

MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC # **141-2022**

LETTER TO COMMISSION

TO: Honorable Mayor Dan Gelber and Members of the City Commission

FROM: Rafael E. Granado, City Clerk



DATE: 4/12/2022

SUBJECT: **AD HOC NEIGHBORHOOD RESILIENCE PROJECTS ADVISORY COMMITTEE MOTION**

The purpose of this Letter to Commission is to provide you the motion made at the Ad Hoc Neighborhood Resilience Projects Advisory Committee held on April 4, 2022.

For any comments please contact Amy Knowles, Chief Resilience Officer and Committee liaison.

Attachment: Ad Hoc Neighborhood Resilience Projects Advisory Committee Motion

RG LS AK
RG/LS/AK



**AD HOC NEIGHBORHOOD RESILIENCE PROJECTS
ADVISORY COMMITTEE**

City of Miami Beach
Elizabeth Wheaton, Chair
Amy Knowles, Liaison

Members:

Elizabeth Wheaton (Chair-present), Clare McCord (Vice-Chair), Spencer Hennings (present), Barbara Herskowitz(present), Calvin Kohli (absent), Galen Treuer (present)

TO: Mayor Dan Gelber and Members of the City Commission
FROM: Elizabeth Wheaton, Ad Hoc Neighborhood Resilience Projects Advisory Committee Chair
DATE: April 4, 2022
SUBJECT: Committee Motion—Response to Referral C4 A from March 9, 2022 Commission Meeting

Dear Honorable Mayor and Commission,

The Ad Hoc Neighborhood Resilience Projects Advisory Committee met on April 4, 2022 and unanimously passed the following motion in response to Referral C4 A about harmonization agreements, from the March 9, 2022 City Commission meeting.

The Committee recommends the transmittal of the staff presentation (Attachment 1) to the City Commission, which does include information requested by C4 A, and provides the following additional input in response to each of the three questions posed by Referral C4 A:

1) What have been the major barriers to securing these agreements?

- **Barriers identified by staff** through lessons learned from former projects located in Attachment 1;
- **Difficulty in communicating and understanding the timeline** for each harmonization agreement in the context of the overall project timeline;
- **Fear of the unknown** as natural human response to want to maintain status quo combined with **complexity of the project**;
- **Complexity of the regulatory agency environment**; and
- **Legal complexity of the agreements** and property owners' decisions to hire counsel
- "NIMBY-ism" meaning property owners having to deal with a construction project on their street, directly impacting their properties.

2) What additional information would help this process?

- Build trust and credibility by **providing more consistent, frequent and clear updates** to property owners on issues related to the harmonization agreement and the overall project.



AD HOC NEIGHBORHOOD RESILIENCE PROJECTS ADVISORY COMMITTEE

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Communication should align expectations by providing clear details for project and communication processes.

- For example, when answers to the property owners' questions are still being researched/designed and an extended period is required to provide a full response, communications should continue so the property owner understands where the City is in the process. This ensures that even if there is no new information available, the community members know that the City is still working to address their property's questions;
- Communications to the individual property owner should **outline expectations of the process and provide a date of finality**. Properties should understand the time period in which they need to decide and a set date to provide signatures for required agreements. If a decision is not made before that date, the project will move forward with completing harmonization on public property;
- Have **more visual, simplified and personal information**. Suggestions include: adding **before and after photos** of prior projects; providing **fact sheets that include profiles of main staff** team involved; providing **photos and video testimonials of property owners** who have previously undergone the harmonization process as part of the City's neighborhood improvement projects; **creating an ambassador program** in which community members who have experienced the process volunteer to be available to meet with property owners as a resource ;
- Provide property owners **information about lessons the City has learned** and how harmonization has improved, specifically from responding to community concerns and **sharing improvements in the agreements** from the City Attorney's Office.

3) What other opportunities exist to improve the process and reduce project delays?

