

023-2025

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL  
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO: 2021-011642-CA-01  
SECTION: CA22  
JUDGE: Beatrice Butchko Sanchez

**Clevelander Ocean LP**

Plaintiff(s)

vs.

**City of Miami Beach et al**

Defendant(s)

**ORDER GRANTING IN PART CITY OF MIAMI BEACH'S EMERGENCY MOTION  
FOR EXTENSION OF TIME TO COMPLY WITH COURT ORDER OF JANUARY 8, 2025**

Docket Index Number: **314**

Or

Efiling Number: **214485221** Date Filed: **01/13/2025**

Full Name of Motion: **CITY OF MIAMI BEACH'S EMERGENCY MOTION FOR  
EXTENSION OF TIME TO COMPLY WITH COURT ORDER**

**THIS CAUSE** came before the Court on January 14, 2025, without oral argument, via electronic courtMap filing on Defendant City of Miami Beach's Emergency Motion for Extension of Time to Comply with Court Order, and the Court having considered Defendant's motion, Plaintiffs' response, and being otherwise advised in the premises, it is hereby

**ORDERED AND ADJUDGED as follows:**

Defendant City of Miami Beach's Emergency Motion for Extension of Time to Comply with Court Order is **GRANTED, IN PART**. Defendant is granted an extension until Friday, January 31, 2025 at 5:00 PM to re-open the closed portion of Ocean Drive and revert Ocean Drive from a one-way road to a two-way road.

**DONE and ORDERED** in Chambers at Miami-Dade County, Florida on this 14th day of January, 2025.



2021-011642-CA-01 01-14-2025 9:22 PM

Hon. Beatrice Butchko Sanchez

**CIRCUIT COURT JUDGE**

Electronically Signed

No Further Judicial Action Required on **THIS MOTION**

CLERK TO **RECLOSE** CASE IF POST JUDGMENT

**Electronically Served:**

Aleksandr Boksner, aleksandrboksner@miamibeachfl.gov  
Aleksandr Boksner, sandracaba@miamibeachfl.gov  
Alexander J. Hall, Esq., ahall@coffeyburlington.com  
Alexander J. Hall, Esq., lmaltz@coffeyburlington.com  
Alexander J. Hall, Esq., service@coffeyburlington.com  
Annery Pulgar Alfonso, annery@miamidade.gov  
Annery Pulgar Alfonso, Moraima.Pena-Duarte@miamidade.gov  
Blayne Justus Yudis, byudis@wsh-law.com  
Blayne Justus Yudis, lbrewley@wsh-law.com  
Bruce Libhaber, bruce2@miamidade.gov  
Bruce Libhaber, earuiz@miamidade.gov  
Dale Patrick Clarke, Dale.Clarke@miamidade.gov  
Dale Patrick Clarke, Lissette.martin@miamidade.gov  
Edward G. Guedes, eguedes@wsh-law.com  
Edward George Guedes, eguedes@wsh-law.com  
Edward George Guedes, szavala@wsh-law.com  
Eric P. Hockman, ehockman@wsh-law.com  
Eric Page Hockman, ehockman@wsh-law.com  
Eric Page Hockman, mgaines@wsh-law.com  
Eric Page Hockman, faubi@wsh-law.com  
Freddi Rebecca Mack, freddimack@miamibeachfl.gov  
Freddi Rebecca Mack, merarimotola@miamibeachfl.gov  
Freddi Rebecca Mack, sandraperez@miamibeachfl.gov  
Henry J Hunnefeld, henryhunnefeld@miamibeachfl.gov  
Henry J Hunnefeld, sandraperez@miamibeachfl.gov  
Henry J Hunnefeld, merarimotola@miamibeachfl.gov

