

MIAMI BEACH

OFFICE OF THE CITY ATTORNEY

RAFAEL PAZ, ACTING CITY ATTORNEY

COMMISSION MEMORANDUM

TO: MAYOR DAN GELBER
MEMBERS OF THE CITY COMMISSION FIRST READING
RAUL J. AGUILA, INTERIM CITY MANAGER

FROM: RAFAEL PAZ, ACTING CITY ATTORNEY 

DATE: April 21, 2021

SUBJECT: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE VI, ENTITLED "NAMING OF PUBLIC FACILITIES AND ESTABLISHMENT OF MONUMENTS OR MEMORIALS," BY AMENDING SECTION 82-503 THEREOF, ENTITLED "NAMING OF PUBLIC FACILITIES; CO-NAMING AND RE-NAMING OF STREETS," BY AMENDING SUBSECTIONS (C)(1)(A) AND (C)(2)(A) TO PROVIDE ADDITIONAL CRITERIA AND PROCEDURES FOR THE CO-NAMING OF STREETS IN HONOR OF DECEASED PERSONS WHO ARE KNOWN FOR THEIR ROLE AS A GAY-RIGHTS PIONEER AND AS ONE OF THE FIRST OPENLY LGBTQ PEOPLE EVER ELECTED TO PUBLIC OFFICE IN THE U.S.; PROVIDING SUNSET PROVISIONS THEREFOR; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Pursuant to the request of Commissioner David Richardson, the above-referenced Ordinance is submitted on First Reading for consideration by the Mayor and City Commission at the April 21, 2021 City Commission meeting.

Under existing criteria in Section 82-503 of the City Code, City streets may only be co-named of (1) Miami Beach police officers who died or were killed in the line of duty; (2) a public facility located on the street to be co-named; (3) private not-for-profit organizations with significant historic value to the city and associated with structures which have a significant historical value or architectural significance to the city; (4) geographic areas within the city; (5) a commercial establishment that has been in business in the City of Miami Beach for 100 or more years and which is located on the street to be co-named; or (6) deceased person who served as the spiritual leader of a prominent religious institution in the City of Miami Beach for 35 or more years and resided in the City of Miami Beach.

At the February 10, 2021 City Commission meeting, at the request of Commissioner David Richardson, an agenda discussion item was referred to the Neighborhood and Quality of Life Committee ("NQLC") for it to consider the co-naming of 18th Street,

between Meridian Avenue and Convention Center Drive/Muhammad Ali Way, and located adjacent to the Miami Beach Holocaust Memorial and north of the Pride Park, in honor of Harvey Milk, best known for his role as a gay-rights pioneer and one of the first openly LGBTQ people ever elected to public office in the U.S, along with any amendment to Section 82-503 of the City Code that may be required to accomplish the naming.

At its March 22, 2021 meeting, the NQLC reviewed the proposal and did not favorably recommend the amendment to Section 82-503 of the City Code. Notwithstanding the NQLC's unfavorable recommendation, Commissioner Richardson desires for this proposal to be fully considered by the City Commission at first reading on April 21, 2021.

While his life was tragically cut short, Harvey Milk's legacy has continued to shine bright and his name and image can be found on stamps, streets and schools. In 2009, President Obama posthumously awarded Milk the Presidential Medal of Freedom, the highest civilian honor a president can bestow.

In April 2018, the San Francisco Board of Supervisors approved and signed legislation renaming Terminal 1 at San Francisco International Airport after Milk, making it the world's first airport terminal named after a leader of the LGBTQ community. In June 2018, the city council of Portland, Oregon voted to rename a thirteen-block southwestern section of Stark Street to Harvey Milk Street. Mr. Milk's legacy can be found not only in the U.S. but cities across the world – in June 2019, Paris, France named a square Place Harvey-Milk in Le Marais.

Co-naming 18th Street, which is proximate to the City Hall and Pride Park in honor of one of the first openly gay public officials who was tragically murdered for being his authentic and unapologetic self would be particularly symbolic and fitting, considering that Mr. Milk's unprecedented proclamation of his authenticity as an openly gay public official gave hope to LGBTQ people everywhere at that time.

In order to facilitate the co-naming of 18th Street, an amendment to the City's naming ordinance, codified in Article VI of Chapter 82 of the City Code, must be made to expand the provided criteria for the co-naming of City streets in honor of Harvey Milk.

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