



COMMISSION MEMORANDUM

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: June 26, 2019

SUBJECT: MEETING OF THE SUSTAINABILITY AND RESILIENCY COMMITTEE (SRC)
ON MONDAY, JUNE 26, 2019

A meeting of the Sustainability and Resiliency Committee was held on Wednesday, June 26, 2019 in the City Manager's Commission Chambers in attendance: Commissioner Mark Samuelian, Commissioner John Elizabeth Aleman, and Commissioner Joy Malakoff. Members of the administration and the public were also in attendance.

1. REVIEW OF RESILIENCE STRATEGY WORKPLAN - PLANNED AND IN PROGRESS RESILIENCY PROJECTS

Susanne Torriente, Assistant City Manager, presented the item and provided updates to several standing items:

- Resilient 305 launched on May 30, 2019 at the Perez Art Museum.
- An update on the places, people, and pathways objectives in the Resilient 305 Strategy was given.
- The Resilient 305 Strategy and city's Strategic Plan have been aligned to better prioritize the work products and projects the city has planned. Plans like this can help leverage and attract future funding opportunities.
- The 100 Resilient Cities will be phasing out this summer, however, the Rockefeller Foundation will have three pots of money to offer. The Rockefeller Foundation and the Adrienne Arsht Foundation have created a new entity focusing on climate resiliency, migration, and security. Miami- Dade County is one of its first partners and information about funding will be coming in soon.
- June 25, 2019 was the first PIVOT Team meeting. The PIVOT Committee will focus on implementation and consist of anchor institutes, community organizations, philanthropy, and municipalities.

Amy Knowles, Deputy Resiliency Officer, presented an update on the City of Miami Beach Strategic Plan:

- The Miami Beach Vision was updated along with the Strategic Plan to be long term, aspirational, future-oriented, challenging, and a combination of the city's priorities.
- The previous Strategic Plan was issued in 2011 and was last updated in 2015.

- The Strategic Plan is being developed through the lens of resilience with 5 vision areas, 18 commission goals, 37 management objectives, 32 featured actions, and 42 resilient actions.

Ms. Torriente explained that herself and Ms. Knowles are working with the Office of Budget & Performance Improvement to develop performance measures, indicators, data, and dashboards. The dashboards are being created for important commission goal areas like stormwater and North Beach, so that they can monitor what is occurring, what legislation is being created, the work that is being done, and how it is coming together. The Assistant City Managers will be meeting with the Directors on a quarterly basis to provide this data and it will be publicly available when the data is read.

Commissioner John Elizabeth Aleman and Joy Malakoff also congratulated the teams for their work. Commissioner Malakoff asked how the Resilient 305 and Strategic Plan will be promoted to the public.

Ms. Torriente explained that an LTC will be released in the afternoon of June 26, 2019, on the City of Miami Beach website, and the resilient305.com website. Ms. Torriente requested from the committee to place the Resilient 305 and Strategic Plan on the July 17, 2019 Commission Meeting agenda so that the entire commission can adopt the two plans.

Commissioner Samuelian asked to refer to commissioner goal conference or workshops to keep the Resilient 305 and Strategic Plan ongoing on a quarterly basis.

Commissioner Malakoff approved of placing the two plans on the July 17, 2019 Commission Meeting agenda.

Commissioner Malakoff asked if they are using a 5- or 10-year rain event.

Ms. Torriente explained that they shifted to using a 10-year rain event and referred it to David Martinez, Capital Improvement Projects Director, and Roy Coley, Public Works Director, to explain the details.

Commissioner Mark Samuelian also thanked the teams that assisted with developing the Resilient 305 and Strategic Plan. Commissioner Samuelian requested for data progress to be brought to the commissioners on a quarterly basis, either through the commission goal conference or workshops, to keep the plan ongoing.

Commissioner Samuelian requested that for the next committee meeting a detailed explanation of the Environment and Infrastructure area of the Strategic Plan be given.

David Martinez, Capital Improvement Projects Director, provided an update on the status of active neighborhood construction projects.

Mr. Martinez explained that the Indian Creek project will receive bids on June 28, 2019 and he hopes to receive a good return on the bids, so the project can be completed. Mr. Coley summarized what has been accomplished in the last months regarding the Indian Creek project. They held about a dozen industry meetings where Public Works invited potential contractors prior to the solicitation going out to discuss the project to understand the complexity of the project. Mr. Coley updated the committee on the seawall project. Mr. Coley explained that all applications have been made with the regulatory agencies, federal agencies, U.S. Army Corps of Engineers, state agencies, South Florida Water Management District, and DERM.

