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## City Commission Meeting

The **Wednesday, September 13, 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:

<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? Click [HERE](#)

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

## AN ORDINANCE AMENDMENT TO MOVE THE INTERNAL AUDIT FUNCTION

[R5AI](#) , [R9AA](#) Sponsored by Richardson -- First Reading

### Executive Summary:

**This ordinance amendment moves the internal audit function from under the Inspector General to under the auspices of the City Manager Administration.**

### MBU RESOLUTION:

Miami Beach United **DOES NOT SUPPORT** this proposed ordinance amendment to transfer the Internal Audit function from the Office of the Inspector General ("OIG") to a department under the City Manager. The Internal Audit function is responsible for auditing city programs, contracts, and expenditures for the purpose of identifying control issues, noncompliance with municipal laws, inefficiency, mismanagement, and fraud. In 2018 this function was transferred from the City Manager to the newly created Office of the Inspector General to give the Internal Audit staff the independence needed to freely report on deficiencies in the City's operating departments and insulate them from organizational and political pressure. As was stated by the Miami Beach Audit Committee, oversight of the Internal Audit function by the OIG is "the best way for the City to ensure independence and transparency in its internal audit function, consistent with the intent of the original ordinance and trend toward establishing offices of inspector general to provide independent oversight of local government."

The City Manager has stated that she needs audit resources under her direct supervision to properly manage the activities performed by her organization. To address that need, we suggest that the Commission approve additional positions under the City Manager rather than taking resources from the OIG.

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

## ROOFTOP ALCOHOL ESTABLISHMENTS - CUP REQUIREMENT

[R5K](#) Sponsored by Fernandez -- Second Reading 5:11 PM Public Hearing

### Executive Summary:

**The ordinance amends and expands the definition of neighborhood impact establishment to include rooftop alcoholic beverage establishments adjacent to properties with a residential unit.**

### MBU RESOLUTION:

Miami Beach United **SUPPORTS** this ordinance. Rooftop bars adjacent to residential buildings can create significant nuisance and noise for the residents nearby.

We have many examples of rooftop establishments which are NOT located near residential units which still create chaos, noise complaints and trouble for the residential community, causing continuing calls to Police and Code Compliance. Given this history, it seems clear that any rooftop establishments in residential areas would only further burden the Police and Code departments with noise or behavioral complaint calls.

We also suggest this ordinance apply not just to rooftops, but to any open-air space above the ground floor, as well as any rooftop smoking/hookah lounges.

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

INDOOR RESTAURANT AMBIENT ENTERTAINMENT PILOT PROGRAM IN  
SUNSET HARBOUR AND SOUTH OF FIFTH FROM 11 AM TO 6 PM,  
SATURDAYS, SUNDAYS AND HOLIDAYS.

[R50](#) Sponsored by Arriola -- First Reading

**Executive Summary:**

**Proposes indoor restaurant ambient entertainment pilot program in Sunset Harbor and south of Fifth from 11 AM TO 6 PM, Saturdays, Sundays, and Holidays.**

**MBU RESOLUTION:**

Miami Beach United **DOES NOT SUPPORT** allowing live entertainment, whether ambient or non-ambient, to be performed at commercial establishments as of right in neighborhoods where a majority of residents oppose it. Both the South of Fifth and Sunset Harbour Neighborhood Associations have expressed strong opposition to this proposed ordinance. South of Fifth, supported its statement of opposition with the results of a survey sent to over 3,000 South of Fifth residents (nearly 400 residents responded) in which 76% voted that they were in favor of keeping the existing restrictions on live entertainment in place.

Given that Code Enforcement already has difficulty enforcing existing noise ordinances -- as evidenced by the extremely low percentage of noise complaints which result in citations -- expanding the number of locations allowed to offer live entertainment poses an unacceptable risk to resident quality of life.

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

NOTICE REQUIREMENTS FOR DISCUSSION ITEMS  
ORDINANCE AMENDING ADMINISTRATION AND REVIEW PROCEDURES

[R5P](#) Sponsored by Arriola -- First Reading

### **Executive Summary:**

**Ordinance amends administration and review procedures to establish a notice procedure for certain discussion items that are scheduled by Land Use Boards.**

### **MBU RESOLUTION:**

Miami Beach United **SUPPORTS** this important ordinance to enhance notification requirements to a property owner when a discussion of their property is included on any Land Use Board agenda. We believe it is only fair that the owner is aware, from the inception, of any discussion or dialogue taking place by the City about their property which could have a considerable impact on their property. Having been integrally involved in the creation of the City's Residents Right to Know process, MBU is committed to support legislation which increases transparency and helps to ensure that residents and businesses are fully informed and timely aware of any Land Use Board discussions that may affect them.

