

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE INTERIM CITY MANAGER TO WAIVE, PURSUANT TO SECTION 118-252(c)(4) OF THE CITY CODE, THE DESIGN REVIEW BOARD ADVISORY REVIEW REQUIRED FOR ONLY THE BEACHWALK COMPONENT OF THE NORTH BEACH OCEANSIDE PROJECT, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY.

WHEREAS, the North Beach Oceanside Park is located between 79th Street and 87th Street and spans an area of 27.89 acres, and the scope of the park project includes site grading, restoration of pavilions, restoration of existing restroom, new landscape, irrigation, children's playground, dog park, beachwalk and pathways, security lighting, vita course and fitness cluster ("Park Project"); and

WHEREAS, the beachwalk portion of the Park Project, the final segment of the City's beachwalk system extending from South Pointe to 87th Street, is being partially funded by a grant from the Florida Department of Transportation ("FDOT"), and in order to ensure that the FDOT funding was available and in place, the project was subdivided into the park portion and the beachwalk portion (the ("Beachwalk Component")); and

WHEREAS, the City's beachwalk system is part of the larger East Coast Greenway, a non-motorized walking and biking route stretching over 3,000 miles from Maine to Key West; and

WHEREAS, this system of pedestrian paths and bikeways promotes alternative transportation and connects the community to parks, cultural institutions, and business centers; and

WHEREAS, this Beachwalk Component is the final segment of the City's beachwalk, and extends from 79th Street to 87th Terrace, and includes a 25-foot-wide, on-grade paver pathway, landscaping, and turtle-friendly L.E.D. pedestrian lighting; and

WHEREAS, on October 3, 2019, the City received a total of four (4) proposals for the construction of the Park Project, and on October 10, 2019 the City Manager rejected all bids for exceeding the available budget; and

WHEREAS, the design consultant, Calvin Giordano and Associates ("CGA"), and City staff met with each of the proposers in order to gain insight and determine the items driving the cost for the project

WHEREAS, pursuant to the terms of the contract for professional services, CGA revised the drawings in order to bring the Park Project within budget using the insight gained through meeting with the bidders, and after identifying those cost driving factors; and

WHEREAS, upon review of the proposed changes, the Planning Department determined that the Project would be required to resubmit to the Design Review Board ("DRB"); and

WHEREAS, the DRB had initially approved the original design of this Project on September 5, 2017, and a revised design package for the North Beach Oceanside Beachwalk was submitted by CGA on July 27, 2020 to the Planning Department for review and approval; and

WHEREAS, the revised design package was scheduled for the November 3, 2020, DRB meeting and on November 3, 2020, the Project was deferred due to lack of quorum, and on December 7, 2020, it was heard and approved by DRB; and

WHEREAS, on December 22, 2020, as a result of a technical issue, the Planning Department received a complaint for improper notification of residents prior to the December 7, 2020 DRB meeting, and so the technical problem was identified and corrected, new notices were issued, and the Park Project is scheduled to be presented to the DRB on February 2, 2021; and

WHEREAS, on December 16, 2020, the City received bids for the construction of the North Beach Oceanside Beachwalk, the award of the project is scheduled to be presented at the next Commission meeting, and the project is scheduled to commence construction in Spring 2021; and

WHEREAS, Section 118-252(c) of the City Code requires the Design Review Board to perform a non-binding, advisory review of certain City neighborhood projects, including the Park Project; and

WHEREAS, the Beachwalk Component of the North Beach Oceanside Project is similar to the recently completed beachwalk projects which have been vetted at multiple public meetings; and

WHEREAS, considering that this Beachwalk Component is the final portion of the City's beachwalk system, and the Interim City Manager has determined it is in the best interest of the City in order to ensure that it is completed in an expedient manner; and

WHEREAS, further delays in the DRB process for the Beachwalk Component could impact the start date for the project, and more importantly the FDOT grant funding; and

WHEREAS, in accordance with Section 118-252(c)(4) of the City Code, upon a written recommendation of the City Manager, the City Commission may, by majority vote, waive the DRB advisory review required for the Beachwalk Component of the North Beach Oceanside Park project, if the Mayor and City Commission finds such waiver to be in the best interest of the City; and

WHEREAS, the balance of the Park Project, including site grading, restoration of pavilions, restoration of existing restroom, new landscape, irrigation, children's playground, dog park, pathways, security lighting, vita course and fitness cluster, will still be presented to the DRB on February 2, 2021; and

WHEREAS, the Administration recommends that the City Commission approve the resolution and accept the Interim City Manager's written recommendation to waive the DRB advisory review requirement for the Beachwalk Component of the Park Project, in accordance with Section 118-252(c)(4) of the City Code.

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 accept the recommendation of the Interim City Manager to waive, pursuant to Section 118-252(c)(4) of the City Code, the Design Review Board Advisory Review required for only the

Beachwalk Component of the North Beach Oceanside Park Beachwalk Project, finding such waiver to be in the best interest of the City.


PASSED and ADOPTED this _____ day of _____, 2021.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

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



City Attorney



1-25-21

Date