

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 SECOND AND THIRD WEEKS OF MARCH 2024 SPRING BREAK PERIOD; IN LIEU THEREOF, ENDORSING, IN CONCEPT, THE USE OF THAT PORTION \$3.2 MILLION THE CITY EXPENDED IN FY 2022 FOR SECOND AND THIRD WEEKS OF MARCH 2023 EVENT ACTIVATIONS FOR ADDITIONAL PUBLIC SAFETY PURPOSES DURING 2024 MARCH SPRING BREAK; AND FURTHER, DIRECTING THE CITY ADMINISTRATION TO FOCUS ON IDENTIFYING A QUALITY, TRANSFORMATIVE, FAMILY-FRIENDLY EVENT PROGRAM, WITHIN A SECURED AND CONTROLLED PERIMETER, TO BE POTENTIALLY IMPLEMENTED AS PART OF THE 2025 MARCH SPRING BREAK PERIOD, AS PREVIOUSLY DIRECTED BY THE CITY COMMISSION.

**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 5<sup>th</sup> Street and 16<sup>th</sup> 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 17<sup>th</sup>, 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 the second and third weeks of March 2024, as the activation of events is incongruous with the message that Miami Beach is not a destination for Spring Break; and

**WHEREAS**, in lieu of expensive Spring Break 2024 event activations that will only serve to bring more crowds to the City, the Mayor and City Commission desire to endorse, in concept, the use of the \$3.2 million the City expended in FY 2022 for March 2023 event activations to implement additional public safety and law enforcement measures to keep the residents and visitors safe during the Spring Break 2024 period; and

**WHEREAS**, the Mayor and City Commission also desire to direct the City Administration to focus on identifying a quality, family-friendly event program to be potentially implemented as part of the 2025 March Spring Break period.

**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 second and third weeks of March 2024 Spring Break period; in lieu thereof, endorse, in concept, the use of that portion \$3.2 million the City expended in FY 2022 for second and third weeks of March 2023 event activations for additional public safety purposes during 2024 March Spring Break; and further, direct the City Administration to focus on identifying a quality, transformative, family-friendly event program, within a secured and

controlled perimeter, to be potentially implemented as part of the 2025 March Spring Break period, as previously directed by the City Commission.

**PASSED** and **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**ATTEST:**

\_\_\_\_\_  
Dan Gelber, Mayor

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Rafael E. Granado, City Clerk

(sponsored by Commissioner Alex J. Fernandez)

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney **FA**

**5-12-23**  
\_\_\_\_\_  
Date