

4:20:59 p.m.

SUPPLEMENTAL MATERIAL 3: REVISED RESOLUTION

R7 J A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO IDENTIFY GREEN AND BLUE INFRASTRUCTURE TECHNOLOGIES, STORMWATER STRATEGIES AND OTHER INNOVATIVE WATER SOLUTIONS, THAT CAN UTILIZE THE GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB) GUIDELINES FOR FUNDING; AND DIRECTING THE CITY MANAGER TO GO OUT INTO THE MARKETPLACE FOR FUNDING SOURCES, INCLUDING, BUT NOT LIMITED TO, SEEKING MUNICIPAL BOND PROCEEDS TO PAY FOR CONSUMER REBATES, INSTALLATIONS AND OTHER DISTRIBUTED INFRASTRUCTURE INITIATIVES; AND DIRECTING THE ADMINISTRATION TO WORK WITH THE CITY'S EXTERNAL AUDITOR, FINANCIAL ADVISOR, AND BOND COUNSEL TO ENSURE COMPLIANCE WITH THE CITY'S BOND RESOLUTIONS AND ACCOUNTING STANDARDS.

Public Works

Commissioner John Elizabeth Alemán

ACTION: Resolution not adopted. Item heard with items R7 M and R7 N. Item deferred to the September 12, 2018 Commission Meeting by acclamation. Lilia Cardillo to place on the Commission Agenda, if received. **Roy Coley to handle.**

RECOMMENDATION:

- The Office of the City Attorney to combine similar Items R7 J, R7 M, and R7 N into one Resolution, and bring back to the September 12, 2018 Commission Meeting.

Commissioner Alemán proposed taking Items R7 J, R7 M, and R7 N, and through the Office of the City Attorney work the items into one Resolution that she would co-sponsor with Vice-Mayor Samuelian.

Vice-Mayor Samuelian agreed to merge the items and defer items R7 J, R7 M and R7 N to the September 12, 2018 Commission Meeting.

8:11:27 p.m.

R7 K A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY MANAGER TO UTILIZE TEMPORARY PUMPS AND GENERATORS TO COMBAT FLOODING ONLY IN EMERGENCY SITUATIONS AFFECTING THE HEALTH, SAFETY, AND WELFARE OF RESIDENTS; REQUIRING THE CITY MANAGER TO OBTAIN CITY COMMISSION APPROVAL IN ADVANCE, WHEN POSSIBLE, OR OBTAIN AFTER-THE-FACT APPROVAL, WHEN ADVANCED AUTHORIZATION IS NOT POSSIBLE, FOR ANY FUTURE DEPLOYMENT OF TEMPORARY PUMPS AND GENERATORS; AND REQUIRING THE CITY MANAGER TO IDENTIFY A DEDICATED FUNDING SOURCE TO CONTINUE TO UTILIZE TEMPORARY PUMPS AND GENERATORS IN EMERGENCY SITUATIONS.

Public Works

Commissioner John Elizabeth Alemán

ACTION: Resolution not adopted. Item referred to the Sustainability and Resiliency Committee. Motion made by Commissioner Alemán to refer the item; seconded by Commissioner Góngora; Voice vote: 6-0; Absent: Commissioner Rosen Gonzalez. **Elizabeth Wheaton to place on the Committee Agenda. Roy Coley to handle.**

REFERRAL:

- Sustainability and Resiliency Committee to discuss funding and deployment of temporary pumps, discuss process and policy.

Commissioner Alemán explained that this is an important item, since they depend on the use of temporary pumps. Last year the City spent over \$1 million deploying the pumps as needed. However, there is no funding source for this. This Resolution directs the City Manager to identify a funding source and additionally it requires the City to make the decision. Currently there was no funding for this and prior City Commissions had to tap into the previous rate increase funds that had accumulated, and now they need those funds to pay the debt service. Therefore, there is a need to identify a funding source to deploy the pumps. She requested a color-coded map from Public Works, which code green is for temporary pumps deployed; yellow code are deployed pumps and red are those pumps that are in a future displacement in later stages of the rollout of permanent infrastructure. Of all the temporary pumps, they can see which ones are close to turning off or soon to turn off, and which ones are still pending. The Commission has taken steps so as not to deploy temporary pumps as previously, but it requires that the decisions be made in the Sunshine. She explained that Ocean Park floods during king tides and neighbors can expect serious flooding, and they are a couple of years away from getting a solution, so in this case the Commission knows that they will have to deploy one or more temporary pumps. The need for those pumps will come in front of the City Commission for action. This Resolution also allows the City Manager, in an emergency, to decide deployment. However, he would have to circulate that information to the City Commission. With the map, they can see the progress.

