

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

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO IDENTIFY THE COSTS FOR A POTENTIAL PROPOSED GRANT PROGRAM TO ASSIST PROPERTY OWNERS WITH THE OUT-OF-POCKET EXPENSES THEY WILL INCUR WITH RESPECT TO HARMONIZATION FOR THE WEST AVENUE IMPROVEMENT PROJECT (THE "WEST AVENUE PROJECT"); AND FURTHER, REQUIRING THE FISCAL IMPACT STATEMENT FOR THE WEST AVENUE PROJECT, WITH THE TOTAL COSTS IDENTIFIED AS REQUIRED BY THE CITY CODE.

**WHEREAS**, the West Avenue Phase II Improvements Project (the "Project"), represents a comprehensively defined neighborhood improvement program, focused on resolving challenges associated with climate impacts and aged infrastructures; and

**WHEREAS**, the proposed improvements within the West Avenue neighborhood include many necessary improvements that will be extremely beneficial to the West Avenue neighborhood, such as installation of a new robust storm water drainage collection and pumping system, replacement of the existing water distribution/transmission systems and gravity sanitary sewers, installation of new street lighting, pedestrian lighting, replacement of existing and installation of a new signalized intersection with mast arms, new landscaping, irrigation and construction of a new baywalk segment; and

**WHEREAS**, the scope of the Project also includes a proposed raising of the paved roadway, which would require harmonization with adjacent properties; and

**WHEREAS**, the main challenge facing this Project is the need to harmonize between the future elevation of the roadway and the existing elevations of the adjacent private properties to mitigate the impacts of raising the roads on lower-lying adjacent properties in the West Avenue neighborhood; and

**WHEREAS**, harmonization is a roadway design approach that maintains private property access, stormwater management, and neighborhood aesthetics through adaptable design standards; and

**WHEREAS**, however, there are several challenges facing harmonization, including financial impacts to the property owners that are difficult to estimate as there are too many variables involved, based on the built environment applicable to each property; and

**WHEREAS**, in response to the Inspector General's report and recommendations relating to the Palm and Hibiscus Island Neighborhood Improvement Project, the City instituted a policy of designing and reaching consensus and contractual agreements on harmonization details with property owners prior to commencing construction; and

**WHEREAS**, per the City's policy, the Project team must develop the harmonization plan, meet with each of these property owners, present and describe the intent of the harmonization plan, identify impacts to the properties and finally, deliver and execute an agreement memorializing the plan and authorizing the City to perform the associated work; and

**WHEREAS**, with the harmonization, there may be financial impacts to the property owners, which will vary for each property and will need to be determined on a case by case basis, and it is difficult to estimate the actual cost as there are too many variables; and

**WHEREAS**, some of these variables may include, relocation or reinstallation of fences and motorized gates, special pavement treatments, adjustments to existing decorative railings, etc.; and

**WHEREAS**, the City has informally discussed with residents the possibility of establishing a grant program to provide financial assistance to residents of the West Avenue neighborhood to mitigate some expenses associated with harmonization; and

**WHEREAS**, in evaluating potential options for awarding grants to complete specified harmonization-related work for the West Avenue Project, whether such options are focused on funding for specific scopes of work, or reimbursements in a not-to-exceed amount per property, the total estimated costs of establishing a grant program to assist all impacted residents with the out-of-pocket costs they will incur for harmonization for the West Avenue Project must be identified, to permit the City Commission to budget accordingly and determine how best to proceed with projects involving harmonization which impose financial burdens on property owners; and

**WHEREAS**, the Mayor and City Commission desire to direct the City Administration to identify the costs for a potential proposed grant program to assist property owners with the out-of-pocket expenses they will incur with respect to harmonization for the West Avenue Project.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission hereby direct the City Administration to identify the costs for a potential proposed grant program to assist property owners with the out-of-pocket expenses they will incur with respect to harmonization for the West Avenue Improvement Project (the

"West Avenue Project"); and further, require the Fiscal Impact Statement for the West Avenue Project, with the total costs identified as required by the City Code.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**ATTEST:**

\_\_\_\_\_  
Dan Gelber, Mayor

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Rafael E. Granado, City Clerk

(Sponsored by Commissioner Alex J. Fernandez)

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

  
\_\_\_\_\_  
City Attorney *PAZ*      7-14-22  
Date