

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION  
OF THE CITY OF MIAMI BEACH, FLORIDA, URGING THE  
FLORIDA FISH AND WILDLIFE CONSERVATION  
COMMISSION TO ELIMINATE THE 35 MILES PER HOUR  
WATERSPORTS AREA SURROUNDING FLAGLER  
MONUMENT ISLAND, AND EXPRESSLY DESIGNATING  
THAT AREA AS A YEAR-ROUND SLOW SPEED ZONE.**

**WHEREAS**, Flagler Memorial Island, also known as the Flagler Monument Island (the "Monument Island"), is an uninhabited artificial island located within the City of Miami Beach (the "City") and Biscayne Bay; and

**WHEREAS**, the immediate waters surrounding Monument Island are classified as a designated year-round slow speed zone, which was established pursuant to Florida Administrative Code Section 68C-22.025(1)(a)22, and extends outward to 100 feet of the general contour of the southwesterly, northwesterly and northeasterly shoreline of the Monument Island (see Exhibit A); and

**WHEREAS**, the slow speed zone around Monument Island is fully encompassed by a designated watersports area, where boaters and jet skiers can legally speed up to 35 miles per hour (or illegally exceed 35 miles per hour) pursuant to Florida Administrative Code Section 68C-22.025(1)(i)2 (see Exhibit A); and

**WHEREAS**, the City of Miami Beach hosts approximately 13.3 million visitors each year, and is considered one of the world's most popular tourist destinations because of its beaches, crystal-clear blue water, and amazing tropical environment; and

**WHEREAS**, numerous water activities, including parasailing, powerboating, and jet-skiing are popular waterborne activities, which are enjoyed by both residents of Miami-Dade County and tourists;

**WHEREAS**, the proximate location to South Beach, Monument Island, and luxury residential homes has attracted an extensive amount of people to this designated watersports zone, which is a popular area for tour boats, recreational boaters, and jet-skiers; and

**WHEREAS**, alcohol consumption, drug use, and general reckless activities proliferate on both, the beaches of Monument Island and in the designated watersports area, as people drink, party, and engage in debauchery on personal boats, tourist boats, and personal watercraft, often operating the vessels under the influence of either alcohol, or other illegal substances; and

**WHEREAS**, the year-round presence of boats and personal watercrafts, many of which are operated under the influence of alcohol and/or drugs, results in unsafe levels of vessel traffic congestion that create a significant risk of collision, or a significant threat to boating safety; and

**WHEREAS**, the City's Marine Patrol reports that boaters and jet skiers often violate the allowable 35 miles per hour speeding limit zone, and that accidents in the area have resulted in serious injuries or death; and

**WHEREAS**, as such, the City urges the FWC to eliminate the 35 miles per hour watersports area around the Monument Island and designate that area as a year-round slow speed zone for the health, welfare, and safety of both, residents and tourists.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission hereby urge the Florida Fish and Wildlife Conservation Commission to eliminate the 35 miles per hour watersports area surrounding Flagler Monument Island, and expressly designating that area as a year-round slow speed zone.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2019.

**ATTEST:**

\_\_\_\_\_  
Dan Gelber, Mayor

\_\_\_\_\_  
Rafael E. Granado, City Clerk

(Sponsored by Mayor Gelber)

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney

5/29/19  
\_\_\_\_\_  
Date

FA

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