

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, EXEMPTING THE 59TH STREET BIOSWALE PILOT PROJECT WITHIN THE WEST 59TH STREET RIGHT-OF-WAY, BETWEEN ALTON ROAD AND BISCAYNE BAY, FROM THE NINETY (90) DAY TREE REMOVAL MORATORIUM ESTABLISHED PURSUANT TO RESOLUTION NO. 2021-31653, IN ORDER TO AVOID A DELAY IN THE COMMENCEMENT OF THE BIOSWALE PILOT PROGRAM.

WHEREAS, at the March 17, 2021 City Commission meeting, the Mayor and City Commission adopted Resolution No. 2021-31653, directing the City Administration to prepare a Letter to Commission (LTC), identifying palm removals anticipated to take place within the next 90 days (from the date of the adoption of the Resolution), in order to permit members of the City Commission to identify tree removals in specific areas that may be of significant concern; and

WHEREAS, the Resolution also directed that the City Administration hold such palm removals in abeyance until such time as legislation proposed at the March 17, 2021 City Commission meeting, regarding preservation of palm tree landscapes iconic to Miami Beach's culture and history, is considered, and further provided that the intent of the Resolution is to accommodate preservation concerns while minimizing any delays to construction projects that are currently in progress; and

WHEREAS, at the September 11, 2019 City Commission meeting, the Mayor and City Commission adopted Resolution No. 2019-30950, accepting the recommendation of the Finance and Citywide Projects Committee, and authorizing the Administration to proceed with the development of a bioswale pilot project, as a means to test the efficacy and value of this technology to provide water quality improvements and attenuation of the runoff from developed areas of the City, to be located within the West 59th Street right-of-way, between Alton Road and Biscayne Bay; and

WHEREAS, at the January 13, 2021 City Commission meeting, the Mayor and City Commission approved a request for approval to award a contract pursuant to Invitation To Bid (ITB) No. 2021-028-AY for such 59th Street bioswale; and

WHEREAS, during the time that Resolution No. 2021-31653, and the resulting moratorium became effective, City staff was in the process of obtaining the necessary permitting to remove twelve (12) palm trees at the project location in order to begin the 59th Street bioswale project; and

WHEREAS, in order to not delay an important project that has the potential to improve the quality of stormwater runoff into Biscayne Bay, the Administration requests that the City Commission add the 59th Street bioswale project to the list of exempt projects for the palm tree removal moratorium, so they may proceed as planned; and

WHEREAS, the bioswale project originally called for the removal of twelve (12) palm trees but now City staff is evaluating the feasibility of relocating them as part of this project, with the new location of the palm trees to be along the proposed sidewalk along 59th Street just west of North Bay Road.

NOW, THEREFORE, BE IT DULY RESOLVED THAT THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission exempt the 59th Street bioswale pilot project within the West 59th Street right-of-way, between Alton Road and Biscayne Bay, from the ninety (90) day tree removal moratorium established pursuant to Resolution No. 2021-31653, in order to avoid a delay in the commencement of the bioswale pilot program.


PASSED and **ADOPTED** this 26th day of May, 2021.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney
fs

5-24-21

Date