

MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC# 333-2020

LETTER TO COMMISSION

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: September 18, 2020

SUBJECT: **Motions from the Police Citizen Relations Committee
September 15, 2020 Teams Phone Conference Meeting**

The purpose of this Letter to the Commission (LTC) is to inform the Mayor and the Commission of five (5) motions made by the Police Citizen Relations Committee at their September 15, 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 September 15, 2020 meeting of the Police Citizen Relations committee included an update from Chief Clements on the COVID-19 pandemic and related police issues and a discussion of Commissioner Samuelian's proposed amendments to regulations on governing the lease of mopeds and motorized bicycles. The following motions were made:

Motion #1 regarding the impact of land-use and zoning matters on public safety

Recognizing that public safety is significantly impacted by land-use decisions including but not limited to zoning, conditional use permits, side walk cafes, and neighborhood impact establishments, the Miami Beach Police/Citizens Relations Committee urges the City Commission to establish policy requiring written comments from the Miami Beach Police Department and the Code Compliance Department on the impacts that requests made in a land use application – whether initiated by the City or a private applicant – could potentially have on public safety and on the level of service being provided. Said comments should include enforcement history of the site(s) subject of any such application and shall accompany staff recommendations to the Planning Board, Board of Adjustments, the Historic Preservation Board, any other applicable review board, and the City Commission.

Motion presented by Chairman Alex Fernandez – gavel passed to Vice Chair Adam Kravitz

Moved by Alex Fernandez

Seconded by Committee Member Rafael Velazquez

Passed by acclamation.

Motion #2 on enhanced staffing, higher visibility, & officer accountability

Consistent with this committee's motion from May 19, 2020 (urging Miami Beach Police Department to implement an enhanced staffing plan through measure that do not increase cost to the Department), the Police/Citizens Relations Committee supports the actions taken by the Chief to implement this recommendation effective Monday, September 14, 2020, by:

- **Increasing police presence and increasing the assignment of officers** in the MXE district and in other areas citywide through the realignment of days off, assigning motor units to the patrol division, and adding probationary police officers.

- **High visibility protocols** implemented by the Chief for greater efficiency during down times by assigning officers to areas of responsibility, park & walk activity, and high visibility details.
- **Officer accountability measures** by reducing office/administrative tasks of Sergeants and Lieutenants to enhance field supervision, personnel action, and reassignment of less efficient officers.
- **Not increasing cost** to the Miami Beach Police Department's budget.

The Committee further urges the City Commission to sponsor a presentation by the Chief on the new plan being implemented effective September 14, 2020, and its anticipated outcomes including increased presence and high visibility.

Motion presented by Chairman Alex Fernandez
 Moved by Rafael Velazquez
 Seconded by Adam Kravitz
 Passed by acclamation

Motion #3 expressing concern and urging for an investigation into the issuance of sidewalk café permits

A motion of the Police/Citizens Relations Committee:

- (1) Expressing severe concerns regarding the City's approval of all 466 sidewalk café permits requested over the past three fiscal years notwithstanding the alarming findings of the Sidewalk Café Index Pilot Phase I, presented in LTC 170-2020, which reported recurring instances of overcharging, menu items offered with no price, and aggressive hawking.
- (2) Urging the City Commission to (a) request an enhanced review of side walk café permit applications being submitted for renewal in 2020; (b) request an investigation into the sidewalk café permit approval and renewal process; and, (c) request findings on how the approval and renewal process can be improved to ensure the full accountability of permittees consistent with the Code of Conduct and other adopted regulations.

Motion presented by Chairman Alex Fernandez -gavel passed to Vice-Chairman Adam Kravitz
 Moved by Alex Fernandez
 Seconded by Rafael Velazquez
 Passed by acclamation

Motion #4 supporting amendments to regulations governing the lease of mopeds & motorized bicycles

Recognizing the significant impact to the quality of life of residents and to the safety of pedestrians caused by mopeds and motorized bicycles, the Police/Citizens Relations Committee supports the initiative of Commissioner Mark Samuelian to amend Section 70-70.1 of the City Code. The Committee urges for any adopted language to:

- (1) Require geofencing technology that would prohibit the operation of mopeds & motorized bicycles in pedestrian areas.
- (2) Require operators to immediately acknowledge complaints received from MBPD by immediately and remotely shutting off scooters that are the subject of any such complaint.
- (3) Lower the threshold for the suspension or revocation of a business tax receipt and certificate of use allowing for such suspension or revocation to occur upon the third offense.

