

IN THE CIRCUIT COURT OF THE
11TH JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

CIRCUIT CIVIL DIVISION

CASE NO. 2018-021933-CA-01 (22)

NATALIE NICHOLS,

Plaintiff,

v.

CITY OF MIAMI BEACH,
FLORIDA,

Defendant.

**DEFENDANT’S SUPPLEMENTAL MEMORANDUM
IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT**

During the hearing on Cross-Motions for Summary Judgment held on September 10, 2019, the Court ordered the parties to each file supplemental briefing addressing the impact of the City of Miami Beach’s broad home rule authority on Plaintiff Natalie Nichols’ preemption claim. Defendant, the City of Miami Beach (the “City”), files this Supplemental Memorandum in support of its Motion for Summary Judgment on Count III of the Second Amended Complaint for Declaratory Judgment, which alleges that the fines structure of two ordinances restricting certain short-term rentals is preempted by section 162.09 of the Florida Statutes.¹ The City respectfully requests a 30-minute hearing to address the important issues presented in this memorandum.

¹ Nichols challenges two City zoning ordinances that restrict the rental of properties for terms of six months or less if they are located in certain residential zoning districts, City Code §§ 142-905 and 142-1111 (collectively, the “Ordinances”).

The City incorporates and reasserts all arguments previously raised. Summary judgment should be granted in favor of the City for several additional reasons. First, the Miami-Dade Home Rule Charter, recognizing the localized nature of code enforcement, specifically confers upon its municipalities, including the City, the power to prescribe fines and penalties for violations of their ordinances. The Charter does not place a limitation on the fines that may be prescribed, save those constitutional limitations pursuant to the excessive fines clause and rational basis review. Substantial fines for a first violation of the short-term rental Ordinances are required given the City's high rental and property values, significant number of short-term rentals, and limited code enforcement capacity. Chapter 162 recognizes the localized nature of code enforcement by permitting a municipality to completely opt out of its provisions in favor of a system better suited to its local needs. Second, even for local non-Charter governments, which are allowed to act unless expressly prohibited or preempted by law, there can be no preemption because Chapter 162 expressly states that its provisions are additional or supplemental. Authority binding on this Court makes clear that a municipality may completely abolish Chapter 162 and implement its own means of obtaining compliance and enforcement of provisions of its own code. Finally, even if this Court were to ultimately conclude that the fines provisions of the short-term rental Ordinances are preempted by state law, the proper remedy is to sever that portion of the ordinance. The remaining sections, which are not dependent upon the fines provisions, retain their validity.

In further support, the City states the following.

I. THE MIAMI-DADE HOME RULE CHARTER EXPRESSLY GRANTS THE CITY THE AUTHORITY TO CREATE AND ENFORCE ORDINANCES, INCLUDING BY PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF

A. Powers Authorized Under The Miami-Dade Home Rule Charter

The police power is a fundamental power of local governments, and the authority to enact zoning, as the City did here, is at the zenith of this power.² Recognizing this fundamental power, the Florida Constitution provides that municipalities “shall have governmental, corporate and propriety powers to enable them to conduct municipal government” and “may exercise any power for municipal purposes except as otherwise provided by law.” Fla. Const. art. VIII, § 2(b). Ordinarily this power would be derived from the legislature, but because the Miami Dade County Home Rule Charter (the “Charter”) is one of a handful of charters incorporated into the Florida Constitution, the powers it grants must be deemed as derived coextensively with the Florida Constitution. *See City of Miami v. Miami Ass’n of Firefighters, Local 587*, 744 So. 2d 555, 556 (Fla. 3d DCA 1999); *see also Peightal v. Metro. Dade Cty.*, 940 F.2d 1394, 1395 n.4 (11th Cir. 1991) (“Metropolitan Dade County is a sovereign entity comprehending specific powers as to the 26 municipalities and the unincorporated area within the geographical boundaries of the county.”).

Article VIII, section 11(b) of the Florida Constitution governing the Miami-Dade County Home Rule Charter specifically grants the “full power and authority” to “pass ordinances relating to the affairs, property and government of Dade County and provide suitable penalties for the violation thereof” and to “do everything necessary to carry on a central metropolitan government

² *See, e.g., City of Miami v. Zorovich*, 195 So. 2d 31, 35 (Fla. 3d DCA 1967) (“In this State, it is no longer questioned that a municipality, acting under legislative authority, may be vested with the power to enact a valid zoning ordinance and that a general attack thereon will ordinarily fail; nor is it questioned that the right of an urban owner to the free use of his property may be regulated by a legitimate exercise of the police power, and when so asserted, fairly and impartially in the interest of the public health, safety, morals or general welfare[.]”) (citation omitted).

in Dade County.” The Charter itself specifically provides for the authority to “prescribe fines and penalties for the violation of ordinances.” Charter § 1.22.

B. Fines Are A Localized Matter

Indeed, fines for violation of ordinances are by their nature a localized matter. For example, in a small town where property values and rental values are extremely low and there are few transient rentals, that city would not want, or need, to impose fines that are very high for violation of zoning ordinances such as those covering short-term rentals. However, in a municipality such as Miami Beach, where property and rental values are high, many transient lessors are extremely wealthy and absentee owners, and there are an enormous number of transient rental transactions, in order for a penalty to have deterrent value, fines must be substantial. In 2017, an estimated 15.86 million visitors spent at least one night in Greater Miami. *See* Greater Miami and the Beaches, 2017 Visitor Industry Overview, available at <https://www.miamiandbeaches.com/Miami/media/GMCVB-Corporate/Research%20Statistics/2017GMCVB-Annual-Report.pdf>, p. 6, attached hereto as Exhibit 1.³ Of those nearly 16 million overnight visitors, 58.5 percent – *i.e.*, over 9 million visitors – stayed in the City of Miami Beach. *Id.* Of the total overnight visitors to Greater Miami, 66.5 percent stayed in hotels or motels and

³ The City requests that this Court take judicial notice of the statistics available in the Greater Miami and the Beaches 2017 Visitor Industry Overview. Courts may take judicial notice of “[f]acts that are not subject to dispute because they are capable of accurate and ready determination by resort to sources whose accuracy cannot be questioned.” § 90.202(12), Fla. Stat. Moreover, courts “may take judicial cognizance of all public documents and public records.” *Conyers v. State*, 123 So. 817, 818 (1929). The statistics in this report were collected and reported in part by the Florida Department of Economic Opportunity and the report was prepared by the Greater Miami Convention and Visitors Bureau, a private-public partnership with the local governments of Miami-Dade, City of Miami Beach, City of Miami, and the Village of Bal Harbour.

4.8 percent, or a total of over 760,000 overnight visitors, rented a residence as lodging during their stay. *Id.* at 16.

The City's code enforcement capacity, on the other hand, is very limited. *See* Affidavit of Hernan Cardeno, attached hereto as Exhibit 2. In light of the substantial value of many of these rentals, the significant number of short-term visitors to Miami Beach, and the City's limited code enforcement capacity, fines for the first offense of its Ordinances restricting short-term rentals in certain areas of the City must enable the City to sufficiently enforce and obtain compliance with those restrictions.

To be sure, the fines that may be assessed for transient rentals can be substantial, and depending on circumstances, may exceed to a considerable degree the administrative fines set forth in § 162.09(2)(d), Fla. Stat. This is because the City's current fine structure is designed to deter illegal short-term rentals; its amounts must be significant because the rentals it seeks to discourage can be enormous. Some residences within the City of Miami Beach can illicitly be rented, and are, for as much as \$10,000 per night. *See* Ex. 2, Cardeno Aff. A maximum fine of \$1,000 per day would be cheerfully paid by a lessor as a cost of business because he or she would still enjoy substantial profits. The risk posed by engaging in unlawful transient rentals is determined by considering the amount of the fine multiplied by the likelihood of regulatory detection. For example, if the chance of a city detecting an unlawful transient rental is 5 percent, and the fine is \$1,000, the deterrent value of risk is only \$50. Obviously, such a fine would have little deterrent effect in the City of Miami Beach.

This peculiarly local problem illustrates precisely why home rule authority over fines exists at the same time as the additional, supplemental provisions of Chapter 162. That authority in any event remains, of course, subject to the excessive fines provision in the Florida Constitution.⁴

C. The Miami-Dade Home Rule Charter Specifically Delegates Enforcement Authority To Its Municipalities

Recognizing these localized needs, the Charter specifically delegates authority to its municipalities, including the City, to “exercise all powers relating to its local affairs not inconsistent with [the] Charter.” Charter § 6.02; *id.* § 6.01 (“The right of self determination in local affairs is reserved and pre-reserved to the municipalities except as otherwise provided in this Charter.”). This includes the authority to engage in zoning and to enforce its own codes and ordinances, including by prescribing fines and penalties. *See id.* at § 6.02 (“Each municipality shall have the authority to exercise all powers relating to its local affairs not inconsistent with this Charter. Each municipality may provide for higher standards of zoning, service, and regulation than those provided by the Board of County Commissioners...”)).

Nowhere does the Charter place a limit on these fines or penalties that may be prescribed; the City’s authority to prescribe fines, therefore, is likewise not subject to limitation, except those constitutional limits and protections under the excessive fines provisions in the United States and Florida Constitutions and the rational basis test applied to judicial review of zoning ordinances. Florida law is clear that where the Charter and general law conflict, the Charter provisions trump general law except where the Charter itself states that it is intended to be bound by general law.

⁴ The consequence of this Court’s ruling otherwise would be to invalidate the fines systems of local governments throughout Florida. *See, e.g.,* Miami Dade-County Code § 8CC-10 (schedule of civil penalties); City of Miami Code § 2-817(b) (providing that certain fines shall not exceed \$1,100 per day per violation and not more than \$5,250 per day per violation for a repeat violation).

For example, in *Miami Firefighters*, the provisions in § 166.041(2), Fla. Stat., which set forth a single-subject requirement in the adoption of municipal ordinances and resolutions, directly conflicted with the City of Miami’s proposal that joined two proposal in one – *i.e.*, containing more than a single subject. 774 So. 2d at 556. The Third DCA held that the conflicting statutory provision was inapplicable to amendments to the charters of municipalities located in Miami-Dade County because the Charter granted to the electorate of the County the power to adopt a County home rule charter and that the method, once adopted, was exclusive. *Id.* Here too, to the extent that Chapter 162 is determined to actually conflict with the authority granted to the City under the Charter to enforce ordinances, including by prescribing fines and penalties, those provisions are inapplicable given the Charter does not set a limit on fines or otherwise state that it is bound by statute with regard to such powers.

Regardless, as explained below, there is no conflict between Chapter 162 and the Charter authority granted municipalities to enforce their own ordinances because Chapter 162 – recognizing the need for local control in light of the localized nature of code enforcement and the prescription of fines and penalties to obtain compliance thereof – provides for municipalities to completely opt out of its provisions.

II. LOCAL NON-CHARTER GOVERNMENTS MAY PRESCRIBE FINES AND PENALTIES UNDER THEIR HOME RULE AUTHORITY BECAUSE CHAPTER 162’S ALTERNATIVE AND SUPPLEMENTAL LANGUAGE CANNOT CONSTITUTE EXPRESS PREEMPTION

Even for those local non-Charter governments – which, unlike Miami-Dade County, do not derive coextensive authority from the Florida Constitution – a municipality may exercise any governmental, corporate, or proprietary power for a municipal purpose except where *expressly* prohibited by law and a municipality may legislate on any subject matter except where *expressly* preempted to the state or county government. *See* § VIII, art. 2(b), Fla. Const.; § 166.021, Fla.

Stat.; *City of Boca Raton v. State*, 595 So. 2d 25, 28 (Fla. 1992); *see also City of Venice v. Valente*, 429 So. 2d 1241, 1244 (Fla. 2d DCA 1983) (“[O]ur sister court has concluded, and we agree, that there must be ‘express preemption’ by the legislature before a municipality may be prohibited from acting in a given area.”) (citing *City of Miami Beach v. Ricio Corp.*, 404 So. 2d 1066 (Fla. 3d DCA 1981)).

“‘Preemption essentially takes a topic or a field in which local government might otherwise establish appropriate local laws and reserves that topic for regulation exclusively by the legislature.’” *City of Hollywood v. Mulligan*, 934 So. 2d 1238, 1243 (Fla. 2006) (citation omitted). “Express preemption of a field by the legislature must be accomplished by clear language stating that intent.” *Phantom Clearwater, Inc. v. Pinellas Cty.*, 894 So. 2d 1011, 1018 (Fla. 2d DCA 2005); *see also Hillsborough Cty. v. Fla. Rest. Ass’n*, 603 So. 2d 587, 590 (Fla. 2d 1992) (“To find a subject matter expressly preempted to the state, the express preemption language must be a specific statement; express preemption cannot be implied or inferred.”).

A. There Can Be No Express Preemption Because Chapter 162 Expressly States Its Provisions Are Additional Or Supplemental

The Florida Supreme Court has held that the authority of municipalities to act pursuant to its home rule powers is not preempted or otherwise displaced by statutes that are expressly intended to be additional or supplemental. *See, e.g., City of Boca Raton*, 595 So. 2d at 29 (holding that municipality could impose assessments pursuant to its home rule authority under Chapter 166, rather than Chapter 170, because Chapter 170 was expressly intended to be a “supplemental, additional, and alternative method” for financing improvements). Similarly, in *Taylor v. Lee County*, the Court concluded that a home rule county could elect to proceed under its home rule authority pursuant to Chapter 125 to issue bonds, and was not required to proceed under another provision, Chapter 159. 498 So. 2d 424, 425–26 (Fla. 1986). Because the provisions of

Chapter 159 specifically stated that “sections 159.01 through 159.19 ‘shall be regarded as supplemental and additional,’” Chapter 159 provided “an alternate method of issuing bonds, use of which [was] optional, not mandatory.” *Id.* at 426.

As in *Boca Raton* and *Taylor*, by its express terms, Chapter 162 does not preempt or otherwise conflict with the adoption of an alternative code enforcement system, including the schedule of fines enacted as a means of obtaining compliance with its local codes and ordinances. *See* §§ 162.03, 162.13, 162.21(8), 162.22. Binding case law reaffirms that Chapter 162 is not a limitation on a local government’s power, but a supplemental system and procedure that may be utilized by a local government or may be abolished altogether in favor of an alternate enforcement system. *See Miami-Dade Cty. v. Brown*, 814 So. 2d 518, 519–20 (Fla. 3d DCA 2002); *Verdi v. Metro. Dade Cty.*, 684 So. 2d 870, 873 (Fla. 3d DCA 1996). There is no basis to conclude that the phrases “means of enforcement” or “means of obtaining compliance” do not encompass the fines or other “penalty” that can be assessed, or that the fines “imposed pursuant to this section,” *see* § 162.09(2)(a) & (d), could not be considered supplemental, and therefore optional, like the rest of the provisions.⁵

In fact, the Florida Supreme Court has expressly held that because Chapter 162 is optional, it does not preempt a local government’s authority to assess penalties, or even provide guidance on appropriate penalties for the violation of a municipal ordinance. *See Thomas v. State*, 614

⁵ *See, e.g.,* Att’y Gen. Op. Fla. 2000-53 (2000) (observing that city setting fines for violation of tree ordinance was not required to use Part I, Chapter 162, but those provisions could provide some *guidance* in crafting an enforcement mechanism); § 162.22 (specifically referencing designation of enforcement *methods* and penalties—not “means”); *Bronstein v. Philadelphia Fair Hous. Comm’n*, 488 F. Supp. 1357, 1364 n.4 (E.D. Pa. 1980) (“If the city finds that the present permissible sanctions are without sufficient teeth to achieve the desired result, it is always free to amend its ordinances to provide *alternative means of code enforcement, such as a system of fines* for types of violations[.]”) (emphasis added).

So. 2d 468, 472 n.3 (Fla. 1993). In *Thomas*, the Fifth DCA certified two questions to the Florida Supreme Court, the first asking whether a city could enforce an ordinance regarding bicycle safety equipment by arresting a person who violates the ordinance and, second, whether the repeal of a state statute eliminated a city's previously granted power to enact ordinances that punished violators by criminal means, including arrest, fines, and imprisonment. *Id.* at 469. The Court concluded that, with regard to the first question, a city may not punish by criminal penalties conduct that the state has decriminalized. The second question however, was more difficult, given "the lack of a clear statement from the legislature regarding the appropriate penalties for violation of municipal ordinances." *Id.* at 471. The Court observed that, based on classifications provided in § 775.08, violation of a municipal ordinance is neither a "crime" nor a "noncriminal violation" as defined. *Id.* Critically, the Court stated:

Chapter 162, Florida Statutes (1989), relating to county and municipal code enforcement, provides for fines and other noncriminal penalties for enforcement of ordinances. The chapter *explicitly states, however, that its provisions are supplemental* and are not designed to prohibit a county or municipality from enforcing its codes or ordinances by other means. See §§ 162.13, 162.21(8), Fla. Stat. (1989). *Chapter 162, therefore, does not provide guidance on the appropriate penalties for violation of a municipal ordinance.*

Id. at 472 n.3 (emphasis added). The Court proceeded to acknowledge the inherent home rule authority of non-charter municipalities to meet municipal needs, except when expressly prohibited by law, and recognized that the Attorney General "on several occasions" "opined that municipalities, pursuant to the home rule powers found in article VIII, section 2(b) and in chapter 166, Florida Statutes, possess the power to prescribe penalties for violations of their ordinances." *Id.* at 472. The Court acknowledged that the Attorney General likewise stated that limitations provided in certain provisions of the Florida Statutes – but not Chapter 162 – "should serve as

guidelines for any penalties imposed for violation of municipal ordinances.” *Id.* at 473 (emphasis added).

The Court thus agreed with the Attorney General “to the extent that his opinions express the view that municipal ordinance penalties may not exceed state penalties for *similar or identical offenses*” – *i.e.*, local governments “may not punish by criminal penalties conduct that the state has decriminalized.” *Id.* (emphasis added). However, with regard to the second question – what penalties, including fines, a municipality could impose for violation of an ordinance – the Court declined to answer “in the hope that the legislature will clarify” the issue. *Id.*

Boca Raton, Taylor, and Thomas make clear that the Florida Supreme Court has explicitly held that, in the face of expressly supplemental and non-prohibitive provisions – including, specifically, the fines under Chapter 162 – even non-charter municipalities retain their home rule authority to create and enforce ordinances including by prescribing penalties for violations of those ordinances. This is particularly true where, as here, the City’s constitutionally-derived authority to enforce ordinances and prescribe fines and penalties is limited only by the provisions of the Charter, not purportedly conflicting state legislation.

III. THE FINES PROVISIONS ARE SEVERABLE FROM THE REMAINING PORTIONS OF THE ORDINANCES

Finally, even if the Court were to ultimately conclude that the fines provisions under City Code §§ 142-905(b)(5) and 142-1111(e)(1) are preempted by § 162.09, Fla. Stat., the proper remedy is to declare invalid only those portions of the Ordinances setting forth the schedule of fines. It is well settled that where “certain portions of an ordinance are invalidated, the remaining sections retain their validity unless they are found to be dependent on those sections which have been declared void.” *Lifschitz v. City of Miami*, 339 So. 2d 232, 235 (Fla. 3d DCA 1976); *see also Lysaght v. City of New Smyrna Beach*, 159 So. 2d 869, 870 (Fla. 1964) (“The principle of

invalidation of a whole ordinance has no application to an ordinance in which the improper matters can be distinguished clearly and separated from those matters properly included in the ordinance.”). In such instances, the remainder of the ordinance will be permitted to stand if: “(1) the [invalid] provisions can be separated from the remaining valid provisions; (2) the legislative purpose expressed in the valid provisions can be accomplished independently of those that are void; (3) the good and the bad features are not so inseparable in substance that it can be said that the legislative body would have passed the one without the other; and (4) an act complete in itself remains after the invalid provisions are stricken.” *Cramp v. Bd. Of Pub. Instruction of Orange Cty.*, 137 So. 2d 828, 830 (Fla. 1962).

All of those elements are easily satisfied here to sever the fines provisions from the substantive portions of the Ordinances. First, the schedule of fines, which is set forth in a separate provision within both Ordinances, may be easily separated from the remaining provisions. Second, the legislative purpose to restrict certain short-term rentals in the City can be accomplished independently of the schedule of fines, although the amount of fines provide necessary deterrence for highly profitable transient rentals. Third, the City passed these specific fines provisions at least 5 years after the Ordinances restricting certain short-term rentals were initially enacted, and therefore can be severed. Fourth, a complete act restricting certain short-term rentals will remain even if the amount of fines are determined to be preempted to the state. *See Bozeman v. City of Brooksville*, 82 So. 2d 729, 730 (Fla. 1955) (severing provisions of ordinance requiring solicitors and canvassers to obtain permits from other provisions requiring payment of fee). Finally, the City Code contains a severability clause, setting forth the City’s intention that if any portion of the Code is declared invalid, such invalidity shall not affect the remaining portions of the Code. City Code § 1-13. The Ordinance increasing the amount of fines per violation of sections 142-905 and

142-1111 contains a similar provision. Ord. 2016-4001, Ex. 2, Cardeno Aff. at Ex. B, p. 10.⁶ See *State v. Champe*, 373 So. 2d 874, 880 (Fla. 1978) (“We have a duty to uphold the validity of legislative enactments to the extent possible, and the expression of a legislative preference for the severability of voided clauses, although not binding, is highly persuasive.”) (footnotes omitted).

Although the City has properly acted pursuant to its home rule authority and the plain language of Chapter 162, should the Court determine that the fines provisions of the Ordinances are preempted, the City requests that those portions be severed from the remaining valid portions of the Ordinances.

CONCLUSION

For the reasons stated, the City respectfully requests that the Court enter summary judgment in its favor with regard to Count III of the Second Amended Complaint. In the event the Court ultimately grants summary judgment in favor of Plaintiff on Count III, the Court should, consistent with long-standing Florida law, sever the fines provisions from the remaining valid portions of the Ordinances. Given the important issues presented in this memorandum, the City respectfully requests a 30-minute hearing be held.

⁶ City Code § 1-13 (“It is the intention of the city commission that the sections, paragraphs, sentences, clauses and phrases of this Code are severable; and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this code.”); Ord. 2016-4001 (“If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.”).

Dated: September 20, 2019

Respectfully submitted,

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I HEREBY CERTIFY that on this 20th day of September, 2019, a true and correct copy of the foregoing document was filed electronically through the Florida Courts E-Filing Portal which electronically served all counsel of record including:

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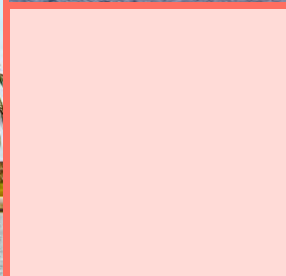
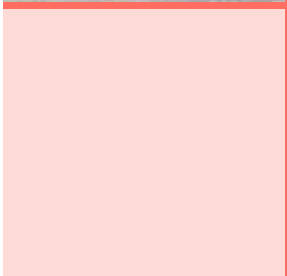
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EXHIBIT 1

GREATER MIAMI AND THE BEACHES 2017 VISITOR INDUSTRY OVERVIEW

Visitor Profile • Economic Impact • Hotel Performance • Jobs



Prepared by:



with data collected/reported by:



Smith Travel Research

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SECTION ONE:

Visitor Profile and Economic Impact Study

Source: Ipsos Loyalty



Introduction

This report contains a summary of the key findings of the **Visitor Profile and Economic Impact Study** conducted for the Greater Miami Convention & Visitors Bureau during 2017.

In 2017, more than 4,500 intercept interviews with Miami visitors were conducted at Miami International Airport (MIA), various attractions and visitor centers in Miami-Dade County. Interviews were also conducted at Fort Lauderdale-Hollywood International Airport (FLL), as a significant proportion of FLL passengers are planning to stay in Miami.

The study is conducted annually to determine a number of characteristics of the overnight visitor to Greater Miami and the Beaches, including:

- Total overnight visitors by region
- Purpose of visit
- Type of lodging used
- Area of lodging
- Satisfaction level
- Likelihood of returning
- Likes of area
- Dislikes of area
- Areas visited
- Demographic characteristics
- Party size
- Length of stay
- Expenditures

In addition to determining a Visitor Profile, this study also develops estimates of the direct economic impact of overnight visitors on the Miami-Dade County economy.

The following pages contain the key findings of the 2017 Visitor Survey of Greater Miami and the Beaches conducted by the GMCVB research partner, Ipsos.

Executive Summary

Executive Summary

2017 Visitor Industry Statistical Highlights

■ Total Overnight Visitors

- The destination finished 2017 with a net gain of 0.9% in overnight visitation, driven by an increase in International visitors. Although Domestic visitation was just slightly less than last year, International visitation grew by 2.3%.
- Hurricane Irma had a significant impact on visitation in September, but the region quickly recovered and ended 2017 on a very positive note.
- An estimated, record-high 15.86 million visitors who spent at least one night in Greater Miami and the Beaches arrived during January-December 2017.

■ Overnight Visitor Spending

- During 2017 (January-December), overnight visitors spent an estimated \$25.97 billion in direct expenditures in Greater Miami and the Beaches. This can be largely attributed to International visitors, which accounted for approximately 62% of total spending. The average daily expenditure per visitor was \$270.62, and the average expenditure per person per visit was \$1,637.26. The average length of stay in 2017 was 6.05 nights. Total overnight visitor spending increased in 2017 by 1.8% compared to 2016 and was primarily influenced by increased spending on shopping and entertainment.

■ Main Purpose of Visit

- Visitors continued to travel to Greater Miami and the Beaches primarily for leisure/vacation purposes, making up 86.2% of the visitor market in 2017. Visitors traveling for business and conventions accounted for 7.0% in 2017. The remaining visitors were in Miami for a cruise (4.8%) or visiting for personal/other reasons (2.0%).

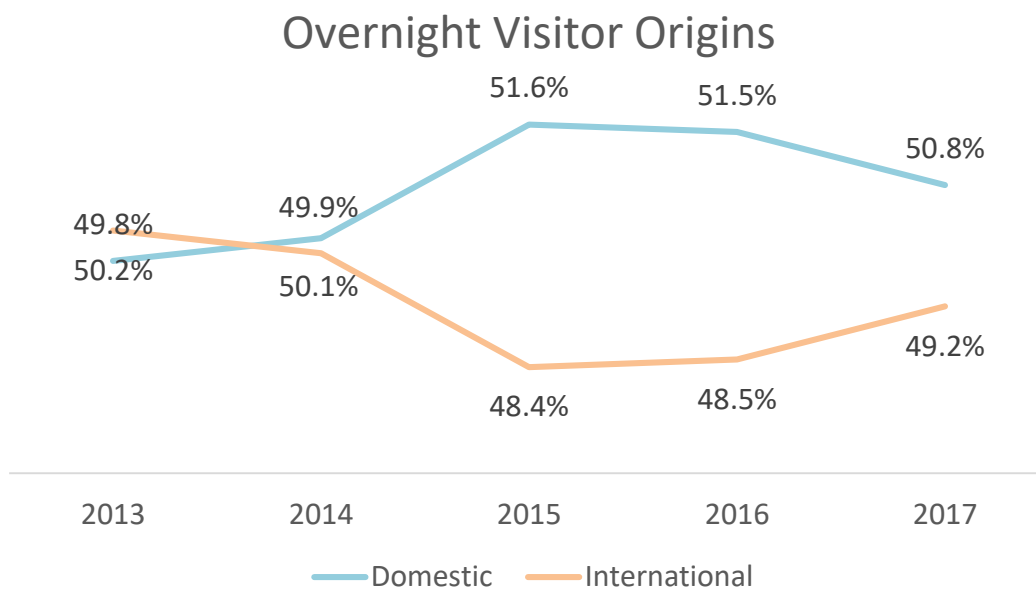
■ Where They Stayed

- Consistent with previous years, Miami Beach remained the most common area for visitor lodging. Downtown Miami and North Dade/Sunny Isles Beach were also top areas for lodging. The following is a percentage breakdown of where visitors who used lodging stayed in 2017:
 - Miami Beach (58.5%)
 - Downtown Miami (14.9%)
 - North Dade/Sunny Isles Beach (8.1%)
 - Airport Area (10.9%)
 - South Miami-Dade (2.4%)
 - Doral (1.7%)
 - Key Biscayne (1.5%)
 - Coconut Grove (2.0%)
 - Coral Gables (1.9%)

Total Overnight Visitor Estimates

The Tourist Universe

- Total overnight visitation to the Greater Miami area improved year over year, driven by International visitors.
- Hurricane Irma had an impact on visitation and this resulted in an overall slight decrease in overall Domestic visitation. Had it not been for that event, there would have been an increase in Domestic visitation for 2017.
- International visitation has been on the uptick for the past few years, with a healthy gain of 2.3% over 2016.
- The robust expansion of the Fort Lauderdale–Hollywood International Airport further aids the growth of Miami tourism as they continue to add more Domestic and International flight options to the region.

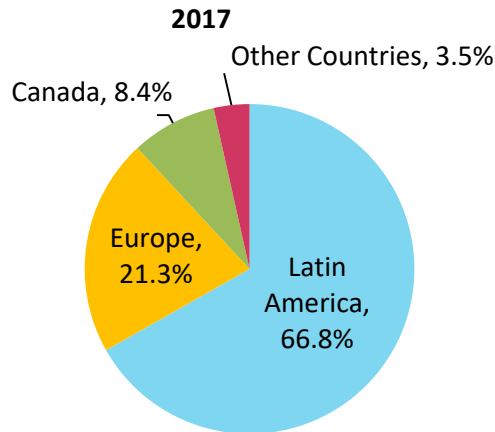


Origins of Overnight Visitors to Greater Miami						
	2013	2014	2015	2016	2017	% Change 2016 v. 2017
	(000)	(000)	(000)	(000)	(000)	
Domestic Visitors	7,087.2	7,303.2	7,990.1	8,100.0	8,061.8	-0.5%
International Visitors	7,131.7	7,260.0	7,506.0	7,624.2	7,798.2	2.3%
Total Overnight Visitors	14,218.9	14,563.2	15,496.1	15,724.3	15,860.0	0.9%

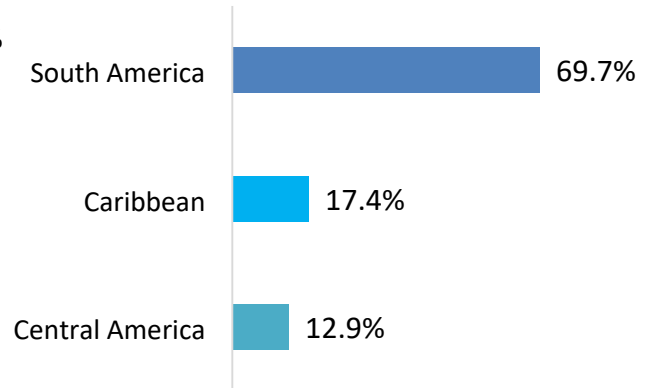
Please note: Domestic and international numbers may not equal total due to rounding

Origin of Overnight Visitors

Distribution of International Visitors



Latin America Visitor Distribution



- In 2017, we saw an increase of Domestic visitors from the Midwest as opposed to other regions. International traffic improved from Central America, the Caribbean and Europe, offsetting softness in visitation from certain South American markets.

Regional Origins of Overnight Visitors to Greater Miami

	2013	2014	2015	2016	2017	% Change 2017 v. 2016
Domestic Regions						
Northeast	3,401.4	3,520.1	3,860.5	3,915.3	3,883.4	-0.8%
Southern	1,781.0	1,833.1	2,004.8	2,026.7	2,007.4	-1.0%
Midwest	1,263.6	1,270.8	1,385.1	1,405.5	1,435.0	2.1%
Western	641.2	679.2	739.8	752.5	736.1	-2.2%
Total Domestic	7,087.2	7,303.2	7,990.1	8,100.0	8,061.9	-0.5%
International Regions						
<u>Latin America</u>	<u>5,017.8</u>	<u>5,009.4</u>	<u>5,154.2</u>	<u>5,187.7</u>	<u>5,210.0</u>	0.4%
South America	3,737.1	3,659.0	3,739.6	3,683.5	3,631.9	-1.4%
Central America	561.5	595.3	615.6	650.1	672.9	3.5%
Caribbean	719.2	755.0	799.0	854.1	905.3	6.0%
Europe	1,332.4	1,430.2	1,515.2	1,554.7	1,663.5	7.0%
Canada	660.6	689.7	696.6	661.8	653.9	-1.2%
Other Countries	120.9	130.7	140.1	220.0	270.7	23.0%
Total International	7,131.7	7,260.0	7,506.0	7,624.2	7,798.1	2.3%
Total Overnight Visitors	14,218.9	14,563.2	15,496.3	15,724.3	15,860.0	0.9%

Please note: Domestic and international numbers may not equal total due to rounding

Top Domestic Markets



Domestic Markets Ranked by Number of Visitors

Market by 2017 Ranking	2013	2014	2015	2016	2017	% Change 2017 v. 2016
1. NEW YORK	1,834,401	1,902,274	2,102,013	2,150,000	2,128,500	-1.0%
2. CHICAGO	419,058	429,534	468,622	475,049	485,975	2.3%
3. PHILADELPHIA	399,784	412,977	449,732	459,626	463,763	0.9%
4. BOSTON	302,584	312,266	339,433	349,616	351,364	0.5%
5. ATLANTA	278,701	286,504	313,435	327,640	322,626	-1.5%
6. WASHINGTON, DC	194,932	201,950	221,539	220,546	226,887	2.9%
7. DALLAS/FT. WORTH	190,603	196,512	215,377	223,754	222,972	-0.3%
8. LOS ANGELES	147,700	156,710	170,814	175,938	168,901	-4.0%
9. DETROIT	139,970	141,090	153,788	155,787	161,707	3.8%
10. HOUSTON	125,463	128,851	140,061	142,862	139,291	-2.5%
11. DENVER	116,604	123,484	133,363	135,363	137,393	1.5%
12. BALTIMORE	92,648	95,705	104,606	105,953	103,018	-2.8%
13. SAN FRANCISCO	81,826	86,899	94,894	96,026	97,466	1.5%
14. PITTSBURGH	83,485	86,157	94,600	95,965	94,574	-1.4%
15. ST. LOUIS	83,656	84,242	91,740	92,766	93,879	1.2%
16. ALBANY/TROY	82,564	85,619	94,181	95,630	93,335	-2.4%
17. HARTFORD/NEW HAVEN	67,016	69,496	76,376	77,132	77,903	1.0%
18. CLEVELAND	66,620	67,286	73,409	74,125	73,310	-1.1%
19. CHARLOTTE	64,907	67,633	74,058	75,280	72,909	-3.1%
20. MINNEAPOLIS	64,221	64,542	70,286	71,500	70,285	-1.7%
21. BUFFALO	55,642	57,478	62,938	63,800	61,758	-3.2%
22. CINCINNATI	52,151	52,673	57,308	58,397	58,981	1.0%
23. SPRINGFIELD, MA	47,369	48,790	53,084	54,100	54,912	1.5%
24. SAN ANTONIO	44,471	46,250	50,690	51,250	52,326	2.1%
25. NEW ORLEANS	39,535	41,907	45,888	46,852	48,304	3.1%
Total Top 25 Domestic Markets	5,075,911	5,246,829	5,752,235	5,874,957	5,862,339	-0.2%
Total Other Domestic Markets	2,011,289	2,056,371	2,237,865	2,225,043	2,199,561	-1.1%
Total Domestic Visitors	7,087,200	7,303,200	7,990,100	8,100,000	8,061,900	-0.5%

Top International Markets



International Markets Ranked by Number of Visitors						
Market by 2017 Ranking	2013	2014	2015	2016	2017	% Change 2017 v. 2016
1. CANADA	660,600	689,700	696,597	661,767	655,149	-1.0%
2. COLOMBIA	455,341	528,196	554,606	615,612	627,924	2.0%
3. ARGENTINA	485,276	427,043	432,168	492,671	533,070	8.2%
4. BRAZIL	755,550	732,884	747,542	553,181	525,522	-5.0%
5. GERMANY	340,179	360,590	382,225	386,430	434,734	12.5%
6. ENGLAND	287,688	307,251	325,993	338,707	333,288	-1.6%
7. BAHAMAS	236,894	248,976	263,666	285,286	304,685	6.8%
8. VENEZUELA	408,684	347,381	312,643	328,275	279,034	-15.0%
9. FRANCE	192,362	205,827	208,914	214,137	223,345	4.3%
10. COSTA RICA	189,822	199,883	212,276	214,399	212,255	-1.0%
11. ECUADOR	195,180	199,474	206,057	204,820	208,302	1.7%
12. CHILE	154,628	168,545	172,253	189,478	207,668	9.6%
13. PERU	168,039	172,072	175,858	183,772	195,166	6.2%
14. JAMAICA	155,577	163,356	173,157	183,547	187,585	2.2%
15. ITALY	155,873	166,940	176,789	180,325	175,456	-2.7%
16. MEXICO	126,704	134,560	140,346	149,187	151,723	1.7%
17. NETHERLANDS	60,479	64,894	69,437	70,825	73,304	3.5%
18. CHINA	36,700	39,392	57,794	65,016	70,800	8.9%
19. BOLIVIA	58,189	61,797	63,898	65,751	69,959	6.4%
20. SWITZERLAND	56,545	60,842	64,980	67,579	68,525	1.4%
21. SWEDEN	33,734	36,298	39,202	40,848	44,198	8.2%
22. DENMARK	30,291	32,442	34,713	36,518	37,029	1.4%
23. NORWAY	28,230	30,178	32,653	33,469	35,711	6.7%
24. SPAIN	25,000	26,650	28,649	29,051	30,271	4.2%
25. DOMINICAN REPUBLIC	20,145	21,172	22,485	22,732	23,960	5.4%
Total Top 25 International Markets	5,317,710	5,426,343	5,594,901	5,613,383	5,708,663	1.7%
Total Other International Markets	1,813,990	1,833,657	1,911,099	2,010,817	2,089,437	3.9%
Total International Visitors	7,131,700	7,260,000	7,506,000	7,624,200	7,798,100	2.3%

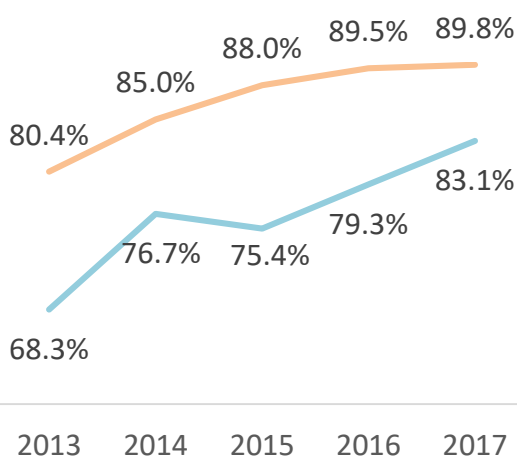
Characteristics of Visitors' Stay

Purpose of Visit

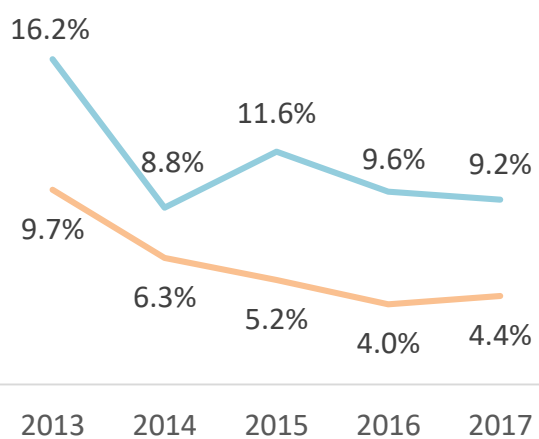
- The primary reason people visit Miami continues to be for leisure purposes and this has strengthened even more in 2017.
- The proportions of visitors who come to the Greater Miami area for business and cruises were about on par with the year prior.

