

From: [Sara de los Reyes](#)
To: claremccord@earthlink.net
Cc: [Gayle](#); [Marilyn Freundlich](#); [Alyson Herman](#); [Ken Koppel](#); [Amy Mehu](#); [Amy de Saint-Seine](#); [Amy Sainte-Seine](#); [David Podein](#); [Eugene Rodriguez](#); [Jonathan Plutzik](#); kmars@bhusa.com; [Jose Vilarello](#); [Melissa Beattie](#); [Nick Weir](#); [Nora Weir](#); [Raquel Pacheco](#); [Ronald Starkman](#); [Scott Needleman](#); [Sara Reyes](#); [Scott Diffenderfer](#)
Subject: Re: Agenda for Today's Alliance Call
Date: Friday, February 4, 2022 8:28:18 PM
Attachments: [image001.png](#)
[image001.png](#)

Here is my input and thought we were going to keep it simple and most important our neighborhoods and let city decide on exemptions out of our reside ti areas.

All of the residential neighborhoods listed below will close establishments at 2AM in door and 12:00AM out door.

- South of Fifth
- Flamingo
- West Avenue
- Sunset Harbour

Any other establishments that have security and keep the venues totally indoors with closed doors will be exempted with a permit to stay open till 5AM.

Regards,

Sara de los Reyes

Office: 305-538-8825

Cell: 305-607-7540

Email: saradlr@outlook.com

On Feb 4, 2022, at 2:52 PM, claremccord@earthlink.net wrote:

I thought we were staying out of the weeds???

Clare McCord, Ph.D.

President, McCord Consulting



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+1-305-772-4780

From: Gayle <gayle@cfsystems.com>

Sent: Friday, February 4, 2022 1:22 PM

To: 'Marilyn Freundlich' <mefreundlich@gmail.com>

Cc: 'Alyson Herman' <alysherman@aol.com>; 'Ken Koppel' <ken.koppel@gmail.com>; 'Amy Mehu' <amehu25@gmail.com>; 'Amy de Saint-Seine' <amy.phshoa@gmail.com>; 'Amy Sainte-Seine' <amy@palmhibiscusstarislands.org>; 'Clare McCord' <claremccord@earthlink.net>; 'David Podein' <dpodein@haber.law>; 'Eugene Rodriguez' <eugenebtp@aol.com>; 'Jonathan Plutzik' <jonathanplutzik@gmail.com>; kmarks@bhusa.com; 'Jose Vilarello' <manager@ivresidence.com>; 'Melissa Beattie' <melgbeattie@gmail.com>; 'Nick Weir' <nick.weir123@gmail.com>; 'Nora Weir' <norasweir@gmail.com>; 'Raquel Pacheco' <raquelowen74@gmail.com>; 'Ronald Starkman' <rpstarkman@gmail.com>; 'Scott Needleman' <san1455@att.net>; 'Sara de los Reyes' <saradlr@outlook.com>; 'Sara Reyes' <saradelosreyes@hotmail.com>; 'Scott Diffenderfer' <scottd@compass.com>

Subject: RE: Agenda for Today's Alliance Call

- Citywide 2am indoors and outdoors. Exceptions are MXE if visually and auditorily indoors and are not a right and can be rescinded on performance; and hotels along the ocean over 200 units.

Unfortunately, whatever is decided will get chipped away over the years and more properties will get exemptions.

Example: Citywide 2am indoors and outdoors. Exceptions are MXE and Alton Road between 15th Street and Dade Blvd if visually and auditorily indoors and are not a right and can be rescinded on performance; and hotels along the ocean and Biscayne Bay over 200 units.

So maybe add that any further exemptions need a commission vote of 6 of 7.

