

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY MANAGER TO REMOVE THE BARRICADES AND CLOSE THE NORTHBOUND LANE ON OCEAN DRIVE FROM 5th STREET TO 15th STREET TO TRAFFIC, AND REQUIRING ANY POTENTIAL NEW PILOT MOBILITY PROGRAMS ON OCEAN DRIVE, OR OTHER MAJOR STREETS IN THE CITY, BE FULLY VETTED BY ALL STAKEHOLDERS, INCLUDING RESIDENTS, AND DISCUSSED BY THE CITY COMMISSION, PRIOR TO TAKING ANY ACTION.

WHEREAS, Ocean Drive is a globally recognized destination; however, there is a strong and growing community consensus that real and much-needed change is required; and

WHEREAS, on March 11, 2020, the World Health Organization declared the rapidly spreading novel coronavirus ("COVID-19") a pandemic, acknowledging what has seemed clear for some time — the virus will likely spread to all countries on the globe; and

WHEREAS, the rate of infection throughout the world and in the US has accelerated rapidly, grinding most markets and businesses around the globe to a halt; and

WHEREAS, in order to limit the spread of the novel coronavirus ("COVID-19"), subsequently, both Miami-Dade County and the City issued various Emergency Orders temporarily closing public and private facilities, including the temporary closure of all non-essential retail and commercial establishments, and the closure of all restaurants for in-person dining; and

WHEREAS, the foregoing closures have greatly limited economic activity in the City of Miami Beach, and continue to adversely impact City businesses, including restaurants; and

WHEREAS, on May 13, 2020, the Mayor and City Commission of Miami Beach adopted Resolution No. 2020-31276, establishing the Restaurant Recovery Outdoor Seating Pilot Program, to temporarily allow restaurants to expand sidewalk café seating areas onto public rights-of-way, or other outdoor seating areas on private property in order for patrons to dine while safely social distancing; and

WHEREAS, in order to aid businesses adversely impacted by the pandemic, the City Administration, strongly supported by the Mayor and City Commission, sought to close some streets to traffic, allowing for more outdoor seating and creating de-facto pedestrian malls, subject to Miami-Dade County's approval; and

WHEREAS, on May 21, Miami-Dade County approved the City's plan to close several streets to vehicles to enable restaurants to expand outdoor seating, including the closure of Ocean Drive from 5th Street to 15th Street, thus allowing pedestrians, cyclists, and skaters to use the open street and practice social distancing; and

WHEREAS, on July 4, 2020 the City Administration reopened the northbound lane on Ocean Drive to cars, while the southbound traffic and parking lanes remained reserved for pedestrians and open-air restaurant seating; and

WHEREAS, while such action is permitted under the City Manager's emergency powers, multiple City Commissioners have publicly expressed surprise and concerns with the process and the overturning of the City Commission's clear direction; and

WHEREAS, the Transit Alliance, a non-profit organization advocating for walkable streets and better public transit in Miami-Dade County, deemed the closure of Ocean Drive to be a resounding success loved by the City's residents, opining that the City's decision to re-open the northbound lane to cars is a regression back to an unsafe environment; and

WHEREAS, in the wake of accelerating spread of COVID-19, it is more important than ever to grant residents and tourists more space and the opportunity to safely practice social distancing, as well as provide Miami Beach businesses with an ability to make ends meet; and

WHEREAS, the current one-lane configuration on Ocean Drive created a bumper-to-bumper northbound traffic, with none of the drivers being able to park or pay a quick visit to a local business, and thus no real clear destination; and

WHEREAS, moreover, concerns about crowding and debauched behavior on Ocean Drive during nighttime have been negated by a 10:00 p.m. through 6:00 a.m. countywide curfew announced on July 2, 2020 by Miami-Dade County Mayor Carlos Giménez, which went into effect on July 3, 2020, and will remain in effect indefinitely; and

WHEREAS, some local Miami Beach businesses expressed disappointment with the return of cars, stating the increased foot traffic brought more business at a time when COVID-19 has battered the hospitality industry; and

WHEREAS, the cost of the unattractive barricades including set-up and removal was \$66,000 for 2 weeks; and

WHEREAS, accordingly, the Mayor and City Commission direct the City Manager to remove the barricades and close the northbound lane on Ocean Drive from 5th Street to 15th Street to traffic; and

WHEREAS, furthermore, from now on, any potential new pilot mobility programs on Ocean Drive or other major streets in the City shall be fully vetted by all stakeholders,

including residents, and discussed by the City Commission, prior to taking any action.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and the City Commission hereby direct the City Manager to remove the barricades and close the northbound lane on Ocean Drive from 5th Street to 15th Street to traffic, and require any potential new pilot mobility programs on Ocean Drive, or other major streets in the City, be fully vetted by all stakeholders, including residents, and discussed by the City Commission, prior to taking any action.

PASSED and **ADOPTED** this ____ day of _____, 2020.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

(sponsored by Commissioner Mark Samuelian)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

Rafael E. Granado 7/13/20
City Attorney Date