Purpose of Visit					
	2013	2014	2015	2016	2017
Total Visitors					
Leisure/Vacation	73.7%	81.2%	81.9%	84.8%	86.2%
Business	13.3%	7.4%	8.3%	6.6%	7.0%
Cruise	7.8%	7.2%	6.6%	5.0%	4.8%
Personal/Other	5.2%	4.2%	3.2%	3.6%	2.5%

Leisure/Vacation Visitors



Business Visitors



— Domestic — International

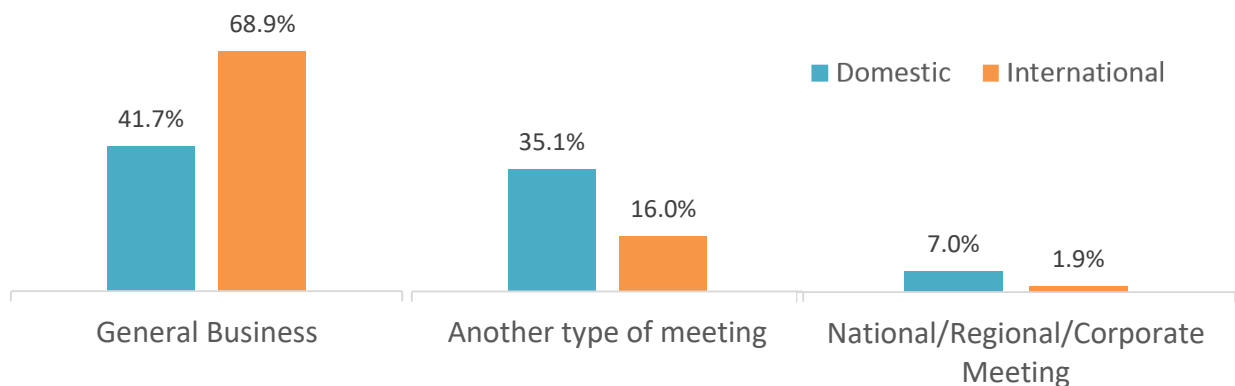
Q.3a: What was the **MAIN** purpose of your visit to the Greater Miami area? Only select one.

Note: Leisure/Vacation is comprised of those visiting for vacation/pleasure and visiting friends and relatives

Business Visitors

- Among Business visitors, there was a sizable jump in travelers coming to the Greater Miami area for general business between 2016 and 2017. This increase was driven by International visitors.
- Fewer people said they were here for national/regional/corporate meetings, some of which could be attributed to the partial closing of the Miami Beach Convention Center and present modernization efforts, due to be completed in late 2018.

2017 Domestic vs International



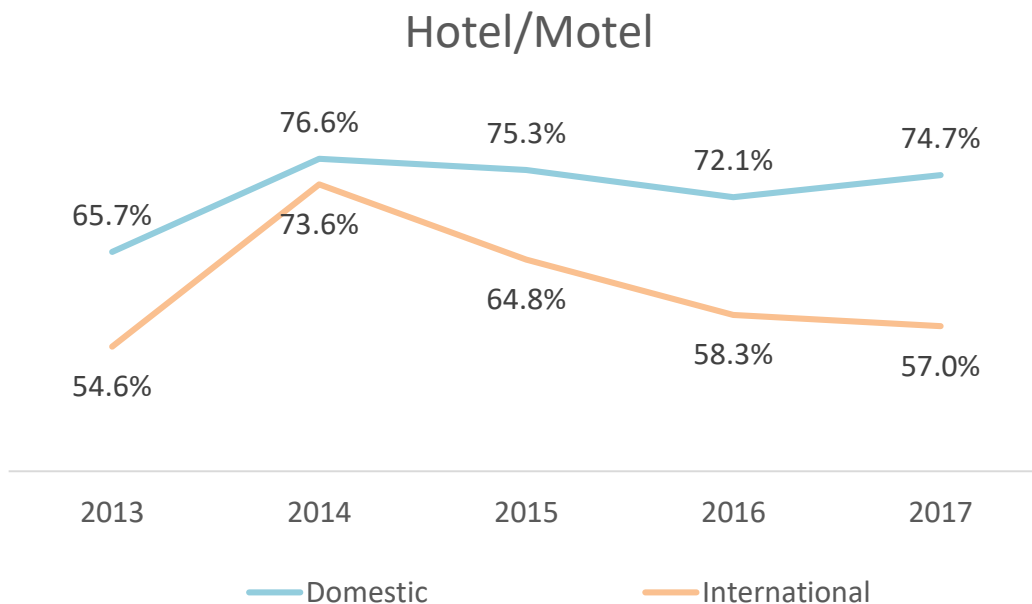
Nature of Business Visit					
	2013	2014	2015	2016	2017
Business Visitors					
General Business	49.0%	43.9%	40.1%	41.3%	50.3%
Another Type of Meeting	26.0%	17.7%	22.7%	29.8%	29.0%
National/Regional/Corporate Meeting	11.2%	6.9%	16.0%	10.8%	5.4%
A Convention at Another Location	4.8%	6.9%	9.0%	4.4%	3.6%
Film, Video, Photography Business	3.2%	5.0%	2.5%	2.9%	2.7%
Earned as a Sales Incentive	1.0%	1.1%	0.7%	1.3%	0.9%
A Convention at the Miami Beach Convention Center	3.8%	2.9%	0.5%	1.3%	0.0%
Other	1.1%	15.6%	8.5%	8.3%	8.1%

Q.3c: If traveling for Business please select the type of business

Choice of Lodging – Total Visitors

- Reversing a trend for the past several years, visitors have started returning to hotels and motels and away from staying with friends/relatives.
- Some of those have also been turning to residence rentals (including AirBnB) and this did increase from the year prior. However, hotel/motels remain the most popular lodging option by far in the Greater Miami area.

Lodging Type					
	2013	2014	2015	2016	2017
Total Visitors					
Hotel/Motel	60.7%	74.9%	70.0%	64.9%	66.5%
Friends/Relatives	38.9%	22.3%	27.5%	31.4%	29.1%
Rented a Residence	1.0%	3.0%	2.7%	3.7%	4.8%
Stayed at Own Residence	1.2%	1.1%	2.0%	2.3%	1.6%



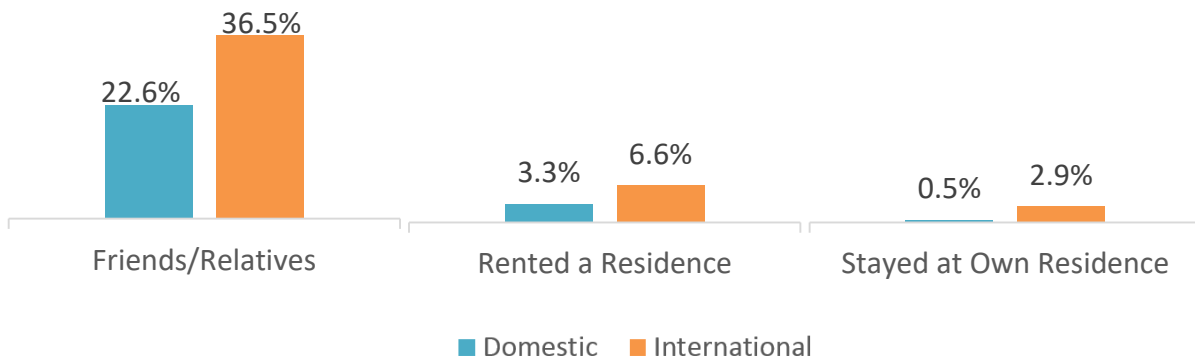
Q.5: What was the type of lodging you used during this visit to the Greater Miami area? Select all that apply.

Choice of Lodging

- Among the Domestic visitors, three-quarters opted to stay in a hotel/motel. Significantly fewer stayed with their friends in family, but there was an uptick in renting residences.
- International visitors are still most likely to be staying in hotels/motels. Similar to 2016, more than a third continue to stay with their friends and relatives. Like their Domestic counterparts, there has been a small but noticeable rise in renting residences.

Lodging Type					
	2013	2014	2015	2016	2017
Domestic					
Hotel/Motel	65.7%	76.6%	75.3%	72.1%	74.7%
Stayed with Relatives	24.0%	13.6%	16.2%	19.2%	16.4%
Stayed with Friends	9.9%	7.8%	7.0%	7.5%	6.2%
Rented a Residence	0.9%	1.9%	1.7%	1.5%	3.3%
Stayed at Own Residence	1.2%	0.5%	0.7%	0.6%	0.5%
International					
Hotel/Motel	54.6%	73.6%	64.8%	58.3%	57.0%
Stayed with Relatives	31.2%	14.7%	22.2%	29.5%	29.9%
Stayed with Friends	13.9%	8.4%	9.4%	5.9%	6.6%
Rented a Residence	1.1%	3.8%	3.8%	5.7%	6.6%
Stayed at Own Residence	1.3%	1.6%	3.2%	3.7%	2.9%

2017 Non-Hotel Lodging Types

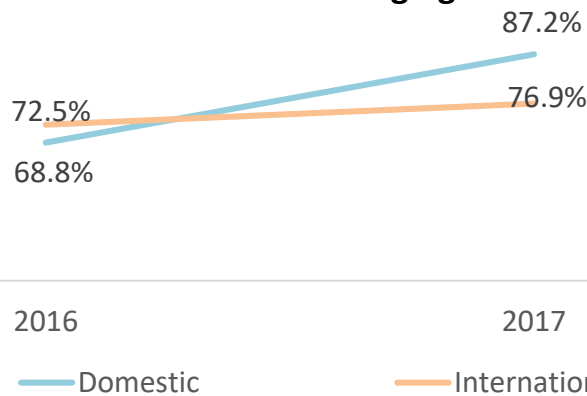


Q.5: What was the type of lodging you used during this visit to the Greater Miami area? Select all that apply.

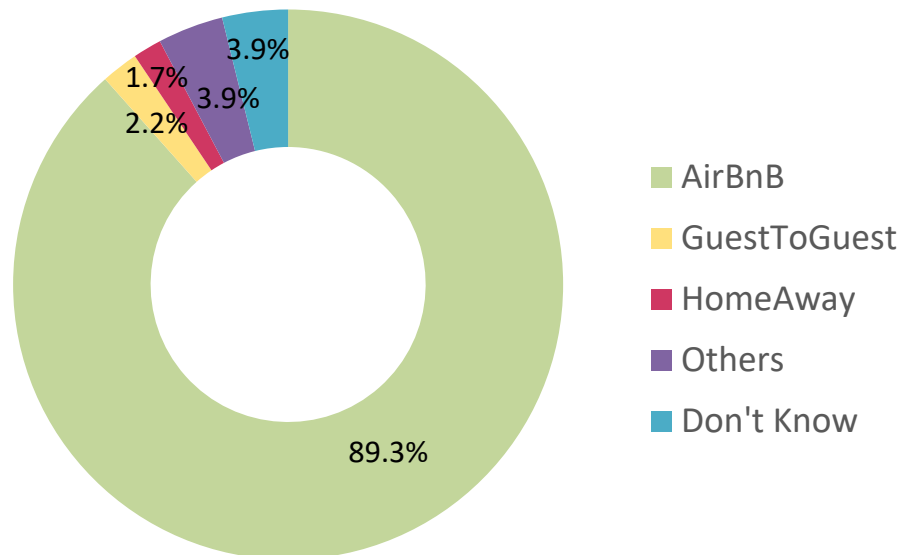
Peer to Peer Rentals

- Usage of peer to peer websites to book lodging has grown year over year among both Domestic and International visitors, with a more noticeable increase among Domestic visitors.
- The proportion of those who said they used AirBnB increased from the prior year. In 2017, nine in ten visitors who used peer to peer rental websites said they used AirBnB, with other websites representing a very small percentage of the total residence sharing market.

Usage of Peer to Peer Sites to Book Lodging



2017 Most Common Peer to Peer Rental Sites



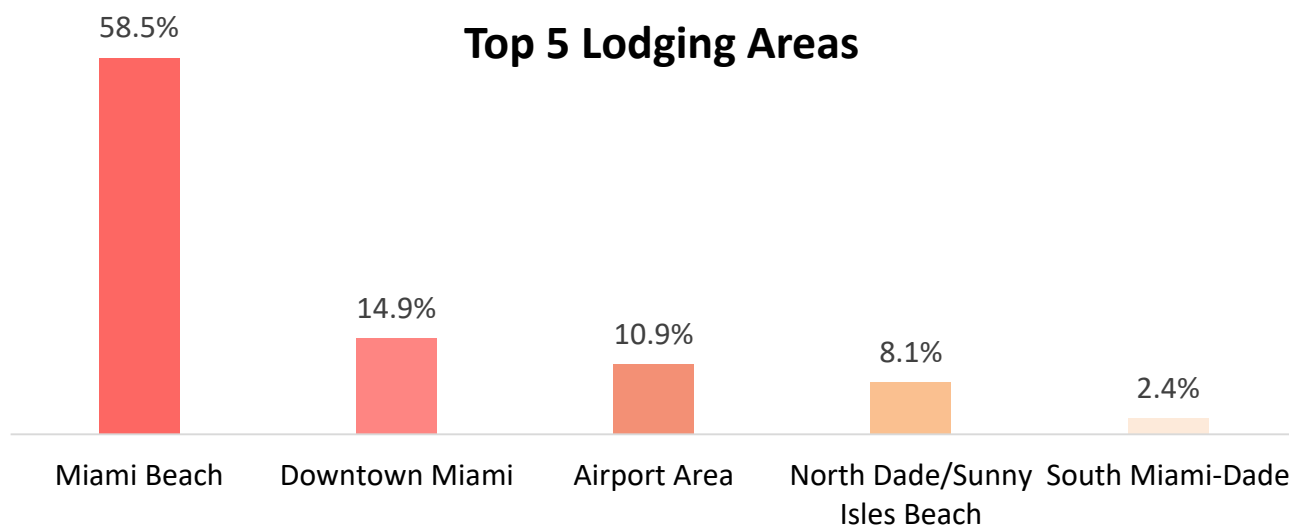
Q18: Did you book your stay through a Peer to Peer (P2P) site?

Q18a: Which Peer to Peer websites did you use to book your visit to the Greater Miami area?

Note: Percentages are out of domestic or international visitors who rented residences.

Area of Lodging

- Miami Beach continues to be the most popular place to stay in the Greater Miami area, further growing in popularity during 2017.
- The distribution of overnight visitors around the Greater Miami area changed from a year prior as the shift to staying near the airport reversed from a decline in 2016.
- Downtown Miami appeared to be on par with previous years but areas like North Dade/Sunny Isles Beach were not quite as popular as they have been in the past, likely due to the draw of Miami Beach.



Area of Lodging					
	2013	2014	2015	2016	2017
Total Visitors					
Miami Beach	47.3%	57.8%	54.7%	55.6%	58.5%
Downtown Miami	12.1%	13.2%	14.3%	15.0%	14.9%
Airport Area	16.5%	12.8%	11.6%	8.3%	10.9%
North Dade/Sunny Isles Beach	13.9%	11.8%	9.8%	11.7%	8.1%
South Miami-Dade	6.8%	3.9%	4.1%	3.8%	2.4%
Coconut Grove	0.5%	1.5%	1.2%	1.7%	2.0%
Coral Gables	1.7%	1.4%	1.4%	1.3%	1.9%
Doral	1.2%	3.3%	4.4%	2.9%	1.7%
Key Biscayne	1.3%	1.5%	2.1%	2.4%	1.5%

Q.B: What areas of Greater Miami did you stay in? Select all that applies. – Visitors who stayed in a Hotel, Motel or Spa only

Travel Party Size and Mode of Arrival

- Travel party size inched upward from last year as parties of two appear to be more prevalent, driven more by International visitors.
- Unchanged from prior years, the Greater Miami area continues to be a market where air travel dominates transportation to the region.

2017 Statistics



Average Party Size
2.17



Visitors by Air
96.1%



Visitors by Car
3.8%

Party Sizes					
	2013	2014	2015	2016	2017
Total Visitors					
One	35.5%	20.8%	21.3%	20.8%	17.6%
Two	47.4%	52.5%	52.5%	50.4%	53.6%
Three	10.8%	12.1%	13.0%	14.9%	14.0%
Four or More	6.2%	14.6%	13.2%	13.9%	14.8%
Average Party Size	1.90	1.90	2.03	2.12	2.17

Q.7: Including yourself, how many people traveled in your immediate party with you on this trip to The Greater Miami area?

Transportation Type to Greater Miami Area					
	2013	2014	2015	2016	2017
Total Visitors*					
By Air	90.4%	95.8%	95.4%	95.9%	96.1%
By Car	9.4%	4.3%	4.3%	4.0%	3.8%
By Other Transportation	0.3%	0.5%	0.4%	0.4%	0.0%

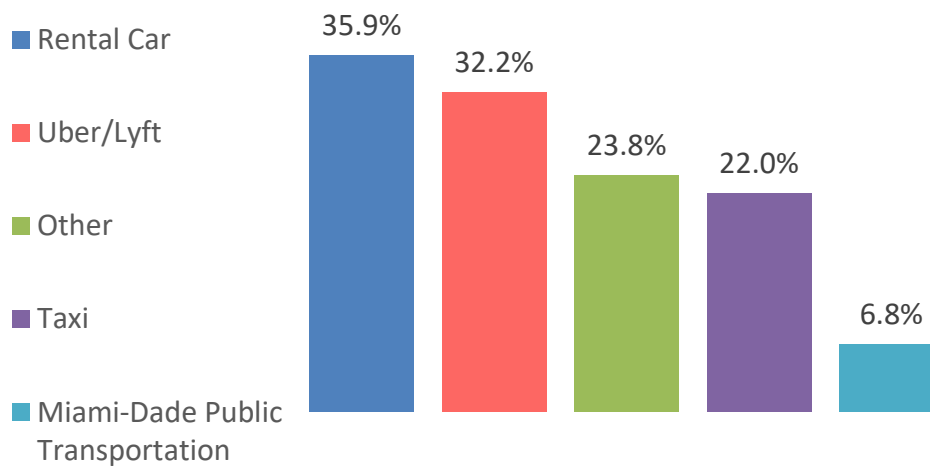
Q.2: What means of transportation did you use for this trip to get to the Greater Miami area?

Note: Visitors can select more than 1 method of transportation – may not equal 100%

Transportation

- The face of local transportation has been evolving and in 2017, ride sharing services overtook all single forms of transportation as the method used to get around the Greater Miami area by Domestic visitors.
- Although the usage of Uber/Lyft among International visitors has also grown, rental cars remain their preferred means of transportation during their stay.

Transportation Used During Stay in 2017



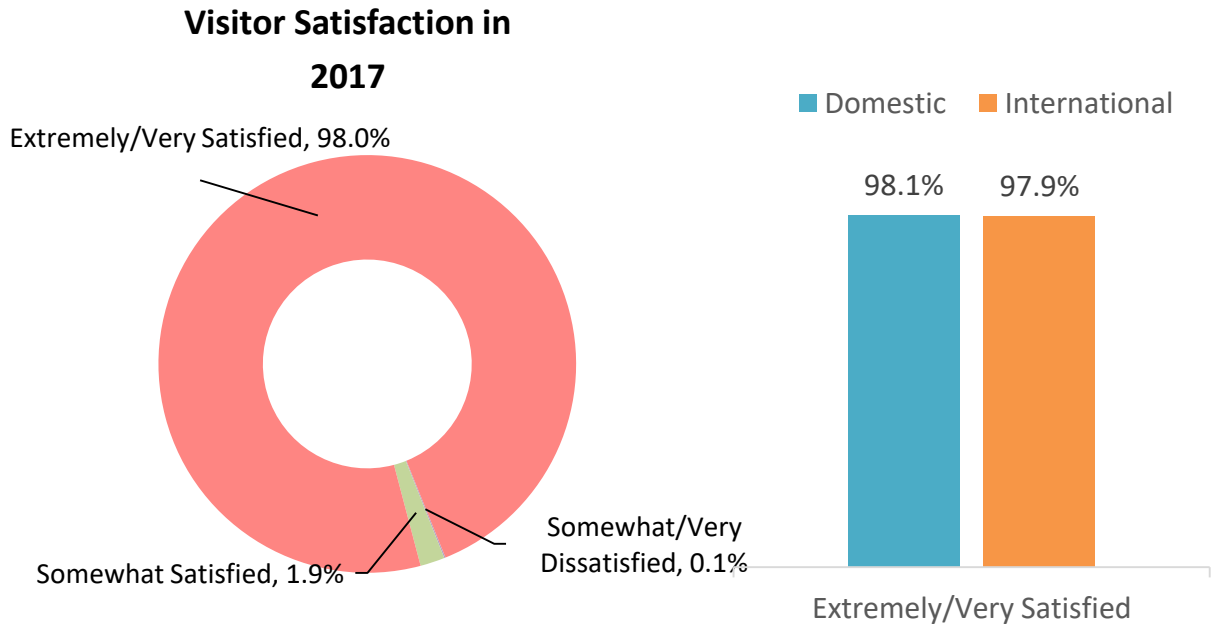
Transportation Type		
	2016	2017
Domestic		
Uber/Lyft	18.3%	39.8%
Rental Car	35.9%	31.9%
Taxi	29.5%	25.2%
Miami-Dade Public Transportation	5.5%	3.9%
Other	23.7%	21.2%
International		
Rental Car	42.8%	40.4%
Uber/Lyft	14.9%	23.6%
Taxi	21.0%	18.3%
Miami-Dade Public Transportation	10.9%	10.3%
Other	24.1%	26.8%

Q.5a. What was the type of transportation you used during your visit to the Greater Miami area? Select all that apply.

Visitor Perceptions

Satisfaction with Stay

- Consistent with prior years, visitors continue to be impressed with Miami and claim high levels of satisfaction with their visit.
- Although Domestic and International visitors alike shared similar enthusiasm, Domestic visitors appeared to be even more satisfied than their counterparts.



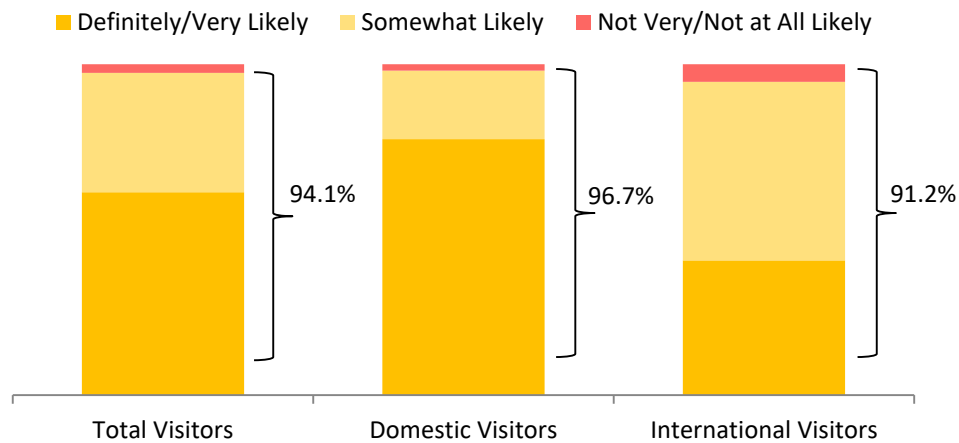
 **98%** of total visitors were **Extremely** or **Very Satisfied** in 2017

Satisfaction with Visit					
	2013	2014	2015	2016	2017
Total Visitors					
Extremely/Very Satisfied	99.7%	94.9%	97.7%	98.1%	98.0%
Somewhat Satisfied	3.9%	4.0%	1.9%	1.6%	1.9%
Somewhat/Very Dissatisfied	0.4%	1.2%	0.4%	0.3%	0.1%

Q.8: How satisfied would you say you were with this visit to the Greater Miami area? Only select one.

Returning Visitors

- Similar to their satisfaction, an overwhelming majority of visitors say they are likely to return to Miami. Furthermore, this sentiment was the highest recorded since 2013.
- International visitors expressed an even greater eagerness to return, indicating they are even more likely to do so than a year prior.

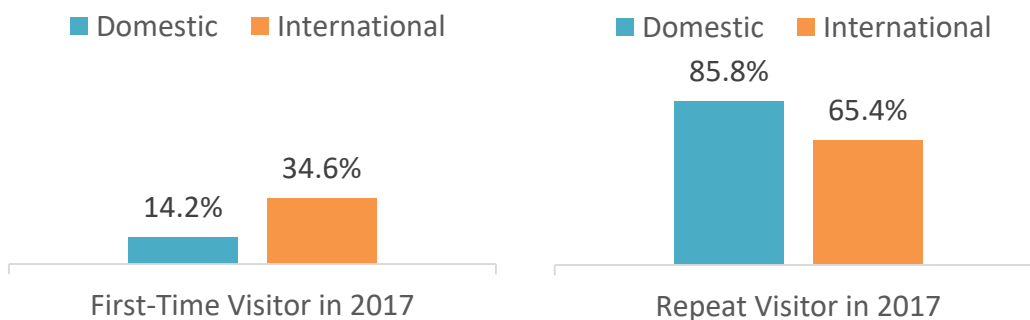
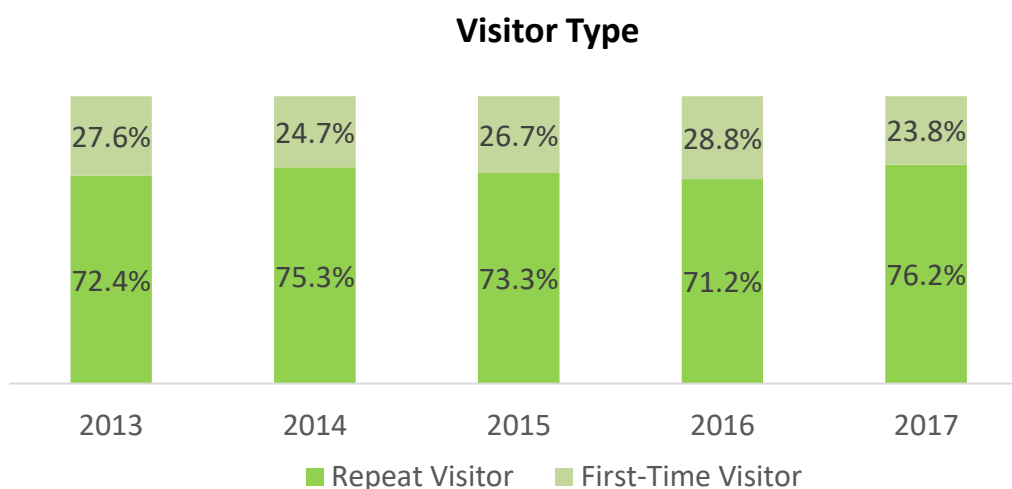


Likelihood to Return					
	2013	2014	2015	2016	2017
Total Visitors					
Definitely/Very Likely	95.3%	89.3%	91.9%	91.8%	94.1%
Somewhat Likely	4.7%	8.6%	7.3%	7.6%	5.4%
Not Very/Not at All Likely	0.0%	2.1%	0.8%	0.7%	0.4%
Domestic Visitors					
Definitely/Very Likely	95.8%	93.0%	93.6%	95.6%	96.7%
Somewhat Likely	4.2%	5.7%	5.4%	4.0%	3.1%
Not Very/Not at All Likely	0.0%	1.3%	0.9%	0.5%	0.3%
International Visitors					
Definitely/Very Likely	94.6%	86.2%	90.3%	88.5%	91.2%
Somewhat Likely	5.4%	11.0%	9.0%	10.7%	8.1%
Not Very/Not at All Likely	0.0%	2.8%	0.8%	0.7%	0.8%

Q.9: How likely are you to return to the Greater Miami area?

Visitor Type

- Although the majority of visitors to the Greater Miami area have been here before, there was a slightly higher proportion of returning visitors in 2017 than in years prior.
- International visitors were more than twice as likely than Domestic visitors to be here for their first time.

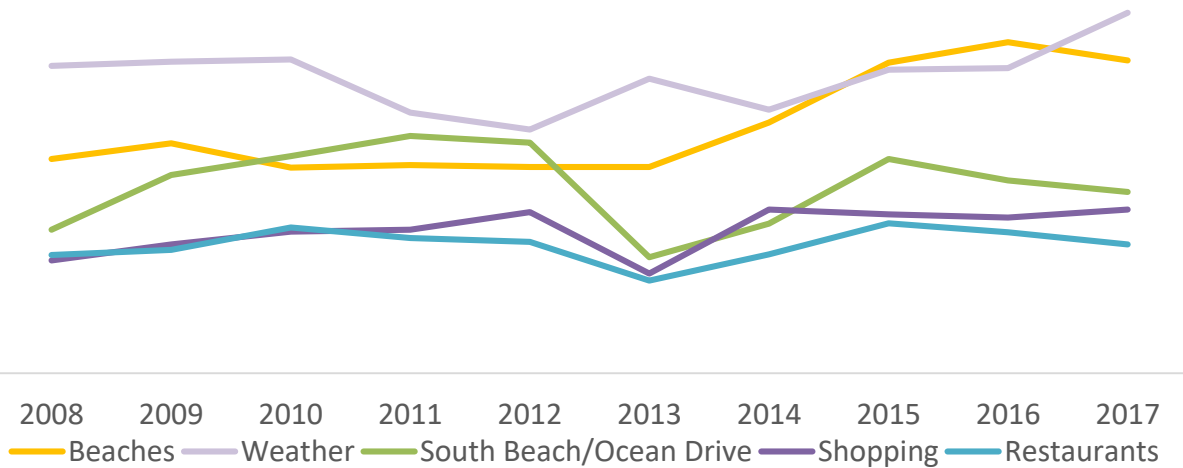


Visitor Type Count					
	2013	2014	2015	2016	2017
	(000)	(000)	(000)	(000)	(000)
Repeat Visitor	10,294.5	10,965.1	11,358.8	11,195.7	12,085.3
First-Time Visitor	3,924.4	3,597.1	4,137.5	4,528.6	3,774.7
Total Visitors	14,218.9	14,563.2	15,496.3	15,724.3	15,860.0

Q.1: Is this your first visit to the Greater Miami area?

Most Liked Features

Top 5 Attractions – 10 Year Trend



Over the last 10 years, our weather and beaches have been the most popular features people claim as their favorites. In 2017, the weather surpassed beaches as the most liked feature among total visitors.

Total Visitors – Most Liked Features of Greater Miami Area					
	2013	2014	2015	2016	2017
Total Visitors					
Weather	55.6%	49.7%	57.3%	57.6%	68.0%
Beaches	38.9%	47.3%	58.6%	62.5%	59.0%
South Beach/Ocean Drive	41.9%	48.2%	40.4%	36.4%	34.2%
Shopping	31.8%	30.9%	30.0%	29.4%	30.9%
Restaurants	17.5%	22.4%	28.3%	26.6%	24.3%
Attractions*	28.8%	36.0%	23.8%	25.6%	23.2%
Night Life	25.0%	25.9%	25.7%	21.7%	21.3%
International Ambiance	22.1%	22.5%	16.8%	18.4%	17.2%
Accommodations	7.5%	12.5%	18.6%	13.5%	16.7%
Sun Bathing	24.7%	29.7%	16.4%	14.2%	16.6%
Art Deco Area	9.0%	10.6%	22.2%	18.5%	16.5%
Friendly People	12.4%	15.7%	20.7%	14.6%	15.2%
Bayside Marketplace	1.8%	4.6%	10.0%	7.1%	3.8%
Cleanliness	13.7%	15.4%	9.0%	6.3%	3.8%
Service Employees	1.5%	5.2%	9.6%	4.0%	3.1%
Sporting Activities	1.4%	2.4%	5.1%	5.4%	2.8%
Prices	8.7%	8.9%	8.0%	5.1%	2.5%

Q.14: What are the features of the Greater Miami area that you liked the most? Select all that apply.

*Note: Mention of Attractions may include unpaid Attractions in addition to paid Attractions.

Most Liked Features



Weather remained a top-liked feature of the area and this affinity was even stronger among Domestic visitors in 2017.



The majority of our visitors like our weather and beaches, in addition to its rich amenities, night life, attractions and places like South Beach/Ocean Drive.



Compared to recent history, this past year more International visitors said they liked shopping here.

Domestic and International Visitors – Most Liked Features					
	2013	2014	2015	2016	2017
Domestic Visitors					
Weather	59.9%	50.6%	63.4%	64.0%	72.3%
Beaches	39.6%	48.4%	57.6%	62.3%	62.6%
South Beach/Ocean Drive	39.9%	42.8%	35.6%	36.7%	38.9%
Night Life	30.3%	33.2%	31.0%	29.5%	28.2%
Sun Bathing	26.5%	30.3%	15.4%	16.7%	20.9%
Restaurants	12.5%	13.5%	18.4%	19.1%	17.4%
International Ambiance	16.4%	18.2%	11.2%	13.1%	14.4%
Attractions*	19.9%	23.3%	15.2%	16.3%	13.3%
Art Deco Area	2.3%	9.0%	14.2%	11.1%	13.1%
Shopping	8.2%	11.3%	11.2%	10.0%	11.1%
International Visitors					
Weather	50.1%	48.9%	51.7%	52.0%	63.1%
Beaches	38.0%	46.5%	59.5%	62.8%	54.8%
Shopping	56.9%	58.7%	47.5%	46.3%	53.4%
Attractions*	38.2%	39.7%	31.8%	33.7%	34.5%
Restaurants	23.8%	29.6%	37.5%	33.1%	32.0%
South Beach/Ocean Drive	43.9%	45.6%	44.8%	36.2%	28.9%
Friendly People	17.2%	21.3%	27.0%	19.4%	23.6%
Art Deco Area	1.7%	11.8%	29.7%	25.0%	20.4%
International Ambiance	29.7%	28.5%	22.1%	23.1%	20.3%
Night Life	18.4%	20.0%	20.9%	14.8%	13.5%
Sun Bathing	22.4%	25.5%	17.3%	12.0%	11.7%
Cleanliness	24.1%	26.5%	14.8%	10.4%	7.1%

Q.14: What are the features of the Greater Miami area that you liked the most? Select all that apply.

**Note: Mention of Attractions may include unpaid Attractions in addition to paid Attractions.*

Least Liked Features



Unfavorable perceptions of traffic, prices and for some, the weather, were a little higher in 2017 than in recent years. Still, close to half of the visitors we surveyed could find nothing negative to mention.



We began asking visitors about their concerns regarding the Zika virus in late 2016. Happily, this has since fallen off the radar and not considered to be an issue.

Domestic and International Visitors – Least Liked Features					
	2013	2014	2015	2016	2017
Total Visitors					
Nothing Disliked	55.7%	52.5%	62.8%	63.5%	55.5%
Traffic	25.4%	19.0%	19.7%	21.6%	25.4%
Prices	7.1%	9.6%	6.7%	5.5%	11.6%
Weather	0.6%	3.3%	2.6%	2.9%	4.5%
Negative Media	0.2%	14.0%	5.8%	2.8%	2.2%
Crowded/Developed	3.9%	2.0%	1.2%	0.9%	2.2%
Safety	5.6%	0.9%	1.1%	1.9%	1.1%
Domestic Visitors					
Nothing Disliked	47.9%	50.0%	58.4%	61.7%	52.5%
Traffic	30.3%	20.6%	20.8%	23.0%	27.0%
Prices	10.0%	13.0%	8.3%	6.6%	14.1%
Weather	0.3%	3.5%	3.2%	2.9%	4.7%
Crowded/Developed	3.4%	1.7%	1.6%	0.9%	2.1%
Negative Media	0.2%	11.5%	6.9%	2.3%	1.9%
Safety	5.5%	0.9%	1.2%	2.2%	0.9%
International Visitors					
Nothing Disliked	64.5%	54.3%	66.5%	64.8%	58.4%
Traffic	19.8%	17.9%	18.9%	20.6%	23.9%
Prices	3.7%	7.1%	5.3%	4.6%	9.3%
Weather	0.8%	3.1%	2.1%	2.8%	4.3%
Negative Media	0.2%	15.8%	4.9%	3.2%	2.6%
Crowded/Developed	4.4%	2.2%	0.8%	0.9%	2.2%
Safety	5.7%	0.9%	1.1%	1.7%	1.4%

Q.15: What are the features of the Greater Miami area that you liked the least? Select all that apply.

Areas/Attractions Visited



Interest in the beaches, Art Deco/South Beach and Lincoln Road continues to be strong.

The popularity of Wynwood continues to grow as the number of visitors who said they went to Wynwood doubled from last year.