- Build trust with the PIO throughout the duration of the project through **building into the PIO contract guidelines for regular, clear and consistent communications and establishing metrics** that include process and timelines for addressing and resolving issues;
- Be **clear about the harmonization process steps, milestones and timelines** to help property owners make decisions to keep the overall project on-time, including a set date as the harmonization agreement needs to be formally confirmed or declined in order to reduce project delays; and
- **Simplify the communication process** wherever possible by prioritizing and **focusing on the three-top decision-points** to improve clarity and help prevent information overload.

Sincerely,

DocuSigned by:

9809CF68CE0D48B

Elizabeth Wheaton, Chair, Ad Hoc Neighborhood Resilience Projects Advisory Committee

4/11/2022 | 4:05 PM EDT

Harmonization for Neighborhood Improvement Projects

Ad Hoc Neighborhood Resilience Project Advisory Committee
Monday, April 4, 2022

MIAMIBEACH
RISING
ABOVE

Referral to the Ad Hoc Resilience Committee

March 9, 2022: CG 4 Referral to the Ad Hoc Resilience Committee to discuss how to improve information and engagements with residents as it relates to all projects that require harmonization agreements

- I. What have been the major barriers to securing these agreements?
- II. What additional information would help this process?
- III. What other opportunities exist to improve the process and reduce project delays?

What is Harmonization?

- When the roadway and sidewalk are raised several inches or more, work will need to be performed within private property to ensure they remain accessible and safe.
- Harmonization is needed to provide a smooth transition between the city's right-of-way (ROW) and private properties.
- A signed **agreement** is required by local government to grant permission to enter private property, perform the work and ensure a smooth transition.
 - Required in the absence of an easement to perform the work



Right-of-Way (ROW)

- ROW is defined as land dedicated, deeded, used or to be used for a street, alley, walkway, boulevard, drainage facility, access for ingress or egress, or other purpose by the public, certain designated individuals of governing bodies.
- Typically begins at the back of the sidewalk.
 - Same as property line.



Encroachments

- Private property feature within the city's ROW are an encroachment.
 - Permitted or not
 - Ex: Fence, Gates, Landscaping, Decorative Pavers
- These have been identified in each property's harmonization plan.
- The contractor can remove them at no cost to the owner, if the owners do not wish to re-use the materials.
 - If they can be salvaged, contractor may assist.
 - Discussed in each individual meeting.



Harmonization Packages

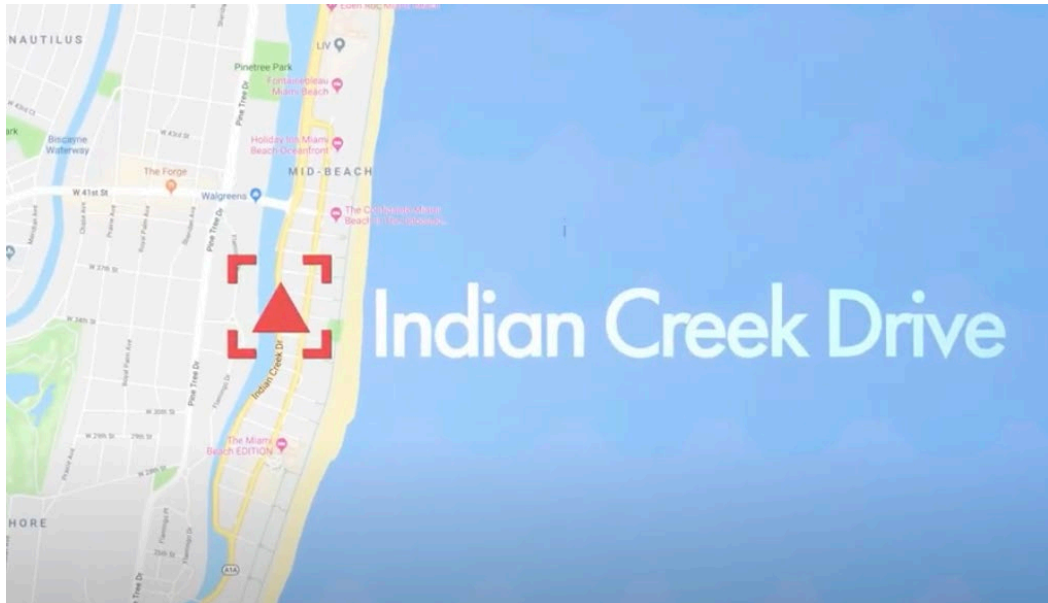
If a private property owner/representative agrees to the work proposed in the harmonization plans, they will need to sign a **License Agreement** within the harmonization package. Each property will receive a harmonization package that includes the following:

