

C7 X A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING A GRANT IN THE AMOUNT OF \$12,000 TO THE MIAMI BEACH ERUV COUNCIL, INC., FOR THE PURPOSE OF OFFSETTING COSTS RELATED TO THE REPAIR AND MAINTENANCE FOR A PERIOD OF SIX (6) MONTHS OF THE PORTIONS OF THE ERUV LINE LOCATED ON THE CITY'S PUBLIC RIGHT OF WAYS, IN FURTHERANCE OF THE CITY'S INTEREST IN ENSURING THE SAFETY OF STRUCTURES INSTALLED ON PUBLIC RIGHT OF WAYS AND SUPPORTING TOURISM, REAL ESTATE INVESTMENT, REAL ESTATE INVESTMENT AND JOB GROWTH; AND FURTHER, AUTHORIZING THE CITY CLERK AND CITY MANAGER TO EXECUTE THE CITY'S STANDARD GRANT AGREEMENT WITH RESPECT TO THE FOREGOING.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: March 19, 2025

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING A GRANT IN THE AMOUNT OF \$12,000 TO THE MIAMI BEACH ERUV COUNCIL, INC., FOR THE PURPOSE OF OFFSETTING COSTS RELATED TO THE REPAIR AND MAINTENANCE FOR A PERIOD OF SIX (6) MONTHS OF THE PORTIONS OF THE ERUV LINE LOCATED ON THE CITY'S PUBLIC RIGHT OF WAYS, IN FURTHERANCE OF THE CITY'S INTEREST IN ENSURING THE SAFETY OF STRUCTURES INSTALLED ON PUBLIC RIGHT OF WAYS AND SUPPORTING TOURISM, REAL ESTATE INVESTMENT, REAL ESTATE INVESTMENT AND JOB GROWTH; AND FURTHER, AUTHORIZING THE CITY CLERK AND CITY MANAGER TO EXECUTE THE CITY'S STANDARD GRANT AGREEMENT WITH RESPECT TO THE FOREGOING.

RECOMMENDATION

BACKGROUND/HISTORY

ANALYSIS

The attached Resolution was prepared at the request of the sponsor, Commissioner Alex Fernandez.

FISCAL IMPACT STATEMENT

The fiscal impact of this measure is \$12,000.

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

CONCLUSION

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

Co-sponsor(s)

Condensed Title

Approve \$12K Grant to Eruv Council. (Fernandez) CA

Previous Action (For City Clerk Use Only)

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING A GRANT IN THE AMOUNT OF \$12,000 TO THE MIAMI BEACH ERUV COUNCIL, INC., FOR THE PURPOSE OF OFFSETTING COSTS RELATED TO THE REPAIR AND MAINTENANCE FOR A PERIOD OF SIX (6) MONTHS OF THE PORTIONS OF THE ERUV LINE LOCATED ON THE CITY'S PUBLIC RIGHT OF WAYS, IN FURTHERANCE OF THE CITY'S INTEREST IN ENSURING THE SAFETY OF STRUCTURES INSTALLED ON PUBLIC RIGHT OF WAYS AND SUPPORTING TOURISM, REAL ESTATE INVESTMENT, REAL ESTATE INVESTMENT AND JOB GROWTH; AND FURTHER, AUTHORIZING THE CITY CLERK AND CITY MANAGER TO EXECUTE THE CITY'S STANDARD GRANT AGREEMENT WITH RESPECT TO THE FOREGOING.

WHEREAS, the City of Miami Beach has accommodated an Eruv line within the City's territorial limits since as early as the 1970s, if not earlier; and

WHEREAS, an Eruv line currently exists not only in Miami Beach, but extends to Surfside, Bal Harbour, Bay Harbor Islands, Aventura, and other municipalities, making the South Florida Eruv one of the largest known Eruvs in the country; and

WHEREAS, Eruv lines have been repeatedly upheld by the courts as a government entity's neutral accommodation that facilitates residents and visitors engaging in certain secular outdoor activities on the Sabbath, including activities such as the carrying of items like medication, or the pushing of a baby stroller. See, e.g., *Jewish People for the Betterment of Westhampton Beach v. Village of Westhampton Beach*, 778 F.3d 390 (2d Cir. 2015); and

WHEREAS, the presence of the Eruv plays a significant role in attracting Orthodox Jewish visitors who rely on it for Sabbath observance, contributing to Miami Beach's local economy by increasing hotel bookings, restaurant dining, and retail shopping, thereby reinforcing the City's reputation as a premier, inclusive tourist destination; and

WHEREAS, the Eruv also enhances Miami Beach's appeal as a desirable place to live for Orthodox Jewish families, which drives property values, encourages residential investment, and fosters community stability, ultimately benefiting the City's long-term real estate market and economic health; and

WHEREAS, a well-maintained Eruv supports a strong Orthodox Jewish community, which in turn sustains a network of local businesses and service providers, creates jobs, and generates local revenue, contributing to the City's business development and job growth; and

WHEREAS, the City has currently issued a right-of-way permit to the Miami Beach Eruv Council, Inc., a Florida not-for-profit organization that has assumed responsibility for the installation and continued maintenance of the Eruv in Miami Beach; and

WHEREAS, as the City has an interest in ensuring that all structures installed on public property are safe and do not present any risk or hazard of tripping or deterioration, the Mayor and City Commission desire to approve a one-time grant in the amount of \$12,000 for the limited purpose of funding repair and maintenance activities of the Eruv line on public property installed within the City of Miami Beach.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve a grant in the amount of \$12,000 to the Miami Beach Eruv Council, Inc., for the

purpose of offsetting costs related to the repair and maintenance for a period of six (6) months of the portions of the Eruv line located on the City's public right of ways, in furtherance of the City's interest in ensuring the safety of structures installed on public right of ways and supporting tourism, real estate investment, business development and job growth; and further, authorize the City Clerk and City Manager to execute the City's standard grant agreement with respect to the foregoing.

PASSED and ADOPTED THIS ____ day of _____, 2025.


ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioner Alex J. Fernandez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

3/11/2025

Date