



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

Item 3.  
**COMMITTEE MEMORANDUM**

TO: Land Use and Sustainability Committee

FROM: Alina T. Hudak, City Manager

DATE: October 11, 2023

**TITLE: EXPEDITE THE OPENING OF THE BAYWALK AND MOVE THE DEVELOPMENT OF THE BAYWALK UP ON THE G.O. BOND PRIORITIZATION LIST; AND PRESENT THE BAYWALK PLAN TO THE LUSC COMMITTEE.**

**HISTORY:**

On May 10, 2023, as part of a standing item on the Committee's agenda, the City's Office of Capital Improvement Projects (CIP) provided an update on the status of the baywalk projects, including both GOB and non-GOB funded sections. During this update, the Committee requested that an update be provided at the next LUSC meeting, regarding the status of the existing baywalk section at the Southgate Tower Apartments (900 West Avenue; DRB File 22718).

During the June 20, 2023, meeting, City Staff provided an update regarding the status of the existing Southgate Tower Apartments baywalk section (Exhibit A). During the discussion, the LUSC requested that staff provide a further update on this section, as well as the progress of the baywalk proposed behind the Bay Garden Manor and Bayview Terrace Condominiums, at the subsequent meeting of the LUSC. During the July 19, 2023 meeting, City staff prepared an update, but the item was not heard.

At the September 27, 2023 meeting, City staff provided an update of the Baywalk segments located at the Southgate Tower Apartments, Bay Garden Manor and Bayview Terrace Condominiums. During the discussion, the LUSC also requested an update regarding the 5th Street Pedestrian Bridge. Following the update, the LUSC asked that the item be brought back to the October 11th, 2023 LUSC meeting, for a follow-up discussion.

**ANALYSIS:**

*Southgate Tower Apartments (900 West Avenue; DRB File 22718)*

Following the City's meeting with the new ownership (Air Communities) on June 5, 2023, and subsequent to the Committee's request, City staff has reached out to the new ownership to inquire if they have reconsidered the immediate opening of their section of the baywalk to the public. On July 12, 2023, city staff received communication from Barbara Frommell, Senior Director for Government and Community Relations, confirming that they have reviewed information and documents related to the baywalk and stated that she has escalated the City's request to the leadership team and in addition inquired as to the status of the City's prior commitments. The City will continue to pursue the expedient opening of this baywalk section.

*Bay Garden Manor Condominium (1250 West Avenue) and Bayview Terrace Condominium (1228 West Avenue; PB File 1879)*

In the fall of 2021, the City engaged an environmental consultant, ESciences, to assist in completing a feasibility study for the development of the City's baywalk, behind the South Bay Club, Bay Garden Manor and Bayview Terrace Condominiums. ESciences, now RES, held preliminary meetings with regulatory agencies and established the parameters under which the baywalk segments could be permitted. They also developed preliminary cost estimates and layouts. These layouts were cross-referenced with existing agreements/easements. The City also met with representatives of the boards for each of the properties and discussed the upcoming projects, all of which expressed support. This effort was completed earlier this year.

As a result of the feasibility study performed by RES, it has become evident that the existing agreement with Bayview Terrace for the construction of the baywalk will need to be modified. In compliance with the limitations established by Florida Statute 287.055, Consultant's Competitive Negotiation Act (CCNA), and in an abundance of caution, City staff rescinded the request for a proposal from RES to expand their services.

Staff is currently negotiating a proposal for the preparation of the basis of design with Song and Associates. The new consultant is well suited to prepare the necessary documents to complete this task, ahead of the preparation of construction documents. It is anticipated that Bay Garden Manor, in particular, will require significant effort, as they currently have no agreement in place which would allow the City to construct the baywalk behind this property. The Professional Services from the new consultant will assist the City in finalizing the agreements, including establishing the necessary easements, with each of these two properties. These two properties are also closely intertwined as the proposed baywalk segments are interdependent and will need to be constructed within reasonable timelines. Following commencement of the consultant's services and contingent on the successful and timely negotiation with each of the properties, it is anticipated that finalizing the agreements and easements will take 4-6 months.

Once agreements are finalized with Bay Garden Manor and Bayview Terrace Condominiums, the City will prepare a Request for qualifications to select a consultant to complete the design, construction documents and permitting for those segments. This will allow the City to commence procurement of a contractor.

**CONCLUSION:**

The foregoing is presented to the members of the Land Use and Sustainability Committee for update and discussion.

**Applicable Area**

South Beach

**Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?**

Yes


**Does this item utilize G.O. Bond Funds?**

Yes

**Departments**

Office of Capital Improvement Projects

**ATTACHMENTS:**

Description	Type
 <a href="#">Exhibit A – Memo from June 20, 2023, Land Use and Sustainability Committee Meeting, Item 6</a>	Memo