1. **License Agreement:** Document that provides information on the contractor's warranty of work and an explanation of the work being performed on private property.
 - a. Needed to perform work in private property.
2. **Individual Property Plans:** Plans specific to the property that illustrates work on private property.
 - a. The plan sheets will include notes that explain what items need to be addressed by the private property owner.
 - b. Plan sheet includes any drains that are to be installed onto private property.
3. **Encroachment Letter:** This letter addresses property encroachments that are on the city's right-of-way and provides a time frame for the property to address.
4. **Water Quality Flyer:** Information that explains how to care for your new yard drain and the new neighborhood system

Harmonization History

Each of the following projects required signed license agreements:

- 11 Street
- Indian Creek Drive
- Palm and Hibiscus Islands
- Sunset Islands III & IV
- Sunset Islands I & II



3200 Indian Creek Drive Example



3300 Indian Creek Drive Example



3411 Indian Creek Drive Example

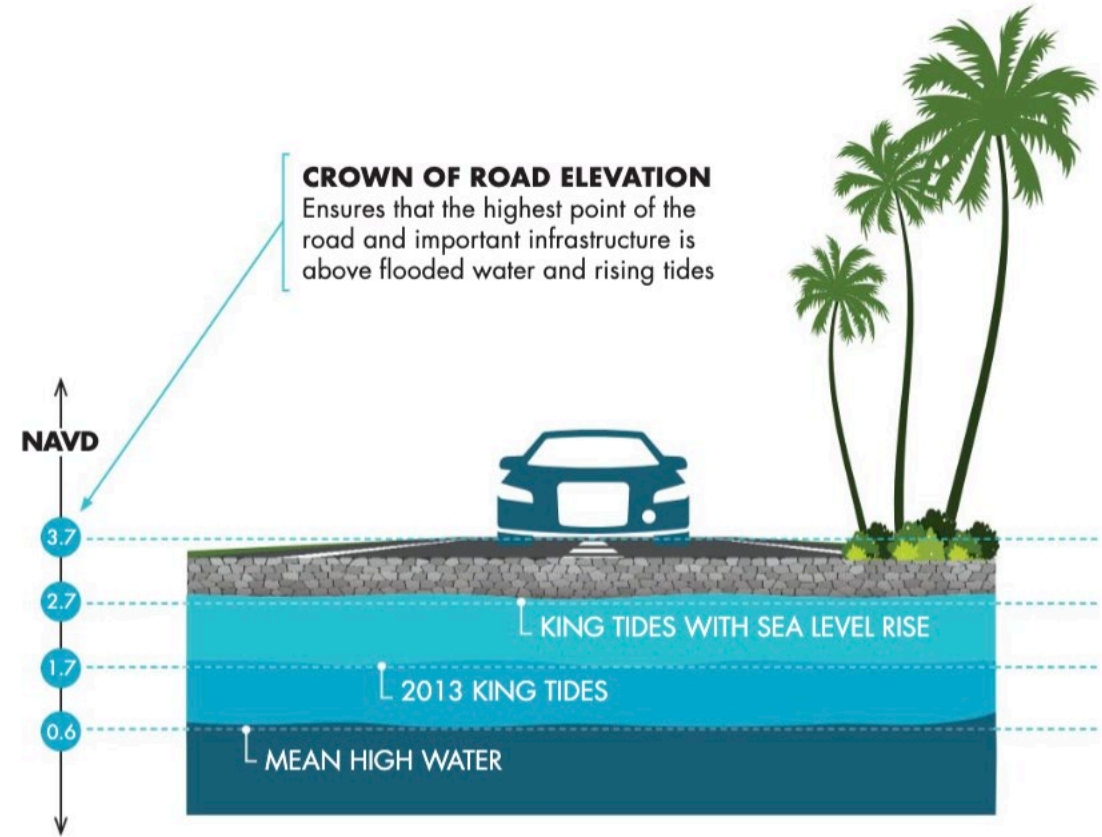


3605 Indian Creek Drive Example



Lessons Learned

- Design and agree on individual property harmonization details **before** construction begins
- Limit changes to construction scope once work begins
- Emphasize responsibilities of contractor with regards to permits prior to and throughout the project
- Construction of projects on behalf of other governmental entities will be avoided
- HOA and community direction may differ
- Provide clear and resident-friendly language



Step-by-Step Harmonization Process

1. Introduction

- Identify the property representatives.
- Project team connects with stakeholders via the public information team.

2. Initial Meeting

- Meet with the property representative and the project team including the design consultant and public information team.
- Meeting takes place on-site to review existing conditions and answer any questions.
- Introduce the license agreement and discuss next steps.
- The project team requests comments on the plans.
- Public information team is the point of contact for any follow up questions.

3. Design/Revisions

- The project team reviews the comments and field assessments to determine whether revisions to the harmonization plans are possible.

4. Follow Up Meeting

- Project team meets again to go over the revised plans and answer any additional questions.

Barriers

- **What is the cost to residents?**