Regards,

Gayle Durham

1455 West Ave, Miami Beach

C 305.812.5331

From: Marilyn Freundlich <mefreundlich@gmail.com>

Sent: Friday, February 4, 2022 12:25 PM

To: Gayle <gayle@cfsystems.com>

Cc: Alyson Herman <alysherman@aol.com>; Ken Koppel <ken.koppel@gmail.com>;

Amy Mehu <amehu25@gmail.com>; Amy de Saint-Seine <amy.phshoa@gmail.com>; Amy Sainte-Seine <amy@palmhibiscusstarislands.org>; Clare McCord <claremccord@earthlink.net>; David Podein <dpodein@haber.law>; Eugene Rodriguez <eugenebtp@aol.com>; Jonathan Plutzik <jonathanplutzik@gmail.com>; kmarks@bhusa.com; Jose Vilarello <manager@ivresidence.com>; Melissa Beattie <melgbeattie@gmail.com>; Nick Weir <nick.weir123@gmail.com>; Nora Weir <norasweir@gmail.com>; Raquel Pacheco <raquelowen74@gmail.com>; Ronald Starkman <rpstarkman@gmail.com>; Scott Needleman <san1455@att.net>; Sara de los Reyes <saradlr@outlook.com>; Sara Reyes <saradelosreyes@hotmail.com>; Scott Diffenderfer <scottd@compass.com>

Subject: Re: Agenda for Today's Alliance Call

i like gayle's version but we also need to include the fountain blues and other big hotels that have ability to have entertainment inside and security. there is no way these places are going to accept this quietly!
Marilyn

On Fri, Feb 4, 2022 at 12:11 PM Gayle <gayle@cfsystems.com> wrote:

I do not agree with Sobesafe draft version because it names a few places to require 2am then leaves the possibility for the whole city to remain 5am.

I would reword Ken's version like this:

- Citywide 2am indoors and outdoors. Exceptions are MXE if visually and auditorily indoors only and not a right and can be rescinded on performance

Regards,
Gayle Durham
1455 West Ave, Miami Beach
C 305.812.5331

From: Alyson Herman <alysherman@aol.com>

Sent: Friday, February 4, 2022 11:16 AM

To: Ken Koppel <ken.koppel@gmail.com>

Cc: Amy Mehu <amehu25@gmail.com>; Amy de Saint-Seine <amy.phshoa@gmail.com>; Amy Sainte-Seine <amy@palmhibiscusstarislands.org>; Clare McCord <claremccord@earthlink.net>; dpodein@haber.law; Eugene Rodriguez <eugenebtp@aol.com>; Jonathan Plutzik <jonathanplutzik@gmail.com>; kmarks@bhusa.com; Jose Vilarello <manager@ivresidence.com>; Marilyn Freundlich <mefreundlich@gmail.com>; Melissa Beattie <melgbeattie@gmail.com>; Nick Weir <nick.weir123@gmail.com>; Nora Weir <norasweir@gmail.com>; Raquel Pacheco

<raquelowen74@gmail.com>; Ronald Starkman <rpstarkman@gmail.com>; Scott Needleman <san1455@att.net>; Sara de los Reyes <saradlr@outlook.com>; Sara Reyes <saradelosreyes@hotmail.com>; Scott Diffenderfer <scottd@compass.com>; Gayle Durham <gayle@cfsystems.com>

Subject: Re: Agenda for Today's Alliance Call

Hi Ken et al,

In respect to Sofna- our first choice is 100% no exceptions. However, all of us have been speaking with commissioners and it is clear at this point we don't have 5 supporting that; which is what's needed sofi. First, we intend to present the discussion to our community before taking a formal position however, at this moment a majority of the board are in favor of considering very nominal exceptions. The idea is below (if legally permissible):

- Only establishments with an occupancy less than 100 can remain open to 5am.
- no new establishments permitted 5am.
- no live or dj music
- no outside past 2a(12 am is better)

Essentially this allows closure 2am of our clubs, big pink, primes, the majority of all restaurants where 5am is permitted and allows only about 2 SMALL local watering holes to remain. We believe this is a winning compromise where we will get five votes and community commercial support (maybe not story but the other large restaurant operators will not oppose).

Please keep in mind sofna is only "discussing" this at this point and have NOT formalized a position.

Looking forward to your thoughts.

Best,

Alyson

Sent from my iPhone

On Feb 4, 2022, at 10:38 AM, Ken Koppel <ken.koppel@gmail.com> wrote:

At yesterday's Alliance meeting we agreed to formulate a message to the administration stating a unified position on regulating 5AM alcohol service. It would be signed by us all individually or by our association. The points of agreement were:

- Absolute protection for the residential neighborhoods.

