

MIAMI BEACH

Presentation & Awards/Commission Meeting

ADDENDUM MATERIAL 3

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
March 16, 2016

Mayor Philip Levine
Commissioner John Elizabeth Alemán
Commissioner Ricky Arriola
Commissioner Kristen Rosen Gonzalez
Commissioner Michael Grieco
Commissioner Joy Malakoff
Commissioner Micky Steinberg

City Manager Jimmy L. Morales
City Attorney Raul J. Aguila
City Clerk Rafael E. Granado

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

ADDENDUM AGENDA

R9 - New Business & Commission Requests

- R9D Discussion Regarding The Vote On The Convention Center Hotel.
(Sponsored by Commissioner Ricky Arriola)
(There is no backup material for this item)
- R9E Discussion Regarding The Results Of The March 15, 2016 City Of Miami Beach Special Election.
(Sponsored by Commissioner John Elizabeth Alemán)
(There is no backup material for this item)
- R9F Discussion Regarding Mitch Novick's "Minority" Report, And Recommendation Concerning The Deterioration Of The Quality Of Life In The MXE District, Ocean Drive, Collins Avenue And The Surrounding Neighborhood.
(Sponsored by Commissioner Kristen Rosen Gonzalez)

¹ The sponsor of the addendum agenda item deems that such item either constitutes a public emergency affecting life, health, property, or public safety and should be considered immediately; or does not constitute a public emergency, but should be considered immediately. See Miami Beach Code Sec. 2-12 (c)(3).

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Granado, Rafael

From: Rosen Gonzalez, Kristen
Sent: Wednesday, March 16, 2016 10:14 AM
To: Granado, Rafael
Subject: Fwd: Ocean Drive - Emergency Item
Attachments: Mitch Novick ODTF Minority Report Five Point Plan on MXE District 8 January 2016.pdf; ATT00001.htm

Please add this item to the agenda as a discussion item.

Kristen Rosen Gonzalez
City of Miami Beach Commissioner
305-965-4725

Begin forwarded message:

From: Mitch Novick <sherbrookehotel@gmail.com>
Date: March 16, 2016 at 9:51:18 AM EDT
To: "Levine, Philip" <PhilipLevine@miamibeachfl.gov>, "Arriola, Ricky" <RickyArriola@miamibeachfl.gov>, "Steinberg, Micky" <MickySteinberg@miamibeachfl.gov>, "Rosen Gonzalez, Kristen" <Kristen@miamibeachfl.gov>, "Malakoff, Joy" <JoyMalakoff@miamibeachfl.gov>, "Grieco, Michael" <MichaelGrieco@miamibeachfl.gov>, "Aleman, John" <JohnAleman@miamibeachfl.gov>
Cc: "Morales, Jimmy" <JimmyMorales@miamibeachfl.gov>
Subject: Ocean Drive - Emergency Item

Dear Mayor Levine and Members of the Miami Beach City Commission:

I was greatly disappointed with your rash decision last week to reward Ocean Drive with yet another "third-time-taxpayer-funded" multi-million dollar sidewalk widening/lighting project, etc. Your plan to expand the 24-hour-carnival-like-circus of Ocean Drive and encroach further into Lummus Park speaks volumes as to what I perceive as your lack of leadership and failure to understand the needs of the MXE neighborhood.

In January, I provided you with the "Minority Report and Recommendation" of the Ocean Drive Task Force (attached - two minute read). The fact that only Commissioner Rosen-Gonzalez reached out to discuss my report further supports my assertion that you're disconnected with the needs of my neighborhood. As my 5-Point Plan suggests, "Cleaning up Ocean Drive will require strong leadership and a commitment and resolve to stand up to special interests," and not require the waste of any taxpayer resources.

In light of the murder which took place on Ocean Drive on Saturday night, my request is for this matter to be placed on today's agenda as an emergency item to finally address the merits of my report. I can't imagine this item taking-up more than ten minutes of the commissions time.

For informational purposes and for your convenience, I've also attached two YouTube links of edited clips of proceedings which took place on the dais regarding Ocean Drive.

There's also another clip of an unfortunate incident which took place outside my home/hotel on Saturday night.

I would appreciate if each commissioner replied to this email and state if whether they have any issue with my request.

