖ Process the Modern Take invoice for October 2024.
	<p>NAME: <u>Margarita R. Delgado</u> (Print)</p> <p>SIGNATURE: <u>Margarita R. Delgado</u></p> <p>DATE: <u>September 23, 2024</u></p>

SEPTEMBER REPORT

10.02.24



Loud Live

PRESENTED BY LOUD AND LIVE

September Top Content



Sep 16, 2024

MPA has locations all over Miami! 🌴
Park with ease and explore the...

Reach	280
Comments	0
Likes	12
Saves	0
Engagement	12
Engagement rate per reach	4.1%
Engagement rate per impression	5.7%



Sep 10, 2024

Don't let the storm season catch you
off guard! 🌪️ 🚗 Click the link in ou...

Reach	466
Engagement	15
Clicks	3
Other clicks	6
Engagement rate per reach	3.2%
Engagement rate per impression	3.2%



Sep 10, 2024

Don't let the storm season catch you
off guard! 🌪️ 🚗 Click the link in ou...

Impressions	923
Likes	2
Retweets	3
Quote posts	0
Replies	0
Engagement	16
Engagement rate per impression	1.7%



Highlights & What's to Come



MPA Locations Reel

On September 18th, we posted a reel showcasing in a trendy way the different MPA locations across Miami.

It received over 700 plays on Instagram and Facebook with an engagement rate of 6.1%.



Customer Service Week

Next week, is Customer Service Week. We created a graphic to be displayed in the garages. We will cover the weeklong events in all our social platforms.



Miami Heat Giveaways

This month, the Miami Heat ticket giveaways are back. We have a teaser post going out today and the first ticket giveaway will be posted mid October with a new look.





SOCIAL GROWTH



3,666 Total Followers (+0.2%)

Total Engagement 26 (-23.5%)

Total Reposts 7 (-41.7%)



4,074 Total Followers (0%)

Total Impressions 1,977 (-37.1%)

Total Engagement 133 (-3.6%)



18,969 Total Followers (-0.1%)

Total Impressions 3,322 (+95.1%)

Total Engagement 32 (+52.4%)



1,146 Total Followers (+1.6%)

Total Impressions 1,572 (-38.2%)

Total Engagement 216 (-39.5%)

Performance from August 26, 2024 ~ September 22, 2024
*Comparison period July 19, 2024 ~ August 20, 2024

THANK YOU.





TO: Honorable Chairperson and Members of the Off-Street Parking Board

FROM: Alejandra Argudin, Chief Executive Officer, Miami Parking Authority *me for AA*

SUBJECT: Financial Summaries For the Period Ended August 31, 2024

DATE: October 2, 2024

The Financial Summaries for the month ended August 31, 2024 for the Miami Parking Authority and the Knight Center Garage, are included in the Finance Committee package as agenda Item No.#1.

AA:ss

MIAMI PARKING AUTHORITY
BOARD MEETING

September 4, 2024

PRESENT: James Cassel
Thomas Jelke
Marvin Wilmoth
Deborah Ladron de Guevara

ALSO PRESENT: Alejandra Argudin, Chief Executive Officer, MPA
Julia Y. Alfonso, Court Reporter, JYA Reporting
Jihan Soliman, Assistant City Attorney, City of Miami
Scott Simpson, CFO, Miami Parking Authority
Margie Carmenates, Controller, MPA
Monica Cuadra, Executive Administrative Assistant, MPA
Angela Hernandez, HR Director, MPA
Angel Diaz, Director of Operations, MPA
Henry Espinosa, IT Director, MPA
Margarita Delgado, President, MRD Consulting
Valeria Gutierrez, Client Services Coordinator, Loud & Live
Orlando Canizales, IT Technician, MPA
Jose Leon, Manager, MPA
Victor Rosario, Sr. Manager of Operations, MPA
Carol Corredor, Executive Administrative Assistant, MPA
Humberto Escandon, Sr. Manager of Operations, MPA
George McLean, Sr. Business Analyst, MPA
Javier Armenteros, Manager of Operations, MPA
Jennifer Garcia, Senior Project & Property Manager
Gabriel Maytin, System Administrator, Miami Parking Authority
Monica Montoya, Senior Staff Accountant, Miami Parking Authority
John Lopez, Sr. Manager of Operations, PHT
Chantal Gonzalez, Paralegal, MPA
Wilfred Soto, Sr. Manager of Operations, MPA
Ambrosio Santana, Maintenance II
Pablo Velez, Sr. Executive Advisor to the CEO
Sergio Mastronardi, CTO Blinkay Mobility
Carles Arroyo, CEO Blinkay Mobility
Neil Shafers, Head of Urban Planning DDA

[illegible]

<p>1 cont. AGENDA: 5</p> <p>2 o Doral Update 32</p> <p>3 o Allapattah Walkthrough 35</p> <p>4 o Budget Meeting - Saturday September 7th at 10:00 a.m. 36</p> <p>5</p> <p>6 VII. STATUS REPORTS</p> <p>7 o June 2024 Operational Reports</p> <p>8 o July 2024 Operational Reports</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 P-R-O-C-E-E-D-I-N-G-S 6</p> <p>2 MR. CASSEL: Shall we start the -- I call the</p> <p>3 finance committee meeting to order.</p> <p>4 Good morning, Scott.</p> <p>5 MR. SIMPSON: Good morning, everyone. My name</p> <p>6 is Scott Simpson from the finance department. Just</p> <p>7 a few housekeeping items before we get into the</p> <p>8 body of the report.</p> <p>9 The budget hearing, to everybody's</p> <p>10 satisfaction and pleasure, has been changed from</p> <p>11 the 12th of September, which is a Thursday, to the</p> <p>12 7th of September, which is Saturday morning. So it</p> <p>13 starts at 10:00. The protocol will be, they'll</p> <p>14 have public hearing. They'll go through all the</p> <p>15 TRIM items first, and then after all that stuff, we</p> <p>16 have the first non-TRIM items. We are BH-5. So</p> <p>17 that's good. We have good position on the agenda.</p> <p>18 Prior to that, Alex and I are going to meet</p> <p>19 with each of the commissioners, go one on one about</p> <p>20 who MPA is, what MPA is, and obviously the things</p> <p>21 that they want to hear: What are we going to do</p> <p>22 with rate increases, what about the check. So</p> <p>23 we'll do that.</p> <p>24 We've had one so far. It went very, very</p> <p>25 well. And then at some point we'll loop the city</p>
<p>1 manager into it, you know, via a phone call. He 7</p> <p>2 was very busy, couldn't schedule a meeting with</p> <p>3 him.</p> <p>4 The second housekeeping item is the bank</p> <p>5 reconciliation. They are current. There are no</p> <p>6 material items from the preceding month in the</p> <p>7 current month's reconciliation. The audit team</p> <p>8 from RSM is slated to be here in late October to do</p> <p>9 interim.</p> <p>10 The plan this year is similar to what we've</p> <p>11 done in the past. Have them come out, do the audit</p> <p>12 with the anticipation of making a full presentation</p> <p>13 to the board member in February which will be</p> <p>14 financials and management letters and any other</p> <p>15 regulatory thing that they have to do as dictated</p> <p>16 by the audit in general.</p> <p>17 Any questions so far about the housekeeping</p> <p>18 items?</p> <p>19 MR. CASSEL: No.</p> <p>20 MR. SIMPSON: Okay.</p> <p>21 MR. CASSEL: Thank you.</p> <p>22 MR. SIMPSON: All right. We have the deck in</p> <p>23 front of us. If we can go to page 21 of the deck.</p> <p>24 21 is the summary for MPA for July. July is the</p> <p>25 tenth period of the fiscal year. On the month we</p>	<p>1 had approximately 4.937 million in operating 8</p> <p>2 revenue. We're about \$719,000 better than budget.</p> <p>3 We had direct operating expenses of approximately</p> <p>4 2.593 million with an operating result of</p> <p>5 approximately 2,344,000 on the month.</p> <p>6 If you go to page four or -- there we go.</p> <p>7 This is the detailed view for the same time frame.</p> <p>8 You know, we notated a few things being either</p> <p>9 above or below budget. The first one is on off</p> <p>10 street. It was over budget by approximately</p> <p>11 \$366,000.</p> <p>12 If you recall when we were developing the</p> <p>13 budget for the current year, we anticipated G1</p> <p>14 coming offline at the end of January. Well, that</p> <p>15 didn't happen. So we continue to have favorable</p> <p>16 revenue on that line item related to that facility.</p> <p>17 Corresponding we're going to have negative expenses</p> <p>18 because we didn't plug any expenses in it for them</p> <p>19 post January.</p> <p>20 But on the expense side, Repairs, Maintenance,</p> <p>21 Cleaning was over by about \$217,000. This is</p> <p>22 pretty consistent with what we've done in the last</p> <p>23 couple months. Normally what we like to do is we</p> <p>24 like to decelerate the outflows of cash until we're</p> <p>25 at a point in the fiscal year where we have good</p>

<p>9</p> <p>1 revenue recognitions. We know that we're going to</p> <p>2 be able to meet our obligations, and we'd like to</p> <p>3 try to get out of much hurricane seasons as we can.</p> <p>4 So August, September we started opening the</p> <p>5 purse strings a little bit, even though September</p> <p>6 is the highest activity as far as hurricanes</p> <p>7 events. But we're confident that we'll make our</p> <p>8 minimum payment to the City as well as all the</p> <p>9 regulatory payments to the bondholders.</p> <p>10 Security. Two drivers there. One -- again,</p> <p>11 we talked about G3. On the revenue side there was</p> <p>12 expenses related to G3 and security as well as we</p> <p>13 asked for some additional hours systemwide related</p> <p>14 to security.</p> <p>15 Supplies and Maintenance was over by about</p> <p>16 \$48,000. And -- I'm sorry. It's Bank Charges.</p> <p>17 Bank Charges was over by about \$48,000, and this is</p> <p>18 just a pure consequence of either the virtual</p> <p>19 swipes or dipping your card into the machines.</p> <p>20 Obviously, if revenue exceeds budget, we're</p> <p>21 probably going to have more credit card</p> <p>22 transactions than the plan, we're going to have a</p> <p>23 negative variance, that type of thing.</p> <p>24 And then the last one is Other Expenses. We</p> <p>25 were over by about \$32,000. The large drivers</p>	<p>10</p> <p>1 there -- we've been doing a lot of training</p> <p>2 internally as well -- this part of the year is when</p> <p>3 there are trade shows or educational shows where we</p> <p>4 send people off.</p> <p>5 So with that, we had a very, very good month.</p> <p>6 Positive cash position. And we continue to make</p> <p>7 the payments to the bondholders as required as well</p> <p>8 as our vendors.</p> <p>9 With that, are there any questions about the</p> <p>10 performance for MPA or the period ending in July?</p> <p>11 All right. Seeing none and hearing, if we go</p> <p>12 to page 26 of the deck. Page 26 is the summary</p> <p>13 page for the Knight Center for the same time frame.</p> <p>14 These numbers have been forwarded to the City for</p> <p>15 review and approval.</p> <p>16 On the month we had approximately \$253,000 of</p> <p>17 operating revenue or about \$25,000 better than</p> <p>18 budget. We had direct operating expenses of</p> <p>19 approximately 136,000, leaving an operating surplus</p> <p>20 of approximately 117,000.</p> <p>21 If you advance two pages. This is the same</p> <p>22 time frame but just a detailed view for the Knight</p> <p>23 Center. The variances from revenue have been very</p> <p>24 consistent with what we've seen in the past.</p> <p>25 There's a big push in Florida to get all the</p>
<p>11</p> <p>1 workers back. So we've seen the monthly activity</p> <p>2 at the garage continue.</p> <p>3 Special Event is always a hard one for us to</p> <p>4 book, just from a forecasting -- when we start</p> <p>5 working on our budget, we look at their books to</p> <p>6 see what they have billed, and we sort of use that</p> <p>7 as a guideline. The problem is people either --</p> <p>8 they have two habits, either tend to wait until the</p> <p>9 last minute to book or book so far out in advance</p> <p>10 that something happens, and then they cancel. But,</p> <p>11 again, it's not a material line to the overall</p> <p>12 operation of the budget, so it doesn't give me a</p> <p>13 significant amount of concern at this point.</p> <p>14 Then on the expense side, security was over</p> <p>15 budget. We have one problematic vendor. They're</p> <p>16 great providing the service, but they're horrible</p> <p>17 in their accounting. They never send the invoices</p> <p>18 on time, so we're always, you know, trying to run</p> <p>19 around, especially year-end, trying to capture</p> <p>20 those invoices.</p> <p>21 So typically what we've been doing is making</p> <p>22 an accrual of what we think the estimate is going</p> <p>23 to be. We were a little light in the accrual, and</p> <p>24 they did request some additional hours for the</p> <p>25 facility -- the driver for the negative variance.</p>	<p>12</p> <p>1 Legal and Professional. The \$10,000 is</p> <p>2 related to the payment to the vendor that is doing</p> <p>3 modernization of the garage. We've seen that in</p> <p>4 the past. It's part of that \$7.3 million project.</p> <p>5 Even though that line item, you know, is over</p> <p>6 budget, it still gets funded from a different</p> <p>7 source of the City. So we get fully reimbursed</p> <p>8 upon that.</p> <p>9 With that I'm happy to answer any questions</p> <p>10 about the Knight Center, the MPA, housekeeping or</p> <p>11 anything else.</p> <p>12 All right. Thank you very much.</p> <p>13 MS. ARGUDIN: Good morning, everyone. We need</p> <p>14 to assign someone to the -- to be the acting chair</p> <p>15 for this meeting since Jami is not in attendance.</p> <p>16 Anybody volunteer?</p> <p>17 Tom? Any volunteers?</p> <p>18 CHAIRPERSON JELKE: If that's okay.</p> <p>19 All right. Thank you. And hello, everybody.</p> <p>20 We'll open up it for public comments first.</p> <p>21 Do we have any? Did anyone call anything in?</p> <p>22 MS. ARGUDIN: No.</p> <p>23 CHAIRPERSON JELKE: Okay. Thank you.</p> <p>24 Let's start with employee and board</p> <p>25 recognitions.</p>

<p>13</p> <p>1 MR. DIAZ: Lazaro Vasallo.</p> <p>2 MR. SOTO: Wilfred Soto for the record. I</p> <p>3 will receive Lazaro's award. He wasn't able to</p> <p>4 make it. Lazaro has been with us for five years.</p> <p>5 Excellent employee. Very determined. And he</p> <p>6 actually has a little bit of stagefright, so that's</p> <p>7 why he didn't want to show up. He had a project</p> <p>8 that he wanted to finish instead of being here, so</p> <p>9 that tells you how dedicated he is. Thank you.</p> <p>10 MR. DIAZ: Good morning, everybody. So this</p> <p>11 is Ambrosio Santana. He works in the maintenance</p> <p>12 department under Jeffrey. Jeffrey is out today, so</p> <p>13 I'm stepping in for Jeffrey.</p> <p>14 Ambrosio has been with us for six years, five</p> <p>15 years full time, one year as a custodial</p> <p>16 maintenance. Now he's general maintenance. So</p> <p>17 he's basically one of our handymen for MPA. He</p> <p>18 pretty much does everything in all our facilities.</p> <p>19 Very reliable, very hardworking, always puts in the</p> <p>20 extra effort. And I just want to give thanks for</p> <p>21 his effort. He doesn't speak very much English,</p> <p>22 so -- and I am not a good translator, so -- but I</p> <p>23 spoke to him already.</p> <p>24 "Puedes hablar en español si quieres."</p> <p>25 MR. SANTANA: Thank you por todo. Estoy</p>	<p>14</p> <p>1 contento con este trabajo.</p> <p>2 MS. ARGUDIN: "Gracias."</p> <p>3 THE WITNESS: Thank you.</p> <p>4 CHAIRPERSON JELKE: Thank you.</p> <p>5 Up next is Margarita, MRD Consultants.</p> <p>6 MS. DELGADO: Margarita Delgado, MRD</p> <p>7 Consulting.</p> <p>8 Good morning, I think, Mr. Chairman, members</p> <p>9 of the board, Madam CEO, and guests and staff. I'd</p> <p>10 like to start with something that I think we should</p> <p>11 be very proud of. PayByPhone has been, and MPA,</p> <p>12 managing the parking in Doral for the last year and</p> <p>13 probably five months. And we thought it was time</p> <p>14 to go out and talk to the businesses that are the</p> <p>15 recipients of the new parking permit.</p> <p>16 And so Wilfred Soto and I went door to door</p> <p>17 canvassing each one of those businesses, and I took</p> <p>18 a survey with me. So on a scale of one to five,</p> <p>19 five being the most satisfied with the program, we</p> <p>20 got back 14 surveys. 13 out of the 14 we got five</p> <p>21 stars, most satisfied, and one was four stars. We</p> <p>22 have three outstanding surveys.</p> <p>23 The manager wasn't there, the employee wasn't</p> <p>24 comfortable signing or just providing any kind of</p> <p>25 information. So I think this is a testament of how</p>
<p>15</p> <p>1 well the program is working and how well the app is</p> <p>2 functioning, because they were very happy with the</p> <p>3 app.</p> <p>4 The only questions they had is a little bit of</p> <p>5 confusion for the customers concerning the</p> <p>6 validation program which is in the garages. We</p> <p>7 have nothing to do with that. So, you know, some,</p> <p>8 only some of them said that customers say, "Do you</p> <p>9 validate PayByPhone on the street?"</p> <p>10 So they explained the difference and -- but no</p> <p>11 negative feedback. So with that in mind, I think</p> <p>12 this is a good program to enter in the IPMI Award</p> <p>13 of Excellence submission this year for innovation</p> <p>14 because we feel -- we're not 100 percent positive,</p> <p>15 but we feel this is the only parking entity in the</p> <p>16 U.S. crossing jurisdictional boundaries to do</p> <p>17 parking management in other cities. And that is</p> <p>18 pretty unique in itself, plus the satisfaction from</p> <p>19 the community so much so that I think probably</p> <p>20 we're ready to move into the next phase.</p> <p>21 So I feel comfortable with that, and meeting</p> <p>22 the KPIs that were set out at the very beginning,</p> <p>23 that we have a pretty good chance that we could get</p> <p>24 this award this year. So I wanted to talk about</p> <p>25 that because that's a feather in MPA's cap, good</p>	<p>16</p> <p>1 operations, good enforcement. So Doral has been --</p> <p>2 I think this is a good blueprint for the future.</p> <p>3 MR. WILMOTH: Margarita, do we have the</p> <p>4 ability to send out that survey electronically as</p> <p>5 well, send out to other jurisdictions?</p> <p>6 MS. DELGADO: Yes. Yes. Absolutely. But I</p> <p>7 wanted -- we wanted to -- I love to go out and talk</p> <p>8 to the public. There's nothing like face-to-face</p> <p>9 and kind of interaction to get how people feel.</p> <p>10 Yes, absolutely we can send it out. And, actually,</p> <p>11 if we're moving to other areas, that could probably</p> <p>12 be the way to reach the critical masses.</p> <p>13 MR. WILMOTH: Thank you.</p> <p>14 MS. DELGADO: Any other questions?</p> <p>15 And the other stuff is back office stuff, a</p> <p>16 lot of writing. We have an article due in December</p> <p>17 about innovation, and a full deck next year with</p> <p>18 articles. We got four approved for next year.</p> <p>19 And what else? SpotHero, the reservations</p> <p>20 app, they -- Mr. Diaz is doing two media</p> <p>21 interactions that the SpotHero staff -- that they</p> <p>22 have a peer agency, and they were able to get two</p> <p>23 publications to highlight the success of SpotHero</p> <p>24 in Miami.</p> <p>25 And writing a lot of content, doing a lot of</p>

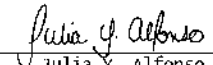
<p>17</p> <p>1 things that are going to be happening in the next</p> <p>2 two to three months. We're beginning the new</p> <p>3 season of a lot of community projects.</p> <p>4 Questions, anyone?</p> <p>5 Valeria.</p> <p>6 MS. GUTIERREZ: Good morning, everyone.</p> <p>7 Valeria Gutierrez from Loud And Live for the</p> <p>8 record.</p> <p>9 Margarita, you missed something really</p> <p>10 important, the coverage of the magazine for Alex.</p> <p>11 MS. DELGADO: I will pay the high price.</p> <p>12 MS. GUTIERREZ: I will get there. I will get</p> <p>13 there. But if you can go to our presentation,</p> <p>14 please.</p> <p>15 So this report is both for July and August.</p> <p>16 One thing I want to point out is that both our</p> <p>17 content for July and August had a lot of hurricane</p> <p>18 parking emphasis. So we did it for Instagram. We</p> <p>19 saw our reel for hurricane parking do really,</p> <p>20 really well. You might have recognized my voice in</p> <p>21 that video if you did watch it.</p> <p>22 But just another thing I wanted to highlight</p> <p>23 is that in every platform a different post</p> <p>24 performed well. So on Facebook, our community</p> <p>25 engagement post of our staff going to the</p>	<p>18</p> <p>1 back-to-school event did really well, and then on</p> <p>2 Twitter cruise parking did really well too.</p> <p>3 Moving to the next slide. And then August we</p> <p>4 did a synergy reel of vacation parking and using</p> <p>5 the Freebee on Instagram. That did really well.</p> <p>6 And then Facebook, Miami Spice. And then for</p> <p>7 Twitter monthly parking did really well too. So</p> <p>8 just wanted to point out exactly that, the</p> <p>9 diversity of posts on different platforms that</p> <p>10 performed well.</p> <p>11 And moving on, just a quick highlight. As I</p> <p>12 just mentioned, we did a vacation parking and</p> <p>13 hurricane -- vacation parking and Freebee reel.</p> <p>14 That performed really well with an engagement of</p> <p>15 3.4. Our industry standard is around 2.5. So</p> <p>16 that's pretty good. Same for the hurricane parking</p> <p>17 reel that had gotten 3.8 engagement rate.</p> <p>18 And then last but not least, an amazing</p> <p>19 highlight that we had this month that we had a</p> <p>20 great synergy and co-collaborated on LinkedIn was</p> <p>21 the feature for -- Alex's feature on the magazine.</p> <p>22 We did a little sneak peek when it was online, and</p> <p>23 then revealed once it got -- we received it on</p> <p>24 print, and both did amazing. People</p> <p>25 congratulating, staff members reposting. So those</p>
<p>19</p> <p>1 are -- we're really, really, really upping our</p> <p>2 LinkedIn -- our LinkedIn numbers and really getting</p> <p>3 out there.</p> <p>4 And just one last slide just to point out our</p> <p>5 social growth. I added some percentages there.</p> <p>6 Obviously, since this -- these past two months</p> <p>7 there haven't been a lot of special events, not a</p> <p>8 lot of people coming into Miami, some of our</p> <p>9 numbers are a little bit on the negative side, but</p> <p>10 I'm confident that the next two months those will</p> <p>11 definitely go up. That's pretty much it.</p> <p>12 Any questions?</p> <p>13 CHAIRPERSON JELKE: No. Thank you.</p> <p>14 MS. GUTIERREZ: Perfect. Thank you.</p> <p>15 CHAIRPERSON JELKE: Okay. Let's move on to</p> <p>16 approval items. Could I please get a motion to</p> <p>17 approve the June financial statements.</p> <p>18 MS. LADRON DE GUEVARA: So moved.</p> <p>19 MR. WILMOTH: Second.</p> <p>20 CHAIRPERSON JELKE: All in favor?</p> <p>21 MR. WILMOTH: Aye.</p> <p>22 MS. LADRON DE GUEVARA: Aye.</p> <p>23 MR. CASSEL: Aye.</p> <p>24 CHAIRPERSON JELKE: Aye.</p> <p>25 That passes unanimously.</p>	<p>20</p> <p>1 Same for the July.</p> <p>2 MS. LADRON DE GUEVARA: So moved.</p> <p>3 MR. WILMOTH: Second.</p> <p>4 CHAIRPERSON JELKE: All in favor?</p> <p>5 MS. LADRON DE GUEVARA: Aye.</p> <p>6 MR. CASSEL: Aye.</p> <p>7 MR. WILMOTH: Aye.</p> <p>8 CHAIRPERSON JELKE: Aye.</p> <p>9 That also passes unanimously.</p> <p>10 And let's go to item -- no, sorry, the regular</p> <p>11 board meeting minutes of July.</p> <p>12 MS. LADRON DE GUEVARA: So moved.</p> <p>13 MR. WILMOTH: Second.</p> <p>14 CHAIRPERSON JELKE: All in favor?</p> <p>15 MS. LADRON DE GUEVARA: Aye.</p> <p>16 MR. WILMOTH: Aye.</p> <p>17 MR. CASSEL: Aye.</p> <p>18 CHAIRPERSON JELKE: Okay. Item 4.</p> <p>19 MR. DIAZ: Okay. Good morning, everybody.</p> <p>20 The next item is the procurement of -- through</p> <p>21 piggyback with Blinkay through Sourcewell Contract</p> <p>22 120423 for the enforcement and solution.</p> <p>23 A little background on that today. The County</p> <p>24 manages the enforcements for all the municipalities</p> <p>25 throughout Dade County. And effective</p>

<p>21</p> <p>1 November 1st, all the municipalities are -- need to</p> <p>2 purchase their own or procure their own enforcement</p> <p>3 solution.</p> <p>4 So over the past several months we posted</p> <p>5 numerous presentations here in our office with</p> <p>6 seven vendors. IT was involved and enforcement</p> <p>7 staff and Marlin staff as well. Through that</p> <p>8 process simultaneously we also had a pilot at the</p> <p>9 Marlins with Blinky as well. And in the Marlins</p> <p>10 we were able to test their complete solution which</p> <p>11 was the ticketing, LPR, invoicing, scanning to pay,</p> <p>12 and promissory notes as well.</p> <p>13 Staff and IT were very satisfied with the</p> <p>14 solution that we rolled out in Marlins, and with</p> <p>15 the presentations we had here, we felt that Blinky</p> <p>16 was the best fit for our needs moving forward.</p> <p>17 They're very innovative.</p> <p>18 In the audience I have Sergio and Carlos with</p> <p>19 Blinky leadership present in case we had any</p> <p>20 further questions. So on top of that, the City of</p> <p>21 Coral Gables and the City of Miami Beach have</p> <p>22 already signed contracts with Blinky to use their</p> <p>23 enforcement solution as well. So that gives us a</p> <p>24 level of comfort that I feel we made the right</p> <p>25 decision going with Blinky.</p>	<p>22</p> <p>1 Regarding the cost. So municipalities pay --</p> <p>2 for City of Miami specifically pay 1.27 per ticket.</p> <p>3 We average 240,000 tickets a year. So that's</p> <p>4 240,000 plus that the City -- the County takes that</p> <p>5 money from the City before they give them their</p> <p>6 citation revenue on a yearly basis. So that goes</p> <p>7 away.</p> <p>8 So the City maintains all that revenue;</p> <p>9 however, we are the ones that are going to absorb</p> <p>10 the cost now. So we're negotiating something with</p> <p>11 the City finance department through our CFO so that</p> <p>12 they will reimburse us for this expense.</p> <p>13 So the year one expense is \$220,000, 112,000</p> <p>14 of that is hardware cost. So the first year is the</p> <p>15 highest. And then years two and three is \$95,725,</p> <p>16 with a total \$412,364 for the first three years.</p> <p>17 So we ask for the board's approval to move forward</p> <p>18 with this.</p> <p>19 CHAIRPERSON JELKE: Any questions?</p> <p>20 MR. CASSEL: Will this be in this fiscal year?</p> <p>21 MR. DIAZ: Yes, it will be -- no.</p> <p>22 MR. SIMPSON: No.</p> <p>23 MR. DIAZ: Next fiscal year. Next fiscal</p> <p>24 year.</p> <p>25 MR. CASSEL: Thank you.</p>
<p>23</p> <p>1 MR. WILMOTH: Real quick. The extension -- I</p> <p>2 saw that the extensions are -- it's a four-year</p> <p>3 contract with three additional years extension.</p> <p>4 And it had said something about extending past the</p> <p>5 additional seven years. Is that a -- that's a</p> <p>6 mutual extension, I'm assuming?</p> <p>7 MR. DIAZ: Yes. I mean, obviously, if we're</p> <p>8 not satisfied with them. The majority of all our</p> <p>9 contracts have a 30-day clause in them to exit, but</p> <p>10 yeah.</p> <p>11 MR. WILMOTH: 60 days.</p> <p>12 MR. DIAZ: But that would come when we do the</p> <p>13 contract negotiations.</p> <p>14 MR. WILMOTH: And after that -- so you have 60</p> <p>15 days' written notice to cancel the contract, but</p> <p>16 then it looks like there may be some financial</p> <p>17 obligation. Even if that's the case -- you said</p> <p>18 the representative is here?</p> <p>19 MR. DIAZ: Yes.</p> <p>20 MR. MASTRONARDI: Yes. Question?</p> <p>21 MR. WILMOTH: Yeah. Am I reading that</p> <p>22 correctly? So to the extent that we want to cancel</p> <p>23 the contract, it's 60 days' written notice. But is</p> <p>24 there any additional financial obligation post</p> <p>25 cancellation of the contract?</p>	<p>24</p> <p>1 MR. MASTRONARDI: The only financial</p> <p>2 obligations will be any services required for</p> <p>3 migration to, let's call it, another technology if</p> <p>4 needed. And that would be on an hourly rate. And</p> <p>5 we provide -- estimates we provide in advance, so</p> <p>6 can be reviewed by your technical group and</p> <p>7 approved.</p> <p>8 MR. WILMOTH: Okay. Fantastic. Thank you.</p> <p>9 That's all I have.</p> <p>10 CHAIRPERSON JELKE: Any other questions?</p> <p>11 MS. LADRON DE GUEVARA: Quick question to</p> <p>12 clarify. To the extent we're working to get</p> <p>13 reimbursed, so is it, like, something that's</p> <p>14 actually going to be reimbursed, or you're still</p> <p>15 not sure if it will actually conclude that you will</p> <p>16 be reimbursed?</p> <p>17 MR. DIAZ: So --</p> <p>18 MR. SIMPSON: Scott Simpson, finance</p> <p>19 department for the record. I am in the process of</p> <p>20 talking to the CFO for the City, and we're just</p> <p>21 trying to find out the most logical way to put</p> <p>22 something down that if either one of us gets hit by</p> <p>23 a truck, the incoming people will know what the</p> <p>24 backup is. So, no, we will get reimbursed?</p> <p>25 MS. LADRON DE GUEVARA: You will?</p>

