

C7 AP A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING THE "AD HOC NIGHTLIFE INDUSTRY TASKFORCE ADVISORY COMMITTEE," FOR A PERIOD OF ONE YEAR (SUBJECT TO EARLIER OR LATER SUNSET BY CITY COMMISSION) TO ADVISE THE ADMINISTRATION AND CITY COMMISSION ON NIGHTLIFE ISSUES, AND TO PROVIDE A FORUM TO ADDRESS QUALITY OF LIFE ISSUES AFFECTING OUR RESIDENTS AND NIGHTLIFE BUSINESS OWNERS; AND PRESCRIBING THE PURPOSE, COMPOSITION, POWERS AND DUTIES OF THE COMMITTEE.

# 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, ESTABLISHING THE "AD HOC NIGHTLIFE INDUSTRY TASKFORCE ADVISORY COMMITTEE," FOR A PERIOD OF ONE YEAR (SUBJECT TO EARLIER OR LATER SUNSET BY CITY COMMISSION) TO ADVISE THE ADMINISTRATION AND CITY COMMISSION ON NIGHTLIFE ISSUES, AND TO PROVIDE A FORUM TO ADDRESS QUALITY OF LIFE ISSUES AFFECTING OUR RESIDENTS AND NIGHTLIFE BUSINESS OWNERS; AND PRESCRIBING THE PURPOSE, COMPOSITION, POWERS AND DUTIES OF THE COMMITTEE.

### **ANALYSIS**

The attached Resolution was prepared at the request of the sponsor, Commissioner Kristen Rosen Gonzalez.

### **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 Kristen Rosen Gonzalez

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING THE “AD HOC NIGHTLIFE INDUSTRY TASKFORCE ADVISORY COMMITTEE,” FOR A PERIOD OF ONE YEAR (SUBJECT TO EARLIER OR LATER SUNSET BY CITY COMMISSION) TO ADVISE THE ADMINISTRATION AND CITY COMMISSION ON NIGHTLIFE ISSUES, AND TO PROVIDE A FORUM TO ADDRESS QUALITY OF LIFE ISSUES AFFECTING OUR RESIDENTS AND NIGHTLIFE BUSINESS OWNERS; AND PRESCRIBING THE PURPOSE, COMPOSITION, POWERS AND DUTIES OF THE COMMITTEE.**

**WHEREAS**, the Nightlife Industry Task Force (“NITE”) was originally established in 2001 to advise the City Manager on nightlife issues, and to provide a forum to address quality of life issues affecting our residents, as a result of the City's popularity; and

**WHEREAS**, the NITE also strived to enhance communication and cooperation between the Nightlife Industry, the City Commission, and the City Administration, and to provide more specific trends impacting the industry and creating a mechanism to quickly and proactively address issues; and

**WHEREAS**, since 2001 the City's status as a world-class tourist destination has increased tenfold, inviting national and international attention not only to the City's famous beaches and nightlife but also to crime and debauchery that impact the City during high-impact periods and events, such as the Spring Break and Memorial Day Weekend; and

**WHEREAS**, cities such as New York City have also taken the step to create task forces to address the quality of life issues associated with nightlife (see Exhibit “A”); and

**WHEREAS**, it would be beneficial for the City to revive the Task Force and re-establish communication between the City's nightlife industry, the City Commission, and the City Administration; and

**WHEREAS**, the purpose, composition, and powers and duties of the Committee members, and administrative liaison to the Committee are set forth in Exhibit “A” attached to this Resolution.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission hereby establish the “Ad Hoc Nightlife Industry Task force Advisory Committee,” for a period of one year (subject to earlier or later sunset by City Commission) to advise the Administration and City Commission on nightlife issues, and

to provide a forum to address quality of life issues affecting our residents and nightlife business owners; and prescribing the purpose, composition, powers and duties of the Committee.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Steven Meiner, Mayor

**ATTEST:**

\_\_\_\_\_  
Rafael E. Granado, City Clerk

(Sponsored by Commissioner Kristen Rosen Gonzalez)

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney

6/17/2024  
\_\_\_\_\_  
Date

## EXHIBIT "A"

### Ad Hoc Nightlife Industry Task Force Advisory Committee

#### **A. Purpose**

The NITE will serve to advise the City Manager on nightlife issues and to provide a forum to address quality of life issues affecting our residents, as a result of the City's popularity. The NITE will endeavor to continue and enhance communication and cooperation between the Nightlife Industry and the Administration. The purpose of this Task Force is to provide more specific details regarding trends impacting the industry and creating a mechanism to quickly and proactively address issues in an effort to keep the public updated on event planning.

#### **B. Membership Composition**

1. The Task Force shall be composed of seven members, with seven (7) direct appointments made by individual city commissioners and the mayor, all of whom shall be appointed to serve for a term of no more than one (1) year at a time. At least three (3) members must be representatives from nightclubs, restaurant or entertainment establishments, or the hotel industry.
2. Membership criteria for the NITE: individuals must be residents of the city for a minimum of two (2) years, or demonstrate ownership/interest in, or employment relationship with, a business established in the city for a minimum of two (2) years. Exceptions to the foregoing may be approved, by a majority vote of the City Commission for individuals with specific knowledge or expertise relative to the nightlife Industry.

#### **C. Powers and duties**

The NITE's powers and duties are as follows:

- a. To serve in an advisory capacity to the City Manager with respect to matters pertaining to the nightlife industries and businesses in the City, and its impact on the quality of life of our City.
- b. To advise the City of nightlife industry trends and events that may require an increase or adjustment in the level of City services.
- c. To make recommendations as to the needs and concerns of the public and the nightlife industries and businesses in the City, including how those needs can best be met.
- d. To advise on methods of promoting the safe growth and stability of nightlife industries and businesses in the City.
- e. To focus on and make recommendations regarding targeted marketing initiatives.

- f. Review and make recommendations regarding the City's MEP. Review and make recommendations regarding the laws affecting the nightlife industry.

**D. Conflict of interest.**

In accordance with Florida law, under circumstances presenting a conflict of interest, an advisory board member should abstain from voting with respect to any measure in which the advisory board member has a personal, private, or professional interest and which inures to his special private gain or the special gain of a principal by whom he is retained. The City Attorney's Office liaison shall assist advisory board members in addressing any potential voting conflicts, as necessary.

**E. Administrative Liaison**

The supporting departments for the Task Force shall be the City Manager's Office, Public Works Department, and the Police Department. The City Attorney's Office shall provide counsel to the Task Force.