 - Project landscaping, sod, concrete and asphalt are included as part of the project.
 - Paver base will be set for the property to reinstall.
 - Fire connections will be modified as part of the project.
- **Each property has different needs**
 - Individual harmonization meetings ensure the property's needs are represented.
 - Reaching a property representative can be challenging.

Barriers

- **Do we need an engineer?**
 - All harmonization plans are designed by a state licensed professional engineer.
 - Best practices are used and all stakeholder comments are considered.
 - While not required, this is at the discretion of the property owner
- **Do we need an attorney?**
 - The agreement does require legal language. However, staff is working to develop a simplified wording and presentation.
 - While not required, this is at the discretion of the property owner

Barriers

- These projects are the first of their kind in Miami Beach and South Florida.
- Regulatory Agency Coordination
 - Miami-Dade County Department of Environmental Resources Management (DERM)
 - South Florida Water Management District (SFWMD)

Declined to sign

If a property declines to sign, harmonization can occur within the city's ROW.

- May lead to steeper driveways.
- Harmonization using retaining walls.

No drains on private property?

- Will allow a property to have a drain, but harmonize in the ROW

Project Communication Tools

- Dedicated Public Information Officer (PIO)
 - PIO is the point of contact for all residents and stakeholders during all phases of the project.
 - Creates database of contacts for stakeholders.
 - Keeps track and manages issues log.
- Email updates on projects
- Dedicated webpage
- Virtual Meetings are a new tool.



Project Overview and Benefits

The West Avenue Neighborhood Project is crucial to ensuring your neighborhood stays dry and remains a walkable, active community for years to come. These critical upgrades include underground infrastructure updates such as a new water main, sanitary sewer improvements, installation of a stormwater treatment system and raising the elevation of the roadway to minimize street flooding.

What's Happening

The team remains diligent in continuing work to maintain the anticipated construction start by the end of 2021. We would like to provide the community an update on the design work that has been taking place:



Citywide Communication Tools

- Resident Right to Know
 - Email notification system
- Electronic Newsletters
- Website
- Text Message Alert
- MB Magazine
- Custom Graphics
- Videos
- Nextdoor/ Social Media



