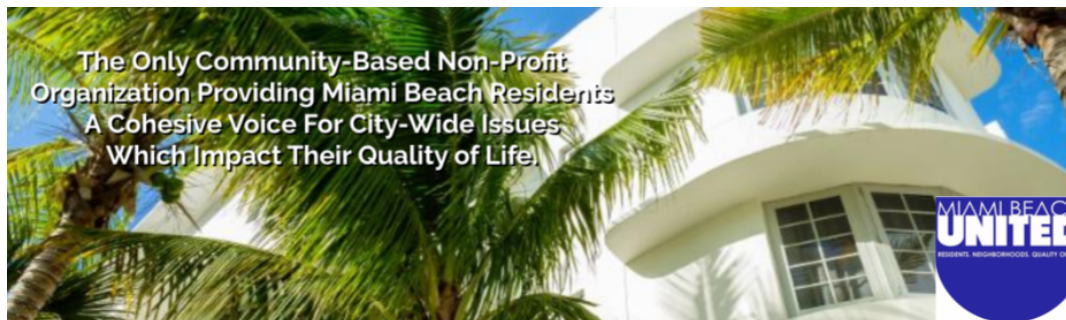




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## City Commission Meeting

**The February 9, 2022 Commission Meeting  
will be held in a hybrid format - [click here](#) for more info.**

**To join the virtual commission meeting via Zoom:**

Please click this link to join the webinar: <https://miamibeachfl.gov.zoom.us/j/81392857671>

Access ID 81392857671#

**To join via phone:**

US: +1. 301.715.8592 or 1.888.475.4499 (Toll Free)

Webinar ID: 81392857671#

It will also be streamed live on MBTV Channel 660 on Atlantic Broadband or 99 on AT&T U-Verse, on the City's website, and on Facebook Live at [facebook.com/cityofmiamibeach](https://facebook.com/cityofmiamibeach).

**IF YOU WISH TO SPEAK ON AN ITEM DURING THE MEETING:**

Via Zoom, please click the "raise hand" button on the screen to raise your hand as soon as the item is called. This will pull you to the top of the list and make it easier for the team to find you in the list of attendees. Or via phone, press \*9 to raise a hand to be placed in queue to speak.

Want to read the proposed Commission agenda items and get info about the Commission meeting on Wednesday? Click [here](#).

Want to contact your elected officials directly? Click [here](#).

## Commission Meeting February 9, 2022

## These are Miami Beach United's Resolutions:

A PROPOSED AMENDMENT TO LAND USE REGULATIONS THAT WHEN A CONTRIBUTING BUILDING IS DEMOLISHED WITHOUT A CERTIFICATE OF APPROPRIATENESS, THE PRESUMPTION SHALL BE THAT THE BUILDING MUST BE REPLICATED

**C4-A - REFERRAL**

### Executive Summary:

In light of the egregious example of demolition by neglect being played out in real time by the owners of the Deauville Beach Resort and Hotel, a contributing building in the Historic Hotel District in North Beach, this amendment seeks to change the governing clause from the legal term "presumption" to a more legally-binding "shall."

### Why It Matters:

Miami Beach United **SUPPORTS** this referral to the Land Use and Sustainability Committee.

- This amendment to the City's Land Development Regulations (LDRs) would strengthen the current presumption that a building demolished without a Certificate of Appropriateness (C of A) from the Historic Preservation Board "shall only be replaced with a new structure that incorporates the same height, massing, and square footage of the previous structure on the site..."
- We believe changing the presumption to state that a building must be "replicated" if demolished without a C of A will further dis-incentivize demolition by neglect by unscrupulous owners and bad-faith actors.
- We cannot allow what is happening with the Deauville to become the new playbook in Miami Beach, a city which owes a significant portion of its appeal to its preserved and varied architectural history.

Read the Commission documents by clicking [HERE](#)

2:00 am TERMINATION OF SALE AND CONSUMPTION OF ALCOHOL OUTDOORS ON PRIVATE PROPERTY CITYWIDE

**C7-I**

### Executive Summary:

The ballot question asking Miami Beach voters whether they would "support changing this [alcohol consumption] 5:00 a.m. termination time to 2:00 a.m. throughout the City, with specific locations and related restrictions and exceptions, to be determined by City Commission by Ordinance?" by over 56% of voters. This attempts to define how that would work.

### Why It Matters:

Miami Beach United **SUPPORTS** this resolution if the intention is to roll back the termination time for the sale and consumption of alcoholic beverages from 5 am to 2 am in

outdoor areas on private property only for establishments that are currently permitted to do so later than 2 am.

However, we would be opposed to this resolution if it would permit any outdoor venues on private property that are currently required to terminate the sale and consumption of alcohol earlier than 2 am (eg. midnight) to extend their hours for this activity to 2:00 am.

Read the Commission documents by clicking [HERE](#)

## EXPANDS NOTICE REQUIREMENTS CITYWIDE FOR RESIDENTIAL RENT INCREASES

### R5-C - SECOND READING

#### **Executive Summary:**

This ordinance seeks to establish a required notice period of 60 days (with which all residential landlords must comply) prior to increasing the rental rate of residential tenants beyond a specified percent, thereby ensuring that residents have, if needed, ample time to find other housing and still be in compliance with their 30-day notice requirements.

#### **Why It Matters:**

Miami Beach United **SUPPORTS** this resolution.