Areas and Attractions Visited - Total					
	2013	2014	2015	2016	2017
Total Visitors					
The Beaches	68.2%	63.2%	72.0%	74.5%	76.7%
Art Deco District/South Beach	63.9%	75.2%	77.2%	71.8%	74.7%
Lincoln Road	43.2%	56.7%	56.6%	49.0%	54.2%
Bayside Marketplace	26.5%	28.8%	33.4%	32.6%	38.8%
Downtown Miami	25.8%	31.7%	35.0%	37.6%	37.3%
Aventura Mall	30.2%	35.7%	33.0%	30.4%	27.8%
Dolphin Mall	12.9%	20.1%	21.5%	23.2%	24.7%
CocoWalk/Mayfair/Coconut Grove	20.3%	20.6%	13.6%	15.9%	16.9%
Wynwood*	---	---	4.3%	8.5%	16.8%
Nightclubs	16.5%	14.8%	15.3%	15.7%	15.1%
Key Biscayne	7.7%	17.2%	20.4%	18.5%	13.9%
Coral Gables	25.2%	25.6%	13.9%	14.3%	12.9%
Little Havana	18.1%	18.5%	17.4%	9.2%	12.8%
Bal Harbour Shops	10.6%	13.9%	11.9%	10.9%	12.5%
Miami Seaquarium	8.5%	10.0%	12.3%	11.7%	11.8%
Dadeland Mall	9.7%	9.0%	8.5%	10.1%	9.7%
Everglades National Park	5.9%	11.9%	9.9%	10.1%	7.8%
Zoo Miami	5.0%	3.5%	6.0%	7.7%	7.8%
Water Sports/Activities	5.6%	4.6%	7.5%	6.2%	6.8%
Design District*	---	---	3.3%	5.3%	5.6%
Miami International Mall	6.1%	4.6%	3.9%	3.2%	5.4%
Parks	3.5%	3.1%	2.9%	7.5%	5.0%
Theatres	6.3%	6.1%	3.4%	4.9%	4.7%
Art Galleries	1.7%	2.6%	3.8%	3.8%	4.3%
Midtown*	---	---	2.7%	3.0%	3.9%
Museums	3.2%	5.0%	3.5%	3.3%	2.5%
Mall of the Americas	1.6%	2.6%	2.1%	1.4%	1.8%
Vizcaya	2.9%	3.1%	1.9%	1.6%	1.6%

Q.10: Places visited during the visit to the Greater Miami area. Select all that apply.

**Note: These locations were only added as options in the survey as of 2015*

Areas/Attractions Visited



Art Deco District/South Beach and the Beaches received the lion's share of Domestic visitors in 2017.

Lincoln Road, Bayside Marketplace and Downtown Miami have also gained some popularity.

Interest in Wynwood continues to grow in leaps and bounds.

Areas and Attractions Visited - Domestic					
	2013	2014	2015	2016	2017
Total Domestic Visitors					
Art Deco District/South Beach	66.8%	81.2%	78.1%	75.3%	80.2%
Beaches	71.5%	72.2%	76.8%	77.5%	79.7%
Lincoln Road	46.7%	62.4%	59.5%	56.1%	61.4%
Bayside Marketplace	20.8%	24.0%	27.2%	28.7%	36.8%
Downtown Miami	28.9%	33.2%	31.8%	29.7%	35.5%
Aventura Mall	30.0%	34.6%	29.5%	28.7%	26.4%
Nightclubs	20.8%	19.7%	18.6%	19.4%	19.2%
Wynwood*	---	---	2.9%	6.4%	15.2%
CocoWalk/Mayfair/Coconut Grove	14.4%	16.2%	9.2%	12.9%	14.8%
Bal Harbour Shops	10.3%	14.4%	12.2%	11.4%	12.8%
Dolphin Mall	7.8%	7.3%	8.6%	11.6%	10.8%
Little Havana	10.3%	10.8%	10.2%	7.1%	9.4%
Miami Seaquarium	5.5%	6.2%	7.8%	6.7%	7.7%
Coral Gables	19.4%	19.8%	8.3%	9.1%	7.5%
Key Biscayne	5.6%	10.7%	11.2%	8.9%	6.8%
Theatres	3.7%	5.0%	4.3%	7.1%	6.7%
Water Sports/Activities	4.5%	5.7%	5.9%	5.3%	5.5%
Dadeland Mall	5.1%	4.6%	5.3%	5.3%	5.0%
Design District*	---	---	2.0%	3.8%	4.8%
Everglades National Park	3.4%	7.7%	4.9%	5.0%	4.5%
Zoo Miami	3.6%	2.1%	3.3%	5.5%	4.1%
Biscayne National Park	1.4%	1.9%	4.9%	5.4%	3.8%
Midtown*	---	---	1.2%	1.6%	3.6%

Q.10: Places visited during the visit to the Greater Miami area. Select all that apply.

**Note: These locations were only added as options in the survey as of 2015*

Areas/Attractions Visited



International visitors claim to have visited more shopping areas than in prior years, particularly Lincoln Road, Bayside Marketplace and Dolphin Mall.

Similar to Domestic visitors, interest in Wynwood appears to be gaining momentum.

Areas and Attractions Visited - International					
	2013	2014	2015	2016	2017
Total International Visitors					
Beaches	64.3%	56.0%	67.6%	71.9%	73.2%
Art Deco District/South Beach	61.7%	70.5%	76.3%	68.8%	68.4%
Lincoln Road	41.7%	52.3%	54.0%	43.0%	46.0%
Downtown Miami	22.2%	30.6%	37.8%	44.3%	41.6%
Bayside Marketplace	33.3%	32.7%	39.0%	36.0%	41.0%
Dolphin Mall	19.1%	30.1%	33.2%	33.0%	40.5%
Aventura Mall	30.5%	36.6%	36.1%	31.8%	29.3%
Key Biscayne	10.2%	22.3%	28.6%	26.7%	22.0%
CocoWalk/Mayfair/Coconut Grove	27.4%	28.8%	17.7%	18.5%	19.4%
Coral Gables	32.2%	34.8%	19.0%	18.8%	18.9%
Wynwood*	---	---	5.4%	10.3%	18.5%
Little Havana	26.8%	27.9%	26.5%	11.0%	16.7%
Miami Seaquarium	12.1%	13.0%	16.4%	15.9%	16.6%
Dadeland Mall	15.2%	12.6%	11.4%	14.2%	15.1%
Bal Harbour Shops	11.1%	13.5%	11.7%	10.4%	12.1%
Zoo Miami	6.6%	4.7%	8.3%	9.5%	12.0%
Everglades National Park	8.9%	15.2%	14.4%	14.5%	11.6%
Nightclubs	11.2%	11.0%	12.4%	12.6%	10.5%
Tour of the City	5.9%	6.5%	9.0%	9.5%	9.9%
Miami International Mall	10.5%	6.7%	6.2%	5.4%	9.8%
Parks	5.3%	4.0%	3.9%	10.9%	8.3%
Water Sports/Activities	7.1%	3.7%	9.1%	7.1%	8.2%
Design District*	---	---	4.3%	6.6%	6.5%
Art Galleries	2.5%	2.7%	5.5%	5.1%	5.3%
Midtown*	---	---	3.8%	4.1%	4.2%
Mall of the Americas	2.9%	3.7%	3.2%	2.4%	3.5%
Museums	4.9%	5.8%	3.5%	4.1%	3.2%

Q.10: Places visited during the visit to the Greater Miami area. Select all that apply.

**Note: These locations were only added as options in the survey as of 2015*

Visitor Profile

Age Characteristics

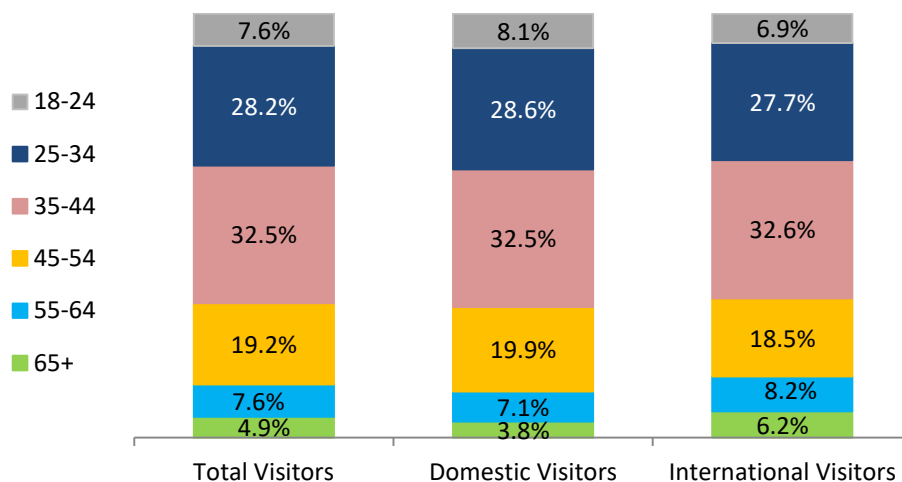


In 2017, the proportion of visitors in the 25-34 age group increased significantly over prior years. This is evident among both Domestic and International visitors alike.

Overall, the average age of the overnight visitor continues to trend downward.

Overnight Visitors to Greater Miami and The Beaches

Age of Visitor by Origin, 2017



Age Range of Overnight Visitors					
	2013	2014	2015	2016	2017
Total Visitors					
18 – 24	10.5%	10.5%	8.7%	8.9%	7.6%
25 – 34	24.0%	25.4%	24.3%	23.9%	28.2%
35 – 44	29.3%	28.4%	31.2%	34.0%	32.5%
45 – 54	23.8%	22.8%	21.5%	19.7%	19.2%
55 – 64	8.5%	8.4%	9.6%	8.1%	7.6%
65 and Over	4.1%	4.5%	4.8%	5.5%	4.9%

Average Age of Overnight Visitors					
	2013	2014	2015	2016	2017
Total Visitors	40.5	40.3	41.0	40.7	40.2
Domestic Visitors	40.6	40.3	41.0	40.2	39.7
International Visitors	40.3	40.4	40.9	41.1	40.8

Q.B: Which of the following age groups are you in?

Economic Impact of Overnight Visitors

Direct Economic Impact – Expenditures

- In 2017, visitors generated more than \$25.9 billion in direct expenditures; if the industry accepted multiplier of 1.5 is used, the direct and indirect impact of expenditures would exceed \$38.9 billion to the economy of Greater Miami. International visitors accounted for almost 2/3 of all direct expenditures.
- Direct expenditures by overnight visitors to Greater Miami and the Beaches are estimated from visitor-reported spending collected in the continuing monthly profile study. Visitors are asked for the average daily expenditures on lodging, food, local transportation, entertainment and shopping for their visitor party. Per party daily expenditures are divided by the number of people per party to estimate per visitor daily expenditure. Per visitor daily expenditure is multiplied by the median number of nights stayed to estimate average total expenditures per visitor for the entire visit. Total average expenditures per visitor are projected against the total number of visitors to estimate the total direct expenditures of overnight visitors.
- The tables on the following pages display the data in terms of the direct expenditures per party and per person in each of the categories, by Domestic and International visitors. This data is then projected to develop estimates of the total direct expenditures made by overnight visitors to Greater Miami and the Beaches during 2017.

Expenditures – Total Visitors



Overall expenditures grew year over year, driven largely by increased spending on meals, entertainment and shopping.



In particular, shopping improved considerably over 2016 and shows the biggest categorical gain year over year.

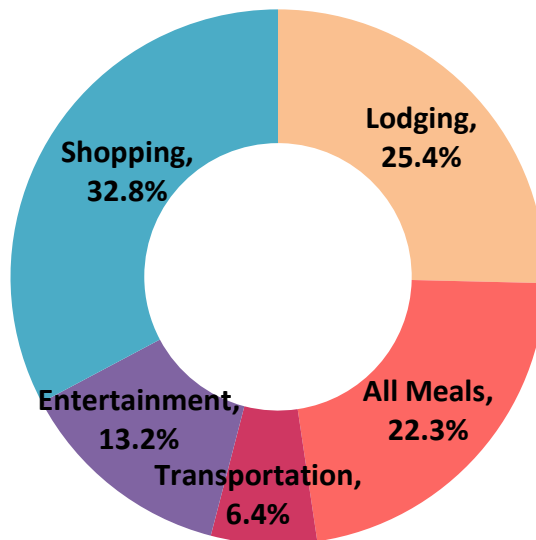
Average Daily Expenditures – Total Visitors

	2013	2014	2015	2016	2017	% Change 2016 v. 2017
Type of Expenditure						
Lodging	\$152.71	\$159.21	\$158.50	\$155.50	\$149.01	-4.2%
All Meals	\$105.56	\$108.30	\$119.08	\$129.00	\$131.02	1.6%
Transportation	\$32.09	\$35.25	\$37.98	\$38.00	\$37.35	-1.7%
Entertainment	\$62.38	\$61.25	\$69.05	\$73.00	\$77.37	6.0%
Shopping	\$166.32	\$167.00	\$169.25	\$174.00	\$192.50	10.6%
Total: Avg. Daily \$ Per Party	\$519.06	\$531.01	\$553.86	\$569.50	\$587.25	3.1%
Divided by: Avg. Party Size	1.90	1.90	2.03	2.12	2.17	2.4%
Avg. Daily \$ Per Visitor	\$273.19	\$279.48	\$272.84	\$268.63	\$270.62	0.7%
Multiplied by: Length of Stay (Average # of Nights)	5.88	5.86	5.77	6.04	6.05	0.2%
Total: \$/Person/Visit	\$1,606.35	\$1,637.75	\$1,574.27	\$1,621.79	\$1,637.26	1.0%
Multiplied by: Total Visitors (000)	14,218.9	14,563.2	15,496.1	15,724.3	15,860.0	0.9%
Total Overnight Visitor Expenditures (in Billions)	\$22,840.53	\$23,850.88	\$24,395.05	\$25,501.51	\$25,967.00	1.8%

Q.11: How much money have you spent on an average day, specifically in the Greater Miami area? Please include in your estimate the money spent by everyone in your immediate party on an average day.

Expenditures by Type – Total Visitors

2017 Expenditure Breakdown



Expenditure by Type – Total Visitors

	2013	2014	2015	2016	2017	% Change 2016 v. 2017
Type of Expenditure						
Lodging	\$6,719.40	\$7,008.30	\$6,981.30	\$6,963.10	\$6,558.92	-5.8%
All Meals	\$4,644.70	\$4,765.50	\$5,245.00	\$5,776.46	\$5,793.44	0.3%
Transportation	\$1,412.00	\$1,550.40	\$1,672.90	\$1,701.59	\$1,651.54	-2.9%
Entertainment	\$2,744.80	\$2,696.30	\$3,041.40	\$3,268.85	\$3,421.14	4.7%
Shopping	\$7,318.20	\$7,610.90	\$7,454.80	\$7,791.51	\$8,511.96	9.2%
Total Overnight Visitor Expenditures (in Billions)	\$22,840.53	\$23,850.88	\$24,395.05	\$25,501.51	\$25,967.00	1.8%
Lodging	29.4%	29.4%	28.6%	27.3%	25.4%	-7.0%
All Meals	20.3%	20.0%	21.5%	22.7%	22.3%	-1.8%
Transportation	6.2%	6.5%	6.9%	6.7%	6.4%	-4.5%
Entertainment	12.0%	11.3%	12.5%	12.8%	13.2%	3.1%
Shopping	32.0%	31.9%	30.6%	30.6%	32.8%	7.2%

Q.11: How much money have you spent on an average day, specifically in the Greater Miami area? Please include in your estimate the money spent by everyone in your immediate party on an average day.

Expenditures – Domestic Visitors

Overall travel party spending by Domestic visitors was actually a little higher than in recent years. However, a small decline in Domestic overnight visitation during 2017 along with a slightly shorter length of stay places total spending more on par with 2016.

Although lodging expenses appear to have decreased, average daily shopping expenditures grew more than any other single category.



Average Daily Expenditures – Domestic Visitors

	2013	2014	2015	2016	2017	% Change 2016 v. 2017
Type of Expenditure						
Lodging	\$153.69	\$155.10	\$161.06	\$165.00	\$157.37	-4.6%
All Meals	\$104.62	\$107.56	\$115.91	\$120.00	\$128.35	7.0%
Transportation	\$40.44	\$42.54	\$45.35	\$48.00	\$47.88	-0.2%
Entertainment	\$64.62	\$67.58	\$69.84	\$74.00	\$78.00	5.4%
Shopping	\$73.86	\$77.65	\$80.81	\$90.00	\$100.00	11.1%
Total: Avg. Daily \$ Per Party	\$437.23	\$450.43	\$472.97	\$497.00	\$511.60	2.9%
Divided by: Avg. Party Size	1.83	1.86	2.08	2.14	2.14	0.0%
Avg. Daily \$ Per Visitor	\$238.92	\$242.17	\$227.39	\$232.24	\$239.07	2.9%
Multiplied by: Length of Stay (Average # of Nights)	4.63	4.64	4.82	5.20	5.07	-2.5%
Total: \$/Person/Visit	\$1,106.22	\$1,123.65	\$1,096.02	\$1,207.66	\$1,212.06	0.4%
Multiplied by: Domestic Visitors (000)	7,087.2	7,303.2	7,990.1	8,100.0	8,061.8	-0.5%
Total Overnight Visitor Expenditures (in Billions)	\$7,840.00	\$8,206.24	\$8,7357.31	\$9,782.05	\$9,771.40	-0.1%

Q.11: How much money have you spent on an average day, specifically in the Greater Miami area? Please include in your estimate the money spent by everyone in your immediate party on an average day.

Expenditures – International Visitors

Shopping and entertainment show the most growth in International visitor spending in 2017. Aside from higher overall international visitation year over year, healthy gains in those categories contributed to a net increase for the year.

When compared against Domestic visitors, International visitors spent more than twice as much on shopping.



Average Daily Expenditures – International Visitors

	2013	2014	2015	2016	2017	% Change 2016 v. 2017
Type of Expenditure						
Lodging	\$149.62	\$152.61	\$142.71	\$140.66	\$135.38	-3.8%
All Meals	\$105.74	\$108.32	\$122.25	\$132.00	\$131.69	-0.2%
Transportation	\$19.75	\$20.03	\$24.61	\$28.00	\$28.30	1.1%
Entertainment	\$52.99	\$55.89	\$62.26	\$72.00	\$77.55	7.7%
Shopping	\$257.64	\$263.54	\$250.04	\$258.00	\$285.87	10.8%
Total: Avg. Daily \$ Per Party	\$585.74	\$600.39	\$601.87	\$630.66	\$658.79	4.5%
Divided by: Avg. Party Size	1.96	1.97	2.09	2.11	2.21	4.7%
Avg. Daily \$ Per Visitor	\$298.85	\$304.77	\$287.98	\$298.89	\$298.10	-0.3%
Multiplied by: Length of Stay (Average # of Nights)	7.48	7.47	6.91	6.90	7.00	1.4%
Total: \$/Person/Visit	\$2,235.38	\$2,276.61	\$1,989.91	\$2,062.35	\$2,086.67	1.2%
Multiplied by: International Visitors (000)	7,137.1	7,260.0	7,506.0	7,624.2	7,798.2	2.3%
Total Overnight Visitor Expenditures (in Billions)	\$15,954.13	\$16,528.19	\$14,936.26	\$15,723.77	\$16,272.23	3.5%

Q.11: How much money have you spent on an average day, specifically in the Greater Miami area? Please include in your estimate the money spent by everyone in your immediate party on an average day.

SECTION TWO:

Hotel Industry Recap

Source:
Smith Travel Research



2017 Hotel Industry Recap

According to Smith Travel Research, 2017 continued the trends we saw in 2016 for the Top 25 U.S. Hotel Markets. Performances in all metrics used in the lodging industry were above a year ago, primarily spurred by room demand which increased by approximately +3.0%. This is an indicator that demand from all major sources (business, transient, leisure and group) was strong and is expected to remain strong. The number of available rooms grew by +2.4%. The year-end Occupancy for the Top 25 U.S. Hotel Markets reached 73.7%, an increase of +0.6%. Average Daily Room Rate (ADR) for the Top 25 U.S. Hotel Markets reached \$153.81, an increase of +1.7%. Revenue Per Available Room (RevPAR) for the Top 25 U.S. Hotel Markets increased to \$113.41, up +2.2% according to STR.

The year-end Occupancy for the total U.S. Hotel Market saw an increase of +0.9% from 2016, reaching 65.9%. ADR for the total U.S. increased +2.1%, reaching \$126.72. RevPAR for the total U.S. Hotel Market increased by +3.0% to \$83.57 according to STR.

2017 was a challenging year in Greater Miami for the hotel industry, with increased room inventory, declines from two of our largest international markets and the Miami Beach Convention Center being offline. That being said, hotels in Greater Miami and the Beaches finished the year with an Occupancy rate of 76.7%, which was an increase of +1.5% versus 2016. Hotels in Greater Miami and the Beaches had an ADR of \$188.81, which was a decrease of -0.6% as compared to 2016. The changes in Occupancy and ADR resulted in RevPAR of \$144.78, netting an overall increase of +0.8% for Greater Miami and the Beaches.

Despite these challenges, the growth of AirBnB and Hurricane Irma, Greater Miami and the Beaches sold a record 15.4 million hotel room nights in 2017, representing +4.7% growth over the previous year. The area also continued to grow in the number of available rooms, reaching a total of 55,096 rooms, an increase of +3.2% compared to total rooms available in December 2016.

In 2017, Greater Miami and the Beaches ranked among the top ten in all three major categories (Occupancy, ADR and RevPAR) when compared against the Top 25 U.S. Hotel Markets by STR. Greater Miami was the top performing Florida market among the Top 25 U.S. Hotel Markets as listed by STR.

Greater Miami and the Beaches:

- #5** Revenue Per Available Room
- #5** Average Daily Room Rate
- #9** Occupancy

TOP 25 HOTEL MARKETS OCCUPANCY

2017		% Change		
<u>Rank</u>	<u>City</u>	<u>Jan. - Dec. 2017</u>	<u>Jan. - Dec. 2016</u>	<u>17 vs 16</u>
1	New York	86.7%	85.9%	0.9%
2	Oahu Island	83.3%	83.9%	-0.7%
3	San Francisco	82.8%	84.3%	-1.8%
4	Los Angeles	80.0%	81.1%	-1.4%
5	Orlando	79.3%	75.6%	4.9%
6	Anaheim	77.9%	78.2%	-0.4%
7	San Diego	77.3%	77.1%	0.3%
8	Seattle	76.8%	75.8%	1.3%
9	Miami	76.7%	75.6%	1.5%
10	Boston	74.2%	74.1%	0.1%
11	Nashville	74.1%	74.7%	-0.8%
12	Denver	73.4%	73.6%	-0.3%
13	Tampa	72.6%	71.6%	1.4%
14	Washington, DC	72.1%	72.1%	0.0%
15	Atlanta	70.1%	69.8%	0.4%
16	Dallas	69.6%	71.3%	-2.4%
17	Philadelphia	68.6%	69.3%	-1.0%
18	Chicago	68.3%	69.1%	-1.2%
19	New Orleans	68.1%	68.7%	-0.9%
20	Phoenix	67.7%	67.1%	0.9%
21	Minneapolis	67.0%	68.0%	-1.5%
22	Houston	66.7%	62.3%	7.1%
23	Detroit	66.6%	65.8%	1.2%
United States		65.9%	65.4%	0.8%
24	St. Louis	65.3%	65.9%	-0.9%
25	Norfolk	62.0%	59.9%	3.5%

Source: Smith Travel Research

TOP 25 HOTEL MARKETS ROOM RATE

2017				% Change
Rank	City	Jan. - Dec. 2017	Jan. - Dec. 2016	17 vs 16
1	New York	\$255.54	\$259.05	-1.4%
2	Oahu Island	\$233.11	\$227.42	2.5%
3	San Francisco	\$229.24	\$230.82	-0.7%
4	Boston	\$195.86	\$192.66	1.7%
5	Miami	\$188.81	\$189.98	-0.6%
6	Los Angeles	\$175.98	\$172.42	2.1%
7	San Diego	\$160.08	\$154.93	3.3%
8	Seattle	\$159.79	\$153.71	4.0%
9	Washington, DC	\$159.63	\$153.53	4.0%
10	Anaheim	\$156.54	\$150.66	3.9%
11	New Orleans	\$149.12	\$148.68	0.3%
12	Chicago	\$143.65	\$144.47	-0.6%
13	Nashville	\$142.82	\$134.42	6.2%
14	Denver	\$131.29	\$127.48	3.0%
15	Philadelphia	\$129.98	\$132.19	-1.7%
16	Tampa	\$127.13	\$122.19	4.0%
17	Phoenix	\$126.87	\$122.93	3.2%
	United States	\$126.72	\$124.13	2.1%
18	Orlando	\$121.53	\$115.93	4.8%
19	Minneapolis	\$115.89	\$118.35	-2.1%
20	Houston	\$107.93	\$104.62	3.2%
21	Atlanta	\$107.12	\$103.61	3.4%
22	Dallas	\$105.79	\$103.53	2.2%
23	St. Louis	\$104.63	\$100.83	3.8%
24	Detroit	\$102.11	\$97.49	4.7%
25	Norfolk	\$101.10	\$99.65	1.5%

Source: Smith Travel Research

TOP 25 HOTEL MARKETS REVPAR

2017					% Change
Rank	City		Jan. - Dec. 2017	Jan. - Dec. 2016	17 vs 16
1	New York	1	\$221.60	\$222.21	-0.3%
2	Oahu Island	2	\$194.08	\$190.89	1.7%
3	San Francisco	3	\$189.73	\$194.47	-2.4%
4	Boston	4	\$145.41	\$142.85	1.8%
5	Miami	5	\$144.78	\$143.59	0.8%
6	Los Angeles	6	\$140.85	\$139.88	0.7%
7	San Diego	7	\$123.74	\$119.39	3.6%
8	Seattle	8	\$122.72	\$116.52	5.3%
9	Anaheim	9	\$121.88	\$117.79	3.5%
10	Washington, DC	10	\$115.06	\$110.73	3.9%
11	Nashville	11	\$105.87	\$100.41	5.4%
12	New Orleans	12	\$101.61	\$102.12	-0.5%
13	Chicago	13	\$98.08	\$99.78	-1.7%
14	Orlando	14	\$96.40	\$87.66	10.0%
15	Denver	15	\$96.34	\$93.85	2.7%
16	Tampa	16	\$92.28	\$87.49	5.5%
17	Philadelphia	17	\$89.11	\$91.56	-2.7%
18	Phoenix	18	\$85.89	\$82.53	4.1%
United States			\$83.57	\$81.15	3.0%
19	Minneapolis	19	\$77.59	\$80.52	-3.6%
20	Atlanta	20	\$75.08	\$72.33	3.8%
21	Dallas	21	\$73.60	\$73.86	-0.4%
22	Houston	22	\$71.97	\$65.14	10.5%
23	St. Louis	23	\$68.30	\$66.42	2.8%
24	Detroit	24	\$67.96	\$64.11	6.0%
25	Norfolk	25	\$62.64	\$59.71	4.9%

Source: Smith Travel Research

FLORIDA CITIES HOTEL MARKETS OCCUPANCY

2017				% Change
<u>RANK</u>	<u>CITY</u>	<u>2017</u>	<u>2016</u>	<u>2017 vs 2016</u>
1	Orlando	79.3%	75.6%	4.9%
2	Fort Lauderdale	77.8%	77.1%	0.9%
3	Florida Keys	77.7%	75.7%	2.6%
4	Miami-Dade	76.7%	75.6%	1.5%
5	West Palm Beach	74.4%	72.2%	3.0%
	Florida	73.9%	71.6%	3.2%
6	Tampa	72.6%	71.6%	1.4%
7	Jacksonville	72.0%	70.3%	2.4%
8	Fort Myers	71.8%	69.7%	3.0%
9	Melbourne	70.8%	67.4%	5.0%
	United States	65.9%	65.4%	0.8%
10	Daytona Beach	63.1%	62.5%	1.0%
11	Florida Panhandle	63.0%	61.4%	2.6%

FLORIDA CITIES HOTEL MARKETS ROOM RATE

2017				% Change
<u>RANK</u>	<u>CITY</u>	<u>2017</u>	<u>2016</u>	<u>2017 vs 2016</u>
1	Florida Keys	\$269.85	\$271.64	-0.7%
2	Miami-Dade	\$188.81	\$189.98	-0.6%
3	West Palm Beach	\$171.40	\$166.84	2.7%
4	Fort Myers	\$151.01	\$149.49	1.0%
5	Fort Lauderdale	\$142.31	\$139.73	1.8%
	Florida	\$138.06	\$134.53	2.6%
6	Tampa	\$127.13	\$122.19	4.0%
	United States	\$126.72	\$124.13	2.1%
7	Orlando	\$121.53	\$115.93	4.8%
8	Florida Panhandle	\$119.12	\$114.23	4.3%
9	Daytona Beach	\$116.12	\$109.68	5.9%
10	Jacksonville	\$108.98	\$104.37	4.4%
11	Melbourne	\$108.50	\$104.01	4.3%

FLORIDA CITIES HOTEL MARKETS REVENUE PER AVAILABLE ROOM

2017				% Change
<u>RANK</u>	<u>CITY</u>	<u>2017</u>	<u>2016</u>	<u>2017 vs 2016</u>
1	Florida Keys	\$209.57	\$205.53	2.0%
2	Miami-Dade	\$144.78	\$143.59	0.8%
3	West Palm Beach	\$127.46	\$120.50	5.8%
4	Fort Lauderdale	\$110.74	\$107.72	2.8%
5	Fort Myers	\$108.43	\$104.22	4.0%
	Florida	\$101.96	\$96.28	5.9%
6	Orlando	\$96.40	\$87.66	10.0%
7	Tampa	\$92.28	\$87.49	5.5%
	United States	\$83.57	\$81.15	3.0%
8	Jacksonville	\$78.51	\$73.40	7.0%
9	Melbourne	\$76.80	\$70.15	9.5%
10	Florida Panhandle	\$75.01	\$70.16	6.9%
11	Daytona Beach	\$73.24	\$68.55	6.8%

*Top 25 US Hotel Markets

Source: Smith Travel Research

**GMCVB SELECTED GLOBAL HOTEL MARKETS
OCCUPANCY**

2017				% Change
RANK	CITY	2017	2016	2017 vs 2016
1	Greater Sydney, Australia	85.9%	84.9%	1.2%
2	Greater London, United Kingdom	81.7%	81.5%	0.2%
3	Dubai, United Arab Emirates	77.2%	76.9%	0.4%
4	Greater Berlin, Germany	76.7%	77.0%	-0.4%
5	Miami, Florida	76.7%	75.6%	1.5%
6	Toronto, Canada	76.1%	75.3%	1.1%
7	Beijing, China	75.6%	73.7%	2.6%
8	Paris, France	73.6%	69.8%	5.4%
9	Greater Madrid, Spain	72.7%	70.6%	3.0%
10	Rome, Italy	70.1%	69.6%	0.7%
11	Buenos Aires, Argentina	68.7%	61.7%	11.3%
12	Mexico City, Mexico	67.6%	69.5%	-2.7%
13	Sao Paulo, Brazil	59.9%	58.1%	3.1%

**GMCVB SELECTED GLOBAL HOTEL MARKETS
ROOM RATE - US \$**

2017				% Change
RANK	CITY	2017	2016	2017 vs 2016
1	Paris, France	\$266.80	\$251.60	6.0%
2	Greater London, United Kingdom	\$193.85	\$191.28	1.3%
3	Miami, Florida	\$188.81	\$189.98	-0.6%
4	Dubai, United Arab Emirates	\$184.39	\$191.92	-3.9%
5	Greater Sydney, Australia	\$177.05	\$163.42	8.3%
6	Rome, Italy	\$169.67	\$164.67	3.0%
7	Toronto, Canada	\$142.38	\$128.00	11.2%
8	Mexico City, Mexico	\$130.40	\$129.80	0.5%
9	Buenos Aires, Argentina	\$127.62	\$123.63	3.2%
10	Greater Madrid, Spain	\$123.00	\$103.71	18.6%
11	Greater Berlin, Germany	\$109.79	\$103.97	5.6%
12	Sao Paulo, Brazil	\$101.57	\$94.23	7.8%
13	Beijing, China	\$86.61	\$84.46	2.5%

**GMCVB SELECTED GLOBAL HOTEL MARKETS
REVENUE PER AVAILABLE ROOM - US \$**

2017				% Change
RANK	CITY	2017	2016	2017 vs 2016
1	Paris, France	\$196.28	\$175.55	11.8%
2	Greater London, United Kingdom	\$158.32	\$155.81	1.6%
3	Greater Sydney, Australia	\$152.07	\$138.77	9.6%
4	Miami, Florida	\$144.78	\$143.59	0.8%
5	Dubai, United Arab Emirates	\$142.40	\$147.53	-3.5%
6	Rome, Italy	\$118.91	\$114.64	3.7%
7	Toronto, Canada	\$108.33	\$96.41	12.4%
8	Greater Madrid, Spain	\$89.37	\$73.23	22.0%
9	Mexico City, Mexico	\$88.12	\$90.23	-2.3%
10	Buenos Aires, Argentina	\$87.62	\$76.34	14.8%
11	Greater Berlin, Germany	\$84.23	\$80.01	5.3%
12	Beijing, China	\$65.51	\$62.29	5.2%
13	Sao Paulo, Brazil	\$60.81	\$54.71	11.1%

Source: Smith Travel Research

SECTION THREE:

Tourist-Related Taxes Collected in Miami-Dade County

Collected by:
Miami-Dade County, Miami Beach,
Bal Harbour and Surfside

GREATER MIAMI CONVENTION & VISITORS BUREAU

2016/17 Analysis of Miami-Dade Tourist Taxes Fiscal Year

Tax Rate	Tax Name	Where Tax is Collected	Who Collects	Amount Collected	GMCVB Allocation	GMCVB %
3%	Convention Development Tax*	All of Miami-Dade except Bal Harbour and Surfside	Miami-Dade County	\$79,783,962	\$0	0%
2%	Tourist Development Tax*	All of Miami-Dade except Bal Harbour, Miami Beach and Surfside	Miami-Dade County	\$26,170,790	\$13,684,490	52%
1%	Professional Sports Tax*	All of Miami-Dade except Bal Harbour, Miami Beach and Surfside	Miami-Dade County	\$13,085,395	\$0	0%
2%	Hotel Food & Beverage Tax: This tax is collected on all food and beverages sold in hotels.	All of Miami-Dade except Bal Harbour, Miami Beach and Surfside	Miami-Dade County	\$8,076,770	\$7,617,452	94%
1%	Non-Hotel Food & Beverage Tax: This tax is collected on food and beverages sold in restaurants not in hotels, with full liquor license and gross sales of over \$400,000 annually. (The Homeless Tax)	All of Miami-Dade except Bal Harbour, Miami Beach and Surfside	Miami-Dade County	\$26,290,564	\$0	0%
4%	Resort Tax	Miami Beach	City of Miami Beach	\$53,626,903	\$6,740,335	13%
2%	Food & Beverage Tax: This tax is collected on food and beverages sold in restaurants in and out of hotels. This includes fast food establishments.	Miami Beach	City of Miami Beach	\$29,391,662	\$0	0%
4% Room Tax 2% F&B Tax	Bal Harbour reports its Room Tax and F&B Tax combined. Its Food & Beverage Tax is collected on food and beverages sold in restaurants in and out of hotels. This includes fast food establishments.	Bal Harbour	Village of Bal Harbour	\$3,393,400	\$0	0%
4% Room Tax 2% F&B Tax	Surfside reports its Room Tax and F&B Tax combined. Its Food & Beverage Tax is collected on food and beverages sold in restaurants in and out of hotels. This includes fast food establishments.	Surfside	Town of Surfside	\$1,306,790	\$0	0%
TOTAL TOURIST-RELATED TAXES COLLECTED				\$241,126,236	\$28,042,277	
Miami-Dade .5% Transit Tax**	.5% Sales tax on all goods and services sold in Miami-Dade County which the state sales tax is collected on.	All of Miami-Dade County	Miami-Dade County	\$63,977,863		
Miami-Dade .5% JMH Tax**	.5% Sales tax on all goods and services sold in Miami-Dade County which the state sales tax is collected on.	All of Miami-Dade County	Miami-Dade County	\$63,975,713		
TOTAL LOCAL SALES TAXES COLLECTED				\$127,953,576		

GMCVB % OF TOTAL TOURIST TAX COLLECTIONS			\$28,042,277	12%
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* Miami-Dade County room taxes includes revenue collected from AirBnB as of May 1, 2017

** Tourist represent 25% of Half Penny Sales Taxes collected by Miami-Dade County



SECTION FOUR:

Leisure and Hospitality Employment

Source:
Florida Department of Economic Opportunity



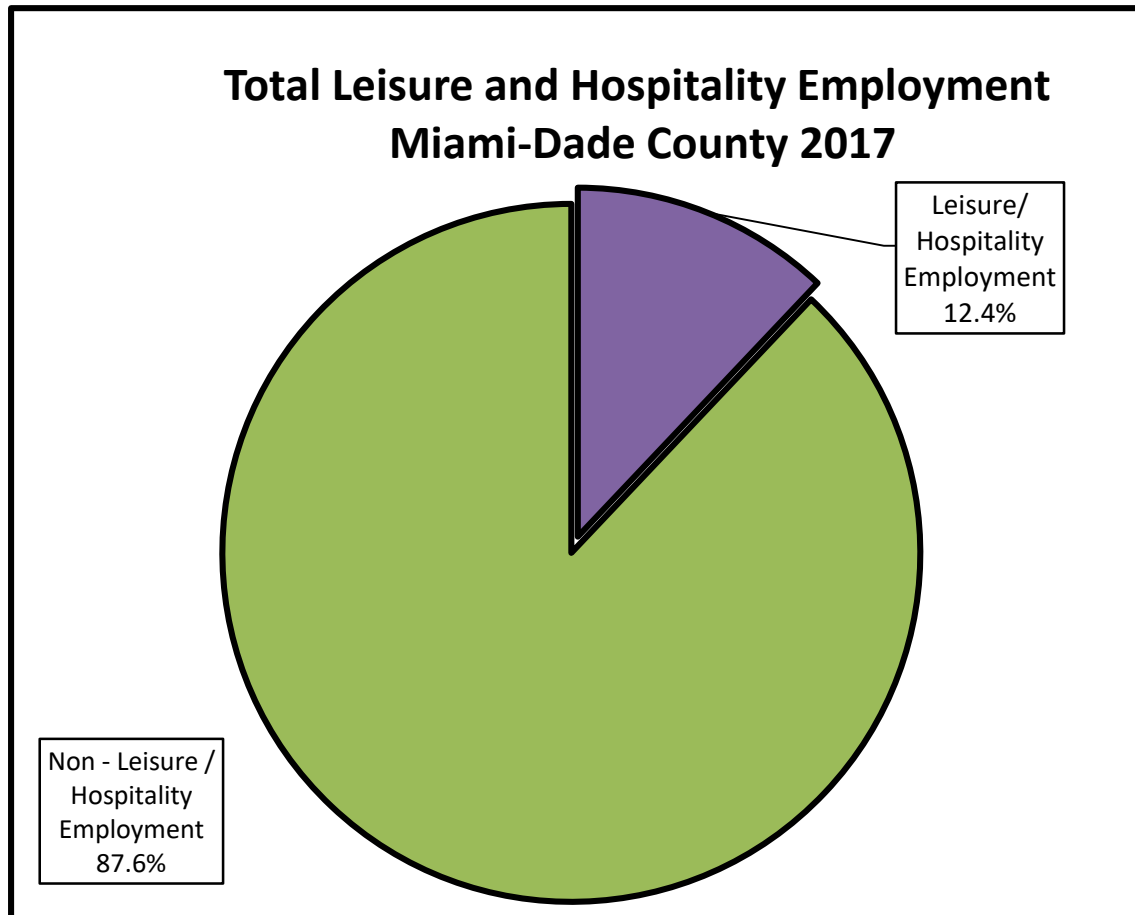
MIAMI-DADE COUNTY JOBS

	<u>2016</u>	<u>2017</u>	<u>% CHANGE</u>
Total Non-Agricultural Employment	1,158,192	1,174,467	1.4%