Jamie A. Cole, jcole@wsh-law.com  
Joseph H. Serota, jserota@wsh-law.com  
Joseph H. Serota, lmartinez@wsh-law.com  
Kendall Coffey, kcoffey@coffeyburlington.com  
Kendall Coffey, Jcaballero@coffeyburlington.com  
Kendall Coffey, service@coffeyburlington.com  
Mark A. Fishman, markfishman@miamibeachfl.gov  
Mark A. Fishman, louisebelzince@miamibeachfl.gov  
Matthew Chait, mchait@shutts.com  
Matthew Chait, Ahamilton@shutts.com  
Matthew Chait, kmeyer@shutts.com  
Michael Andrew Munoz, mmunoz@shutts.com  
Michael Andrew Munoz, mmcleodharris@shutts.com  
Monique Sarraff-Ravelo, msarraff@wsh-law.com  
Rafael A. Paz, rafaelpaz@miamibeachfl.gov  
Raquel M. Fernandez, rfernandez@bilzin.com  
Raquel M. Fernandez, etrujillo@bilzin.com  
Raquel M. Fernandez, eservice@bilzin.com  
Ricardo Dopico, RicardoDopico@miamibeachfl.gov  
Richard B. Rosengarten, rrosengarten@wsh-law.com  
Richard B. Rosengarten, szavala@wsh-law.com  
Richard Bradlee Rosengarten Esq., rrosengarten@wsh-law.com  
Richard Bradlee Rosengarten Esq., szavala@wsh-law.com  
Robert F. Rosenwald Jr., robertrosenwald@miamibeachfl.gov  
Robert F. Rosenwald Jr., miriammerino@miamibeachfl.gov  
Robert F. Rosenwald Jr., robertrosenwald@aim.com  
Robert Morcate, rmorcate@jud11.flcourts.org  
Steven M Ebner, sebner@shutts.com  
Steven M Ebner, dsuengas@shutts.com  
Timothy W. Odzer, todzer@shutts.com

**Physically Served:**



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, FL 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

OFFICE OF THE CITY MANAGER  
Tel: 305.673.7010

January 10, 2025

Josiel Ferrer-Diaz, P.E.  
Interim Chief Executive Officer and Director  
Miami-Dade County Department of Transportation and Public Works  
701 NW 1st Court, 17<sup>th</sup> Floor  
Miami, FL 33136

**RE: Ocean Drive Configuration**

Dear Mr. Ferrer-Diaz,

The City of Miami Beach (the "City") is in receipt of the letter from the Miami-Dade County Department of Transportation and Public Works ("DTPW") dated January 7, 2025 (attached). Pursuant to the letter, the City is working with Calvin Giordano & Associates, Inc. to complete a post-implementation traffic analysis of the existing one-way southbound traffic operation of Ocean Drive as conditionally approved by DTPW under DR #2022001010 on January 12, 2022. The City anticipates submitting a new permit application inclusive of signage and pavement marking plans on Monday, January 13, 2025, and a post-implementation traffic analysis by January 20, 2025. We sincerely hope that we can work with the County for the reauthorization of the permit before Wednesday, January 15, 2025, at 5 pm. Statements made by a County representative during the legal proceedings regarding the safety of the current conditions make it even more important that we continue to collaborate as we always have regarding traffic flow modifications on this or any street in the City.

It is the understanding of the City that the January 8, 2025 ruling by Judge Butchko Sanchez directing the City to "reopen" Ocean Drive between 5 Street and 14 Place to two-way vehicular traffic no later than January 15, 2025, at 5 p.m. was premised on the lack of permanent approval of the prior permit DR #2022001010 for the one-way condition. In the event that we cannot reauthorize the permit for the one-way vehicular traffic and two-way bicycle facility, the City is requesting further clarification and confirmation from DTPW regarding the roadway design standards and permitting requirements to be followed for the reconfiguration of Ocean Drive back to the two-way vehicular flow condition.

The City has done research and the most recent marking and signage plan for that two-way configuration of Ocean Drive was designed in 1988, and we believe the standards and requirements have changed since that time. Given the urgency, the City appreciates receiving a written response from DTPW on the permitting requirements for the two-way condition by close of business on Monday, January 13, 2025 so that we may expeditiously work to comply with the order of the Court should the full restriping of Ocean Drive become necessary.