Motion presented by Chairman Alex Fernandez.
 Moved by Committee Member Rafael Velazquez.
 Seconded by Chairman Alex Fernandez.
 Passed by acclamation.

Motion #5 to improve safety & cleanliness to Lincoln Rd. from Collins Avenue to the ocean

A motion of the Police/Citizens Relations Committee urging for immediate action and a coordinated effort between the City of Miami Beach and area stakeholders to restore Lincoln Road, from Collins Avenue to the ocean, as the premiere entrance to the beach.

To achieve this objective, the Police/Citizens Relations Committee further urges the City to explore the possibility of pursuing a voluntary partnership with the Ritz-Carlton, the Decoplage, and the Georgian Condominium Association ("stakeholders").

Any such partnership shall seek to achieve the following:

- **Allow private security** currently hired by the stakeholders with the ability to expand their patrol perimeter to include the public areas abutting their respective private property along Lincoln Road from Collins Avenue to the beach entrance and along the Beachwalk from the northern border of the Ritz-Carlton parcel to the southern border of the Georgian Condominium parcel ("project area").
- **Provide a direct line of communication to the Miami Beach Police Department** for the private security services.
- **Supplement the minimum maintenance** provided by the City by empowering stakeholders with the ability to improve upon the project area with maintenance not limited to pressure cleaning, touch up of paint where needed, landscape maintenance, etc.
- **Establish a five-minute "Active Zone"** to further advance the purpose of the Beachwalk as a component of the Atlantic Greenway Network and as an essential element of the City's bicycle/pedestrian transportation system. Overlapping with the existing footprint of the north-south Beach Corridor of the Atlantic Greenway Network, the newly formed Active Zone shall run along the Beachwalk from the northern border of the Ritz-Carlton parcel to the southern border of the Georgian Condominium parcel. In addition, the Active Zone shall extend westward from the Beachwalk to the eastern dead-end of the Lincoln Road. The overall goal of the Active Zone shall be to encourage the use of the Beachwalk as an active transportation facility free from obstructions that may potentially endanger users.
- **Empower stakeholders with the ability to manage, guard, and upkeep the proposed Active Zone** as a conceptual public/private partnership to encourage the active use of the area for: (1) activities associated with the bicycle and pedestrian facility as proposed by Atlantic Greenway Network Implementation Plan; and, (2) the temporary use of public facilities for periods of time not to exceed five minutes.
- **Occupy the Active Zone with positive activity that serves Beachwalk users** by replacing current vendors/concessions in the area with a new elevated level of concession professionally managed ~~by the Ritz-Carlton~~ and selected by the City through a fair process at the northwestern corner of the Beachwalk at Lincoln Road. The objective of this concession shall be to occupy and activate the area with positive activity and to extend into the right of way ~~the Ritz-Carlton's high~~ an elevated standard of concession aesthetics, cleanliness, maintenance, and supervision. Any such process employed by the City may potentially result in the selection of the Ritz-Carlton, Bouche Brother, or some other entity that may be in the best interest of the City for the operation of an elevated level of concession.

The proposed partnership shall yield a public benefit by empowering the abutting stakeholders the ability to enhance the environmental design and security of public areas in front of their property, on a voluntary basis, to levels that exceed current standards provided by the City. The ultimate goal of the proposed partnership shall be to restore the project area as the premier entrance to the beach.

Motion presented by Chairman Alex Fernandez

Moved by Committee Member Julian Linares.

Seconded by Committee Member Rafael Velazquez.

Passed by acclamation.

Committee Members Present on September 15, 2020 – Daniel Aronson, Pamela Brummer, Chairman Alex Fernandez, Seth Feuer, Christine Klingspor, Vice-Chairman Adam Kravitz, Julian Linares, Lizette Lopez, Bruce Reich, and Moshe Rothman.

Committee Members Absent on September 15, 2020 – Alexander Fryd, Angie Chirino, and Matt Salom.

JLM:RMC:tr

A handwritten signature in blue ink, followed by the date "9/22/20".