<p>25</p> <p>1 MR. SIMPSON: Yeah.</p> <p>2 MS. LADRON DE GUEVARA: Okay.</p> <p>3 MR. SIMPSON: Yeah. Yeah. As Angel said, it</p> <p>4 benefits the City because, think about it, they're</p> <p>5 going to pick up an extra \$300,000 just in the</p> <p>6 first year of the tickets they run even after</p> <p>7 paying that. And then the following year, you take</p> <p>8 the 240,000 -- it's over \$300,000. It's a win-win</p> <p>9 for them, you know. And, again, the City -- still</p> <p>10 the money and everything is still going to flow the</p> <p>11 exact same way, so it's transparent to the City.</p> <p>12 MS. LADRON DE GUEVARA: Thank you.</p> <p>13 MR. WILMOTH: We don't pick up any additional</p> <p>14 liability in doing that, I mean, outside of the</p> <p>15 expenses?</p> <p>16 MR. SIMPSON: We always have liability. I</p> <p>17 mean, there's liability driving to work, so I can't</p> <p>18 say that. But there are so many more benefits to</p> <p>19 going to this solution. You know, the prior vendor</p> <p>20 was not cooperative in software updates. You know,</p> <p>21 if you needed reports to do our jobs better, it</p> <p>22 just wasn't available. The provider that we have</p> <p>23 selected for this can do those things that we</p> <p>24 definitely need. So it will be a pickup on</p> <p>25 efficiency as well as a pickup on the financial</p>	<p>26</p> <p>1 side.</p> <p>2 MR. WILMOTH: Okay.</p> <p>3 CHAIRPERSON JELKE: Seeing no other questions,</p> <p>4 can I get a motion to pass it?</p> <p>5 MS. LADRON DE GUEVARA: So moved.</p> <p>6 MR. WILMOTH: Second.</p> <p>7 CHAIRPERSON JELKE: All those in favor?</p> <p>8 MS. LADRON DE GUEVARA: Aye.</p> <p>9 MR. WILMOTH: Aye.</p> <p>10 MR. CASSEI: Aye.</p> <p>11 CHAIRPERSON JELKE: Aye.</p> <p>12 Motion passes.</p> <p>13 Item five.</p> <p>14 MR. ESPINOSA: Yes. Henry Espinosa, director</p> <p>15 of IT for the record.</p> <p>16 This item is a request to replace two of our</p> <p>17 core switches. Switches are the devices that</p> <p>18 interconnect all the computer systems. And when I</p> <p>19 refer to core switches, I mean like the two really</p> <p>20 big ones that connect our servers to everything</p> <p>21 else in the organization. The ones that we have in</p> <p>22 place right now are approaching 10 years old, so</p> <p>23 it's time to replace them.</p> <p>24 For this purchase we are referencing the UVA</p> <p>25 contract. We looked around at various vendors for</p>
<p>27</p> <p>1 pricing, and by referencing this contract we get,</p> <p>2 you know, by far, the best price. There's no</p> <p>3 ongoing service with this or contracts or anything</p> <p>4 like that. It's just simply hardware.</p> <p>5 The warranty for these are provided by the</p> <p>6 manufacturer, Hewlett Packard Enterprises, which</p> <p>7 makes this hardware. So there's no additional</p> <p>8 agreements or anything else that's required with</p> <p>9 this item.</p> <p>10 CHAIRPERSON JELKE: Any questions?</p> <p>11 MR. WILMOTH: What's the --</p> <p>12 CHAIRPERSON JELKE: Would anyone like to move</p> <p>13 the item?</p> <p>14 MS. ARGUDIN: He's asking questions.</p> <p>15 MR. WILMOTH: No, no, no. That's okay.</p> <p>16 CHAIRPERSON JELKE: Oh, I'm sorry. I missed</p> <p>17 what you said.</p> <p>18 MR. WILMOTH: That's okay.</p> <p>19 CHAIRPERSON JELKE: So no questions?</p> <p>20 MR. WILMOTH: No questions.</p> <p>21 CHAIRPERSON JELKE: It's okay.</p> <p>22 MS. LADRON DE GUEVARA: So moved.</p> <p>23 MR. WILMOTH: Second.</p> <p>24 CHAIRPERSON JELKE: There's a second.</p> <p>25 All those in favor?</p>	<p>28</p> <p>1 MS. LADRON DE GUEVARA: Aye.</p> <p>2 MR. CASSEL: Aye.</p> <p>3 MR. WILMOTH: Aye.</p> <p>4 CHAIRPERSON JELKE: All right.</p> <p>5 MS. ARGUDIN: Thank you.</p> <p>6 CHAIRPERSON JELKE: Thank you.</p> <p>7 MS. ARGUDIN: So I've had the pleasure of</p> <p>8 introducing Pablo to Debbie. You knew him from</p> <p>9 before when he was our city attorney representing</p> <p>10 us at the City. This is our new attorney that we</p> <p>11 have hired to replace Roland. He has many years of</p> <p>12 experience. He used to be, as I said, our</p> <p>13 attorney. So he understands our organization, what</p> <p>14 we do here. It's an easy transition. And we're</p> <p>15 very happy to have him.</p> <p>16 So welcome, Pablo, onboard.</p> <p>17 The next item is -- I wanted to bring you up</p> <p>18 to speed on Amendment to Chapter 35. We've talked</p> <p>19 about this for quite some time. That's how long</p> <p>20 we've been working on this amendment, in part</p> <p>21 because our code is very antiquated, especially our</p> <p>22 chapter.</p> <p>23 And sometimes, you know, what we really have</p> <p>24 focused on in the past have been the rate changes,</p> <p>25 adding new facilities, but never a holistic look</p>

<p>29</p> <p>1 from beginning to end. Sometimes -- and more often 2 than not, when you make a change in part of the 3 code and you don't make a change in the -- you 4 know, you read through it, then it affects another 5 part of the code that sometimes doesn't get looked 6 at. So then you have, you know, items that are 7 contradicting each other.</p> <p>8 So we have taken a very long time to look at 9 this because in part, as you know, we're rolling 10 out a lot of technology, and we don't have the 11 legislation to be able to support us on rolling out 12 the technology. We're looking at efficiency. 13 We're looking at how to make our organization more 14 efficient by using these technologies, and right 15 now we can't.</p> <p>16 I've had several conversations. Every time I 17 meet with any commissioner -- because this has to 18 go before city commission for two readings. So I 19 want to make sure that they know that this is 20 coming. I've had a lot of support.</p> <p>21 Although I've already spoken to them now in 22 the budget briefings, I also bring it up that this 23 is going to come before them. I'm trying to take 24 it to them before the end of the year. And then, 25 you know, I'll sit with Art as well as the City</p>	<p>30</p> <p>1 manager and someone who understands this 2 organization so he can help me with that as well.</p> <p>3 There will be no rate changes. So it's really 4 more about the technology that we want to push 5 through. And so, so far we've had very good 6 support. So I'm letting you know that I will bring 7 this to the board so that you can read through the 8 amendment and get your approval before I take it to 9 the City.</p> <p>10 MR. DIAZ: Cleverciti. So if you guys 11 remember, we installed the Cleverciti solution in 12 Midtown. Had some challenges there. So we decided 13 to remove that equipment and install it in Wynwood 14 where we'll better serve, and actually one of the 15 areas where we'll generate -- probably the area 16 we'll generate the most revenue in the on-street 17 side of our operations.</p> <p>18 So we removed all 51 cameras. We started 19 installing them with Cleverciti. We have installed 20 six so far and, you know, a couple of hurdles to 21 start the process. So this month we'll probably 22 ramp up and get a good amount of them done.</p> <p>23 So now we can start using analytics, using the 24 occupancy data, the payment data to kind of better 25 use the solution to better enforce the Wynwood area</p>
<p>31</p> <p>1 which is one of the hardest areas to enforce 2 because of the -- how busy it is, the traffic and 3 the turnover, so it's hard for officers to get in 4 there. So we're trying to be more efficient. 5 We're really -- this will show the technology that 6 we're using, and we're prepared for future 7 technologies moving forward.</p> <p>8 Yes.</p> <p>9 MR. CASSEL: Why didn't it work on the first 10 location? What was the challenge there?</p> <p>11 MR. DIAZ: The biggest challenge there is they 12 have like their own kind of business improvement 13 district which is both commercial and residential 14 kind of combined. So that alone was hard to get 15 them to approve the solution. Once they did, you 16 know, they approved it through e-mail, through the 17 manager there.</p> <p>18 But then we just kept getting hurdles with 19 them as far as the power, because we had problems 20 with the power. So they didn't want to work with 21 us on the power. We wanted to put photocells, they 22 didn't want us to do that. So we wanted to run the 23 power from the bottom, they didn't want to do that.</p> <p>24 So it's just been a challenge with that 25 because they actually -- that's the one area in the</p>	<p>32</p> <p>1 city where they actually own -- the light poles are 2 theirs. Like we have to go through them. We can't 3 go through city hall or anybody. It has to go 4 through them because the agreement they have with 5 that district. So it's just -- it was a real hard 6 challenge to manage that. They didn't really 7 appreciate the solution.</p> <p>8 So I think in Wynwood it would do a lot 9 better, and we already got -- we're in approval 10 from Wynwood BID to move forward.</p> <p>11 MR. WILMOTH: Is there a visualization 12 component to this to upgrade the technology? So 13 are we able to now track this data in realtime 14 visually or --</p> <p>15 MR. DIAZ: Correct. Yes. 100 percent. We'll 16 be able to see length of stay, actual payments 17 realtime. It has a heat map that shows you where 18 the areas are busy and which areas are paid and not 19 paid. And then, obviously, there's a whole lot of 20 data analytics to that as well to look at.</p> <p>21 So Doral. Margarita kind of spoke on the 22 latest we're doing in Doral. She did the survey 23 with Wilfred. Very positive feedback from them. 24 City is also very pleased with our efforts there. 25 Humberto, Wilfred manage that on the daily.</p>

<p>1 I believe Bert got approval to add some more 2 PayByPhone a couple more blocks to add to the 3 PayByPhone inventory in Doral. So hopefully and 4 thankfully we have no issues there, and it's moving 5 pretty seamlessly.</p> <p>6 The school year started. You know, couple of 7 hiccups with -- you know how that is the first week 8 of school. So that was a little bit of a 9 challenge, but no major issues. We worked through 10 it and we're doing well with that area as well. So 11 no issues with Doral so far.</p> <p>12 MS. ARGUDIN: So before I speak a little bit 13 about Allapattah because now he's here. We never 14 really get a chance to, I would say, praise, for 15 lack of a better word, you know, our managers, our 16 senior managers, they are the hustlers and, 17 honestly, the lifeline of this place, and they just 18 go and they grind. And not often do you get a 19 comment from the public, you know, thanking or 20 praising any of them. It's a pretty thankless job, 21 especially enforcement.</p> <p>22 So Humberto. I received an e-mail from a 23 gentleman by the name of Robert Quintero in Design 24 District who says that his professionalism deserves 25 a lot of merit and deserves for us to recognize</p>	<p>33</p> <p>1 him, because he had an issue, and his issues 2 typically go unanswered, or it takes a long time 3 before they get a response from anybody, especially 4 in the government. I think that's something that 5 we always strive for, for people not to think of us 6 as that.</p> <p>7 And when there's a problem on the street, the 8 one that goes to give face is Bert or any of my 9 staff. It's not that they send some -- you know, 10 somebody that, you know, maybe a frontline 11 employee. No, they go themselves. And that's a 12 testament, because we never get these e-mails, you 13 know, very seldomly.</p> <p>14 And I would actually say, we're getting them 15 more often than not. We've gotten more e-mails in 16 probably the last couple of years than I have in 17 the time that I've been here thanking our staff for 18 being so responsive. So, Bert, I wanted to 19 recognize you. You deserve the recognition.</p> <p>20 We have our community leaders -- like our 21 community -- I don't know if you know this. I went 22 to this meeting and I thought, okay, I'm going to 23 be ready for this meeting. I go, I sit, I present 24 myself. And they're like, Thank you for being 25 here. Is Bert here?</p>
<p>35</p> <p>1 I'm like, No, I'm here. 2 I'm like, Bert, I'm not going to any more 3 meetings. You can go. 4 So thanks, Bert, for representing us so well. 5 The Allapattah Walkthrough. So one of the 6 things that we are focusing on is seeing that 7 there's a lot of growth happening in our city and 8 that there are opportunities for us to continue to 9 develop or to provide public parking. 10 Allapattah has a -- there's a gaping hole 11 there for us that we don't have a lot of public 12 parking in the area, and that area is continuing to 13 grow. As a matter of fact, Wynwood has already 14 crossed over to the other side. And I know this 15 moreover because they are always on the street, and 16 they come back to the office and they say, Hey, 17 Allapattah is growing immensely. This is what's 18 happening on the street. 19 And we are walking through Allapattah, seeing 20 if there's any pocket areas where we can provide 21 some public parking and alleviate a lot of the 22 pressures that they're having and problems that 23 they're having with parking, especially in the 24 linear district, 17th Avenue. We haven't even gone 25 to 20th and 36th because they're having issues</p>	<p>36</p> <p>1 there as well. 2 So we are looking at opportunities there. We 3 have met with the commissioner, pointed out some of 4 the areas that we are already looking at. You 5 know, there are opportunities. Some of them are 6 just -- we can't even -- they're so expensive. You 7 know, some of the property owners won't lease or 8 sell for -- it's just an amount of money that we 9 can't even begin to scratch the surface of. 10 I have reached out to some developers to see 11 if they are interested in those properties that we 12 can go in with them, and they're like -- you know, 13 some of them are super outpriced. 14 But there is an opportunity down by 27th, 15 around 17th, as long as we can get some little 16 pocket areas where we can provide the parking. 17 Even if it's we lease it and we put some paid 18 parking, it would be very good for that community. 19 So we are focused on Allapattah right now to 20 see what we can provide and what we can do. And 21 we're continuing to do these walk-throughs and 22 seeing what the opportunities are. 23 And that's it for us. 24 The budget meeting is set for this Saturday at 25 10:00 a.m. Watch it if you have nothing else to</p>

<p>37</p> <p>1 do. Live on Channel 77. So that's it for us.</p> <p>2 I don't know if anybody has questions for me?</p> <p>3 MS. LADRON DE GUEVARA: I have a question on</p> <p>4 the Doral revenue. For June, July -- there's</p> <p>5 significant decrease in May. It went from \$1,000</p> <p>6 to 1,000. Is that correct or is something --</p> <p>7 MR. DIAZ: You said the revenue?</p> <p>8 MS. LADRON DE GUEVARA: The Doral revenue, the</p> <p>9 KPI report, it's down by 98 percent. Well, the</p> <p>10 revenue versus the benchmark, but it's like \$1,000.</p> <p>11 Is that just a typo maybe? Hopefully.</p> <p>12 MR. DIAZ: I have to look. I don't have it</p> <p>13 with me here, but --</p> <p>14 MR. WILMOTH: It's page 140.</p> <p>15 CHAIRPERSON JELKE: Oh, you mean the first</p> <p>16 May?</p> <p>17 MS. SOLIMAN: Yeah. It was the first.</p> <p>18 MS. LADRON DE GUEVARA: Oh, that's the first</p> <p>19 one. Okay, okay.</p> <p>20 MS. SOLIMAN: It was the first month ever.</p> <p>21 CHAIRPERSON JELKE: That's the first month of</p> <p>22 the operation, so it was just --</p> <p>23 MS. LADRON DE GUEVARA: I'm sorry. I didn't</p> <p>24 mean to give you a heart attack.</p> <p>25 MS. ARGUDIN: I'm like, what do you mean?</p>	<p>38</p> <p>1 MS. LADRON DE GUEVARA: I was like, wait. I</p> <p>2 usually see this. Okay.</p> <p>3 MR. DIAZ: Thanks, Tom.</p> <p>4 CHAIRPERSON JELKE: Any other questions?</p> <p>5 MS. LADRON DE GUEVARA: No.</p> <p>6 CHAIRPERSON JELKE: Okay. Thank you.</p> <p>7 Is there a motion to adjourn the meeting?</p> <p>8 MS. LADRON DE GUEVARA: So moved.</p> <p>9 MR. WILMOTH: Second.</p> <p>10 CHAIRPERSON JELKE: All those in favor?</p> <p>11 MR. WILMOTH: Aye.</p> <p>12 MS. LADRON DE GUEVARA: Aye.</p> <p>13 MR. CASSEL: Aye.</p> <p>14 CHAIRPERSON JELKE: Aye.</p> <p>15 (Thereupon, the meeting was adjourned at</p> <p>16 8:40 a.m.)</p>
<p>39</p> <p>1 C E R T I F I C A T E</p> <p>2</p> <p>3 THE STATE OF FLORIDA</p> <p>4 COUNTY OF MIAMI-DADE</p> <p>5 I, Julia Y. Alfonso, RPR, FPR-C, do hereby</p> <p>6 certify that I was authorized to and did</p> <p>7 stenographically report the foregoing proceedings</p> <p>8 and that the transcript is a true and complete</p> <p>9 record of my stenographic notes.</p> <p>10 I further certify that I am not a relative,</p> <p>11 employee, attorney or counsel of any of the</p> <p>12 parties, nor relative or employee of such attorney</p> <p>13 or counsel, nor financially interested in the</p> <p>14 foregoing action.</p> <p>15 Dated this 20th day of September, 2024,</p> <p>16 Miami-Dade County, Florida.</p> <p>17</p> <p>18 </p> <p>19 <u>Julia Y. Alfonso, RPR, FPR-C</u></p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	



TO: Honorable Chairperson and Members of the Off-Street Parking Board

FROM: Alejandra Argudin, Chief Executive Officer, Miami Parking Authority *mc for AA*

SUBJECT: Proposed Changes to Chapter 35 of the Code of the City of Miami, Florida – Motor Vehicles and Traffic

DATE: October 2, 2024

Please find the proposed amendments to Chapter 35 of the Code of the City of Miami, Florida ("City Code"), concerning "Motor Vehicles and Traffic" (attached hereto as "Exhibit A"), effective during Fiscal Year 2024-2025. A substantial portion of Chapter 35 of the City Code has not been updated by the City of Miami Commission ("City Commission") for well over a decade, while new parking innovations have emerged and the costs of operating and managing the public parking system have continued to surge. To effectively manage the ever-increasing demand for public parking, implementation of innovative parking enhancements are required, such as mailing invoices in lieu of citations and monetizing curb loading zone parking, which are crucial elements in achieving this goal.

The Department of Off-Street Parking of the City of Miami, Florida d/b/a the Miami Parking Authority ("MPA") has conducted research analyzing the City's curb loading zone parking and the outcome has demonstrated the need for the City to regulate the curb loading zone parking by monetizing the spaces for purposes of limiting the time usage by vehicle operators, which will, in turn, provide an opportunity to maximize the usage of the parking spaces accordingly. Furthermore, the MPA staff proposes the added efficiency of mailing invoices in lieu of citations for failure to pay metered parking for motor vehicles. Mailing invoices in lieu of citations will assist both the MPA's parking enforcement and its collections efforts.

In spite of the ever-increasing costs of the public parking system, the MPA staff solely proposes a change to the special events rate. Currently, the rate is \$30.00 per on-street parking space per day during special events and construction uses and the newly proposed rate would adjust said amount by up to \$50.00.

Additionally, the MPA staff wants to utilize this opportunity to address the vital cleanup of certain language that is presently obsolete. Section 35-163 (Failure to appear and pay fine within prescribed time) and Section 35-164 (Penalty for violations of division) of the City Code are remnants of a bygone era when the City had a municipal court to prosecute City ordinances regulating and enforcing traffic laws, including off-street parking. In the modern day, there is no such court and the issuance of an arrest warrant to have an individual taken into custody for a civil non-moving traffic violation is beyond the City Clerk's authority. Consequently, both sections are being stricken from the proposed amended Chapter 35.

In conclusion and pursuant with Section 23(d) of the Charter of the City of Miami, Florida ("City Charter"), and applicable City Code provisions, the MPA staff respectfully requests approval of the proposed amendments to Chapter 35 of the City Code, concerning "Motor Vehicles and Traffic", in substantially the attached form, for consideration and final approval by the City Commission.

Furthermore, the MPA staff seeks concurrent authority to allow the Chief Executive Officer, or her designee ("CEO"), to effectuate the amendments to Chapter 35 of the City Code, including the right to further revise, improve, and modify the same, as may be deemed reasonably necessary, without the need for subsequent Board approval, subject to legal review, and in compliance with all applicable laws, rules, and regulations.

Chapter 35 MOTOR VEHICLES AND TRAFFIC¹

ARTICLE I. IN GENERAL

Sec. 35-1. Definitions.

The following words and phrases, when used in this chapter, shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section, except where the context clearly indicates a different meaning:

Alley: Every street or way within a block, set apart for public use, vehicular travel and location convenience, except footpaths.

Authorized emergency vehicle: Vehicles of the fire-rescue department, police vehicles and such ambulances and emergency vehicles of city departments, public service corporations or private ambulance companies or such others as are designated or authorized by the city commission, by the chief of police or by other governmental agency.

Bus: Every public motor vehicle designed for carrying more than ten passengers and used for the transportation of persons, and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

Bus stand: A fixed area in the roadway parallel and adjacent to the curb to be occupied exclusively by buses, for layover in operating schedules or waiting for passengers.

Commercial vehicle: Every vehicle designed, used or maintained primarily for the transportation of property.

Crosswalk: That portion of a roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections, or a portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Curb loading zones: A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

Double parking, double standing or double stopping: The parking, standing or stopping of a vehicle upon the roadway side of another vehicle parking, standing or stopping, but not legally within or adjacent to an open parking space.

Driver: Every person who drives or is in actual physical control of a vehicle or who is exercising control of a vehicle or steering a vehicle being towed by a motor vehicle.

Freight, or Commercial curb loading zone: A space adjacent to a curb for the exclusive use of commercial vehicles during the loading or unloading of freight, that may be metered.

City Code cross references—Bicycles, ch. 8; dumping on public right-of-way prohibited, § 22-11; living or sleeping in vehicle, § 37-4; cars, trucks, buses or similar vehicles in parks, § 38-50; bicycles, motor bikes, etc., in parks, § 38-51; police, ch. 42; motorized vehicles on piers at city marinas, § 50-227; streets and sidewalks, ch. 54; permit required for parades and processions, § 54-6; vehicles for hire, ch. 57.

State law reference(s)—Motor vehicles, F.S. ch. 316 et seq.; motor vehicle noise, F.S. §§ 316.293, 403.415 et seq.; identification of vehicles, F.S. § 316.3027; custody and detention of minors, traffic offenders, F.S. § 316.635; vehicle identification, F.S. § 319.33; offenses concerning motor vehicles, F.S. ch. 860.

Holidays: Where used in this chapter or on official signs erected by authorized official agencies shall, in addition to Sundays, mean those entire days declared holidays by this Code or any other ordinance of the city.

Intersection: The area embraced within the prolongation of the lateral curblines or, if none, then the lateral boundary lines of two or more roadways which join one another at an angle, whether or not one such roadway crosses the other. Where a street includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided street by an intersecting street shall be regarded as a separate intersection. In the event such intersecting street also includes two roadways 30 feet or more apart, then every crossing of two roadways of such streets shall be regarded as a separate intersection.

Juveniles: For the purpose of this chapter, all persons under the age of 17 years shall be known and referred to as a "juveniles."

Motor-driven cycle: Every motorcycle, including every motor scooter and e-bikes, with a motor which produces not to exceed five brake horsepower, and every bicycle with motor attached.

Motor vehicle: All vehicles propelled by power (other than muscular power), trailers, semitrailers, trailer coaches and trolley coaches, excepting, however, road rollers and vehicles which operate only upon rails or tracks in place on the ground or that travel through the air or that derive that motive power from overhead electric lines, farm tractors, farm trailers and other machines and tools used in the production, harvesting and care of farm products.

Motorcycle: Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

Parking Access and Revenue Control Systems ("PARCS"): Real-time, self-service parking systems for transient and credentialed customers. PARCS automates the entry, exit, and payment of all customers accessing a parking facility.

Official traffic control devices: All signs, signals, markings and devices not inconsistent with this chapter or prohibited by statute, placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

Official traffic control signal: Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

Owner: Any person, association of persons, firm or corporation in whose name the title to a motor vehicle is registered.

Park or parking: The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise, prepared food, groceries, or passengers as may be permitted by this chapter or other applicable law.

Parking enforcement specialist: A parking enforcement specialist employed by the Department of Off-Street Parking ("DOSP"), also known as the Miami Parking Authority ("MPA"), is authorized to enforce all state, county, and municipal laws and ordinances governing parking within the boundaries of the municipality and the county, pursuant to F.S. § 316.640(3)(c), as amended from time to time.

Parking meter: A mechanical timing device, or virtual meter used for the purpose of regulating parking, and which is actuated by the insertion of a coin and the operation of a lever or cranking device, or otherwise operated electronically with or without an online app.

Passenger curb loading zone: An area adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers only.

Pedestrian: Any person afoot.

Police officer: Every officer of the police department or any officer authorized to direct or regulate traffic or to make arrests.

Public right-of-way: That land held in trust by the city between the base building lines, including the sidewalk, swale and parkway area, and the roadway, street and highway.

Right-of-way: The privilege of the immediate use of the street.

Roadway: Those portions of a street or highway improved, designed or ordinarily used for vehicular travel.

Semitrailer: Every vehicle of the trailer type, so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its load rests upon or is carried by another vehicle.

Sidewalk: That portion of a street between the curblines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians.

Smart Loading Zone: a designated space along the curb dedicated to loading and unloading passengers, food, or goods, regulated, and metered, in part, by sensor, GIS, camera, or software technology.

Stop: When required, means complete cessation of movement.

Stop, stopping or standing: When prohibited, means any halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

Street or highway: Every way or place of whatever nature open to the use of the public, as a matter of right, for purposes of vehicular travel. The term "street" shall not be deemed to include a roadway or driveway upon grounds owned by private persons, colleges, universities or institutions.

Taxi, taxicab: A licensed public motor vehicle for hire designated and constructed to seat not more than seven persons and operating as a common carrier on call or demand.

Taxicab stand: A fixed area in the roadway parallel and adjacent to the curb set aside for taxicabs to stand or wait for passengers.

Transportation Network Company ("TNC"): Businesses that connect passengers with drivers for prearranged trips using an online platform or app. TNC's are also known as rideshare companies, i.e. Uber.

Trailer: Every vehicle without motive power, designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle.

Truck: Any motor vehicle which is used for the transportation or delivery of goods, with a body built and designed for that purpose.

Zoned residential district: Those geographical areas as depicted in the zoning atlas, which is a part of the zoning ordinance of the City of Miami, Florida.

(Code 1967, § 34-1; Ord. No. 10667, § 1, 11-30-89; Code 1980, § 35-1)

County Code cross reference—Similar provisions, § 30-202.

State law reference(s)—Similar provisions, F.S. § 316.003.

Sec. 35-2. Applicability of chapter generally.

This chapter applies to every street, loading zone, alley, sidewalk, driveway, park area and every other way or public property, either within or outside the city, the use of which the city and/or the Miami parking authority, has jurisdiction and authority to regulate.

(Code 1967, § 34-2; Code 1980, § 35-2)

Sec. 35-3. Placing advertising in or on vehicles.

It shall be unlawful for any person to throw into or upon any bus or automobile or other vehicle any handbill, dodger or advertising notice without the consent of the owner or operator thereof.

(Code 1967, § 38-21; Code 1980, § 37-29)

County Code cross reference—Throwing advertising materials in motor vehicles, § 30-258.

State law reference(s)—Throwing advertising materials in motor vehicles, F.S. § 316.2055.

Sec. 35-4. Hitchhiking.

No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any private vehicle.

(Code 1967, § 38-22; Code 1980, § 37-30)

State law reference(s)—Power of local authorities to control, regulate, or prohibit hitchhiking, F.S. § 316.008(1)(u).

Sec. 35-5. Play streets.

(a) The city manager is hereby authorized to declare and to establish, whenever he/she shall find that the public safety and convenience are best served thereby, any street or part thereof a play street and to place appropriate signs and barricades enclosing the roadway indicating and helping to protect the same.

(b) Whenever authorized signs and barricades are erected enclosing any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof.

(Code 1967, § 34-6; Code 1980, § 35-6; Ord. No. 13676, § 2, 4-27-17)

State law reference(s)—Power of local authorities to designate and regulate traffic on play streets, F.S. § 316.008(1)(p).

Sec. 35-6. Obedience to official traffic control devices.

(Code 1967, § 34-6; Code 1980, § 35-7)

County Code cross reference—Obedience to official traffic control devices, § 30-217(1).

State law reference(s)—Obedience to official traffic control devices, F.S. § 316.074.

Sec. 35-7. Interference with traffic control devices, etc.; driving around or over barricade.

(Code 1967, § 34-6; Code 1980, § 35-8)

County Code cross references—interference with traffic control devices, etc.; driving around or over barricade, § 30-217(2); detour signs to be respected, § 30-220.

State law reference(s)—Interference with official traffic control devices or railroad signs or signals, F.S. § 316.0775; detour signs to be respected, F.S. § 316.078.

Sec. 35-8. Disabled pedestrians—Generally.

(Code 1967, § 34-6; Code 1980, § 35-9)

State law reference(s)—Disabled pedestrians, F.S. § 316.1301.

Sec. 35-9. Same—Right-of-way; precautions to avoid injury.

(Code 1967, § 34-6; Code 1980, § 35-10)

State law reference(s)—Disabled pedestrians, F.S. § 413.08.

Sec. 35-10. Parking for certain purposes prohibited.

- (a) No person shall park a vehicle upon any street or within the public right-of-way for the principal purpose of:
 - (1) Displaying such vehicle for sale.
 - (2) Washing, greasing or repairing such vehicle, except repairs necessitated by an emergency.
 - (3) Displaying advertising.
 - (4) Selling merchandise from such vehicle, except in a duly established marketplace, or when so authorized or licensed under this Code or other ordinances of the city.
 - (5) Storage, or as junkage or dead storage for more than 24 hours.
- (b) No person shall park a commercial vehicle, bus, trailer or semitrailer upon any street or within the public right-of-way in any zoned residential district of the city.
- (c) No person shall park upon any street or within the public right-of-way in any zoned residential district of the city a truck with any of the following characteristics:
 - (1) The weight is one-ton capacity or more.
 - (2) The height is eight feet or taller, including ladders or other attachments to the top of the vehicle.
 - (3) The width exceeds six feet ten inches, excluding mirrors.
 - (4) The overall length exceeds 18 feet six inches.
 - (5) Open trucks having load space exceeding nine feet six inches in length.
 - (6) It has dual wheels.
 - (7) It has more than two axles.
- (d) Except in conjunction with authorized active continuing construction on the abutting premises, no person shall park construction equipment such as earth moving machines, excavators cranes and the like, within the public right-of-way in any zoned residential district.
- (e) No person shall park major recreational equipment such as travel trailers, pickup campers, motorized homes, tent campers, tents, boats and boat trailers, combinations thereof, and other similar equipment, cases or boxes for transporting such equipment, whether occupied by such equipment or not, upon any street or within the public right-of-way in any zoned residential district, except for a period not to exceed ~~12 hours~~ 1 hour for the purpose of loading and unloading.
- (f) The enforcement of this section may be initiated by city personnel listed in City Code section 2-813 in accordance with the procedure set forth in the City Code section 2-814, or by enforcement specialists from the Department of Off-Street Parking ("DOSP"), also known as the Miami Parking Authority ("MPA"), pursuant to F.S. § 316.640(3)(c), as amended from time to time.

(Code 1967, § 34-25; Ord. No. 10667, § 1, 11-30-89; Code 1980, § 35-11)

County Code cross reference—Similar provisions, § 30-388.15.

State law reference(s)—Similar provisions, F.S. § 316.1951.

Secs. 35-11—~~35-35. Reserved~~ Immobilization/Booting of Motor Vehicles.

(a) Notwithstanding anything to the contrary under Division 3, Chapter 35 of the city code, the MPA may immobilize/boot a motor vehicle which is parked within an MPA owned and/or operated parking facility for any of the following reasons:

- (1) Vehicles parked or stored for more than 72 consecutive hours without MPA authorization.
- (2) After the third tailgating violation within a 1 year period.
- (3) Vehicles deemed by the MPA as abandoned and/or inoperable.

(b) Procedure for immobilizing/booting vehicles:

- (1) Identify vehicles and provide reason for booting.
- (2) For vehicles parked over 72 consecutive hours and deemed to be abandoned or inoperable, the MPA shall attempt to notify the owner, operator, or person legally in control of the vehicle to promptly retrieve said vehicle before MPA commits to any booting activity. A verbal warning to the owner, operator, or person legally in control of the vehicle shall also satisfy this requirement.
- (3) MPA authorized personnel will place the boot once the reason for immobilization/booting is approved and confirmed by an MPA Senior Manager or Director of Operations.
- (4) Immobilization/booting shall be accomplished by placing one steel boot, or similar apparatus, on the wheel of the motor vehicle.
- (5) Upon immobilization/booting, MPA shall immediately affix a warning notice in English and Spanish on the driver's side window of the vehicle indicating that: (i) the vehicle is immobilized/booted, (ii) that any attempt to move such steel boot will cause damage to the vehicle, (iii) show the telephone number to contact MPA personnel to release of the immobilization/booting device, and (iv) the fee required for the removal of the boot, or similar apparatus.
- (6) The customer must pay the amount due and an administrative fee to MPA, in accordance with the rates under subsection (c) below, as may be amended from time to time.
- (7) Once payment is finalized, the boot will be removed by MPA authorized personnel.
- (8) If vehicle is towed, all parking fees must be recovered by the MPA prior to release of vehicle from the towing company.

(c) Fees:

- (1) Amount due for either tailgating or extended stay (facility daily rates will apply).
- (2) Administrative fee: \$50.00.

(d) Facilities subject to immobilization/booting, under this section are as follows:

- (1) Courthouse Center Garage (40 NW 3rd Street Miami, FL 33128)
- (2) Cultural Arts Garage (90 SW 1st Street Miami, FL 33130)
- (3) College Station Garage (190 NE 3rd Street Miami, FL 33132)

- (4) James L. Knight Center Garage (100 SE 2nd Street Miami, FL 33131)
- (5) Regatta Harbour Garage (3351 Pan American Dr. Miami, FL 33133)
- (6) Lot 18 (1320 NW 12th Street Miami, FL 33125)
- (7) Lot 26 (1355 NW 12th Street Miami, FL 33125)
- (8) Lot 72 (2600 S. Bayshore Dr. Miami, FL 33133)

(e) Signage requirements:

- (1) Signs shall be notably placed at each vehicle entry point.

Sec. 35-12----35-35. Reserved

ARTICLE II. ADMINISTRATION AND ENFORCEMENT²

Sec. 35-36. Duties of police department.

It shall be the duty of the chief of police and other members of the police department to enforce the provisions of this chapter and the state and county vehicle laws applicable to traffic in the city, to make arrests for traffic violations, to assist in the prosecution of persons charged with such violations, to investigate accidents, to cooperate with the officials of the city and the county in the administration of this chapter and county traffic ordinances and in developing ways and means to improve traffic conditions, and to carry out those duties especially imposed by this chapter and the traffic ordinances of the county.

(Code 1967, § 34-11; Code 1980, § 35-21)

State law reference(s)—Obedience to police and fire department officials, F.S. § 316.072(3).

