

# MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC# **187-2020**

LETTER TO COMMISSION

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: May 21, 2020

SUBJECT: **Motions from the Police Citizen Relations Committee  
May 19, 2020 Teams Phone Conference Meeting**

The purpose of this Letter to the Commission (LTC) is to inform the Mayor and the Commission of seven (7) motions made by the Police Citizen Relations Committee at their May 19, 2020 Teams Teleconference Meeting.

## **Background:**

The Miami Beach Police Department ("MBPD") continually aspires to address crime and community concerns through innovation and positive partnerships with the community. To support the public safety goals of MBPD, it is the purpose of the Police/Citizens Relations Committee ("Committee") to, in part, endorse programs that will enhance the well-being of residents and visitors. The May 19, 2020 meeting of the Police Citizen Relations committee included a robust discussion regarding managing the COVID-19 pandemic and the challenges facing the MBPD and the City Of Miami Beach during this period including pertaining to the homeless situation. The following motions were made:

## **Motion 1 – Virtual community meetings**

Motion urging the Community Affairs Unit to conduct virtual community meetings with neighborhood associations. Meetings should include the participation of command staff, captains, neighborhood resource officers, or any other individual as assigned by the Chief to discuss neighborhood specific matters.

## **Motion 2 – Beach reopening response plan**

Motion urging the Miami Beach Police Department to create a Beach Reopening Response Plan to address any surge of visitors upon the eventual reopening of beaches and until the start of the 2020-2021 school year. This motion further urges the City Commission to approve any necessary funding as may be requested by the Miami Beach Police Department to implement such Beach Reopening Response Plan.

Any Beach Reopening Response Plan, or similar plan should, at a minimum, address:

- the enforcement of emergency orders;
- the enforcement of the current municipal code of ordinances;
- support Code Enforcement in its enforcement of new safety regulations on commercial establishments pertaining to COVID-19;
- **enlisting the support of Goodwill Ambassadors and other nonsworn individuals** to provide information and assistance to the public and avoid impacts to the level of police service currently being provided to the community;

- **reduced entrances to the beach and the implementation of occupancy limits for proper social distancing;**
- **the implementation and enforcement of a beach schedule with a strict closing time;**
- the continued policing of nightly curfews; and,
- outdoors music in areas prone to public congregation.

Similar to High Impact Weekend Plans or Major Event Plans, the Beach Reopening Response Plan should be created with the intent of providing support to Park Rangers, Code Enforcement, Fire Rescue, other regulatory departments, and to private establishments in the enforcement of any amended or new emergency orders pertaining to the closing and reopening of public beaches, bars, night life establishments, and other nonessential businesses.

**Motion 3 – Additional penalties for violation of emergency orders**

Motion urging the Mayor and the City Commission to adopt a resolution urging the State of Florida, or the appropriate governmental jurisdiction, to amend current laws pertaining to the penalties for the violation of an emergency order to allow law enforcement with the discretion to issue penalties other than arrest including, for example, a civil fine. Further urging that such penalty or fine be associated to an individual's driver's license to establish a statewide tracking mechanism for the violation of such emergency orders.

**Motion 4 – Supporting current enhanced staffing**

Motion supporting the current enhanced staffing of the Miami Beach Police Department providing approximately double the amount of police presence for business and residential neighborhoods. Furthermore, anticipating the potential increase in criminal activity and other social impacts, such as homelessness, resulting from the COVID-19 economic crisis, this committee urges the Miami Beach Police Department to continue the implementation of an enhanced staffing plan through the remainder of FY 2019-2020 and FY 2020-2021. Said staffing plan shall result in a cost-saving in the budget for the Miami Beach Police Department and provide additional extra time off to officers on an annual basis.

**Motion 5 – Supporting the Actions of the City Manager establishing a No Panhandling Zone**

Motion supporting the actions of the City Manager establishing the temporary restriction on panhandling as established in the Phase 1 Reopening Order and Emergency Measures implemented by the City of Miami Beach effective May 17, 2020 to better protect the general public from exposure to COVID-19. Further urging the City Administration and the City Commission to continue such restriction on panhandling for as long as social distancing is a recommended practice by the Center for Disease Control.

**Language of the restriction on panhandling:**

**TEMPORARY EMERGENCY RESTRICTION ON PANHANDLING IN SAFETY-SENSITIVE LOCATIONS**

Panhandling, which is defined as begging, asking or soliciting in person for an immediate donation of money or other thing of value for charity or personal gain, either by words, bodily gestures, signs or other means indicating one is seeking an immediate donation or other thing of value, is temporarily restricted through May 21, 2020, to include the following restrictions for safety-sensitive locations: it shall be temporarily unlawful for any person to panhandle on public property within fifty feet from the entrance or service window of any essential retail and commercial business or restaurant or food service establishment.

**Motion 6 – Supporting homeless services as an essential service at the current level of service**

Motion urging the City Administration to:

- (1) classify budgets related to homeless services as essential to public health and to public safety;
- (2) avoid any cut in funding for homeless services during the remainder of the FY 2019-20 budget and maintain the current level of funding in the FY 2020-21 budget; and,
- (3) continue at the current level of service the provision of meal cards, the availability of bathroom facilities for the homeless, and outreach services including referrals and placements.

**Motion 7 – Resident and Employee Vehicle Decal**

Motion urging the City Commission and the City Administration to explore the feasibility of creating a Miami Beach Vehicle Decal as a tool that may be used by law enforcement during high impact periods, hurricanes, and other emergencies. The Committee further recommends that any said decal be colored coded to differentiate between residents and employees.

**Committee Members in Attendance (Teams Teleconference Meeting):**

Chairman Alex Fernandez, Vice-Chairman Adam Kravitz, Lizette Lopez, Pamela Brumer, Seth Feuer, Bruce Reich, Daniel Aronson, Moshe Rothman, and Alexander Fryd.

**Committee Members Absent:**

Matt Salom, Rafael Velasquez, Angie Chirino, Christine Klingspor, and Julian Linares.

JLM:RMC:tr