

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

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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, 17th 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.