Sec. 35-37. Storage charges at auto pound.

- (a) The commission hereby establishes the following daily charges at the city auto pound for the storage of motor vehicles as follows:

Daily
Fee

Motorcycles \$6.00

Passenger vehicles \$8.00

Trucks \$10.50

- (b) With respect to stolen motor vehicles, the above daily charges shall not commence until either: (a) 24 hours after the owner of said vehicle has been personally notified that the vehicle is impounded and the location of its impoundment; or (b) seven days after notice of such impoundment and location has been sent via regular mail and via certified mail, return receipt requested, to the address of the owner as reflected on the registration or title records of the state agency having custody of such records, whichever occurs earlier.

(Code 1967, § 34-21.1; Ord. No. 9201, § 1, 11-26-80; Ord. No. 9268, § 1, 5-15-81; Code 1980, § 35-33)

²County Code cross reference—Enforcement of traffic laws within the county, § 30-204.

State law reference(s)—Enforcement of state traffic laws, hot pursuit, F.S. § 316.640.

Secs. 35-38—35-95. Reserved.

ARTICLE III. PARKING METER ZONES³

DIVISION 1. GENERALLY

Sec. 35-96. Designation of certain zones; installation of meters.

- (a) The director of the department of off-street parking is hereby authorized to determine and designate metered parking zones and to install and maintain upon any of the streets or parts of streets as many parking meters as necessary in such metered parking zones, where it is determined that the installation of parking meters shall be necessary to aid in the regulation, control, and inspection of the parking of vehicles. For purposes of this section metered parking zones and paid parking zones shall have the same meaning.
- (b) Except where proposed paid parking zone(s) will be within 250 feet of a T3-R, T3-L or T3-O transect zone, a notice as provided herein of the proposed paid parking zone(s) is not required. In areas within 250 feet of a T3-R, T3-L or T3-O transect zone, notice must be provided along with an opportunity for submittal of written comments from property owners and/or registered associations as defined in this section in the affected area(s). Such notice shall be sent via certified mail return receipt requested and regular mail prior to any new installation of the paid parking zone(s).

(1) For purposes of this section, *owners in the affected area(s)* shall mean persons who are the fee simple owners of the properties in the affected areas. For purposes of this section, affected area(s) shall mean properties who are located within 250 feet of the property lines of the land for which the notice under the provisions of this section is being requested, as applicable. The public notice will be afforded only when the proposed paid parking zones are to be located within 250 feet of a T3-R, T3-L or T3-O transect zone and shall consist of notice by certified mail, return receipt requested to the affected owners at least 30 days before any paid parking zone(s) installation. The applicant for the paid parking zone placement shall be charged the cost of the appropriate fee for the notices. The applicant shall be the public agency or instrumentality who is seeking the designation of a paid parking zone within 250 feet of the above listed T3 transect zones. Additionally, the applicant shall obtain a list from the city manager's office or its designated city department of the registered neighborhood and/or homeowners associations ("registered association(s)") applicable to the property for the application in question and shall notify the official representative of such registered association(s). Registered associations who wish to receive such notice must register on an annual basis at the city manager's office or its designated city department.

(2) The owners and/or the representative of the registered association in the affected areas upon the receipt of notice may provide written input or comment to the director of the department of off-street parking and the director of the department of resilience and public works, or their respective designees, as to why the paid parking zones are not necessary or not viable considering the impact of the paid parking zones on the parking needs, availability, accessibility, convenience, and suitability in the affected area as well as the need for the paid parking zones in the affected area. The owners in the affected areas may present information relative to the impact of the proposed paid parking zone on their residences or businesses, as applicable.

³County Code cross reference—Authority of municipalities within county to establish parking meter zones, subject to approval of county traffic director, § 30-383.

State law reference(s)—Power of local authorities to regulate or prohibit parking, F.S. § 316.008(1)(a).

- (c) Prior to final designation of any proposed paid parking zone and/or the installation of parking meters therein, the proposed zones and the proposed installation of the proposed paid parking zone and/or parking meters therein shall first be submitted to the city manager or their designee for approval thereof. All existing paid parking and/or metered parking zones shall be subject to review by the city manager or their designee and modifications thereto, including, but not limited to, additions, removals and relocations shall be subject to the approval of the city manager or their designee.

(Code 1967, § 34-26; Ord. No. 10243, § 1, 3-13-87; Code 1980, § 35-46; Ord. No. 13659, § 2, 2-9-17; Ord. No. 13792, § 1, 10-11-18; Ord. No. 14138, § 11, 2-9-23)

Secs. 35-97—35-120. Reserved.

DIVISION 2. PUBLIC OFF-STREET PARKING FACILITIES⁴

Sec. 35-121. Definitions.

The following words and phrases, when used in this division, shall have the meanings respectively ascribed to them in this section, except where the context clearly indicates a different meaning:

Off-street parking lots: Any parking facility owned, and/or managed and operated by the department of off-street parking and used for the purpose of permitting the general public to park their motor vehicles either at a meter parking zone or at a designated parking space or area.

Parking facilities: Any parking facility owned, and/or managed and operated by the department of off-street parking for the use of the general public to park motor vehicles.

(Code 1967, § 34-33; Code 1980, § 35-63)

Sec. 35-122. Applicability of division.

The provisions of this division shall be applicable to any parking, standing or nonmoving traffic violation promoted within the boundaries of any off-street parking lots or parking facilities owned, and/or managed, and operated by the department of off-street parking.

(Code 1967, § 34-34; Code 1980, § 35-64)

Sec. 35-123. General duties of director of off-street parking.

It is the general duty of the director of off-street parking to plan and determine the installation of parking meters and parking spaces and to plan and direct the operation of traffic on off-street parking lots within his or her jurisdiction, including parking areas and loading and unloading zones. The director of off-street parking is authorized to designate crosswalks, mark traffic lanes for movement of traffic, designate traffic control signs and devices and

⁴Charter reference(s)—Department of off-street parking, off-street parking board, § 23-A.1.

City Code cross references—Off-street parking department, § 2-301; parking charges at Orange Bowl Memorial Stadium, § 53-86.

County Code cross reference—Applicability of county Code to parking, standing or nonmoving traffic violations in municipal off-street parking lots, § 30-203.

State law reference(s)—Special act authorizing city to acquire, construct, etc., parking facilities, Laws of Fla. (1951), ch. 27725; power of local authorities to regulate or prohibit parking, F.S. § 316.008(1).

lane markings, and determine the hours and days during which any traffic control devices, including the use of license plate recognition systems (LPR), shall be in operation or be in effect; shall determine the location of angle parking zones, restrict parking in hazardous places designated by proper signs in which the stopping or parking of vehicles would create an especially hazardous condition or cause unusual delay in moving of traffic (e.g., parking on loading zones); prescribe parking in designated areas; and shall cause to be erected signs in areas limiting the parking time and giving notice thereof.

(Code 1967, § 34-35; Code 1980, § 35-65)

Secs. 35-124—35-150. Reserved.

DIVISION 3. REGULATIONS

Sec. 35-151. Parking when meter shows violation.

No person shall park any vehicle or permit any vehicle to remain parked in any parking meter space when the parking meter for the space occupied by such vehicle shows a violation.

(Code 1967, § 34-40; Code 1980, § 35-75)

Sec. 35-152. Parking longer than maximum time shown on meter.

No person shall park any vehicle or permit any vehicle to remain parked in any parking meter space for a continuous period of time greater than the maximum provided for on the meter.

(Code 1967, §§ 34-27, 34-41; Code 1980, §§ 35-47, 35-76)

Sec. 35-153. Parking longer than time indicated on signs.

When signs are erected giving notice thereof, no person shall stop, stand or park a vehicle in any parking meter zone for a continuous period of time longer than that period of time designated by such signs, or on the app, on any day ~~except including Saturdays, Sundays and full~~ all legal holidays, unless otherwise posted.

(Code 1967, §§ 34-29, 34-42; Code 1980, §§ 35-49, 35-77)

Sec. 35-154. Manner of parking in metered spaces.

Every vehicle shall be parked wholly within the metered parking space for which the meter shows a parking privilege has been granted, and with the front end of such vehicle immediately opposite the parking meter for such space.

(Code 1967, §§ 34-28, 34-43; Code 1980, §§ 35-48, 35-78)

Sec. 35-155. Vehicles to be parked at angle indicated.

All vehicles shall be parked at the prescribed angle to the curb or edge of roadway that may be indicated by signs or markings.

(Code 1967, § 34-44; Code 1980, § 35-79)

Sec. 35-156. Obstructing traffic.

No vehicle shall be parked so as to obstruct traffic, including without limitations, parking in loading zones beyond the prescribed time period allocated to the permit holder per vehicle operator.

(Code 1967, § 34-45; Code 1980, § 35-80)

Sec. 35-157. Parking time limit for certain designated areas.

When signs authorized by the director of off-street parking are erected giving notice thereof, no person shall stop, stand or park a vehicle in the area designated by such sign for longer than the time provided by such sign.

(Code 1967, § 34-46; Code 1980, § 35-81)

Sec. 35-158. Parking prohibited in certain places.

When signs authorized by the director of off-street parking are erected prohibiting parking in a place designated by such sign, no person shall stop, stand or park a vehicle in such designated place.

(Code 1967, § 34-47; Code 1980, § 35-82)

Sec. 35-159. Deposit of slugs, etc., in meters.

It shall be unlawful for any person to deposit or attempt to deposit in any parking meter anything other than a credit card or lawful coin of the United States, or any coin that is bent, cut, torn, battered or otherwise misshapen.

(Code 1967, §§ 34-30, 34-38; Code 1980, §§ 35-50, 35-68)

Sec. 35-160. Tampering with, damaging, etc., meters, or signs.

It shall be unlawful for any unauthorized person to remove, deface, tamper with, open, willfully break, destroy or damage any parking meter, PARCS equipment, or sign, and no person shall willfully manipulate any parking meter in such a manner that the indicator will fail to show the correct amount of unexpired time before a violation.

(Code 1967, §§ 34-31, 34-36, 34-37; Code 1980, §§ 35-51, 35-66, 35-67)

Sec. 35-161. Use of revenue.

All revenue collected regardless the manner or form, including coins deposited in parking meters, shall be used to provide for the proper regulation and control of traffic upon the public streets, insofar as the city is authorized to exercise such authority, and to cover the cost of the supervision, inspection, installation, operation, maintenance, control and use of parking spaces and parking meters, together with the cost of supervising and regulating the parking of vehicles in parking meter zones.

(Code 1967, §§ 34-32, 34-38; Code 1980, §§ 35-52, 35-68)

Sec. 35-162. Form of notice of violation; monthly report on disposition of notices issued.

The city shall provide suitably serial-numbered forms for notifying alleged violators to appear in answer to charges violating the regulations contained in this division. Such forms shall be issued and receipted for by the chief or police officer.

(Code 1967, § 34-48; Code 1980, § 35-83)

~~Sec. 35-163. Failure to appear and pay fine within prescribed time.~~

~~If the person accused of a violation of this division does not appear to answer a mailed citation, or otherwise a citation affixed to his/her motor vehicle within a period of 48 hours, the city clerk shall send the owner of the motor vehicle to which the citation was affixed a letter informing him/her of the violation, requesting payment and warning him/her that in the event such request is not complied with within a period of 72 hours after the date of such notice, a warrant of arrest will be issued. In the event any person fails to comply with the aforesaid form of notice given to such person or attached to such motor vehicle and fails to make payment within the time prescribed in such letter, the city clerk is empowered to secure and issue and have served a warrant for his/her arrest.~~

~~(Code 1967, § 34-49; Code 1980, § 35-84; Ord. No. 13676, § 2, 4-27-17)~~

~~Sec. 35-164. Penalty for violations of division.~~

~~(a) Any person violating the provisions of this division shall be fined in accordance with the following schedule:~~

- ~~(1) If paid within 48 hours, excluding weekends \$ 2.00~~
- ~~(2) If paid within one week, but after 48 hours \$ 3.00~~
- ~~(3) If paid after one week \$ 5.00~~
- ~~(4) If a warrant is issued \$ 10.00~~
- ~~(5) If a warrant is issued and the defendant is brought before the county court \$ 15.00~~

~~(b) A separate offense shall be deemed committed upon each period of time greater than the maximum provided for on the parking meter.~~

~~(Code 1967, § 34-50; Code 1980, § 35-85)~~

~~Sec. 35-165—35-190. Reserved~~ Invoice and citations by mail.

- ~~(a) An invoice for parking charges issued for failure to pay metered parking for motor vehicle parking must be placed on the motor vehicle in a prominent location or mailed within 5 business days of the violation. A late fee may not be assessed until expiration of the 15-day period following the denial of any appeal filed pursuant to paragraph (b) or for a period of at least 30 days after the invoice is placed on the motor vehicle or the postmarked date of the mailing, whichever is later.~~
- ~~(b) An invoice for parking charges issued under this section must include a method to dispute and appeal the invoice by a party who believes they have received the invoice in error. Such dispute must be filed within 15 days after the invoice is placed on the motor vehicle or after the postmarked date of the mailing of the invoice. Within 5 business days a decision shall be rendered on the filed dispute. The party may then, within 10 days after receipt of the owner's or operator's decision, appeal such decision. The appeal must be determined by a neutral third-party adjudicator with the authority to review and approve or deny the appeal. If the appeal is approved, the invoice shall be dismissed. If the appeal is denied, the party shall pay the original invoice within 15 days after the decision of the adjudicator.~~
- ~~(c) In the event that an invoice remains unpaid following the issuance of a final notice to the violator regarding the failure to remit payment, a Miami Dade County parking citation shall be issued. The issuance date of said citation shall correspond to the postmarked date of the notice.~~

~~Sec. 35-166---35-190. Reserved~~

ARTICLE IV. PARKING RATES⁵

Sec. 35-191. On-street parking meters, ~~and monthly on-street permit program~~, and Loading Zones.

On-street parking meters:

- (a) The maximum hourly rate of charge, and fees for parking in metered spaces in on-street parking meter zones, and on-street monthly permit zones, except as otherwise provided herein, are as follows:

Central Business District:

All streets and avenues in the area bounded by N.W./N.E. 5 Street to S.E. 4 Street between N.W. N. River Drive/S.W. N. River Drive to Biscayne Boulevard including Chopin Plaza and Old Port Boulevard:

Resident rate per hour\$1.40

Non-resident rate per hour\$3.25

Monthly permit for residents (after 5:00 p.m. and before 7:00 a.m.)\$70.00

Monthly permit for non-residents (after 5:00 p.m. and before 7:00 a.m.)\$90.00

Arena area:

All streets and avenues in the area bounded by N.E./N.W. 5 Street to N.W./N.E. 14 Street between N.W. 7 Avenue and Biscayne Boulevard:

Resident rate per hour\$1.40

Non-resident rate per hour\$3.00

Monthly permit for residents\$70.00

Monthly permit for non-residents\$90.00

Omni/Edgewater area:

All streets and avenues in the area bounded by N.E. 14 Street to N.E. 87 Terrace between Miami Avenue and N.E. 5 Avenue including McArthur Causeway:

Resident rate per hour\$1.40

Non-resident rate per hour\$3.00

Monthly permit for residents\$70.00

Monthly permit for non-residents\$90.00

Coconut Grove:

S. Dixie Highway/US1 to S. Bayshore Drive/Main Highway between Le Jeune Road to S.W. 22 Avenue:

Resident rate per hour\$1.40

⁵City Code cross reference—Parking rates at convention center, § 53-181.

County Code cross reference—Metrorail parking, § 30B-6.

Non-resident rate per hour\$3.00

Monthly permit for residents\$70.00

Monthly permit for non-residents\$90.00

Civic Center area:

All streets and avenues in the area bounded by N. River Drive/N.W. 12 Street/N.W. 13 Street to N.W. 20 Street between N.W. 17 Avenue and N.W. 12 Avenue:

Resident rate per hour\$1.40

Non-resident rate per hour\$3.00

Monthly permit for residents\$70.00

Monthly permit for non-residents\$110.00

Jackson Memorial area:

All streets and avenues in the area bounded by N.W. 12 Avenue, to N.W. 7 Avenue and N.W. 20 Street to N.W. 14 Street:

Resident rate per hour\$1.40

Non-resident rate per hour\$3.00

Monthly permit for residents\$70.00

Monthly permit for non-residents\$90.00

Design District:

All streets and avenues in the area bounded by N.W./N.E. 36 Street and N.W./N.E. 54 Street between N.E. 5 Avenue/Biscayne Boulevard and N.W. 7 Avenue:

Resident rate per hour\$1.40

Non-resident rate per hour\$3.25

Monthly permit for residents\$75.00

Monthly permit for non-residents\$110.00

Little River area:

All streets and avenues in the area bounded by N.W./N.E. 54 Street to N.W./N.E. 87 Terrace between N.E. Bayshore Court and N.W. 7 Avenue:

Resident rate per hour\$1.40

Non-resident rate per hour\$2.50

Monthly permit for residents\$70.00

Monthly permit for non-residents\$90.00

Wynwood/Garment Center area:

All streets and avenues in the area bounded by N.W. 6 Avenue and N. Miami Avenue between N.W. 20 Street and N.W. 29 Street:

Resident rate per hour\$1.40

Non-resident rate per hour\$3.25

Monthly permit for residents\$70.00

Monthly permit for non-residents\$90.00

Midtown area:

NW 6 Avenue to NE 2 Avenue between NE/NW 29 Street to 36 Street:

Resident rate per hour\$1.40

Non-resident rate per hour\$3.00

S.W. 8 Street area:

All Avenues in the area bounded by S.W. 8 Street from Brickell Avenue to S.W. 74 Court:

Resident rate per hour\$1.40

Non-resident rate per hour\$3.25

Monthly permit for residents\$55.00

Monthly permit for non-residents\$70.00

27th Avenue area:

N.W./S.W. 27 Avenue between US1 and N.W. 20 Street including all side streets:

Resident rate per hour\$1.40

Non-resident rate per hour\$1.75

Monthly permit for residents\$60.00

Monthly permit for non-residents\$70.00

West Flagler Street and S.W. 1 Street area:

All streets and avenues in the area bounded by West Flagler Street S./N. River Drive to S.W./N.W. 72 Avenue:

Resident rate per hour\$1.40

Non-resident rate per hour\$1.75

Monthly permit for residents\$45.00

Monthly permit for non-residents\$60.00

S.W. 1 Street between 5 and 22 Avenues:

Resident rate per hour\$1.40

Non-resident rate per hour\$1.75

Monthly permit for residents\$45.00

Monthly permit for non-residents\$60.00

N.W. 7 Street between 10 Avenue and 57 Avenue:

Resident rate per hour\$1.40

Non-resident rate per hour\$1.75

Monthly permit for residents\$45.00

Monthly permit for non-residents\$60.00

Brickell area:

All streets and avenues in the area bounded by S.W. 32 Road and S.W. 5 Street between Brickell Bay Drive/I-95/S.W. 4 Avenue:

Resident rate per hour\$1.40

Non-resident rate per hour\$3.25

Monthly permit for residents\$110.00

Monthly permit for non-residents\$200.00

Coral Way area:

All streets and avenues in the area bounded by S.W. 12 Avenue and 37 Avenue between S.W. 21-22 Terrace, S.W. 37 Avenue to US1 from S.W. 36 Avenue to S.W. 39 Avenue, Bird Avenue to US1 from S.W. 37 Avenue to S.W. 39 Avenue:

Resident rate per hour\$1.40

Non-resident rate per hour\$1.75

Monthly permit for residents\$75.00

Monthly permit for non-residents\$90.00

Allapattah area:

All streets and avenues in the area bounded by I-95 and N.W. 27 Avenue from N.W. 19 Street and N.W. 38 Street and from N.W. 36 Street to N.W. 34 Avenue:

Resident rate per hour\$1.40

Non-resident rate per hour\$1.75

Monthly permit for residents\$70.00

Monthly permit for non-residents\$90.00

Loading zones:

1. A smart loading zone is defined as a designated space along the curb dedicated to loading and unloading passengers, food, or goods, regulated, and metered, in part, by sensor, GIS, camera, or software technology.
2. The Director is hereby authorized to determine the location and effective hours of smart loading zones by the placement of appropriate signs.
 - a. Sign will have hours of operation posted (Example: 8AM to 6PM)
 - b. Sign will have maximum time limit allowed to park (Example: 60 Minute Max Time)
 - c. Signs will describe the type of use, example Freight, Parcel, TNC (Rideshare or ride hailing), Micro delivery, and food pick up drop off delivery.
3. The maximum continuous legal time a vehicle may be parked in the same location within a smart loading zone shall not exceed one (1) hour.
4. The Director shall cause appropriate signage to be installed and maintained in any location designated as a smart loading zone pursuant to this Section.
5. All smart loading zones shall be accompanied by signage advising the public of the presence of the sensor, camera, Global Positioning Systems (GPS), Global Information Systems (GIS), or software technology monitoring the smart loading zone.
6. Any smart loading zone established by this section shall be subject to the parking rates as follows:

Minutes	Rate per Minute	Total Maximum Cost
0-5 minutes	\$0.00	\$0.00
6-15 minutes	\$0.05	\$0.45
16-30 minutes	\$0.16	\$4.80
30-60 minutes	\$0.26	\$15.60

7. Vehicle operators parked in any smart loading zone shall deposit payment in the manner prescribed on smart loading zone signage.
 - a. This includes but is not limited to invoices by mail.
 - i. Vehicles may be billed for the time they parked plus an administrative fee via regular U.S. mail.
 - b. Vehicles can register for the Smart Loading Zone program and will receive a monthly invoice for the time vehicle occupied The Smart loading zone.
 8. The Director is authorized to oversee regulations as are deemed necessary or appropriate for the proper administration and enforcement of this Section.
 9. Whoever violates or fails to comply with any provision of this section shall be subject to a citation under Chapter 30 of the Miami Dade County Traffic and Motor Vehicles code.
- (b) Demand base pricing. The department of off-street parking ("DOSP") may implement demand based pricing from time to time, based on demand and special events. Average occupancy for each zone ~~will~~ may be evaluated ~~quarterly~~ to adjust pricing to fluctuating demand. Pricing will be adjusted ~~by demand accordingly~~, using the following criteria:
- (1) Zones that show occupancy greater than ~~85~~ 75 percent increase by \$1.00 from the then existing rate until the maximum rate is in effect.
 - (2) ~~Zones that show occupancy between 50 percent and 85 percent remain the same.~~
 - (3) ~~Zones that show occupancy less than 50 percent decrease by \$1.00 from the then existing rate until the minimum rate is in effect.~~
- Areas that have wide variations throughout the day ~~will~~ may be split into peak and off-peak pricing tiers. Rate changes ~~will~~ may be applied to peak and off-peak times independently. ~~The minimum rate will be set at \$1.00 and The maximum rate will be set at \$6.00.~~ This pricing ~~will not~~ may apply during special events.
- (c) The following fees will be assessed during special events, film production, and construction uses for on-street parking space rental:
- (1) Fifty dollar administrative fee per event assessed for any parking space rental.
 - (2) The rental rate of \$30.00 per on-street parking space per day will be assessed during special events and construction uses.
 - (3) The rental rate of \$30.00 per on-street parking space per day will be assessed during film production, in addition to a \$2,000.00 flat fee, plus all other applicable fees.
- (d) Monthly on-street permit program. The monthly on-street permit program is available, in certain areas of the city, pursuant to this chapter, on a first-come, first-serve space available basis. Permits are to be issued by DOSP. The chief executive officer ("director") is expressly authorized to implement this program and shall oversee and develop these special on-street parking permit areas as they are deemed necessary by the director where the director determines that sufficient off-street parking facilities are not available in an area to accommodate monthly parking demand. Such areas will be subject to all applicable laws, resolutions, rules and guidelines governing their operation established by the city commission and/or board/DOSP. Monthly parking patrons may not pre-purchase on-street permits for more than one month at a time. On-street permits can

only be purchased on a month to month basis and payment is due on the first of the month. DOSP will strictly enforce correct usage of permits, not allowing for any grace period.

- (e) City employees who reside within the city will be able to receive a 20 percent discount towards the purchase of one monthly permit [(one permit)], as long as they remain eligible. Each additional permit will be sold at regular price.
- (f) On-street parking spaces, loading zones, and monthly permit rates may be increased by resolution of the off-street parking board to a maximum of three percent annually in any individual fiscal year, or at an accrued annual rate of up to three percent. ~~The increase shall not exceed an accrued annual rate of three percent.~~

(Ord. No. 9053, § 1, 1-10-80; Ord. No. 9213, § 1, 12-17-80; Ord. No. 9308, § 1, 9-10-81; Ord. No. 9377, § 1, 3-11-82; Ord. No. 9450, § 1(a), 6-17-82; Ord. No. 9632, § 1, 6-9-83; Ord. No. 9917, § 1, 10-10-84; Ord. No. 10027, § 1, 7-25-85; Ord. No. 10460, § 1, 7-14-88; Ord. No. 10641, § 1, 9-28-89; Code 1980, § 35-91; Ord. No. 11298, § 1, 9-14-95; Ord. No. 11871, § 2, 12-14-99; Ord. No. 12438, § 2, 11-13-03; Ord. No. 12644, § 2, 1-13-05; Ord. No. 13108, § 6, 10-8-09; Ord. No. 13368, § 2, 3-14-13; DOSP Res. No. 14-03, § 1 (Exh. A), 7-31-14; Ord. No. 13814, § 2, 12-13-18)

Sec. 35-192. Municipal parking garages.

- (a) The rates charged for parking in off-street municipal garages are as follows (all rates include parking surcharge and all applicable sales tax):

- (1) *Municipal Garage No. 1 (Courthouse Center Garage):*

- Half-hour\$5.00

- Early bird (in by 9:00 a.m., out between 2:00 p.m.—6:00 p.m.)\$10.00

- Maximum (within 24 hours)\$30.00

- Special event~~\$30.00~~\$50.00

- Weekend special, per day\$10.00

- Monthly\$200.00

- (2) *Municipal Garage No. 2 (Cultural Center Garage):*

- Half-hour\$5.00

- Early bird (in by 9:00 a.m., out between 2:00 p.m.—6:00 p.m.)\$10.00

- Maximum (within 24 hours)\$30.00

- Special event~~\$30.00~~\$50.00

- Weekend special, per day\$7.00

- Monthly\$200.00

- (3) *Municipal Garage No. 3 (College Station Garage):*

- Half-hour\$5.00

- Early bird (in by 9:00 a.m., out between 2:00 p.m.—6:00 p.m.)\$10.00

- Maximum (within 24 hours)\$30.00

- Special event~~\$30.00~~\$50.00

- Monthly\$200.00

- (4) *Municipal Garage No. 4 (James L. Knight Center Garage):*

- Half-hour\$5.00

Early bird (in by 9:00 a.m., out between 2:00 p.m.—6:00 p.m.)\$10.00

Maximum (within 24 hours)\$30.00

Special event~~\$30.00~~ \$50.00

Monthly\$200.00

Reserved monthly\$275.00

(5) *Municipal Garage No. 9 (Allapattah Parking Garage):*

Daily, per hour\$1.00

Maximum:\$5.00

Monthly\$50.00

(6) *Grove Bay Garage (3385 Pan American Drive):*

Per hour\$4.00

Maximum\$20.00

Maximum (within 24 hours)\$30.00

Special event\$50.00

Monthly\$200.00

(7) *Marlins Park Garages:*

Daily, per hour\$1.00

Maximum, per hour\$5.00

Monthly parking\$100.00

Rates not applicable during "MLB Events", "Other Events" or "Stadium Events" as defined by, and subject to any additional provisions of, the City Parking Agreement entered into on or about April 15, 2009, by and among the City of Miami, Miami-Dade County and Marlins Stadium Operator, LLC.

- (b) These parking garage rates may be increased by resolution of the off-street parking board to a maximum of three percent annually in any individual fiscal year, or at an accrued annual rate of three percent. ~~The increase shall not exceed an accrued annual rate of three percent.~~

- (c) The following fees will be assessed during special events, film production, and construction uses for off-street parking garage rental within the above garages:

(1) Fifty dollar administrative fee per event assessed for any parking space rental.

(2) The rental rate of ~~\$30.00~~ \$50.00 per off-street parking space per day will be assessed during special events and construction uses.

(3) The rental rate of ~~\$30.00~~ \$50.00 per off-street parking space per day will be assessed during film production in addition to a \$2,000.00 flat fee.

(d) Locations and applicable parking rates of new parking garages, and other parking facilities including parking lots which are not currently listed above, may be added by resolution of the off-street parking board.

(Code 1967, § 34-50.1; Ord. No. 9053, § 1, 1-10-80; Ord. No. 9213, § 2, 12-17-80; Ord. No. 9308, § 2, 9-10-81; Ord. No. 9450, § 2(a), 6-17-82; Ord. No. 9632, § 1, 6-9-83; Ord. No. 9917, § 1, 10-10-84; Ord. No. 10027, § 1, 7-25-85; Ord. No. 10316, § 1, 9-8-87; Ord. No. 10460, § 1, 7-14-88; Ord. No. 10641, § 1, 9-28-89; Code 1980, § 35-92; Ord. No. 11298, § 1, 9-14-95; Ord. No. 11871, § 2, 12-14-99; Ord. No. 12438, § 2, 11-13-03; Ord. No. 12644, § 2, 1-13-05; Ord. No. 13108, § 6, 10-8-09; Ord. No. 13368, § 2, 3-14-13; DOSP Res. No. 14-03, § 1 (Exh. A), 7-31-14; Ord. No. 13814, § 2, 12-13-18)

Sec. 35-193. Municipal off-street parking lots.

- (a) The rates of charge for parking in municipal off-street parking lots are as follows:

Central Business District:

Lot No. 19, Biscayne Boulevard between S.E. 1 and N.E. 5 Street:

Per hour\$5.00

Special event\$50.00

Lot No. 20, Chopin Plaza, S.E. 2 Street and Biscayne Boulevard:

Per hour\$5.00

Special event\$50.00

Lot No. 43, 56 S.W. 1 Street:

Per hour\$5.00

Daily max\$20.00

Coconut Grove Area:

Lot No. 1, South Dixie Highway and S.W. 27 Avenue:

Per hour\$2.50

Per month\$50.00

Lot 62, Pan American Drive:

Per hour\$2.50

Per month\$150.00

Lot No. 71, 2710 South Bayshore Drive:

Flat rate\$20.00

Lot No. 72, South Bayshore Drive and Aviation Ave:

Per hour\$4.00

Max rate\$20.00

Little River Area:

Lot No. 7, Martin Luther King, N.W. 7 Avenue and 62 Street:

Per hour\$1.00

Per month\$35.00

Allapattah Area:

Lot No. 40, 17 Avenue and 35 Street N.W.:

Per hour\$1.00

Per month\$45.00

Lot No. 68, Children's Museum:

Per hour\$2.00

Per month\$75.00

Lot No. 70 Watson Island Boat Ramp:

Vehicles \$15.00

Boat ramp \$20.00

Lot 82 (901 S.W. 15 Avenue):

Daily, per hour \$2.00

Marine Stadium:

3501 Rickenbacker Causeway:

Per hour (daily including weekends) \$10.00

Rates for special events shall vary depending on the event.

Rates for boat trailers, (including trailers for motorized, and non-motorized watercrafts), will vary based on demand, size, and number of parking spaces being occupied.

Maximum rate shall not exceed \$50.00 per day (as measured by consecutive 24 hours).

- (b) All off-street parking lot rates include parking surcharge and all applicable sales taxes. These rates may be increased by resolution of the off-street parking board to a maximum of three percent annually in any individual fiscal year. ~~The increase shall not exceed an accrued annual rate of three percent.~~
- (c) City employees who reside within the city will be able to receive a 20 percent discount for the purchase of one monthly parking permit, as long as they remain eligible. Each additional permit will be purchased at the regular price. City residents are eligible to receive a 20 percent discount when using the mobile payment platform, where applicable.
- (d) The following fees will be assessed during special events, film production, and construction uses for off-street parking lots:
 - (1) Fifty dollar administrative fee per event assessed for any parking space rental.
 - (2) The rental rate of ~~\$30.00~~ \$50.00 per off-street parking space per day will be assessed during special events and construction uses for parking lots.
 - (3) The rental rate of ~~\$30.00~~ \$50.00 per off-street parking space per day will be assessed during film production in addition to a \$2,000.00 flat fee.

(e) New off-street parking lots which are not currently listed above, may be added by resolution of the off-street parking board.

(Code 1967, § 34-50.1; Ord. No. 9053, § 1, 1-10-80; Ord. No. 9213, § 3, 12-17-80; Ord. No. 9308, § 3, 9-10-81; Ord. No. 9377, § 2, 3-11-82; Ord. No. 9450, §§ 3(a), 4(a), 6-17-82; Ord. No. 9632, § 1, 6-9-83; Ord. No. 9917, § 1, 10-10-84; Ord. No. 10027, § 1, 7-25-85; Ord. No. 10460, § 1, 7-14-88; Ord. No. 10641, § 1, 9-28-89; Code 1980, § 35-93; Ord. No. 11298, § 1, 9-14-95; Ord. No. 11871, § 2, 12-14-99; Ord. No. 12186, § 2, 2-14-02; Ord. No. 12438, § 2, 11-13-03; Ord. No. 12644, § 2, 1-13-05; Ord. No. 13108, § 6, 10-8-09; Ord. No. 13368, § 2, 3-14-13; DOSP Res. No. 14-03, § 1 (Exh. A), 7-31-14; Ord. No. 13814, § 2, 12-13-18)

Sec. 35-194. On-street parking space rental.

