

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Rafael A. Paz, City Attorney
DATE: June 28, 2023

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE ADMINISTRATION AND THE CITY ATTORNEY'S OFFICE TO EVALUATE WHETHER THE CITY COULD PURCHASE THE 63RD STREET BRIDGE FROM THE STATE OF FLORIDA, OR EXPLORE ENTERING INTO AN AGREEMENT WITH THE STATE FOR THE CITY TO OPERATE THE BRIDGE ON BEHALF OF THE STATE AT THE CITY'S EXPENSE, WHICH WOULD PROVIDE THE CITY WITH THE ABILITY TO BETTER CONTROL THE BRIDGE SCHEDULE AND MITIGATE THE SEVERE VEHICULAR TRAFFIC CONGESTION CAUSED BY THE BRIDGE OPENING.

ANALYSIS

Pursuant to the request of Commissioner Kristen Rosen Gonzalez, the above-referenced Resolution is submitted for consideration by the Mayor and City Commission at the June 28, 2023 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 Kristen Rosen Gonzalez

ATTACHMENTS:

Description

▯ Resolution

7:18:55 p.m.

C7 AH A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE ADMINISTRATION AND THE CITY ATTORNEY'S OFFICE TO EVALUATE WHETHER THE CITY COULD PURCHASE THE 63RD STREET BRIDGE FROM THE STATE OF FLORIDA, OR EXPLORE ENTERING INTO AN AGREEMENT WITH THE STATE FOR THE CITY TO OPERATE THE BRIDGE ON BEHALF OF THE STATE AT THE CITY'S EXPENSE, WHICH WOULD PROVIDE THE CITY WITH THE ABILITY TO BETTER CONTROL THE BRIDGE SCHEDULE AND MITIGATE THE SEVERE VEHICULAR TRAFFIC CONGESTION CAUSED BY THE BRIDGE OPENING.

Office of the City Attorney
Commissioner Kristen Rosen Gonzalez

ACTION: Resolution 2023-32659 adopted. Commissioner Richardson separated the Item from the Consent Agenda. Commissioner Rosen Gonzalez made a motion to adopt the Resolution with a referral to the Public Safety and Neighborhood Quality of Life Committee. The Resolution and referral to the Public Safety and Neighborhood Quality of Life Committee were adopted by acclamation. Vote: 7-0. **Jose Gonzalez to handle. Mark Taxis to place on the Public Safety and Neighborhood Quality of Life Committee. Jose Gonzalez to handle.**

REFERRAL:
Public Safety and Neighborhood Quality of Life Committee.

Commissioner Richardson stated that he does not know how much it would cost to buy a bridge. As Chair of the Finance and Economic Resiliency Committee, he does not have the money to buy a bridge right now. They could refer this to the Finance and Economic Resiliency Committee Budget meeting tomorrow, but they do not have money to buy or maintain a bridge. The Florida Department of Transportation (FDOT) has not listed the bridge for sale, and he does not think they want to sell it. They do need to fix the problem. He asked to refer this Item to the Public Safety and Neighborhood Quality of Life Committee Meeting to discuss options.

Commissioner Rosen Gonzalez stated that she has no problem referring the Item, but she asked that they pass this Resolution today. It will allow the City Manager to go back to the Coast Guard. She added that crazier things have happened, maybe the State of Florida would allow the City to operate this bridge. They must do something; they need to pass this Resolution today. It is an aspirational takeover of the bridge operations.

Mayor Gelber agreed that the idea is extreme, but they do not know what the State will say or what the options could be. The State may be open to selling the bridge because it is in such bad condition.

Commissioner Rosen Gonzalez stated that this will go to Committee and probably die. She asked that they take a roll call vote. They need to act, the bridge is always up, and for residents in the area, the bridge is their top priority.

Commissioner Richardson stated that he understands it is an issue, but he cannot support this when the first word is "purchase;" he will not give direction for staff to buy a bridge. However, he will give direction to staff to explore all options.

Commissioner Rosen Gonzalez stated that she could change that to reflect that language.

Rafael A. Paz, City Attorney, stated that verbiage is in the language already. The wording of the short title is different from that of the Resolution.

Commissioner Rosen Gonzalez stated that is what they will do, explore options.

Commissioner Meiner stated that he will support this. The Resolution directs staff to explore. He requested that the Coast Guard and FDOT should come to the Public Safety and Neighborhood Quality of Life Committee Meeting and answer questions.

Commissioner Rosen Gonzalez stated that they will pass this and send it to the Public Safety and Neighborhood Quality of Life Committee.

Commissioner Fernandez stated that they did build a bridge in the past. They had a meeting in the past with FDOT, their senator, and Secretary Miller, and he mentioned the issue of the 63rd Street Bridge opening even before there is a vessel. FDOT committed to reaching out to the company that operates the bridge. He asked the staff to follow up on that matter. **Jose Gonzalez to handle.**

Alina T. Hudak, City Manager, stated that this issue has gone back for many years, and Commissioner Steinberg provided a lot of leadership on this. She does not want to mislead anybody; they are actively involved, and Jose Gonzalez receives weekly information. The Coast Guard is governed by Federal regulations, there are limitations on what the Coast Guard will do, and how they amend their regulatory process. One of the things they discussed is that they will have to bite the bullet and do the long process of steps, but it will not guarantee the bridge will open fewer times.

Jose Gonzalez, Transportation and Mobility Director, stated that they transmitted a Resolution to the Coast Guard, which recommended changes to the weekend bridge schedule. The Coast Guard responded and said that a comprehensive traffic study would need to be conducted to consider that additional modification. They recently modified the weekend hours, which used to be on-demand, but now it operates on a schedule if there is a demand. It is better now.

Commissioner Rosen Gonzalez stated that there is always a demand because of illegal charters. There is never a time she goes on the bridge that it is down; all the time the bridge is open.

Discussion held.

Mayor Gelber agrees that they have been struggling with this for a while, they cannot just tell the Coast Guard what to do. If there is something they can do, they need to try.

Commissioner Richardson stated that one other option to explore is to check with their State Representative, he knows that he has a relationship with FDOT. He asked Commissioner Rosen Gonzalez to lead this.

Commissioner Rosen Gonzalez stated that she would, but the Coast Guard has a one-year process.

The Resolution and referral to the Public Safety and Neighborhood Quality of Life Committee were adopted by acclamation. Vote: 7-0.