Commissioner Góngora agrees with many of the points his colleague raises. However, he thinks the Resolution goes too far. The Commission needs first to identify funding resources; they need to let people know the cost associated to keep the temporary pumps running. He understands that part of this is to let some of the neighborhoods know to stop fighting the City's permanent solution as they do not have the money to keep the temporary pumps going, and he agrees in letting this message out. However, he is concerned that this Resolution ties the Administration's hands, since they cannot anticipate when there is a heavy rain, monsoon, or a flash rain. He is not in favor of restricting the use of temporary pumps this much and micromanaging at the City Commission level their uses. He suggested carrying this item over and receive more information from the Administration as to cost, potential funding sources, and having a more informed discussion rather than what is proposed. He is not prepared to support this tonight.

Commissioner Steinberg added that they are trying to empower staff to be proactive and do what it is important and necessary to avoid micromanaging, but she feels this ties staff's hands somewhat. She believes the term emergency could be defined differently. There is good merit in the Resolution. She thinks the Commission should receive at least quarterly LTCs updates in the Sunshine outlining exactly where and how much is spent, so that it solves the issue of identifying the neighborhoods that are using these pumps, where they are used and trying to limit the uses. She agrees that the City has spent so much money on temporary pumps, which unless it is necessary, people should not rely as part of quality of life to have the generators come in when requested. However, it is important that the Administration outline how much funds are being spent, where it is being spent, and to find the appropriate funding sources. She likes the spirit of where Commissioner Alemán is going with the Resolution thought, but it is going too far in tying the City Manager's hands.

Commissioner Alemán explained that this does not tie the City Manager's hands, as it gives him ultimately authority to deploy as he sees fit. The City Manager just must come back to the City Commission and let them know. She asked Mr. Coley if he had the colored map discussed. They came up with the map and the other one a spreadsheet to see the costs. She understands the

City Commission/Presentation & Awards Meeting

concerns of bringing the item back to the City Commission, and if it makes more sense, she suggested that the item go in front of the Sustainability and Resiliency Committee instead of the full Commission, and maybe do it as a quarterly report rather than a real time dialogue. However, this is more than \$1 million unbudgeted spent that does nothing to remediate the root cause of flooding. They need to maintain visibility. She described an incident where the City sent a vacuum truck to dry the streets at upper North Bay Road because someone had the house for sale and they had a showing, and that is unacceptable. Every taxpayer in the City paid for that vacuum truck to dry the street for a mansion to be sold. Therefore, there is absolutely a spirit of wanting to make these decisions in the Sunshine. At this point, they depend on these temporary pumps for simple quality of life, especially during king tides and certainly during storm events. She clearly does not want to take any authority from the City Manager, and she thought she had addressed that, but accepted the suggestion of making it a quarterly report at the Sustainability and Resiliency Committee if there is consensus.

Vice-Mayor Samuelian appreciates Commissioner Alemán putting this on the table. Having unfunded items such as these, do not feel right. She is also trying to bring a policy. He thinks they need to have something like this. He added that there may be unintended consequences and so they want to engage in more of a dialogue at a future time.

Commissioner Alemán moved to refer the discussion of how to do this process to the Sustainability and Resiliency Committee; seconded by Commissioner Góngora; Voice vote: 6-0; Absent: Commissioner Rosen Gonzalez.

Jimmy L. Morales, City Manager, explained that the City has an arrangement with DERM and they have received DERM pre-approval for multiple locations where they know pumps are deployed often, and as part of that agreement, DERM has agreed that the City has the right to deploy the pumps at other locations during emergency.

Commissioner Steinberg agrees that they need to have a formal policy.

Commissioner Alemán added that the City spent \$1 million a year on this and currently they have no money for that.

Commissioner Góngora agreed that they cannot have that kind of unfunded item that people do not know about with the temporary pumps going out and they need to have that discussion at Sustainability.