The rates charged for parking space rentals, are as follows (all rates include parking surcharge and all applicable sales tax):

- (1) *Administrative processing fees.* The administrative fee of \$50.00 shall be assessed for any parking space rental for the processing of all metered parking space rental permits are set forth herein and may be amended from time to time, by the city commission. The administrative fee is in addition to any fee paid for parking stalls, meter bags, or linear curb space.

- (2) *Parking space rental fee.* The rate is \$30.00 per parking space, or for every 20 linear feet, per day. The fees are set forth herein and may be amended from time to time by the city commission.
- (3) *Parking space rental for production and film use.* DOSP may provide parking space rental on an as-needed basis within the sole discretion of DOSP, taking into account the parking needs of the city, and parking space rental to accommodate production, staff, and film needs. A copy of a valid, city issued production/film permit must accompany each application for parking space rental. Only essential vehicles shall be allowed to park at parking spaces. Crew parking can be arranged with DOSP. Parking space rental for production and film use shall be red in color and shall state, "No Parking/Tow Away", and shall be strictly enforced. The fee per parking space, or for every 20 linear feet, is \$30.00 per day, payable 24 hours in advance. The fees are set forth herein and may be amended from time to time by the city commission.
- (4) *Parking space rentals for special events/construction.* DOSP may provide on an as-needed basis, at the sole discretion of DOSP, taking into account the parking needs of the city, and parking space rental to accommodate special events, construction, and staff. A copy of a valid, city issued special event permit and/or building permit, as applicable, must accompany each application for a parking space rental. Only essential vehicles used for the special event and/or construction shall be allowed to park at the parking space. Parking spaces for special event or construction staff, can be arranged with DOSP. Parking space rental for special events and construction shall be red in color and shall state, "No Parking/Tow Away". Parking space rental may only be issued by DOSP, and shall be strictly enforced. The rate is \$30.00 per parking space, or for every 20 linear feet, per day, payable 24 hours in advance. The fees are set forth herein and may be amended from time to time, by the city commission.
- (5) *Valet space rental and on-street space rental.* Those companies with a valid parking service permit issued by DOSP shall pay the following fee per parking space used for the ramping of valet services:

		Per space
Zone 1:	<i>Coconut Grove</i>	\$20.00
Zone 2:	<i>Brickell Area</i>	\$20.00
Zone 3:	<i>Central Business District</i>	\$20.00
	From SE 4 St. to North East/West 5 St.	
Zone 4:	<i>Little Havana/West Flagler</i>	\$20.00
Zone 5:	<i>Coral Way</i>	\$20.00
Zone 6:	<i>Spring Garden</i>	\$20.00
Zone 7:	<i>Omni</i>	\$20.00
Zone 8:	<i>Arena Area</i>	\$20.00
Zone 9:	<i>Design District</i>	\$20.00
Zone 10:	<i>Little River</i>	\$20.00

There is a non-refundable, one-time application fee of \$250.00 per valet location before DOSP may approve the initial permit. After DOSP approves the initial application, the fee for the six-month, renewable, permit is \$700.00.

(Ord. No. 12438, § 2, 11-13-03; Ord. No. 12644, § 2, 1-13-05; Ord. No. 13108, § 6, 10-8-09; Ord. No. 13368, § 2, 3-14-13; Ord. No. 13814, § 2, 12-13-18)

Sec. 35-195. Parking space closures.

- (a) *Temporary parking space closures.* DOSP may provide for the temporary closure of parking spaces to accommodate construction and other limited needs. A \$50.00 administrative fee will be assessed for any temporary parking space closure. The rate of \$30.00 for the temporary closure of the parking space shall be assessed on a per space, per day basis, payable in advance, until such time as the parking space is re-installed.

No such closure shall last for a cumulative period of more than 90 days during any calendar year.

- (b) *Permanent parking space removal.* Permanent parking space removal or loading zone removal requests are strongly discouraged and are granted at the sole discretion of DOSP's chief executive officer, consistent with the parking needs of the city. The monetization period for removal of a regulated parking space or loading zone parking space (20 feet of curb-line) will be ten years assuming a three percent annual growth for years two through ten. The fee for the removal of a parking space is to be paid in advance in a single lump sum fee. The monetized fee shall be the average annual system wide revenue generated by a single parking space or highest annual revenue generated by a single parking space in the area where removal is requested, whichever is greater. Monetization value of the ten years of income at the above described highest annual revenue amount is calculated by street or parking zone, based upon the most accurate revenue data available and maintained by DOSP.

If the applicant anticipates the creation of additional, new or replacement parking spaces or loading zones, it shall provide DOSP with any and all information regarding the number and location of these spaces or loading zones. Once the applicant has completed the project, it may request from DOSP a refund for the specific number of spaces or curblines not permanently removed from the public parking inventory. Any refund will be calculated based upon the total number of replacement parking spaces returned to the public right of way, and the prorated balance of time remaining, after subtracting the total time the parking space was removed from the public inventory, from the ten-year period of the pre-paid parking space monetization fee.

- (c) *Parking infrastructure reserve fund (PIRF).* When a request for the removal of a parking space is made, as defined above, all fees collected in accordance with the process shall be held in a parking infrastructure reserve fund. DOSP shall use the monies in the PIRF for the acquisition and installation of automated parking meters, automation of existing facilities, expansion of the centralized operation capabilities, future development projects, land acquisition and other improvements to the public parking system.

(Ord. No. 12438, § 2, 11-13-03; Ord. No. 13368, § 2, 3-14-13; Ord. No. 13814, § 2, 12-13-18)

Sec. 35-196. Restricted residential parking program.

- (a) The city commission hereby establishes the following restricted residential parking (RRP) zones. These zones are created to protect the quality of life of the city's residents in areas where residential parking is severely impacted by competing uses. DOSP's chief executive officer or designee shall have the authority to create rules, regulations, and guidelines in conformity with this section for the parking of vehicles and the issuance of resident, visitor, or temporary permits within the RRP zones. The RRP zones are hereby established in conjunction with, and following the location of, the city commission districts.
- (b) *Resident parking permits.* A restricted, residential zone resident must purchase restricted residential permits from DOSP. Residents can purchase up to three parking permits per household. Parking spaces within the RRP zones are not guaranteed and are restricted to a specific RRP zone. The fee for these zones will be as follows:

- (1) Twenty-five dollars per year for one vehicle.
 - (2) Fifty dollars per year for two vehicles.
 - (3) Seventy-five dollars per year for three vehicles.
- (c) Temporary residential guest parking hang tag permits. Temporary residential guest parking hang tag permits are available to each participating residence at a price of \$1.00 per permit, per day for a maximum of 15 hang tags per calendar year. Temporary guest parking hang tag permits are only valid within the restricted residential zone of the resident purchasing the guest permit, and are not valid at any parking meter, municipal parking lot, garage, or other restricted residential parking ("RRP") zone.
- (d) Creation of additional RRP zones. Requests for the creation of new RRP zones shall be submitted to the DOSP by the residents (property owner or current tenant of the property). Upon approval by DOSP's chief executive officer, or designee, DOSP shall create a new RRP zone. RRP zones only apply to single-family homes, duplexes, condominiums and apartment complexes with ten or fewer units, which contain habitable rooms for non-transient occupancy. Hotels, suite hotels, motels, apartment complexes with 11 or more units, boardinghouses, and day care centers shall not be considered for an RRP zone. In order to receive an RRP zone permit, residents must provide copies of the following documents: current driver's license, current motor vehicle registration, current utility bill, and fully executed current lease of property located within the program area. The RRP zone will be implemented if the petition is signed by at least 60 percent of the residents.

(Ord. No. 12438, § 2, 11-13-03; Ord. No. 13368, § 2, 3-14-13; Ord. No. 13814, § 2, 12-13-18)

Secs. 35-197—35-219. Reserved.

**ARTICLE V. COCONUT GROVE BUSINESS DISTRICT, DESIGN DISTRICT,
WYNWOOD, WYNWOOD NORTE, AND DOWNTOWN FLAGLER DISTRICT
PARKING IMPROVEMENT TRUST FUNDS⁶**

Sec. 35-220. Required off-street parking and payment in lieu of required off-street parking.

The minimum off-street parking requirements shall be as depicted herein and/or in the zoning ordinance of the city. Parking requirements may be satisfied by providing the parking as stated in the zoning ordinance or by payment in lieu of required off-street parking, as described herein. Parking reductions, off-site parking, or any other relaxation of parking requirements allowed pursuant to the Miami 21 Code shall not be made available within areas unless otherwise provided for within this chapter, established Special Area Plans (SAPs) or Neighborhood Revitalization Districts of the city for which a parking trust fund has been established and is in effect pursuant to this chapter.

- (1) Upon application to the planning director, the owner of a property may request a waiver of any or all of the eligible parking spaces, as specified in the zoning ordinance by substituting the payment of a fee per space in lieu of providing the required parking spaces.
- (2) If the application for the waiver of required off-street parking is approved by the planning director, the property owner shall pay the required fee per space to the department of off-street parking for deposit in a special fund, depending on the area for which the parking is located.

(3) Except as otherwise permitted for required supplemental parking for those uses specified in the minimum required parking charts included the zoning ordinance, payment of the required fee per space shall be made in the form of a payment of a fixed amount. The rental fee in lieu of required supplemental parking shall be paid in accordance with section 35-224, as long as the supplemental parking spaces for the specified use are required.

(4) Fees for the parking waiver shall be as established by this chapter and the zoning ordinance.

(5) If a property owner is entitled to pay a fee in lieu of providing required parking or loading as provided for in this section, the initial payment, shall be made in advance to the Coconut Grove parking improvement trust fund, the design district parking improvement trust fund, the Wynwood parking improvement trust fund, the Wynwood Norte parking improvement trust fund, or the Downtown Flagler District parking improvement trust fund, as applicable, as specified in the letter granting the waiver, and as a condition precedent to the issuance of a parking waiver certificate, and of a certificate of use. Failure to make any required payment shall cause the parking waiver and the certificate of use to be revoked.

(6) Evidence of issuance of a waiver of required off-street parking shall be in the form of a certificate of waiver, recorded in the public records of Miami-Dade County, at property owner's expense issued in the name of the owner of the property for which the waiver is granted. The date on the certificate shall be the effective date of the waiver thereby granted. Such certificate shall carry a statement allowing the waiver to be transferred by the planning director to a new owner within 90 days of a written request to the director. Said transfer shall be granted, provided that all fees are current and other requirements have been satisfied. A certificate of use shall not be issued for the use of any property for which the parking requirements have not been satisfied as provided for herein.

(7) The waiver of required off-street parking shall be applicable only to the structure and use for which it is issued. New development or additions, or any construction generating additional square footage of floor space or increasing the floor lot ratio, shall be required to comply with the parking requirements for said additions or obtain proper parking approvals. Certificates of parking waiver may be modified to include new square footage as long as the overall thresholds as specified in the zoning ordinance or as provided in this chapter are not exceeded.

(8) A waiver of required supplemental off-street parking issued under the provisions of this section shall be revoked if any required fees remained unpaid for more than 90 days after the date due.

(Ord. No. 13185, § 2, 6-24-10; Ord. No. 13455, § 2, 5-22-14; Ord. No. 13520, § 2, 5-28-15; Ord. No. 13556, § 2, 9-24-15; Ord. No. 13771, § 2, 6-28-18; Ord. No. 13996, § 2, 5-13-21; Ord. No. 14036, § 2, 11-18-21)

Sec. 35-221. Coconut Grove Parking Improvement Trust Fund—Established.

(a) There is hereby established a trust fund to be entitled the Coconut Grove parking improvement trust fund, (the "Coconut Grove parking trust fund") to be maintained and administered by the department of off-street parking into which funds shall be deposited and from which funds shall be withdrawn pursuant to this chapter to facilitate public off-street parking, infrastructure improvements and maintenance and marketing to serve the area referred to herein as "Coconut Grove Village Center" generally bound by Oak Avenue and Tiger Tail Avenue to the North, S.W. 27th Avenue, South Bayshore Drive, both sides of McFarlane from Grand Avenue to South Bayshore Drive, both sides of Grand Avenue from Margaret Street to Mary Street, both sides of Grand Avenue from Hibiscus Street to Margaret Street, both sides of Main Highway from Grand Avenue to Commodore Plaza, both sides of Commodore Plaza, and the North side of Main Highway from Commodore Plaza to Franklin Avenue consisting of that portion of the area formerly known as the SD-2 zoning district east of Margaret Street, that portion of the area formerly known as of the SD-17 zoning district west of S.W. 27th Avenue, and that zone designated G/I in the city's official zoning atlas and bounded by Charles Avenue on the south and Main Highway on the east and presently occupied by the Coconut Grove Playhouse through means which may include, but are not limited to the following activities:

(1) Acquire fee simple or other interest in land, and other real property for parking purposes;

- (2) Construct, maintain, operate, lease, manage, or otherwise provide off-street parking facilities for public use;
 - (3) Provide public information to enhance parking utilization including publicity campaigns, graphics and signage, and other informational devices;
 - (4) Coordinate plans for parking facility improvements and expansion with public transportation plans and operations in the vicinity, particularly the joint facilities that might be operated in connection with Metrorail and any feeder services existing or future;
 - (5) Provide accessibility to off-street parking facilities by suitable means such as public shuttle, tram or trolley service and related physical improvements such as bus shelters and right-of-way modifications which may include the area from Bayshore Boulevard to the Coconut Grove Village Center;
 - (6) Perform such other related activities as may be appropriate to carry out the intent of this article including, but not limited to, reimbursement of administrative costs, infrastructure improvements in the public right-of-way, contributing to maintenance of the public sidewalks within the business district defined herein, as well as destination marketing;
 - (7) It is the intent of this article that at least 90 percent of the funds, as determined at the beginning of each fiscal year, in the trust fund shall be utilized for subsections (a)(1)–(6). At least ten percent of the funds must be maintained as reserves;
 - (8) Any such shuttle, tram or trolley service, as mentioned in subsection (a)(5), shall be subject to yearly evaluation of the Coconut Grove business improvement district board.
- (b) Parking calculations for new and adaptive developments shall be according to the Miami 21 Code if all parking is to be provided on site. If parking is to be provided by payment in lieu of required off-street parking, the Miami 21 Code shall be followed except for food service establishments as defined in the Miami 21 Code. Food service establishments shall have an additional supplemental parking space requirement of 1:150 per square foot and for sidewalk cafes, there shall be a supplemental parking space requirement of 1:100 per square foot. payment into the trust fund of the supplemental parking is required prior to obtaining a certificate of use or temporary certificate of use.

(Ord. No. 12851, § 2, 9-28-06; Ord. No. 13059, § 3, 3-12-09; Ord. No. 13185, § 2, 6-24-10; Ord. No. 13771, § 2, 6-28-18)

Sec. 35-222. Same—Funds made available; financial report.

- (a) Funds deposited in the Coconut Grove parking trust fund shall be made available to the Coconut Grove business improvement district board ("BID board") for the purposes set forth in section 35-221 and for administrative expenses.
- (b) A financial report on trust fund receipts and expenditures shall be prepared annually at the close of the fiscal year by the off-street parking department and presented to the BID board for its review and approval prior to filing with the city clerk.

(Ord. No. 12851, § 2, 9-28-06; Ord. No. 13059, § 3, 3-12-09; Ord. No. 13185, § 2, 6-24-10)

Sec. 35-223. Revocation of certificate of use for non-payment of parking waivers.

Failure to make any payment required by this article shall cause the zoning administrator to revoke the parking waiver certificate and the certificate of use. The zoning administrator shall revoke a parking waiver certificate and a certificate of use if any required fees remain unpaid for more than 60 days after the date due. Said revocation of the parking waiver certificate and certificate of use shall be effective immediately upon the department of off-street parking's notification to the zoning administrator that the required fees remain unpaid for more than 60 days after

the date due. The department of off-street parking shall notify the parking waiver certificate holder and certificate of use holder of the pending revocation by posting notice at the property, hand delivering a notice, or mailing a notice. A parking waiver certificate holder or certificate of use holder may reinstate the certificates by paying any unpaid fees. A parking waiver certificate holder or certificate of use holder may challenge the revocation by requesting a hearing with the zoning administrator within ten days of receiving notice. Upon presenting such evidence to the zoning administrator of proper payment, the zoning administrator shall immediately reinstate any revoked certificates.

The city shall not issue a certificate of use for the use of any property for which the parking requirements have not been satisfied as provided in this section.

(Ord. No. 13185, § 2, 6-24-10)

Sec. 35-224. Schedule of fees and charges for Coconut Grove parking trust fund.

The schedule of fees and charges to be assessed and paid into the Coconut Grove parking trust fund is as follows:

- (1) Fee in lieu of providing required off-street parking for sidewalk cafes. In addition to the \$20.00 per square foot permit fee required by the resilience and public works department, as specified in section 54-223, there shall be paid an additional fee as set forth in subsections (3)c. and (3)e., in lieu of providing required off-street parking, said funds shall be paid monthly into the Coconut Grove parking trust fund.
- (2) All property owners currently in possession of base parking space waivers as provided in Ordinance 11052 shall pay \$540.00, per space per year, payable monthly (the "annual payment"). The annual payment shall be inflation adjusted once at the end of each five-year period. The first inflation adjustment commenced on January 1, 2007, reflecting the change from the prior year only, using the consumer price index urban consumers (CPI-U). All property owners currently in possession of base parking space waivers shall have the option of converting the existing waivers to conform to the provisions set forth in subsection (3).
- (3) Fee in lieu of providing required off-street parking for the area formerly known as the SD-2 zoning district herein described as the "Coconut Grove Central Commercial District," which consists of three general areas. Area A generally consists of both sides of S.W. 37th Avenue from Oak Avenue to Grand Avenue, and both sides of Grand Avenue from Brooker Street to Hibiscus Street. Area B is generally bound to the North by Oak Avenue from Allamanda Street to Mary Street, Mary Street to the East, includes both sides of Grand Avenue from Margaret Street to Mary Street, both sides of McFarlane Road from Grand Avenue to South Bayshore Drive, both sides of Main Highway from Grand Avenue to Commodore Plaza including both sides of Commodore Plaza and Fuller Street. Area C includes the North Side of Main Highway from Charles Avenue to Franklin Avenue, shall be as follows:
 - a. A purchase price of \$5,400.00 per parking space waiver (the "purchase price"). The purchase price shall be inflation adjusted once at the end of each five-year period. The first such adjustment occurred on January 1st, 2007, reflecting the change from the prior year only, using the consumer price index urban consumers (CPI-U). The purchase price shall be paid in either of the following two ways, at the option of the property owner:
 1. Permanent certificate of waiver. Payment of the purchase price may be made at the time of application for a permanent certificate of waiver. Upon receipt of the purchase price, the city shall issue a "permanent certificate of waiver," recorded at the property owner's expense in the public records of Miami-Dade County, Florida, to the property owner. The permanent certificate of waiver shall run with the land, and may be leased to another owner of real property within the area formerly known as SD-2 district, now known as the Coconut Grove Central Commercial District, with boundaries as described above.

2. Installment payment program. The purchase price may be paid in installments over a self-amortizing period of 15 years, but with a balloon payment after ten years from date of execution of an installment payment agreement for permanent certificate of waiver (the "agreement"), with interest at one percent below the bank prime rate. Each installment shall be referred to as a "payment." Bank prime rate shall refer to the rate set by the banking institution used by the department of off-street parking (the "department"). Payments shall be due and payable on the first of each month (the "due date"). The property owner shall pay a late fee of five percent of each payment which is not received within 15 days of the due date. Payments not made within 30 days after the due date shall be charged interest at the rate of ten percent per annum calculated monthly on the unpaid balance, including applicable late fees. If any payment is returned because of insufficient or uncollected funds in addition to any other fee or charge due, the property owner shall be liable for a returned check charge in the amount of five percent of the amount of the check; in such event, the department of off-street parking may require that all future payments be made by cashier's check. In the event any payment is not received by the department of off-street parking within 90 days of the due date, the applicable certificate(s) of waiver shall be revoked by the zoning administrator, and the property owner shall forfeit any and all rights thereunder, and any amounts paid pursuant to the agreement, and shall not be entitled to participate further in the installment payment program, unless its to avail themselves of an alternate installment payment program that becomes available. Notwithstanding the foregoing, the property owner shall remain responsible for providing parking, or apply and pay for the necessary monthly parking space waivers or make full payment.
 - b. Reserved.
 - c. The rental fee in lieu of providing the supplemental off-street parking required for restaurants shall be \$600.00 per parking space, per year, to be paid on a monthly basis, until a reduction of waiver certificate is obtained.
 - d. Supplemental off-street parking spaces may be purchased for a fee, as set forth in subsections (3)a.1. or 2., as may be applicable.
 - e. All payments set forth in this subsection (3) shall be inflation-adjusted once at the end of each five-year period, the first such adjustment commenced on January 1st, 2007, reflecting the change from the prior year only, through the consumer price index-urban consumers (CPI-U).
 - f. Payment of the fees set forth in subsections (3)a., b., and d., hereinabove shall permanently exempt the respective property from the corresponding parking requirement for such use as specified in the certificate of waiver.
- (4) Security deposit; fees. At time of execution of the waiver application, except for those property owners participating in the installment payment agreement for permanent certificate of waiver, the property owner shall provide the department of off-street parking with a security deposit or with a performance bond in an amount sufficient to secure three months' payments under the waiver application. All documentation, including the form of the security deposit and the performance bond shall be subject to the approval of the city attorney as to form and correctness, and the performance bond shall be subject to the review and approval of the city's risk manager. In the event the property owner fails to make payments for a total of three consecutive months, the property owner shall forfeit any right and interest to the security deposit or performance bond, whichever may be applicable. Upon such default, the department of off-street parking shall retain the entire amount of the security deposit or performance bond.
- (5) Fees in subsections (1) through (3) shall be due and payable on the first of each month (i.e. due date). Fees not received within 15 days of the due date shall be charged a late fee of five percent of the amount due. Fees not received within 30 days of the due date shall be charged interest at the rate of ten percent per annum calculated monthly on the unpaid balance, including applicable late fees.

- (6) The city shall grant parking credit for buildings built prior to 1960 that have been demolished or may be demolished.
 - (7) Upon enactment of a city ordinance pursuant to F.S. § 166.271, authorizing the collection and disbursement of parking surcharge fees for infrastructure and other purposes defined therein, the Coconut Grove business improvement trust fund would receive not more than 40 percent and not less than 20 percent of the parking surcharge fees derived from parking surcharge revenues from Coconut Grove (defined as that portion of the city bounded by the Rickenbacker Causeway and US-1 to the north and west, and the city limits to the west, south and east). Said distributions would be retained in a separate account to be used exclusively for the purposes set forth in the ordinance governing the use of parking surcharge funds.
 - (8) Fees generated by the use of Coconut Grove sidewalks for sidewalk cafes for the purpose of contributing to the maintenance of the public sidewalks and infrastructure within those sidewalks in the business district as defined herein.
 - (9) Funds budgeted for the maintenance and repair of all capital improvements within the district as defined herein.
 - (10) Such other fees as may from time to time be authorized by the city commission.
- (Ord. No. 12851, § 2, 9-28-06; Ord. No. 13059, § 3, 3-12-09; Ord. No. 13185, § 2, 6-24-10; Ord. No. 13792, § 1, 10-11-18)

Sec. 35-225. Design District Parking Improvement Trust Fund—Established.

- (a) There is hereby established a trust fund to be entitled the design district parking improvement trust fund, ("trust fund") to be maintained and administered by the department of off-street parking ("DOSP") into which funds shall be deposited and from which funds shall be withdrawn pursuant to sections 35-226 and 35-227 to facilitate parking purposes within the area including but not limited to public off-street parking, infrastructure improvements and maintenance and marketing to serve the area consisting of the zoning districts as depicted herein, in Exhibit A, and any abutting properties or properties partly within the boundaries depicted in Exhibit A ("Design District") through means which may include, but are not limited to the following activities:
 - (1) Acquire fee simple or other interest in land, and other real property for parking purposes;
 - (2) Construct, maintain, operate, lease, manage, or otherwise provide off-street parking facilities for public use;
 - (3) Provide public information to enhance parking utilization including publicity campaigns, graphics and signage, and other informational devices;
 - (4) Coordinate plans for parking facility improvements or expansion in conjunction with public transportation plans and operations in the vicinity, particularly, but not limited to, the joint facilities that might be operated in connection with Metrorail and any feeder services existing or developed in the future;
 - (5) Provide accessibility to off-street parking facilities by suitable means such as public shuttle, tram or trolley service or related physical improvements such as bus shelters and right-of-way modifications;
 - (6) Perform such other related activities as may be appropriate to carry out the intent of this article including, but not limited to, infrastructure improvements in the public right-of-way, contributing to maintenance of the public sidewalks within the business district defined herein, as well as marketing.
- (b) It is the intent of this article that at least 90 percent of the funds, as determined at the beginning of each fiscal year, in the trust fund shall be utilized for subsections (a)(1)—(6). At least ten percent of the funds must be maintained as reserves.

- (c) Any such shuttle, tram or trolley service, as mentioned in subsection (a)(5), shall be subject to yearly evaluation of the design district improvement committee.
- (d) There is hereby created a design district improvement committee ("committee") that shall consist of seven voting members and as many non-voting members, as may be necessary from time to time, at the discretion of the chief executive officer ("CEO") of DOSP, appointed as follows:
 - (1) The CEO shall be a non-voting member.
 - (2) The District 5 commissioner shall appoint two voting members, who shall not require DOSP Board confirmation.
 - (3) The director of planning and zoning of the city, or his/her designee, shall be a voting member who shall not require DOSP Board confirmation.
 - (4) Two voting members who shall be unassociated property owners of any assessed property within the boundaries of the design district, who shall be subject to DOSP Board confirmation and shall serve two-year terms.
 - (5) Two voting members who shall represent unassociated retail and/or restaurant/bar establishments within the boundaries of the design district, who shall be subject to DOSP Board confirmation and shall serve three-year terms.
 - (6) At the discretion of the CEO, the CEO shall appoint non-voting members as may be necessary from time to time, who shall not require DOSP Board confirmation.
 - (7) Nomination of initial members. The CEO shall appoint a committee nominating commission to solicit and screen applications, interview candidates, and submit nominations to the CEO for appointment to the initial committee.
 - (8) Subsequent nominations and vacancies. A selection committee, chosen by the remaining committee members, shall be formed and shall make nominations for filling these seats upon expiration of a term or in the event of any vacancy, and the DOSP Board shall confirm the nominees.
 - (9) Quorum. Quorum shall consist of the presence of four voting members.

(Ord. No. 12851, § 2, 9-28-06; Ord. No. 13455, § 2, 5-22-14)

Sec. 35-226. Same—Funds made available; financial report.

- (a) Funds deposited in the trust fund shall be made available to DOSP for the purposes set forth in section 35-225 and for administrative expenses after review and recommendation by the committee to DOSP and approval by the DOSP Board following receipt and consideration of the committee's recommendation. DOSP shall submit annual financial reports to the city commission on an annual basis.
- (b) A financial report on trust fund receipts and expenditures shall be prepared annually at the close of the fiscal year by the off-street parking department and presented to the committee for its review and approval prior to filing with the city clerk.

(Ord. No. 12851, § 2, 9-28-06; Ord. No. 13455, § 2, 5-22-14)

Sec. 35-227. Revocation of parking waivers.

- (a) Certificate of waiver holders as of February 23, 2014, participating in the installment payment program option must (i) procure a building permit process number on or before November 22, 2014 and subsequently obtain a building permit for construction within one year of procuring the process number or (ii) pay the balance on the installment agreement on or before November 22, 2015 and obtain a building permit within three years of paying the outstanding balance. Failure to procure a building permit process number, a building permit, or

pay the balance on the installment agreement as specified in this subsection shall render the certificate of waiver null and void. If a certificate of waiver is rendered null and void, a credit will be given for any payments made minus any administrative costs incurred by the city and/or DOSP.

- (b) Certificate of waiver holders participating in the trust fund after May 22, 2014, participating in the installment payment program option must procure a building permit for construction within one year from the date of issuance of the certificate of waiver. Failure to procure a building permit within one year from the date of issuance of the certificate of waiver under the installment payment program option shall render the certificate of waiver null and void.
- (c) Certificate of waiver holders as of February 23, 2014, who paid in full and received a permanent certificate of waiver are vested and not subject to revocation of the permanent certificate of waiver. However, any change to plans on file with the planning department which requires additional certificates of waiver for a project will be purchased at the current rate and according to current provisions established after May 22, 2014 as further clarified herein.
- (d) Certificate of waiver holders participating in the trust fund after May 22, 2014, who paid in full and received a permanent certificate of waiver must procure a building permit for construction no later than one year from the date of issuance of the permanent certificate of waiver. Failure to procure a building permit within one year from the date of issuance of the permanent certificate of waiver shall render the permanent certificate of waiver null and void and all payments shall be held as a credit for a future project as described in subsection (g) below. Such credit shall not be transferrable to another owner of real property within the design district or any subsequent buyer of the subject property and as further clarified in subsection 35-228(2)(b).
- (e) Changes in plans. Any substantial changes in plans on file with the planning department shall result in a review of the existing certificate of waiver. If a certificate of waiver is to be modified due to an increase in parking requirements, the additional certificates of waiver shall be purchased at the rate in existence at the time of the substantial modification. A substantial modification includes, but is not limited to, (i) a change in the footprint of a building by more than ten feet in any horizontal direction, (ii) an increase in building height by more than five feet or five percent of the height of the building, whichever is greater; or (iii) a change in the proposed use.
- (f) Building permit. Any building permit procured as specified in this section must remain active at all times. If a building permit becomes inactive or is otherwise abandoned, a revocation of the certificate of waiver shall be initiated as described in subsection (g) below. Any appeal of a building permit or similar development permit shall toll the time period specified in this section until a final decision is rendered on the appeal.
- (g) Revocation process. Upon notice that the parking waiver certificate holder has not complied with the above requirements, the zoning administrator shall revoke the parking certificate waiver and certificate of use. The certificate of waiver holder and certificate of use holder shall be notified of the revocation by posting of the notice at the property, hand delivering of the notice, or mailing of the notice. A parking waiver certificate holder or certificate of use holder may challenge the revocation by requesting a hearing through the office of hearing boards within ten days of the revocation. If a parking waiver certificate is being revoked for timeliness issues, the parking waiver certificate holder may present evidence to the planning, zoning and appeals board ("PZAB") of considerable delay due to the fault of the city, other governmental entity, or an act of God. If the PZAB so determines, the zoning administrator shall immediately reinstate any revoked certificates. If the PZAB approves the revocation of a certificate of waiver, the certificate of waiver holder shall receive credit for the future purchase of a certificate of waiver, minus three percent of monies paid, to represent an administrative fee. This amount will be in addition to the 50 percent non-refundable deposit referenced below and any filing fees. In the event of a revocation, DOSP shall record an instrument revoking rights to the permanent certificate of waiver.

(Ord. No. 13455, § 2, 5-22-14)

Sec. 35-228. Same—Schedule of fees and charges.

