

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO ACCEPT THE TRANSFER TO THE CITY, VIA QUIT CLAIM DEEDS, OF THE APPROXIMATELY 4,000 LINEAR FEET OF SEAWALL ALONG INDIAN CREEK DRIVE, FROM THE PRIVATE PROPERTY OWNERS IDENTIFIED IN EXHIBIT "A," SO THAT THE CITY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) MAY UNDERTAKE THE CONSTRUCTION OF A 5.7 NAVD ELEVATION SEAWALL BARRIER WALL, WHICH WOULD IMPROVE STREET DRAINAGE, AND RAISE THE ROAD ELEVATION FOR INDIAN CREEK DRIVE, BETWEEN 26TH AND 41ST STREETS.

WHEREAS, Indian Creek Drive is a State-owned and maintained road, but is considered one of the City's main transportation corridors, which establishes a southbound artery between North Beach and South Beach; and

WHEREAS, Indian Creek Drive, is a major commuter road that runs through residential districts of the City, and is critical for providing emergency services to residents and visitors (including its use as a hurricane evacuation route); and

WHEREAS, the City experiences extreme high tide events in the Spring and Fall, which cause intensive and paralyzing flooding on Indian Creek Drive, particularly between 26th and 34th Streets; and

WHEREAS, these flooding events have increasingly worsened due to these higher tidal events, which are expected to continue to escalate with sea level rise; and

WHEREAS, during these tidal events, the City has no alternative but to prohibit access to Indian Creek Drive for the health, safety and welfare of its residents and visitors; and

WHEREAS, the City has determined that corrective action for these flooding events would require major infrastructure construction for Indian Creek Drive, between 26th and 34th Streets, including the construction of a crash barrier seawall that will maintain street drainage during high tidal events and increasing the road elevation; and

WHEREAS, the City and the Florida Department of Transportation (FDOT) have negotiated funding of a seawall project from 26th to 41st Street, approximately 4,000 feet in length, at a 5.7 NAVD elevation (City standard); and

WHEREAS, the proposed seawall would be constructed over a 20 feet deep sheet pile wall that would eliminate water from flowing underground and from flowing over the wall and flooding the street; and would provide for the installation of a 72 inch drainage line, beginning south of 26th Street and continuing all the way to 41st Street, connecting at the drainage system on 41st Street; would allow for the construction of a

pump station on the 32nd Street end, that would have the capacity to pump the 72 inch drainage line and maintain the proper capacity in the system; and

WHEREAS, the City and FDOT have agreed that FDOT will be responsible for the base cost of draining its roadway, and the City will be responsible for those costs necessary to accommodate the additional capacity in the storm-water system for the City streets abutting the affected areas of Indian Creek Drive; and

WHEREAS, most of the seawall between 26th Street and 41 Street is privately owned land – with the main parcels and structures being bisected from the seawall area by the FDOT right-of-way (Indian Creek Drive); and

WHEREAS, the existing seawalls are in poor condition and/or do not meet the City's Standards (5.7 NAVD elevation) for seawalls; and

WHEREAS, the City would like to start the project as soon as possible; and

WHEREAS, in an effort to resolve the flooding issues and in an effort to expedite the repair and reconstruction of the seawalls to the City's standard, the City is willing to undertake the reconstruction; provided, however, the private property owners quit claim their interest in the seawalls to the City; and

WHEREAS, quit claiming the seawalls to the City would alleviate the private property owners from having to maintain the seawall and would ensure that the flooding mitigation project is a success; and

WHEREAS, attached as Exhibit A to this Resolution, is the list of private property owners that front Indian Creek Drive, between 26th Street and 41 Street and, should these property owners want to quit claim their seawalls to the City, the City Manager should be authorized to accept said quit claim deeds; and

WHEREAS, the proposed form of the quit claim deed is attached hereto as Exhibit B.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, the Mayor and City Commission approve and authorize the City Manager to accept the transfer to the City, via Quit Claim Deeds, of the approximately 4, 000 linear feet of seawall along Indian Creek Drive, from the private property owners identified in Exhibit "A," so that the City and the Florida Department Of Transportation (FDOT) may undertake the construction of a 5.7 NAVD elevation seawall barrier wall, which would improve street drainage, and raise the road elevation for Indian Creek Drive, between 26th and 41st Streets.

PASSED AND ADOPTED this _____ day of September, 2016.

ATTEST:

Philip Levine, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

8/19/16

Date