Including:

- South of fifth
- Sunset harbor
- West avenue
- Flamingo Park
- 5AM exemptions for MXE (Ocean Drive – E. Washington)
 - Must be fully enclosed venue, both visually and auditorily
 - Not a right and can be rescinded on performance

Please review and comment on the draft below.

As we review the agenda for next Wednesday's Commission meeting, we see a flurry of proposals on how to turn the recent straw poll on in favor of regulating access to alcohol service after 2AM into actionable ordinances. We're aware that this is a topic of intense lobbying and discussion with more proposals and counter proposals on the way.

Rather than comment on the merits of each, we think it more productive to offer a straightforward summary of where we believe the matter should end.

We prefer that alcohol service after 2AM be banned throughout Miami Beach, however, should compromise be required we would propose the following:

-We do not believe that 5AM alcohol services should be permitted in residential neighborhoods, including South of Fifth, Sunset Harbour, West Avenue, Flamingo Park, and the residential North Ocean Drive Pedestrian Plaza.

-For the MXE, generally defined as Ocean Drive to the East Side of Washington Avenue from 5th to 15th Streets (and conceivably to Lincoln Road) applications for 5AM

service be permitted in those venues that can be fully enclosed. Fully enclosed is defined as not permitting music or other sounds to be heard from without, nor views of interior entertainment or activity to be permitted from city sidewalks. Operators would also be held responsible for security and management of any queuing occurring on the sidewalk in front of their establishment. And, finally, such exemptions would be granted not as a right but as a privilege subject to revocation based on performance.

We believe that these principles establish an equitable playing field for all operators, not favoring any one over the other nor encouraging arbitrary exceptions for the well connected. And by doing so, they should also enable a better defense against the legal challenges that are sure to come.

On Feb 3, 2022, at 3:52 PM, Gayle
<gayle@cfsystems.com> wrote:

I think most important are the commission agenda items about 2am alcohol. Looks like they are trying to get some 2am passed neighborhood by neighborhood, see below. All look good to me except R5P seems like a disaster.

Join Zoom
Meeting 4:30 <https://us02web.zoom.us/j/89731941313?pwd=NHlFUVPXbVpLbEtXNjhoUi9BeXhOZz09>

- Neighborhood Specific Concerns
- Thoughts on Appointments (boards of interest highlighted in the attached)
Congratulいたions Clare (Resiliency Projects), Sara (Animal Welfare), Ron Starkman termed out of Budget Committee and we hope he will join another; Gayle (Planning Board). Sorry if I missed

anyone.

- Upcoming Commission items:
 - Conversancy
 - 2AM/5AM

[C7I](#) To prohibit alcohol after 2am outdoors on private property citywide without exceptions. This would include Clevelander, Palace, Bikini, Twist backyard, Bar One, etc) , sponsor Fernandez

[R5S](#) 1st Reading, Prohibit alcohol 2am to 8am on Alton Rd, West Ave, and side streets in West Avenue Neighborhood from 5th Street to Dade Blvd. Sponsor Samuelian

[R5Q](#) 1st Reading Prohibit alcohol 2am to 8am from Ocean to Euclid, 5th St to 16th St, Art Deco Cultural District, Option A-Perform. Sponsor Samuelian

[R5R](#) 1st Reading, Make procedure to allow exceptions for existing alcohol venues from Ocean to Euclid, 5th St to 16th St, Art Deco Cultural District, Option A-Perform. Sponsor Samuelian

[R5P](#) 1st Reading, Create procedure and criteria to apply to serve alcohol after 2am for all venues citywide. Sponsor Mayor Gelber

[R9E](#) To begin zoning in progress, a Referral to Planning Board repeal exceptions to 2am alcohol in the Performance Standard (PS) Districts South of Fifth Commissioner Mark Samuelian

[R9F](#) To begin zoning in progress, a Referral to Planning Board repeal exceptions to 2am alcohol along Alton and West Ave Commissioner Mark Samuelian

[R9G](#) To begin zoning in progress, a Referral to Planning Board repeal exceptions to 2am alcohol along 41st Street Commissioner. sponsor Alex

Fernandez

- Concerns that need to be addressed leading up to Spring Break