The schedule of fees and charges to be assessed and paid into the trust fund is as follows:

- (1) Fee in lieu of providing required off-street parking for sidewalk cafes: in addition to the \$20.00 per square foot permit fee required by the resilience and public works department, as specified in section 54-223, there shall be paid an additional fee as set forth in subsections (2)c. and (2)e., in lieu of providing required off-street parking, said funds shall be paid monthly into the design district improvement trust fund.
- (2) Fee in lieu of providing required off-street parking for the Design District shall be as follows:
 - a. A purchase price of \$45,000.00 shall apply per parking space waiver (the "purchase price.") The purchase price shall be inflation adjusted once at the end of each five-year period. The first such adjustment shall occur on January 1, 2019, reflecting the change from the prior year only, using the consumer price index urban consumers (CPI-U).
 - b. Payment of the purchase price shall be made at the time of application for a permanent certificate of waiver. Upon receipt of the full purchase price, the city shall issue a "permanent certificate of waiver," recorded at the property owner's expense in the public records of Miami-Dade County, Florida, to the property owner. A permanent certificate of waiver issued prior to February 23, 2014, shall run with the land, and may be leased to another owner of real property within the design district. A certificate of waiver issued prior to February 23, 2014, under an installment program shall run with the land, and may be leased to another owner of real property within the design district, unless revoked as set forth above. A certificate of waiver, either permanent or obtained through the installment program issued after May 22, 2014, shall not run with the land and may not be leased. No certificate of waiver issued after May 22, 2014, shall vest unless the permanent certificate of waiver is paid in full and the owner procures a building permit for construction no later than one year from the date of issuance of the permanent certificate of waiver.
 - c. Installment payment program. A non-refundable 50 percent deposit along with a \$500.00 application fee shall be paid to DOSP upon filing the request for the installment payment program. The purchase price, minus the 50 percent deposit, shall then be paid in installments over a self-amortizing period of five years, with a balloon payment after three years from date of execution of an installment payment agreement for permanent certificate of waiver (the "agreement"), with interest at one percent below the bank prime rate. Each installment shall be referred to as a "payment." Bank prime rate shall refer to the rate set by the banking institution used by the department of off-street parking (the "department"). Payments shall be due and payable on the 1st of each month (the "due date"). The property owner shall pay a late fee of five percent of each payment which is not received within 15 days of the due date. Payments not made within 30 days after the due date shall be charged interest at the rate of ten percent per annum calculated monthly on the unpaid balance, including applicable late fees. If any payment is returned because of insufficient or uncollected funds in addition to any other fee or charge due, the property owner shall be liable for a returned check charge in the amount of five percent of the amount of the check; in such event, DOSP may require that all future payments be made by cashier's check. In the event any returned payment is not repaid and received by DOSP within 90 days of the due date, the applicable certificate(s) of waiver shall be revoked by the zoning administrator, and the property owner shall forfeit any and all rights thereunder, and any amounts paid pursuant to the agreement, and shall not be entitled to participate further in the installment payment program, unless its to avail themselves of an alternate installment payment program that becomes available. Notwithstanding the foregoing, the property owner shall remain responsible for providing parking as required by the Miami 21 Code, or apply and pay for the necessary monthly parking space waivers or make full payment.
 - d. Supplemental off-street parking spaces may be purchased for a fee, as set forth in subsection (3)a.1., as may be applicable.

- e. All payments set forth in this subsection (2) shall be inflation-adjusted once at the end of each five-year period, the first such adjustment shall commence on January 1, 2019, reflecting the change from the prior year only, through the consumer price index-urban consumers (CPI-U).
 - (3) Upon enactment of a city ordinance pursuant to F.S. § 166.271, authorizing the collection and disbursement of parking surcharge fees for infrastructure and other purposes defined therein, the trust fund would receive the same percentage as derived from parking surcharge revenues from the design district. Said distributions would be retained in a separate account to be used exclusively for the purposes set forth in the ordinance governing the use of parking surcharge funds.
 - (4) Fees generated by the use of design district sidewalks for sidewalk cafes for the purpose of contributing to the maintenance of the public sidewalks and infrastructure within those sidewalks in the business district as defined herein.
 - (5) Such other fees as may from time to time be authorized by the city commission.
- (Ord. No. 12851, § 2, 9-28-06; Ord. No. 13455, § 2, 5-22-14; Ord. No. 13792, § 1, 10-11-18)

Sec. 35-229. Wynwood parking improvement trust fund—Established.

- (a) There is hereby established a trust fund to be entitled the Wynwood Parking Improvement Trust Fund, ("Wynwood Parking Trust Fund") to be maintained and administered by the Wynwood Business Improvement District ("BID"), or any successor body designated by the city commission, into which funds shall be deposited and from which funds shall be withdrawn pursuant to sections 35-229 through 35-232 to facilitate parking purposes, the creation of publicly accessible off-street parking, infrastructure improvements and maintenance and marketing to serve the area consisting of the properties within the Wynwood NRD-1 boundaries, through means which may include but are not limited to the following activities, subject to review by the city attorney for consistency with all applicable local, state and federal laws:
 - (1) Acquire fee simple or other interest in land, and other real property for parking purposes;
 - (2) Construct, maintain, operate, lease, manage, fund or otherwise provide off-street parking facilities for public use;
 - (3) Provide public information to enhance parking utilization including publicity campaigns, graphics and signage, and other informational devices;
 - (4) Coordinate plans for parking facility improvements or expansion in conjunction with public transportation plans and operations in the vicinity;
 - (5) Provide accessibility to off-street parking facilities or alternative transportation facilities by suitable means such as public shuttle, tram or trolley service or related physical improvements such as bus shelters and right-of-way modifications;
 - (6) Perform such other related activities as may be appropriate to carry out the intent of this article including, but not limited to, infrastructure improvements in the public right-of-way, contributing to maintenance of the public sidewalks within the Wynwood District defined herein, supporting alternative transportation facilities and operations, as well as marketing related to promoting any of the aforementioned activities.
- (b) Wynwood parking trust fund recipients may be privately-owned entities or individuals, public entities, or public-private partnerships.
- (c) The BID shall only make funds available from the Wynwood parking trust fund to projects meeting the qualifications as set forth herein, as approved by the BID board ("project").
- (d) For each project approved by the BID board, the BID shall pledge funds available and allocated as of the date of BID approval of the project and reserved for a period of three years, unless extended by the BID for a period

not to exceed an additional one year, and shall transfer pledged funds to the project at such time as the project is deemed substantially completed.

- (e) It is the intent of this section that at least 90 percent of the funds, as determined at the beginning of each fiscal year, shall be allocated for purposes consistent with subsections (a)(1)–(6) of this section. At least ten percent of the funds must be maintained as reserves, inclusive of any administrative expenses.

(Ord. No. 13556, § 2, 9-24-15)

Sec. 35-230. Funds made available; financial report.

- (a) Funds deposited in the Wynwood parking trust fund shall be made available to the Wynwood BID board of directors for the purposes set forth in section 35-229 and for administrative expenses incurred in connection with the collection or expenditure of funds within the Wynwood parking trust funds, which shall not exceed three percent of the funds.
- (b) A financial report on Wynwood parking trust fund receipts and expenditures shall be prepared annually at the close of the fiscal year by the BID for review and approval by the city commission prior to filing with the city clerk.

(Ord. No. 13556, § 2, 9-24-15)

Sec. 35-231. Schedule of fees and charges for Wynwood parking trust fund.

- (a) Fee in lieu of providing required off-street parking for the area described as the Wynwood district shall be as follows:
 - (1) A purchase price of \$6,000.00 per half-space ("residential") and \$12,000.00 per full space (commercial or residential) per parking space waiver (the "purchase price"). The purchase price shall be inflation adjusted once at the end of each five-year period. The first such adjustment shall occur on October 1, 2020, reflecting the change from the prior year only, using the consumer price index urban consumers ("CPI-U").
 - (2) Permanent certificate of waiver. Upon receipt of the full purchase price and any applicable fees for administrative expenses as set by the BID from time to time in accordance with the provisions of this article, the city shall issue a permanent certificate of waiver in lieu of providing physical parking spaces ("certificate of waiver"), which shall be recorded at the property owner's expense in the public records of Miami-Dade County, Florida, to the property owner. The certificate of waiver shall run with the land.
 - (3) Payment, as set forth in subsections 35-231(a)(1) and (2), shall be due and payable prior to issuance of a building permit or revisions to an existing building permit for any new construction or addition that generates additional required parking spaces, or issuance of a certificate of use for any new construction or addition that generates additional required parking spaces, or substitution for parking previously to be provided on-site or off-site, whichever is earlier.
- (b) Payment of the fees and issuance of the certificate of waiver set forth in subsections hereinabove shall permanently exempt the respective property from the corresponding parking requirement for such use as specified in the certificate of waiver, unless and until such certificate of waiver is revoked as set forth in section 35-232.

(Ord. No. 13556, § 2, 9-24-15)

Sec. 35-232. Parking waiver certificates; revocation; refunds.

- (a) Certificates of waiver shall not be issued without full payment and after verification by the planning department, and with any other applicable city departments, that such certificate of waiver is in compliance with the city's zoning ordinance, the Miami 21 Code, and the parking requirements applicable through the Wynwood NRD-1, as amended.
- (b) Failure to maintain a building permit as required in this article shall cause the zoning administrator to revoke the parking waiver certificate. Any building permit procured as specified in this section must remain active at all times. If a building permit becomes inactive or is otherwise abandoned, a revocation of the certificate of waiver shall be initiated. Any appeal of a building permit or similar development permit shall toll the time period specified in this section until a final decision is rendered on the appeal.
- (c) In the event that a certificate of waiver is revoked by the zoning administrator or released in writing by the property owner prior to issuance of a certificate of occupancy, certificate of completion, or certificate of use for the improvements that generated the parking requirements for which the certificate of waiver was issued, the BID shall apply a credit to run with the property and be available to apply towards a future certificate of waiver.

(Ord. No. 13556, § 2, 9-24-15)

Sec. 35-233. Wynwood Norte parking improvement trust fund—Established.

- (a) There is hereby established a trust fund titled the Wynwood Norte parking improvement trust fund to be maintained and administered by the department of off-street parking ("DOSPP") into which funds shall be deposited and from which funds shall be withdrawn pursuant to sections 35-233 through 35-236 to facilitate public off-street parking, transportation infrastructure improvements, and maintenance and marketing, inclusive of wayfinding signage, to serve the area generally bounded by Interstate 195 on the north, Interstate 95 on the west, Northwest 29th Street on the south, and North Miami Avenue on the east ("NRD-2 boundary") through means which may include but are not limited to the following activities, subject to review by the city attorney for consistency with all applicable local, state, and federal laws:
 - (1) Acquire fee simple or other interest in land and other real property for parking purposes;
 - (2) Construct, maintain, operate, lease, manage, fund, or otherwise provide off-street parking facilities for public use;
 - (3) Provide public information to enhance parking utilization including publicity campaigns, graphics and wayfinding signage, and other informational devices;
 - (4) Coordinate plans for parking facility improvements or expansion in conjunction with public transportation plans and operations in the vicinity;
 - (5) Conduct studies, surveys, and data collection and prepare plans and specifications for complete streets and alternative right-of-way sections, including in conjunction with city, county, and/or state planning, engineering, and implementation of capital projects;
 - (6) Provide accessibility to off-street parking facilities or alternative transportation facilities by suitable means such as public shuttle, tram or trolley service, or related physical improvements such as bus shelters and right-of-way modifications; and
 - (7) Perform such other related activities as may be appropriate to carry out the intent of this article including, but not limited to, infrastructure improvements in the public right-of-way, contributing to maintenance of the public sidewalks within the NRD-2 boundary, supporting alternative transportation facilities and operations, and marketing related to promoting any of the aforementioned activities in this section.

- (b) Wynwood Norte parking trust fund recipients may be public entities or public-private partnerships.
- (c) It is the intent of this section that at least 90 percent of the funds as determined at the beginning of each fiscal year shall be allocated for purposes consistent with subsections (a)(1)—(7) of this section. At least ten percent of the funds must be maintained as reserves, inclusive of any administrative expenses.
- (d) Any such shuttle, tram, or trolley service as mentioned in subsection (a)(6) shall be subject to yearly evaluation of the Wynwood Norte improvement committee.
- (e) There is hereby created a Wynwood Norte improvement committee ("committee") that shall consist of seven voting members and as many non-voting members, as may be necessary from time to time at the sole discretion of the chief executive officer ("CEO") of DOSP, appointed as follows:
 - (1) The CEO shall be a non-voting member.
 - (2) The district 5 city commissioner shall appoint two voting members who are electors in the NRD-2 boundary who shall not require DOSP board confirmation.
 - (3) The director of planning of the city, or his/her designee, shall be a voting member who shall not require DOSP board confirmation.
 - (4) Two voting members that are property owners of any assessed property within the NRD-2 boundary who shall be subject to DOSP board confirmation and shall serve three-year terms. Such members shall not be associated with each other.
 - (5) Two voting members who shall represent commercial establishments or businesses within the NRD-2 boundary who shall be subject to DOSP board confirmation and shall serve two-year terms. Such members and establishments shall not be associated with each other.
 - (6) At the discretion of the CEO, the CEO shall appoint non-voting members as may be necessary from time to time, who shall not require DOSP board confirmation.
 - (7) City commission approval shall not be required for any appointments.
- (f) Nomination of initial members. The CEO shall appoint a committee nominating commission to solicit and screen applications, interview candidates, and submit nominations to the CEO for appointment to the initial committee.
- (g) Subsequent nominations and vacancies. For any future vacancies that require DOSP board approval, a selection committee, chosen by the remaining committee members, shall be formed and shall make nominations for filling seats, subject to DOSP board approval, upon expiration of a term or in the event of any vacancy.
- (h) Quorum. Quorum shall consist of the presence of four voting members.

(Ord. No. 13996, § 2, 5-13-21)

Sec. 35-234. Funds made available; financial report.

- (a) Funds deposited into the Wynwood Norte parking trust fund shall be made available to the DOSP for the purposes set forth in section 35-233 and for administrative expenses after review and recommendation by the committee to DOSP and approval by the DOSP board following receipt and consideration of the committee's recommendation. DOSP shall submit financial reports to the city commission on an annual basis.
- (b) A financial report on trust fund receipts and expenditures shall be prepared annually at the close of the fiscal year by DOSP and presented to the committee for its review and approval prior to filing with the city clerk.

(Ord. No. 13996, § 2, 5-13-21)

Sec. 35-235. Schedule of fees and charges for the Wynwood Norte parking trust fund.

- (a) Fees in lieu of providing required off-street parking for the NRD-2 boundary shall be as follows:
- (1) As outlined in the NRD-2 appendix of the Miami 21 Code, purchase price of \$8,750.00 per half-space (residential) and \$17,500.00 per full space (commercial or residential) per parking space waiver ("purchase price"). The purchase price shall be inflation adjusted once at the end of each five-year period.
 - (2) Permanent certificate of waiver. Upon receipt of the full purchase price and any reasonable applicable fees for administrative expenses as set by the DOSP from time to time in accordance with the provisions of this article, the city shall issue a permanent certificate of waiver in lieu of providing physical parking spaces ("certificate of waiver"), which shall be recorded at the property owner's sole expense in the public records of Miami-Dade County, Florida. The certificate of waiver shall run with the land.
 - (3) Payment as set forth in subsections 35-235(a)(1) and (2) shall be due and payable prior to issuance of a building permit, including a phased permit; revisions to an existing building permit for any new construction or addition that generates additional required parking spaces; issuance of a certificate of use or temporary certificate of Use for any new construction or addition that generates additional required parking spaces; or substitution for parking previously to be provided on-site or off-site, whichever is earlier.
- (b) Payment of the fees and issuance of the certificate of waiver set forth in subsections hereinabove shall permanently exempt the respective property from the corresponding parking requirement for such use as specified in the certificate of waiver, unless and until such certificate of waiver is revoked as set forth in section 35-236.

(Ord. No. 13996, § 2, 5-13-21)

Sec. 35-236. Parking waiver certificates; revocation; refunds.

- (a) Certificates of waiver shall not be issued without full payment and only issued after verification by the zoning administrator, by or with any other applicable city departments, that such certificate of waiver is in compliance with the Miami 21 Code and the parking requirements applicable through the NRD-2 boundary.
- (b) Failure to maintain a building permit as required in this article shall cause the zoning administrator to revoke the certificate of waiver. Any building permit procured as specified in this section must remain active at all times. If a building permit becomes inactive or is otherwise abandoned, a revocation of the certificate of waiver shall be initiated.
- (c) In the event that a certificate of waiver is revoked by the zoning administrator or released in writing by the property owner prior to issuance of a certificate of occupancy, temporary certificate of occupancy, certificate of completion, certificate of use, or temporary certificate of use for the improvements that generated the parking requirements for which the certificate of waiver was issued, the DOSP shall apply a credit to run with the property and be available to apply towards a future certificate of waiver.

(Ord. No. 13996, § 2, 5-13-21)

Sec. 35-237. Downtown Flagler District Parking and Loading Improvement Program and Trust Fund—Established.

- (a) There is hereby established a program known as the Downtown Flagler District Parking and Loading Improvement Program ("program"). The Department of Off-Street Parking ("DOSP"), also known as the Miami Parking Authority, or any successor agency designated by the city commission shall administer and oversee the program and provide an annual report to the city commission.

- (b) The program shall include a trust fund known as the Downtown Flagler District Parking and Loading Improvement Trust Fund ("trust fund") to be maintained and administered by DOSP into which funds shall be deposited and from which funds shall be withdrawn pursuant to sections 35-237 through 35-240 to facilitate the creation of publicly accessible on-street and off-street parking and loading and enable a centralized valet system consistent with the City Code including, without limitation, chapter 9 within the boundaries consistent with the Downtown Flagler District as provided for in Exhibit "A", attached and incorporated, through means which may include but are not limited to the following activities:
- (1) Acquire fee simple or other possessory interest in land and other real property for parking and loading purposes;
 - (2) Construct, maintain, operate, lease, manage, enforce (non-exclusive), fund, or otherwise provide off-street and on-street parking facilities for public use;
 - (3) Construct, maintain, operate, lease, manage, enforce (non-exclusive), fund, or otherwise provide off-street and on-street loading facilities for public use;
 - (4) Construct, maintain, operate, lease, manage, enforce (non-exclusive), fund, or otherwise provide a uniform on-street valet system for public use;
 - (5) Construct, maintain, operate, lease, manage, enforce (non-exclusive), fund, or otherwise provide for supplemental and/or alternative public mobility options within the Downtown Flagler District area, provided public mobility options shall be subject to yearly evaluation of the Downtown Flagler District Improvement Committee as established and constituted by this section;
 - (6) Provide public information to enhance parking, loading, valet, and mobility utilization including personnel, graphics and signage, and other informational devices;
 - (7) Coordinate plans for parking and loading facility improvements or expansion in conjunction with public transportation plans and operations in the vicinity;
 - (8) Provide accessibility to off-street parking facilities or alternative transportation facilities by suitable means such as public shuttle, tram or trolley service, or related physical improvements such as bus shelters and right-of-way modifications;
 - (9) Perform such other related activities as may be appropriate to carry out the intent of this article including, but not limited to, infrastructure improvements in the public right-of-way, contributing to maintenance of the public sidewalks within the Downtown Flagler District as defined herein, supporting alternative transportation facilities, operations, and marketing related to promoting any of the aforementioned activities;
 - (10) Purchase necessary technology to manage loading and valet zones, including but not limited to closed circuit television ("CCTV"), software, and sensors.
- (c) It is the intent of this section that at least 90 percent of the funds as determined at the beginning of each fiscal year shall be allocated for purposes consistent with this section. At least ten percent of the funds must be maintained as reserves, inclusive of any administrative expenses.
- (d) DOSP shall create, manage, and enforce (non-exclusive) a centralized loading program within the Downtown Flagler District subject to the following:
- (1) DOSP shall have the authority to limit the size and weight of trucks, timing of deliveries, stopping, standing, and location of loading within the Downtown Flagler District.
 - (2) Each block face along Northeast/Northwest 1 Street and Southeast/Southwest 1 Street within the Downtown Flagler District may have at least one DOSP managed on-street commercial loading area. DOSP managed on-street loading areas shall be no more than 300 feet apart based on a DOSP commercial loading zone plan approved by the city commission.

- (3) DOSP managed loading, valet, and ride-share areas shall be designated by signage and for limited intervals during specified hours.
- (e) DOSP may charge fees in its proprietary capacity in addition to the fees stated in sections 35-237—35-240 or any other regulatory fees for the use of DOSP-managed loading facilities.
- (f) Notwithstanding Article 7, Section 7.2.8.b of the Miami 21 Code, it is the intent of this section that the Downtown Flagler District, as defined herein, may be granted the general parking reductions and other relaxations of parking requirements allowed pursuant to the Miami 21 Code.
- (g) There is hereby created a Downtown Flagler District Improvement Committee ("DFD committee") that shall consist of five voting members and as many non-voting members as may be necessary from time to time at the sole discretion of the chief executive officer ("CEO") of DOSP appointed as follows:
 - (1) The CEO or designee shall be a non-voting member.
 - (2) The executive director of the Miami Downtown Development Authority ("Miami DDA") or designee shall be a voting member who shall not require DOSP board confirmation.
 - (3) The District 2 Commissioner shall appoint one voting member who resides within the boundaries of the Downtown Flagler District who shall be subject to DOSP board confirmation and shall serve a two-year term.
 - (4) The city's planning director or designee shall be a voting member who shall not require DOSP board confirmation.
 - (5) One voting member who shall be a property owner of any assessed property within the boundaries of the Downtown Flagler District who shall be subject to DOSP board confirmation and shall serve a two-year term.
 - (6) One voting member who shall represent retail and/or restaurant/bar establishments within the boundaries of the Downtown Flagler District who shall be subject to DOSP board confirmation and shall serve a two-year term.
 - (7) At the sole discretion of the CEO, the CEO may appoint non-voting members as may be necessary from time to time who shall not require DOSP board confirmation.
 - (8) Nomination of initial members. The CEO shall appoint a committee nominating commission to solicit and screen applications, interview candidates, and submit nominations to the CEO for appointment to the initial committee.
 - (9) Subsequent nominations and vacancies. A selection committee chosen by the remaining committee members shall be formed and shall make nominations for filling seats upon expiration of a term or in the event of any vacancy and the DOSP board shall confirm the nominees, as applicable.
 - (10) Quorum. Quorum shall consist of the physical presence of three voting members.
 - (11) The DFD committee shall be subject to all applicable ethics, public records, and Sunshine laws and all applicable federal, state, and local laws and regulations.

(Ord. No. 14036, § 2, 11-18-21)

Sec. 35-238. Funds made available; financial report.

- (a) Funds deposited into the trust fund shall be made available to DOSP for the purposes set forth in section 35-237 and for administrative and regulatory expenses after review and recommendation by the DFD committee to DOSP and approval by the DOSP board following receipt and consideration of the DFD committee's recommendation. DOSP shall submit annual financial reports to the city commission on an annual basis.

- (b) A financial report on trust fund receipts and expenditures shall be prepared annually at the close of the fiscal year by DOSP and presented to the DFD committee for its review and approval prior to filing with the city clerk.

(Ord. No. 14036, § 2, 11-18-21)

Sec. 35-239. Schedule of fees and charges for Downtown Flagler parking and loading improvement trust fund.

- (a) Fees in lieu of providing required off-street parking and loading for the area described as the Downtown Flagler District shall be a purchase price of \$8,500.00 per half-space and \$17,000.00 per full space per parking space waiver ("parking purchase price"). The DFD committee will evaluate every two years whether the parking purchase price is meeting the needs of and appropriate for the Downtown Flagler District and will provide a report and recommendation regarding the parking purchase price to the DOSP. The DOSP shall present the DFD committee report and recommendation to the city commission. Every five years, the DFD committee shall also evaluate and make a recommendation whether the parking purchase price shall be inflation adjusted to be presented to the city commission by DOSP.

Fees in lieu of providing required off-street loading for the area described as the Downtown Flagler District shall be as follows:

- (1) A purchase price of \$20,000.00 per 200 square feet of loading area, \$40,000.00 per 420 square feet of loading area, and \$60,000.00 per 660 square feet of loading space per loading space waiver ("loading purchase price"). Only properties described in Article 4, Table 4 of the Miami 21 Code are eligible to participate in this fee-in-lieu of loading program. The loading purchase price shall be inflation adjusted once at the end of each five-year period.
 - (2) Notwithstanding the fee in lieu of off-street loading, the required number of loading spaces pursuant to Article 4, Table 5 of the Miami 21 Code must be provided off-site as described in Article 4, Table 4 of the Miami 21 Code.
- (b) Permanent certificate of waiver. Upon receipt of the full parking purchase price or full loading purchase price, as applicable, and any applicable fees for administrative expenses set by DOSP from time to time in accordance with the provisions of this article, the city shall issue a permanent certificate of waiver in lieu of providing physical parking or loading, as applicable ("certificate of waiver"), which shall be recorded at the property owner's sole expense in the public records of Miami-Dade County, Florida. The certificate of waiver shall run with the land.
- (c) Payment as set forth in subsections 35-239(a) and (b) shall be due and payable prior to issuance of a building permit or revisions to an existing building permit for any new construction or addition that generates additional required parking spaces or loading, as applicable; issuance of a certificate of use or temporary certificate of use for any new construction or addition that generates additional required parking spaces or loading, as applicable; or substitution for parking or loading, as applicable, previously to be provided on-site or off-site, whichever is earlier.
- (d) Payment of the fees and issuance of the certificate of waiver set forth in the subsections hereinabove shall permanently exempt the respective property from the corresponding parking or loading requirements, as applicable, for such use as specified in the certificate of waiver unless and until such certificate of waiver is revoked as set forth in section 35-240.

(Ord. No. 14036, § 2, 11-18-21)

Sec. 35-240. Parking and loading waiver certificates; revocation; refunds.

- (a) Certificates of waiver shall not be issued without full payment and after verification by DOSP, the planning department, and with any other applicable city departments that such certificate of waiver complies with the Miami 21 Code and all parking and loading conditions.
- (b) Failure to maintain a building permit as required in this article shall cause the zoning administrator to revoke the certificate of waiver. Any building permit procured as specified in this article must remain active at all times. If a building permit becomes inactive or is otherwise abandoned, a revocation of the certificate of waiver may be initiated. Any appeal of a building permit or similar development permit shall toll the time period specified in this section until a final decision is rendered on the appeal.
- (c) In the event that a certificate of waiver is revoked by the zoning administrator or released in writing by the property owner prior to issuance of a certificate of occupancy, temporary certificate of occupancy, certificate of completion, certificate of use, or temporary certificate of use for the improvements that generated the parking or loading requirements, as applicable, for which the certificate of waiver was issued, DOSP shall apply a credit to run with the property and the credit will be available to apply towards a future certificate of waiver for a period not exceeding five years. After five years, the unused credit is deemed abandoned and is forfeited unless the applicant applies in writing for a credit with the planning director anytime during the five-year period in which case the city will approve the timely credit request within 90 days of when the request is made and will credit the entire sum.

{Ord. No. 14036, § 2, 11-18-21}

Secs. 35-241—35-250. Reserved.

ARTICLE VI. SILVER BLUFF COMMERCIAL PARKING IMPROVEMENT TRUST FUND

Sec. 35-251. Established.

There is hereby established a trust fund to be entitled the Silver Bluff commercial parking improvement trust fund (the "trust fund") to be maintained and administered by the department of off-street parking for the purpose of receiving and expending funds to facilitate public off-street parking to serve the Silver Bluff commercial overlay district through means which may include, but are not limited to the following:

- (1) Acquire fee simple or other interest in land and other real property for parking purposes;
- (2) Construct, maintain, operate, lease, manage, or otherwise provide off-street parking facilities for public use in conjunction with the Silver Bluff commercial off-street parking program;
- (3) Provide public information to enhance parking utilization including publicity campaigns, graphics and signage, and similar information devices;
- (4) Enter into agreements with owners of private off-street parking facilities for the use of such facilities when not needed by the owners;
- (5) Coordinate plans for parking facility improvements and expansion with public transportation plans and operations in the vicinity, particularly the joint facilities that might be operated in connection with Metrorail and any feeder services existing or future;
- (6) Perform such other related activities as may be appropriate to carry out the intent of this article.

(Ord. No. 11104, § 1, 11-23-93; Code 1980, § 36-196)

Sec. 35-252. Schedule of fees and charges.

The schedule of fees and charges to be assessed and paid into the trust fund is as follows:

- (1) Fee in lieu of providing required off-street parking for the SD-21 zone, as provided for in article 6 of zoning Ordinance No. 11000 of the City of Miami: \$1,500.00 per space, which fee shall be inflation adjusted annually through the consumer price index—urban consumers (CPI-U). The fee may be paid either by a one-time payment, or by periodic payments calculated to yield the principal sum of the required fee in five years at the current DOSP interest rate.
- (2) Fees shall be payable to DOSP by lump sum or by execution of a periodic payment agreement in advance of the issuance of a certificate of occupancy or certificate of use, as applicable. If the applicant already holds a valid certificate of occupancy or certificate of use, payment shall be made within 30 days of approval of the requested waiver.
- (3) Fees in subsections (1) through (2) above shall be invoiced and payable either once, or at intervals, as appropriate. Fees not paid within 15 days of the due date shall be charged a late fee of five percent of the amount due. Fees not paid within 30 days of the due date shall be charged interest at the rate of ten percent per annum calculated monthly on the unpaid balance including applicable late fees.

(Ord. No. 11104, § 1, 11-23-93; Code 1980, § 35-197; Ord. No. 11329, § 2, 12-7-95)

ARTICLE VII. TRANSPORTATION TRUST FUND

Sec. 35-253. Intent.

It is intended that the "Transportation Trust Fund" be established in order to facilitate the creation, operation, and maintenance, including capital and operating costs, of mass transit and other transportation facilities within the city, including, but not limited to, fixed mass transit routes, the city's trolley system, waterborne mass transit, and public parking garages for transit enhancement purposes. It is further intended that the transportation trust fund money may be expended as the city's share of the cost of an eligible project undertaken or developed by other governmental entities or through a public-private partnership.

(Ord. No. 13568, § 1, 10-22-15)

Sec. 35-254. Trust fund payments.

- (a) *Capital contribution.* No less than 20 percent of any unrestricted one-time cash payments to the city of \$500,000.00 or more, including, but not limited to, payments received through lease re-negotiations, money judgments from lawsuits, audit findings, or any other lump sum payments, shall be reserved in this trust fund for capital or acquisition costs associated with mass transit. The one-time payments for purposes of this section shall not include reasonable costs and any capital replacement costs associated with the transaction that resulted in the receipt of the one-time cash payment. Additionally, 20 percent of all unrestricted cash contributions to the public benefits trust fund, as defined in chapter 62, article XIV of the City Code and Section 3.14 of the Miami 21 Code, the zoning ordinance of the city, as amended, shall be reserved for the same trust fund purpose, with the exception of the cash contributions to the public benefit trust fund for affordable/workforce housing as defined in subsection 62-642(c) of the City Code and Section 3.14.4(a)(3) of the Miami 21 Code. If any unrestricted one-time cash payment to the city of \$500,000.00 or more is to be paid in installments, the capital contribution shall be no less than 20 percent of each installment as it is received by the city. These funds may be carried over to the succeeding fiscal year. The total amount of funds deposited

into this trust fund shall be capped at \$10,000,000.00. Any unrestricted cash payments, or portions thereof, paid into the trust fund in excess of the \$10,000,000.00 cap shall be deposited into the city's general fund.

- (b) *Operation and maintenance contribution.* Each fiscal year, no less than one-quarter of one percent (0.25%) of the city's general fund operating budget shall be reserved in this trust fund for operation and maintenance costs associated with mass transit. These funds shall, to the extent possible to meet the one-quarter of one percent (0.25%) minimum, primarily consist of transportation related restricted funds eligible for said purpose not already allocated for other expenditures. The administration shall look to earmarked transportation funding, inclusive of Local Option Gas Tax ("LOGT") funding. These funds may be carried over to the succeeding fiscal year.
- (c) *Garage contribution.* All funds collected through parking ratio reductions pursuant to Article 4, Table 4 of the Miami 21 Code, as amended, shall be reserved in this trust fund for capital or acquisition costs associated with the creation of new public parking garages operated by the department of off-street parking. These funds may be carried over to the succeeding fiscal year.
- (d) *Expenditures.* Nothing in this section shall be construed as limiting the ability to reserve funds in excess of the abovementioned minimums. Expenditures from this trust fund shall require a $\frac{2}{3}$ ths vote of the entire membership of the city commission upon a written recommendation from the city manager. This article shall not be construed to take funds from any of the established parking trust funds in this article.

(Ord. No. 13568, § 1, 10-22-15; Ord. No. 13908, § 2, 6-25-20)

Sec. 35-255. Declared state of emergency.

During a declared federal, state, or local state of emergency for all or a portion of the city, the city manager is authorized to suspend the requirements of subsection 35-254(a) of this article in order to ensure the continuity of services for the city's residents, to preserve and maintain the financial integrity of the city, and for the preservation of the health, safety, welfare, and property of the public and the city. The city manager may suspend the requirements of subsection 35-254(a) retroactively to the date of the earliest declaration of a federal, state or local state of emergency. Said authority shall terminate upon the termination or expiration of the federal, state, and local state of emergency.

(Ord. No. 13908, § 2, 6-25-20)

Secs. 35-256—35-280. Reserved.

