Committee Assignments - C4 P

MIAMIBEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner Tanya K. Bhatt
DATE: January 31, 2024

SUBJECT: REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE TO DISCUSS LIVE-ABOARD VESSELS AND DOCKING OF DINGHYS.

BACKGROUND/HISTORY

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? Yes ___ No X

If so, specify name of lobbyist(s) and principal(s): N/A

ANALYSIS

The recent closure of the Collins Canal dock has highlighted the potential increase in live-aboard vessels on Biscayne Bay, a development which poses various policy and operational challenges for our City.

In the interest of good governance and listening to stakeholders on all sides of an issue, I would like to refer this matter to the Public Safety and Neighborhood Quality of Life Committee, to allow all parties involved in this issue to have an opportunity to be heard. As part of this discussion, I request for the Administration and City Attorney's Office to research and explore whether or to what extent we could regulate live-aboard vessels and/or houseboats on Biscayne Bay, so that the City Commission could understand the complex state regulatory framework and laws relating to waterways and vessels, and the policy options available to the City Commission for any proposed legislative fixes, if any .

It is my hope that a robust discussion at Committee will serve to better educate members of the City Commission and the public on all aspects of this issue, in an effort to bring closure for the benefit of all affected constituents and neighborhoods.

SUPPORTING SURVEY DATA
N/A

FINANCIAL INFORMATION
N/A

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?	Does this item utilize G.O. Bond Funds?
No	No

Legislative Tracking
Commissioner Tanya K. Bhatt

4:05:19 p.m.

C4 P REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE TO DISCUSS LIVE-ABOARD VESSELS AND DOCKING OF DINGHIES.

Commissioner Tanya K. Bhatt

ACTION: The Item was referred. Commissioner Suarez separated the Item from the Consent Agenda. Motion made by Commissioner Bhatt to refer the Item to the Public Safety and Neighborhood Quality of Life Committee; seconded by Commissioner Dominguez. Voice vote: 7-0. **Mark Taxis to place on the Committee Agenda. Hernan Cardeno and Chief Wayne Jones to handle.**

Commissioner Suarez thanked his colleague Tanya Bhatt for bringing this Item up. This is something he is deeply passionate about. If we are to have a discussion on the topic of "live-aboard" vessels it should be here on the dais. This is a topic of concern and there is a lot of discussion taking place from both sides of the story. He wants to see if he and his colleagues are all on the same page.

Commissioner Bhatt stated that she does not have a problem if the discussion takes place at the Committee or on the dais. She would suggest, however, that this is a bigger conversation than we normally have time for on Commission meeting day. As we did with a previous Item, she would like to refer this to the Committee so that it can come back to the City Commission as a more developed Item. For that to happen, they need a brainstorming session, which will take some hard work. She expressed her concern that we are throwing terms around that are not factual, accurate, or appropriate. She respects the concerns about people doing things in their neighborhood and behaving in an unacceptable and/or undesirable manner, but in a community, we must all coexist. What happens on land also happens on water. We should not ask people who live in a way that some of us do not approve us, even though legal, to just leave because we do not control these waters. She believes most of the people on these boats are coexisting peacefully, it is only a handful of them that are not. There may be unforeseen consequences to actions. There are approximately 130 boats that have made the waters off Miami Beach their homes, and as it currently stands, this is perfectly legal in the State of Florida. We must address this issue as we are currently in the process of permitting a proper mooring field. We should look to not push this neighborhood from one neighborhood to the next. Other communities have successfully negotiated a balance to allow dinghy docks that require boaters to have a boater's registration, boater's insurance, and proof they are taking care of their waste. This could be a starting point as we get to our mooring field, but that is why we need to have an in-depth discussion at the Committee or at least defer this Item to another City Commission meeting where the focus can be this topic.

Commissioner Suarez thanked Commissioner Bhatt, but he believes they should have this conversation now.

Commissioner Bhatt interjected and stated that this conversation would take hours, and they do not have enough time for that at this meeting.

Mayor Meiner stated that this is a referral Item. The City Commission needs to decide what to do with that particular action, do we refer the Item or not?

Commissioner Magazine stated in reference to a comment made during the Sutnick Hour insinuating that the vote that was taken to remove the dock was made in haste and the Commissioners were not properly informed. He, for one, wakes up every morning at 5 a.m. and goes to sleep at midnight. He has several duties to attend to throughout the day, but he promises to be fully informed about every vote he takes. He stands by the vote he took regarding the dock, and he continues to stand by his opinion. He has not been misled in any way.

Point of Information called by Commissioner Fernandez. He asked whether the referral would undo in any way the action that was taken last meeting.

City Attorney Paz replied that the referral would not change the action from the last meeting.

Commissioner Fernandez stated that he has no problem having a thorough discussion on the matter so long as it does not undo policy.

Commissioner Bhatt stated that the referral is not intended to undo policy, but it is intended to address the fundamental issue of the matter.

Commissioner Fernandez thanked Commissioner Bhatt and stated that he wanted to clarify what the vote meant in terms of policy.

Vice-Mayor Rosen Gonzalez asked Commissioner Suarez whether he agreed to refer the Item to the Committee.

Commissioner Suarez agreed.

Motion made by Commissioner Bhatt to refer the Item to the Public Safety and Neighborhood Quality of Life Committee; seconded by Commissioner Dominguez. Voice vote: 7-0.