

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: June 26, 2024

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, URGING PUBLIX SUPER MARKETS, INC. ("PUBLIX") OPERATING WITHIN THE CITY OF MIAMI BEACH TO EXPEDITE THE COMPLETION OF REPAIR PROJECTS ON ELEVATORS AND ESCALATORS TO ENSURE THE SAFETY, CONVENIENCE, AND ACCESSIBILITY OF ITS CUSTOMERS, PARTICULARLY FOR INDIVIDUALS WITH DISABILITIES, THE ELDERLY, AND PARENTS WITH STROLLERS; AND AFFIRMING THE CITY'S WILLINGNESS TO SUPPORT AND ASSIST PUBLIX IN ANY APPROPRIATE MANNER TO FACILITATE THE TIMELY COMPLETION OF THESE REPAIRS.

### **ANALYSIS**

The attached Resolution was prepared at the request of Commissioner Alex J. Fernandez for the June 26, 2024 City Commission meeting.

Publix Super Markets, Inc. ("Publix") is a significant and valued business within the City of Miami Beach, serving the needs of our residents and visitors.

The proper functioning of elevators and escalators within Publix is essential to ensuring the safety, convenience, and accessibility of its customers, particularly for individuals with disabilities, the elderly, and parents with strollers. Recent reports indicate that certain elevators and escalators within Publix locations in the City of Miami Beach remain unavailable, causing inconvenience and potential safety hazards to shoppers. Such locations include:

#### **Publix Super market located at 1920 West Avenue:**

##### **1. Elevators:**

- o Undergoing modernization.
- o Currently, only one elevator is in service.
- o The operational elevator has violations that must be addressed to obtain a valid certificate.

#### **Publix Super market located at 6876 Collins:**

##### **1. Freight Elevators:**

- o Two units are under modernization.
- o One is currently being modernized.
- o Both have expired certificates.

##### **2. Passenger Elevators:**

- o Recent inspections revealed violations needing correction for certificate release.
- o Installation of new hoistway doors is in progress due to damage.
- o One unit is out of service until repairs are completed.

**3. Escalators:**

- o Scheduled for inspection and tests

In addition, while Publix is not the owner of the building where it operates its store at 1101 5th Street, currently its four (4) elevators have expired certifications, which, if not cured, will result in the removal of the units from service.

Three out of four available Publix super markets within the City presenting accessibility challenges to people with disabilities, the elderly, the parents with strollers is a concerning issue, and Publix is urged to expedite the completion of ongoing repair projects on elevators and escalators within its locations in the City of Miami Beach, and encouraged to maintain open communication with City Administration to address any issues or obstacles that may arise during the repair process.

**FISCAL IMPACT STATEMENT**

N/A

**Applicable Area**

Citywide

**Is this a “Residents Right to Know” item, pursuant to City Code Section 2-17?**

No

**Is this item related to a G.O. Bond Project?**

No

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

If so, specify the name of lobbyist(s) and principal(s):

**Department**

City Attorney

**Sponsor(s)**

Commissioner Alex Fernandez