

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: May 21, 2025

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING RESOLUTION NO. 2024-33420 FOR THE INSTALLATION OF A FENCE AND SIDEWALK (IMPROVEMENTS) AT POLO PARK, ADJACENT TO THE SOFTBALL FIELD AND BASKETBALL COURTS OF NAUTILUS MIDDLE SCHOOL TO APPROVE, AT THE REQUEST OF MIAMI-DADE COUNTY PUBLIC SCHOOLS, A MODIFICATION TO THE DESIGN OF THE FENCING PROJECT TO ALLOW FOR THE SHIFTING OF THE FENCE LOCATION AND TO FURTHER AUTHORIZE THE CITY MANAGER TO MAKE ANY FUTURE MINOR ADJUSTMENTS TO COMPLETE THE PROJECT.

### **RECOMMENDATION**

Amend the Resolution to accept the modification to shift the fence location at the request of Miami-Dade County Public Schools, and to further authorize the City Manager to make any future minor adjustments to complete the project.

### **BACKGROUND/HISTORY**

At the July 24, 2024 Commission meeting, the Mayor and City Commission referred an item (C4 P) to the PSNQLC to discuss the School Board Joint Use Agreement (“JUA”) review regarding Miami Beach Nautilus Middle School fence request at Polo Park. (Exhibit A).

The School Board of Miami-Dade County, Florida, (the “School Board”) transmitted a letter dated July 12, 2024 regarding the monitoring of the current legislative session in an attempt to implement changes that may be required in the immediate future. Through this monitoring, the School Board has become aware of the new regulations being promulgated regarding school safety and security. Specifically, an additional emphasis is being placed on locking and monitoring access points to school sites when students are present on campus.

During the School Board’s compliance review, they identified Miami Beach Nautilus Middle School as an area of concern. Per their review, there are perimeter fencing enclosure areas lacking where, during regular school hours, students are present for outdoor activities. Additionally, the School Board site administration has observed individuals utilizing the basketball courts and baseball fields during school hours resulting in intervention by the resource officer.

The School Board is aware of the long and fruitful history of collaboration with the City of Miami Beach regarding Miami Beach Nautilus Middle School, as well as the forty-year Joint Use Agreement that has been in effect since 1994. The School Board requested a review of the Joint Use Agreement to determine the best way to allow for fencing to be placed around Miami Beach Nautilus Middle School to limit access to the property during instructional time.

During the September 18, 2024 PSNQLC meeting, staff informed the Committee that they met with representatives from the School Board onsite at Nautilus Middle School and Polo Park on Friday, September 13, 2024 to discuss the proposed fence location and any potential park operational impacts. Staff requested to come back to the next meeting with an update as they are

working through options with the School Board.

During the November 6, 2024 PSNQLC meeting, the Committee gave a favorable recommendation, approving option 1, in connection with the installation of a fence and sidewalk (Improvements) at Polo Park, adjacent to the field and basketball courts of Miami Beach Nautilus Middle School, as a security measure; and further recommended authorizing the City Manager to negotiate and execute any and all documents and/or agreements with the School Board of Miami-Dade County, Florida (School Board) relating to the installation of the improvements at the sole cost of the School Board and upon terms mutually agreeable to the parties. (Exhibit B)

At the December 11, 2024 Commission Meeting, the Commission approved Resolution No. 2024-33420 accepting the recommendation of the PSNQLC (Exhibit C).

### **ANALYSIS**

On April 15, 2025, Dr. Jose Dotres, the Superintendent of Schools for Miami-Dade County, sent a letter to the City Manager identifying additional required edits to the previously agreed-upon fence option. The modifications include changing to a 6ft high estate fence, offset by 2 feet on the north side of the basketball courts. Additionally, the fence that currently encloses the basketball court on the west side, adjacent to the bus drop-off area, will be moved to the east side of the covered walkway. (Exhibits D and E)

### **FISCAL IMPACT STATEMENT**

There is no budget impact for the City. The School Board will be paying for the fencing and installation at Polo Park.

### **Does this Ordinance require a Business Impact Estimate?**

(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

### **FINANCIAL INFORMATION**

N/A

### **CONCLUSION**

The Parks and Recreation Department, along with the Office of Education and Performance Initiatives, will collaborate with the School Board to finalize the agreement and ensure the successful completion of the project with the necessary adjustments.

### **Applicable Area**

Middle Beach

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

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

Yes

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**

Parks and Recreation

**Sponsor(s)**

**Co-sponsor(s)**

**Condensed Title**

Amend Reso 2024-33420, Design Modification of Fencing Project at Polo Park. PKS

**Previous Action (For City Clerk Use Only)**