- While this has always been an issue, recent economic realities have put new pressures on tenants as landlords seek to capitalize on market conditions; many tenants who were previously able to find and secure a residential property in which to reside within the City have been surprised by landlords suddenly seeking sometimes very substantial increases to the tenant's periodic or monthly rental payment.
- Such notice has all too often been provided by landlords to their tenants at the last possible moment, which has forced many tenants into precarious positions.
- This ordinance would establish a mandatory 60 day minimum notice period (which is the maximum time allowable under Florida law) to be given to a tenant by a residential landlord prior to increasing the rental rate beyond five percent at the end of a lease.

Read the Commission documents by clicking [HERE](#)

## JUDICATE MISDEMEANORS IN CITY OF MIAMI BEACH

### R5-K - FIRST READING

#### **Executive Summary:**

This seeks to adopt the state law misdemeanor offenses of battery, criminal mischief, and indecent exposure. This will make the conduct underlying these crimes offenses against municipal law for the same acts that constitute such offenses against state law, and thereby enable the City to become the primary entity responsible for the prosecution of those criminal violations under City law.

#### **Why It Matters:**

Miami Beach United **SUPPORTS** this resolution because having the City of Miami Beach judicate misdemeanor crimes here in our city, rather than in the county courthouse, will lend us more power to create a better deterrent towards these quality of life crimes.

Read the Commission documents by clicking [HERE](#)

ALLOW EXCEPTIONS TO 2:00 am TERMINATION OF SALE AND CONSUMPTION OF  
ALCOHOL CITYWIDE BASED ON GEOGRAPHIC AREAS AND PERFORMANCE

**R5-P - FIRST READING**

**Executive Summary:**

The ballot question asking Miami Beach voters whether they would "support changing this [alcohol consumption] 5:00 a.m. termination time to 2:00 a.m. throughout the City, with specific locations and related restrictions and exceptions, to be determined by City Commission by Ordinance?" by over 56% of voters. This attempts to define how that would work.

**Why It Matters:**

Miami Beach United **SUPPORTS** this this ordinance amendment which rolls back the hours for the sale and consumption of alcoholic beverages from 5 AM to 2 AM Citywide, with exceptions based on geographic area and performance. However, consistent with our resolution for items R5S, R9E, R9F and R9G, we are opposed to allowing any exceptions to the 2:00 am termination time in residential areas including South of Fifth, the West Avenue Neighborhood, and the CD1/CD3 districts along 41st Street. In addition, we oppose allowing private clubs to obtain an after-hours license permitting them to serve alcoholic beverages after 2 am. This has huge potential for abuse by promoters who would offer memberships to their patrons in order to allow them to serve alcohol until 5 am in areas where it would otherwise be prohibited.

Read the Commission documents by clicking [HERE](#)

ALLOW 2 a.m. TERMINATION OF SALE AND CONSUMPTION OF ALCOHOL IN  
SPECIFIC RESIDENTIAL AREAS

**R5-S - FIRST READING / R9-E, F, G REFERRAL TO PLANNING BOARD**

**Executive Summary:**

The ballot question asking Miami Beach voters whether they would "support changing this [alcohol consumption] 5:00 a.m. termination time to 2:00 a.m. throughout the City, with specific locations and related restrictions and exceptions, to be determined by City Commission by Ordinance?" by over 56% of voters. This attempts to define how that would work.

**Why It Matters:**

Miami Beach United **SUPPORTS** this ordinance amendment and the referrals to the Planning Board to repeal the exceptions to the 2 AM termination time for the sale and consumption of alcoholic beverages South of Fifth, in the West Avenue Neighborhood, and in the CD1/CD3 districts along 41st Street. Miami Beach residents have suffered for too long from the noise, rowdiness, litter and traffic congestion created by patrons

congregating on the streets and sidewalks outside of late-night bars and clubs. When these businesses are located in close proximity to residential buildings, it is simply an incompatible use.

Read the Commission documents by clicking [HERE](#) and [HERE, HERE, HERE](#).

## COMMISSION COMMITTEE PROCESS ASSIGNMENTS PROCESS REVISION

### R7-F

#### **Executive Summary:**

The resolution stipulates three process revisions for commissioners' assignments to committees to avoid any unintended consequences as each new commission gets sworn in.

#### **Why It Matters:**

Miami Beach United **SUPPORTS** the changes as follows:

1. That committee assignments be made in a timely manner, within one month following the certification of election results.
2. That committee assignments are rotated annually among commissioners to ensure each commissioner the opportunity to serve on every committee during their four-year term.
3. That each Committee selects its own chair.

The resolution establishes a timely, robust, balanced, and transparent process for committee assignments, affording all Commissioners equal opportunity to serve on all committees and importantly stipulating the committee selection of the chair. MBU believes that by affording more distributed opportunity for committee participation and leadership, the revised process will enhance comprehensive representation of our citizens' interests.

Read the Commission documents by clicking [HERE](#)

## ALLOW CITY BOARDS AND COMMITTEES MORE OPTIONS FOR MEETING

### R7-N

#### **Executive Summary:**

With the advent of better teleconferencing options, and the on-going safety concerns, this resolution provides committee members with a good range of options, ensuring safety and optimal participation.

#### **Why It Matters:**

Miami Beach United **SUPPORTS** this resolution as it provides City Advisory Boards and Committees three flexible options for meeting venues, including options to:

- continue to meet virtually
- meet in person indoors
- conduct in person meetings in city-owned outdoor facilities

Read the Commission documents by clicking [HERE](#)

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**Our Mission** Dedicated to improving the quality of life for Miami Beach residents, managed and measured growth of our city, and ethical leadership of government – for a vibrant city rooted in history, its people, resources and neighborhoods, with focus on the future – by providing educational and analytical focus on the organization, structure, policies and performance of Miami Beach government. We share our newsletters with over 8000 subscribers, 75% of whom are registered Miami Beach voters.