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City Commission Meeting

The February 22nd, 2023 Commission Meeting starts at 8:30 a.m. with the Sutnick Hour where residents may speak on any topic.

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://www.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 22, 2023
These are Miami Beach United's Resolutions:**

To Impose A Moratorium On The Sale Or Lease Of 10 Years Or More Of City-Owned Parking Lots Or Garage - With Exceptions

C7 AE

Executive Summary:

Over the past few years the City has entertained unsolicited bids on a number of city-owned land/lots/structures, and has been willing to strike deals that didn't seem to do much for the greater good of the City and its residents, nor add much to the City's revenue. There doesn't seem to be a strategic vision of how, when, or whether to lease these lots, nor what the goals in doing so should be.

Why It Matters:

As it is currently written, Miami Beach United **does not support** this resolution.

However, MBU is in complete agreement with the need to put a pause on unsolicited proposals, and on commission-sponsored plans, to sell off or lease our publicly owned land. Government-owned land that is currently "under-developed" and is being used as open unencumbered green space or surface lots are our, the residents of Miami Beach's, rainy day fund. These parcels do not need to be leased or sold for uninspired "more of the same" projects with underwhelming financial, or other, benefit to the City. If they are to be developed at all, and that need is questionable, they should be viewed proactively by the Commission as opportunities to build workforce/affordable housing; innovative public spaces that can promote the arts and build on our capital of cultural institutions; creative park spaces which double as climate change resilience resources. Instituting a complete moratorium, with no exceptions, so that instead of being reactive, the Commission and staff has time to proactively assess and plan for what would best serve the interests and resources of the residents of Miami Beach, is an idea which we would support.

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

Amending And Restating The City of Miami Beach Employee Retirement Plan

R5 G

Executive Summary:

Originally brought to FERC in 2021, this item was intended to solely deal with finding an equitable solution for six (6) employees who were fully vested in their pension, left City employment, subsequently returned to City employment, and re-vested under a different tier of the Pension Plan. Recently, and not part of the original inquiry, a commissioner has inserted other amendments to better align the Pension Plan to the City Charter and City Code, particularly as it relates to Charter Officers and Elected Officials without the same degree of discussion at FERC.

Why It Matters:

Miami Beach United **DOES NOT SUPPORT** the manner in which the change in vesting for elected officials and Charter Officers is being rushed for a Commission vote.

While the proposed ordinance has a number of reasonable clean-up provisions to deal with employees who return to service after leaving the City, it seems totally inappropriate for elected officials to vote themselves a substantial increase in compensation by shortening the pension vesting period without voter approval. The Charter requires salary increases to be approved by voters, but unfortunately is silent on pension enhancements, which can actually have an even greater impact on the City's operating expenses.

We like the current 5-year vesting requirement since a commissioner must be reelected or a Charter Officer serve for at least five years to receive the pension benefit, which

requires sustained good performance. At a bare minimum, if approved, this pension enhancement should not take effect until January 2024 for elected officials.

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

Eliminate Existing Exceptions To The 2:00 Am Closing For Alcoholic Establishments South Of Fifth

R5 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. Seeking to find balance between our nightlife/tourism industries and residents' quality of life issues is a tough task. We believe these ordinances may be additional steps to do so.

Why It Matters:

Miami Beach United **SUPPORTS** this ordinance to eliminate the exceptions granted in 2016 which permitted certain alcoholic beverage establishments South of Fifth to sell alcohol after 2 am. The City Attorney has had more than a year to research the legal ramifications of this zoning amendment and has carefully crafted this zoning amendment to provide a strong legal position from which to defend, if necessary, this legislation in the courts. South of Fifth 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 alcohol establishments are located in close proximity to residential buildings, it is simply an incompatible use, and we urge you to pass this item without further delay.

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

Repeal Existing Exceptions To The 2:00 Am Alcohol And Uniformly Limit Alcohol To 2:00 Am Along West Ave And Alton Rd, Between 5th Street And Collins Canal, And Establish A Procedure To Be Exempt From The 2:00 Am Limit.

R5 K

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. Seeking to find balance between our nightlife/tourism industries and residents' quality of life issues is a tough task. We believe these ordinances may be additional steps to do so.

Why It Matters:

Miami Beach United **SUPPORTS** this ordinance because the nightclub industry is drifting into the West Avenue residential neighborhood which negatively impacts the 10,000 full-time residents that live there. The most police calls at any venue in this area take place at the Bikini Hostel which has a 5:00 am alcohol license. Screeching cars and crowds of bar patrons cause late night noise as they leave the bars at 5:00am. We see the problem escalating unless action is taken.

Although the city attorney is certain this ordinance would hold up in a court of law, for protection against any lawsuit, the ordinance adds the ability, under certain circumstances, for an appeal before a special magistrate that could reinstate an establishment's 5:00 am alcohol hours.

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

**Limit Hours Of Alcohol To 2:00 Am Only Outdoors Along West Ave And Alton Rd,
Between 5th Street And Lincoln Rd. Including Side Streets, And Establish A
Procedure To Be Exempt From That 2:00 Am Limit**

R5 L

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. Seeking to find balance between our nightlife/tourism industries and residents' quality of life issues is a tough task. We believe these ordinances may be additional steps to do so.