~~ARTICLE VIII. PRIVATE PARKING LOTS²~~

~~Sec. 35-281. City authorization required.~~

- ~~(a) It shall be unlawful for any person or entity to engage in the operation or maintenance of a parking lot for a fee or charge, unless such person or entity is authorized by the city and has paid the appropriate fee in accordance with the provisions of this Code or other ordinances.~~
- ~~(b) All private pay meters, pay stations or similar payment devices shall prominently display the name of the lot owner or operator and the lot owner or operator's phone number. The operator name and logo, if applicable, shall not resemble the type or logo of the Miami Parking Authority.~~

~~{Ord. No. 13427, § 2, 1-9-14}~~

~~Sec. 35-282. Permit, certificate of use and a business tax receipt, records required.~~

- ~~(a) No person or entity shall engage in the operation or maintenance of a parking lot for a fee or charge unless such person holds a valid permit, certificate of use and a business tax receipt.~~
- ~~(b) Such permit shall serve as evidence of the operator's compliance with all building, zoning, finance, and lighting requirements the Florida Building Code, the Florida Building Code - Accessibility and the Miami-Dade County Code, Chapter 8C.~~
- ~~(c) Copies of the permit, certificate of use and business tax receipt must be displayed, or available, on the premises for ease of inspection by the city and at the office of the owner or operator. If no booth is available on-site, such documentation shall be displayed, or available for review, at the office of the owner or operator.~~

~~{Ord. No. 13427, § 2, 1-9-14}~~

~~Sec. 35-283. Signs indicating charges.~~

- ~~(a) All persons properly licensed by the city to operate parking lots shall erect signs, one at each entrance of the parking lot for which a certificate of use and a business tax receipt is granted, or if only one entrance exists, then one sign at such entrance. Such signs are not to be smaller in size than two square feet, with letters not less than six inches in size printed or painted thereon, indicating the price and fee charged for automobile parking and the period of time for which such fee or price is charged. The sign shall be displayed not less than five feet from the ground nor more than eight feet above the ground. If lots are not being attended and are run electronically or by multi-space, pay and display equipment, rate information and company contact information shall be prominently displayed on the machine.~~
- ~~(b) Signage for private owners and operators must also include: hours of operation, owner or operator name, and owner or operator address and phone number. It shall also include a statement disclosure: *Operated by a private company.*~~
- ~~(c) All signage shall be in compliance with Miami 21, as amended.~~
- ~~(d) Any parking lot advertisement must be accurate and not false or deceptive in any manner.~~
- ~~(e) It shall be unlawful to place any temporary signs, such as "A" frame signs or any such similar signs outside the parking lot property, on the streets or sidewalks as prescribed by chapter 54 of the City Code.~~

~~{Ord. No. 13427, § 2, 1-9-14}~~

~~Sec. 35-284. Alteration of charges; charges in excess of published rate.~~

~~It shall be unlawful for any such licensee or his/her agent or employee to charge a rate or fee higher than the rate published on the signs erected on the parking lot or displayed on any pay and display equipment as provided for in section 35-283.~~

~~{Ord. No. 13427, § 2, 1-9-14; Ord. No. 13676, § 2, 4-27-17}~~

~~Sec. 35-285. Revocation of license for violations.~~

- ~~(a) Conviction of the violation of any of the provisions of sections 35-281 through 35-291 shall subject the violator to fines and/or the revocation of his/her certificate of use and business tax receipt by the city~~

manager or his/her designee. The violator may request an appeal of the revocation of each to the department of hearing boards, within 15 days of receipt of the revocation notice.

- (b) ~~The city manager, or his or her designee, may order the immediate cessation of the use of the parking lot for any violation of this article where, in the opinion of the city manager or his or her designee, the parking lot constitutes an immediate hazard to the health, safety, or welfare of the public, causing potential immediate harm to the users of said parking lot.~~
- (c) ~~Any certificate of use revoked under subparagraph (a) above may be reinstated within 30 days following the completion of any and all required inspections. No such parking lot or part thereof shall be allowed to open if there is a violation outstanding.~~

~~{Ord. No. 13427, § 2, 1-9-14; Ord. No. 13676, § 2, 4-27-17}~~

~~Sec. 35-286. Barriers at off-street parking areas adjacent to sidewalk or roadway; closures; entrance or exit.~~

- (a) ~~All owners or operators of off-street parking areas adjacent to any sidewalk or roadway shall have a permanent type barrier not less than four feet in height at all places where such parking area is bounded by sidewalks or roadways, except at permanently designated entrances and exits.~~
- (b) ~~Barriers shall be made of aluminum or galvanized picket and shall be placed so as to prevent any vehicle from entering or leaving a parking area except at a permanently designated entrance or exit and so as to prevent any portion of a parked vehicle from extending beyond the boundary of the parking area.~~
- (c) ~~The hours of operation of a parking lot shall be placed prominently displayed at each entrance or exit. When a parking lot is full, the employees of the owner or operator shall direct traffic to an adjacent parking lot with capacity or away from the parking lot entrance so as to prevent vehicles from obstructing travel on the adjacent right-of-way travel lanes.~~
- (d) ~~Employees utilizing flags to facilitate ingress and egress from a parking lot are prohibited from standing in the public right-of-way, i.e. streets or sidewalks other than on the sidewalk immediately adjoining the parking lot within 20 feet of the parking lot entrance or exit. At no time shall any such employee: (i) obstruct the flow of traffic within vehicular travel lanes; (ii) impede the full use and enjoyment of the adjoining sidewalk by public; or (iii) solicit business from the sidewalk for the parking lot of their owner operator by standing on the sidewalk adjoining a parking lot or business establishment by which they are not employed. Employees or licensees may receive traffic citations for obstructing traffic or further fines as allowed by this article.~~

~~{Ord. No. 13427, § 2, 1-9-14}~~

~~Sec. 35-287. Temporary use of parking lots for special events.~~

~~All private owners, operators, permit holders or affiliated entities operating one or more parking lots servicing special events at arenas, stadiums or other similar facilities within 500 feet of the property in which the special event occurs must provide uniformed security for one hour prior to such events and for a minimum of 45 minutes after the event has concluded. A minimum of one off-duty or reserve police officer must be used as uniformed security by those private owners, operators, permit holders and their affiliated entities operating one or more parking lots which, in the aggregate, have capacity for 125 or more vehicles during special events.~~

~~{Ord. No. 13427, § 2, 1-9-14}~~

Sec. 35-288. Continuous duty to maintain adequate lighting for parking lots; maintain parking lot in a clean condition.

- (a) ~~All person(s) engaged in the operation or maintenance of a parking lot shall have a continuous, uninterrupted duty to maintain adequate lighting in said parking lot. The duty shall extend over all portions of the property being used for parking, including any ancillary landscaping features and all points of vehicular and pedestrian ingress and egress.~~
- (1) ~~Open parking lots and access thereto shall be provided with a maintained minimum of 1.0 foot candle on the parking surface from dusk until dawn; provided, however, the lighting level may be reduced by 50 percent on non-business days and commencing 30 minutes after the termination of business on each operating day. The uniformity ratio shall not exceed a twelve to one ratio (12:1) maximum to minimum foot candles.~~
- (2) ~~Alleys shall be provided with a maintained minimum of one-third foot candle on the alley surface from dusk to dawn. The uniformity ratio shall not exceed a twelve to one (12:1) maximum to minimum foot candles. This provision shall not apply to governmental facilities not generally open to the public, and shall apply to those governmental facilities that are generally open to the public only during the dusk-to-dawn hours such facilities are open.~~
- (3) ~~Parking and non-enclosed areas under or within buildings shall be maintained a minimum of one foot-candle of light on the walking and parking surfaces from dusk until dawn, and the ratio of maximum to minimum illumination in foot candles shall not exceed twelve to one (12:1); provided, however, the lighting level may be reduced by 50 percent on non-business days and commencing 30 minutes after the termination of business on each operating day. It is provided that this provision shall not apply to governmental facilities not generally open to the public, and shall apply to those governmental facilities that are generally open to the public only during the dusk-to-dawn hours such facilities are open.~~
- (4) ~~The area immediately outside of exterior doors shall have security illumination and shall be activated during the dark period of every day.~~
- (b) ~~In addition to lighting, the parking lot must be free from hazardous conditions such as broken glass, debris, and pot holes. The lot must be kept in a safe and clean condition.~~
- (c) ~~Each parking lot must have a dumpster or provide trash receptacles or be serviced by a commercial solid waste franchisee such that the property is free and clear of debris or litter.~~
- (Ord. No. 13427, § 2, 1-9-14)

Sec. 35-289. Owner, operator, and employee requirements.

- (a) ~~Employees must wear a uniform shirt with the parking lot owner or operator's company name and logo printed on it.~~
- (b) ~~The name of all employees shall be listed by shift in the company records available for inspection at the parking lot location during its hours of operation or at the owner or operator's office during regular business hours.~~
- (c) ~~Employees must be paid wages pursuant to state and federal law.~~
- (d) ~~No individual owner or operator, or shareholder or member of an ownership or operating entity, of any parking lot shall have a controlling financial interest in any booting or tow company servicing a parking lot for the same owner or operator. All parking lots must follow state and county towing and booting guidelines.~~
- (Ord. No. 13427, § 2, 1-9-14)

~~Sec. 35-290. Compliance with the interim parking in chapter 62, article XIII, division 4.~~

- (a) ~~All parking lots in the interim temporary parking pilot program authorized pursuant to subsection 62-543(4) prior to January 9, 2014 must immediately come into full compliance with the Florida Building Code, the Florida Building Code Accessibility and the Miami-Dade County Code, Chapter 8C, including, but not limited to, the requirements for landscaping, lighting, asphalt, fencing, etc., based on the date set for compliance in the original application or as set forth in subsection (b) below, whichever is shorter.~~
- (b) ~~Any parking lot owner or operator of a lot who has received an approval after January 9, 2014 but prior to July 25, 2019 and that meets all permit and City Code requirements shall be allowed to operate pursuant to its permit provided that the all interim parking lots must come into full compliance with all state, county, and local laws, rules, and regulations regarding the permitting, operation, and maintenance of parking lots within one year from obtaining a temporary certificate of occupancy or within one year from 120 days from passage of the ordinance from which this section derives, whichever is shorter. Nothing herein shall be deemed to preclude the continued use and permitting of conditionally improved, unimproved, and partially improved temporary parking lots as authorized pursuant to any other subsection of section 62-543. No parking lot that has previously received approval pursuant to section 62-543 of the City Code may receive a subsequent new approval for the same property so as to prevent temporary parking lots from remaining in such a state on a permanent basis. Notwithstanding the above, any parking lot currently operating pursuant to a valid permit may receive further renewals subject to compliance with the requirements set forth in section 62-543 of the City Code.~~

~~(Ord. No. 13427, § 2, 1-9-14; Ord. No. 13854, § 2, 7-25-19; Ord. No. 14069, § 2, 6-9-22)~~

~~Sec. 35-291. Enforcement of this article; penalties.~~

~~A violation of this section may be enforced pursuant to the provisions of prescribed in chapter 2, article X—Code enforcement, section 31-48 of the City Code, or under any other provisions allowed by law. The City of Miami Police may enforce the provisions of this article pursuant to the above-cited provisions.~~

~~Violations of this article shall be cited in accordance with the schedule of civil penalties set forth in section 2-289 of the City Code and as allowed by law.~~

~~(Ord. No. 13427, § 2, 1-9-14)~~

~~Sec. 35-292. Issuance of private parking violations prohibited.~~

- (a) ~~It is unlawful for any non-governmental person or entity to issue an invoice or other document which seeks to impose a monetary charge for any motor vehicle parked in a privately operated parking lot or facility that includes the word violation, citation, or ticket. Notwithstanding the foregoing, an invoice or other document issued by a non-governmental person or entity does not violate this section if the form of such document includes a statement in 14 point bold face font, in substantially the following form: "THIS INVOICE IS PRIVATELY ISSUED, IS NOT ISSUED BY A GOVERNMENTAL AUTHORITY, AND IS NOT SUBJECT TO CIVIL OR CRIMINAL PENALTIES."~~

- (b) ~~Any invoice issued in violation of this section is unenforceable.~~

~~An invoice or document as referred to in this section shall not include anything called a ticket, citation, violation, or other similar such name. No non-governmental person or entity shall create any such document which resembles in size or font that of a governmentally issued citation nor shall any such issuance bear the seal of the city or any other such governmental authority or bear any resemblance thereto.~~

- (c) ~~Penalties; enforcement.~~

- (1) ~~Any person or entity found to have authorized the issuance or issued any such invoice or document to any vehicle shall be subject to having their business tax receipt and certificate of use revoked pursuant to section 21-48 and section 2-211 of the City Code.~~
- (2) ~~Any person or entity who issues or authorizes the issuance of any such invoice or document to any vehicle shall be subject to a \$500.00 civil violation which may be enforced in accordance with chapter 2, article X of the City Code. Any such invoice or document found to be placed upon any vehicle or electronically issued against the vehicle shall be prima facie evidence of a violation of this subsection. Each and every such issuance of an invoice or document shall be considered as a separate offense.~~
- (3) ~~Any person or entity who issues or authorizes to be issued any such invoice or document invoice to any vehicle may be subject to penalties as described in section 1-13 of the City Code.~~
- (4) ~~Use of one method of enforcement shall not preclude the use of another and the city may further seek enforcement through any civil action provided for by law.~~

~~(Ord. No. 13840, § 2, 5-23-19; Ord. No. 13842, § 2, 6-13-19; Ord. No. 13990, § 2, 4-22-21)~~

~~Secs. 35-293—35-300. Reserved.~~

ARTICLE IX. VALET PARKING⁸

Sec. 35-301. Purpose; permit and license required.

- (a) The purpose of this article is to:
- (1) Reduce the disruption of vehicular and pedestrian traffic that valet parking service operations may create;
 - (2) Minimize hazardous conditions that valet parking service operations may create in order to protect the health, safety and welfare of the public;
 - (3) Promote the safe and legal operation of valet parking services for the use and convenience of businesses and the general public.
- (b) No person, establishment or entity shall conduct valet parking service on public right-of-way as herein defined without first obtaining a permit from the director of the department of off-street parking and paying the fee therefor to the chief financial officer of DOSP or his/her designee.

(Ord. No. 12588, § 1, 9-23-04; Ord. No. 13676, § 2, 4-27-17)

Sec. 35-302. Definitions.

Department or *DOSP* means the city department of off-street parking also known as Miami Parking Authority ("MPA").

Director means ~~director~~ chief executive officer of the city department of off-street parking, or his/her designee.

Officer means police, parking enforcement specialist, code enforcement officer.

Permit means the receipt of a valet parking permit under the terms and provisions of this article.

Permittee/operator means valet company and its employees.

Tandem parking means the storage of vehicles, irrespective of how configured, that requires moving at least one other vehicle to reach the vehicle sought.

Valet parking service area or ramping means the public right-of-way to be utilized for the valet parking service. This excludes the use of the T3 transect zone right-of-way areas unless associated with an accompanying T3 transect zone special event permit as contemplated in section 35-303.

(Ord. No. 12588, § 1, 9-23-04; Ord. No. 14138, § 11, 2-9-23; Ord. No. 14142, § 2, 2-9-23)

Sec. 35-303. Boundaries.

Valet parking service shall only be permitted within transect zones T4-L and O, T5-L and O, T6-L and O, C, and D. Furthermore, a valet parking service shall only be permitted within all T3, T4-R, T5-R and T6-R transect zones by obtaining a special event temporary permit as referred to in section 35-315. Valet parking services shall not use the right-of-way in T3 transect zones for the parking of any vehicles from their stands located in other transect zones unless associated with a special event permit issued for a T3 transect zone event.

(Ord. No. 12588, § 1, 9-23-04; Ord. No. 14142, § 2, 2-9-23)

Sec. 35-304. Permit fee; exceptions.

The ~~biannual~~ annual, non-refundable permit fee for establishing or maintaining a valet parking service shall be ~~\$500.00~~ \$1,400.00 from the effective date, paid to the department, ~~in the amount of \$500.00 plus~~ in addition to the following ramping fees:

Ramping fee:

- (1) If the operation of the valet parking service requires the rental of metered or non-metered parking spaces or area, the permittee/operator shall also pay a ramping fee of the rate established by DOSP per metered parking space or the rate for every 20 linear feet per day to the department. All rates are stated in section 35-194 of the parking rate ordinance.

- ~~(b)(2)~~ (2) The city manager, the director, or their designees, may waive said permit fee and ramping fee for valet parking service exclusively serving a city-owned and operated facility.

(Ord. No. 12588, § 1, 9-23-04)

Sec. 35-305. Permit application.

- (a) Application for a permit to conduct a valet parking service shall be made at the department in a form deemed appropriate by the director and city attorney. Such application shall include, but not be limited to, the following information:

- (1) Name and address of the proposed permittee/operator. If incorporated, permittee/operator must provide copies of the articles of incorporation and bylaws;
- (2) Copy of a valid certificate of use and local business tax receipt issued by the city;
- (3) Copy of current liability insurance in accordance with the provisions of section 35-308 of this code;
- (4) Site plan (at an appropriate scale) showing the proposed tandem parking arrangement, if any, the lay-out and dimensions of the existing public right-of-way and adjacent private property, proposed location, size of proposed mobile stands, tables, chairs, umbrellas, keybox, location of doorways, location of trees, parking meters, bus shelters, sidewalk benches, trash receptacles, driveways, and any other sidewalk obstruction either existing or proposed within the pedestrian areas. Under no circumstances

shall permanent structures or equipment be permitted. The site plan shall clearly identify the valet parking service area, and shall also show the proposed location, number of parking stalls and distance to the off-street parking facility providing the parking spaces for the valet parking service;

(5) Photographs, drawings, or manufacturers' brochures fully describing the appearance of all proposed mobile stands, tables, chairs, umbrellas, keybox or other objects related to the valet parking service; and

(6) Copy of the agreement/contract for the provision of the off-street parking spaces that includes identification of the location of vehicle storage spaces.

- (b) Applications shall be accompanied by an annual nonrefundable application fee of ~~\$150.00~~ \$250.00.
- (c) Applications shall be forwarded by the director to all city departments which may be affected by the granting of the permit, including but not limited to, resilience and public works, building planning and zoning, police, and risk management. The city departments shall review and submit comments on the application(s) to the department within 45 calendar days.
- (d) Within 50 calendar days of receipt of a completed application, the director shall issue a letter of intent to approve or deny the permit. The director shall provide a copy of the permit approval or denial to the finance department when the decision is made.

(Ord. No. 12588, § 1, 9-23-04; Ord. No. 12885, § 1, 2-8-07; Ord. No. 13792, § 1, 10-11-18; Ord. No. 14138, § 11, 2-9-23)

Sec. 35-306. Permit requirements, restrictions and when not permitted.

- (a) Permits shall be issued only for pedestrian areas and public right-of-way under the maintenance jurisdiction of the city.
- (b) Valet parking service shall be operated only by commercially licensed and insured vendors of parking services holding valid city local business tax receipts.
- (c) Permits shall be issued only to permittees/operators that provide certification, in a format approved by the director and city attorney, that they have procured sufficient accessible off-street parking spaces for their valet parking services. On-street parking spaces shall not be included in the computation of sufficient parking spaces for valet parking.
- (d) A permit shall not be issued when another valet parking permit has already been issued for a valet parking area immediately adjacent to the proposed permit area. Furthermore, a permit shall not be issued when the proposed permit area is on the same side of one city block of another valet parking area, unless authorized by the ~~resilience and public works~~ director.
- (e) Permits or a copy of a valid permit must be at valet ramping area at all times.

(Ord. No. 12588, § 1, 9-23-04; Ord. No. 12885, § 1, 2-8-07; Ord. No. 13792, § 1, 10-11-18)

Sec. 35-307. Standards and criteria for application review.

The following standards and criteria shall be used in reviewing the application required in section 35-305:

- (1) The location of the valet parking service area is restricted to existing designated on-street parking spaces.
- (2) The width of the valet parking service area shall comprise a minimum of three parking spaces (approximately 60 linear feet).
- (3) Mobile stands, tables, chairs, umbrellas, keyboxes and any other objects necessary for the operation of the valet parking service shall be located on the sidewalk in such a manner that a minimum

six-foot wide clear pedestrian path is maintained at all times. In areas of congested pedestrian activity, the director is authorized to require a wider pedestrian path, as circumstances dictate. Under no circumstances shall permanent structures or equipment be permitted, unless authorized by the ~~resilience and public works~~ director.

(4) Mobile stands, tables, chairs, umbrellas, keyboxes and any other objects necessary for the operation of the valet parking service shall be of quality, design, materials, and technique, both to ensure the safety and convenience of users, and to enhance the visual and aesthetic quality of the urban environment. Design, materials, and colors shall be sympathetic and harmonious with an urban environment. The city manager's office or its designated city department and the director of the city planning and zoning department shall be responsible for the review and approvals required by this subsection.

(5) Permits will not be issued where the drop-off and pick-up of vehicles interferes with the safe operation of driveways, street intersections, crosswalks or other prohibited areas.

(6) Permits will not be issued where stacking of drop-off and pick-up of vehicles interferes with the safe traffic operation on adjacent streets or unduly delays normal traffic operations.

(7) Tandem storage of vehicles arrangements will be evaluated for meeting technical standards.

(8) The permittee/operator shall abide by the terms and conditions set forth in the guides and standards developed by the department, as amended. The entire permitting process shall be completed within 50 calendar days.

(Ord. No. 12588, § 1, 9-23-04; Ord. No. 13676, § 2, 4-27-17; Ord. No. 13792, § 1, 10-11-18; Ord. No. 14138, § 11, 2-9-23)

Sec. 35-308. Liability and insurance.

- (a) Prior to the issuance of a permit, the permittee/operator shall furnish the director with a signed statement, approved by the city attorney, that the permittee/operator shall hold-harmless, indemnify and defend the city, its officers and employees and the department and board of directors, their officers and employees for any claims for damages to property or injury to persons which may be occasioned by any activity carried on under the terms of the permit.
- (b) Permittee/operator shall furnish and maintain such public liability and property damage insurance to protect from all claims and damage to property or bodily injury, including death, which may arise from operations under the permit or in connection therewith. Such insurance shall be provided from an insurance company with an A.M. Best rating of not less than "A" and a financial strength rating of not less than "X," acceptable to the risk management division, and shall provide coverage of not less than \$1,000,000.00 for bodily injury, and property damage respectively per occurrence. Such insurance shall be without prejudice to coverage otherwise existing therein and shall name as additional insured the city, DOSP and board of directors, its officers and employees, and shall further provide that the policy shall not terminate or be canceled prior to the completion of the permit period without 45 days written notice to the risk management division and the director at the address shown in the permit. Additionally, ~~permittee~~ permittee/operator shall provide "garage keepers" legal liability insurance providing collision and comprehensive coverage for vehicles under the control of the valet parking operator with a minimum of \$500,000 per location with a maximum self-insured retention (SIR) or deductible of \$1,000.00.
- (c) The permittee/operator shall provide proof of all required insurance prior to receiving the permit.

(Ord. No. 12588, § 1, 9-23-04)

Sec. 35-309. Form and conditions of permit.

The permit shall be issued on a form deemed suitable by the director and city attorney. In addition to naming the permittee/operator, the conditions set forth in preceding sections of this article, and any other information deemed appropriate by the director, the permit shall also contain, the following conditions:

- (1) Each permit shall ~~be effective be in effect for six months, subject to biannual~~ one-year, subject to annual renewal. Any renewal of a permit shall require compliance with all requirements for permits in the same manner as an original application.
- (2) The permit issued shall be personal to the ~~permittee~~ permittee/operator only and shall not be transferable or refundable in any manner.
- (3) The permit may be temporarily suspended by the director for a "community" or "special event." The ~~permittee~~ permittee/operator shall be entitled to a pro rata credit on the next permit payment due for any permit suspended a full business day or longer pursuant solely to this subsection. Advance notice will be provided to permittees/operators whenever practical.
- (4) The director may require the temporary removal or relocation of valet parking service when street, sidewalk, or utility repairs necessitate such action; if not able to relocate, DOSP will credit the permittee/operator for number of days out of service.
- (5) The department of fire-rescue or the police department may immediately remove or relocate all or parts of the valet parking service in emergency situations. Officers of the police department, or such special officers as are assigned by the chief of police or DOSP, are hereby authorized to direct traffic, including drop-off and pick-up vehicles, as conditions may require, notwithstanding the provisions of this chapter or other applicable traffic ordinances.
- (6) Under no circumstances shall the city, the department and the board of directors, and its officers and employees be deemed responsible or liable in any way for any damage or loss resulting from the removal of the permittee/operator equipment and other objects necessary for the operation of the valet parking service during emergencies. Furthermore, the permittee/operator agrees and acknowledges by accepting a permit issued pursuant to this article that the city, the department and the board of directors are to be held harmless in connection with its actions under this section.
- (7) The permit shall be specifically limited to the area shown on the approved site plan attached to and made part of the permit.
- (8) The permittee/operator shall use positive action to assure that its use of the sidewalk in no way interferes with sidewalk users or limits their free unobstructed passage.
- (9) Mobile stands, tables, chairs, umbrellas, keyboxes and any other objects necessary for the operation of the valet parking service shall be maintained with a clean and attractive appearance and shall be in good repair at all times and removed at the close of business each day.
- (10) The sidewalk area covered by the permit shall be maintained in a neat and orderly appearance at all times and the area shall be cleared of all debris on a periodic basis during the day, and again at the close of each business day.
- (11) No advertising signs shall be permitted on the sidewalk or in the public right-of-way, this shall not prohibit the use of one business identification sign located on the sidewalk, bearing no advertising and not exceeding five square feet in area, to be affixed to the valet parking service stand to identify "Valet Parking."
- (12) No mobile stands, tables chairs, umbrellas, keyboxes nor any other objects necessary for the operation of the valet parking service shall be attached, chained, or in any manner affixed to any tree, post, sign, or other fixtures, curb or sidewalk within or near the permitted area. All valet parking service

objects necessary for the operation of the valet parking service, other than required traffic cones, shall be located no closer than 30 inches behind the face of curb on the sidewalk.

(13) The permit covers only the pedestrian and public right-of-way. Valet parking services and objects necessary for the operation of the valet parking service located on private property shall be governed by other applicable city regulations.

(14) The permittee/operator shall provide written notification to the director and the chief of police when operation of the valet parking service begins. Said notice shall be delivered within 24 hours of such commencement.

(15) Tandem parking of vehicles shall be limited to a maximum of three vehicles (i.e. a maximum of two vehicles shall be required to be moved to reach the vehicle sought).

(16) The permittee/operator shall have available on-site for display upon request a valid local business tax receipt and valet parking permit issued pursuant to this article.

(Ord. No. 12588, § 1, 9-23-04; Ord. No. 12885, § 1, 2-8-07)

Sec. 35-310. Valet permittees/operators code of conduct; required customer protection regulations.

Permittees/operators shall require their employees and independent contractors to meet the following requirements:

(1) All employees who operate motor vehicles shall have in their possession a valid Florida Driver's License in good standing and shall abide by all city, Miami-Dade County and state traffic regulations.

(2) All employees shall be in similar uniforms.

(3) All employees shall wear on their uniform a name tag identifying the employee's name and the name of the valet operator/company.

(4) All employees shall perform their duties in a courteous and professional manner.

(5) All employees must comply with the requirements of this article and all applicable laws, statutes, ordinances, rules and regulations relating to traffic safety.

(6) Pricing for services shall be identified on any "signage" used by the valet operator. The size print of the foregoing information shall be equal to the largest size print used on any "signage" used to identify the service or valet operator. Claim tickets shall also indicate the price for the service. The print size of the foregoing shall be equal to that used for any other information displayed on the ticket.

(7) The claim ticket shall identify the valet operator's company name, correspondence address and a phone number for questions/complaints. All of the foregoing print shall be of equal size.

(Ord. No. 12588, § 1, 9-23-04)

Sec. 35-311. Operational regulations and restrictions for valet parking service.

- (a) The public on-street/curbside parking spaces, metered or non-metered, shall only be used for ramping of vehicles. Ramping of vehicles shall consist of allowing the customer to enter or exit a vehicle and to turn it over to or retrieve it from a valet parking operator employee. Ramping shall only be permitted and operated in the public on-street/curbside spaces provided by the department for ramping. There shall be no storage of vehicles in the area used for ramping. A vehicle will be considered stored if it remains in the ramping area for more than ten minutes. Ramping spaces shall not be blocked by any type of sign, structure or other type of object. These spaces shall not be cordoned off by any type of signage, rope or barrier of any kind;

- (b) The permittee/operator shall ~~posses~~ possess a valid local business tax receipt to operate the valet parking service within the city;
 - (c) The permittee/operator shall maintain a key control booth at all valet parking locations until all cars have been claimed; or the permittee/operator shall have a 24 hour phone number for after hours vehicle pick up information.
 - (d) The permittee/operator shall not load or unload passengers within traffic lanes that are open to through traffic;
 - (e) The valet parking service shall not interfere with the regular flow of vehicular or pedestrian traffic.
- (Ord. No. 12588, § 1, 9-23-04; Ord. No. 12885, § 1, 2-8-07)

Sec. 35-312. Department denial, revocation, or suspension of permit; removal of equipment or personal property of the permittee/operator and storage fees.

- (a) The director may deny, revoke, or suspend a permit for any valet parking service authorized in the city if it is found that:
 - (1) The permittee/operator has not maintained required insurance;
 - (2) The director determines that the operation of a valet parking service, due to changing or changed conditions of pedestrian or vehicular traffic, cause congestion necessitating removal of valet parking service which endangers the health, safety or welfare of persons or property; unreasonably interferes with pedestrian or vehicular traffic; unreasonably interferes with the use of any pole, sign, fire hydrant, traffic signal or other object already permitted at or near the valet parking service area; or otherwise not in the public interest; or
 - (3) The permittee/operator has failed to correct violations of this article or conditions of the permit within three days of the Director's notice of same being delivered in writing to the ~~permittee~~ permittee/operator at the address shown on the permit application;
 - (4) If permittee/operator is found in violation of the same offense three times within a permit period;
 - (5) The permittee/operator made any false statements or omission of material fact on the application, site plan or elsewhere in connection with securing a permit.
 - (6) The permittee/operator failed to properly pay and/or report operational, administrative, rental fees, and/or parking facility surcharges pursuant to sections 35-194, 35-311, and 35-346 herein or any other applicable section of this Code.
- (b) Stands, tables, chairs, umbrellas, key boxes and other objects necessary for the operation of the valet parking service may be removed by the department or city, and a reasonable fee charged for labor, transportation, and storage, should the permittee/operator fail to remove said items at the close of business on a daily basis. Under no circumstances shall the city, the department and the board of directors, and its officers and employees be deemed responsible or liable in any way for any damage or loss resulting from the removal of the permittee/operator equipment and other objects necessary for the operation of the valet parking service. Furthermore, the permittee/operator agrees and acknowledges by accepting a permit issued pursuant to this article that the city, the department and the board of directors are to be held harmless in connection with its actions under this section.
- (c) Upon a finding of a violation by the director based on subsection (a)(6) herein and a finding of guilt after a hearing by the code enforcement board pursuant to chapter 2, article X of the City Code, the permittee/operator shall pay treble fees; shall have its permit, certificate of use, temporary certificate of use, and/or business tax receipt denied, revoked, or suspended for a period of two years; be subject to any penalties applicable pursuant to section 35-347 herein; and/or be subject to debarment pursuant to section

18-107 of the City Code. Payment of parking surcharge must be current and up to date, otherwise the permit is subject to revocation and the immediate suspension of valet services.

- (d) Upon denial or revocation, the director shall give notice of such action to the applicant or the permittee/operator in writing stating the action which has been taken and the reason thereof. If the action of the director is based on subsection(s) (a)(1) or (2) of this section, the action shall be effective upon giving such notice to ~~permittee~~ permittee/operator. Otherwise, such notice application shall become effective within ten calendar days unless appeal to the city commission is made.

(Ord. No. 12588, § 1, 9-23-04; Ord. No. 13809, § 2, 11-15-18)

Sec. 35-313. Appeals of permit denial or revocation by permittee/operator.

- (a) Appeals shall be initiated within ten business days of a permit denial or revocation by filing a written notice of appeal with the city manager, and a copy of same delivered the same day to the director. Any revocation effective immediately may also be appealed to the city commission by such filing within ten calendar days.
- (b) The city manager shall place the appeal on the first non-planning and zoning city commission agenda for which proper notice can be given to the ~~permittee~~ permittee/operator and shall notify the director thereof. At the hearing the city commission may modify, grant or deny the appeal, and the decision of the city commission shall be final subject to appeal to the appropriate court of competent jurisdiction, according to the Florida Rules of Civil Procedure.
- (c) The filing of a notice of appeal by a ~~permittee~~ permittee/operator shall not stay an order by the director to remove valet parking service or parts thereof. Vestiges of the valet parking service shall be removed immediately, pending disposition of the appeal and final decision of the city commission.

(Ord. No. 12588, § 1, 9-23-04)

Sec. 35-314. Enforcement; fine schedule and penalty provisions.