Total Leisure and Hospitality Employment	141,200	145,100	2.8%
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Total Leisure and Hospitality Employment as % of Total Employment	12.2%	12.4%	1.5%
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**Total Leisure and Hospitality Employment
Miami-Dade County 2017**

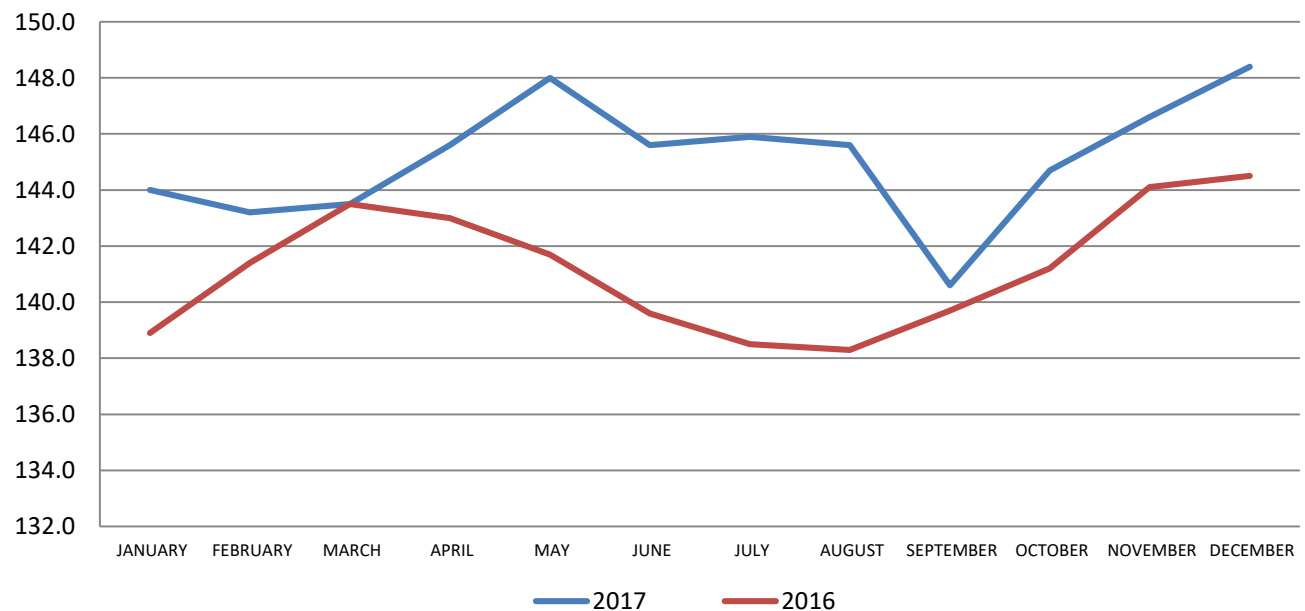


MIAMI-DADE COUNTY LEISURE AND HOSPITALITY EMPLOYMENT TRENDS

	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>% CHANGE</u> <u>17 vs 16</u>
JANUARY	105.5	103.2	103.6	109.9	116.6	123.0	126.9	132.1	138.9	144.0	3.7%
FEBRUARY	107.3	103.6	105.3	110.0	116.9	124.9	128.5	133.5	141.4	143.2	1.3%
MARCH	108.4	104.3	106.9	111.3	119.6	127.0	131.0	135.5	143.5	143.5	0.0%
APRIL	107.1	105.0	107.6	111.6	120.0	127.0	130.4	135.3	143.0	145.6	1.8%
MAY	106.6	103.6	106.5	112.2	120.3	126.5	129.8	134.3	141.7	148.0	4.4%
JUNE	105.4	103.3	106.3	112.6	119.7	125.5	129.4	133.5	139.6	145.6	4.3%
JULY	102.0	101.1	104.5	110.1	118.7	123.5	127.3	132.6	138.5	145.9	5.3%
AUGUST	102.7	101.8	105.7	109.3	118.7	124.1	127.6	133.5	138.3	145.6	5.3%
SEPTEMBER	102.5	102.1	105.2	109.3	119.1	124.0	128.7	132.9	139.7	140.6	0.6%
OCTOBER	103.1	104.0	106.8	111.5	120.0	125.3	130.1	133.5	141.2	144.7	2.5%
NOVEMBER	105.6	101.9	108.0	113.0	120.4	127.3	132.5	135.0	144.1	146.6	1.7%
DECEMBER	106.3	104.3	108.3	113.2	121.7	128.7	133.6	135.2	144.5	148.4	2.7%
YTD Total	105.2	103.2	106.2	111.2	119.3	125.6	129.7	133.9	141.2	145.1	2.8%

Source: Florida Agency for Workforce
Innovation

MIAMI-DADE LEISURE AND HOSPITALITY EMPLOYMENT



Note: Reported figures are in thousands



ADDENDUM:

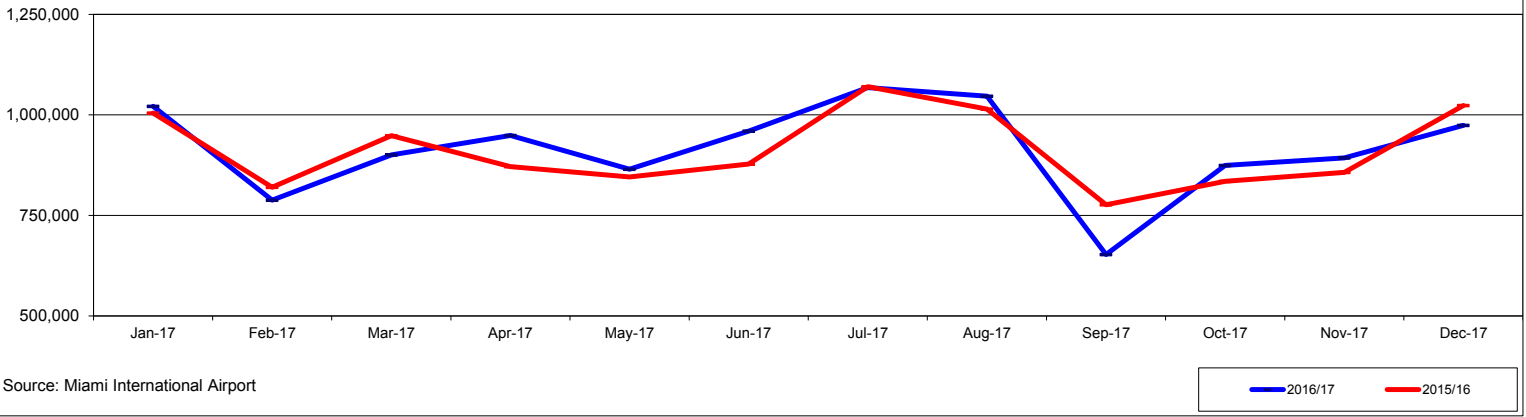
2017 Dashboard of Key Visitor Industry Indicators

Prepared by:
GMCVB's Research Division

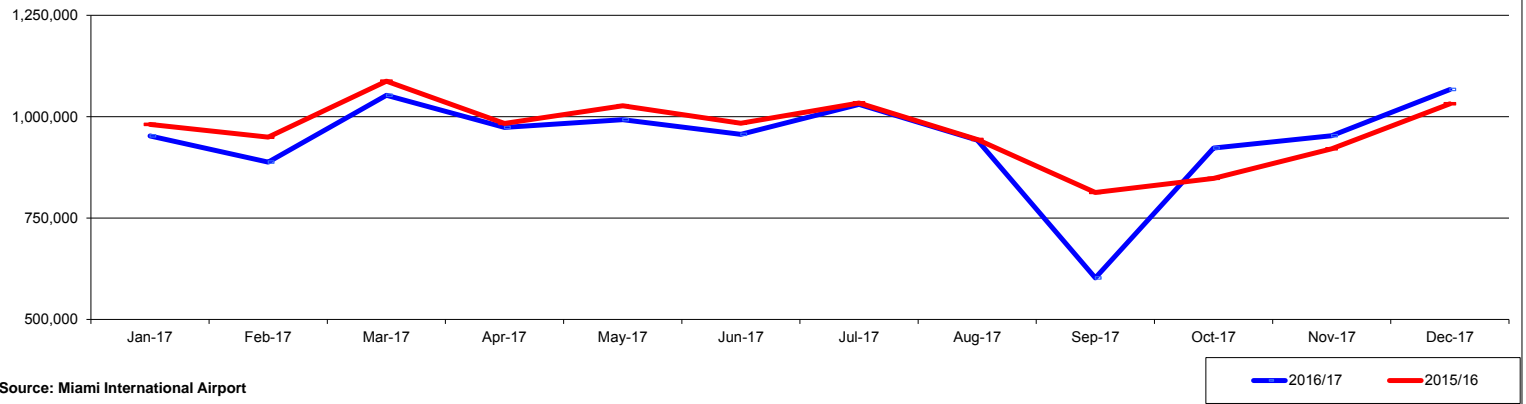


MONTHLY DASHBOARD OF KEY VISITOR INDUSTRY INDICATORS

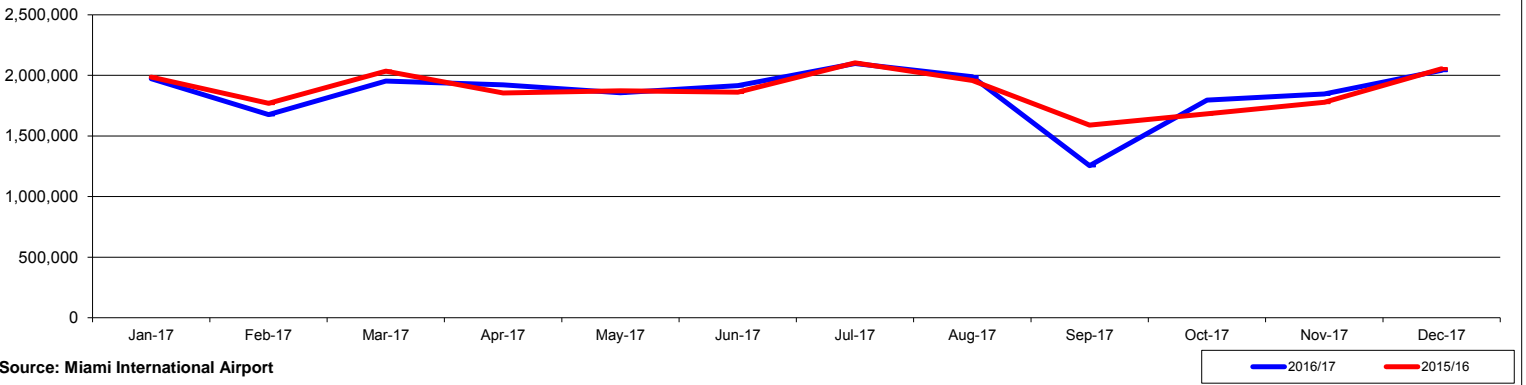
MIAMI AIRPORT INTERNATIONAL ARRIVALS



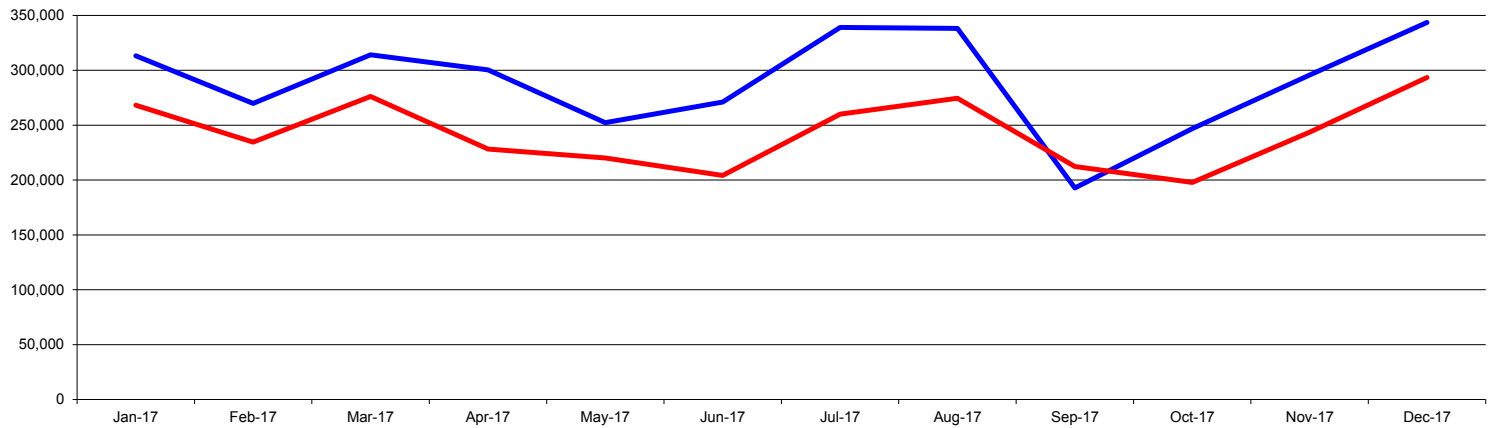
MIAMI AIRPORT DOMESTIC ARRIVALS



MIAMI AIRPORT TOTAL ARRIVALS



FORT LAUDERDALE AIRPORT INTERNATIONAL ARRIVALS

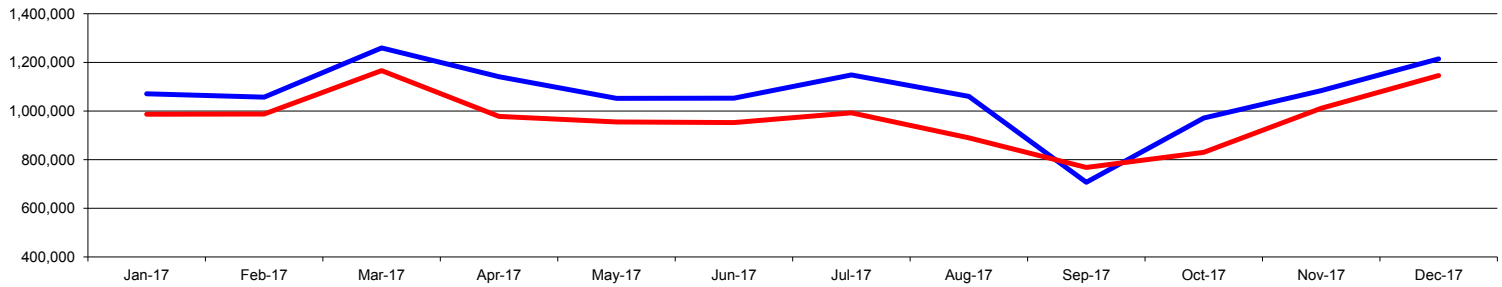


Source: Broward Aviation

2016/17 2015/16

	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Rolling 12 Months	Fiscal Year 2017/2018	Calendar YTD
2016/17	313,275	269,898	314,094	300,444	252,345	271,072	338,995	338,093	192,782	246,897	295,747	343,627	3,477,269	886,271	3,477,269
2015/16	268,219	234,546	276,112	228,325	220,193	204,143	260,038	274,464	212,247	197,808	243,568	293,440	2,913,103	734,816	2,913,103
% change	16.8%	15.1%	13.8%	31.6%	14.6%	32.8%	30.4%	23.2%	-9.2%	24.8%	21.4%	17.1%	19.4%	20.6%	19.4%

FORT LAUDERDALE AIRPORT DOMESTIC ARRIVALS

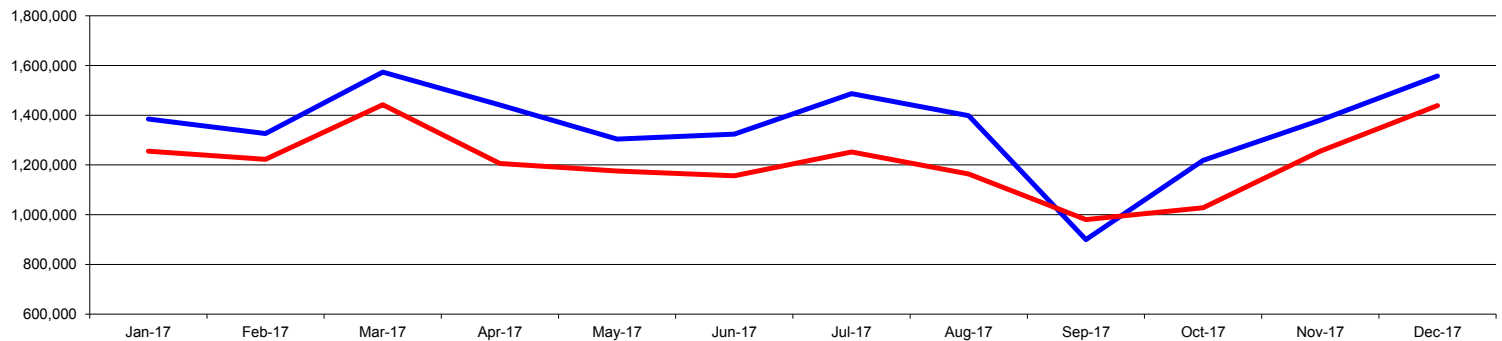


Source: Broward Aviation

2016/17 2015/16

	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Rolling 12 Months	Fiscal Year 2017/2018	Calendar YTD
2016/17	1,071,079	1,056,727	1,259,404	1,140,837	1,051,986	1,052,619	1,148,029	1,059,905	706,967	971,678	1,083,752	1,214,115	12,817,098	3,269,545	12,817,098
2015/16	986,853	987,805	1,166,082	977,819	955,194	952,426	992,118	889,517	767,993	830,309	1,011,565	1,145,536	11,663,217	2,987,410	11,663,217
% change	8.5%	7.0%	8.0%	16.7%	10.1%	10.5%	15.7%	19.2%	-7.9%	17.0%	7.1%	6.0%	9.9%	9.4%	9.9%

FORT LAUDERDALE AIRPORT TOTAL ARRIVALS

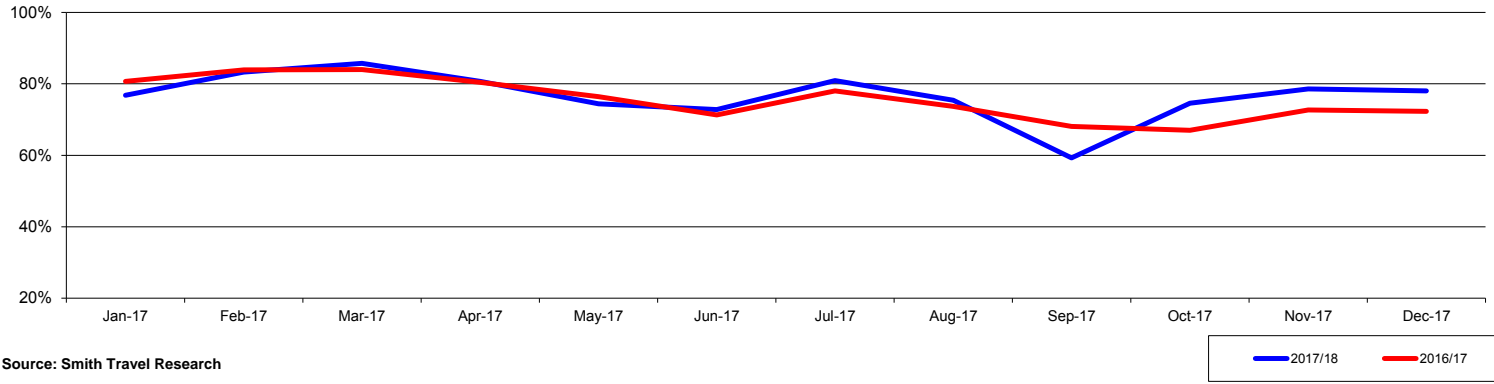


Source: Broward Aviation

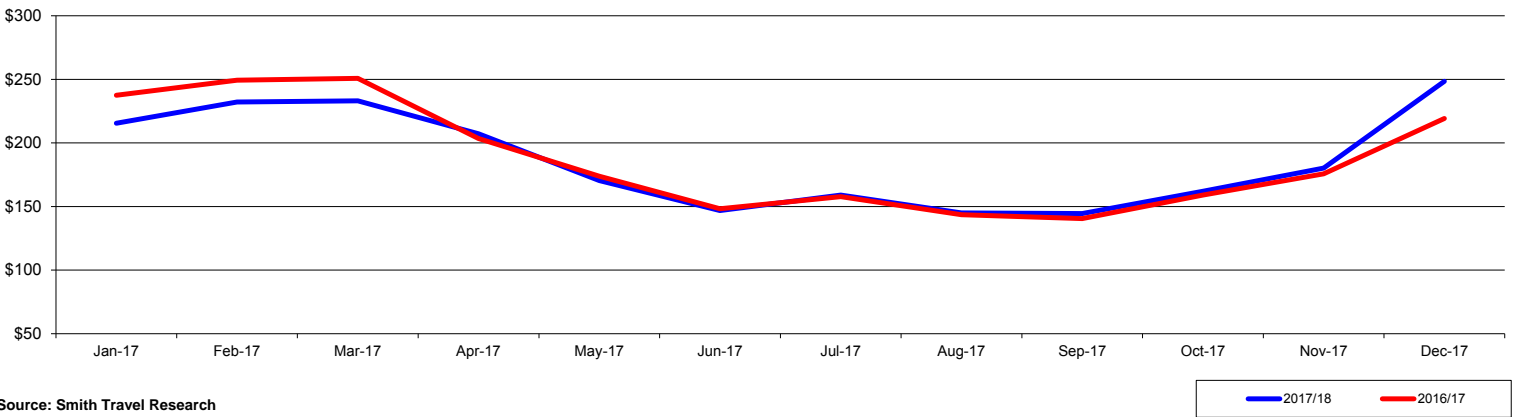
2016/17 2015/16

	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Rolling 12 Months	Fiscal Year 2017/2018	Calendar YTD
2016/17	1,384,354	1,326,625	1,573,498	1,441,281	1,304,331	1,323,691	1,487,024	1,397,998	899,749	1,218,575	1,379,499	1,557,742	16,294,367	4,155,816	16,294,367
2015/16	1,255,072	1,222,351	1,442,194	1,206,144	1,175,387	1,156,569	1,252,156	1,163,981	980,240	1,028,117	1,255,133	1,438,976	14,576,320	3,722,226	14,576,320
% change	10.3%	8.5%	9.1%	19.5%	11.0%	14.4%	18.8%	20.1%	-8.2%	18.5%	9.9%	8.3%	11.8%	11.6%	11.8%

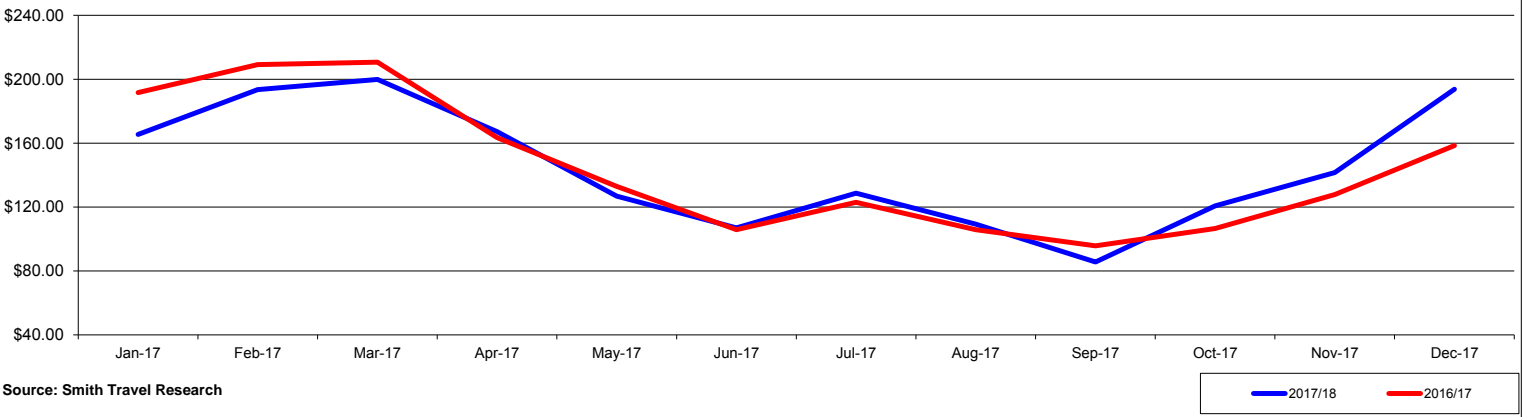
GREATER MIAMI OCCUPANCY



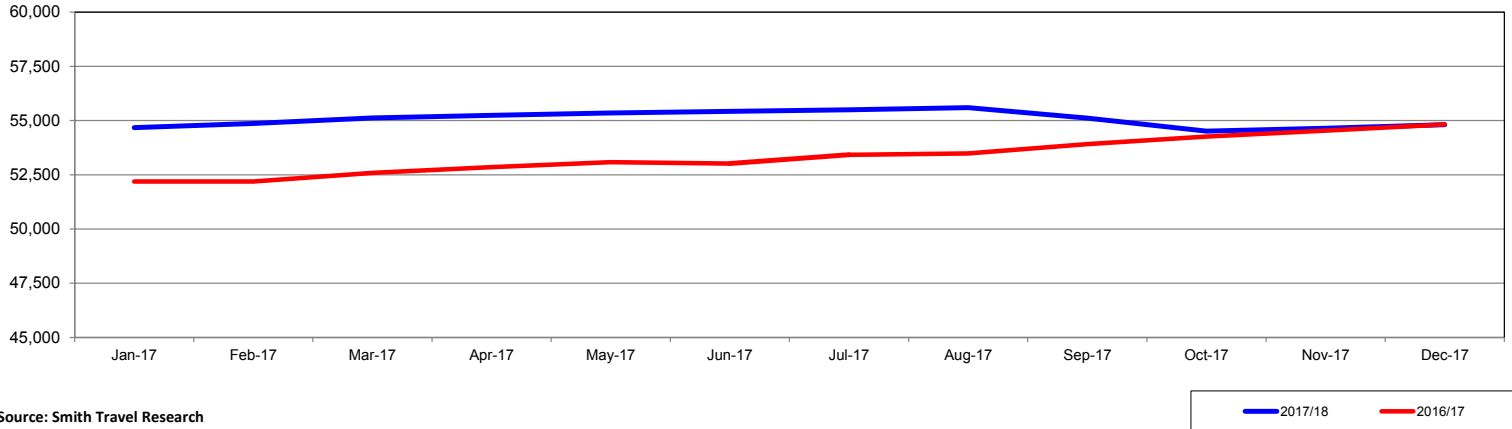
GREATER MIAMI ROOM RATE



GREATER MIAMI REV PAR

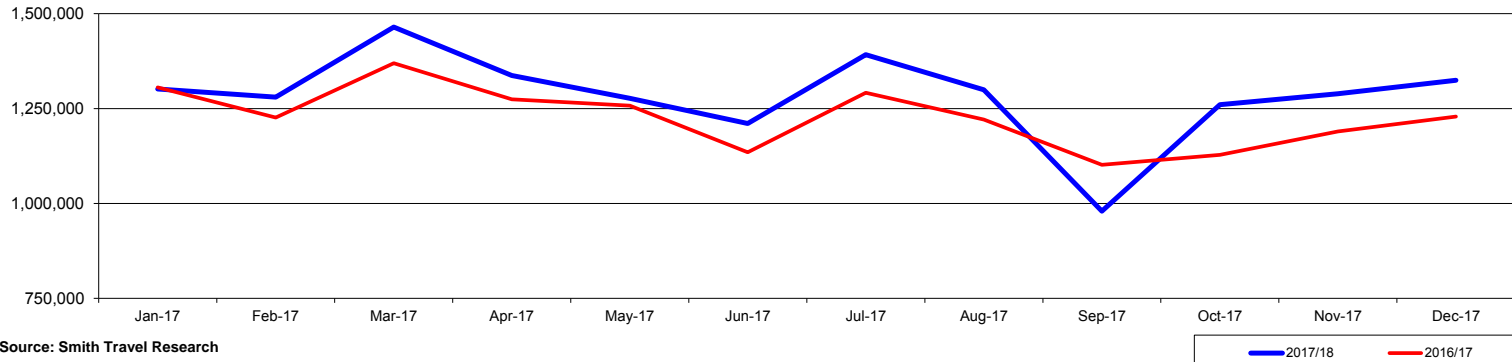


GREATER MIAMI LODGING ROOM INVENTORY



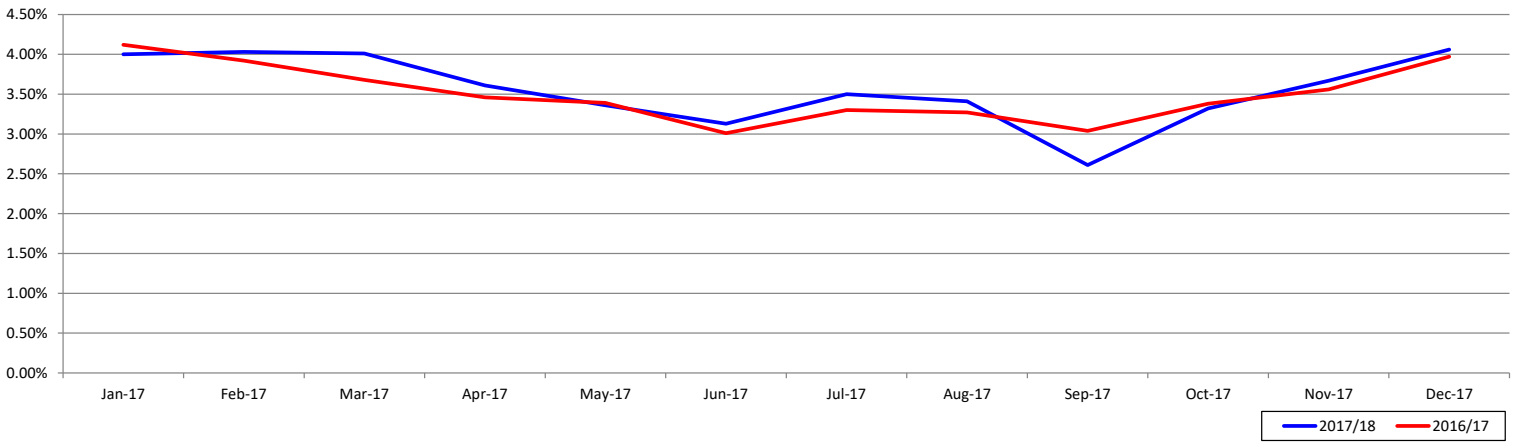
	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Rolling 12 Months	Fiscal Year 2017/2018	Calendar YTD
2017/18	54,676	54,863	55,126	55,241	55,353	55,421	55,502	55,598	55,112	54,514	54,652	54,816	55,096	54,661	55,170
2016/17	52,192	52,192	52,590	52,855	53,079	53,022	53,426	53,489	53,915	54,264	54,540	54,823	53,233	54,542	53,452
% change	4.8%	5.1%	4.8%	4.5%	4.3%	4.5%	3.9%	3.9%	2.2%	0.5%	0.2%	0.0%	3.5%	0.2%	3.2%

GREATER MIAMI HOTEL ROOMS SOLD



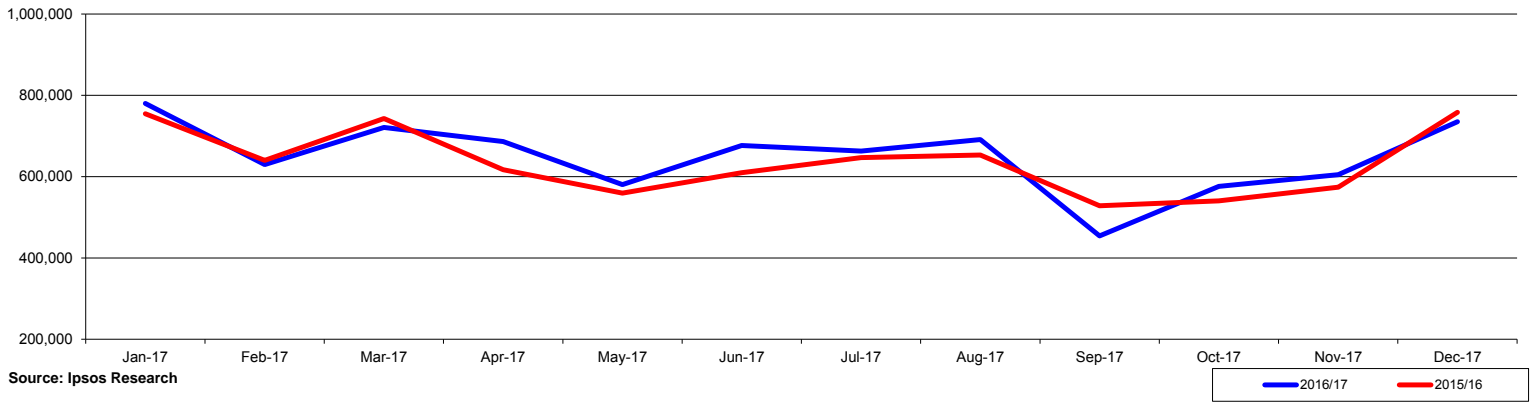
	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Rolling 12 Months	Fiscal Year 2017/2018	Calendar YTD
2017/18	1,301,759	1,280,095	1,464,618	1,336,833	1,276,949	1,210,489	1,391,845	1,299,346	979,651	1,260,440	1,288,860	1,324,705	15,440,558	3,874,005	15,440,558
2016/17	1,305,532	1,226,033	1,369,435	1,274,103	1,257,642	1,134,626	1,291,387	1,221,273	1,101,795	1,127,726	1,189,728	1,228,660	14,746,349	3,546,114	14,746,349
% change	-0.3%	4.4%	7.0%	4.9%	1.5%	6.7%	7.8%	6.4%	-11.1%	11.8%	8.3%	7.8%	4.7%	9.2%	4.7%

GREATER MIAMI'S HOTEL ROOMS SOLD SHARE OF TOP 25 MARKETS

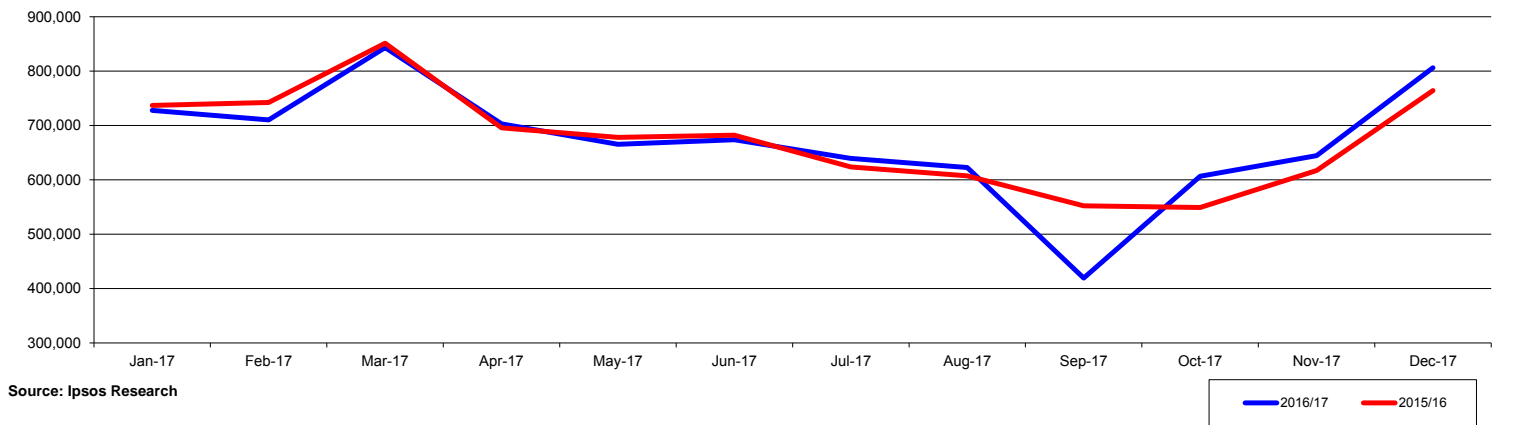


	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Rolling 12 Months	Fiscal Year 2017/2018	Calendar YTD
2017/18	4.00%	4.03%	4.01%	3.61%	3.36%	3.13%	3.50%	3.41%	2.61%	3.32%	3.67%	4.06%	3.56%	3.68%	3.56%
2016/17	4.12%	3.92%	3.68%	3.46%	3.39%	3.01%	3.30%	3.27%	3.04%	3.38%	3.56%	3.97%	3.51%	3.64%	3.51%
% change	-2.9%	2.8%	9.0%	4.3%	-0.9%	4.0%	6.1%	4.3%	-14.1%	-1.8%	3.1%	2.3%	1.4%	1.3%	1.4%

