

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXTEND THE EXISTING WAIVER OF CONCESSION FEES FOR OUTDOOR DINING CONCESSIONS IN THE NORTH BEACH AREA AND WITHIN THE COLLINS PARK OVERLAY BEYOND THE CURRENT SEPTEMBER 30, 2024 EXPIRATION OF THE FEE WAIVER, AND, ADDITIONALLY, TO IMMEDIATELY INCLUDE THE 41ST STREET BUSINESS CORRIDOR IN THE FEE WAIVER PROGRAM IN ORDER TO STIMULATE ECONOMIC REVITALIZATION OF THIS DYNAMIC AREA; AND AUTHORIZING THE CITY MANAGER TO DEVISE AND IMPLEMENT A SIMPLIFIED APPROVAL PROCESS, WITH AUGMENTED STAFF ASSISTANCE THROUGHOUT THE CONCESSION AGREEMENT APPLICATION AND APPROVAL PROCESS, FOR NEW POTENTIAL OUTDOOR DINING CONCESSIONS LOCATED IN ANY AREAS WHERE THE CITY WAIVES CONCESSION FEES, IN ORDER TO ENCOURAGE BUSINESS AND PEDESTRIAN ACTIVATION TO REVITALIZE THESE CRUCIAL AREAS.

WHEREAS, the City Commission, at its June 9, 2022 meeting, passed Resolution No. 2022-32205, and created, solely in the City's proprietary capacity and not in furtherance of any regulatory function, a concession agreement program for selected restaurants with brick-and-mortar facilities and inside seating to offer food and beverage services on the rights-of-way abutting the physical establishment; and

WHEREAS, the program was created to serve the valid public purpose of promoting the quality of the City's iconic brand by establishing high quality outdoor food and beverage service on City property, and positively represent the City's brand by providing a public space where residents and visitors can enjoy the City's world-renowned architecture and scenic sun-drenched vistas; and

WHEREAS, on May 13, 2020, the City Commission had previously passed Resolution No. 2020-31275, which was sponsored by then-Commissioner Steven Meiner, to waive sidewalk café permit fees for the entirety of the City for a six-month period in order to stimulate economic development during the Covid pandemic. That fee waiver was then extended several times throughout the Covid pandemic via Resolution Nos. 2020-31405, 2020-31523, 2020-31549, and 2021-31631; and

WHEREAS, then-Commissioner Meiner explained at the May 13, 2020 City Commission meeting that, originally, he sponsored this fee waiver for the 41st Street Corridor consistent with some areas in North Beach and Lincoln Road where the City had waived sidewalk café permit fees. However, he amended the item due to the pandemic to include a fee waiver for all sidewalk cafes Citywide; and

WHEREAS, then-Commissioner Meiner further stated at the May 13, 2020 City Commission meeting that he advocated to review easing up on many levels to help businesses by either closing the streets or waiving the permit process; and

WHEREAS, the current concession agreement, which expires September 30, 2024, provides for a waiver of concession fees for outdoor dining concessionaires located north of

63rd Street and for those with up to thirty (30) seats within the Collins Park overlay in order to revitalize these areas, encourage economic development, and encourage pedestrian activation in these areas; and

WHEREAS, the 41st Street Corridor is the gateway to our City and the first area that many visitors and resident encounter upon exiting the Julia Tuttle Causeway; and

WHEREAS, this area would benefit from efforts to revitalize the regional economy and to allow pedestrian activation to grow and to flourish as an amenity to the City's visitors and residents; and

WHEREAS, the Mayor and City Commission desire to extend the current fee waiver for the North Beach area and within the Collins Park Overlay and to immediately provide an additional waiver of concession fees for outdoor dining concessions in the 41st Street business corridor in order revitalize all of these areas, encourage economic development, and encourage pedestrian activation; and

WHEREAS, the Mayor and City Commission also wish to provide for a simplified approval process and for additional staff assistance for potential new outdoor dining concessions located in the areas of the City where concession fees have been waived, in order to encourage new outdoor dining concessions in these areas deemed desirable for increased economic development and increased pedestrian activation; and

WHEREAS, the Mayor and City Commission authorize the City Manager to implement these changes immediately, and to incorporate them elements into any new concession agreement for the concession agreement period beginning October 1, 2024.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and the City Commission hereby authorize the City Manager to extend the existing waiver of concession fees for outdoor dining concessions in the North Beach area and within the Collins Park Overlay beyond the current September 30, 2024 expiration of the fee waiver, and, additionally, to immediately include the 41st Street Business Corridor in the fee waiver program in order to stimulate economic revitalization of this dynamic area; and authorize the City Manager to devise and implement a simplified approval process, with augmented staff assistance throughout the concession agreement application and approval process, for new potential outdoor dining concessions located in any areas where the city waives concession fees, in order to encourage business and pedestrian activation to revitalize these crucial areas.

PASSED AND ADOPTED this ____ day of April, 2024.


ATTEST:

Mayor Steven Meiner

Rafael E. Granado, City Clerk

(Sponsored by Mayor Steven Meiner)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney PAZ
Date 3-29-24