- (a) *Enforcement.* The officers shall enforce the provisions of this article. This shall not preclude other enforcement agencies or regulatory bodies from any action as necessary to ensure compliance with this article and all applicable laws. For any violation of a provision of this article the officer shall issue a notice of violation/citation to the permittee/operator. The notice shall state the nature of the violation, amount of fine, instructions and due date for paying the fine, notice that the violation may be appealed by requesting an administrative hearing within ten calendar days after service of the notice and that failure to appeal the violation within the ten calendar days, shall constitute an admission of the violation and a waiver of the right to appeal.
- (b) *Additional enforcement.* As an additional means of enforcement, the department may seek injunctive relief and/or the city may follow procedures to revoke local business tax receipts as set forth elsewhere in the City Code when there are repeat violations of this article. Additionally, the department, may withhold issuance of any new valet permits and suspend current valet parking permits until past due violations are paid in full.
- (c) *Rights of violator: payment of fine; right to appeal.* For civil infractions or notice of violations pursuant to section 2-811 et seq., of the City Code, the citing officer shall issue either a civil infraction or a notice of violation which, upon adjudication by the code enforcement board, can lead to daily fines of up to \$1,000.00 per diem for a first-time offender or up to \$5,000.00 per diem for a repeat violator.
- (d) *Recovery of unpaid fines.* The department may institute proceedings in a court of competent jurisdiction to compel payment of civil penalties. A certified copy of an order imposing a fine may be recorded in the public records.
- (e) *Civil fines.* The following civil fines shall be imposed for each violation unless a notice of violation is issued. Fines will be paid to the department with one-third remaining with the department and two-thirds being forwarded to the city finance department. To determine the exact nature of the activity prescribed or required

the specifics of this article must be examined The below table does not reflect possible per diem fine amounts based upon the issuance of a notice of violation under section 2-814 through 2-820 of the City Code. Civil fines shall issue in the amount as follows and may be issued every 24 hours should the violation remain outstanding:

(1) Unauthorized/illegal ramping	\$500.00 per offense
(2) Unauthorized/illegal storage	\$500.00 per offense
(3) Lapse of insurance (from date of lapse)	\$150.00 per day
(4) Operation without permit	\$500.00 per day
(5) No name tag	\$100.00 per offense
(6) No uniform	\$100.00 per offense
(7) No valid FL drivers license	\$500.00 per offense and immediate removal of the employee from service.
(8) Violation of guides and standards	\$250.00 per offense
(9) Other violation of this article	\$250.00 per offense.

(Ord. No. 12588, § 1, 9-23-04; Ord. No. 12885, § 1, 2-8-07; Ord. No. 14142, § 2, 2-9-23)

Sec. 35-315. Special events and residential areas.

- (a) *Valet service—special event.* Valet services operating for a special event may apply for a special event permit at DOSP. Special event parking shall be restricted to any event occurring no more than twice per year and lasting no longer than three days in length. The special event permit will allow the valet operator to request from the department, additional ramping and/or storage space, if available, as long as it does not reduce the number of parking spaces needed to serve the general public in the area of the request.
- (b) *Valet service—residential.* Valet service may be provided for non-commercial uses, including private functions in residentially zoned areas for a one day. Valet operators must meet the same criteria as a regular day to day valet operation as referenced in the permit application (see section 35-305). Valet operators must complete a temporary valet parking permit form and submit this form to DOSP 14 days prior to the scheduled event.

Note: Temporary valet parking permit requests submitted within less than 14 working days of a scheduled event will only be accepted for situations deemed as an emergency. An emergency is defined as a situation or occurrence of a serious nature, developing suddenly and unexpectedly within less than 14 working days of the event and demanding immediate attention.

The following requirements must be satisfied:

- (1) *Ramping.* Valet ramping may be provided either on private property at the location to be serviced or on public property but not in a T3 transect zone. Ramping on public property shall not occur in any other location than the public on-street/curbside parking spaces provided for ramping. Ramping from a moving lane of traffic is strictly prohibited unless authorized by the city. The ramping area shall be determined as stated in section 35-304, unless specified otherwise in this article.
- (2) *Storage.* Storage of vehicles must be in compliance with section 35-305. Storage of vehicles on public right-of-way is strictly prohibited, unless authorized by DOSP.
 - a. *Storage on public right-of-way.* Valet operators may request the use of public right-of-way for storage under the following conditions:
 - 1. Private or public storage (parking lot and/or garage) is not available within 2,500 feet of the location to be serviced.
 - 2. All prohibited parking regulations (fire hydrants, crosswalks, etc.) are strictly enforced.

3. T3 transect zones may not be used for temporary or permanent storage of vehicles.

(Ord. No. 12588, § 1, 9-23-04; Ord. No. 14142, § 2, 2-9-23)

Secs. 35-316—35-340. Reserved.

ARTICLE X. PARKING FACILITIES SURCHARGE⁹

Sec. 35-341. Short title.

This article shall be known and cited as the "*City of Miami Parking Facilities Surcharge Ordinance*."

(Ord. No. 12563, § 3, 7-22-04)

Sec. 35-342. Intent.

This article is intended to impose and levy a surcharge on the sale, lease or rental of space at parking facilities in the city at the rate of 15 percent of the revenues derived from any fee, charge or exchange for the parking of a motor vehicle in or on any parking facility in the city for which a fee, charge or exchange is made on an hourly, daily, weekly, monthly, yearly, event, validation programs, valet or any other basis. Revenues received as part of a daily, weekly, monthly, yearly, or event based rent without a separate parking fee designation are also subject to this article. The net proceeds of the surcharge collected shall be deposited in the general fund subject to appropriation pursuant to the budget and fiscal provisions of the annual budget process.

(Ord. No. 12563, § 4, 7-22-04; Ord. No. 13063, § 2, 5-14-09)

Sec. 35-343. Authority.

The city commission is authorized to establish and adopt a surcharge pursuant to the authority granted by F.S. § 166.271. The provisions of this article shall not be construed to limit the power of the city to adopt such ordinance pursuant to any other source of local authority nor to utilize any other methods or powers otherwise available for accomplishing the purposes set forth herein, either in substitution of or in conjunction with this article.

(Ord. No. 12563, § 5, 7-22-04)

Sec. 35-344. Definitions.

As used in this article the following words and terms shall have the following meanings, unless another meaning is plainly intended:

City means the City of Miami, Florida.

Daily means the operation of a facility on any or all of the seven (7) days of the week, inclusive of holidays.

Fee, charge or exchange means the consideration paid including any and all compensation received or costs imposed, collected or exacted by the operator for parking in a parking facility including exchange, credit or otherwise. Fee, charge or exchange also means the consideration paid to the operator for goods and services

ancillary to parking, if payment for such goods and services is mandatory and not optional to the user entering into a parking transaction. Examples of goods and services that may be considered ancillary to parking include, but are not limited to, food, beverages, air fresheners, windshield cleaning, car wash, tire pressure checks, jump starts, and emergency phone services. The intent of this definition is to impose the surcharge on all consideration paid by the user as a condition of entering into a parking transaction, irrespective of whether particular components of such consideration are characterized as compensation received or cost imposed for goods and services separate and apart from parking in an attempt to evade the surcharge.

Garage means any building or other structure in which motor vehicles may be parked, stored, housed, or kept for a fee, charge or exchange.

Manager means the city manager of the city or his or her designee.

Motor vehicle means any self propelled vehicle operated or suitable for operation in a parking facility.

Net proceeds means the amount of the surcharge remitted to the city less the allocable cost of procedures used and expenses incurred by the city to enforce collection of the surcharge in an amount not to exceed five percent (5%).

Open to the general public means a facility which charges a fee, charge or exchange for the use of any parking space therein regardless of when or how the fee, charge or exchange is collected. The intent of this definition is to include all parking facilities including parking facilities that are used by anyone, including but not limited to any private tenant, who must pay a fee, charge or exchange to the operator of the parking facility except for those facilities described in section 35-345.

Operator means any individual, partnership, association, corporation, or other entity which owns, controls, conducts, leases, operates, or causes to be operated a parking facility which offers parking accommodations for a fee, charge or exchange. The intent of this definition is to place the burden for collection of the surcharge on the owner of the facility and not the entity which operates the facility if different from the owner.

Parking means the parking, storing, housing or keeping of a motor vehicle.

Parking facility means any use in whole or in part of any space, plot, place, lot, parcel, yard, enclosure, parking lot, garage, street, building or structure that is open to the general public at which motor vehicles may be housed, stored, kept, or parked for which any fee, charge or exchange is made, no matter how the fee, charge or exchange is collected.

Parking lot means any outdoor area or space motor vehicles may be parked, stored, housed or kept for a fee, charge or exchange.

Revenues means, any and all revenue, to include the entire amount of compensation in whatever form, exchange or otherwise, to be determined according to generally accepted accounting principles, derived directly or indirectly from or in connection with the parking operation of the parking facility.

Surcharge means the parking facility's surcharge expressed as a percentage or in dollars.

Transaction means the parking, storing, housing or keeping of a motor vehicle in a parking facility, in the city, for a fee, charge or exchange.

(Ord. No. 12563, § 6, 7-22-04; Ord. No. 13063, § 2, 5-14-09)

Sec. 35-345. Applicability of parking facilities surcharge.

This article shall be uniformly applicable to all parking in parking facilities in the city, exclusive of residential parking of tenants or residents, in apartments, condominiums or co-operatives where parking is provided pursuant to a lease or in a separate writing between the apartment building owner, condominium or cooperative and the tenants or residents, whether a parking charge is payable to the apartment owner, condominium or cooperative or to the operator of a residential parking facility. This article shall not apply to any parking facilities located in any airports, seaports, county administration buildings or other projects defined under F.S. §§ 125.011 and 125.015.

Sec. 35-346. Collection of the parking facilities surcharge.

- (a) Surcharge amounts due pursuant to this article shall be collected by the operator of a parking facility at the time of, and in addition to, collection of any other amounts for the parking of a motor vehicle in a parking facility, whether charge is made on an hourly, daily, weekly, monthly, yearly, event, validation programs, valet or any other basis. All operators shall be required to maintain a valid operational license. The local business tax receipt of an operator shall be revoked upon the failure to remit the surcharge amounts for three (3) consecutive months. No operator shall be permitted to operate the parking facility until all arrears are paid.
- (b) The operator of every parking facility shall remit funds collected pursuant to this surcharge, net of refunds, for the preceding calendar month; payments must be received by the city by the 20th day of each calendar month. Each monthly remittance will be accompanied by such reports as may be prescribed by the manager on forms identifying for each parking facility, the name, address, account number, capacity, parking charges or fees, or rate schedule, number and type of transactions and such other information as may be necessary or convenient to fully calculate the surcharge.
- (c) Every operator of a parking facility shall keep complete and accurate records, in a manner as set forth by the manager, pursuant to subsection 35-346(f)(1) of this Code, of all motor vehicles parked on an hourly, daily, weekly, monthly, yearly, event, validation programs, valet or any other basis in the parking facility, together with the amount of surcharge collected from all transactions, and shall keep all pertinent records and documents as are necessary to determine the amount of surcharge due for a period of three (3) years subsequent to the year of the transaction. Such records and other pertinent data shall be available for inspection and examination upon the request of and with reasonable notice by the manager. Every operator shall provide access to the parking facility to the manager so the manager can survey the parking activity of said facility.
- (d) Whenever any operator fails to keep records from which the surcharge may be accurately computed, the manager may make use of a factor developed by surveying the operator or other operators of a similar type parking facility, or otherwise compute the amount of surcharge due, and this computation shall be prima facie correct.
- (e) Whenever any operator fails to collect or remit to the manager the surcharge imposed within the time limit therefor, the manager shall assess the operator the amount of surcharge due, plus interest at the rate of one percent (1%) per month or any fraction thereof, and a penalty of ten percent (10%) of the surcharge due on uncollected or unremitted amounts.
- (f) In addition to the powers granted to the manager in connection with the collection of the surcharge, the manager is authorized and empowered:
 - (1) To make, adopt and amend such forms, rules and regulations as may be deemed necessary or proper to fully collect the surcharge and to define any terms used in connection with the imposition and collection of the surcharge;
 - (2) To compromise disputed claims in connection with the surcharge and for good and sufficient cause shown to waive interest and penalty;
 - (3) To delegate any of the duties and functions in connection with the collection of the surcharge and the enforcement of the provisions relating to the manager, provided however, that all regulations promulgated shall be issued by the manager.
 - (4) To extend, for good cause shown, the time for remitting any surcharge required to be paid for such period of time as may be deemed reasonable by the manager.
 - (5) To retain the services of persons or entities with parking related collection experience to collect the surcharge subject to competitive procurement procedures.

- (6) To enforce any of the penalties described in section 35-347 when an operator of a parking facility fails, neglects or refuses to pay penalties and interest.

(Ord. No. 12563, § 8, 7-22-04; Ord. No. 12885, § 1, 2-8-07; Ord. No. 13063, § 2, 5-14-09; Ord. No. 13257, § 2, 3-10-11)

Sec. 35-347. Failure to comply; penalties.

(a) The operator of a parking facility who:

- (1) Fails, neglects or refuses to collect the surcharge;
- (2) Fails, neglects or refuses to remit the surcharge;
- (3) Fails, neglects or refuses to keep accurate records;
- (4) Submits any incomplete, false or fraudulent return;
- (5) Refuses to permit the manager to examine books, records and papers relating to the surcharge; or
- (6) Fails to fully comply with any or all rules or regulations promulgated by the manager pursuant to the authority contained herein, or to keep complete and proper records as required, shall be subject to the following penalties for each offense:
 - (i) Have his or her local business tax receipt revoked;
 - (ii) Have a lien placed upon the parking facility for the sums owed plus interest pursuant to law;
 - (iii) Be subject to an administrative fine in the amount of \$500.00;
 - (iv) Be required to comply with stricter reporting requirements; and/or
 - (v) In addition to any other penalties provided in this section, upon the finding of a violation based on this section, the operator shall pay treble fees; be subject to denial, revocation, or suspension of its permit, certificate of use, temporary certificate of use, and/or business tax receipt for a time period not to exceed two years after a hearing before the code enforcement board pursuant to chapter 2, article X of the City Code; and/or debarment pursuant to section 18-107 of the City Code.

(b) The operator of a parking facility who:

- (1) Has outstanding surcharge payments for three months;
- (2) Has outstanding penalty and interest payments for three months;
- (3) Fails to maintain complete and accurate records as stipulated by the ordinance;
- (4) Fails to comply after receiving two notifications regarding compliance with the ordinance; or
- (5) Fails to comply with an audit request after the manager has reasonably attempted to schedule such audit shall be subject to additional reporting requirements including:
 - (i) The operator of the parking facility will be required to register parking slips, receipts, chits, tickets or the like with the manager.
 - (ii) The operator of the parking facility will be required to complete and submit a "Parking Surcharge Recap Monthly Report."
 - (iii) The operator of the parking facility may be required to install parking revenue control equipment in said facility, as approved by the city manager or city commission.

(iv) The operator of the parking facility may be required to cease operation for a period of 30 days.

(v) In addition to any other penalties provided in this section, upon the finding of a violation based on this section, the operator shall pay treble fees; be subject to denial, revocation, or suspension of its permit, certificate of use, temporary certificate of use, and/or business tax receipt for a time period not to exceed two years after a hearing before the code enforcement board pursuant to chapter 2, article X of the City Code; or debarment pursuant to the City Code.

(c) Repeat operator violations. The operator of the parking facility who:

- (1) Has been found to have underreported parking revenue or parking surcharge amounts;
- (2) Has been found to not maintain complete and accurate records as stipulated by the ordinance;
- (3) Has been assessed an administrative fine more than once; or
- (4) Has been found violating any part of this section more than once shall be subject to:
 - (i) The operator shall continue to be subject to all remedies noted in subsection (a){6}.
 - (ii) The operator of the parking facility shall be required to cease operation for a period of 30 days.
 - (iii) The operator of the parking facility shall be required to install parking revenue control equipment which will monitor and count the number of vehicles admitted to and leaving from a parking facility. This equipment shall be approved by the city manager or city commission. This type of equipment shall have entrance and exit counters that count every vehicle that enters and exits a parking facility and shall include non-resettable, continuous counters. The equipment shall be used and effective during operating hours.

(d) Further, the city is authorized to seek injunctive or other equitable relief to enforce compliance with this article.

(Ord. No. 12563, § 9, 7-22-04; Ord. No. 12885, § 1, 2-8-07; Ord. No. 13063, § 2, 5-14-09; Ord. No. 13257, § 2, 3-10-11; Ord. No. 13806, § 2, 11-15-18)

ARTICLE XI. RESERVED¹⁰

Secs. 35-348—35-364. Reserved.

ARTICLE XII. COMMERCIAL VEHICLE WEIGHT RESTRICTIONS¹¹

Sec. 35-365. Purpose.

The purpose of this section is to promote the public health, safety and general welfare upon the streets, roadways and highways of the city by regulating the wheel and axle loads and gross vehicle weights of certain vehicles; to provide for the assessment of fees; and to provide penalties for the violation of this chapter.

(Ord. No. 13198, § 2, 9-27-10)

Sec. 35-366. Adoption.

Except as otherwise provided in this section, the city expressly adopts the weight and load restrictions and enforcement procedures for commercial vehicles as promulgated in F.S. ch. 316, Rules and Regulations contained in Chapter 49 CFR 390-397 and North American Driver Out-of-Service Criteria, as amended from time to time.

(Ord. No. 13198, § 2, 9-27-10)

Sec. 35-367. Jurisdiction.

The jurisdiction for determining restrictions as to oversize/overweight vehicles is given to the city by the state through the provisions of F.S. §§ 316.006 and 316.555.

(Ord. No. 13198, § 2, 9-27-10)

Sec. 35-368. Definitions.

The following definitions shall apply to this article:

Axle load shall be defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes 40 inches apart, extending across the full width of the vehicle.

(Ord. No. 13198, § 2, 9-27-10)

Sec. 35-369. Violation.

It is a violation of this chapter for any person to drive or move, or for the owner to cause or knowingly permit to be driven or moved, on any street, roadway or highway in the city, any vehicle or vehicles of a size or weight exceeding the limitations stated in this chapter or otherwise in violation of this chapter.

(Ord. No. 13198, § 2, 9-27-10)

Sec. 35-370. Maximum weights.

- (a) The gross weight imposed on the street, roadway or highway by the wheels of any one axle of a vehicle shall not exceed the maximum weight allowable as calculated per the most current edition of the Florida Department of Transportation Commercial Motor Vehicle Manual.
- (b) With respect to those highways not in the Interstate Highway System, in all cases in which it exceeds state law in effect on January 4, 1975, the overall gross weight on the vehicle or combination of vehicles, including all enforcement tolerances, shall be as determined by the following formula:

$$W = 500((LN \div (N - 1)) + 12N + 36)$$

Where W = overall gross weight of the vehicle to the nearest 500 pounds; L = distance in feet between the extreme of the external axles; and N = number of axles on the vehicle. However, such overall gross weight of any vehicle or combination of vehicles may not exceed 80,000 pounds including all enforcement tolerances.

- (c) The city shall adopt rules consistent with the department of transportation to implement this section, shall enforce this section and the rules adopted hereunder, and shall publish and distribute tables and other publications as deemed necessary to inform the public. In addition, tables will be posted at the Miami Police Department Traffic Unit.
- (d) Except as hereinafter provided, no vehicle or combination of vehicles exceeding the gross weights specified in subsections (a) and (b) shall be permitted to travel on the public streets, roadways or highways within the city.

(Ord. No. 13198, § 2, 9-27-10)

Sec. 35-371. Weight and load unlawful; special fuel and motor fuel tax enforcement; inspection; penalty; review.

- (a) Any designated police officer of the city having reason to believe that the weight of a vehicle and load is unlawful is authorized to require the driver to stop and submit to a weighing of the same by means of either portable or fixed scales and may require that such vehicle be driven to the nearest weigh station or public scales, provided such a facility is within five miles. Anyone who refuses to submit to such weighing obstructs an officer pursuant to F.S. § 843.02, and is guilty of a misdemeanor of the first degree, punishable as provided in F.S. § 775.082 or 775.083. Anyone who knowingly and willfully resists, obstructs or opposes an officer while refusing to submit to such weighing by resisting the officer with violence to his/her person pursuant to F.S. § 843.01, is guilty of a felony of the third degree, punishable as provided in F.S. §§ 775.082, 775.083 or 775.084.
- (b) (1) Whenever an officer, upon weighing a vehicle or combination of vehicles with load, determines that the axle weight or gross weight is unlawful, the officer may require the driver to stop the vehicle in a suitable place and remain standing until a determination can be made as to the amount of weight thereon and, if overloaded, the amount of penalty to be assessed as provided herein. However, any gross weight over and beyond 6,000 pounds beyond the maximum herein set shall be unloaded and all material so unloaded shall be cared for by the owner or operator of the vehicle at the risk of such owner or operator. For enforcement purposes, all scaled weights of the gross or axle weight of vehicles and combinations of vehicles shall be deemed to be not closer than ten percent to the true gross weight. However, if the driver of any vehicle can comply with the requirements of this chapter by shifting or equalizing the load on all wheels or axles and does so when requested by the proper authority, the driver shall not be held to be operating in violation of this chapter.
- (2) The officer shall inspect the license plate or registration certificate of the commercial vehicle, as defined in F.S. § 316.003(~~66 14~~), to determine if its gross weight is in compliance with the declared gross vehicle weight. If its gross weight exceeds the declared weight, the penalty shall be \$0.05 per pound on the difference between such weights. In those cases when the commercial vehicle, as defined in F.S. § 316.003(~~66 14~~), is being operated over the streets, roadways or highways of the city with an expired registration or with no registration from this or any other jurisdiction or is not registered under the

applicable provisions of F.S. ch. 320, the penalty herein shall apply on the basis of \$0.05 per pound on that weight which exceeds 35,000 pounds on laden truck tractor-semitrailer combinations or tandem trailer truck combinations, 10,000 pounds on laden straight trucks or straight truck-trailer combinations, 10,000 pounds on any unladen commercial motor vehicle. If the license plate or registration has not been expired for more than 90 days, the penalty imposed under this paragraph may not exceed \$1,000.00. A vehicle found in violation of this section may be detained until the owner or operator produces evidence that the vehicle has been properly registered. Any costs incurred by the retention of the vehicle shall be the sole responsibility of the owner. A person who has been assessed a penalty pursuant to this paragraph for failure to have a valid vehicle registration certificate pursuant to the provisions of F.S. ch. 320, is not subject to the delinquent fee authorized in F.S. § 320.07, if such person obtains a valid registration certificate within ten working days after such penalty was assessed.

- (c) Any person who violates the overloading provisions of this chapter shall be conclusively presumed to have damaged the streets, roadways or highways of this city by reason of such overloading, which damage is hereby fixed as follows:
 - (1) When the excess weight is 200 pounds or less than the maximum herein provided, the penalty shall be \$10.00;
 - (2) Five cents per pound for each pound of weight in excess of the maximum herein provided when the excess weight exceeds 200 pounds. However, whenever the gross weight of the vehicle or combination of vehicles does not exceed the maximum allowable gross weight, the maximum fine for the first 600 pounds of unlawful axle weight shall be \$10.00;
 - (3) An apportioned motor vehicle, as defined in F.S. § 320.01, operating on the streets, roadways or highways of this city without being properly licensed and registered shall be subject to the penalties as herein provided;
 - (4) Vehicles operating on the streets, roadways, or highways of this city from nonmember International Registration Plan jurisdictions which are not in compliance with the provisions of F.S. § 316.605, shall be subject to the penalties as herein provided.
- (d) Any person aggrieved by the imposition of penalties pursuant to this subsection may apply to the review board, as provided for in subsection (j), for modification, cancellation, or revocation of the penalty, and the review board is authorized to modify, cancel, revoke or sustain such penalty.
- (e) Whenever any person violates the provisions of this chapter and becomes indebted to the city because of such violation in the amounts aforesaid and refuses to pay said penalty, such penalty shall become a lien upon the motor vehicle, and the same may be foreclosed by the city in a court of equity. It shall be presumed that the owner of the motor vehicle is liable for the sum. Any person, firm, or corporation claiming an interest in the seized motor vehicle may, at any time after the lien of the city attaches to the motor vehicle, obtain possession of the seized vehicle by filing a good and sufficient forthcoming bond with the officer having possession of the vehicle, payable to the city in twice the amount of the city's lien, with a corporate surety duly authorized to transact business in the state as surety, conditioned to have the motor vehicle or combination of vehicles forthcoming to abide the result of any suit for the foreclosure of such lien. It shall be presumed that the owner of the motor vehicle is liable for the penalty imposed under this section. Upon the posting of such bond with the officer making the seizure, the vehicle shall be released and the bond shall be forwarded to the city for safekeeping. The lien of the city against the motor vehicle aforesaid shall be foreclosed in equity, and the ordinary rules of court relative to proceedings in equity shall control. If it appears that the seized vehicle has been released to the defendant upon his/her forthcoming bond, the city shall take judgment of foreclosure against the property itself, and judgment against the defendant and the sureties on the bond for the amount of the lien, including cost of proceedings after the rendition of the decree, the city may, at its option, proceed to sue out execution against the defendant and his/her sureties for the amount recovered as aforesaid or direct the sale of the vehicle under foreclosure.

- (f) Any officer or agent collecting the penalties herein imposed shall give to the owner or driver of the vehicle an official receipt for all penalties collected. Such officers or agents shall cooperate with the owners or drivers of motor vehicles so as not to delay unduly the vehicles.
- (g) Pursuant to F.S. §§ 316.302 and 316.545, penalties and fees are due and payable at the time of issuance and shall be remitted to the officer or traffic enforcement officer of the city police department who assessed the penalty. Payment shall be made for the exact amount of the assessment in cash, money order, or cashier's check and shall be made payable to the city.
- (h) All penalties and fines collected pursuant to this chapter shall be placed in a separate commercial vehicle account. This account shall be created solely for the collection of penalties and fines resulting from violations of this chapter.
- (i) The city shall create a commercial motor vehicle review board consisting of three members who shall be the police traffic supervisor or designee, the city manager or designee, and a community representative chosen by the police traffic supervisor and the city manager. The review board may review any penalty imposed upon any vehicle or person under the provisions of this chapter relating to weights imposed on the streets, roadways, or highways by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.
 - (1) The police traffic supervisor or authorized representative shall be the chairman of the review board.
 - (2) The chairman of the review board is responsible for the administrative functions of the review board.
- (j) Any person aggrieved by the imposition of a civil penalty pursuant to this section or F.S. § 316.3025, may apply to the commercial motor vehicle review board for a modification, cancellation, or revocation of the penalty; and the review board is authorized to modify, cancel, revoke, or sustain such penalty.

(Ord. No. 13198, § 2, 9-27-10; Ord. No. 13676, § 2, 4-27-17)

Sec. 35-372. Damage to streets, roadways, highways; liability of driver and owner.

Any person driving or moving any vehicle or combination of vehicles, object, or contrivance upon any street, roadway, highway or highway structure shall be liable for all damages which the highway or structure may sustain as a result of any illegal operating, driving, or moving of such vehicle or combination of vehicles, object, or contrivance, whether or not such damage is a result of operating, driving, or moving any vehicle or combination of vehicles, object, or contrivance weighing in excess of the maximum weights or exceeding the maximum size as provided in this chapter but authorized by special permit issued pursuant to F.S. § 316.550. Whenever the driver is not the owner of the vehicle or combination of vehicles, object, or contrivance but is so operating, driving, or moving the same with the express or implied permission of the owner, then the owner and driver shall be jointly and severally liable for any such damage. Such damage may be recovered in any civil action brought by the authorities in control of the street, roadway, highway or highway structure.

(Ord. No. 13198, § 2, 9-27-10)

Sec. 35-373. Reserved.

ARTICLE XIII. FORKLIFT ZONE

Sec. 35-374. Intent; establishing and authorizing forklift zones within the city.

- (a) In accordance with the provisions of this chapter, the city wishes to establish the Allapattah Produce Market Area "Forklift Zone" allowing for the use of commercial forklifts as specified in the area bounded by Northwest 12th Avenue on the East, Northwest 17th Avenue on the West, Northwest 20th Street on the South, Northwest 23rd Street on the North, and the intersections therein as indicated in Exhibit "A", attached [to Ord. No. 13627] and incorporated.
- (b) These forklift zones within the city are hereby created by maps designating the areas and public right-of-way as such, as amended by the city commission, from time to time.

(Ord. No. 13627, § 2, 9-8-16)

Sec. 35-375. Definitions.

Commercial forklift, as used in this article, means a forklift utilized by personnel of the businesses located within the Allapattah Produce Market Area.

Forklift, as used in this article, means any vehicle with a prolonged lift device in the front of the vehicle for lifting and carrying heavy loads.

(Ord. No. 13627, § 2, 9-8-16)

Sec. 35-376. Requirements to operate a commercial forklift on public right-of-way within the forklift zone.

- (a) In order to operate a commercial forklift on public right-of-way within the forklift zone, the following criteria must be met:
 - (1) Maintenance of insurance by the owner of the business using the forklift of no less than \$100,000.00/\$300,000.00 in insurance coverage per vehicle, per person, per incident.
 - (2) Submit a hold harmless and indemnification agreement in favor of the city for any and all bodily injuries and/or property damage that may be caused by the operation of a commercial forklift within the boundaries of the forklift zone.
- (b) Operation of a commercial forklift on public right-of-way within the forklift zone in excess of 15 miles an hour is prohibited.
- (c) The use of a mobile phone or any hand held device is strictly prohibited; eating while operating a forklift is also prohibited.
- (d) Forklift operators traveling on public right-of-way in the forklift zone must have a valid Florida driver's license.
- (e) A Florida tag is preferred, but not mandatory, as long as the above requirements are met.
- (f) Operation of a commercial forklift on public right-of-way can only be within the forklift zone for business purposes relating to the Allapattah Produce Market Area.
- (g) Each forklift operating on public right-of-way within the forklift zone shall be equipped with the following equipment:

- (1) The owner's company name and telephone number(s) shall be affixed on both sides of the forklift in letters and numbers measuring no less than two inches in height.
- (2) A minimum of two running headlights must be operable on the front of the forklift.
- (3) A minimum of two brake lights must be operable on the rear of the forklift.
- (4) An overhead warning light must be activated when the forklift is in operation and an audible reverse warning system must be available.

(Ord. No. 13627, § 2, 9-8-16)

Sec. 35-377. Enforcement.

The implementation and use of the traffic infraction system for the enforcement of violations within this area shall be in accordance with the provisions of F.S. ch. 316, and/or chapter 2, article X of this Code, as may be amended from time to time, when strict compliance with the requirements of the forklift zone regulations is not met.

(Ord. No. 13627, § 2, 9-8-16)



TO: Honorable Chairperson and Members of the Off-Street Parking Board

FROM: Alejandra Argudin, Chief Executive Officer, Miami Parking Authority *A Argudin*

SUBJECT: Reappointment of Board Finance Committee Chair Pursuant to MPA Resolution No. 20-05

DATE: October 2, 2024

On July 15, 2020, the Honorable Chairperson and fellow Board members of the Miami Parking Authority ("Board"), unanimously passed and adopted MPA Resolution No. 20-05 setting forth procedures for the biennial election of the Board Chairperson and of the Board's Finance Committee Chair ("Committee"). For reference, said MPA Resolution No. 20-05 is attached hereto as Exhibit "A".

On October 12, 2022, the Board nominated and approved the appointment of Board member, Mr. James S. Cassel, as the new Finance Committee Chair to serve his first term, ending October 12, 2024. Throughout said tenure, Mr. Cassel has served the Board with distinction and supreme dedication.

Pursuant to the authority vested in this Board under Section 23(c) of the Charter of the City of Miami, Florida, as amended ("City Charter"), and MPA Resolution No. 20-05, the MPA staff respectfully requests approval of MPA Resolution No. 24-02, in substantially the attached form as Exhibit "B", approving the Finance Committee Chair's second and final term for an additional, consecutive period of two (2) years, ending October 12, 2026.

EXHIBIT A

RESOLUTION NO. 20-05

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE DEPARTMENT OF OFF-STREET PARKING OF THE CITY OF MIAMI D/B/A MIAMI PARKING AUTHORITY PROVIDING FOR BIENNIAL ELECTIONS OF BOARD CHAIRPERSON AND FINANCE COMMITTEE CHAIR FROM AMONG THE MEMBERS OF THE MIAMI PARKING AUTHORITY BOARD, IN ACCORDANCE WITH SECTION 23(C) OF THE CITY OF MIAMI CHARTER; PROVIDING ELECTION PROCEDURES PURSUANT TO THE ATTACHED EXHIBIT A; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in recent memory, the Board of Directors ("Board") of the Department of Off-Street Parking of the City of Miami d/b/a Miami Parking Authority ("MPA") have not had the benefit of a formalized system for rotating the Board Chairperson ("Chairperson") and the MPA Finance Committee Chair ("Chair"); and

WHEREAS, on prior occasions the Board designated a Chairperson and Chair from among its members, by majority vote of the Board members present during a duly noticed public meeting; and

WHEREAS, the words "*Chairperson*" and "*Chair*", as used in this context, have the following meaning: 1. A deliberative assembly's presiding officer; 2. The presiding officer's seat; 3. The officer who heads an organization [*Black's Law Dictionary* 244 (8th ed. 2007)]; and

WHEREAS, it is hereby intended that the Chairperson will serve a term of two (2) consecutive years as the presiding officer for MPA Board meetings, and the Chair will serve a term of two (2) consecutive years as the presiding officer for MPA Finance Committee meetings; and

WHEREAS, Section 23(c) of the City of Miami Charter ("Charter"), allows the Board to "make appropriate rules and regulations for its own government and procedure"; and

WHEREAS, in accordance with the spirit and intent of the Charter provision, the MPA Board of Directors desire to adopt a formal system for the biennial rotation of Board Chairperson and MPA Finance Committee Chair, in the form attached hereto as "Exhibit A".