Commissioner Samuelian asked if they have enough input from the community that aligns with the city's or is it a timing issue regarding landscaping along Indian Creek.

Mr. Coley explained that there is one constituent group requesting heavy foliage and another constituent group requesting continuous walkways and pathways. The design experts have demonstrated that there is not sufficient space for a continuous shared use space for a continuous shared use space for bicycles and pedestrians because the space between the road and the seawall is not enough for both.

ACTION: Staff to bring the design consultant's recommendations for the Indian Creek project to the committee for public input.

Commissioner Malakoff stated that she has heard the community request to bring the mangroves back and create a walking path and she believes this will please the people.

Commissioner Aleman said that the decision made at the committee regarding the design for Indian Creek must be final because if not there could be an excessive amount of change orders and extension of timelines.

Commissioner Malakoff asked if they are still looking to place living seawalls on the Indian Creek section.

Mr. Coley stated that they are, but it is not part of this seawall project and there is separate seawall project being led by the Environment & Sustainability Department.

Elizabeth Wheaton, Environment & Sustainability Director, said the department is looking at a living shoreline that is going to be waterward of the seawall at the southern end of the project, planting red mangroves in mangrove planters, and are going through a permitting process with the state and federal government. Ms. Wheaton stated that the mangroves that will be utilized along the pathway will be the black, white, and green mangroves because they have different conditions of tidal influence. Ms. Wheaton stated the mangrove and living shoreline project will be at the southern end where Indian Creek begins to widen at 26 Street.

Mr. Martinez explained that the Middle Beach Recreational Corridor is currently out to bid for July 8, 2019 and awarded on July 31, 2019. Mr. Martinez explained that the North Beach Oceanside Park Renovation project is out for bid and are waiting for a DEP state permit

Mr. Martinez asked the committee if they will be opened to hearing the presentation in the next meeting that his staff presented to the Ready Team regarding the scope of the project that concentrated on the trees so once the project comes back to commission for reward around September the commissioners are aware of the project, since this is the largest project in the city that will have an impact to the tree canopy especially in the park.

ACTION: Staff to bring information back to see how to trees will be tagged, how long those tags could be there, and tag verbiage for the North Beach Oceanside Park tree removal.

Mr. Martinez provided an update on the Brittany Bay Park project.

Commissioner Aleman asked to confirm if the number of water overlooks went from three to one and why was it reduced.

Mr. Martinez explained that there is one overlook and the regulatory agencies were concerned with structures that would be over water based on what was found with the surveys.

Ms. Wheaton said that when going through the permitting, the final design was determined by what could be permitted and what was within budget.

Commissioner Aleman requested staff to include an explanation for the reduction of overlooks explanation into the LTC.

Mr. Martinez updated the committee regarding the Palm & Hibiscus Island Neighborhood Improvement project stating that all 3 pump stations are energized by FPL.

Commissioner Aleman asked how many properties are taking advantage of the harmonization.

Mr. Martinez stated that there are about 50-70 properties that will be impacted and will be eligible for what the city offers, however, he does not know how many of those will sign off on the required documentation to allow the city to enter their property to conduct the work.

Commissioner Aleman stated that the City of Miami Beach has assisted property owners with applying for FEMA grants to elevate their homes and there is a staff member who could assist property owners with applying for the FEMA grants should they need the help.

Commissioner Aleman stated as per Jimmy Morales, City Manager, the city is working on a communications piece informing the residents that these grants exist, and they can receive assistance with the grants from the city.

Mr. Martinez provided updates on the Venetian Islands project.

Commissioner Malakoff asked again when the changed occurred from moving from a 5-year to a 10-year rain event.

Mr. Coley stated that one of the final actions of the Blue-Ribbon Panel for sea level rise was to recommend a change from a 5- year to a 10- year design. At that point, all the city stormwater water improvement projects have been designed for a 5-year design storm event. All the new projects moving forward are to be designed 10- year and the designers have been asked to give a price of what it would cost to change from a 5- year to 10-year rain event.