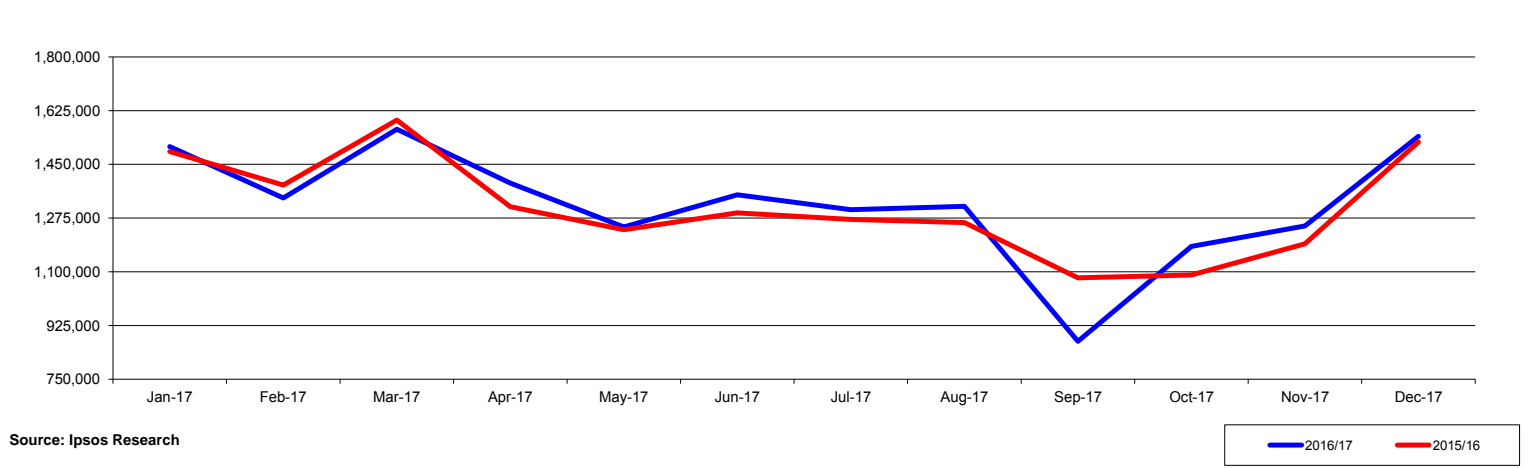
GREATER MIAMI INTERNATIONAL VISITORS



GREATER MIAMI DOMESTIC VISITORS



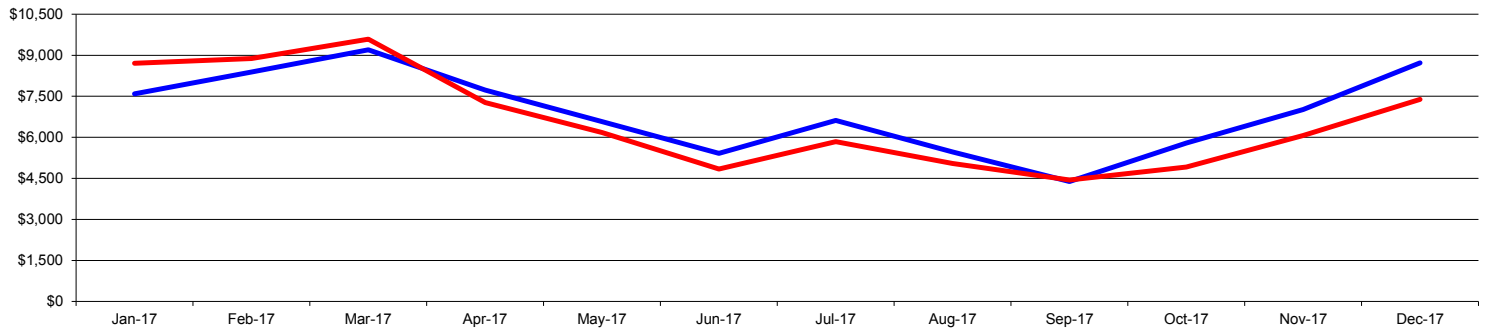
GREATER MIAMI TOTAL VISITORS



MIAMI-DADE COUNTY CONVENTION DEVELOPMENT TAX (000)

Activity Month

CDT Tax is a 3% tax on hotel room rate collected in all hotels exclusive of Bal Harbour and Surfside. This revenue is for building and maintain public facilities



Source: Miami-Dade Tourist Tax Collectors

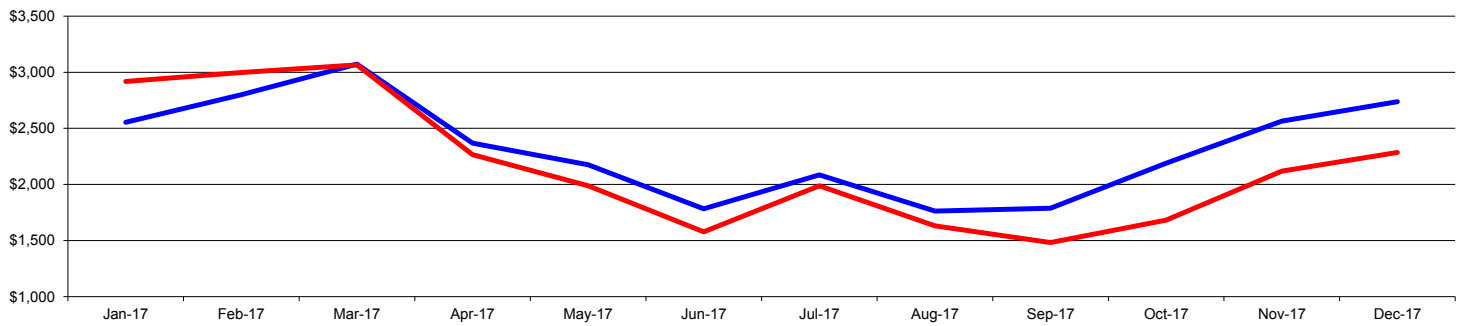
2016/17 2015/16

	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Rolling 12 Months	Fiscal Year 2017/2018	Calendar YTD
2016/17	\$7,592	\$8,386	\$9,199	\$7,729	\$6,577	\$5,414	\$6,616	\$5,467	\$4,384	\$5,790	\$7,015	\$8,718	\$82,887	\$21,523	\$82,887
2015/16	\$8,707	\$8,879	\$9,588	\$7,269	\$6,175	\$4,839	\$5,844	\$5,041	\$4,440	\$4,912	\$6,065	\$7,387	\$79,146	\$18,364	\$79,146
% change	-12.8%	-5.6%	-4.1%	6.3%	6.5%	11.9%	13.2%	8.5%	-1.3%	17.9%	15.7%	18.0%	4.7%	17.2%	4.7%

MIAMI-DADE TOURIST DEVELOPMENT TAX (000)

Activity Month

Miami-Dade Resort tax is a 2% tax on hotel room rate, excluding Bal Harbour, Miami Beach and Surfside properties. This money funds the GMCVB and TDC



Source: Miami-Dade Tourist Tax Collectors

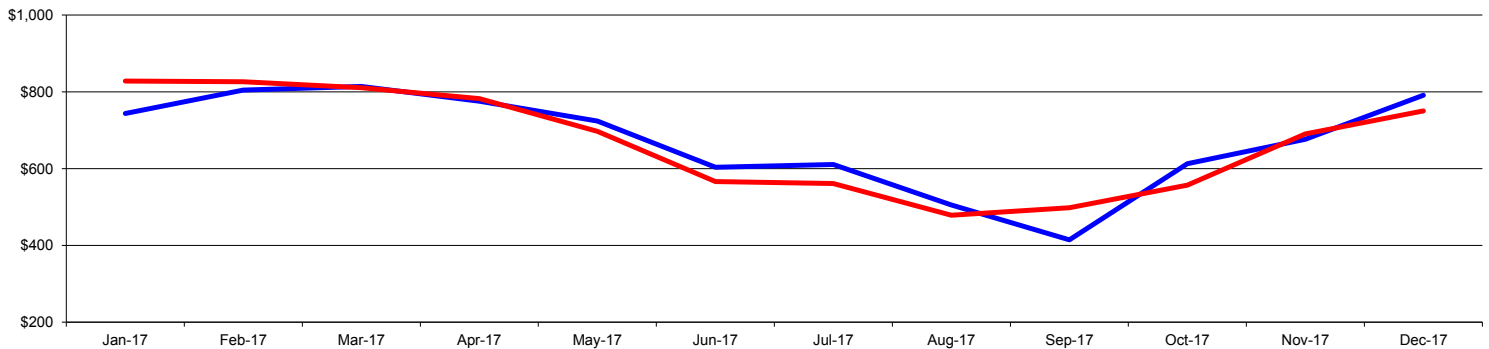
2016/17 2015/16

	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Rolling 12 Months	Fiscal Year 2017/2018	Calendar YTD
2016/17	\$2,554.4	\$2,800.4	\$3,072.2	\$2,368.9	\$2,176.3	\$1,782.0	\$2,086.0	\$1,762.8	\$1,788.8	\$2,189.6	\$2,563.9	\$2,737.5	\$27,882.8	\$7,491.0	\$27,882.8
2015/16	\$2,917.9	\$2,997.9	\$3,065.6	\$2,265.0	\$1,987.2	\$1,578.2	\$1,987.2	\$1,630.1	\$1,482.2	\$1,682.5	\$2,119.0	\$2,285.6	\$25,998.4	\$6,087.1	\$25,998.4
% change	-12.5%	-6.6%	0.2%	4.6%	9.5%	12.9%	5.0%	8.1%	20.7%	30.1%	21.0%	19.8%	7.2%	23.1%	7.2%

MIAMI-DADE 2% HOTEL FOOD & BEVERAGE TAX (000)

Activity Month

Miami-Dade 2% F & B Tax is charged on food and beverages purchased in hotels excluding Bal Harbour, Miami Beach and Surfside.



Source: Miami-Dade Tourist Tax Collectors

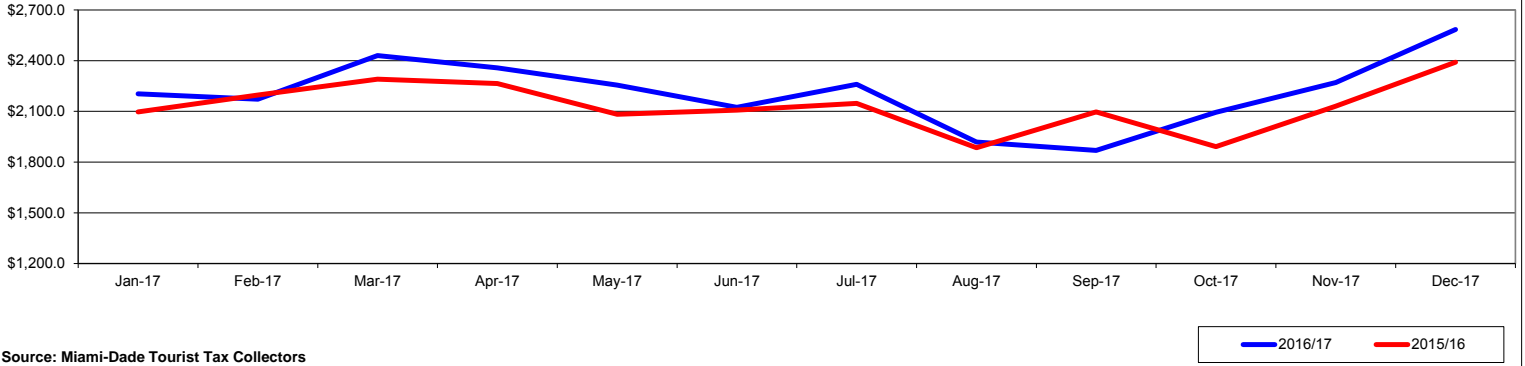
2016/17 2015/16

	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Rolling 12 Months	Fiscal Year 2017/2018	Calendar YTD
2016/17	\$743.7	\$804.6	\$814.0	\$775.7	\$724.0	\$603.5	\$610.9	\$505.1	\$414.4	\$612.6	\$676.3	\$791.1	\$8,075.9	\$2,080.0	\$8,075.9
2015/16	\$828.0	\$826.2	\$810.6	\$782.1	\$697.2	\$566.4	\$561.3	\$478.5	\$498.2	\$556.7	\$690.1	\$750.3	\$8,045.6	\$1,997.1	\$8,045.6
% change	-10.2%	-2.6%	0.4%	-0.8%	3.8%	6.6%	8.8%	5.6%	-16.8%	10.0%	-2.0%	5.4%	0.4%	4.2%	0.4%

MIAMI-DADE 1% RESTAURANT FOOD AND BEVERAGE TAX (000)

Activity Month

Miami-Dade 1% F & B Tax is charged on food and beverages purchased in restaurants not in hotels excluding Bal Harbour, Miami Beach and Surfside.



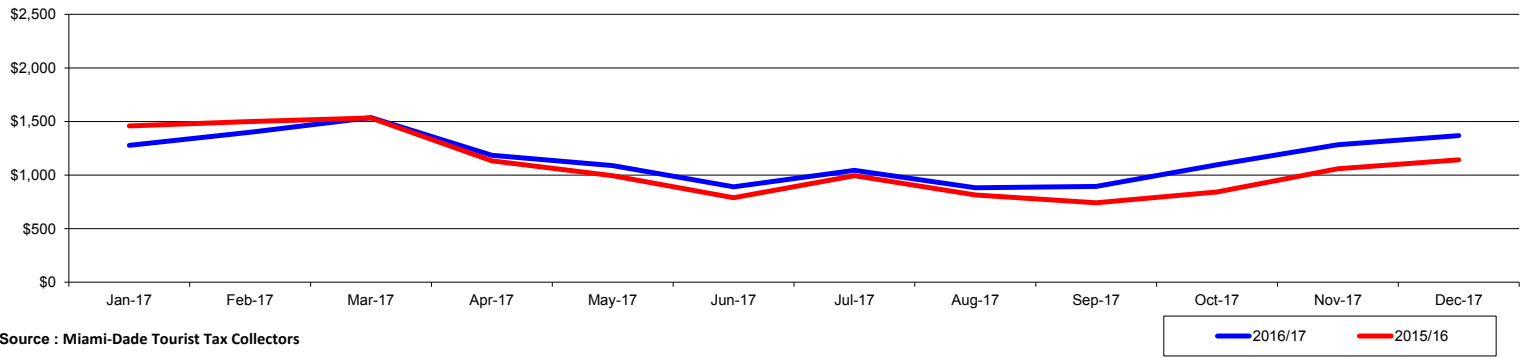
Source: Miami-Dade Tourist Tax Collectors

	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Rolling 12 Months	Fiscal Year 2017/2018	Calendar YTD
2016/17	\$2,203.5	\$2,171.6	\$2,429.9	\$2,357.8	\$2,255.3	\$2,124.0	\$2,259.6	\$1,918.5	\$1,869.0	\$2,094.3	\$2,270.3	\$2,584.4	\$26,538.2	\$6,949.0	\$26,538.2
2015/16	\$2,096.5	\$2,197.1	\$2,290.6	\$2,265.2	\$2,082.6	\$2,106.9	\$2,147.2	\$1,885.0	\$2,097.0	\$1,891.0	\$2,131.3	\$2,391.0	\$25,581.4	\$6,413.3	\$25,581.4
% change	5.1%	-1.2%	6.1%	4.1%	8.3%	0.8%	5.2%	1.8%	-10.9%	10.8%	6.5%	8.1%	3.7%	8.4%	3.7%

MIAMI-DADE 1% PROFESSIONAL SPORTS TAX (000)

Activity Month

Miami-Dade Sport Tax is 1% tax on the hotel room rate exclusive of Miami Beach, Surfside and Bal Harbour. This money is used to build and maintain professional sports facilities



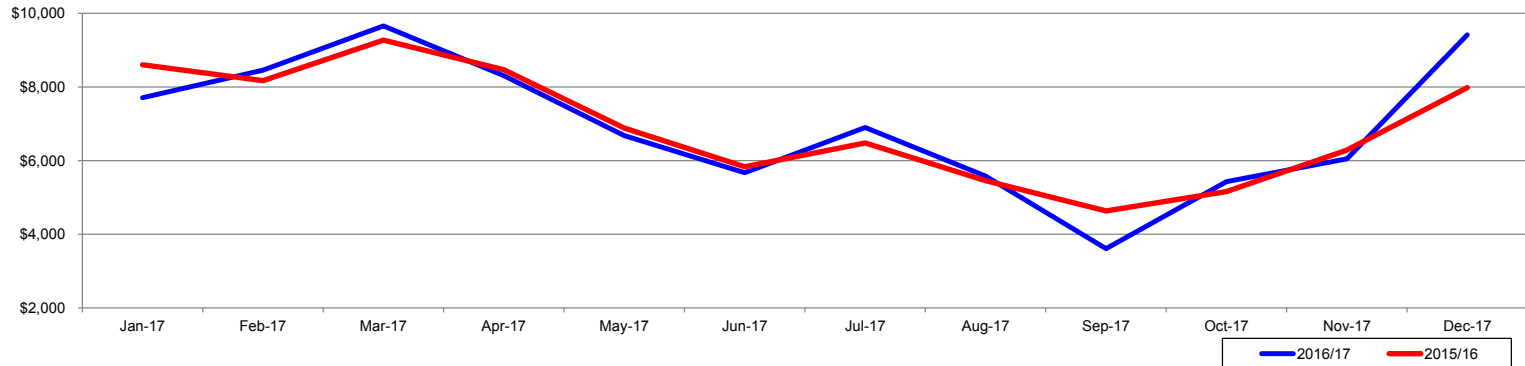
Source : Miami-Dade Tourist Tax Collectors

	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Rolling 12 Months	Fiscal Year 2017/2018	Calendar YTD
2016/17	\$1,277.2	\$1,400.2	\$1,536.1	\$1,184.45	\$1,088.15	\$891.0	\$1,043.0	\$881.4	\$894.4	\$1,094.8	\$1,282.0	\$1,368.8	\$13,941.4	\$3,745.5	\$13,941.4
2015/16	\$1,459.0	\$1,499.0	\$1,532.8	\$1,132.5	\$993.6	\$789.1	\$993.6	\$815.1	\$741.1	\$841.3	\$1,059.5	\$1,142.8	\$12,999.2	\$3,043.6	\$12,999.2
% change	-12.5%	-6.6%	0.2%	4.6%	9.5%	12.9%	5.0%	8.1%	20.7%	30.1%	21.0%	19.8%	7.2%	23.1%	7.2%

MIAMI BEACH RESORT TAX (000)

Activity Month

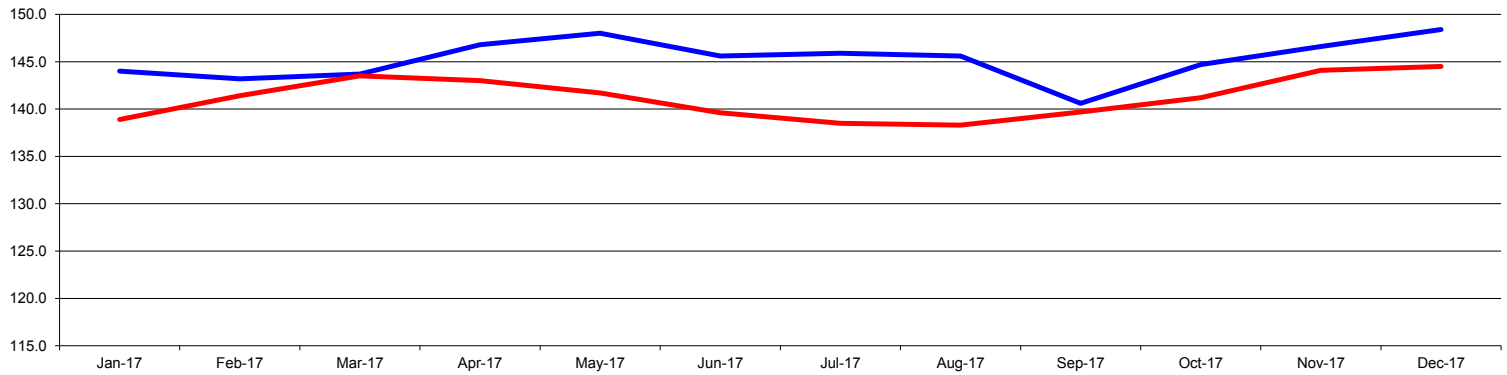
Miami Beach Resort Tax includes 4% tax on hotel rooms and 2% tax on food and beverage sold in restaurants and hotels



	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Rolling 12 Months	Fiscal Year 2017/2018	Calendar YTD
2016/17	\$7,707.1	\$8,458.2	\$9,658.0	\$8,307.9	\$6,676.9	\$5,670.9	\$6,899.3	\$5,578.7	\$3,609.9	\$5,430.3	\$6,048.5	\$9,413.6	\$83,459.2	\$20,892.4	\$83,459.2
2015/16	\$8,600.9	\$8,170.3	\$9,271.8	\$8,467.4	\$6,880.6	\$5,832.2	\$6,478.0	\$5,453.3	\$4,633.8	\$5,160.2	\$6,286.9	\$7,980.6	\$83,216.0	\$19,427.7	\$83,216.0
% change	-10.4%	3.5%	4.2%	-1.9%	-3.0%	-2.8%	6.5%	2.3%	-22.1%	5.2%	-3.8%	18.0%	0.3%	7.5%	0.3%

*The City of Miami Beach increased its hotel room Tax from 3% to 4% as of December 1, 2015

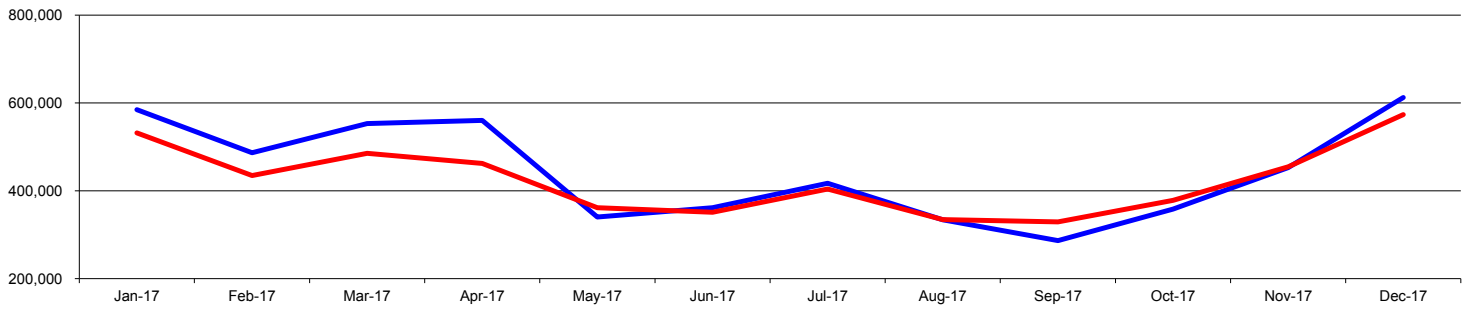
MIAMI-DADE LEISURE & HOSPITALITY EMPLOYMENT (000)



Source: Florida Dept. of Labor

	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Rolling 12 Months	Fiscal Year 2017/2018	Calendar YTD
2017/18	144.0	143.2	143.7	146.8	148.0	145.6	145.9	145.6	140.6	144.7	146.6	148.4	145.3	146.6	145.3
2016/17	138.9	141.4	143.5	143.0	141.7	139.6	138.5	138.3	139.7	141.2	144.1	144.5	141.2	143.3	141.2
% change	3.7%	1.3%	0.1%	2.7%	4.4%	4.3%	5.3%	5.3%	0.6%	2.5%	1.7%	2.7%	2.9%	2.3%	2.9%

PORT MIAMI PASSENGERS

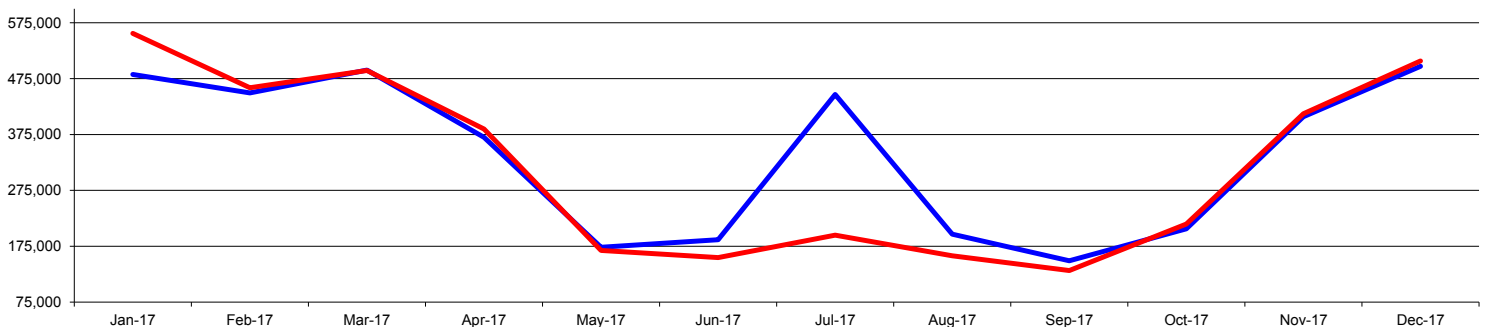


Source: Port of Miami

	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Rolling 12 Months	Fiscal Year 2017/2018	Calendar YTD
2017/18	584,547	486,579	553,292	560,175	340,478	361,367	417,090	334,105	286,584	358,363	452,815	612,415	5,347,810	1,423,593	5,347,810
2016/17	531,886	434,868	485,418	462,479	361,541	351,261	403,836	334,281	329,221	378,278	454,534	573,530	5,101,133	1,406,342	5,101,133
% change	9.9%	11.9%	14.0%	21.1%	-5.8%	2.9%	3.3%	-0.1%	-13.0%	-5.3%	-0.4%	6.8%	4.8%	1.2%	4.8%

Starting in 2016, Port of Miami no longer has day cruises

PORT EVERGLADES PASSENGERS

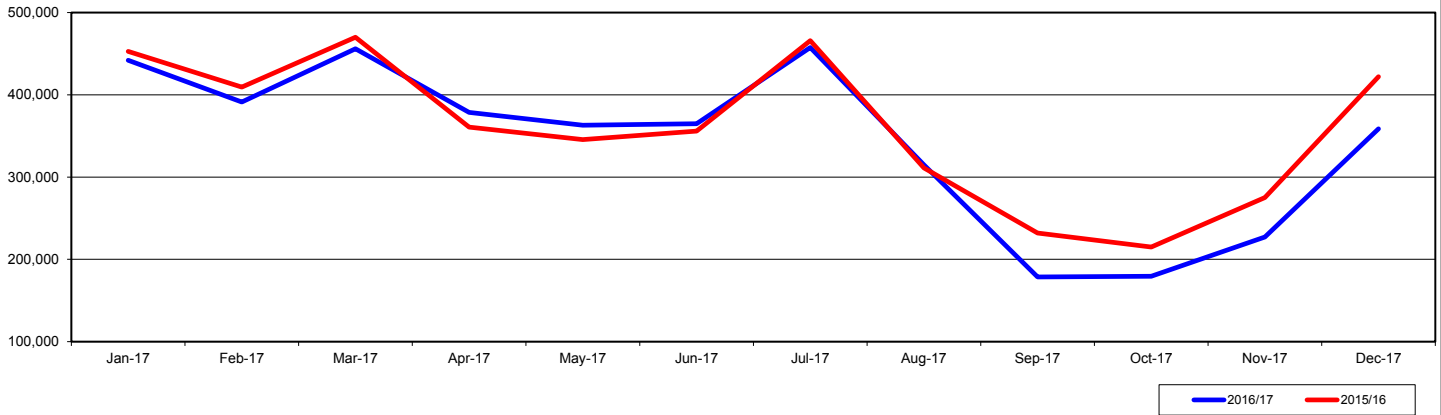


Source: Port Everglades

	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Rolling 12 Months	Fiscal Year 2016/2017	Calendar YTD
2016/17	482,404	449,383	490,186	369,829	173,035	186,641	446,463	196,601	148,951	206,141	406,892	497,077	4,053,603	4,053,603	4,053,603
2015/16	555,948	458,667	489,630	384,737	167,368	154,638	194,668	157,759	131,476	214,571	412,231	506,545	3,828,238	3,828,238	3,828,238
% change	-13.2%	-2.0%	0.1%	-3.9%	3.4%	20.7%	129.3%	24.6%	13.3%	-3.9%	-1.3%	-1.9%	5.9%	5.9%	5.9%

GREATER MIAMI ATTRACTIONS PAID VISITORS

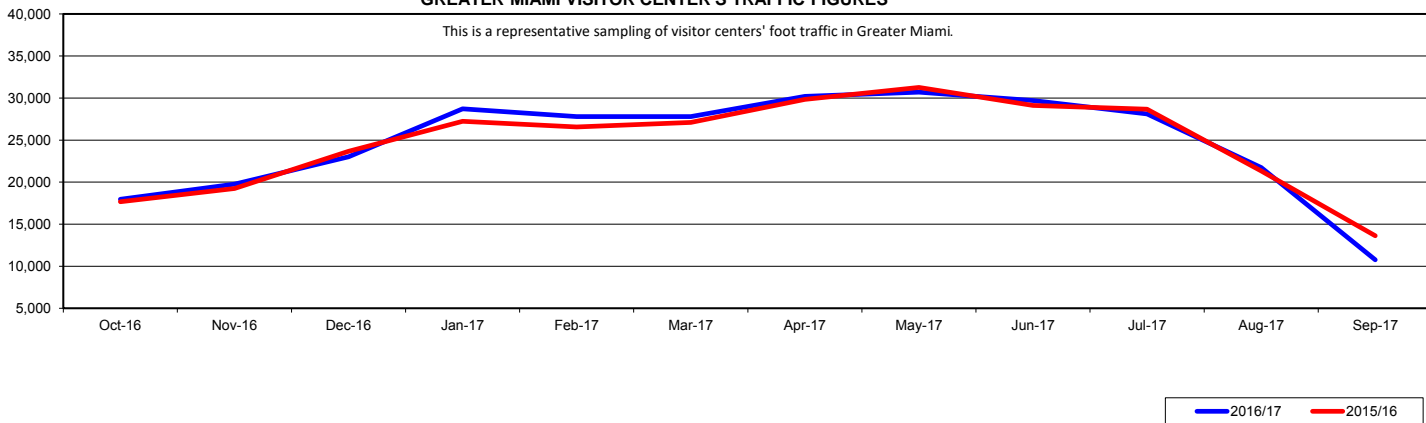
This is a representative sampling of major attractions in Greater Miami



	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Rolling 12 Months	Fiscal Year 2017/2018	Calendar YTD
2016/17	441,874	391,304	455,869	378,733	362,985	364,911	457,489	314,831	178,640	179,525	227,081	358,700	4,111,943	943,946	4,111,943
2015/16	452,740	409,314	469,968	360,698	345,700	356,011	465,875	311,098	232,000	215,000	275,250	422,000	4,315,654	1,144,250	4,315,654
% change	-2.4%	-4.4%	-3.0%	5.0%	5.0%	2.5%	-1.8%	1.2%	-23.0%	-16.5%	-17.5%	-15.0%	-4.7%	-17.5%	-4.7%

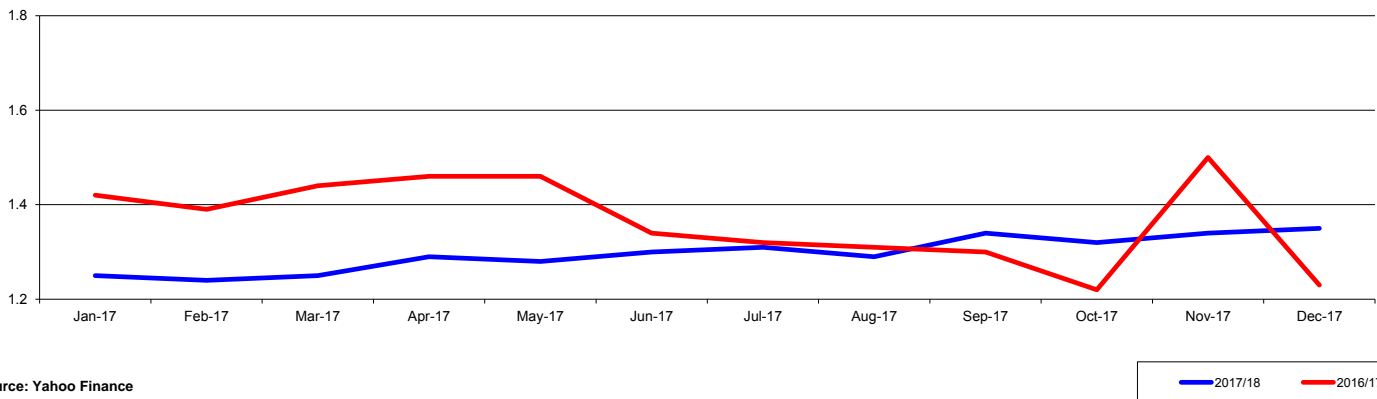
GREATER MIAMI VISITOR CENTER'S TRAFFIC FIGURES

This is a representative sampling of visitor centers' foot traffic in Greater Miami.



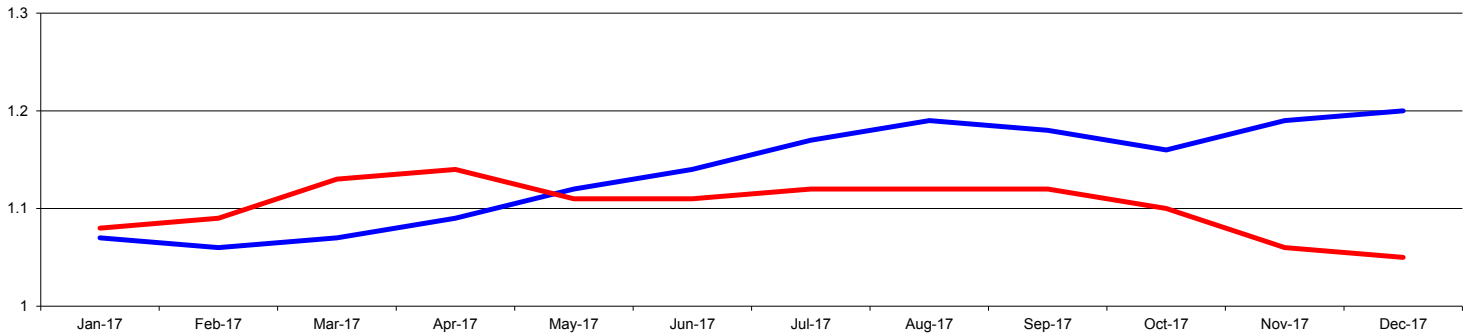
	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Rolling 12 Months	Fiscal Year 2017/2018	Calendar YTD
2016/17	17,973	19,751	23,007	28,714	27,800	27,800	30,189	30,699	29,697	28,106	21,741	10,764	296,242	10,764	235,511
2015/16	17,663	19,250	23,663	27,227	26,551	27,097	29,831	31,262	29,115	28,680	21,336	13,625	295,300	13,625	234,724
% change	1.8%	2.6%	-2.8%	5.5%	4.7%	2.6%	1.2%	-1.8%	2.0%	-2.0%	1.9%	-21.0%	0.3%	-21.0%	0.3%

BRITISH POUND TO AMERICAN DOLLAR



	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Rolling 12 Months	Fiscal Year 2017/2018	Calendar YTD
2017/18	1.25	1.24	1.25	1.29	1.28	1.30	1.31	1.29	1.34	1.32	1.35	1.23	1.30	1.33	1.34
2016/17	1.42	1.39	1.44	1.46	1.46	1.34	1.32	1.31	1.30	1.22	1.50	1.23	1.37	1.31	1.32
% change	-12.0%	-10.8%	-13.2%	-11.6%	-12.3%	-3.0%	-0.8%	-1.5%	3.1%	8.2%	-10.7%	9.8%	-5.1%	0.9%	1.5%

EURO TO AMERICAN DOLLAR

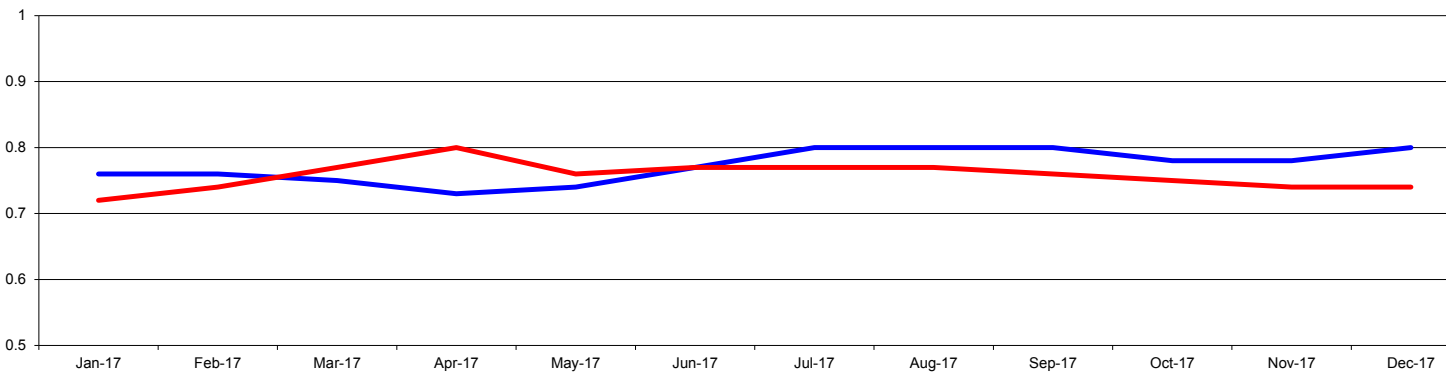


Source: Yahoo Finance

2017/18 2016/17

	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Rolling 12 Months	Fiscal Year 2017/2018	Calendar YTD
2017/18	1.07	1.06	1.07	1.09	1.12	1.14	1.17	1.19	1.18	1.16	1.19	1.20	1.14	1.18	1.20
2016/17	1.08	1.09	1.13	1.14	1.11	1.11	1.12	1.12	1.12	1.10	1.06	1.05	1.10	1.09	1.06
% change	-0.9%	-2.8%	-5.3%	-4.4%	0.9%	2.7%	4.5%	6.2%	5.4%	5.5%	12.3%	14.3%	3.1%	8.6%	13.3%

CANADIAN DOLLAR TO AMERICAN DOLLAR

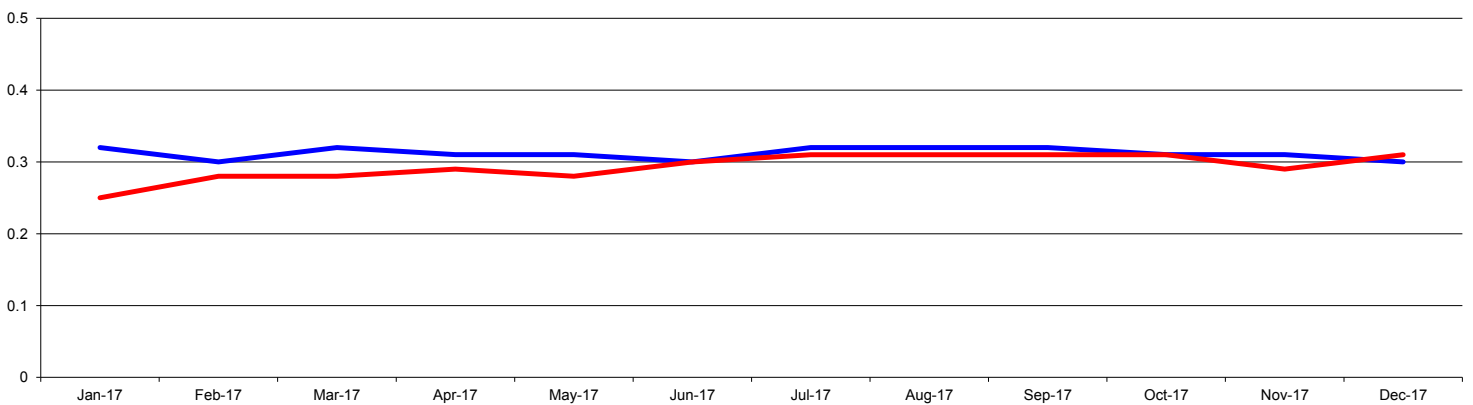


Source: Yahoo Finance

2017/18 2016/17

	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Rolling 12 Months	Fiscal Year 2017/2018	Calendar YTD
2017/18	0.76	0.76	0.75	0.73	0.74	0.77	0.80	0.80	0.80	0.78	0.78	0.80	0.77	0.79	0.79
2016/17	0.72	0.74	0.77	0.80	0.76	0.77	0.77	0.77	0.76	0.75	0.74	0.74	0.76	0.75	0.74
% change	5.6%	2.7%	-2.6%	-8.8%	-2.6%	0.0%	3.9%	3.9%	5.3%	4.0%	5.4%	8.1%	2.0%	5.3%	6.8%

BRAZILIAN REAL TO AMERICAN DOLLAR



Source: Yahoo Finance

2017/18 2016/17

	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Rolling 12 Months	Fiscal Year 2017/2018	Calendar YTD
2017/18	0.32	0.30	0.32	0.31	0.31	0.30	0.32	0.32	0.32	0.31	0.31	0.30	0.31	0.31	0.31
2016/17	0.25	0.28	0.28	0.29	0.28	0.30	0.31	0.31	0.31	0.31	0.29	0.31	0.29	0.31	0.30
% change	28.0%	7.1%	14.3%	6.9%	10.7%	0.0%	3.2%	3.2%	3.2%	0.0%	6.9%	-3.2%	6.2%	2.0%	1.7%



701 Brickell Ave., Suite 2700, Miami, FL 33131 USA
1901 Convention Center Drive, Miami Beach, FL 33139 USA
305/539-3000, 800/933-8448
MiamiandBeaches.com

EXHIBIT 2

IN THE CIRCUIT COURT OF THE
11TH JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

CIRCUIT CIVIL DIVISION

CASE NO. 2018-021933-CA-01 (22)

NATALIE NICHOLS,

Plaintiff,

v.

