

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO EXPLORE THE VIABILITY OF THE CITY ENTERING INTO A MEMORANDUM OF UNDERSTANDING WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION, IN ORDER TO PROVIDE THE CITY MANAGER WITH ADVANCE AUTHORITY TO CLOSE ANY OF THE CAUSEWAY(S) LEADING INTO THE CITY DURING THE SECOND AND THIRD WEEKENDS OF SPRING BREAK IN MARCH 2024, BASED UPON CERTAIN CAPACITY LIMITS HAVING BEEN MET AND/OR THE OCCURRENCE OF OTHER ESTABLISHED CRITERIA; AND FURTHER, DIRECTING THE CITY ADMINISTRATION TO PRESENT ITS FINDINGS, ALONG WITH ANY ALTERNATIVE OPTION(S), TO THE MAYOR AND CITY COMMISSION AT THE MAY 17, 2023 CITY COMMISSION MEETING.

WHEREAS, the City of Miami Beach is a small barrier island nestled between Biscayne Bay (on the west) and the Atlantic Ocean (on the east); and

WHEREAS, the City only has approximately 90,000 residents and fifteen (15) square miles of land within its territorial jurisdiction; and

WHEREAS, nonetheless, the City of Miami Beach is an internationally renowned tourist destination that is famous for its beautiful beaches, world-class shopping, entertainment, fine dining, and vast array of artistic and cultural events; and

WHEREAS, however, in recent years, the City (which has a limited capacity for ingress and egress) has seen a tremendous number of visitors during the Spring Break/ March high impact period, which has posed significant challenges including, but not limited to, extreme traffic, congestion and parking issues, multiple shootings, stampedes, and severe impacts to the City's Police, Fire, Sanitation, and Code Compliance services; and

WHEREAS, in March 2021, similar unruly crowd control issues during the month of March resulted in the imposition of emergency measures, including an 8:00 pm. curfew in the area between 5th Street and 16th Street, from Pennsylvania Avenue to Ocean Drive, while the remainder of the entire City was subject to a Miami-Dade County midnight (12:00 a.m.) curfew; and

WHEREAS, in March 2022, the City also experienced massive crowds and several shootings in a concentrated tourist area over a period of a few days, resulting in the declaration of a state of emergency and imposition of a weekend curfew for the last weekend of March 2022; and

WHEREAS, many of the visitors to the City during the month of March are under the influence of alcoholic beverages (and/or other substances) and have demonstrated a blatant disregard for the rule of law; and

WHEREAS, in March 2023, there have been multiple fights, shootings, and various other incidents and police calls for service -- for example, for the period between February 27, 2023 and March 18, 2023, there have been four (4) aggravated assault arrests, three (3) aggravated battery arrests, seven (7) robbery arrests, twenty (20) arrests for carrying a concealed firearm,

thirty-seven (37) felony drug arrests, twelve (12) arrests for battery on a law enforcement officer, and eighty-two (82) arrests for other felonies; and

WHEREAS, such incidents include two (2) shootings that occurred the weekend of March 17, which resulted in two (2) fatalities and non-fatal injuries to other persons, and which also created stampedes that caused injuries to several people, including two (2) volunteer goodwill ambassadors, and all of which pose a danger to public safety and order in the public streets and rights-of-way; and

WHEREAS, despite the vast and highly-visible police officer presence in the City, criminals and their illegal behavior continue undeterred; and

WHEREAS, the City's police officers have been faced with unruly crowds and dangerous situations, and have been working additional shifts and foregoing some of their days off during the pendency of Spring Break; and

WHEREAS, the Police Department and its law enforcement partners have impounded over seventy (70) firearms from February 27, 2023 - March 19, 2023; and

WHEREAS, the City's Police Department and its law enforcement partners have effectuated 322 arrests from February 27, 2023 to March 19, 2023; and

WHEREAS, regrettably, some of these disturbing incidents and arrests have garnered attention (including national attention) from various news outlets and media; and

WHEREAS, the City's Police and Fire Departments have also notified the City Administration that the volume and level of crowds have made it extremely difficult for Police and Fire emergency vehicles to get through portions of the area in order to adequately protect the health, safety and welfare of the public; and

WHEREAS, even with the assistance of other law enforcement agencies and their officers, the Police Department cannot adequately control the overwhelming throngs of revelers in the City; and

WHEREAS, there are only four (4) causeways (the "Causeways") linking the City of Miami Beach to the mainland in the City of Miami; and

WHEREAS, the Florida Department of Transportation is the state agency that controls the operation of, and has authority over, the Causeways; and

WHEREAS, by providing the Miami Beach City Manager advance authority to close any of the Causeway(s), during 2nd and 3rd weekends in March, based upon certain capacity limits and/or other criteria being met, FDOT would be bestowing an invaluable tool upon the City in order to assist in maintaining law and order, and protecting the health, safety and welfare of all persons and establishments within the City of Miami Beach.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby direct the City Administration to explore the viability of the City entering into a Memorandum of Understanding with the Florida Department of Transportation, in order to provide the City Manager with advance authority to close any of the Causeway(s)

leading into the City during the second and third weekends of Spring Break in March 2024, based upon certain capacity limits having been met and/or the occurrence of other established criteria; and further, directing the City Administration to present its findings, along with any alternative option(s), to the Mayor and City Commission at the May 17, 2023 City Commission meeting.

PASSED and **ADOPTED** this _____ day of _____ 2023.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioner Alex J. Fernandez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

3-23-23
Date

MAF