Commissioner Aleman stated that she thought Jacobs Engineering was reviewing all the city's plans' criteria and asked to verify if that was part of their task order or if it was only the elevation and the base.

Mr. Coley said that the initial work order requested three deliverables from Jacobs Engineering: a concept plan for blue and green infrastructure, raising evaluation, and project size and sequencing.

Commissioner Aleman requested staff to write a change order to Jacobs Engineer to evaluate 5 versus 10-year goal in the Design Criteria Package.

Ms. Torriente stated the committee should think about the community rating system because the stormwater design criteria could affect the amount of money the residents pay in their flood insurance, so if it is more expensive but better for the flood insurance, then it should be part of the conversation.

Commissioner Aleman amended her request to write a change order to Jacobs Engineer regarding Ms. Torriente's statement.

Commissioner Samuelian asked for a summary of the work that is being performed by Jacobs Engineering.

Mr. Coley stated that they've had their kick off meeting with Jacobs Engineering and shared with them all the information that was shared with Urban Land Institute (ULI). Jacobs has scheduled site visits where they will visit past projects and analyze what conditions are in unimproved areas. Jacobs will schedule community meetings for the concept plan of blue and green infrastructure.

Mr. Coley stated that Hazen and Sawyer are consultants that are preparing the hydraulic model for the water and sewer system and are preparing a comprehensive CIP plan for both and anticipate delivery of the plans around August or September.

Mr. Coley has connected Hazen and Sawyer to Jacobs Engineering, so Jacobs Engineering can have their information of conditions of water and sewer systems so that they can make the recommendations on projects sequencing taking those conditions into account.

Steve Patterson, resident, addressed the committee regarding his views on the United States Army Corps of Engineers (USACE) lack of engagement and compromise for the pathway Indian Creek project.

ACTION: Staff to bring further details on the USACE involvement specific to the Indian Creek project in the next committee meeting.

Mr. Coley said that designers met with the Mid Beach neighborhood association and they were the primary constituents who wanted a continuous shared use path, which challenged the designers to design the exact allowable specifications. Mr. Coley stated that the designers determined there was not enough room for a continuous shared use path and this was shared with the Mid Beach neighborhood association and they shared concerns of having a path versus not having not having a shared use path.

Mr. Coley explained that he has asked the designers to come back with the information provided by FDOT for the limitations and provide this recommendation to the stakeholders to decide.

Mr. Coley provided an update on the permitting process with USACE for the Indian Creek project.

Commissioner Aleman requested to have further details on the USACE involvement specific to the Indian Creek project in the next committee meeting.

Commissioner Aleman requested to bring to the committee the smallest footprint of what a bike path in the area would look like.

ACTION: Staff to provide the lightest weight depiction of what a path along Indian Creek would look like at the next SRC.

2. SUSTAINABILITY COMMITTEE UPDATE

Dave Doeblar, Committee Chair, provided a summary of the June Sustainability Committee meeting, stating that the committee passed a motion to fully supports the city-wide elimination on the sale or use of single-use plastic beverage straws and single-use plastic stirrers ordinance.

ACTION: No further action taken.

3. DISCUSSION ON CITY OF MIAMI BEACH STORMWATER, SANITARY SEWER, AND WATER INFRASTRUCTURE BEST MANAGEMENT PRACTICES

Elizabeth Wheaton, Environment & Sustainability Department Director, presented this item and provided an update. In the month of June, staff attended the 2-day NOAA Marine Debris Workshop and participated by working with a community action group to develop a plan to reduce marine debris.

Ms. Wheaton explained that staff also attended the Low Impact Development and Green infrastructure Manual Workshop, hosted by University of Florida, to garner community feedback regarding the development of this manual.

MOTION: No further action taken.

4. DISCUSS UPDATES TO THE CITY CODE REFERENCING TURTLE NESTING

Elizabeth Wheaton, Environment & Sustainability Department Director, presented this item.

Ms. Wheaton explained that in March 2019, a white paper was sent to the Executive Director of the Fish and Wildlife Conservation Commission, which requested to open a dialogue regarding five opportunities:

- the potential to relocate turtle nest from entertainment areas
- install protective mesh for nest like the one in Broward County
- install steel fencing around the portion of the nest to serve as a runway to help block the light
- continue to pilot lightening improvements and provide flexibility, such as seasonal lightening, to meet the needs of all agencies
- retrieve accurate data from the agency to work with City of Miami Beach Code Compliance Department and Police Department so they know the nests locations and can direct their operations accordingly

Commissioner Malakoff asked how the commission can assist with inviting the executive director of the Fish and Wildlife Conservation Commission to visit City of Miami Beach as well as with any other actions

Ms. Torriente explained that the city can extend another invitation through a letter from Mayor Gelber and request the lobbying teams to assist.

