

ORDINANCE NO. _____

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 A DECEASED CUBAN-AMERICAN ARTIST WHO MADE VAST CONTRIBUTIONS TO LATIN MUSIC HISTORY AND CULTURE; PROVIDING SUNSET PROVISIONS THEREOF; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, 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; or (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; and

WHEREAS, at the July 28, 2021 City Commission meeting, at the request of Mayor Dan Gelber, an agenda discussion item was referred to the Neighborhood and Quality of Life Committee ("NQLC") for it to consider the co-naming of Meridian Avenue in Honor of the late Celia Cruz; and

WHEREAS, at its September 20, 2021 meeting, the NQLC reviewed the proposal, and without making a recommendation on the merits, directed for this proposal to be fully considered by the City Commission; and

WHEREAS, at the October 13, 2021 City Commission meeting, the Mayor and City Commission directed the City Administration and City Attorney's Office to draft limited, additional co-naming criteria amendments to Section 82-503 of the City Cod in order to co-name a City street in honor of Celia Cruz; and

WHEREAS, known to many as the "Queen of Salsa," Celia Cruz is unquestionably an enduring symbol of Cuban Culture and continues to be recognized as one of the most popular Latin artists of all time nearly 18 years after her death; and

WHEREAS, Cruz began her rise to worldwide stardom in the 1950's with the legendary Afro-Cuban group La Soñora Matancera, and enjoyed a nearly 60-year career

of recording and performing salsa, rumba and reggaeton, while also starring in films and appearing on radio; and

WHEREAS, in 1994, President Clinton awarded Cruz the National Endowment for the Arts award, the highest recognition granted by the United States government to an artist, and in 1999, Cruz was inducted into the International Latin Music Hall of Fame; and

WHEREAS, a strong connection exists between Celia Cruz and Miami Beach and the surrounding areas – on March 13, 2003, Celia Cruz gave her final performance and last public appearance at the Miami Beach Convention Center during the tribute special Celia Cruz: Azucar!, just four months before her passing; and

WHEREAS, in 2005, a 6,000-square foot exhibit titled Azucar! The Life and Music of Celia Cruz opened at the Smithsonian Institution's National Museum of American History – the exhibit was later displayed at The Bass Museum in Miami Beach; and

WHEREAS, in 2016, the Wolfsonian-FIU Museum opened the exhibit Promising Paradise: Cuban Allure, American Seduction, which highlighted Cuba's once thriving nightlife and featured one of the glamorous gowns that Cruz wore while performing at the famous Cuban nightclub and casino the Tropicana; and

WHEREAS, co-naming Meridian Avenue, located between Dade Boulevard and 18th Street/Harvey Milk Way, after Celia Cruz would be particularly fitting due to its proximity to the Miami Beach Convention Center, the place of her final performance and last public appearance prior to her death.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. That section 82-503 of Article VI of Chapter 82 of the Code of the City of Miami Beach is hereby amended as follows:

CHAPTER 82 PUBLIC PROPERTY

* * *

Article VI. Naming of Public Facilities and Establishment of Monuments or Memorials

* * *

Sec. 82-503. Naming of public facilities; co-naming and renaming of streets.

* * *

(c) *Co-naming/renaming of streets or portions thereof.*

- (1) a. Streets, or portions thereof, located in the city may be co-named in honor 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 and which are located on the street, or portion thereof, to be co-named;
 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.
 7. 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.
 8. Deceased historical figure who was instrumental in helping Latin American countries achieve independence from the Spanish Empire.
 9. A prominent Jewish figure who made significant civic contributions to Jewish history and/or Jewish-related initiatives.
 10. Deceased Cuban-American artist who made vast contributions to Latin music history and culture.

The provisions in this subsection 82-503(c)(1)a., shall not apply to streets named or co-named prior to June 21, 2014. The provisions in subsection 82-503(c)(1)a.6. and (c)(2)a.7. shall automatically sunset on July 1, 2019. The provisions in subsection 82-503(c)(1)a.7. and (c)(2)a.8. shall automatically sunset on May 1, 2022. The provisions in subsection 82-503(c)(1)a.8. and (c)(2)a.9. shall automatically sunset on July 1, 2022. The provisions in subsections 82-503(c)(1)a.9 and (c)(2)a.10 shall automatically expire on September 30, 2022. The provisions in subsections 82-503(c)(1)a.10 and (c)(2)a.11 shall automatically expire on January 31, 2023.