**NOW THEREFORE, BE IT RESOLVED BY THE DEPARTMENT OF
OFF-STREET PARKING BOARD OF THE CITY OF MIAMI, FLORIDA:**

Section 1. Biennial Election of Chairperson and Chair. The Board of Directors of the Department of Off-Street Parking of the City of Miami d/b/a Miami Parking Authority, pursuant to Section 23(b) of the City of Miami Charter, hereby adopt election procedures for the biennial election of MPA Board "Chairperson" and MPA Finance Committee "Chair", in the manner set forth in the attached "Exhibit A".

Section 2. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this 15th day of July, 2020.

By: 

Jami Reyes, Chairperson

ATTEST:


Monica Cuadra
Executive Administrative Assistant

EXHIBIT A

Resolution No. 20-05 Election and Rotation of MPA Board Chairperson and Finance Committee Chair

I. MPA Board Chairperson - Regular and Special Meetings:

The MPA Board ("Board") shall designate by election, one of its members to serve as Chairperson of the Board ("Chairperson"), pursuant to Section 23(c) of the City of Miami Charter ("Charter"). Such designation shall be affirmed by a majority vote of the Board members present at a duly noticed public meeting. The role of the Chairperson is to conduct the meeting in an orderly, time efficient manner so to accomplish the purpose of the published agenda and the intended business of MPA.

The current Chairperson shall seek from among the Board members present at a meeting, those members who are interested and willing to serve as the Chairperson of the Board. The term of Chairperson shall be a period of two (2) years from the effective date of the Resolution and thereafter, from the effective date of his/her respective designation as affirmed by a majority of the Board ("Term").

No Board member shall serve more than two (2) consecutive Terms as Chairperson commencing with the adoption of this Resolution No. 20-05. Service will be deemed consecutive, unless there is a two-year period during which the Board member does not serve as Chairperson ("Break in Service"). Therefore, any Board member serving the maximum Term amount as Chairperson, must have a Break in Service before qualifying to serve again as Chairperson.

In the event that the Chairperson is unable to attend a Board meeting, then the remaining Board members who are present at the meeting shall designate a temporary Chairperson to serve only for the duration of the scheduled meeting. Such designation shall be affirmed by a majority vote of the Board members present. This process shall be followed at the commencement of each meeting, to fill the vacancy of the Chairperson who was duly designated and affirmed pursuant to the Charter.

Guidelines for designation of Chairperson shall be effective immediately upon adoption and passage of Resolution No. 20-05, or as otherwise specified by the Board.

Guidelines prescribed by this Resolution No. 20-05, shall remain in force and effect until such guidelines are amended or repealed by a subsequent Resolution of the Board, passed and adopted by majority vote of the Board during a regular or special meeting of the Board at which at least a quorum is present.

II. MPA Board - Finance Committee Chair:

The Board sitting in its capacity as the MPA Finance Committee ("Committee"), shall designate by election one of its members to serve as Chair of the Finance Committee ("Chair"), in a manner authorized by the Charter. Such designation shall be affirmed by a majority vote of the Committee members present at a duly noticed public meeting. The role of the Chair is to conduct the meeting in an orderly, time efficient manner so to accomplish the purpose of the published agenda and the intended business of the Committee.

The current Chair shall seek from among the Committee members present, those who are interested, willing, and qualified to serve as Chair of the Finance Committee. The term of Chair shall be a period of two (2) years from the effective date of the Resolution and thereafter, from the effective date of his/her respective designation as affirmed by a majority of the Committee ("Term").

No Committee member shall serve more than two (2) consecutive Terms as Chair commencing with the adoption of this Resolution No. 20-05. Service will be deemed consecutive, unless there is a two-year period during which the Committee member does not serve as Chair ("Break in Service"). Therefore, any Committee member serving the maximum Term amount as Chair, must have a Break in Service before qualifying to serve again as Chair.

In the event that the Chair is unable to attend a Committee meeting, then the remaining Committee members who are present at the meeting shall designate a temporary Chair to serve only for the duration of the scheduled meeting. Such designation shall be affirmed by a majority vote of the Committee members present. This process shall be followed (as necessary) at the commencement of each meeting to fill the vacancy of the Chair who was duly designated and affirmed pursuant to these guidelines, as may amended from time to time.

Guidelines for designation of Chair shall be effective immediately upon adoption and passage of Resolution No. 20-05, or as otherwise specified by the Committee.

Guidelines prescribed by this Resolution No. 20-05, shall remain in force and effect until such guidelines are amended or repealed by subsequent Resolution of the Board, passed and adopted by majority vote of the Committee during a regular or special meeting at which at least a quorum is present.

EXHIBIT B

RESOLUTION NO. 24-02

A RESOLUTION OF THE BOARD OF DIRECTORS (“BOARD”) OF THE DEPARTMENT OF OFF-STREET PARKING OF THE CITY OF MIAMI, FLORIDA D/B/A THE MIAMI PARKING AUTHORITY (“MPA”), PURSUANT TO THE AUTHORITY VESTED IN THIS BOARD UNDER SECTION 23(C) OF THE CHARTER OF THE CITY OF MIAMI, FLORIDA, AS AMENDED (“CITY CHARTER”), AND MPA RESOLUTION NO. 20-05, PASSED AND ADOPTED ON JULY 15, 2020, APPROVING MPA BOARD MEMBER MR. JAMES S. CASSEL’S SECOND AND FINAL TERM AS MPA BOARD FINANCE COMMITTEE CHAIR FOR AN ADDITIONAL, CONSECUTIVE PERIOD OF TWO (2) YEARS, ENDING OCTOBER 12, 2026; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 23(c) of the Charter of the City of Miami, Florida, as amended (“City Charter”), the Board of Directors (“Board”) of the Department of Off-Street Parking of the City of Miami, Florida d/b/a the Miami Parking Authority (“MPA”), is authorized to “elect one of its members to serve as chair of the board, [and] shall make appropriate rules and regulations for its own government and procedure”...; and

WHEREAS, in accordance with the spirit and intent of said stated City Charter section, on July 15, 2020, the Board passed and adopted MPA Resolution No. 20-05, setting forth a formal process for the biennial rotation of the Board Chairperson and the Board’s Finance Committee Chair (“Committee”), attached hereto as Exhibit “A”; and

WHEREAS, per MPA Resolution No. 20-05, it was intended that the Finance Committee Chair would serve for no more than two (2) consecutive terms of two (2) years as the presiding officer for the MPA Finance Committee meetings; and

WHEREAS, per MPA Resolution No. 20-05, if approved by a majority vote of the Board members present, sitting in their capacity as the Committee, during a duly noticed public meeting, the Finance Committee Chair’s second and final term will

commence October 12, 2024, and run for a period of two (2) years, ending October 12, 2026; and

WHEREAS, in accordance with Section 23(c) of the City Charter and MPA Resolution No. 20-05, the Board hereby finds the reappointment of the Finance Committee Chair for a second and final consecutive term as serving the best interests of the MPA.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DEPARTMENT OF OFF-STREET PARKING OF THE CITY OF MIAMI, FLORIDA D/B/A THE MIAMI PARKING AUTHORITY:

Section 1. Reappointment of Finance Committee Chair's Term.

Pursuant to Section 23(c) of the City of Miami Charter and MPA Resolution No. 20-05, passed and adopted on July 15, 2020, MPA Board member Mr. James S. Cassel's second and final term as Finance Committee Chair, for an additional, consecutive period of two (2) years, ending October 12, 2026, is hereby approved.

Section 2. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this ____ day of _____, 2024.

By: _____
Jami Reyes, Board Chairperson

ATTEST:

Monica Cuadra
Executive Administrative Assistant



TO: Honorable Chairperson and Members of the Off-Street Parking Board

FROM: Alejandra Argudin, Chief Executive Officer, Miami Parking Authority *A Argudin*

SUBJECT: Reappointment of Design District Improvement Committee Members (Property Owners) for the Design District Parking Improvement Trust Fund

DATE: October 2, 2024

Pursuant to Section 35-225 of the Code of the City of Miami, Florida, as amended ("City Code"), a Design District Parking Improvement Trust Fund was established to be maintained and administered by the Department of Off-Street Parking of the City of Miami, Florida d/b/a the Miami Parking Authority ("MPA") into which funds shall be deposited and from which funds shall be withdrawn to specifically facilitate parking related needs within the Design District area ("District"), including, but not limited to, public off-street parking, infrastructure improvements, maintenance, and marketing to serve the District.

Pursuant to said section of the City Code, a Design District Improvement Committee ("Committee") was created consisting of seven (7) voting members and as many non-voting members as may be necessary from time to time, at the discretion of the MPA's Chief Executive Officer ("CEO"). Four (4) of the seven (7) voting Committee members shall be subject to confirmation from the MPA Board of Directors ("Board") and shall have the following membership requirements: (a) two (2) voting Committee members shall be unassociated property owners within the District and shall serve two-year terms; and, (b) two (2) voting Committee members shall represent unassociated retail and/or restaurant/bar establishments within the District and shall serve three-year terms. The remaining voting Committee members, not requiring MPA Board approval, shall consist of the Director of Planning and Zoning of the City of Miami (or his designee) and two (2) appointees from the City of Miami District 5 Commissioner.

Currently, the MPA is seeking Board approval to reappoint the following two (2) property owners as voting Committee members for the next two (2) years, to expire October 12, 2026:

1. David Holtzman – Property Owner & Chief Development Officer of Dacra
2. Roy Norton – Property Owner & Partner at Design District Development Partners

A bio of each candidate is attached hereto as "Exhibit A".

Pursuant to Section 35-225 of the City Code, the MPA staff respectfully requests that the MPA Board approve the reappointment of the two (2) property owners as voting Committee members of the Design District Improvement Committee.

Bios

David Holtzman – Property Owner Member

David Holtzman serves as the Chief Development Officer of Dacra and leads all company-wide development and construction activities. Throughout his decades-long tenure with Dacra, David has been a key member of the leadership team responsible for the creation and implementation of Dacra's re-development and new construction projects on Lincoln Road in South Beach, Aqua in Mid-Beach, and the Miami Design District. David has worked closely with the Miami Parking Authority during his tenure at Dacra, was part of the team that authored and implemented the Design District Trust Fund and has previously served on the DD Trust Fund as one of its founding members.

Roy Norton – Property Owner Member

Roy Norton is a partner at Design District Development Partners (unrelated to Dacra) and owns the 7 story office building located at 112 NE 41st St., known as Design 41. Additionally, Roy is a founder of Suncoast Community Partners, LLC, a financial advisory firm, and President of Florida Overseas Investment Center, an authorized Regional Center under the USCIS EB-5 Visa Program. Florida Overseas, has sponsored over thirty EB-5 projects since 2009 with total project financings of over \$400 million. Suncoast is also a US Department of Treasury certified Community Development Entity specializing in New Markets Tax Credit finance and Historic Tax Credit finance.



TO: Honorable Chairperson and Members of the Off-Street Parking Board

FROM: Alejandra Argudin, Chief Executive Officer, Miami Parking Authority

SUBJECT: Appointment of Wynwood Norte Improvement Committee Members
for the Wynwood Norte Parking Improvement Trust Fund

DATE: October 2, 2024

A handwritten signature in blue ink, appearing to read 'A Argudin', is written over the 'FROM' line of the letterhead.

Pursuant to Section 35-233 of the Code of the City of Miami, Florida, as amended ("City Code"), a Wynwood Norte Parking Improvement Trust Fund was established to be maintained and administered by the Department of Off-Street Parking of the City of Miami, Florida d/b/a the Miami Parking Authority ("MPA") into which funds shall be deposited and from which funds shall be withdrawn to specifically facilitate parking related needs within the Wynwood Norte area ("Wynwood Norte"), including, but not limited to, public off-street parking, infrastructure improvements, maintenance, and marketing to serve Wynwood Norte.

Pursuant to Section 35-233 of the City Code, a Wynwood Norte Improvement Committee ("Committee") was created consisting of seven (7) voting members and as many non-voting members as may be necessary from time to time, at the discretion of the MPA's Chief Executive Officer ("CEO"). Four (4) of the seven (7) voting Committee members shall be subject to confirmation from the MPA Board of Directors ("Board") and shall have the following membership requirements: (a) two (2) voting Committee members shall be unassociated property owners within Wynwood Norte and shall serve three-year terms; and, (b) two (2) voting Committee members shall represent unassociated commercial establishments or businesses within Wynwood Norte and shall serve two-year terms. The remaining voting Committee members, not requiring MPA Board approval, shall consist of the Director of Planning and Zoning of the City of Miami (or his designee), and two (2) appointees from the City of Miami District 5 Commissioner.

The MPA is seeking Board approval for the appointment of the following four (4) candidates as voting Committee members:

1. Wilfred Vasquez – Property Owner
2. Alexis Bogomolni – Property Owner, Founder and CEO of ABH Developer Group
3. Steven Haigh – Co-owner of Scotch + Bacon Group
4. Yoni Bornstein – Real Estate Investor & Entrepreneur

A bio of each candidate is attached hereto as "Exhibit A".

Pursuant to Section 35-233 of the City Code, the MPA staff respectfully requests that the MPA Board approve the appointment of the four (4) candidates as voting Committee members of the Wynwood Norte Improvement Committee.

Bios

Wilfred Vazquez – Property Owner Member

Wilfred Vasquez has been a stakeholder in Wynwood Norte for many years and grew up in the neighborhood, attending local schools. He is a founding member of the Wynwood CEA and has been a longstanding community advocate. Wil has a profound understanding of the challenges and potential that Wynwood Norte possesses, and looks forward to serving and supporting the Wynwood Community as it continues to evolve.

Alexis Bogomolni – Founder and CEO of ABH Developer Group

Alexis Bogomolni is the Founder and CEO of ABH Developer Group. As a fourth-generation builder and developer, Alexis has a deep understanding of the industry and is passionate about developing and executing ABH's strategic vision, while overseeing the company's day-to-day operations.

Under Alexis' leadership, ABH has rapidly become the largest stakeholder in the Wynwood Norte Revitalization District, one of Miami's most exciting and sought-after locations, having assembled a total of 180,000 square feet since 2021. The firm is poised to deliver over 750 units across 15 communities, reflecting his exceptional ability to identify and capitalize on emerging trends. He takes a hands-on approach to exploring and pursuing new development and acquisition opportunities, leveraging his vast network and industry knowledge to further ABH's reach and profitability.

In addition to driving ABH's growth, Alexis is dedicated to supporting the revitalization of the Wynwood Norte district. He works closely with The Wynwood Community Enhancement Association (Wynwood CEA), a guided effort by the community and diverse neighborhood stakeholders, to help further its mission to restore and grow the Wynwood Norte district's housing stock, make neighborhood improvements and enhance the quality of life for current and future residents. Alexis and his team at ABH have committed to a long-term partnership with the Revitalization District's Public Benefits Trust Fund to drive tangible impact and success.

Alexis brings a wealth of expertise in acquisitions, asset management, and real estate development. Prior to founding ABH, he gained valuable experience at boutique firms in New York City before joining MG3Group, where he worked alongside his father in all aspects of the business. He received a dual B.S. degree in Finance and Management from the New York University Stern School of Business and Minor in Technology and Real Estate. For more information on ABH and its projects, please visit <https://abhre.com>.

Steven Haigh – Co-owner of Scotch + Bacon Group

Hailing from Scotland, Steven Haigh brings three decades of hospitality experience to the Miami-based Scotch + Bacon group.

At the start of his career, his passion for travel enriched him with diverse experiences, from family-owned eateries to luxurious five-star hotels across North and South America, Australia, Indonesia, Thailand, and Laos.

Steven arrived in the USA in 2002 through the cruise industry with Celebrity Cruises. While he continued to explore the globe, he also established his roots in Miami.

"Although I love to travel, I have yet to find anywhere in the world quite like this. The city is incredibly international and constantly evolving, and I feel truly grateful to call it home," shares Haigh.

Miami food enthusiasts may remember Steven Haigh as the General Manager of the globally renowned Zuma Miami and as a co-founder of the Wynwood hotspot, KYU. In 2020, he launched the Scotch + Bacon Group alongside Michael Lewis and Lizzy Maynes, and they are currently developing a new concept in Wynwood Norte, set to open in late 2025.

What sets Haigh apart? It's not merely about creating concepts; it's about infusing each with a service-oriented philosophy. Driven by a dedication to outstanding service, Haigh continuously nurtures his passion for growth and innovation in the hospitality industry.

Yoni Bornstein – Real Estate Investor & Entrepreneur

Born in Toronto, Canada, Yoni Bornstein has been a driving force in real estate investing and successful entrepreneurial ventures for over two decades. As the Founder and President of the Wynwood Community Enhancement Association, Yoni has been at the forefront of community development in Miami's Wynwood Norte area, where he has acquired over 60 properties in the last 8 years, and plans to develop approximately 1,000 residential units within his various partnerships in the coming years.

Yoni's business portfolio extends across Canada and the U.S., with ownership of restaurants, hotels, warehouses, commercial properties, and land for multifamily and mixed-use developments. His primary focus is on property acquisition and creative development planning, where his natural ability to close deals and partnerships with international investment groups have led to numerous successes.

Yoni's contributions to the community go beyond business. He was appointed by Mayor Francis Suarez to serve on the Public Benefits Trust Fund and the Parking Benefits Trust Fund boards for Wynwood Norte, where he helps to guide key initiatives to benefit the local area. He is also involved with several charitable committees and organizations, having received accolades from the Puerto Rican Chamber of Commerce and De Hostos Senior Center for his philanthropic work. Yoni's leadership continues to shape the future of Wynwood Norte and beyond.



TO: Honorable Chairperson and Members of the Off-Street Parking Board

FROM: Alejandra Argudin, Chief Executive Officer, Miami Parking Authority *mc for AA*

SUBJECT: Procurement of Allied Universal Security Services, LLC – Piggyback of City of Orlando, Florida RFP Contract No. 24-0031 for Armed and Unarmed Security Services

DATE: October 2, 2024

On August 7, 2019, the Miami Parking Authority (“MPA”) received this Board’s approval to enter into an agreement with Universal Protection Services, LLC d/b/a Allied Universal Security Services, LLC (“Allied Universal”) for armed and unarmed security services. The procurement was achieved via a piggyback onto the State of Florida Contract No. 92121500-14-01 (“State Contract”). On October 25, 2019, the MPA entered into a Security Services Agreement with Allied Universal, for an initial period of three (3) years, with the stipulation that the terms could be renewed for two (2) additional periods of one (1) year each. The final renewal period was scheduled to expire on October 31, 2024. The terms of the existing Security Services Agreement will be extended on a month-to-month basis until such time as a new agreement is executed for the security services.

Considering the impending expiration of the existing Security Services Agreement and notwithstanding Allied Universal’s satisfactory performance, the MPA staff conducted industry research to identify the most qualified contractor and the most advantageous terms for the next engagement. After considering security services providers for comparable organizations and related feedback, the MPA staff began discussions with Allied Universal for a possible renewed engagement.

Pursuant to Section 18-111 of the Code of the City of Miami, Florida, as amended (“City Code”), the MPA may piggyback onto current contracts of other governmental entities when such contracts were entered pursuant to a competitive process.

On December 4, 2023, the City of Orlando, Florida, a municipal corporation existing under the laws of the State of Florida (“Orlando”), issued Request for Proposals (“RFP”) No. 24-0031 for selection of a qualified firm to provide armed and unarmed security guard services. Nineteen responsive proposals were received and reviewed by an advisory committee, five (5) firms were shortlisted, and Allied Universal was deemed to be the top ranked firm by the advisory committee.

The RFP, Allied Universal's Proposal, and the resulting Armed and Unarmed Security Guard Services RFP Contract No. 24-0031 between Orlando and Allied Universal, effective April 30, 2024 ("Orlando Contract"), are incorporated herein by reference. The term of the Orlando Contract is from June 1, 2024, through May 31, 2029, and may be extended for five (5) additional twelve (12) month periods by mutual written consent of the parties.

The MPA staff respectfully requests authorization to piggyback onto the Orlando Contract and enter into an agreement with Allied Universal as reflected on the attached Quotation dated September 19, 2024 ("Quotation"). The Quotation was prepared by Allied Universal, pursuant to the terms of the Orlando Contract, but has been tailored for MPA's operational needs and requirements. Additionally, Allied Universal shall comply with the insurance requirements as prescribed by the City of Miami's Risk Management Department. The term of a new agreement between the MPA and Allied Universal will commence upon execution. After the initial term, any renewal periods will be at MPA's option and will run coterminous with extension periods as available in the Orlando Contract. The prices for Years 1 through Year 5 of the initial term are outlined in the Quotation. In the event that MPA wishes to exercise its option to extend the term beyond the initial five-year period, the costs and levels of services will be reviewed and revised, as necessary, by mutual agreement of the parties, and as permitted by the Orlando Contract.

In the event that MPA and Allied Universal fail to negotiate and execute an Agreement within ninety (90) days of this Board's approval, MPA will issue a Request for Proposals and continue to extend the current contractor's month-to-month terms until a new contractor is competitively procured and an agreement is negotiated and executed.

Furthermore, the MPA staff seeks concurrent authority to allow the Chief Executive Officer ("CEO"), or her designee, to do all things necessary to effectuate the provision of services, including the right to negotiate and execute all documents, related agreements, amendments, renewals, extensions, and modifications, subject to all allocations, appropriations, prior budgetary approvals, and legal review before execution, without need for additional, subsequent Board approval.



Quotation

Anna P. Parekh
Procurement Administrator
40 NW 3rd Street, Suite 1103
Miami, FL 33128
(305) 373-6789 | Ext. 297
aparekh@miamiparking.com
www.miamiparking.com

Date: September 19, 2024

SUBJECT: QUOTE FOR SECURITY SERVICES FOR MIAMI PARKING AUTHORITY

Thank you for your interest in working with Allied Universal Security Services. Please see the following quote for your review including Annual Investment and MPA Current Operational Summary. The quote is pursuant to the City of Orlando RFP 24-0031 and the Contract between Universal Protection Services, LLC dba Allied Universal Security Services, effective April 30, 2024.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bob Wood", is written over a faint, larger blue signature that also appears to be "Bob Wood".

Bob Wood
President Florida Region | bob.wood@aus.com

Current	CURRENT - Labor					Annual Cost Labor (With Holiday)	Monthly Cost Labor (With Holiday)
	Category	HPW	Wage	Bill Rate	Annual Expense		
	Manager	40	\$31.25	\$41.25	\$85,800.00		
	Supervisor	112	\$17.00	\$24.48	\$142,571.52		
	Security Professional	1663	\$16.00	\$23.04	\$1,992,407.04	\$2,242,132.20	\$186,844.35
	CURRENT - Other					Annual Cost Other	Monthly Cost Other
	Heliaus	7		\$99.00	\$8,316.00		
	Golf Cart	3		\$300.00	\$10,800.00	\$19,116.00	\$1,593.00

Year 1	Agreed Upon Rates - Labor - November 1, 2024 - October 31, 2025					Annual Cost Labor (With Holiday)	Monthly Cost Labor (With Holiday)
	Category	HPW	Wage	Bill Rate	Annual Expense		
	Manager	40	\$32.81	\$43.41	\$90,287.87		
	Supervisor	168	\$18.00	\$25.97	\$226,908.86		
	Security Professional	1663	\$17.00	\$24.53	\$2,121,342.76	\$2,461,985.87	\$205,165.49
	Agreed Upon Rates - Other - November 1, 2024 - October 31, 2025					Annual Cost Other	Monthly Cost Other
	Heliaus	7		\$99.00	\$8,316.00		
	Golf Cart	3		\$300.00	\$10,800.00	\$19,116.00	\$1,593.00

Year 2	Agreed Upon Rates - Labor - November 1, 2025 - October 31, 2026					Annual Cost Labor (With Holiday)	Monthly Cost Labor (With Holiday)
	Category	HPW	Wage	Bill Rate	Annual Expense		
	Manager	40	\$33.65	\$44.62	\$92,809.39		
	Supervisor	168	\$19.00	\$27.46	\$239,846.88		
	Security Professional	1663	\$17.50	\$25.29	\$2,186,761.85	\$2,543,645.80	\$211,970.48
	Agreed Upon Rates - Other - November 1, 2025 - October 31, 2026					Annual Cost Other	Monthly Cost Other
	Heliaus	7		\$99.00	\$8,316.00		
	Golf Cart	3		\$300.00	\$10,800.00	\$19,116.00	\$1,593.00

Year 3	Agreed Upon Rates - Labor - November 1, 2026 - October 31, 2027					Annual Cost Labor (With Holiday)	Monthly Cost Labor (With Holiday)
	Category	HPW	Wage	Bill Rate	Annual Expense		
	Manager	40	\$34.85	\$46.21	\$96,119.09		
	Supervisor	168	\$20.00	\$28.90	\$252,470.40		
	Security Professional	1663	\$18.50	\$26.73	\$2,311,719.67	\$2,685,886.96	\$223,823.91
	Agreed Upon Rates - Other - November 1, 2026 - October 31, 2027					Annual Cost Other	Monthly Cost Other
	Heliaus	7		\$99.00	\$8,316.00		
	Golf Cart	3		\$300.00	\$10,800.00	\$19,116.00	\$1,593.00

Year 4	Agreed Upon Rates - Labor - November 1, 2027 - October 31, 2028					Annual Cost Labor (With Holiday)	Monthly Cost Labor (With Holiday)
	Category	HPW	Wage	Bill Rate	Annual Expense		
	Manager	40	\$36.05	\$47.91	\$99,653.74		
	Supervisor	168	\$21.00	\$30.43	\$265,827.74		
	Security Professional	1633	\$19.00	\$27.53	\$2,337,822.40	\$2,729,709.40	\$227,475.78
	Agreed Upon Rates - Other - November 1, 2027 - October 31, 2028					Annual Cost Other	Monthly Cost Other
	Heliaus	7		\$99.00	\$8,316.00		
	Golf Cart	3		\$300.00	\$10,800.00	\$19,116.00	\$1,593.00

Year 5	Agreed Upon Rates - Labor - November 1, 2028 - October 31, 2029					Annual Cost Labor (With Holiday)	Monthly Cost Labor (With Holiday)
	Category	HPW	Wage	Bill Rate	Annual Expense		
	Manager	40	\$37.02	\$49.20	\$102,335.13		
	Supervisor	168	\$22.00	\$31.88	\$278,486.21		
	Security Professional	1633	\$19.75	\$28.62	\$2,430,104.86	\$2,838,385.64	\$236,532.14
	Agreed Upon Rates - Other - November 1, 2029 - October 31, 2030					Annual Cost Other	Monthly Cost Other
	Heliaus	7		\$99.00	\$8,316.00		
	Golf Cart	3		\$300.00	\$10,800.00	\$19,116.00	\$1,593.00

Note: Included in rate, One (1) Vehicle, Three (3) Bicycles, Three (3) Golf Cars and Three (3) Heliaus Devices

Location	Master Schedule	Covered Hours
Account Manager	40	24/7
Supervisor	112	3 Supervisor 2- 40 hr. 1 - 32 hrs
Event Coverage	16	As Needed
Garage 1 - Courthouse Center	280	3 SP'S per day 24/7 0600-0600
Garage 3 - College Station & Lot 41	336	6 SP's per day 24/7 0600-0600
Garage 4 - James L Knight Center	336	6 SP's per day 24/7 0600-0600
Garage 5 - Regatta Harbor Garage	108	2 SP's M-F 3 SP's SAT&SUN 24 hrs.
Lot 14, 15, & 17	0	As Needed
Lot 18 & 26	50	1 SP per day 0800-1800
Lot 52, 53, 54, 55 - Design District	82	2 SP's Per day 0800-1600/M-F. Sa. 1- 1200-000
Lot 6 - Playhouse	0	As Needed
Lot 68 - Children's Museum	70	1 SP per day 0800-1800
Lot 70 - Watson Island Boat Ramp	60	2 SP' s Sa & Su 0530 - 2130
Lot 71 - Bayshore Drive Boat Ramp	48	2 SP's Sa & Su 0700-1900
Lot 72 - Dinner Key - Bayshore Drive	109	2 SP's per day 1000- 0000 M-Th F, Sa Su 0700-0200
Marlins Park - 1700	168	2 SP's 0700-0700 24/7
Marlins Park - Event Coverage - 1600	0	As Needed
Marlins Park - Event Coverage - 1700	0	As Needed
TOTAL HOURS	1815	

Operations Report

August, 2024

ON-STREET

	(Actuals)	(Budget)
On-Street Revenue	\$3,116,739	\$3,026,738
Total Number of PAD's:	102	
Total Number of On-Street Spaces Citywide:	12,683	

PAY BY PHONE

<u>Revenue</u>	<u>Transactions</u>
\$3,286,803	791,560
% of Revenue from PBP: 98%	

ENFORCEMENT

Total number of citations issued: \$20,733
Revenue generated for the City of Miami: \$421,239
Revenue generated for Miami-Dade County: \$221,651

OFF-STREET

	(Actuals)	(Budget)
Parking Garages	\$805,610	\$419,821
Parking Lots	\$790,682	\$813,924

Facilities	Monthly Customers	Transient Customers
Garage 1	992	13,063
Garage 3	1,429	13,561
Garage 4	1,314	8,454
Garage 5	383	11,161
Lots	1,812	

PERMANENT METER REMOVAL

	FY 23-24 (# of Spaces)
Private	11
City of Miami	
FDOT/County	
Upcoming Removals (Estimate)	
<u>TOTAL</u>	11

Number of Garages managed/owned by MPA: 4
Number of Lots managed/owned by MPA: 52
Numbers do not reflect garages or lots at Marlins Park, JHS or PARKS

CITY OF DORAL

KEY PERFORMANCE INDICATORS

Operations

Revenues

Goal: \$1,120,000 in the first 16 months (August)

Actual: \$1,220,596 in the first 16 months (August)
Percentage over or under projected goal (August): (9%)

DORAL REVENUE

Month	Gross Revenue	MoM Reve Incr	Rev Benchmark	Rev vs. Benchmark
May	\$1,132		\$70,000	-98%
June	\$51,200	4135%	\$70,000	-27%
July	\$66,932	31%	\$70,000	-4%
August	\$74,786	12%	\$70,000	7%
September	\$77,002	3%	\$70,000	10%
October	\$83,128	8%	\$70,000	19%
November	\$74,478	-10%	\$70,000	6%
December	\$87,661	18%	\$70,000	25%
January	\$82,629	-6%	\$70,000	18%
February	\$84,574	2%	\$70,000	21%
March	\$96,494	14%	\$70,000	38%
April	\$90,986	-6%	\$70,000	30%
May	\$92,247	1%	\$70,000	32%
June	\$80,429	-13%	\$70,000	15%
July	\$87,856	9%	\$70,000	26%
August	\$89,002	1%	\$70,000	27%

Citations

Projected: 2,400 per month

Actual: 2,155 per month (August)

Monthly Permits Activation (updated 9/23/2024)

Facility Code	Product Type	Allocated	Used	Percent Used
43010	Commercial Parker	16	13	81%
43011	Commercial Parker	36	37	103%
43013	Residential Parker	25	28	112%
43014	Residential Parker	5	5	100%
43015	Residential Parker	15	6	40%
43016	Residential Parker	15	5	33%
43017	Residential Parker	19	0	0%
43018	Residential Parker	10	3	30%
43019	Student Parker	40	24	60%
43012	Student Parker	7	1	14%

Customer Service

- Goal:** Minimize the number of inquiries and complaints by deploying goodwill ambassadors on the streets of Doral before and during the program kickoff.
- Actual:** An approximate number of inquiries from the Command Center and customer service were received
- Calls from command center 1,465
 - Calls from customer service 1,034

MIAMI-DADE COUNTY PARKS KEY PERFORMANCE INDICATORS

Improving revenue year over year for Miami Dade County Parks (MDCP) is an important KPI. The parks bounced back after the initial impact of COVID-19. Weather conditions and dedicated enforcement are indeed significant factors that can affect park revenue.

Improve Efficiency

Goal: Reduce hardware

Actual: Reduced pay station inventory from 53 to 2. Two remain in Homestead Bayfront Park because of connectivity issues with certain cell phone providers.

Revenue

Goal: Improve revenue

Actual: Revenue has increased year over year post covid (2021-2023)

- Revenue recovered after initial impact of COVID 19
- Weather conditions affect revenue in a negative manner.
- Enforcement keeps compliance via the issuance of citations.
- Revenue and Citation data for 2024 is through August of the calendar year.

Year	2018	2019	2020	2021	2022	2023	2024
MDCP Rev	\$5,253,942	\$4,603,638	\$2,863,362	\$4,896,947	\$6,123,274	\$7,191,874	\$ 5,569,829.00
MDCP Citations	18,454	6,356	3,259	11,145	36,957	24,108	22,282