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

## ALCOHOL HOURS OF SALE MARCH 2024 - CITYWIDE

[R5Q](#) Sponsored by Gelber -- First Reading

### **Executive Summary:**

**An ordinance amends Chapter 6 to require termination of alcohol sales at midnight at alcoholic beverage establishments during two high impact (Spring Break) weekends in March of 2024.**

### **MBU RESOLUTION:**

Miami Beach United **SUPPORTS** this ordinance amendment which would require the sale and consumption of alcohol at alcoholic beverage establishments to cease Citywide at Midnight during two Spring Break weekends in March 2024. Other measures tried in recent years have failed to curb the violence and mayhem which keeps happening during peak Spring Break weekends. While we recognize the typical patron at the City's alcoholic beverage establishments paying high prices for drinks are rarely a problem during Spring Break, the clubs, bars and hotels who promote high profile performers at their establishments during this period contribute to the image of the City as an "anything goes" place to be and that, in turn, attracts the massive, unruly crowds who have been taking over streets and the park in the Ocean Drive area.

We think a midnight termination for the sale of alcohol to curb promotional activity is worth a try, but this will need to be Citywide to change the image of Miami Beach as the place to be for Spring Break and to treat all businesses equitably.

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

6/7 VOTE REQUIREMENT FOR FUTURE INCREASES IN FAR  
AN ORDINANCE AMENDING THE RESILIENCY CODE TO REQUIRE AN  
AFFIRMATIVE VOTE OF SIX-SEVENTHS OF ALL MEMBERS OF THE CITY  
COMMISSION PRIOR TO ANY FUTURE INCREASE IN THE FLOOR AREA  
OR FLOOR AREA RATIO (FAR) OF ANY PROPERTY IN THE CITY

**R5U** Sponsored by Meiner & Fernandez -- First Reading

**Executive Summary:**

**This ordinance amends the resiliency code to require an affirmative vote of six-sevenths of all members of the City Commission prior to any future increase in the floor area or FLOOR AREA RATIO (FAR) of any property in the city.**

**MBU RESOLUTION:**

Miami Beach United **SUPPORTS** requiring a 6/7 vote of the City Commission for any increase in the Floor Area Ratio of any property in the City. Because FAR increases have the potential to alter the character of the City, we believe this higher threshold for approval is warranted.

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

ALCOHOL HOURS OF SALE WEST AVENUE - 2:00 A.M. INDOORS EAST  
SIDE OF ALTON ROAD - PROSPECTIVE 2:00 A.M.

**R5W** Sponsored by Fernandez -- First Reading

**Executive Summary:**

**This ordinance amends Chapter 7 of the resiliency code to establish a 2 a.m. alcohol indoor termination time. for the sale and consumption of alcoholic beverages within certain zoning districts in the West Avenue neighborhood and along the east side of Alton Road.**

**MBU RESOLUTION:**

Miami Beach United **SUPPORTS** this alcohol ordinance especially because it prevents future 5:00 a.m. bars and night clubs in the West Avenue neighborhood and creates parity between the east and west sides of Alton Road. However, too many establishments will be exempt, so we urge the commission to further reduce

the number of establishments in this residential neighborhood which can serve alcohol after 2 a.m.

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

## PROCESS FOR FUTURE INCREASES IN FAR

[R5X](#) Sponsored by Fernandez -- First Reading

### Executive Summary:

**This ordinance establishes policies, procedures, and requirements for the review of future increases in floor area and/or FLOOR AREA RATIO (FAR)**

### MBU RESOLUTION:

Miami Beach United **SUPPORTS** this ordinance and believes that it is imperative in light of SB 718 to establish policies, procedures and requirements that will result in appropriate and equitable levels of review for FAR increases; however, we agree with the recommendation of the Charter Review Committee that the process as it is currently proposed can be streamlined to make it more workable.

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



### 2023 MBU Board of Directors

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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 8,000 subscribers, the majority of whom are registered Miami Beach voters.

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