CITY OF MIAMI BEACH,
FLORIDA,

Defendant.

_____ /

AFFIDAVIT OF HERNAN CARDENO

STATE OF FLORIDA)
) ss.
COUNTY OF MIAMI-DADE)

BEFORE ME, the undersigned authority, personally appeared Hernan Cardeno, who after being duly sworn, states:

1. I am the Director of the Code Compliance Department for Defendant, City of Miami Beach (the "City").

2. I have served as the Code Compliance Director since January 15, 2014.

3. I am over 21 years of age and competent to testify to the statements set forth in this Affidavit.

4. The statements made herein are based on facts and matters within my personal knowledge as Code Compliance Director.

5. The statements made herein are in support of the City's Motion for Summary Judgment on Count III of the Second Amended Complaint.

6. My responsibilities as Code Compliance Director include overseeing enforcement of the City's land development policies and regulations, including those related to transient rentals such as City Ordinance sections 142-905 and 142-1111.

7. Enforcement of sections 142-905 and 142-1111 against individual property owners who are engaging in illegal transient rentals requires the City to expend immense resources in terms of time and money.

8. The City has limited resources to enforce short-term rental restrictions. At full staffing, the Code Compliance Department consists of 61 employees, which includes 39 code compliance officers. This number is for all code compliance throughout Miami Beach, of which only 11 percent covers zoning violations – or the equivalent of about four compliance officers to cover all zoning violations. Short-term transient rentals are only a portion of zoning violations the City addresses. Given the size of Miami Beach and substantial number of transient rentals, this amounts to a significant workload per compliance officer.

9. In 2017, there were over 9 million overnight visitors to Miami Beach, 4.8 percent of which were transient rentals, and the Code Compliance Department conducted around 1,700 investigations into short-term rental complaints. That number is growing exponentially.

10. On Miami Beach, short-term rentals can be very lucrative for property owners, who can charge thousands of dollars per night for many rentals. In some instances, the Code Compliance Department has observed that owners have charged as much as \$5,000-\$10,000 per night for a short-term rental. *See, e.g.,* Ex. Notice of Violation CC2019-07203, ZV2019-02572, ZV2019-02541.

11. Because of the lucrative nature of transient rentals on Miami Beach, before Ordinance 2016-4001 was passed in 2016 increasing the amount of fines per violation of sections

142-905 and 142-1111, the Code Compliance Department observed that the lower per-violation fines imposed at the time did little to stop property owners located in restricted zones from unlawfully renting their property on a short-term basis. For these substantially lucrative rentals, the fines had been understood as a cost of doing business. *See* Ex. B.

FURTHER AFFIANT SAYETH NAUGHT.



HERNAN CARDENO

Sworn to and subscribed before me this 20th
day of September, 2019.

Notary Public

My Commission Expires: August 9, 2021




MIAMI BEACH

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

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager 

DATE: January 15, 2014

SUBJECT: **A RESOLUTION OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CONSENTING TO THE APPOINTMENT OF HERNAN D. CARDENO AS THE DIRECTOR OF THE CODE COMPLIANCE DEPARTMENT FOR THE CITY OF MIAMI BEACH.**

ADMINISTRATION RECOMMENDATION

Pursuant to the requirements of Article IV, Section 4.02 of the City Charter, it is recommended that the Mayor and the City Commission adopt the attached resolution consenting and confirming Hernan D. Cardeno as the Director of the Code Compliance Department for the City of Miami Beach.

BACKGROUND

I began my tenure as City Manager for the City of Miami Beach in April 2013, with a strong commitment to ensuring that our residents, businesses and visitors continue to receive the highest levels of services. While I have the pleasure of serving as your City Manager, I continue to evaluate the leadership needs of our organization. As a result, I have determined that it is in the City's best interest to make the Code Compliance Division a standalone department. In doing so, I have appointed Hernan D. Cardeno to serve as the Director, with Robert Santos as the Assistant Director of the Code Compliance Department.

My decision to elevate Code Compliance to department status is based on a number of factors. First, given the workload in the Building Department and the critical role that Code Compliance plays on Miami Beach, I believe that the separation will lead to a more effective administration and enforcement of the City code. Secondly, I believe Mr. Cardeno and Mr. Santos have formed a good team, combining strong administrative skills and oversight with effective community outreach. I think they have earned the opportunity to be the Director and Assistant Director, respectively, of a free standing department. There should be no significant financial impact since there are no positions being added to the Code Compliance Department as a result of this reorganization and the Building Department and Code Compliance have occupied separate spaces. Finally, I believe that the Code Compliance Department is starting to come out of the shadows of past scandals, which namely, I attribute to Mr. Cardeno's extensive experience in law enforcement and leadership skills.

Mr. Cardeno is a 29-year veteran of law enforcement, having first served with the Bal Harbour Police Department where he rose through the ranks to Assistant Chief. He later became one of the youngest Chiefs of Police in Miami-Dade County history when he was appointed Chief of the Golden Beach Police Department; then serving as Assistant

City Manager and subsequently Interim City Manager. In 2001, he accepted an Executive Commander position with the North Miami Beach Police Department with oversight of the Forfeiture Section, Grants Management, and Money-Laundering task force before being recruited by the Miami Beach Police Department.

As Support Services Division Commander, he commanded the Property and Evidence Unit, Training Unit, Personnel Selection and Background Investigations Unit, and Business Resource Unit comprised of Off-Duty police services and Payroll preparation. He previously commanded the Technical Services Division comprised of Professional Standards, the Public Safety Communications Unit, Records Management, Information Resources, and Grants Management.

In April of 2012, as the senior police command staff member, Mr. Cardeno was assigned to the Code Compliance Division as part of a five point City plan to oversee day to day operations and to liaison with the FBI in their ongoing investigation.

Mr. Cardeno is a graduate of the University of Louisville's Southern Police Institute Command Officers Development Course and the FBI's Federal Executive Development Course. In 2013, he was recognized for his contributions of over twenty years by the International Association of Chiefs of Police and the Florida Police Chiefs Association and was awarded lifetime membership to both associations. In addition, Mr. Cardeno currently serves as a reserve Miami Beach Police Officer.

Mr. Cardeno holds a Bachelor's Degree from Barry University, having majored in Human Resources Management with a minor in Counseling; and a Juris Doctor Degree from Nova Southeastern University's Shepard Broad Law Center. He is an active member of the Florida Bar and the American Bar Association. Conversations with Mr. Cardeno regarding his appointment as Director resulted in him agreeing not to accept new clients and to stop practicing law once he has fulfilled his professional commitment to his current clients.

CONCLUSION

During his tenure with the City of Miami Beach, Mr. Cardeno has proven to have excellent leadership and management skills. He has been instrumental in implementing positive changes in the Code Compliance Department and is ready to step up to important tasks we have identified in North Beach, Lincoln Road, Ocean Drive and other areas in our community. His appointment as the Director of the Code Compliance Department will ensure that the City continues to move forward in restoring confidence in the delivery of services to our residents, business community and visitors. As such, I recommend Mr. Cardeno for your approval as Director.

Pursuant to the requirements of Article IV, Section 4.02, of the City Charter, it is recommended that the Mayor and City Commission adopt the resolution consenting and confirming Hernan D. Cardeno, Esq. as the Director of the Code Compliance Department.


JLM/KGB/SC-T/CMG

Condensed Title:

Consenting to the appointment of Hernan D. Cardeno as the Director of the Code Compliance Department for the City of Miami Beach.

Key Intended Outcome Supported:

Increase community satisfaction with City government; maximize efficient delivery of services; ensure expenditure trends are sustainable over the long term

Supporting Data (Surveys, Environmental Scan, etc.): N/A

Item Summary/Recommendation:

As a result me the constantly assessing and reassessing how we deliver services, and my commitment to ensuring that our residents, businesses and visitors continue to receive the highest levels of services, I have determined that it is in the organization's best interest to make the Code Compliance Division a standalone department and that Hernan D. Cardeno is the person best suited to lead this functional unit.

Due to the workload in the Building Department and the critical role code compliance plays in determining a city's character, this separation will lead to a more effective administration of the mission of the Code Compliance Department, which is to enforce the city codes uniformly, ensuring the health, safety, welfare, and quality of life for the residents, businesses, owners and tourists in the City of Miami Beach. Code Compliance is primarily responsible for maintaining neighborhoods and the community's quality of life. Common code violations include: zoning violations, minimum housing standards, property maintenance standards, noise, real estate signs, signs in right-of-way, sign regulations, sidewalk cafe regulations, business tax receipts, certificates of use, illegal vendors, construction hours, operating hours for nightclubs, bars, liquor stores; hours of sale of liquor, and marine regulations.

During his tenure with the City, Hernan Cardeno has proven to have excellent leadership and management skills. He has been instrumental in leading the Code Compliance Division as the City continues to move forward restoring trust and confidence in City services and employees.

Mr. Cardeno has an extensive law enforcement background of over 29 years and currently serves as a Miami Beach Reserve Police Officer. In addition, he holds a Juris Doctor Degree from Nova Southeastern University's Shepard Broad Law Center. Conversations with Mr. Cardeno regarding his appointment as Director resulted in him agreeing not to accept new clients and to stop practicing law once he has fulfilled his professional commitment to his current clients. I recommend Mr. Cardeno for your approval as Director of the Code Compliance Department.

Pursuant to the requirements of Article IV, Section 4.02 of the City Charter, it is recommended that the Mayor and the City Commission adopt the attached resolution consenting to and confirming Hernan D. Cardeno, as the Director of the Code Compliance Department for the City of Miami Beach.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:



OBPI

Financial Impact Summary:

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Sylvia Crespo-Tabak, Human Resources

Sign-Offs:

Department Director	Assistant City Manager	City Manager
SCT <u>SC-T</u>	KGB <u>[Signature]</u>	JLM <u>[Signature]</u>

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CONSENTING TO THE APPOINTMENT OF HERNAN D. CARDENO AS THE DIRECTOR OF THE CODE COMPLIANCE DEPARTMENT FOR THE CITY OF MIAMI BEACH.

WHEREAS, the City Manager has realigned Code Compliance as a standalone Department;

WHEREAS, the City Manager has appointed Hernan D. Cardeno as the Director of the Code Compliance Department for the City of Miami Beach; and

WHEREAS, pursuant to Article IV, Section 4.02, of the City of Miami Beach Charter, as well as Section 2-3 of the City Code, the City Manager has power to appoint directors of the City departments with the consent of the Mayor and the City Commission; and

WHEREAS, the Mayor and the City Commission wish to consent to and confirm the appointment of Hernan D. Cardeno as the Director of the Code Compliance Department for the City of Miami Beach.

NOW, THEREFORE, BE IT DULY RESOLVED THAT THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, have consented to and confirmed the appointment of Hernan D. Cardeno as the Director of the Code Compliance Department for the City of Miami Beach.

PASSED and ADOPTED this 15th day of January, 2014.





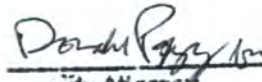
PHILIP LEVINE, MAYOR

ATTEST:



RAFAEL GRANADO, CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

1/8/14
Date

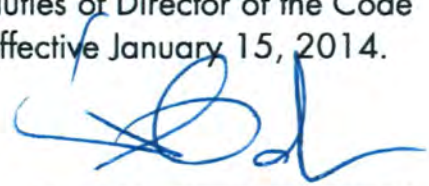
MIAMI BEACH

OFFICE OF THE CITY CLERK

State of Florida

County of Miami-Dade

I, Hernan Cardeno, a citizen of the State of Florida and of the United States of America, and being employed by or an officer of the City of Miami Beach and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida; and that I will well and faithfully perform the duties of Director of the Code Compliance Department of the City of Miami Beach, effective January 15, 2014.



Hernan Cardeno

Sworn to and subscribed before me this 15 day of January, 2014


Rafael E. Granado, Esq.
City Clerk

F:\CLER\CLER\OATH\Oath Hernan Cardeno 2.doc



EXHIBIT A

AM/AM/11/11

Code Compliance Department

555 - 17th Street
Miami Beach, Florida 33139
Tele 305 673 7555
Fax 305 673 7012

Notice of Violation

Violation Notice Date:	Date 3/30/2019	Time 6 25 PM	Case Number CC2019-07203
Address of Violation:			Unit
Parcel Number:			
Legal Description:	HIBISCUS ISLAND		
Violator Name:			
Mailing Address:		City and State	Zip Code

The City of Miami Beach Code Compliance Department has determined that the above Property has violated the Miami Beach Code of Laws and Ordinances (the "City Code"). This violation is the 1st offense, and this Notice of Violation carries a fine (and other monetary charges) of \$1 000 00. Specifically, Code Compliance Officer Mindy Blanco has found there to be a violation(s) of the City Code which is/are:

Section 102 -387 Not complying with the platforms' responsibilities regarding legally permissible transient rental and occupancy (short -term) of a residential property

Reference: Short term rental of [REDACTED] without Business Tax Receipt & Resort tax number displayed on the advertising platform of Escapelux.com

Failing to adhere to the conditions of this section shall be subject to the following fines:

If the violation is the first offense a person or business shall receive a civil fine of \$1,000 00

If the violation is the second offense within the preceding six months, a person or business shall receive a civil fine of \$2,000 00

If the violation is the third offense within the preceding six months, a person or business shall receive a civil fine of \$3,000 00

If the violation is the fourth or subsequent violation within the preceding six months, a person or business shall receive a civil fine of \$5,000 00

Fine(s) must be paid within 72 hours of receipt of the violation. A copy of the violation must accompany the payment. Please make checks or money orders payable to City of Miami Beach. Payment can be mailed or taken in person to The Finance Department (Cashier) 1700 Convention Center Drive, 1st floor, Miami Beach, FL 33139.

Fine(s) and/or violations may be appealed within **Ten (10) days** of receipt of the notice of violation. To appeal a fine and/or violation, submit a written request for an appeal hearing to the Clerk of the Special Master - 1700 Convention Center Dr., Miami Beach, FL 33139. A check for \$100 (administrative charges) must accompany the request along with the case number.

Failure to pay the fine or request an appeal hearing in the manner indicated above shall constitute a waiver of the violator's right to contest the citation and shall be treated as an admission of the violation.

The City may institute proceedings in a court of competent jurisdiction to compel payment of civil fine(s). The certified copy of the order imposing civil fine(s) may be recorded in the public records and thereafter shall constitute a lien upon any real or personal property owned by the violator.

Issuing Code Compliance Officer	Name Mindy Blanco	Badge # 742	Phone and Extension (305) 673-7555 ext 2144
	Email mindyblanco@miamibeachfl.gov		
Received By Certified Mail	Compliance Date 04/01/2019	Received Date 04/11/2019	Received Time

ADA Information

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceeding, please contact 305 604 2489 (voice), 305 673 7524 (fax) or 305 673 7218 (TTY) five (5) days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

Mindy Blanco



Escape



BOOK THIS VILLA

APRIL 17, 2019

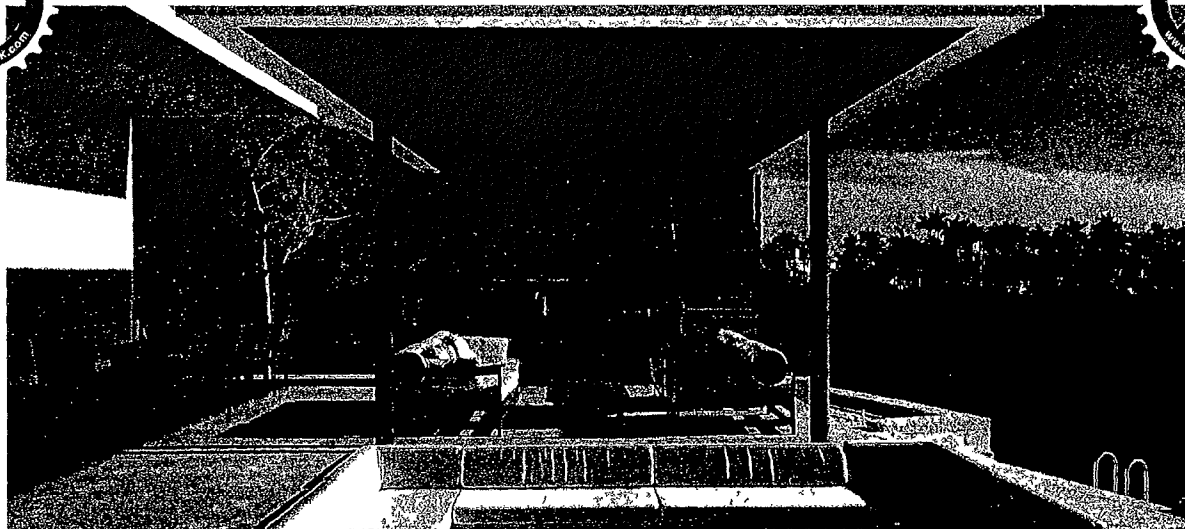
APRIL 27 2019

4

BOOK

Cost	\$122 000 00
Departure Cleaning	\$800 00
Security Deposit	\$50 000 00
Tax	\$17 080 00
Total Cost :	\$189,880.00

INQUIRY



7 BR



11 BT



11 500 SF



80WF



Pool

Take one step into [REDACTED] and leaving won't ever seem like an option. Designed by renowned architect Ralph Choëff, this magnificent vacation villa on Hibiscus Island features 145 feet of water frontage, 11 500 square feet of living space, and all the amenities you could ever need. An architectural gem, [REDACTED] sits on a 19 466 square foot lot in a guard-gated community. Offering unobstructed views of downtown Miami, [REDACTED] is all about pleasure. Host a gathering with friends on the rooftop terrace, watch your favorite action film in the movie theatre, and let your taste buds run wild in the wine cellar. 10-foot telescopic sliding doors create an amazing indoor-outdoor living experience. If a ride on the water is enticing you, take your yacht out from the dock, which can accommodate up to a 130-foot vessel. Or, if you just want to stay on land, take advantage of the pool, two outdoor kitchens, beach area, and firepit. Suitable for large groups and travelers looking for the ultimate luxury getaway, Villa Domi has 7 bedrooms, an air-conditioned 3-car garage, and even an elevator. Indeed, all your needs are covered here.

Amenities



Espresso Machine



Ice Maker



Microwave



Toaster



Air Conditioning



Washer & Dryer



Ironing Board



Wifi



Escape



Safe



Parking



Jacuzzi



BBQ Grill



Cable TV



Surround Sound



Ipod

Map



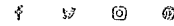
Map data report: a map error



Escape

Get Social

Link with us via your social
networks



We

1680 Michigan
Miami Beach, FL
Phone 1 877-852
info@escapelux



Contact Us

We love your feedback and
are constantly looking

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Code Compliance Department
555 - 17th Street
Miami Beach, Florida 33139
Tele 305 673 7555
Fax 305 673 7012

Notice of Violation

Violation Notice Date:	Date 4/2/2019	Time 2 00 PM	Case Number CC2019-07220
Address of Violation:	Unit		
Parcel Number:			
Legal Description:	HIBISCUS ISLAND		
Violator Name:			
Mailing Address:	City and State	Zip Code	

The City of Miami Beach Code Compliance Department has determined that the above Property has violated the Miami Beach Code of Laws and Ordinances (the "City Code") This violation is the 1st offense, and this Notice of Violation carries a fine (and other monetary charges) of \$1,000 00 Specifically, Code Compliance Officer Mindy Blanco has found there to be a violation(s) of the City Code which is/are

Section 102 -387 Not complying with the platforms' responsibilities regarding legally permissible transient rental and occupancy (short -term) of a residential property

Reference: Short term rental of " " without Business Tax Receipt & Resort tax number displayed on the advertising platform of Escapelux.com

Failing to adhere to the conditions of this section shall be subject to the following fines

If the violation is the first offense, a person or business shall receive a civil fine of \$1 000 00

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If the violation is the third offense within the preceding six months, a person or business shall receive a civil fine of \$3,000 00

If the violation is the fourth or subsequent violation within the preceding six months, a person or business shall receive a civil fine of \$5 000 00

Fine(s) must be paid within 72 hours of receipt of the violation A copy of the violation must accompany the payment Please make checks or money orders payable to City of Miami Beach Payment can be mailed or taken in person to The Finance Department (Cashier), 1700 Convention Center Drive, 1st floor, Miami Beach FL 33139

Fine(s) and/or violations may be appealed within **Ten (10)** days of receipt of the notice of violation To appeal a fine and/or violation submit a written request for an appeal hearing to the Clerk of the Special Master - 1700 Convention Center Dr , Miami Beach, FL 33139 A check for \$100 (administrative charges) must accompany the request along with the case number

Failure to pay the fine or request an appeal hearing in the manner indicated above shall constitute a waiver of the violator's right to contest the citation and shall be treated as an admission of the violation

The City may institute proceedings in a court of competent jurisdiction to compile payment of civil fine(s) The certified copy of the order imposing civil fine(s) may be recorded in the public records and thereafter shall constitute a lien upon any real or personal property owned by the violator

Issuing Code Compliance Officer	Name Mindy Blanco	Badge # 742	Phone and Extension (305) 673-7555 ext 2144
	Email mindyblanco@miamibeachfl.gov		
Received By Certified Mail	Compliance Date 04/02/2019	Received Date 05/03/2019	Received Time

ADA Information

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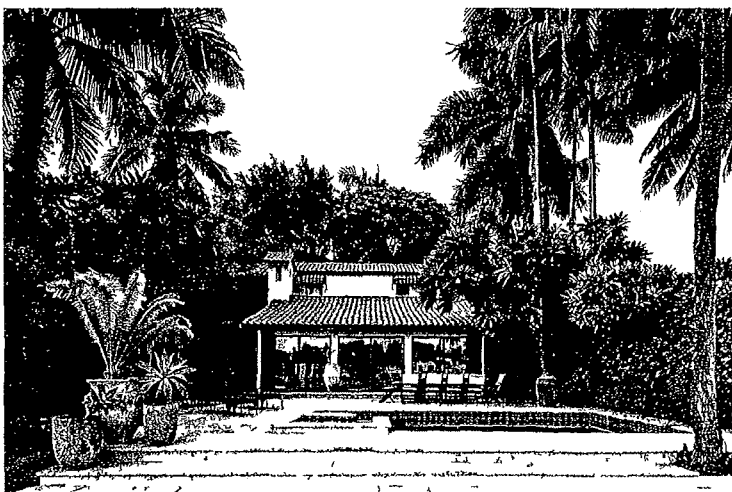
Mindy Blanco



Escape



Reservation Details



Adults : 4, Children

☒ Check In

☒ Check Out

Wednesday June 26 2019

Friday July 05 2019

Cost	\$22,000.00
Departure Cleaning	\$500.00
Security Deposit	\$5,000.00
Tax	\$3,080.00
Reservation Total	\$30,580.00
Total Due Now:	\$12,790.00

Payment Schedule

04/07/2019	\$12790.00	First Payment
05/27/2019	\$12790.00	Remaining Balance
06/26/2019	\$5000.00	Security Deposit



Escape



1 Your Details

First Name

Last Name

Email

Phone

Work Phone

Mobile Phone

2 Billing Address

Address

Address 2

City

State

Select State ▼

Country

United States ▼

Postal Code



Escape



3 Credit Card Information

Credit Card Number

CVV

Expiration month

01



Expiration year

19



SSL Certificate

4 Comments or Special Requests

By clicking the "Book This Property Now" you are agreeing to the **terms and conditions**

BOOK THIS PROPERTY NOW

Escape



Enter your email

Code Compliance Department
555 - 17th Street
Miami Beach, Florida 33139
Tele 305 673 7555
Fax 305 673 7012

Notice of Violation

Violation Notice Date:	Date 4/3/2019	Time 8 20 AM	Case Number CC2019-07231
Address of Violation:	COCONUT LN		Unit
Parcel Number:			
Legal Description:			
Violator Name:			
Mailing Address:		City and State L	Zip Code

The City of Miami Beach Code Compliance Department has determined that the above Property has violated the Miami Beach Code of Laws and Ordinances (the "City Code") This violation is the 1st offense and this Notice of Violation carries a fine (and other monetary charges) of \$1,000 00 Specifically, Code Compliance Officer Mindy Blanco has found there to be a violation(s) of the City Code which is/are

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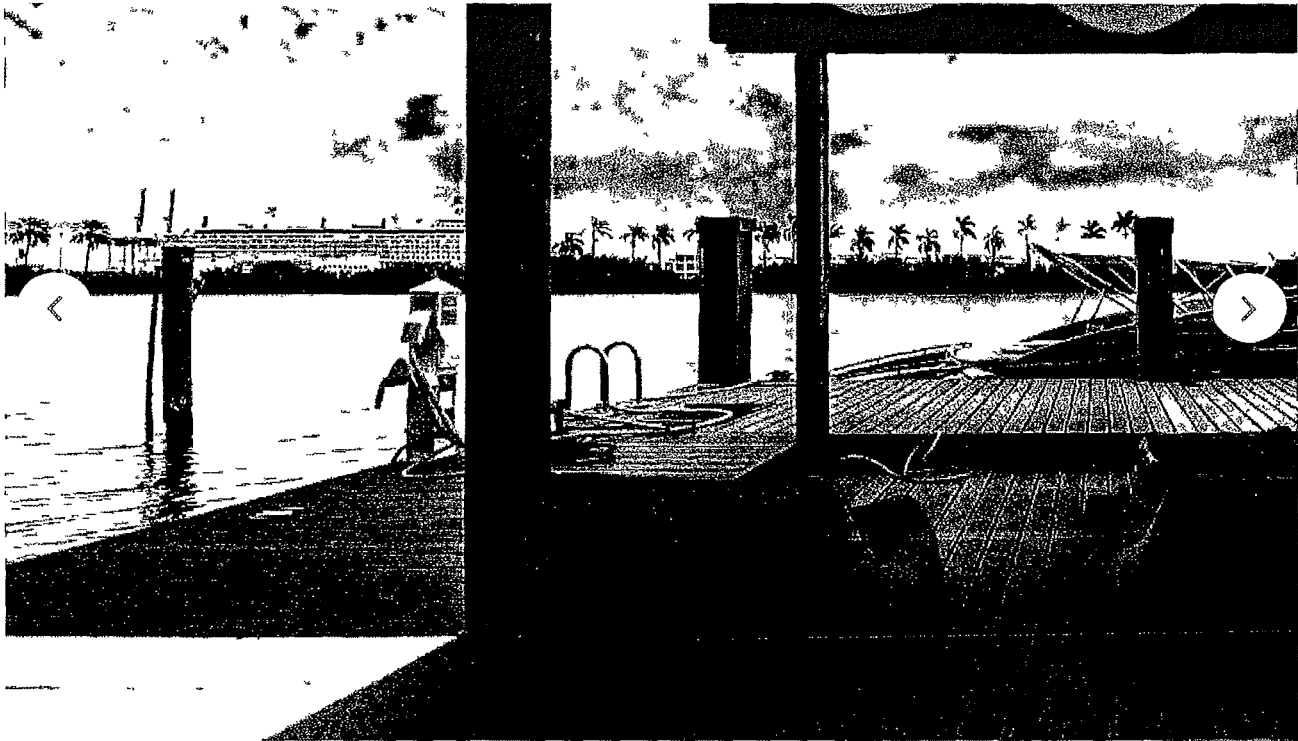
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Issuing Code Compliance Officer	Name Mindy Blanco	Badge # 742	Phone and Extension (305) 673-7555 ext 2144
	Email mindyblanco@miamibeachfl.gov		
Received By Certified Mail	Compliance Date 04/03/2019	Received Date	Received Time

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Mindy Blanco



BOOK THIS VILLA

APRIL 15 2019

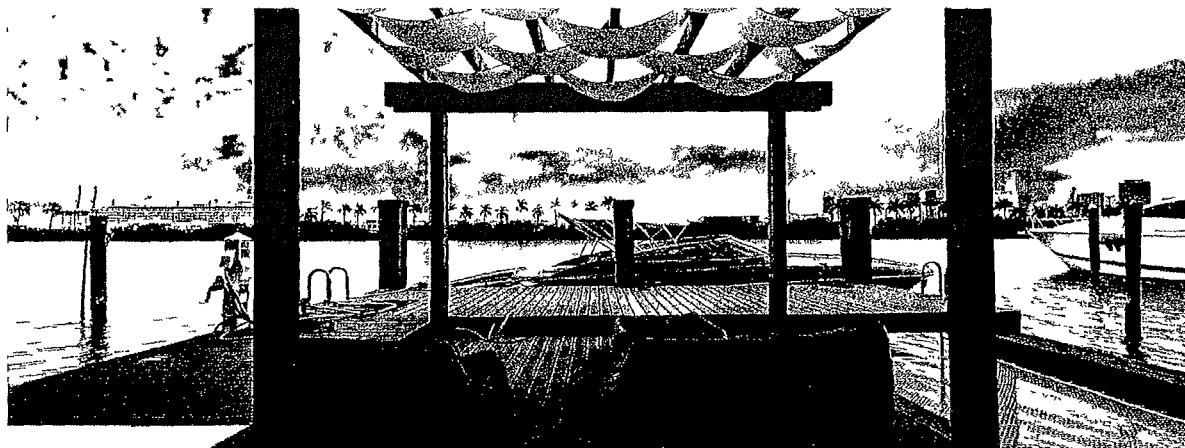
APRIL 20 2019

4

BOOK

Cost	\$15 750 00
Departure Cleaning	\$500 00
Security Deposit	\$5 000 00
Tax	\$2 205 00
Total Cost :	\$23,455.00

INQUIRY



5 BR



5.5 BT



8,146 SF



70WF



Pool

Surround yourself in luxury when you stay at this contemporary villa on Palm Island. Featuring 5 bedrooms, 5.5 bathrooms, and more than 8,000 square feet to stretch your legs, Villa Luna presents you with countless possibilities. It's not that time stands still here; it's that it doesn't matter whether you're taking in amazing views of the skyline or going for a swim in the 40-foot pool. Villa Luna will pull you in and make you want to stay forever. This luxury vacation rental in Miami Beach boasts all the amenities you need to have the time of your life. Cook up the meal of a lifetime in the gourmet kitchen, soak up the sun rays on the gazebo, or take your yacht out on the water for a ride. The choice is yours at Villa Luna. A great vacation home for large families and groups, Villa Luna offers pleasures you at every turn. Walk right in and see what you find.

Amenities



Espresso Machine



Ice Maker



Microwave



Toaster



Air Conditioning



Washer & Dryer



Ironing Board



WiFi



Parking



Cable TV

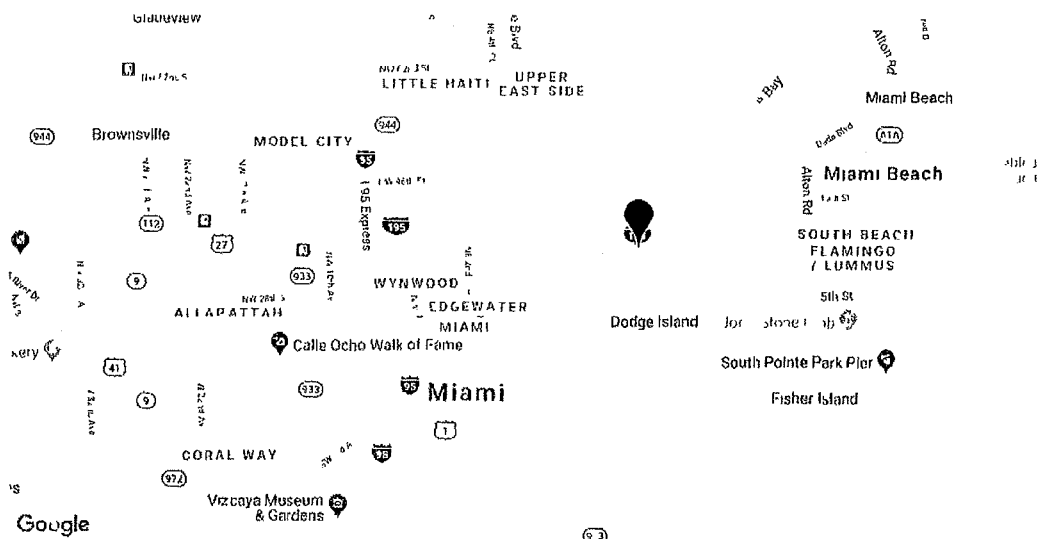


Ipod



Movie Theater

Map



Get Social

Link with us via your social
networks



We're here for

1680 Michigan Ave S
Miami Beach, FL
Phone 1-877-852
info@escapelux

Contact Us

We love your feedback and
are constantly looking

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Code Compliance Department

555 - 17th Street

Miami Beach, Florida 33139

Tele 305.673 7555

Fax 305.673 7012

Notice of Violation

Violation Notice Date:	Date	5/25/2019	Time	6 45 PM	Case Number	ZV2019-02572
Address of Violation:					Unit	
Parcel Number:						
Legal Description:	HIBISCUS ISLAND					
Violator Name:						
Mailing Address:					City and State	
					Zip Code	

The City of Miami Beach Code Compliance Department has determined that the above Property has violated the Miami Beach Code of Laws and Ordinances (the "City Code"). This violation is the 3rd offense, and this Notice of Violation carries a fine (and other monetary charges) of \$60,000 00. Specifically, Code Compliance Officer Mindy Blanco has found there to be a violation(s) of the City Code, which is/are Section 142-905 (b) (5) Unauthorized accessory uses in single-family districts and/or advertising the residential property for the purpose of promoting the occupancy of the single family home for less than 6 months and 1 day which is prohibited

Reference: Short Term Rental Advertisement via Sobevillas.com from July 14th-19th 2019 at a rate of \$5,000.00 per night for 5 nights plus a \$15,000 00 refundable deposit and \$650.00 cleaning/checkout fee. Totaling \$40,650 00

You can comply by ceasing the unauthorized use and/or advertisement immediately upon receipt of this notice and paying a civil fine of

First Violation	\$ 20,000 00
Second Violation within 18 months	\$ 40,000 00
Third Violation within 18 months	\$ 60,000 00
Fourth Violation within 18 months	\$ 80,000 00
Fifth or greater Violation within 18 months	\$ 100 000 00

The transient rental or occupancy must be immediately terminated, upon confirmation that a violation has occurred, by the Miami Beach Police Department and Code Compliance Department
Enhanced penalties

If the offense is a second offense within the preceding eighteen (18) month period of time, and the total square footage of all building(s), accessory building(s), dwelling(s), or structure(s) exceed 5,000 square feet, then the Special Master must impose an additional fine of \$25,000 00

Fine(s) must be paid within 72 hours of receipt of the violation. A copy of the violation must accompany the payment. Please make checks or money orders payable to City of Miami Beach. Payment can be mailed or taken in person to The Finance Department (Cashier), 1700 Convention Center Drive, 1st floor, Miami Beach, FL 33139

Fine(s) and/or violations may be appealed within **Twenty (20)** days of receipt of the notice of violation. To appeal a fine and/or violation, submit a written request for an appeal hearing to the Clerk of the Special Master - 1700 Convention Center Dr, Miami Beach FL 33139. A check for \$100 (administrative charges) must accompany the request along with the case number.

Failure to pay the fine or request an appeal hearing in the manner indicated above shall constitute a waiver of the violator's right to contest the citation and shall be treated as an admission of the violation.

The City may institute proceedings in a court of competent jurisdiction to compel payment of civil fine(s). The certified copy of the order imposing civil fine(s) may be recorded in the public records and thereafter shall constitute a lien upon any real or personal property owned by the violator.