- b. Notwithstanding the provisions in subsection 82-503(c)(1)a., the following streets, or portions thereof, shall not be co-named or renamed: 5th Street, 41st Street, 71st Street, Collins Avenue, Washington Avenue, Alton Road, and Ocean Drive. The provisions in this subsection 82-503(c)(1)b., shall not apply to streets, or portions thereof, that are co-named or renamed prior to December 27, 2014.
- (2) Whenever a request is made to co-naming shall first be considered and reviewed by the committee according to the following procedures:

- a. Any person, organization, association, corporation or other entity, including a member of the city, may propose that a street be co-named, by submitting the request in writing to the committee. At a minimum, such request shall include the following:
1. The street, or portion thereof, to be co-named; and
 2. The proposed co-name of the street, or portion thereof; and
 3. The reason for the request; and
 4. If the proposed co-naming is requested pursuant to subsection 82-503(c)(1)a.1., a factual summary including the date and circumstances under which the officer died or was killed in the line of duty; and
 5. If the proposed co-naming is requested pursuant to subsection 82-503(c)(1)a.3., a factual summary confirming the significant historic value of the private not-for-profit organization, and the associated structure, to the city; and
 6. If the proposed co-naming is requested pursuant to subsection 82-503(c)(1)a.5., a factual summary confirming the commercial establishment's contribution to the city; and
 7. If the proposed co-naming is requested pursuant to subsection 82-503(c)(1)a.6., a factual summary confirming the status of the person as a spiritual leader of a prominent religious institution in the City of Miami Beach for 35 or more years and that the person resided in the City of Miami Beach.
 8. If the proposed co-naming is requested pursuant to subsection 82-503(c)(1)a.7., a factual summary confirming the status of the person as a gay-rights pioneer and one of the first openly LGBTQ people ever elected to public office in the U.S.
 9. If the proposed co-naming is requested pursuant to subsection 82-503(c)(1)a.8., a factual summary confirming the status of the person as a deceased historical figure who was instrumental in helping Latin American countries achieve independence from the Spanish Empire.
 10. If the proposed co-naming is requested pursuant to subsection 82-503(c)(1)a.9., a factual summary confirming the status of the person as prominent Jewish figure who made significant civic contributions to Jewish history and/or Jewish-related initiatives.
 11. If the proposed co-naming is requested pursuant to subsection 82-503(c)(1)a.10., a factual summary confirming the status of the person as a deceased Cuban-American artist who made vast contributions to Latin music history and culture.
- b. Within a reasonable time after receipt of the request, the committee shall meet to consider and review same. Notice of the meeting shall be given to the person and/or organization that made the request.

- c. After reviewing the request, the committee shall transmit its recommendation to the city commission regarding the request. The committee's recommendation requires a simple majority vote.
- d. Within a reasonable time after receiving the recommendation from the committee, the commission shall call a public hearing regarding the co-naming. Notice of the public hearing shall be published at least ten days prior to the hearing in a newspaper of general circulation in the city.
- e. At the close of the public hearing, the city commission may approve the request. Any request to co-name a street or portion thereof pursuant to this subsection 82-503(c) must be approved by a 5/7ths vote of the city commission.
- f. Any person, not-for-profit organization, or commercial establishment to be recognized by the co-naming of a street, or portion thereof, must be in good standing in the community at the time of final approval of same by the city commission and if, after the street is co-named, the person recognized, or the principal(s) of the not-for-profit commercial establishment recognized are subsequently convicted or adjudicated guilty of a felony, the co-name shall be removed from the street sign. In addition, the city commission may approve the removal of the co-name of a street at a public hearing if said person, not-for-profit organization, or commercial establishment is no longer in good standing in the community. In either case, neither the city, nor any of its officers, employees, contractors, or agents, shall have any liability to the person, not-for-profit organization, or commercial establishment recognized by the co-naming of the street or to the principal(s) of such not-for-profit organization or commercial establishment (including, without limitation, if such person or principal(s) are deceased, his/her heirs, relatives, successors, or assigns), and/or any other party(ies) for any costs or claims resulting from such removal (and including, without limitation, reimbursement of any costs incurred for design, fabrication, installation, and/or maintenance of the street sign, if applicable).

SECTION 2. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 3. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 4. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made

part of the Miami Beach City Code. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect on the _____ day of _____, 202__.

PASSED AND ADOPTED this _____ day of _____, 202__.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

Underline denotes additions
~~Strikethrough~~ denotes deletions

(Sponsored by Mayor Dan Gelber
co-sponsored by Commissioner Michael Góngora and
Commissioner David Richardson)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney

10-21-21

Date