<https://youtu.be/BRFFdQzNjug> LUDC 2/14/16, 5 minutes

<https://youtu.be/HBNtmuiUgo4> ODTF Acceptance of Recommendations, 3/9/16 less than 7 minutes

https://youtu.be/JB_pbMNBHqk Ocean Drive attracts Unsophisticated Lightweights, 4 minutes

Thank you,

Mitch Novick
305 532 0958



5-POINT PLAN FOR MXE DISTRICT

Mitch Novick “Minority” Report and Recommendation to the Miami Beach Commission Concerning the Deterioration of the Quality of Life in the MXE District, Ocean Drive, Collins Avenue and the Surrounding Neighborhood January 8, 2016

For several years I have witnessed the deterioration of the quality of life in the Ocean Drive Entertainment District. I have continuously resided in this neighborhood since prior to the MXE zoning which was adopted in 1989. I also operate a hotel in the District. The MXE zoning was intended to accelerate the revitalization of the Art Deco District. Instead, what we have today is a 24 hour circus-like carnival atmosphere which was never anticipated, and is entirely unacceptable.

Before preparing this report, I have conferred with members of the business community, residents, and government officials. I have examined plans, reports, and have attended all the Ocean Drive Task Force meetings to study these issues.

From my home, I have witnessed drug deals, prostitution, public inebriation, defecation, and urination, stabbings which precipitated murder, sexual assaults, robberies (up 35% this past year), and the list goes on and on.

The MB Police Department have visited me regularly to view my CCTV public right of way footage which has assisted in the arrest and conviction of hardened criminals. I also have little doubt that the problems which plague Washington Avenue along the districts western boundary, are causally related to the nearby MXE zoning district which spans from 5th to 16th Street along Ocean Drive and Collins Avenue.

The area is congested with all kinds of riff-raff, it's dirty, dangerous, loud, and the vacancy factor has skyrocketed. The three streets are saturated with tee shirt shops, 7-elevens, pizza joints, liquor stores, tattoo parlors and smoke shops.

Due to the continued degradation of the neighborhood, this past year we've seen the departure of national tenants including: Barney's Co-op, Urban Outfitters, Benetton, Kenneth Cole, Ralph Lauren and just recently, Levi's announced it too, will be leaving. As a hotelier, I can attest that international tourists are also finding safer destinations to spend their dollars.

I urge you to reject all recommendations having to do with throwing the public's money to hire more police and code officers. Moreover, a "third-time" waste of tens of millions of dollars of the publics money to widen sidewalks and encroach further into Lummus Park reducing its green-space are all the same

costly and unwise mistakes made by your predecessors serving on the commission.

Cleaning up Ocean Drive will require strong leadership and a commitment and resolve to stand up to special interests that often make their living off the riff-raff drawn by the chaos we find so abhorrent. Transforming this neighborhood could be done rapidly and would certainly be encouraged by the new development occurring in and around the entertainment district. My recommendations would be easy to implement and more importantly, will not require special public expenditures of taxpayers funding.

My recommended five-point plan is as follows:

1. Immediately begin enforcement of vehicular noise violations. It is the noise which fuels the riff-raff which is destroying the neighborhood. (This was done effectively during the Dermer administration, but has since been abandoned).
2. Amend the noise ordinance as it relates to Ocean Drive. Currently there are no restrictions and businesses can blast noise as loud and as far Eastward as possible without threat of violation. Again, it is the noise which fuels the riff-raff which continues to destroy the Miami Beach brand. Observe the folks who congregate and are often drinking from "Solo" cups in Lummus Park to enjoy the free entertainment from these noisy establishments.
3. Revisit the MXE Zoning. I strongly believe the "E" should be changed to an "H". How does Mixed-Use-Hotel or Mixed-Use-Residential sound? It sounds like a compatible use to me.
4. Preclude any additional entertainment establishments from opening on Ocean Drive and grandfather in those existing establishments with the

provision that they contain or substantially reduce their noise levels.

5. The tunnel-like gauntlet of awnings and umbrellas currently obscuring Ocean Drive **can only be** resolved by limiting table coverage on the Right of Way. Ocean Drive looks like a squalid tent city from the serpentine walkway. It is the tables that dictate the umbrellas and awnings required to protect patrons from sun and rain.

I am looking to this commission to show leadership and resist the incessant pressure from the Ocean Drive businesses which continue to want more and more to the detriment of the greater good of the City of Miami Beach, its residents and businesses.

Respectfully Submitted,

Mitch Novick
901 Collins Avenue
Miami Beach, Florida
305 532 0958

