

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUSPENDING THE DEVELOPMENT OF ANY CITY-ACTIVATED SPECIAL EVENTS DURING THE MARCH 2024 SPRING BREAK PERIOD; IN LIEU THEREOF, ENDORSING, IN CONCEPT, THE USE OF THE \$3.2 MILLION THE CITY EXPENDED IN FY 2022 FOR MARCH 2023 EVENT ACTIVATIONS TO ESTABLISH A GRANT PROGRAM FOR BUSINESSES THAT WILL BE AFFECTED BY THE ANTICIPATED MARCH 2024 CURFEWS ENDORSED BY THE CITY COMMISSION PURSUANT TO RESOLUTION NO. 2023-32557 IN ADVANCE OF SPRING BREAK 2024, WITH THE GRANT PROGRAM TO ASSIST AFFECTED BUSINESSES WITH COVERING PAYROLL COSTS AND OTHER LEGITIMATE EXPENSES INCURRED AS THE RESULT OF THE ANTICIPATED MARCH 2024 CURFEWS; AND FURTHER, REFERRING THIS MATTER TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE TO REVIEW THE PARAMETERS FOR THE PROPOSED GRANT PROGRAM AND THE RECOMMENDED AMOUNTS FOR FUNDING THE GRANT PROGRAM AS PART OF THE FY 2024 BUDGET.

WHEREAS, the City of Miami Beach (the "City") 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, in recent years, the City has seen an increasingly large number of visitors during the Spring Break period, which has posed significant challenges including, but not limited to, extreme traffic and congestion, and severe impacts to the City's Police, Fire, Sanitation, and Code Compliance services; and

WHEREAS, many of the visitors to the City during high impact periods, such as Spring Break, are under the influence of alcoholic beverages and have demonstrated a blatant disregard for the rule of law; and

WHEREAS, in 2021, unruly crowd control issues during Spring Break 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; 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, such 2022 incidents included the shooting of 5 different innocent pedestrians and created stampedes and mayhem in the public streets and rights-of-way; and

WHEREAS, also in 2022, the Police Department and its law enforcement partners have impounded one-hundred (100) firearms from February 18, 2022 – March 21, 2022,

with approximately thirty-seven (37) of such firearms having been impounded during the weekend spanning March 18 – 20; 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 March 2023 incidents include two (2) shootings that occurred the weekend of March 17th, which resulted in two (2) fatalities and injuries to others, 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, in response to each of the two (2) deadly shootings, officers were able to arrive on the scene within a matter of seconds, but nevertheless were unable to prevent the shootings; and

WHEREAS, if each of the shootings had occurred only moments earlier or later, police officers in the area could have been caught in cross-fire; and

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

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

WHEREAS, regrettably, many of these disturbing incidents and arrests in the above-referenced area have garnered attention (including national attention) from various news outlets and media; and

WHEREAS, there is a clear pattern of unruly crowds, general mayhem, and violence that takes place in the City during every Spring Break season; and

WHEREAS, the Mayor and City Commission desire for the City to be proactive in preventing mayhem, violence, and unruly crowds that have statistically occurred in the City every March Spring Break period; and

WHEREAS, pursuant to Chapter 252 of the Florida Statutes and Chapter 26 of the City Code, the City also has the power and authority to declare a local state of emergency and promulgate emergency orders to protect the health and safety of persons and property, and to make, amend and rescind such orders and rules as are necessary for such purposes; and

WHEREAS, on March 27, 2023, the Mayor and City Commission adopted Resolution No. 2023-32557, to endorse, in advance of Spring Break 2024, the City Manager's intent to declare a State of Emergency for the area south of Dade Boulevard/23rd Street, including a curfew for limited periods in March of 2024 to provide for public safety and order in the City, in particular during the period which may potentially include March 7, 2024 through March 18, 2024 or portions thereof, which is the period the City has historically experienced threats to public safety due to excessively large crowds and life-threatening violence

WHEREAS, based on the clear factual record of the same issues with crowd control, arrests, and deadly violence that have occurred, in the same geographic area, during the same weekends in March, year after year for three consecutive years, that City anticipates that there will be a need to impose a curfew during March 2024 Spring Break; and

WHEREAS, based on the foregoing, and in an effort to bring an end to the mayhem and unruly crowds that plague the City every March, the City must establish a clear, consistent, and unambiguous message that "Spring Break" as traditionally experienced in the City of Miami Beach will no longer be tolerated; and

WHEREAS, in furtherance of such communications efforts, the Mayor and City Commission wish to direct the City Administration to suspend any efforts to develop City-activated special events to take place during March 2024, as the activation of events is completely incongruous with the message that Miami Beach is not a destination for Spring Break; and

WHEREAS, in lieu of extremely expensive Spring Break 2024 event activations that will only serve to bring more crowds to the City, the Mayor and City Commission wish to endorse, in concept, the use of the \$3.2 million the City expended in FY 2022 for March 2023 event activations to establish a grant program for businesses that will be affected by the anticipated March 2024 curfews; and

WHEREAS, the grant program should be structured to provide affected businesses with covering payroll costs and other legitimate expenses incurred as the result of the anticipated March 2024 curfews, encourage businesses to schedule repairs and other capital improvements/repairs during March 2024 by covering related permit costs and expeditor permit fees, and other steps to support local businesses while also providing a solution to the public safety issues plaguing the City and its limited resources for years; and

WHEREAS, the Mayor and City Commission further wish to refer this item to the Finance and Economic Resiliency Committee to consider the parameters for the grant program and the recommended amount for funding the program as part of the FY 2024 budget.

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 suspend the development of any City-activated special events during the March 2024 Spring Break period; in lieu thereof, endorse, in concept, the use of the \$3.2 million the City expended in FY 2022 for March 2023 event activations to establish a grant program for businesses that will be affected by the anticipated March 2024 curfews endorsed by the City Commission pursuant to resolution No. 2023-32557 in advance Of Spring Break 2024, with the grant program to assist affected businesses with covering payroll costs and other legitimate expenses incurred as the result of the anticipated March 2024 curfews; and further, refer this matter to the Finance and Economic Resiliency Committee to review the parameters for the proposed grant program and the recommended amounts for funding the grant program as part of the FY 2024 budget.

PASSED and **ADOPTED** this 28 day of April, 2023.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

(sponsored by Commissioner Kristen Rosen Gonzalez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

4-17-23
Date