Issuing Code Compliance Officer	Name	Mindy Blanco	Badge #	742	Phone and Extension	(305) 673-7555 ext 2144
	Email	mindyblanco@miamibeachfl.gov				
Received By	Compliance Date	Received Date	Received Time			
Certified Mail	5/28/2019	6/24/2019				

ADA Information

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceeding, please contact 305 604 2489 (voice), 305 673 7524 (fax) or 305 673 7218 (TTY) five (5) days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

Mindy Blanco

City of Miami Beach

Photographs for Case #: ZV2019-02572

Violator		Type	Zoning Violation	First Insp
Address				

5:33 PM Sat May 25

sobevillas.com

LTE 54%

(O) (V) (f) (W) (G+) (@)

SOBEVILLAS

888-675 6033

HOME

VILLAS

CONDOS

LOCATIONS

SERVICES

ABOUT

CONTACT

REVIEWS



Stunning 5 BD/5 BA waterfront home with 105' of water frontage with downtown sunset views. Floor-to-ceiling windows, spacious 2-story formal living room, formal dining area with wrap-around views of the gardens and pool. Eat in gourmet kitchen. Upstairs bedrooms offer privacy and picture-perfect views. Oversized master suite w/marble bath. Heated pool with outdoor kitchen and dock. Pricing upon request.

4500
SQF

5
BEDROOM

5
BATHROOM

10
SLEEPS

Yes

05-25-2019 05:33 PM

Notes: Exterior Photos #1

User: Mindy Blanco

Photographs for Case #: ZV2019-02572

Violator [REDACTED]

Type Zoning Violation

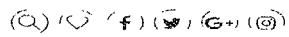
First Insp

Address [REDACTED]

6:33 PM Sat May 25

sobevillas.com

LTE 53%



SOBEVILLAS

888-675-6033

CME

VILLAS

CONDOS

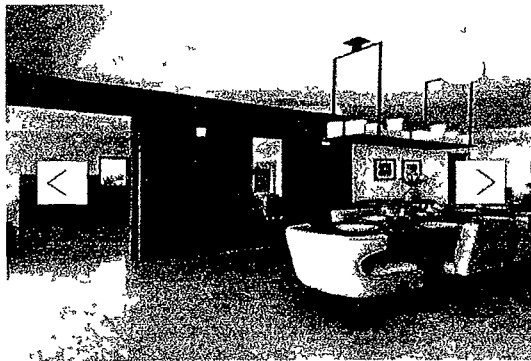
CATHOES

EPIC

BO

A

E



Stunning 5 BD/5 BA waterfront home with 105' of water frontage with downtown sunset views. Floor to ceiling windows spacious 2 story formal living room formal dining area with wrap around views of the gardens and pool. Eat in gourmet kitchen. Upstairs bedrooms offer privacy and picture perfect views oversized master suite w/marble bath. Heated pool with outdoor kitchen and dock. Pricing upon request.

4500
SOF

5
BEDROOM

5
BATHROOM

10
SLEEPS

Yes

05-25-2019 05:33 PM

Notes: Interior Photos #9

User Mindy Blanco

Photographs for Case #: ZV2019-02572

Violator [REDACTED]	Type Zoning Violation	First Insp
Address [REDACTED]		

5:33 PM Sat May 25

sobevillas.com

LTE 54%

(C) (V) (f) (t) (G+) (i)

SOBEVILLAS

888 675 6033

HOME VILLAS LONDON LOCATIONS SERVICES BOUTIQUE CONTACT US



Stunning 5 BD/5 BA waterfront home with 105' of water frontage with downtown sunset views. Floor to ceiling windows, spacious 2 story formal living room, formal dining area with wrap around views of the gardens and pool. Eat in gourmet kitchen. Upstairs bedrooms offer privacy and picture perfect views, oversized master suite w/marble bath. Heated pool with outdoor kitchen, and dock. *Pricing upon request.

4500
SQF

5
BEDROOMS

5
BATHROOM

10
SLEEPING

Yes

05-25-2019 05:33 PM

Notes: Interior Photos #7

User Mindy Blanco

Photographs for Case #: ZV2019-02572

Violator. [REDACTED]	Type Zoning Violation	First Insp
Address [REDACTED]		

5:34 PM Sat May 25

sobevillas.com

LTE 53%

(Q) (♡) (f) (W) (G+) (@)

SOBEVILLAS

888-675 6033

HOME

VILLAS

CONDOS

LOCATIONS

SERVICES

ABOUT

CONTACT

FAQS



Stunning 5 BD/5 BA water front home with 105' of water frontage with downtown sunset views. Floor-to ceiling windows, spacious 2 story formal living room, formal dining area with wrap around views of the gardens and pool. Eat in gourmet kitchen. Upstairs bedrooms offer privacy and picture perfect views. oversized master suite w/marble bath. Heated pool with outdoor kitchen and dock. Pricing upon request.

4500
SQF

5
BEDROOM

5
BATHROOM

10
SLEEPS

Yes

WATER FRONT

05-25-2019 05:34 PM

Notes: Front of the House

User: Mindy Blanco

Code Compliance Department

555 - 17th Street
Miami Beach, Florida 33139
Tele 305 673 7555
Fax 305 673 7012

Notice of Violation

Violation Notice Date:	Date	3/27/2019	Time	3 50 PM	Case Number	ZV2019-02451
Address of Violation:					Unit	
Parcel Number:						
Legal Description:	HIBISCUS ISLAND					
Violator Name:						
Mailing Address:					City and State	
					Zip Code	

The City of Miami Beach Code Compliance Department has determined that the above Property has violated the Miami Beach Code of Laws and Ordinances (the "City Code"). This violation is the 1st offense, and this Notice of Violation carries a fine (and other monetary charges) of \$20,000 00. Specifically, Code Compliance Officer Mindy Blanco has found there to be a violation(s) of the City Code, which is/are Section 142-905 (b) (5) Unauthorized accessory uses in single-family districts and/or advertising the residential property for the purpose of promoting the occupancy of the single family home for less than 6 months and 1 day, which is prohibited.

Reference: Advertisement for Short Term Rental via JatinaGroup.com for a daily rate of \$ 6,000 per night / \$ 500 exit cleaning / \$ 20,000 security deposit (Refund after check out)

You can comply by ceasing the unauthorized use and/or advertisement immediately upon receipt of this notice and paying a civil fine of

First Violation	\$ 20,000 00
Second Violation within 18 months	\$ 40,000 00
Third Violation within 18 months	\$ 60,000 00
Fourth Violation within 18 months	\$ 80,000 00
Fifth or greater Violation within 18 months	\$ 100,000 00

The transient rental or occupancy must be immediately terminated, upon confirmation that a violation has occurred, by the Miami Beach Police Department and Code Compliance Department.
Enhanced penalties

If the offense is a second offense within the preceding eighteen (18) month period of time, and the total square footage of all building(s), accessory building(s), dwelling(s), or structure(s) exceed 5,000 square feet, then the Special Master must impose an additional fine of \$25 000 00.

Fine(s) must be paid within 72 hours of receipt of the violation. A copy of the violation must accompany the payment. Please make checks or money orders payable to City of Miami Beach. Payment can be mailed or taken in person to The Finance Department (Cashier), 1700 Convention Center Drive, 1st floor Miami Beach, FL 33139.

Fine(s) and/or violations may be appealed within **Twenty (20)** days of receipt of the notice of violation. To appeal a fine and/or violation, submit a written request for an appeal hearing to the Clerk of the Special Master - 1700 Convention Center Dr, Miami Beach, FL 33139. A check for \$100 (administrative charges) must accompany the request along with the case number.

Failure to pay the fine or request an appeal hearing in the manner indicated above shall constitute a waiver of the violator's right to contest the citation and shall be treated as an admission of the violation.

The City may institute proceedings in a court of competent jurisdiction to compel payment of civil fine(s). The certified copy of the order imposing civil fine(s) may be recorded in the public records and thereafter shall constitute a lien upon any real or personal property owned by the violator.

Issuing Code Compliance Officer	Name	Mindy Blanco	Badge #	742	Phone and Extension	(305) 673-7555 ext 2144
	Email	mindyblanco@miamibeachfl.gov				
Received By	Compliance Date	Received Date	Received Time			
Certified Mail	3/27/2019					

ADA Information

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceeding, please contact 305 604 2489 (voice) 305 673 7524 (fax) or 305 673 7218 (TTY) five (5) days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

Mindy Blanco

City of Miami Beach

Photographs for Case #: ZV2019-02451

Violator		Type	Zoning Violation	First Insp
Address				



Notes:

User Mindy Blanco

Photographs for Case #: ZV2019-02451

Violator	[REDACTED]	Type	Zoning Violation	First Insp
Address	[REDACTED]			

Fwd: Fwd: Re: [REDACTED] (5 Nights)

Thanks for reaching out to us. Please view attached options for your stay in Miami. Villa Bay Point 2 is unfortunately not available. Thank you and looking forward to hear back from you.

 05BR [REDACTED]

\$ 4,000 per night / \$ 500 exit cleaning / \$ 12,000 security deposit (Refund after check out)

 06BR [REDACTED]

\$ 6,000 per night / \$ 500 exit cleaning / \$ 20,000 security deposit (Refund after check out)

 06BR [REDACTED]


\$ 3,850 per night / \$ 500 exit cleaning / \$ 10,000 security deposit (Refund after check out)

 05BR [REDACTED]

\$ 2,500 per night / \$ 500 exit cleaning / \$ 2,500 security deposit (Refund after check out)

Kindest Regards,

Jan Jers
[CEO/President]
Jatinsgroup LLC
Cell: +1 786 930 3996
www.jatinsgroup.com
info@jatinsgroup.com

 JATINA GROUP



Notes:

User: Mindy Blanco

Photographs for Case #: ZV2019-02451

Violator [REDACTED]	Type Zoning Violation	First Insp
Address [REDACTED]		

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VILLA MANUELA

Miami, Florida - United States

From \$5,950 Per Night

DESCRIPTION

This sleek ultra-modern hi-level waterfront masterpiece sits on the coveted tip of Hibiscus Island impeccably designed with exquisite porcelain and oak wood floors. Open living, dining and family areas with spectacular unobstructed views to bay and Miami skyline. Gourmet kitchen with top appliances custom bar, movie theatre with leather recliners, gym and outdoor kitchen.

All bedrooms on 2nd floor have balconies with water view.

Heated infinity edge lap pool, Jacuzzi with fire pit feature, expansive rooftop lounge with 360 degree views to bay and city, dockboat with 85'FT of Waterfront and stunning sunset views complete this home.

MAKE A BOOKING

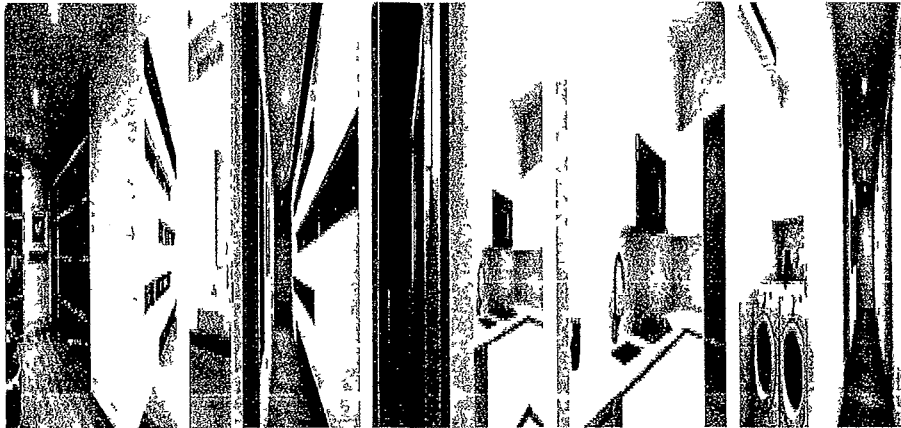
<p>0 0 0</p> <p>0 04 00</p> <p>0 0</p> <p>\$ 9524 / night</p> <p>TOTAL \$1,200</p>	<p>0 0 0</p> <p>0 04 00</p> <p>0 0</p> <p>\$ 9524 / night</p> <p>TOTAL \$1,200</p>
---	---

Notes: Only for Luxury AD.

User Mindy Blanco

Photographs for Case #: ZV2019-02451

Violator		Type	Zoning Violation	First Insp
Address				



Notes:

User Mindy Blanco

Photographs for Case #: ZV2019-02451


Violator	[REDACTED]	Type	Zoning Violation	First Insp
Address	[REDACTED]			

06BR Villa Mantola


DOWNLOAD ALL

Files


Names




DS Store




01 Villa Mantola.pdf




1.jpg




2.jpg




3.jpg




4.jpg




5.jpg




6.jpg




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20.jpg



21.jpg



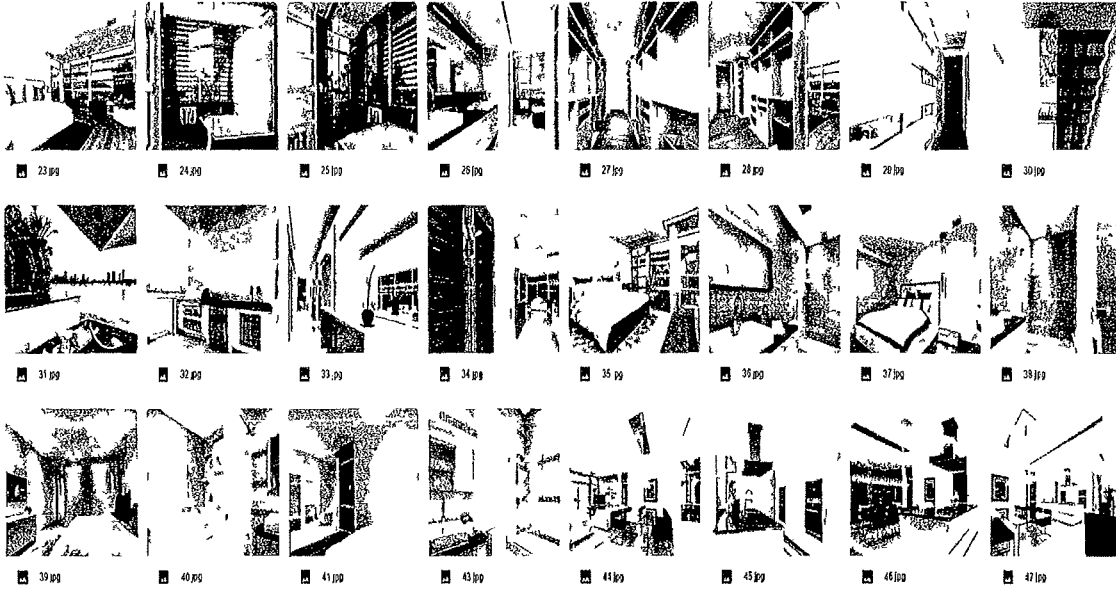
22.jpg

Notes:

User Mindy Blanco

Photographs for Case #: ZV2019-02451

Violator	██████████	Type	Zoning Violation	First Insp
Address	██████████			



Notes:

User Mindy Blanco

Code Compliance Department

555 - 17th Street

Miami Beach, Florida 33139

Tele 305 673 7555

Fax 305 673 7012

Notice of Violation

Violation Notice Date:	Date	4/3/2019	Time	11 00 AM	Case Number	ZV2019-02487	
Address of Violation:	[REDACTED] COCONUT LN				Unit		
Parcel Number:	[REDACTED]						
Legal Description:	[REDACTED]						
Violator Name:	[REDACTED]						
Mailing Address:	[REDACTED]			City and State	[REDACTED]	Zip Code	[REDACTED]

The City of Miami Beach Code Compliance Department has determined that the above Property has violated the Miami Beach Code of Laws and Ordinances (the "City Code") This violation is the 3rd offense, and this Notice of Violation carries a fine (and other monetary charges) of \$60,000 00 Specifically, Code Compliance Officer Mindy Blanco has found there to be a violation(s) of the City Code, which is/are Section 142-905 (b) (5) Unauthorized accessory uses in single-family districts and/or advertising the residential property for the purpose of promoting the occupancy of the single family home for less than 6 months and 1 day, which is prohibited

Reference: [REDACTED] Short Term Rental Advertisement of [REDACTED] from April 15, 2019-April 20, 2019 for \$23,455.00 via https://www.escapelux.com/vrp/unit/Contemporary_Waterfront_Mansion-140735-2356

You can comply by ceasing the unauthorized use and/or advertisement immediately upon receipt of this notice and paying a civil fine of

First Violation	\$ 20,000 00
Second Violation within 18 months	\$ 40,000 00
Third Violation within 18 months	\$ 60 000 00
Fourth Violation within 18 months	\$ 80,000 00
Fifth or greater Violation within 18 months	\$ 100,000 00

The transient rental or occupancy must be immediately terminated, upon confirmation that a violation has occurred, by the Miami Beach Police Department and Code Compliance Department

Enhanced penalties
If the offense is a second offense within the preceding eighteen (18) month period of time, and the total square footage of all building(s), accessory building(s), dwelling(s), or structure(s) exceed 5,000 square feet, then the Special Master must impose an additional fine of \$25,000 00

Fine(s) must be paid within 72 hours of receipt of the violation A copy of the violation must accompany the payment Please make checks or money orders payable to City of Miami Beach Payment can be mailed or taken in person to The Finance Department (Cashier), 1700 Convention Center Drive 1st floor, Miami Beach, FL 33139

Fine(s) and/or violations may be appealed within **Twenty (20)** days of receipt of the notice of violation To appeal a fine and/or violation, submit a written request for an appeal hearing to the Clerk of the Special Master - 1700 Convention Center Dr Miami Beach FL 33139 A check for \$100 (administrative charges) must accompany the request along with the case number

Failure to pay the fine or request an appeal hearing in the manner indicated above shall constitute a waiver of the violator's right to contest the citation and shall be treated as an admission of the violation

The City may institute proceedings in a court of competent jurisdiction to compile payment of civil fine(s) The certified copy of the order imposing civil fine(s) may be recorded in the public records and thereafter shall constitute a lien upon any real or personal property owned by the violator

Issuing Code Compliance Officer	Name	Mindy Blanco	Badge #	742	Phone and Extension	(305) 673-7555 ext 2144
	Email	mindyblanco@miamibeachfl.gov				
Received By	Compliance Date	Received Date	Received Time			
Certified Mail	4/3/2019	4/11/2019				

ADA Information

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Mindy Blanco



Escape



BOOK THIS VILLA

APRIL 17 2019

APRIL 26 2019

5

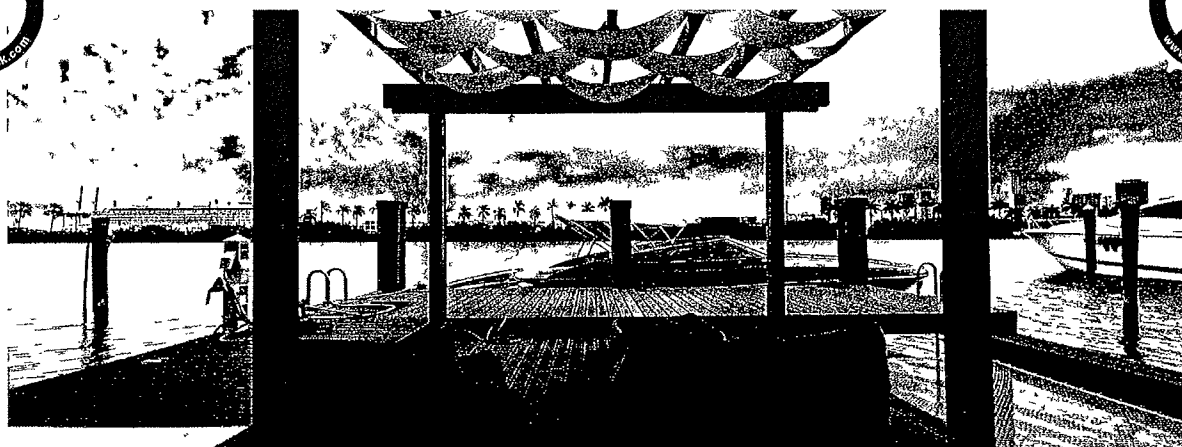
BOOK

Cost	\$27 000 00
Departure Cleaning	\$500 00
Security Deposit	\$5 000 00
Tax	\$3,780 00
Total Cost :	\$36,280.00

INQUIRY



Escape



5 BR



5.5 BT



8146 SF



70WF



Pool

Surround yourself in luxury when you stay at this contemporary villa on Palm Island. Featuring 5 bedrooms, 5.5 bathrooms and more than 8,000 square feet to stretch your legs, Villa Luna presents you with countless possibilities. It's not that time stands still here. It's that it doesn't matter. Whether you're taking in amazing views of the skyline or going for a swim in the 40-foot pool, Villa Luna will pull you in and make you want to stay forever. This luxury vacation rental in Miami Beach boasts all the amenities you need to have the time of your life. Cook up the meal of a lifetime in the gourmet kitchen, soak up the sun rays on the gazebo, or take your yacht out on the water for a ride. The choice is yours at Villa Luna. A great vacation home for large families and groups, Villa Luna offers pleasures you at every turn. Walk right in and see what you find.

Amenities



Espresso Machine



Ice Maker



Microwave



Toaster



Air Conditioning



Washer & Dryer



Ironing Board



WiFi



Parking



Cable TV



Ipod



Movie Theater

Escape



Map



Map data Report a map error

Code Compliance Department

555 - 17th Street

Miami Beach, Florida 33139

Tele 305 673 7555

Fax 305 673.7012

Notice of Violation

Violation Notice Date:	Date	3/28/2019	Time	11 00 PM	Case Number	ZV2019-02472
Address of Violation:	DREXEL AVE				Unit	102
Parcel Number:						
Legal Description:						
Violator Name:						
Mailing Address:					City and State	
					Zip Code	

The City of Miami Beach Code Compliance Department has determined that the above Property has violated the Miami Beach Code of Laws and Ordinances (the "City Code"). This violation is the 3rd offense, and this Notice of Violation carries a fine (and other monetary charges) of \$0 00. Specifically, Code Compliance Officer Mindy Blanco has found there to be a violation(s) of the City Code, which is/are Section 142-1111 (a) The rental and/or advertising of apartment or townhome residential properties in districts zoned RM-1, RM-PRD RM-PRD-2, RPS-1, RPS-2, CD-1, RO, RO-3 or TH for periods for less than 6 months and 1 day are not permitted in such districts

Reference: Short Term rental of [REDACTED] from March 28, 2019- Until April 1, 2019 in the amount of \$2046.29)

You can comply by ceasing the unauthorized use and/or advertisement immediately upon receipt of this notice and paying a civil fine of

First Violation	\$ 20,000
Second Violation within 18 months	\$ 40,000
Third Violation within 18 months	\$ 60,000
Fourth Violation Within 18 months	\$ 80,000
Fifth or greater Violation within 18 months	\$100,000

The transient rental or occupancy must be immediately terminated, upon confirmation that a violation has occurred, by the Miami Beach Police Department and Code Compliance Department

Enhanced penalties

If the offense is a second offense within the preceding eighteen (18) month period of time, and the total square footage of all building(s) accessory building(s), dwelling(s), or structure(s) exceed 5,000 square feet, then the Special Master must impose an additional fine of \$25,000 00

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Issuing Code Compliance Officer	Name	Badge #	Phone and Extension
	Mindy Blanco	742	(305) 673-7555 ext 2144
	Email	mindyblanco@miamibeachfl.gov	
Received By	Compliance Date	Received Date	Received Time
Certified Mail	3/28/2019	4/11/2019	

ADA Information

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Mindy Blanco

City of Miami Beach

Photographs for Case #: ZV2019-02472

Violator	[REDACTED]	Type	Zoning Violation	First Insp
Address	[REDACTED]			

11:04 PM Thu Mar 28

airbnb.com

LTE 67%

Payment 1 of 2

\$1,023.15

Mar 12, 2019 12:32 AM EDT

[REDACTED]
Get receipt

Payment 2 of 2

\$1,023.14

Mar 15, 2019 02:59 AM EDT

[REDACTED]
Get receipt

Amount paid (USD)

\$2,046.29

Airbnb

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Discover

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Refer Hosts
Hospitality
Responsible Hosting
Community Center
Host an Experience
Now
Open Homes **Now**



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Privacy
Site Map

© 2019 Airbnb, Inc. All rights reserved.

English USD - \$

Notes: Amount paid

User: Mindy Blanco

Photographs for Case #: ZV2019-02472

Violator	[REDACTED]	Type	Zoning Violation	First Insp
Address	[REDACTED]			

11:04 PM Thu Mar 28

airbnb.com

LTE 67%

Your payment details

Miami Beach

4 nights in Miami Beach

Thu, Mar 28, 2019 → Mon, Apr 01, 2019

Entire home/apt · 3 beds · 6 guests

Confirmation code: HMACPNPPP9



Payments

Payment 1 of 2

\$1,023.15

Mar 12, 2019 12:32 AM EDT

[REDACTED]
Get receipt

Payment 2 of 2

\$1,023.14

Mar 15, 2019 02:59 AM EDT

[REDACTED]
Get receipt

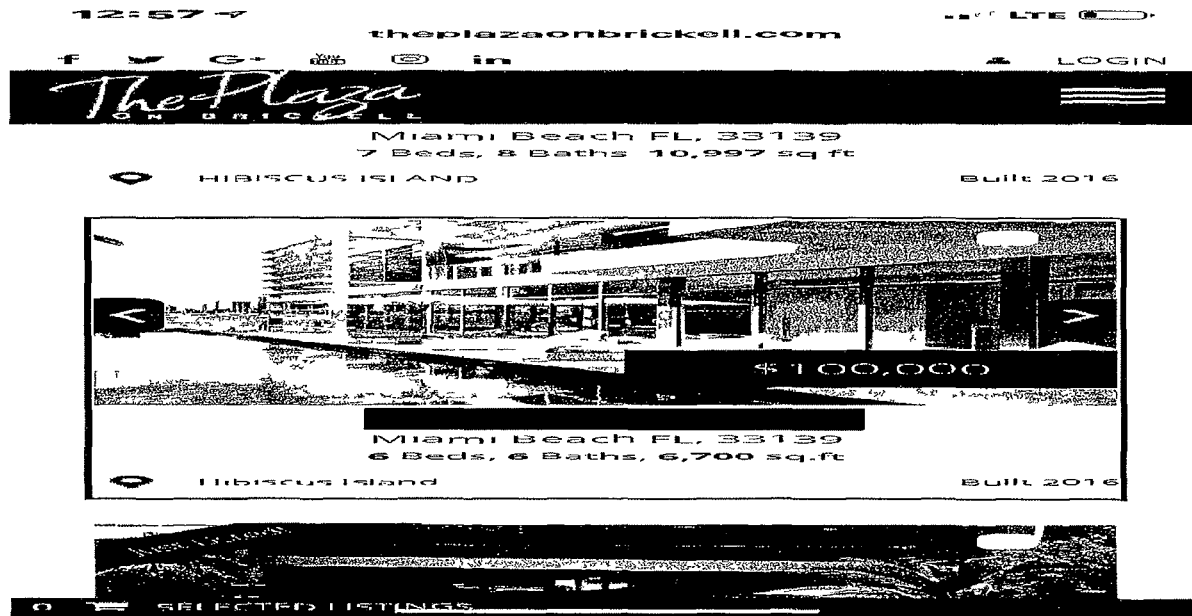
Notes: Confirmation email

User: Mindy Blanco

City of Miami Beach

Photographs for Case #: ZV2019-02451

Violator		Type	Zoning Violation	First Insp
Address				



Notes:

User Mindy Blanco

Code Compliance Department

555 - 17th Street

Miami Beach, Florida 33139

Tele 305 673.7555

Fax 305 673 7012

Notice of Violation

Violation Notice Date:	Date	5/26/2019	Time	5 50 PM	Case Number	ZV2019-02577
Address of Violation:					Unit	
Parcel Number:						
Legal Description:	SUNSET ISLANDS					
Violator Name:						
Mailing Address:					City and State	
					Zip Code	

The City of Miami Beach Code Compliance Department has determined that the above Property has violated the Miami Beach Code of Laws and Ordinances (the "City Code") This violation is the 1st offense, and this Notice of Violation carries a fine (and other monetary charges) of \$20,000 00 Specifically, Code Compliance Officer Mindy Blanco has found there to be a violation(s) of the City Code which is/are Section 142-905 (b) (5) Unauthorized accessory uses in single-family districts and/or advertising the residential property for the purpose of promoting the occupancy of the single family home for less than 6 months and 1 day, which is prohibited

Reference: Short Rental Advertisement via Airbnb.com booking dates of June 16, 2019 until June 29, 2019 at a rate of \$1250.00 per night totaling \$20,709 which included charges/fees

You can comply by ceasing the unauthorized use and/or advertisement immediately upon receipt of this notice and paying a civil fine of

First Violation	\$ 20,000 00
Second Violation within 18 months	\$ 40,000 00
Third Violation within 18 months	\$ 60 000 00
Fourth Violation within 18 months	\$ 80,000 00
Fifth or greater Violation within 18 months	\$ 100,000 00

The transient rental or occupancy must be immediately terminated, upon confirmation that a violation has occurred, by the Miami Beach Police Department and Code Compliance Department

Enhanced penalties
If the offense is a second offense within the preceding eighteen (18) month period of time, and the total square footage of all building(s), accessory building(s), dwelling(s), or structure(s) exceed 5,000 square feet, then the Special Master must impose an additional fine of \$25,000 00

Fine(s) must be paid within 72 hours of receipt of the violation A copy of the violation must accompany the payment Please make checks or money orders payable to City of Miami Beach Payment can be mailed or taken in person to The Finance Department (Cashier) 1700 Convention Center Drive, 1st floor Miami Beach, FL 33139

Fine(s) and/or violations may be appealed within **Twenty (20)** days of receipt of the notice of violation To appeal a fine and/or violation submit a written request for an appeal hearing to the Clerk of the Special Master - 1700 Convention Center Dr , Miami Beach FL 33139 A check for \$100 (administrative charges) must accompany the request along with the case number

Failure to pay the fine or request an appeal hearing in the manner indicated above shall constitute a waiver of the violator's right to contest the citation and shall be treated as an admission of the violation

The City may institute proceedings in a court of competent jurisdiction to compel payment of civil fine(s) The certified copy of the order imposing civil fine(s) may be recorded in the public records and thereafter shall constitute a lien upon any real or personal property owned by the violator

Issuing Code Compliance Officer	Name	Mindy Blanco	Badge #	742	Phone and Extension	(305) 673-7555 ext 2144
	Email	mindyblanco@miamibeachfl.gov				
Received By	Compliance Date	Received Date	Received Time			
Certified Mail	5/28/2019					

ADA Information

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceeding, please contact 305 604 2489 (voice), 305 673 7524 (fax) or 305 673 7218 (TTY) five (5) days in advance to initiate your request TTY users may also call 711 (Florida Relay Service)

Mindy Blanco

City of Miami Beach

Photographs for Case #: ZV2019-02577

Violator		Type	Zoning Violation	First Insp
Address				



Notes: Exterior in person photos #2

User Mindy Blanco

Photographs for Case #: ZV2019-02577

Violator	[REDACTED]	Type	Zoning Violation	First Insp
Address	[REDACTED]			

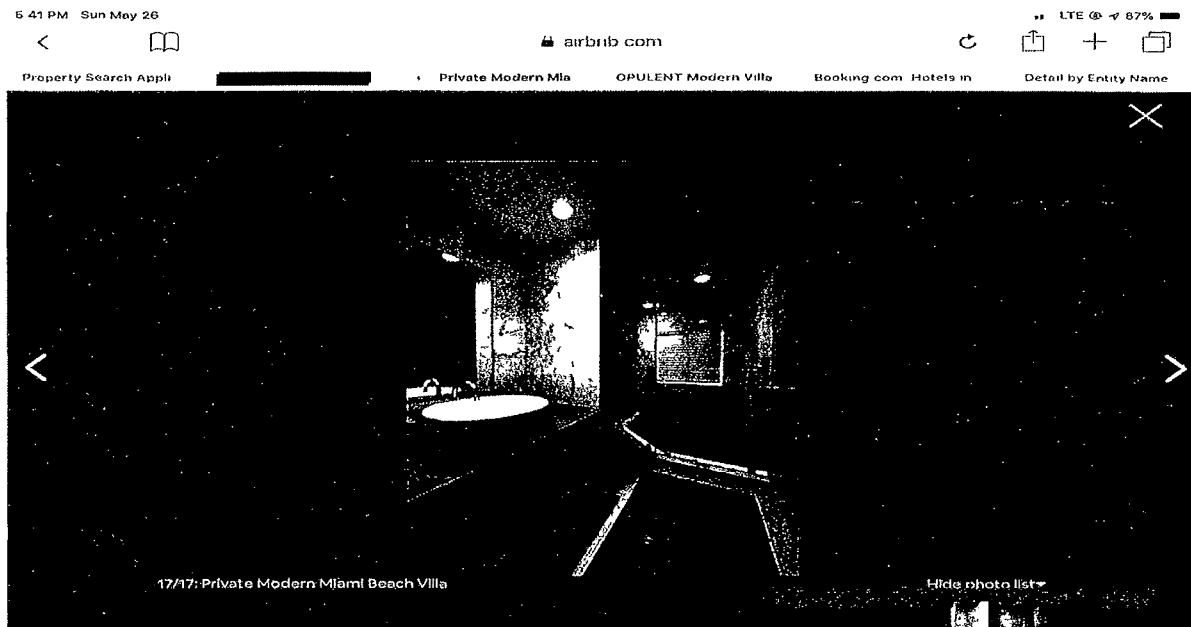


Notes: Interior Photos #9

User: Mindy Blanco

Photographs for Case #: ZV2019-02577

Violator	[REDACTED]	Type	Zoning Violation	First Insp
Address	[REDACTED]			



Notes: Interior Photos #13

User Mindy Blanco

Photographs for Case #: ZV2019-02577

Violator	[REDACTED]	Type	Zoning Violation	First Insp
Address	[REDACTED]			



Notes: Interior Photos #4

User Mindy Blanco

Photographs for Case #: ZV2019-02577

Violator	[REDACTED]	Type	Zoning Violation	First Insp
Address	[REDACTED]			

6:00 PM Sun May 28

LTE 84%

[Overview](#) [Reviews](#) [The Host](#) [Location](#) [Policies](#)

Policies

House Rules

Not safe or suitable for children (0-12) and pets
No smoking, parties, or events
Check in is anytime after 3PM and check out by 10AM

[Read all rules](#) ▾

Cancellations

Strict - Free cancellation for 48 hours
After that, cancel before 3:00PM on Jun 9 and get a 50% refund, minus the service fee
[Read more about the policy](#) ▾

[Report this listing](#)

More places to stay

\$1,250 per night

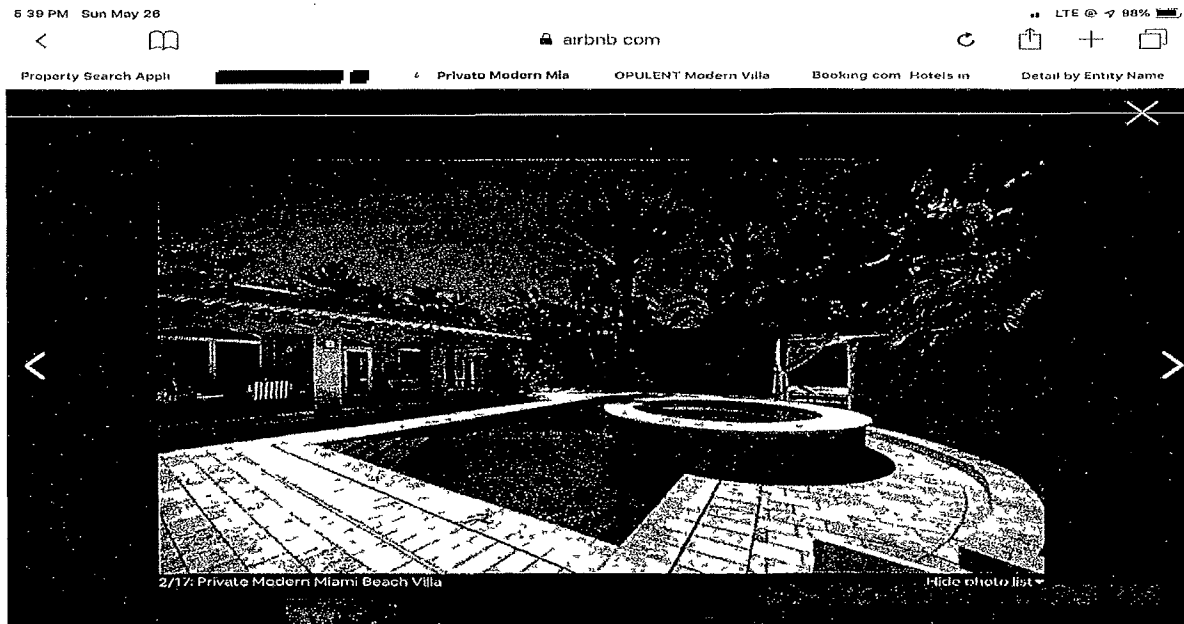
[Report this link](#) 06:00 PM

Notes: Airbnb AD #3

User: Mindy Blanco

Photographs for Case #: ZV2019-02577

Violator	[REDACTED]	Type	Zoning Violation	First Insp
Address	[REDACTED]			



Notes: Interior Photos #2

User Mindy Blanco

Photographs for Case #: ZV2019-02577

Violator	[REDACTED]	Type	Zoning Violation	First Insp
Address	[REDACTED]			



Notes: Interior Photos #5

User: Mindy Blanco

EXHIBIT B

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," OF CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," BY AMENDING DIVISION 2, ENTITLED "ACCESSORY USES"; BY AMENDING SECTION 142-905, ENTITLED "PERMITTED ACCESSORY USES IN SINGLE-FAMILY DISTRICTS," BY AMENDING SUBSECTION (b)(5)a. WHICH INCREASES THE MONETARY FINES FOR VIOLATIONS OF SUBSECTION 142-905(b)(5), AND REQUIRING NOTIFICATION TO BE REMITTED TO THE MIAMI-DADE TAX COLLECTOR AND PROPERTY APPRAISER BY THE CODE COMPLIANCE DIRECTOR, BY ESTABLISHING A REBUTTABLE PRESUMPTION FOR ADVERTISING AND ADVERTISEMENT EVIDENCE; AND CREATING SUBSECTION (b)(5)b, ENTITLED "ENHANCEMENT PENALTIES," WHICH ESTABLISHES ENHANCED PENALTIES FOR VIOLATIONS OF SUBSECTION (b)(5); BY AMENDING ARTICLE IV, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," BY AMENDING DIVISION 3, ENTITLED "SUPPLEMENTARY USE REGULATIONS," BY AMENDING SECTION 142-1111, ENTITLED "SHORT-TERM RENTAL OF APARTMENT UNITS OR TOWNHOMES," BY AMENDING SUBSECTION (d) WHICH INCREASES THE MONETARY FINES FOR VIOLATIONS OF SUBSECTION 142-1111(a), AND REQUIRING NOTIFICATION TO BE REMITTED TO THE MIAMI-DADE TAX COLLECTOR AND PROPERTY APPRAISER BY THE CODE COMPLIANCE DIRECTOR, BY ESTABLISHING A REBUTTABLE PRESUMPTION FOR ADVERTISING AND ADVERTISEMENT EVIDENCE; AND CREATING SUBSECTION (d)(5), ENTITLED "ENHANCED PENALTIES," WHICH ESTABLISHES ENHANCED PENALTIES FOR VIOLATIONS OF SUBSECTION 142-1111(a); AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the rental of single-family and multi-family residential properties for periods of less than six months and one day are prohibited by the Land Development Regulations ("LDRs"); and

WHEREAS, single and multi-family residences used on a transient basis, creates excessive numbers of guests, vehicles and noise, and cause inappropriate adverse impacts on the surrounding residences and residential neighborhood; and

WHEREAS, the City has a substantial interest in maintaining the aesthetics, character and tranquility of its residential neighborhoods, as well as in regulating traffic flow, and these amendments directly advances these interests by serving a narrowly tailored interest of the City; and

WHEREAS, the Mayor and City Commission finds that a substantial modification of this ordinance will prohibit this conduct and these amendments are consistent with and further the public health, safety and welfare of the City and its residents; and

WHEREAS, these amendments surrounding prohibited transient rentals in single-family districts and transient rental of apartment units or townhomes, are hereby adopted to accomplish the above objectives.