Commissioner Samuelian asked if any action needs to be taken by the commissioners.

Ms. Wheaton stated that a more detailed update will be given in July and the state is working on draft model ordinance language and it is currently going through the approval process internally. She stated that the city has been able to get a copy of the draft language.

Commissioner Aleman asked for the draft language and draft ordinance to be brought to the committee for recommendation as the city's ordinance has not been updated in many years.

ACTION: Staff to work on a letter to the Executive Director of FWC on behalf of the Mayor and the Commission. Requested by Commissioner Aleman. By acclamation.

Environment & Sustainability to bring the draft language and draft ordinance to the committee.

5. DISCUSSION ON ARTIFICIAL REEF

ACTION: Item Deferred.

6. DISCUSSION REGARDING PRIVATE SEAWALLS

John Woodruff, Chief Financial Officer, presented this item and provided an update.

Mr. Woodruff stated that they are taking a two-pronged approach of conducting a citywide assessment of private seawalls to get an understanding of the magnitude of the problem and look at public and private funding options.

Mr. Woodruff explained that the best solution for the city will be to serve as the facilitator assisting property owners obtain private financing and find a contractor. Mr. Woodruff stated that they were able to leverage the city's relationships with the South Florida Climate Change Compact partners to gauge interest from the banks in developing creative new or existing financing options.

Mr. Woodruff explained that the recommendation regarding a citywide seawall assessment was using a drone LIDAR, with a one-time cost of \$93,000.00, and hopes this will begin in 6-12 months.

ACTION: Staff to use drone LIDAR to obtain the data and measurements needed.

7. DISCUSSION ON EXPANDING THE PLASTIC BAG ORDINANCE IN MIAMI BEACH.

ACTION: Item Deferred.

8. AN ORDINANCE OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ENVIRONMENT," BY CREATING ARTICLE VIII THEREOF, TO BE ENTITLED "SALE OF SUNSCREEN PRODUCTS," TO PROHIBIT THE SALE OF SUNSCREEN PRODUCTS CONTAINING OXYBENZONE OR OCTINOXATE, OR BOTH; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Joanna C. Walczak, SE Regional Administrator from the Office of Resilience & Coastal Protection from the Florida Department of Environment Protection, presented this item. Joanna explained the conditions of the reefs in the Miami Beach region and the main impacts and threats threatening the reefs.

Manoji Shivilani, part-time professor at RSMAS University of Miami, stated that addressing the local stressors is the most important thing that can be done to save reefs.

Ms. Walczak stated that her department has found that fishing, diving, coastal construction, land-based sources of pollution, and the public's lack of knowledge about the reefs are local stressors.

Ms. Wheaton stated that one of the actions led by Miami- Dade County through the Resilient 305 plan is to build reef biodiversity and defenses and enhance our natural systems.

Dr. Martin Neal Zaiac, Dermatologist, addressed the committee on his position on not banning sunscreens with oxybenzone and/or octinoxate, as it is the main factor in protecting against skin cancer, and there is not enough supporting scientific evidence that sunscreen is a catalyst to coral reef destruction.

Commissioner Malakoff stated that there is limited scientific data on oxybenzone or octinoxate concentrations in seawater and their impacts on corals and does not believe that this is a major stressor, but warmer waters are, and the world needs to take a role to tackle the issue of climate change.

Commissioner Aleman asked if there is a form of communication that can be sent to Tallahassee from the City of Miami Beach urging them to take a more active role in protecting the reefs and encouraging research.

Commissioner Samuelian asked if there was anything on the federal level that the city can do to attract them to advocate for this change.

Ms. Walczak stated her department is working on the re-authorization of the Coral Reef Conservation Effort Act of 2000, which is the only federal legislation that gives direct coral reefs funding them through the federal Coral Reef Conservation program.

Jennifer Seoanes, Marketing Manager, stated that Destination Brands started in early 2018 a process to remove oxybenzone and once it has been reformulated it will be going through the standard FDA process, and hit shelves in January 2020.