Why It Matters:

Miami Beach United **SUPPORTS** this ordinance Miami Beach United **SUPPORTS** this ordinance to limit alcohol in the West Ave neighborhood for the same reasons as R5K. However, we encourage the boundary to be extended slightly north, Collins Canal to 5th Street instead of Lincoln Rd to 5th Street, to include commercial properties that are across the street from the many condominiums in a residential zone. This could preempt any noise problems if those commercial properties get developed.

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

**Expand Area And Extend Sunset Deadline For Washington Ave Co-Living
Developments From March 1, 2023 To Sept 1, 2027.**

R5 M

Executive Summary:

Microunits and co-living units are being proposed as alternative forms of housing which may help address the affordable housing crisis. However, these new paradigms for living are as yet unproven in Miami Beach, and may provide as many challenges as they might opportunities.

Why It Matters:

Miami Beach United **does not support** this ordinance. There are already approximately 1000 micro/co-living units approved for sections of North Beach Town Center and Washington Avenue, with not one built/occupied yet.

Instead of learning from those and making adjustments as needed, this seeks to expand the area on Washington Ave where more co-living units can be built, and extend by four full years the time frame to get a permit to build. We have absolutely no information on how these new forms of living may impact our city's already-stressed sewer lines and other infrastructure, parking, and traffic. None of these are located anywhere near the biggest employer on the beach, Mount Sinai Hospital, where there may actually be a use for this sort of housing. And there is no explanation offered for why the timeframe to obtain

a permit has been extended by four, rather than just one year...perhaps to allow even more developers to put their own plans together for yet more co-living units.

Would it not be more prudent to learn from the first ones to be completed in order to course correct as needed, rather than building all under the same guidelines and being stuck with a model that may not work at all, or which needs refining?

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

A Feasibility Study On Possibility Of Converting North Beach Elementary School From A Public School To A Charter School.

R7 D

Executive Summary:

Built in 1936, North Beach Elementary is an A rated historic school that provides quality education and other services to the North Beach community. Keeping it part of Miami Dade County Public Schools safeguards the level of excellence it has achieved, and guarantees that all children in the area, regardless of their backgrounds or disabilities, will have access to education and other resources the school provides, while maintaining an important public asset under public ownership and control.

Why It Matters:

Miami Beach United **OPPOSES** this resolution calling for spending up to \$75,000 for a feasibility study to consider the conversion of North Beach Elementary (“NBE”) into a charter school, because the residents of Miami Beach are best served by keeping the historic A rated school public and accessible.

Providing excellence in education and other services, NBE has long been an integral part of the Miami Beach community. As a public school, NBE is required to accept all children from the area, and provide access to a top rated educational experience, regardless of their backgrounds, disabilities, or other challenges. It protects the teachers and other staff that make the schools educational prowess possible, and keeps a valuable public asset in public hands. Given the success of NBE, there is no justifiable rationale for a conversion. The maintenance issues mentioned in R7 D have been thoroughly addressed, through a transparent process that brings together the School Board’s resources and private entities, along with parents and teachers, and is due to be completed in April 2023. There is no reason why maintenance issues that are being adequately addressed should cause the loss of an important part of Miami Beach’s social fabric. Importantly, NBE parents have been outspoken in their opposition to losing their school, and having it put in private hands. We urge the Miami Beach Commission to reject R7 D, and instead take steps to protect NBE and the other valuable public schools in Miami Beach.

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

To Establish A Stand-Alone “Public Safety Committee”, And Rename The Existing “Public Safety And Neighborhood Quality Of Life Committee” As “Neighborhood Quality Of Life Committee”.

R7 Q

Executive Summary:

In an attempt to streamline the City Commission's Committee system, several years ago the committees were reorganized in service of making the process more efficient.

However, in doing so, the combining of Public Safety with Neighborhood Quality of Life has had a negative effect on the vetting and discussing of Quality of Life issues, as Public Safety always takes precedence.

Why It Matters:

Miami Beach United **SUPPORTS** this resolution. Creating two committees which separate the focus areas of Neighborhood Quality of Life and Public Safety allows each of these committees to focus more clearly and comprehensively on critical issues for our residents. MBU is committed to initiatives such as this that provide more opportunity for resident focus and input, especially on two of our City's most important and challenging areas.

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

Discuss Zoning Implications Of Baylink Project And Miami-Dade County Law That Allow Higher Intensity Development Near Mass Transit.

R9 AA

Executive Summary:

While everyone can agree that Miami Beach needs more and better and easily connective public transportation, the current proposal from the County is problematic at best. Many of these concerns have been aired at a number of public meetings throughout the city, and will not be recited here, although we share them. However, this item addresses an issue that hasn't been widely discussed.

Why It Matters:

Miami Beach United **SUPPORTS** this item. One potentially incredibly significant concern has not gotten the same amount of public scrutiny/discussion, nor even professional evaluation, as any of the other concerns raised, which is why we urge the City to devote resources to very carefully study, assess, and opine on the not-insignificant zoning implications of this project and the Miami Dade County laws which govern it.

Allowing for higher intensity development near mass transit may end up being an interesting possible solution for affordable housing issues, but it will also unquestionably impact the character of place of our small city, tax our already tenuous water infrastructure, and may have other unintended consequences. While the zoning laws may be entirely appropriate for other parts of Miami Dade county, it is unclear that they can or should be appropriate for our unique, narrow, small 7-mile island community, and therefore they need to be carefully studied, understood, and incorporated into any discussion of next steps on public transit upgrades.

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



Miami Beach United 2022 Officers

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Rhea D'Souza, Vice President, Administration
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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 15,000 subscribers, 76% of whom are registered Miami Beach voters.

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