**CLIMATE
CHANGE
IS REAL.**

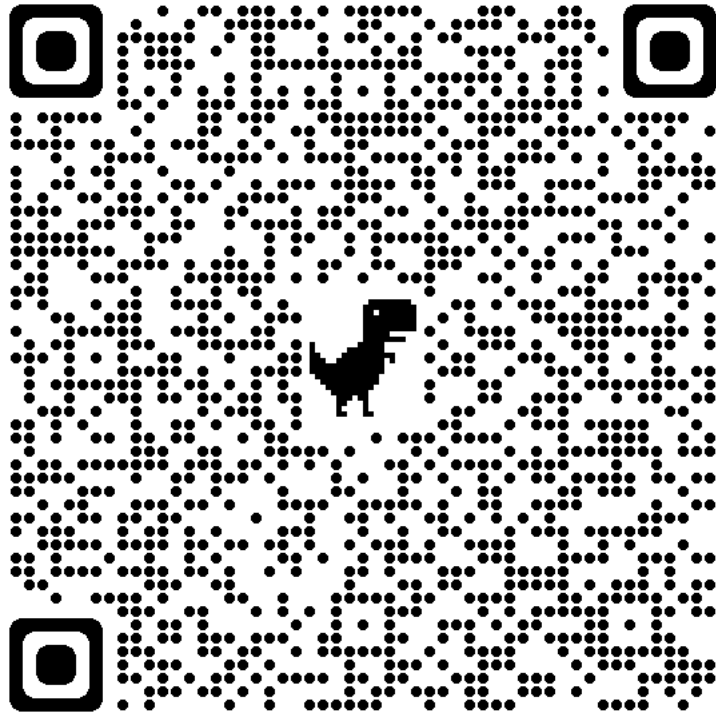
**SO ARE OUR
SOLUTIONS.**

The truth hurts. From sea level rise to aging infrastructure and traffic congestion to emergency preparedness and recovery — the City of Miami Beach is tackling these truths head on by building a community ready for tomorrow. Join us in our efforts today. Visit www.mbrisingabove.com.

Building a better tomorrow, today.

#MBRisingAbove

Updated Webpages



The screenshot shows the Miami Beach website interface for the West Avenue Neighborhood Enhancements project. The navigation bar includes links for MIAMI BEACH, RESIDENTS, BUSINESS, VISITORS, CITY HALL, and SERVICES, along with a weather widget showing 79° and a search icon. The main header features an aerial view of the neighborhood and the project title. A progress bar indicates that 90% of the project is complete, with 'DESIGN' and 'CONSTRUCTION' phases shown. The 'DESIGN' phase is highlighted in pink. Below the progress bar, a detailed description of the proposed improvements is provided. To the right, a 'FUNDING' section lists the total budget, funding source, and last updated date. Below that, a 'PROJECT STAFF' section lists the department lead, department director, and division director. At the bottom, there is a 'PROJECT UPDATES' section with tabs for 'MOST RECENT UPDATE', 'LAST 3 MONTHS OF UPDATES', and 'ARCHIVES', and a 'FAQs' link.

MIAMI BEACH RESIDENTS BUSINESS VISITORS CITY HALL SERVICES 79°

WEST AVENUE NEIGHBORHOOD ENHANCEMENTS

DESIGN 90% CONSTRUCTION

The proposed improvements within the West Avenue neighborhood includes the raising of the paved roadway, harmonization to the adjacent properties, installation of a new robust stormwater drainage collection, treatment and pumping system, replacement of the existing water distribution/transmission systems and gravity sanitary sewers, installation of new street lighting, pedestrian lighting, replace existing and install new signalized intersection with mast arms, new landscaping, irrigation and construction of a new Baywalk. The Limit of the Improvements are West Avenue between 8 Street and Lincoln Road, including side streets, and Bay Road between 14 Street and Collins Canal.

FUNDING

Total Budget:
Content to come

Funding Source:
Content to come

Last Updated:
04/04/2022

PROJECT STAFF

Department Lead:
Capital Improvement Projects (CIP)

Department Director:
David Martinez, P.E.

Division Director:
David Gomez

PROJECT UPDATES

MOST RECENT UPDATE LAST 3 MONTHS OF UPDATES ARCHIVES

West Avenue Sept. 2021 Update↓

FAQs

Q&A Discussion