

**A RESOLUTION OF THE MIDBEACH NEIGHBORHOOD ASSOCIATION
(MBNA) REGARDING THE OPERATION OF CHARTERS ALONG INDIAN
CREEK WATERWAY FROM 41ST TO 63RD IN MIAMI BEACH**

WHEREAS, the **MidBeach Neighborhood Association (MBNA)** represents sixty-six (66) condominiums and hotels and more than twelve-thousand (12,000) units within the geographical boundaries of east Middle Beach, which include Collins Avenue and Indian Creek Drive from 24th Street through 63rd Street; and

WHEREAS, this Resolution is specific to the operation of Charters along Indian Creek Waterway from 41st to 63rd; and

WHEREAS, 41st street and 63rd street are main corridors within the MidBeach community; and

WHEREAS, since 2020 the MBNA has held numerous Beach and Water Quality Working Group meetings, and Monthly Membership and Annual Meetings where the declining state of the Indian Creek Waterway as a result of increased Charter activity has been discussed. MBNA has met with residents, stakeholders, and government staff to listen and share our perspective on the impacts Charters are having on the waterway; and

WHEREAS, Indian Creek Waterway lacks the infrastructure to provide restrooms, fueling, and parking to support Charter operations; and

WHEREAS, Charter operations from 24th street to 41st street, including Lake Pancoast, are not of concern to the MBNA since they do not affect the raising of the 63rd street bridge; and

WHEREAS, the MBNA understands the current City code allows for just a few MidBeach hotels the authority to operate a Marina which may include Charter vessels; and

WHEREAS, the MBNA understands all Charter vessels are required to have a current Business Tax Receipt (BTR) or the City considers them to be operating illegally; and

WHEREAS, the MBNA members have witnessed Charters guests jaywalking across Collins Avenue; and

WHEREAS, the MBNA members have witnessed Charter guests parking and/or loading and unloading on the grass swales, sidewalks, and on Collins Avenue, many times blocking traffic and littering the swales and waterways; and

WHEREAS, the MBNA members have witnessed Charter vessels docked on City's seawall property cleats; and

WHEREAS, Charters crossing the 63rd street bridge to load/unload passengers is causing repeated bridge openings with horn blasts at all hours of the day and night disturbing the peace and quiet of the residents and resulting in vehicle congestion in our community; and

WHEREAS, the MBNA is a neighborhood association advocating for the quality of life of our members and is not involved in any legal disputes or licensing issues; and

WHEREAS, the MBNA does not have a position regarding licensures of “legally established, non-conforming watercraft rental uses” as referenced in the City’s WD-1 Ordinance and has not been made aware of who specifically has or doesn’t have BTR’s and/or when they expire or renew; and

WHEREAS, in order to improve the current situation described herein resulting from excessive illegal Charters on Indian Creek, the MBNA agrees limiting the rental of Charters to hotel guests and conference attendees from authorized properties only; and

WHEREAS, the MBNA urges the City of Miami Beach Mayor and Commissioners to consider adopting legislation and procedures that protect the Indian Creek Waterway from illegal charters, pollution, excessive noise, excessive bridge openings, and vessel speeds causing large wake potentially damaging private properties.

APPROVED AS TO FORM AND CORRECTNESS:



Anamarie Ferreira de Melo, President

Deborah Lake, Vice-President/Secretary

- Joined by MBNA Executive Board Members:**
Alicia A. Casanova - Green Diamond Condominium
Esteban Porcelli - King David Tower Condominium
Jose Flores - The Edition Miami Beach Hotel
Randy Hollingworth - Beach Plaza South Condominium
Justin Jacobs - Caribbean Condominium
Oscar Vazquez - Club Atlantis Condominium

Dated the 1st day of April, 2024