

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

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING NEW YEAR'S EVE ACTIVITIES ON OCEAN DRIVE, IN PARTNERSHIP WITH THE OCEAN DRIVE ASSOCIATION, AND AUTHORIZING (1) THE CLOSURE OF OCEAN DRIVE, BETWEEN 5<sup>TH</sup> STREET AND 14<sup>TH</sup> STREET, FROM TUESDAY, DECEMBER 31, 2019, AT 7:00 A.M., UNTIL THURSDAY, JANUARY 2, 2020, AT 7:00 A.M.; (2) THE EXPANSION OF PARTICIPATING SIDEWALK CAFES TO THE CENTER LINE ON OCEAN DRIVE, BETWEEN 5<sup>TH</sup> STREET AND 14<sup>TH</sup> STREET, FOR FOOD AND/OR BAR SERVICE WITHIN THE EXPANDED SIDEWALK CAFÉ AREAS, SUBJECT TO DEPARTMENT OF PUBLIC WORKS APPROVAL OF PLANS; AND (3) THE EXTENSION OF HOURS UNTIL 7:00 A.M. ON JANUARY 2, 2020, FOR ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES FOR PARTICIPATING SIDEWALK CAFES AND CERTAIN ALCOHOLIC BEVERAGE ESTABLISHMENTS WITH A 5:00 A.M. LIQUOR LICENSE, SUBJECT TO THE CONDITIONS SPECIFIED IN SECTION 6-3(A)(6) OF THE CITY CODE.

**WHEREAS**, as in the past eight (18) years, the Ocean Drive Association ("ODA") has approached the City to request City participation in, and sponsorship of, a New Year's celebration on Ocean Drive and free fireworks display on the beach, located east of Lummus Park, at 12:00 midnight on New Year's Day; and

**WHEREAS**, the City's New Year's celebration on Ocean Drive draws large crowds, including both residents and visitors; and

**WHEREAS**, in recent years, the City has partnered with ODA to share in the expenses related to the street closure and fireworks display on New Year's Eve, which celebration duration ranges from two (2) to four (4) days, depending on whether the holiday falls on a weekend or a weekday, and

**WHEREAS**, this year, New Year's Eve falls on a Tuesday and, as in recent years, hotel occupancy will be very strong due to increased numbers of visitors taking advantage of the long holiday weekend; and

**WHEREAS**, the ODA has requested the closure of Ocean Drive to vehicular traffic between 5th and 14th Streets, beginning at 7:00 a.m. on December 31, 2019, and ending at 7:00 a.m. on January 2, 2020; and

**WHEREAS**, the ODA has also requested that sidewalk cafes participating in the New Year's celebration be allowed to expand their cafes onto the southbound lane of Ocean Drive,

up to the center line of the road, between 5th Street and 14th Street, for food and/or bar service within the expanded sidewalk café areas, subject to Department of Public Works approval of expanded sidewalk café plans; and

**WHEREAS**, the ODA has requested that certain alcoholic beverage establishments with 5:00 a.m. liquor licenses be allowed to serve alcoholic beverages for consumption at the participating sidewalk cafes until 7:00 a.m. on Tuesday, January 2, 2020, only; and

**WHEREAS**, in previous years, the City funded 47% of the sanitation, sand-shifting, and other costs associated with the Ocean Drive road closure and fireworks display for New Year's Eve, and the ODA has funded the remaining 53% of the costs; and

**WHEREAS**, the ODA is requesting the following contributions from the City for this year's celebration:

1. ODA has represented that the actual cost of the fireworks display is approximately \$33,000, and has requested that the City cover 47% of the cost, and
2. ODA has requested that the City contribute 47% of the sanitation, sand-shifting, and other costs associated with the Ocean Drive road closure; and

**WHEREAS**, the total estimated costs associated with the 2019/2020 New Year's Eve celebration on Ocean Drive, including Items 1 and 2, above, are estimated at \$132,300.

**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 approve New Year's Eve activities on Ocean Drive, in partnership with the Ocean Drive Association, and authorize (1) the closure of Ocean Drive, between 5th Street and 14th Street, from Tuesday, December 31, 2019, at 7:00 a.m., until Thursday, January 2, 2020, at 7:00 a.m.; (2) the expansion of participating sidewalk cafes to the center line on Ocean Drive, between 5th Street and 14th Street, for food and/or bar service within the expanded sidewalk café areas, subject to Department of Public Works approval of plans; and (3) the extension of hours until 7:00 a.m. on January 2, 2020, for on-premises consumption of alcoholic beverages for participating sidewalk cafes and certain alcoholic beverage establishments with a 5:00 a.m. liquor license, subject to the conditions specified in Section 6-3(a)(6) of the City Code.

**PASSED and ADOPTED** this \_\_\_\_ day of December 2019.

**ATTEST:**

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

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

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

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

12-6-19  
\_\_\_\_\_  
Date