

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 (AND ANY OTHER NEIGHBORHOOD IMPROVEMENT PROJECT IN THE CITY INVOLVING ROAD RAISING) TO IDENTIFY THE TOTAL COSTS OF A POTENTIAL CITY-WIDE GRANT PROGRAM, TO REFLECT THE CITY COMMISSION'S DESIRE FOR ANY GRANT PROGRAM RELATED TO HARMONIZATION TO BE ADOPTED UNIFORMLY AND FAIRLY APPLIED TO ALL FUTURE NEIGHBORHOOD IMPROVEMENT PROJECTS, 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 properties, 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, despite years of planning and design, no property owners have yet to sign the final agreement; 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, as 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, the same courtesy should be extended to other neighborhood improvement projects involving harmonization and road raising, such as in the South of Fifth neighborhood and North Beach; and

WHEREAS, further, on November 11, 2018, the Mayor and City Commission adopted Ordinance No. 2019-4318, amending Section 2-12 of the City Code, entitled "Meeting Procedures and Agendas," to require a fiscal impact statement as part of the consideration of any proposed measure, in order to provide the members of the City Commission and the public with the financial information necessary to take into account the budgetary effects of proposed measures; and

WHEREAS, in evaluating potential options for awarding grants to complete specified harmonization-related work, 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 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 Project, and, in addition, to identify the total costs of a potential City-wide grant program, to reflect the City Commission's desire for any grant program related to harmonization to be adopted uniformly and fairly applied to all future neighborhood improvement projects, with the total costs identified as required by 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 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 (and any other neighborhood improvement project in the City involving road raising) to identify the total costs of a potential City-wide grant program, to reflect the City Commission's desire for any grant program related to harmonization to be adopted uniformly and fairly applied to all future neighborhood improvement projects, with the total costs identified as required by the City Code.

PASSED AND ADOPTED this ____ day of _____, 2022.


Attest:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioner Mark Samuelian)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney *FA*

3-29-22

Date