Commissioner Samuelian requested if there is an initiative the city can take to market the products as “reef-friendliest”.

Ms. Seoanes said that it she will speak to Destination Brands to add this language. Ms. Seoanes mentioned that the proceeds of the company go back to environmental protection and education.

Commissioner Aleman asked what other local stressors are prevalent in the city’s immediate proximity, so the city can take concrete steps that can have a ripple effect in other areas.

Ms. Walczak stated beach nourishment and recreational fishing impact the reefs the most.

Jennifer Sacks, Environmental Risk Assessor, stated that she has performed an environmental risk assessment for oxybenzone exposure to coral and found that the data in the literature is not of enough quality to support a regulatory decision and even if this data is adopted, the risk to coral is negligible because the concentration measures of oxybenzone in sea level are very level with the exception of one study.

Kirt Reynolds, resident, stated that he is happy that this is item is still being addressed.

Mr. Doeblar stated that he has not seen any evidence that oxybenzone is safe for corals and research shows it does inhibit the reproductive process of corals.

Commissioner Malakoff stated that she does not believe the city should pass legislation banning sunscreens with oxybenzone or octinoxate because dermatologist have said that this is the best protection from skin cancer.

ACTION: Commissioner Aleman asked for the resolution to support the reauthorization of the Coral Reef Conservation Act and for a resolution urging the state to develop a comprehensive management plan with operational details.

ACTION: Commissioner Samuelian asked to brand the City's sunscreen as coral reef "eco-friendly".

9. DISCUSS THE CITY'S PLAN TO ADDRESS FLOODING AS A RESULT OF EXTREME RAIN EVENTS AS WELL AS ANY LESSONS LEARNED

ACTION: Item Deferred.

10. DISCUSS A BIOSWALE PILOT PROJECT FOR 59TH STREET WEST OF ALTON ROAD

Commissioner Aleman introduced the item. She explained the roll out of neighborhood improvements projects and flooding challenges within the La Gorce and North Bay Road areas. She discussed with Mr. Coley the Urban Land Institute's recommendation to implement blue infrastructure and pilot a bioswale project.

Mr. Coley explained that Public Works staff engaged with an engineering consultant to design a bioswale project for the location of 59th and Alton. The project includes multiple types of bioswale. The design that came in featured an anticipated result of being able to manage the first 1 1/2" of rain. Which will address nuisance flooding but not major flooding which would require a full neighborhood improvement. The greenspace management division assessed opportunities to include trees within the project. The designer's estimate the project to cost \$850,000. Mr. Coley further explained the next step would be to identify funding and place the project out for bid.

Commissioner Aleman stated that the pilot proposes three different technological approaches. The three approaches will be used to understand the efficacy of each design. This will allow the city to understand the performance of three different typologies.

Mr. Coley added one of the projects will take place in the easement off the road

Commissioner Malakoff inquired on the easement in the area and whether the public will still have access to the area.

Mr. Coley responded that it will be accessible by pedestrians.

Commissioner Samuelian agreed with the project's alignment with the Urban Land Institute's recommendation and expressed the importance of understand the pros and cons for each type design.

MOTION: Item referred to the next Finance and Citywide Projects Committee with a favorable recommendation. By acclamation.

11. UPDATE ON THE PUMP STATION PLUMES ON WEST AVENUE

ACTION: Item Deferred.

12. DISCUSS THE USE OF PESTICIDES, HERBICIDES, AND FERTILIZERS ON BOTH PUBLIC AND PRIVATE PROPERTIES

ACTION: Item Deferred.

13. DISCUSSION REGARDING HOW GREEN INFRASTRUCTURE INCLUDING LIVING OR HYBRID SHORELINES CAN COMPLEMENT GREY INFRASTRUCTURE IN OUR CLIMATE ADAPTION ON-GOING WORK

ACTION: Item Deferred.

14. DISCUSSION REFERRING A TASK TO THE CITY MANAGER'S READY TEAM IN ORDER TO BOTH OPTIMIZE PUBLIC ENGAGEMENT AND FACILITATE TIMELY COMPLETION OF PROJECTS

ACTION: Item Deferred.

15. DISCUSSION ON REPURPOSING OUR GOLF COURSES FOR THE FUTURE

ACTION: Item Deferred.