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

SECTION 1. That Division 2, entitled "Accessory Uses," of Article IV, entitled "Supplementary District Regulations," of Chapter 142, entitled "Zoning Districts and Regulations," of the Code of the City of Miami Beach, Florida is hereby amended as follows:

Chapter 142

ZONING DISTRICTS AND REGULATIONS

* * *

ARTICLE IV. SUPPLEMENTARY DISTRICT REGULATIONS

* * *

DIVISION 2. ACCESSORY USES

* * *

Sec. 142-905. Permitted accessory uses in single-family districts.

- (a) Generally. Permitted accessory uses in single-family districts are those uses which are customarily associated with single-family houses such as, but not limited to, decks, swimming pools, spas, ornamental features, tennis courts. However, in no instance shall landing or storage areas for a helicopter, or other aircraft, be permitted as an accessory use. The planning and zoning director may allow other accessory uses if the director finds after consultation with the chairman of the planning board that they will not adversely affect neighboring properties, based upon the criteria listed in section 142-901. Appeal of the director's decision is to the board of adjustment pursuant to chapter 118, article VIII.
- (b) Permitted accessory uses. The following are permitted accessory uses in single-family districts:
 - (1) Day care facilities for the care of children are permitted if the following mandatory criteria are met:
 - a. A family day care facility shall be allowed to provide care for one of the following groups of children:
 - 1. A family day care home may care for a maximum of five preschool children from more than one unrelated family and a maximum of five elementary school siblings of the preschool children in care after school hours. The maximum number of five preschool children includes preschool children in the home and preschool children received for day care who are not related to the resident caregiver. The total number of children in the home may not exceed ten under this subsection.
 - 2. When the home is licensed and provisions are made for substitute care, a family day care home may care for a maximum of five preschool children from more than one unrelated family, a maximum of three elementary school siblings of the preschool children in care after school hours, and a maximum of two elementary school children unrelated to the preschool

children in care after school hours. The maximum number of five preschool children includes preschool children in the home and preschool children received for day care who are not related to the resident caregiver. The total number of children in the home may not exceed ten under this subsection.

3. When the home is licensed and provisions are made for substitute care, a family day care home may care for a maximum number of seven elementary school children from more than one unrelated family in care after school hours. Preschool children shall not be in care in the home. The total number of elementary school children in the home may not exceed seven under this subsection.
 - b. Signs on the property advertising the day care facility are prohibited.
 - c. The family day care facility complies with all applicable requirements and regulations of the state department of children and family services and the city's police, fire and building services departments. All of the South Florida Building Code, city property maintenance standards and fire prevention and safety code violations shall be corrected prior to the issuance of a city occupational license.
 - d. Play area shall only be located in the rear yard and equipment shall be limited to three pieces of equipment.
 - e. Day care is prohibited on Sundays.
 - f. The building shall maintain the external appearance of a single-family home.
 - g. Site plan shall be approved by the planning and zoning director. The plan shall include landscaping and a permitted wall or fencing enclosing the rear yard.
 - h. Family day care facilities shall not be located within 400 feet of another such facility; except that this restriction shall not apply to state-licensed family day care homes as defined in F.S. § 402.302(5).
- (2) The planning and zoning director may approve a second set of cooking facilities if the residence contains at least 3,600 square feet of floor area and the arrangement of such facilities or conditions at the property shall not result in the creation of an apartment unit. No more than one electric meter shall be placed on the property and that portion of the residence having the second set of cooking facilities shall not be rented. Appeal of the director's decision shall be to the board of adjustment.
- (3) Guest/servants quarters.
- (4) Home based business office, as provided in Section 142-1411.
- (5) Leases of single-family homes to a family (as defined in section 114-1) for not less than six months and one day, including extensions for lesser periods of leases permitted under this subsection to original leaseholders.
- a.—The advertisement, as defined in Section 142-109(b), of single-family homes for a period of less than six months and one day shall not be permitted for single-family districts, and shall be a violation of this Section 142-905(b)(5).

b-a Enforcement.

1. Violations of subsection 142-905(b)(5)a- shall be subject to the following fines. The special master shall not waive or reduce fines set by this subsection.
 - A. If the violation is the first violation: ~~\$1,500.00~~ \$20,000.00

- B. If the violation is the second violation within the preceding 42 18 months:
~~\$3,000.00~~ \$40,000.00
- C. If the violation is the third violation within the preceding 42 18 months:
~~\$5,000.00~~ \$60,000.00
- D. If the violation is the fourth violation within the preceding 42 18 months:
~~\$7,500.00~~ \$80,000.00
- E. If the violation is the fifth or greater violation within the preceding 42 18 months: ~~\$10,000.00~~ \$100,000.00

Fines for repeat violations by the same offender shall increase regardless of locations. The Director of the Code Compliance Department must remit a letter to the Miami-Dade Property Appraiser and the Miami-Dade Tax Collector, with a copy of the Special Master Order adjudicating the violation, that notifies these governmental agencies that the single-family residential property was used for transient rental or occupancy at the single-family residential premises.

- 2. In addition to or in lieu of the foregoing, the city may seek an injunction by a court of competent jurisdiction to enforce compliance with or to prohibit the violation of this section.
 - 3. Any code compliance officer may issue notices for violations of this section 142-905(b)(5). Violations shall be issued to the owner, manager, real estate broker or agent, or authorized agent, or any other individual or entity that participates in or facilitates the violation of this section 142-905(b)(5). In the event the record owner of the property is not present when the violation occurred or notice of violation issued, a copy of the violation shall be served by certified mail on the owner at its mailing address in the property appraiser's records.
 - 4. The advertising or advertisement for the transient rental or occupancy, short-term rental or rental for period(s) of less than six months and one day of the residential property for the purpose of allowing such ~~transient~~ transient rental or occupancy, short-term rental or rental for period(s) of less than six months and one day at the residential premises is direct evidence that there is a violation of Subsection 142-905(b)(5), which is admissible in any proceeding to enforce Section 142-905(b)(5). The advertising or advertisement evidence raises a rebuttable presumption that the residential property named in the Notice of Violation or any other report or as identified in the advertising or advertisement is direct evidence that the residential property was used in violation of Section 142-905(b)(5).
- b. Enhanced penalties. The following enhanced penalties must be imposed, in addition to any mandatory fines set forth in Subsection 142-905(b)(5)a. above, for violations of Subsection 142-905(b)(5):
- (1) Enhanced Penalties for violations of Subsection 142-905(b)(5):
 - (a) The transient rental or occupancy must be immediately terminated, upon confirmation that a violation has occurred, by the Miami Beach Police Department and the code Compliance Department.

- (b) If the offense is a second offense within the ~~preceding~~ preceding eighteen (18) month period of time, and the total square footage of all building(s), accessory building(s), dwelling(s) or structure(s) exceed 5,000 total square feet, then the Special Master must impose an additional fine of \$25,000.00.
- (c) A certified copy of an order imposing the civil fines and penalties must be recorded in the public records, and thereafter shall constitute a lien upon any other real or personal property owned by the violator and it may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the personal property, but shall not be deemed to be a court judgment except for enforcement purposes. The certified copy of an order must be immediately recorded in the public records, and the City may foreclose or otherwise execute upon the lien.

SECTION 2. That Division 3, entitled "Supplementary Use Regulations," of Article IV, entitled "Supplementary District Regulations," of Chapter 142, entitled "Zoning Districts and Regulations," of the Code of the City of Miami Beach, Florida is hereby amended as follows:

Chapter 142

ZONING DISTRICTS AND REGULATIONS

* * *

ARTICLE IV. SUPPLEMENTARY DISTRICT REGULATIONS

* * *

DIVISION 3. SUPPLEMENTARY USE REGULATIONS

* * *

Sec. 142-1111. Short-term rental of apartment units or townhomes.

(a) Limitations and prohibitions.

- (1) Unless a specific exemption applies below, the rental of apartment or townhome residential properties in districts zoned RM-1, RM-PRD, RM-PRD-2, RPS-1 and RPS-2, CD-1, RO, RO-3 or TH for periods of less than six months and one day.

- (2) Any advertising or advertisement that promotes the occupancy or use of the residential property for the purpose of holding commercial parties, events, assemblies, gatherings, or the occupancy of a residence for less than six months and one day, as provided herein, or use of the residential premises in violation of this section.

"Advertising" or "advertisement" shall mean any form of communication for marketing or used to encourage, persuade, or manipulate viewers, readers or listeners for the purpose of promoting occupancy of a residential property for the purpose of holding commercial parties, events, assemblies, gatherings, or the occupancy of a residence for less than six months and one day, as provided herein, upon the premises, as may be viewed through various media, including, but not limited to, newspaper, magazines, flyers, handbills television commercial, radio advertisement, outdoor advertising, direct mail, blogs, websites or text messages.

- (3) None of the districts identified below shall be utilized as a hotel.

(b) Previously existing short-term rentals in specified districts. For a period of six months after June 19, 2010, owners of certain properties located in the following districts shall be eligible to apply for approval of a certificate of use permitting short-term rental of apartment and townhome residential units for these properties under the requirements and provisions set forth below.

(1) Eligibility: Properties within the RM-1 and TH zoning districts in the Flamingo Park and Espanola Way Historic Districts. Those properties that can demonstrate a current and consistent history of short-term renting, and that such short-term rentals are the primary source of income derived from that unit or building, as defined by the requirements listed below:

(A) For apartment buildings of four or more units, or for four or more apartment units in one or more buildings under the same City of Miami Beach Resort Tax ("resort tax") account. In order to demonstrate current, consistent and predominant short-term renting, the property must comply with all of the following:

- (i) Have been registered with the city for the payment of resort tax and made resort tax payments as of March 10, 2010; and
- (ii) Have had resort tax taxable room revenue equal to at least 50 percent of total room revenue over the last two-year period covered by such payments; and
- (iii) Have been registered, with the State of Florida as a transient apartment or resort condominium pursuant to Chapter 509, Florida Statutes, as of March 10, 2010.

For properties containing more than one apartment building, eligibility may apply to an individual building satisfying subsections (b)(1)(A)(i)—(iii) above.

(B) For apartment and townhouse buildings of three or less units, or for three or less apartment units in one or more buildings under the same state license. In order to demonstrate current, consistent and predominant short-term renting, the property must:

- (i) Have been registered with the State of Florida as a resort dwelling or resort condominium pursuant to Chapter 509, Florida Statutes, as of March 10, 2010.

(2) Time periods for the districts identified in subsection (b)(1) to apply for short-term rental approvals.

(A) Owners demonstrating compliance with subsection (b)(1) above, shall apply for a certificate of use permitting short-term rental as detailed in subsection 142-1111(f), within a time period of six months from June 19, 2010, or be deemed ineligible to proceed through the process specified herein for legalization of short-term rentals.

(B) Within three months of June 19, 2010, eligible owners shall apply to obtain all necessary approvals to comply with the Florida Building Code, Florida Fire Prevention Code and with all other applicable life safety standards.

(C) Compliance with the applicable requirements of the Florida Building Code and Florida Fire Prevention Code shall be demonstrated by October 1, 2011, or rights to engage in short-term rental under this section shall be subject to restrictions and/or limitations as directed by the building official and/or fire marshal. This subsection shall not prevent these officials from undertaking enforcement action prior to such date.

- (D) Applications under this section may be accepted until 60 days after April 11, 2012, upon determination to the planning director that a government licensing error prevented timely filing of the application.
- (3) Eligibility within the Collins Waterfront Local Historic District. Owners of property located in the Collins Waterfront Local Historic District shall be eligible to apply for approval of a certificate of use permitting short-term rental of apartment and townhome residential units under the requirements and provisions set forth below:
- (A) Only those properties located south of West 24th Terrace shall be eligible for short-term rentals.
- (B) Only buildings classified as "contributing" in the city's historic properties database shall be eligible for short-term rentals. The building and property shall be fully renovated and restored in accordance with the Secretary of the Interior Guidelines and Standards, as well as the certificate of appropriateness criteria in chapter 118, article X of these Land Development Regulations.
- (C) The property must have registered with the State of Florida as a transient or condominium pursuant to Chapter 509, Florida Statutes, as of the effective date of this ordinance.
- (D) The property must have registered with the city for the payment of resort tax and made resort tax payments as of as of the effective date of this ordinance.
- (E) Short-term rental use shall be based on a single use for the property. No building or property seeking to have short-term rentals will be permitted to have mixed residential uses.
- (F) Any property seeking to have short-term rental will need to demonstrate that there is on-site management, 24 hours per day, seven days a week.
- (G) The short-term rental use requires at least a seven-night reservation.
- (4) Time period to apply for short-term rental approvals for those properties located in the Collins Waterfront Architectural District.
- (A) Owners demonstrating compliance with subsection (b)(3), above, shall apply for a certificate of use permitting short-term rental as detailed in subsection 142-1111(e) within a time period of three months from the effective date of this ordinance, or be deemed ineligible to proceed through the process specified herein for legalization of short-term rentals.
- (B) Within three months of the effective date of this ordinance, eligible owners shall have obtained all the necessary approvals to comply with the Florida Building Code, Florida Fire Prevention Code and with all other applicable life safety standards.
- (C) Compliance with the applicable requirements of the Florida Building Code and Florida Fire Prevention Code, shall be demonstrated by the effective date of this ordinance, or rights to engage in short-term rental under this section shall be subject to restrictions and/or limitations as directed by the building official and/or fire marshal. This subsection shall not prevent the building or fire departments from undertaking enforcement action prior to such date.
- (5) In the event a building approved for short-term rentals in accordance with subsections (b)(3) and (4), above, is demolished or destroyed, for any reason, the future use of any new or future building on that property shall not be permitted to engage in short-term rentals, nor apply for short-term rental approval.

(c) Regulations. For those properties eligible for short-term rental use as per (b) shall be permitted, provided that the following mandatory requirements are followed:

- (1) Approvals required: applications. Owners, lessees, or any person with interest in the property seeking to engage in short-term rental, must obtain a certificate of use permitting short-term rental under this section. The application for approval to engage in short-term rentals shall be on a form provided for that purpose, and contain the contact information for the person identified in subsection (3) below, identify the minimum lease term for which short-term rental approval is being requested, and such other items of required information as the planning director may determine. The application shall be accompanied by the letter or documents described in subsection (9) below, if applicable.

The application for a certificate of use permitting short-term rentals shall be accompanied by an application fee of \$600.00.

- (2) Time period. All short-term rentals under this section must be pursuant to a binding written agreement, license or lease. Each such document shall contain, at a minimum: the beginning and ending dates of the lease term; and each lessee's contact information, as applicable. No unit may be rented more frequently than once every seven days.
- (3) Contact person. All rentals must be supervised by the owner, manager, or a local and licensed real estate broker or agent or other authorized agent licensed by the city, who must be available for contact on a 24-hour basis, seven days a week, and who must live on site or have a principal office or principal residence located within the districts identified in subsection (b). Each agreement, license, or lease, or scanned copy thereof, must be kept available throughout its lease term and for a period of one year thereafter, so that each such document and the information therein, is available to enforcement personnel. The name and phone number of a 24-hour contact shall be permanently posted on the exterior of the premises or structure or other accessible location, in a manner subject to the review and approval of the city manager or designee.
- (4) Entire unit. Only entire apartment units and townhomes, as defined in section 114-1, legally created pursuant to applicable law, may be rented under this section, not individual rooms or separate portions of apartment units or townhomes.
- (5) Rules and procedures. The city manager or designee may adopt administrative rules and procedures, including, but not limited to, application and permit fees, to assist in the uniform enforcement of this section.
- (6) Signs. No signs advertising the property for short-term rental are permitted on the exterior of the property or in the abutting right-of-way, or visible from the abutting public right-of-way.
- (7) Effect of violations on licensure. Approvals shall be issued for a one-year period, but shall not be issued or renewed, if violations on three or more separate days at the unit, or at another unit in any building owned by the same owner or managed by the same person or entity, of this section, issued to the short-term rental licensee were adjudicated either by failure to appeal from a notice of violation or a special master's determination of a violation, within the 12 months preceding the date of filing of the application.
- (8) Resort taxes. Owners are subject to resort taxes for rentals under this section, as required by city law.

- (9) Association rules. Where a condominium or other property owners' association has been created that includes the rental property, a letter from the association dated not more than 60 days before the filing of the application, stating the minimum rental period and the maximum number of rentals per year, as set forth under the association's governing documents, and confirming that short-term rentals as proposed by the owner's application under subsection (c)(1) above, are not prohibited by the association's governing documents, shall be submitted to the city as part of the application.

(10) Variances. No variances may be granted from the requirements of this section.

(d) Enforcement.

- (1) Violations of ~~section~~ Subsection 142-1111(a), (b), or shall be subject to the following fines. The special master ~~may~~ shall not waive or reduce fines set ~~forth herein by this section.~~

- A. If the violation is the first violation: ~~\$500.00~~ \$20,000.00.
- B. If the violation is the second violation within the preceding 42 ~~12~~ 18 months: ~~\$1,500.00~~ \$40,000.00.
- C. If the violation is the third violation within the preceding 42 ~~12~~ 18 months: ~~\$5,000.00~~ \$60,000.00.
- D. If the violation is the fourth violation within the preceding 42 ~~12~~ 18 months: ~~\$7,500.00~~ \$80,000.00.
- E. ~~If the violation is the fifth or greater violation within the preceding 12 months: suspension or revocation of the certificate of use allowing short-term rental~~ If the violation is the fifth or greater violation within the preceding 18 months: \$100,000.00, and the suspension or revocation of the certificate of use.

Fines for repeat violations by the same offender shall increase regardless of locations. The Director of the Code Compliance Department must remit a letter to the Miami-Dade Property Appraiser and the Miami-Dade Tax Collector, with a copy of the Special Master Order adjudicating the violation, that notifies these governmental agencies that the single-family residential property was used for the transient rental or occupancy at the premises.

- (2) In addition to or in lieu of the foregoing, the city may seek an injunction by a court of competent jurisdiction to enforce compliance with or to prohibit the violation of this section.
- (3) Any code compliance officer may issue notices for violations of this section, with enforcement of subsection 142-1111(a), and alternative enforcement of subsection 142-1111(b) and (c) as provided in chapter 30 of this Code. Violations shall be issued to the owner, manager, real estate broker or agent, or authorized agent, or any other individual or entity that participates in or facilitates the violation of this section. In the event the record owner of the property is not present when the violation occurred or notice of violation issued, a copy of the violation shall be served by certified mail on the owner at its mailing address in the property appraiser's records and a courtesy notice to the contact person identified in subsection (c)(3) above.
- (4) The advertising or advertisement for the transient rental, occupancy or short-term rental of the apartment or townhouse residential property for the purpose of allowing a rental for a period of less than six months and one day at the apartment or townhouse residential premises is direct evidence that there is a violation of Subsection 142-

1111(a), which is admissible in any proceeding to enforce Subsection 142-1111(a). The advertising or advertisement evidence raises a rebuttable presumption that the residential property named in the Notice of Violation or any other report or as identified in the advertising or advertisement is direct evidence that the residential property was used in violation of Section 142-1111(a).

- (5) Enhanced penalties. The following enhanced penalties must be imposed, in addition to any mandatory fines set forth in Subsection 142-1111(d) above, for violations of Subsection 142-1111(a):

(1) Enhanced Penalties for Subsection 142-1111(a):

(a) The transient rental or occupancy must be immediately terminated, upon confirmation that a violation has occurred, by the Miami Beach Police Department and the code Compliance Department.

(b) If the offense is a second offense within the ~~proceeding~~ preceding eighteen (18) month period of time, and the total square footage of all building(s), accessory building(s), dwelling(s) or structure(s) exceed 5,000 total square feet, then the Special Master must impose an additional fine of \$25,000.00.

(c) A certified copy of an order imposing the civil fines and penalties must be recorded in the public records, and thereafter shall constitute a lien upon any other real or personal property owned by the violator and it may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the personal property, but shall not be deemed to be a court judgment except for enforcement purposes. The certified copy of an order must be immediately recorded in the public records, and the City may foreclose or otherwise execute upon the lien.

SECTION 3. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4. SEVERABILITY.

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 5. CODIFICATION.

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

SECTION 6. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED AND ADOPTED this 9 day of March, 2016.



PHILIP LEVINE, MAYOR

ATTEST:



RAFAEL E. GRANADO, CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

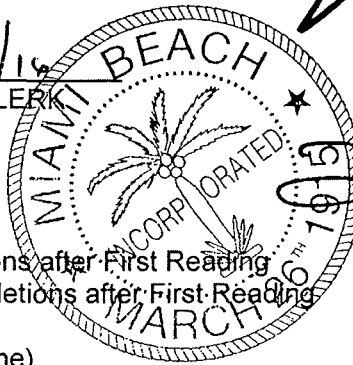
Underline denotes additions


~~Strikethrough~~ denotes deletions

Double underline denotes additions after First Reading

~~Double-strikethrough~~ denotes deletions after First Reading

(Sponsored by Mayor Philip Levine)





City Attorney

3/1/16

Date

COMMISSION ITEM SUMMARY

Condensed Title:

Ordinance amendments to the land development regulations related to the commercial use of single family residences and short term rental of apartments and townhomes, including increased fines for unauthorized uses.

Key Intended Outcome Supported:

Increase satisfaction with neighborhood character. Increase satisfaction with development and growth management across the City.

Supporting Data (Surveys, Environmental Scan, etc 48% of residential respondents and 55% of businesses rate the effort put forth by the City to regulate development is "about the right amount."

Item Summary/Recommendation:

SECOND READING – PUBLIC HEARING

The subject ordinances will help ensure to the City's residents the quiet enjoyment of their single and multifamily residences, by substantially increases the fines for unauthorized and non-permitted uses in residential neighborhoods.

On February 10, 2016, the City Commission approved the attached ordinances at First Reading and scheduled a Second Reading Public Hearing for March 9, 2016.

The Administration recommends that the City Commission approve the attached ordinances.

Advisory Board Recommendation:

On February 23, 2016, the Planning Board (vote 6-0) transmitted the attached ordinances to the City Commission with a favorable recommendation (Planning Board File Nos. 2315 and 2316).

Financial Information:

Source of Funds:		Amount	Account
	1		
	2		
	3		
OBPI	Total		

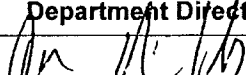
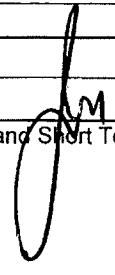
Financial Impact Summary:

In accordance with Charter section 5.02, which requires that the "City of Miami Beach shall consider the long-term economic impact (at least 5 years) of proposed legislative actions," this shall confirm that the City Administration evaluated the long-term economic impact (at least 5 years) of this proposed legislative action, and determined that there will be no measurable impact on the City's budget.

City Clerk's Office Legislative Tracking:

Thomas Mooney

Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

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MIAMI BEACH

AGENDA ITEM RSD
DATE 3-9-16

MIAMI BEACH

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

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: March 9, 2016

SUBJECT: **Commercial Use of Single Family Homes Prohibited
Accessory Uses in Single Family Homes and Short Term Rental of
Apartments or Townhomes**

SECOND READING – PUBLIC HEARING

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," OF CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," BY AMENDING DIVISION 2, ENTITLED "ACCESSORY USES"; BY AMENDING SECTION 142-905, ENTITLED "PERMITTED ACCESSORY USES IN SINGLE-FAMILY DISTRICTS," BY AMENDING SUBSECTION (b)(5)a. WHICH INCREASES THE MONETARY FINES FOR VIOLATIONS OF SUBSECTION 142-905(b)(5), AND REQUIRING NOTIFICATION TO BE REMITTED TO THE MIAMI-DADE TAX COLLECTOR AND PROPERTY APPRAISER BY THE CODE COMPLIANCE DIRECTOR, BY ESTABLISHING A REBUTTABLE PRESUMPTION FOR ADVERTISING AND ADVERTISEMENT EVIDENCE; AND CREATING SUBSECTION (b)(5)b, ENTITLED "ENHANCEMENT PENALTIES," WHICH ESTABLISHES ENHANCED PENALTIES FOR VIOLATIONS OF SUBSECTION (b)(5); BY AMENDING ARTICLE IV, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," BY AMENDING DIVISION 3, ENTITLED "SUPPLEMENTARY USE REGULATIONS," BY AMENDING SECTION 142-1111, ENTITLED "SHORT-TERM RENTAL OF APARTMENT UNITS OR TOWNHOMES," BY AMENDING SUBSECTION (d) WHICH INCREASES THE MONETARY FINES FOR VIOLATIONS OF SUBSECTION 142-1111(a), AND REQUIRING NOTIFICATION TO BE REMITTED TO THE MIAMI-DADE TAX COLLECTOR AND PROPERTY APPRAISER BY THE CODE COMPLIANCE DIRECTOR, BY ESTABLISHING A REBUTTABLE PRESUMPTION FOR ADVERTISING AND ADVERTISEMENT EVIDENCE; AND CREATING SUBSECTION (d)(5), ENTITLED "ENHANCED PENALTIES," WHICH ESTABLISHES ENHANCED PENALTIES FOR VIOLATIONS OF SUBSECTION 142-1111(a); AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS,"

OF CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," BY AMENDING ARTICLE II, ENTITLED "DISTRICT REGULATIONS," BY AMENDING DIVISION 2, ENTITLED "RS-1, RS-2, RS-3, RS-4 SINGLE-FAMILY RESIDENTIAL DISTRICTS," BY AMENDING SECTION 142-109, ENTITLED "COMMERCIAL USE OF SINGLE-FAMILY HOMES PROHIBITED," BY AMENDING SUBSECTION (c)(1)b., REQUIRING AN OWNER OR RESIDENT TO SUBMIT AN AFFIDAVIT TO THE CITY MANAGER IDENTIFYING THE LIMITED COMMERCIAL USE AT THE RESIDENTIAL PROPERTY; BY AMENDING SUBSECTION (d) THAT REQUIRES NOTIFICATION TO BE REMITTED TO THE TAX COLLECTOR AND PROPERTY APPRAISER BY THE CODE COMPLIANCE DIRECTOR, AND ESTABLISHING A REBUTTABLE PRESUMPTION STANDARD FOR ADVERTISING AND ADVERTISEMENT EVIDENCE, AND INCREASING THOSE MONETARY FINES FOR VIOLATIONS OF SECTION 142-109; BY CREATING SUBSECTION (f), ENTITLED "ENHANCED PENALTIES," WHICH ESTABLISHES ENHANCED PENALTIES FOR VIOLATIONS OF SECTION 142-109; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

ADMINISTRATION RECOMMENDATION

The Administration recommends that the City Commission adopt the ordinances.

BACKGROUND

On February 10, 2016, at the request of Mayor Levine, the City Commission approved the proposed ordinances on First Reading and transmitted them to the Planning Board.

ANALYSIS

The proposed ordinance amendment to Section 142-109 of the Miami Beach Code, will modify several portions of the ordinance, including a substantial increase in the monetary fines.

The proposed ordinance amendments are an important public policy component that will ensure to the City's residents the quiet enjoyment of their single and multifamily residences, and to make certain that the character and value of the residential neighborhoods and residences are protected and properly preserved. The City has a substantial interest in maintaining the aesthetics, character and tranquility of its residential neighborhoods, in conjunction with regulating the flow of traffic and impacts of transients rentals and occupancy, which these ordinance amendments directly advances these important governmental interests. These amendments will prohibit the unscrupulous conduct of those persons seeking to financial exploit the rental of single and multi-family residences, thereby creating adverse living conditions for the City residents that result in excessive number of guests, vehicle and noise that tragically impact these quiet residential communities.

PLANNING BOARD REVIEW

On February 23, 2016, the Planning Board (vote 6-0) transmitted the attached ordinances to the City Commission with a favorable recommendation (Planning Board File Nos. 2315 and 2316). Due to the proposed substantial increase in fines, the Planning Board also recommended that all single family homes be notified of the proposed changes.

FISCAL IMPACT

In accordance with Charter Section 5.02, which requires that the "City of Miami Beach shall consider the long term economic impact (at least 5 years) of proposed legislative actions," this shall confirm that the City Administration City Administration evaluated the long term economic impact (at least 5 years) of this proposed legislative action. The proposed Ordinance is not expected to have a negative fiscal impact upon the City.

CONCLUSION

The Administration recommends that the City Commission adopt the ordinance.

JLM/SMT/TRM/MAB

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MIAMI BEACH

CITY OF MIAMI BEACH NOTICE OF PUBLIC HEARINGS

March 9, 2016

NOTICE IS HEREBY given that the following public hearings will be held by the Mayor and City Commissioners of the City of Miami Beach, Florida, in the Commission Chambers, Third Floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **March 9, 2016**, at the times listed, or as soon thereafter as the matter can be heard:

10:00 a.m.

An Ordinance Amending Chapter 2 Of The Code Of The City Of Miami Beach, Entitled "Administration," By Amending Article III, Entitled "Agencies, Boards And Committees," By Amending Division 11, Entitled "Committee On The Homeless," By Amending And Updating The Provisions Regarding The Composition, Knowledge, And Experience Of Board Members, And City Departmental Support; And Providing For Repealer, Severability, Codification, And An Effective Date. *Inquiries may be directed to the Housing & Community Services Department at 305.673.7260.*

10:05 a.m.

An Ordinance Striking The Remaining Notice Provisions Contained Within Chapter 142, Entitled "Zoning Districts And Regulations," At Section 142-108, Entitled "Provisions For The Demolition Of Single-Family Homes Located Outside Of Historic Districts" In Order To Ensure Consolidation Of All Notice Provisions In New Section 118-8 Entitled "Notification Procedures," By Amending Section 142-108 To Cross-Reference With Section 118-8; And By Amending Section 118-8 To Include Notice Requirements For Administrative Decisions Requiring Review; Providing For Repealer; Severability; Codification; And An Effective Date. *Inquiries may be directed to the Planning Department at 305.673.7550.*

10:10 a.m.

An Ordinance Amending The City Code, By Amending Chapter 122, "Concurrency Management," By Amending Section 122-5, "Exemptions From Concurrency," To Authorize The City Commission To Exempt, By Resolution, Temporary Uses In Public Rights-Of-Way From The City's Concurrency Requirements, And To Require The City Commission To Set Forth The Geographic Areas, Criteria, And Duration For Any Such Exemption; And Providing For Repealer, Codification, Severability, And An Effective Date. *Inquiries may be directed to the Planning Department at 305.673.7550.*

10:15 a.m.

An Ordinance Amending The Code Of The City Of Miami Beach, Subpart B, Entitled "Land Development Regulations," Of Chapter 142, Entitled "Zoning Districts And Regulations," By Amending Division 2, Entitled "Accessory Uses"; By Amending Section 142-905, Entitled "Permitted Accessory Uses In Single-Family Districts," By Amending Subsection (b)(5)a, Which Increases The Monetary Fines For Violations Of Subsection 142-905(b)(5), And Requiring Notification To Be Remitted To The Miami-Dade Tax Collector And Property Appraiser By The Code Compliance Director, By Establishing A Rebuttable Presumption For Advertising And Advertisement Evidence; And Creating Subsection (b)(5)b, Entitled "Enhancement Penalties," Which Establishes Enhanced Penalties For Violations Of Subsection (b)(5); By Amending Article IV, Entitled "Supplementary District Regulations," By Amending Division 3, Entitled "Supplementary Use Regulations," By Amending Section 142-1111, Entitled "Short-Term Rental Of Apartment Units Or Townhomes," By Amending Subsection (d) Which Increases The Monetary Fines For Violations Of Subsection 142-1111(a), And Requiring Notification To Be Remitted To The Miami-Dade Tax Collector And Property Appraiser By The Code Compliance Director, By Establishing A Rebuttable Presumption For Advertising And Advertisement Evidence; And Creating Subsection (d)(5), Entitled "Enhanced Penalties," Which Establishes Enhanced Penalties For Violations Of Subsection 142-1111(a); And Providing For Repealer, Severability, Codification, And An Effective Date. *Inquiries may be directed to the Office of the City Attorney at 305.673.7470.*

10:20 a.m.

An Ordinance Amending The Code Of The City Of Miami Beach, Subpart B, Entitled "Land Development Regulations," Of Chapter 142, Entitled "Zoning Districts And Regulations," By Amending Article II, Entitled "District Regulations," By Amending Division 2, Entitled "RS-1, RS-2, RS-3, RS-4 Single-Family Residential Districts," By Amending Section 142-109, Entitled "Commercial Use Of Single-Family Homes Prohibited," By Amending Subsection (c)(1)b, Requiring An Owner Or Resident To Submit An Affidavit To The City Manager Identifying The Limited Commercial Use At The Residential Property; By Amending Subsection (d) That Requires Notification To Be Remitted To The Tax Collector And Property Appraiser By The Code Compliance Director, And Establishing A Rebuttable Presumption Standard For Advertising And Advertisement Evidence, And Increasing Those Monetary Fines For Violations Of Section 142-109; By Creating Subsection (f), Entitled "Enhanced Penalties," Which Establishes Enhanced Penalties For Violations Of Section 142-109; And Providing For Repealer, Severability, Codification, And An Effective Date. *Inquiries may be directed to the Office of the City Attorney at 305.673.7470.*

10:25 a.m.

An Ordinance Amending Chapter 82 Of The Code Of The City Of Miami Beach, Entitled "Public Property," By Amending Article IV, "Uses In Public Rights-Of-Way," By Amending Division 5, "Sidewalk Cafes," By Amending Subdivision II, "Permit," By Amending Section 82-382, Entitled "Application," And Section 82-383, Entitled "Permit Fee; Penalties For Late Payment; Review Of Fee; Exception," To Abate Sidewalk Cafe Permit Fees, Including Annual Permit Application Fees And Square Footage Fees, For Businesses Participating In The City's Washington Avenue Pilot Parklet Program, Which Program Shall Terminate On February 28, 2017; And Providing For Repealer, Codification, Severability, And An Effective Date. *Inquiries may be directed to the Office of the City Attorney at 305.673.7470 or the Transportation Department at 305.673.7514.*

10:30 a.m.

A Resolution Adopting The Third Amendment To The General Fund, Enterprise Fund, Internal Service Fund And Special Revenue Fund Budgets For Fiscal Year (FY) 2015/16. *Inquiries may be directed to the Office of Budget and Performance Improvement at 305.673.7510.*

5:01 p.m.

An Ordinance Amending Subpart A - General Ordinances, Chapter 6 "Alcoholic Beverages" Of The Code Of The City Of Miami Beach, By Amending Article I, "General Provisions," To Consolidate All Provisions Relating To Alcohol Regulation In One Chapter Of The City Code By Relocating Certain Alcoholic Beverage Establishment Regulations From Chapter 142 And Placing Those Provisions In Chapter 6; Providing For Hours Of Operation; Location And Use Restrictions; Patron Age Restrictions; Minimum Seats And Hotel Rooms Requirements; By Amending Article II, "Conduct," By Modifying And Creating Definitions; Providing For Repealer; Severability; Codification; Exceptions; And An Effective Date. *Inquiries may be directed to the Planning Department at 305.673.7550.*

5:02 p.m.

An Ordinance Amending Chapter 142 "Zoning Districts And Regulations," Article II, "District Regulations," Division 3, "Residential Multifamily Districts" Division 4, "CD-1 Commercial, Low Intensity District" Division 5, "CD-2 Commercial, Medium Intensity District" Division 6, "CD-3 Commercial, High Intensity District" Division 7, "CCC Civic And Convention Center District" Division 8, "GC Golf Course District" Division 9, "GU Government Use District" Division 10, "HD Hospital District" Division 11, "I-1 Light Industrial District" Division 12, "MR Marine Recreation District," Division 13, "MXE Mixed Use Entertainment District," Division 16, "WD-1 Waterway District" Division 17, "WD-2 Waterway District" Division 18, "PS Performance Standard District," Division 20 "TC North Beach Town Center Districts," To Delineate All Alcoholic Beverage Establishments As Related Main Permitted, Conditional, And Prohibited Uses By Zoning District; Modifying Chapter 142, Article V, "Specialized Use Regulations," To Delete Division 4, And Section 143-1301, Entitled "Permitted Districts; Striking Alcohol Regulations Relating To Hours Of Operation, Minimum Seat And Hotel Rooms From Chapter 142 "Zoning Districts And Regulations," Article II "District Regulations," And Modifying Chapter 142, Article V "Special Use Regulations," At Division 4 "Alcoholic Beverages," By Striking Sections 142-1302 And 142-1303; Providing For Repealer; Severability; Codification; Exceptions; And An Effective Date. *Inquiries may be directed to the Planning Department at 305.673.7550.*

Dr. Stanley Sutnick Citizen's Forum - Pursuant to Resolution No. 2013-28440, the times for the Dr. Stanley Sutnick Citizen's Forum are 8:30 a.m. and 1:00 p.m., or as soon as possible thereafter. Approximately thirty minutes will be allocated to each session, with individuals being limited to no more than three minutes or for a period established by the Mayor. No appointment or advance notification is needed in order to speak to the Commission during this Forum.

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. Copies of these items are available for public inspection during normal business hours in the Office of the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting, or any item herein, may be continued, and under such circumstances, additional legal notice need not be provided.

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in alternate format, sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceedings, call 305.604.2489 and select 1 for English or 2 for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

Rafael E. Granado, City Clerk
City of Miami Beach