

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Rafael A. Paz, City Attorney
DATE: February 9, 2022

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING A RESTRICTED "NORTH BEACH HISTORIC PRESERVATION FUND" TO BE USED TO SUPPORT THE RENOVATION OF CONTRIBUTING HISTORIC BUILDINGS LOCATED IN LOCAL HISTORIC DISTRICTS WITHIN NORTH BEACH, AND DEDICATING ALL MONIES COLLECTED BY THE CITY IN CONNECTION WITH THE PENDING SPECIAL MAGISTRATE CASES FOR CODE VIOLATIONS ISSUED TO THE PROPERTY LOCATED AT 6701 COLLINS AVENUE, MIAMI BEACH, FLORIDA (A/K/A THE DEAUVILLE BEACH RESORT), TO THE NORTH BEACH HISTORIC PRESERVATION FUND.

ANALYSIS

Pursuant to the request of Commissioner Alex Fernandez, the above-referenced Resolution is submitted for consideration by the Mayor and City Commission at the February 9, 2022 Commission meeting.

SUPPORTING SURVEY DATA

N/A

FINANCIAL INFORMATION

N/A

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

No

Does this item utilize G.O. Bond Funds?

No

Legislative Tracking

Office of the City Attorney

Sponsor

Commissioner Alex Fernandez

ATTACHMENTS:

Description

- Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING A RESTRICTED “NORTH BEACH HISTORIC PRESERVATION FUND” TO BE USED TO SUPPORT THE RENOVATION OF CONTRIBUTING HISTORIC BUILDINGS LOCATED IN LOCAL HISTORIC DISTRICTS WITHIN NORTH BEACH, AND DEDICATING ALL MONIES COLLECTED BY THE CITY IN CONNECTION WITH THE PENDING SPECIAL MAGISTRATE CASES FOR CODE VIOLATIONS ISSUED TO THE PROPERTY LOCATED AT 6701 COLLINS AVENUE, MIAMI BEACH, FLORIDA (A/K/A THE DEAUVILLE BEACH RESORT), TO THE NORTH BEACH HISTORIC PRESERVATION FUND.

WHEREAS, the property located at 6701 Collins Avenue, commonly referred to as the “Deauville” is a contributing building within the North Beach Resort Local Historic District, with special significance to the City of Miami Beach due to its Miami Modern architectural design and various historical events held at the property since it was built in 1957; and

WHEREAS, the existing property owner, Deauville Associates, LLC, has neglected to make necessary repairs to the property, and the property has been vacant since 2017; and

WHEREAS, the City has issued multiple violations of the City’s building, zoning, and fire codes, which has resulted in cases pending before the City’s Special Magistrate, and is separately involved in pending litigation against the owners, in the case styled *City of Miami Beach, Florida v. Deauville Associates, LLC et al*, Case No. 19-03653 CA 32, in the Eleventh Judicial Circuit in and for Miami-Dade County; and

WHEREAS, the pending Special Magistrate cases have resulted in outstanding fines, and recorded liens on the property in excess of \$2.5 million, as of January 2022; and

WHEREAS, these fines will continue to accrue until such time as the violations are brought into compliance; and

WHEREAS, in January 2022, the property owner filed a structural engineering report, along with an application for the total demolition of the property, which remains pending and is currently under review; and

WHEREAS, many residents have expressed sadness and outrage at the prospect of a loss of the Deauville, as the loss of a historic building signifies a loss of our shared community; and

WHEREAS, the City intends to vigorously pursue all of its available options in the litigation and the Special Magistrate cases, including, without limitation, the collection of all fines in connection with these violations; and

WHEREAS, in an effort to promote the interests of historic preservation and the restoration of contributing buildings in the North Beach, and in an effort to mitigate some of the damage the demolition by neglect and lack of activation of the Deauville has caused in North Beach, the City Commission desires to establish a restricted “North Beach Historic Preservation Fund” to be used to support the renovation of contributing historic buildings located in local historic districts within North Beach; and

WHEREAS, the City Commission further desires to dedicate all monies collected by the City in connection with the pending Special Magistrate cases for code violations issued to the Deauville, to the North Beach Historic Preservation Fund; and

WHEREAS, once funds are collected, the City Commission shall separately consider the Administration's recommendations for criteria for the disbursement of grants in support of the renovation and preservation of contributing buildings in North 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 establish a restricted "North Beach Historic Preservation Fund" to be used to support the renovation of contributing historic buildings located in local historic districts within North Beach, and dedicate all monies collected by the City in connection with the pending Special Magistrate cases for code violations issued to the property located at the Deauville property, to the North Beach Historic Preservation Fund.

PASSED and **ADOPTED** this ____ day of _____, 2022.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

Sponsored by Commissioner Alex J. Fernandez

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney *bc*

2-2-22

Date