

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING NEW YEAR'S EVE ACTIVITIES ON OCEAN DRIVE IN PARTNERSHIP WITH THE OCEAN DRIVE ASSOCIATION, AND AUTHORIZING (1) THE CLOSURE OF OCEAN DRIVE, BETWEEN 5TH STREET AND 14TH STREET, FROM SATURDAY, DECEMBER 29, 2018, AT 7:00 A.M., UNTIL TUESDAY, JANUARY 1, 2019, AT 7:00 A.M.; (2) THE EXPANSION OF PARTICIPATING SIDEWALK CAFES TO THE CENTER LINE ON OCEAN DRIVE, BETWEEN 5TH STREET AND 14TH STREET, FOR FOOD AND/OR BAR SERVICE WITHIN THE EXPANDED SIDEWALK CAFÉ AREAS, SUBJECT TO DEPARTMENT OF PUBLIC WORKS APPROVAL OF PLANS; AND (3) THE EXTENSION OF HOURS UNTIL 7:00 A.M. ON JANUARY 1, 2019, FOR ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES FOR PARTICIPATING SIDEWALK CAFES AND CERTAIN ALCOHOLIC BEVERAGE ESTABLISHMENTS WITH A 5:00 A.M. LIQUOR LICENSE, SUBJECT TO THE CONDITIONS SPECIFIED IN SECTION 6-3(a)(6) OF THE CITY CODE.

WHEREAS, as in the past seventeen (17) years, the Ocean Drive Association ("ODA") has approached the City to request City participation in, and sponsorship of, a New Year's celebration on Ocean Drive and free fireworks display on the beach, located east of Lummus Park, at 12 00 midnight on New Year's Day; and

WHEREAS, the City's New Year's celebration on Ocean Drive draws large crowds, including both residents and visitors; and

WHEREAS, in recent years, the City has partnered with ODA to share in the expenses related to the street closure and fireworks display on New Year's Eve, which celebration duration ranges from two (2) to four (4) days, depending on whether the holiday falls on a weekend or a weekday, and

WHEREAS, this year, New Year's Eve falls on a Monday and, as in recent years, hotel occupancy will be very strong due to increased numbers of visitors taking advantage of the long holiday weekend; and

WHEREAS, the ODA has requested the closure of Ocean Drive to vehicular traffic between 5th and 14th Streets, beginning at 7:00 a.m. on December 29, 2018, and ending at 7:00 a.m. on January 1, 2019; and

WHEREAS, the ODA has also requested that sidewalk cafes participating in the New Year's celebration be allowed to expand their cafes onto the southbound lane of Ocean Drive,

up to the center line of the road, between 5th Street and 14th Street, for food and/or bar service within the expanded sidewalk café areas, subject to Department of Public Works approval of expanded sidewalk café plans; and

WHEREAS, the ODA has requested that certain alcoholic beverage establishments with 5:00 a.m. liquor licenses be allowed to serve alcoholic beverages for consumption at the participating sidewalk cafes until 7:00 a.m. on Tuesday, January 1, 2019, only; and

WHEREAS, in previous years, the City funded 47% of the sanitation, sand-shifting, and other costs associated with the Ocean Drive road closure and fireworks display for New Year's Eve, and the ODA has funded the remaining 53% of the costs; and

WHEREAS, the ODA is requesting the following contributions from the City for this year's celebration:

1. ODA has represented that the actual cost of the fireworks display is approximately \$33,000, and has requested that the City cover 47% of the cost, and
2. ODA has requested that the City contribute 47% of the sanitation, sand-shifting, and other costs associated with the Ocean Drive road closure; and

WHEREAS, the total estimated costs associated with the 2018/2019 New Year's Eve celebration on Ocean Drive, including Items 1 and 2, above, are estimated at \$125,150.00.

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 approve New Year's Eve activities on Ocean Drive in partnership with the Ocean Drive Association, and authorize (1) the closure of Ocean Drive, between 5th Street and 14th Street, from Saturday, December 29, 2018, at 7:00 a.m., until Tuesday, January 1, 2019, at 7.00 a.m., (2) the expansion of participating sidewalk cafes to the center line on Ocean Drive, between 5th Street and 14th Street, for food and/or bar service within the expanded sidewalk café areas, subject to Department of Public Works approval of plans; and (3) the extension of hours until 7:00 a.m. on January 1, 2019, for on-premises consumption of alcoholic beverages for participating sidewalk cafes and certain alcoholic beverage establishments with a 5:00 a.m. liquor license, subject to the conditions specified in Section 6-3(a)(6) of the City Code.

PASSED and ADOPTED this _____ day of December, 2018.

ATTEST:

Dan Gelber
Mayor

Rafael E. Granado
City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

Rafael Aguilera
City Attorney

12-3-18
Date

NK