

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, RELATING TO THE OFFICE OF THE INSPECTOR GENERAL'S REVIEW OF THE WEST AVENUE NEIGHBORHOOD IMPROVEMENT PROJECT (THE "PROJECT"), AND REQUESTING THAT AS PART OF THE INSPECTOR GENERAL'S INVESTIGATION AND/OR REVIEW OF THE PROJECT, THE INSPECTOR GENERAL SPECIFICALLY ADDRESS AND PROVIDE RECOMMENDATIONS RELATING TO THE FOLLOWING MATTERS IF A RESILIENCY PROGRAM WITH ELEMENTS SUCH AS THE RAISING OF ROADS IN LOW-LYING AREAS PRONE TO SIGNIFICANT FLOODING IS NOT IMPLEMENTED IN THE CONTEXT OF THE EXISTENTIAL THREAT OF RISING SEA LEVELS FOR A BARRIER ISLAND LIKE THE CITY, BUILT AT SEA LEVEL, ON POROUS LIMESTONE: (1) THE RISK THAT PRIVATE PROPERTIES MAY BE UNABLE TO OBTAIN INSURANCE, SUCH AS FLOOD INSURANCE OR OTHER PROPERTY INSURANCE COVERAGE; (2) THE RISK THAT LENDERS WILL BE UNWILLING TO EXTEND MORTGAGE FINANCING OR OTHER FINANCING TO PROPERTY OWNERS; (3) THE OVERALL POTENTIAL FOR A DECLINE IN PROPERTY VALUES, AND A DECLINE IN THE CITY'S TAX BASE, IF FLOOD RISKS IN LOW-LYING AREAS ARE NOT MITIGATED; AND (4) THE POTENTIAL ADVERSE IMPACTS TO THE CITY ON ITS STORMWATER BOND CREDIT RATING FOR FAILURE TO TAKE APPROPRIATE STEPS TO MITIGATE THE RISKS OF FLOODING IN THE CITY.

WHEREAS, as a coastal barrier island, the City of Miami Beach is extremely vulnerable to environmental threats such as flooding; and

WHEREAS, the West Avenue Neighborhood is one of the lowest lying areas in the City of Miami Beach, with elevations as low as 1.7' NAVD; and

WHEREAS, since 2017, low-lying areas of West Avenue have experienced flooding from high tides 58 times, and flooding is expected to worsen, as the City faces 14- 30 inches of sea level rise over the next thirty years (Southeast Florida Regional Climate Change Compact, 2019); and

WHEREAS, as recently as March 31, 2022, in evaluating the City's Resort Tax bond credit rating, S&P advised that it believes "that environmental risks are elevated for the City," and that "hurricane risks and flooding represent the largest risks to Miami Beach over the long-term"; and

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, a 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, on January 20, 2022, the City Commission adopted a resolution referring the project to the Office of the Inspector General, for the purpose of reviewing and making written recommendations, and to schedule a special City Commission meeting for May 18, 2022 to consider the Inspector General's initial findings; and

WHEREAS, the Mayor and City Commission desire that, as part of the Inspector General's ongoing review of the West Avenue Project, the Inspector General examine the overall costs and impact of failing to address sea level rise through resiliency projects involving road elevation in low-lying flood-prone areas, including the Project, and provide a thorough review of available studies that can provide context for understanding the expected impact of flooding not just on West Avenue properties, but Miami Beach as a whole, without road elevation; and

WHEREAS, specifically, the Mayor and City Commission desire for the Inspector General to address and provide recommendations relating to the following matters: (1) the risk that private properties may be unable to obtain insurance, such as flood insurance or other property insurance coverage; (2) the risk that lenders will be unwilling to extend mortgage financing or other financing to property owners; (3) the overall potential for a decline in property values, and a decline in the City's tax base, if flood risks in low-lying areas are not mitigated; and (4) the potential adverse impacts to the City on its stormwater bond credit rating for failure to take appropriate steps to mitigate the risks of flooding in the City; and

WHEREAS, in order to determine and provide recommendations regarding the above, a review of flooding and climate risks through available information, including white papers and studies by credit rating agencies, and analysis of how credit rating agencies are accounting for climate change risks in their ratings of credit worthiness, must be conducted; and

WHEREAS, in addition, the Mayor and City Commission encourage the Inspector General to review and examine sources from federal agencies, such as Federal Emergency Management Agency, and National Oceanic and Atmospheric Administration, and Intergovernmental Panel on Climate Change, and other publicly available published studies as to the expected impacts of flooding to public and private properties on Miami Beach, and other populated cities with low elevation near sea level in light of the vulnerabilities to sea level rise and hurricanes; and

WHEREAS, in addition, in order to properly contextualize the Inspector General's recommendations, an analysis from the Inspector General Environmental, Social and Governance methodologies and Miami Beach's environmental risk profile would be beneficial to the Inspector General's stated goal of assisting the City in making its near-term decisions regarding projects such as the West Avenue Project; and

WHEREAS, the foregoing request is consistent with the initial referral to the Inspector General to review and provide recommendations concerning the West Avenue Project, harmonization and road raising, as it is vital for the Mayor and City Commission to be properly advised of risks, costs, and impacts associated with failing to proceed with infrastructure resiliency projects with elements such as the raising of roads in low-lying areas prone to significant flooding, such as the West Avenue Project, in order to make informed decisions in the context of the existential threat of rising sea levels for a barrier island like the City; and

WHEREAS, the City Commission desires to further clarify that the scope and/or extent of the Inspector General's review of the foregoing matters shall be determined by the Inspector General at his discretion, and the Inspector General is encouraged to share any findings or recommendations within sixty (60) days from the date of this Resolution.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, relating to the Office of the Inspector General's review of the West Avenue Neighborhood Improvement Project (the "Project"), request that as part of the Inspector General's investigation and/or review of the Project, the Inspector General specifically address and provide recommendations relating to the following matters if a resiliency program with elements such as the raising of roads in low-lying areas prone to significant flooding is not implemented in the context of the existential threat of rising sea levels for a barrier island like the City, built at sea level, on porous limestone: (1) the risk that private properties may be unable to obtain insurance, such as flood insurance or other property insurance coverage; (2) the risk that lenders will be unwilling to extend mortgage financing or other financing to property owners; (3) the overall potential for a decline in property values, and a decline in the City's tax base, if flood risks in low-lying areas are not mitigated; and (4) the potential adverse impacts to the City on its stormwater bond credit rating for failure to take appropriate steps to mitigate the risks of flooding in the City.

PASSED AND ADOPTED this _____ day of _____, 2022.


Attest:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioner Alex J. Fernandez)

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



City Attorney *FA*

4-1-22

Date