

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: April 23, 2025

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING IN SUBSTANTIAL FORM, AN INTERGOVERNMENTAL AGENCY AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND MIAMI-DADE COUNTY PURSUANT TO SECTIONS 2-95 AND 2-96.1 OF THE MIAMI-DADE COUNTY CODE FOR THE WEST AVENUE NEIGHBORHOOD 1) INSTALLATION AND MAINTENANCE RESPONSIBILITIES OF THE PROPOSED 25 MPH SPEED LIMIT SIGNS; AND 2) INSTALLATION AND MAINTENANCE RESPONSIBILITIES OF PAVERS AND THE ASSOCIATED STRIPING AND PAVEMENT MARKINGS; AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND FINALIZE THE INTERGOVERNMENTAL AGENCY AGREEMENT CONSISTENT WITH THE TERMS SET FORTH HEREIN, AND SUBJECT TO FORM APPROVAL BY THE CITY ATTORNEY; AND FURTHER, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE FINAL NEGOTIATED AGREEMENT WITH MIAMI-DADE COUNTY.

### **RECOMMENDATION**

The City Administration (Administration) recommends that the Mayor and City Commission (City Commission) adopt the Resolution.

### **BACKGROUND/HISTORY**

The West Avenue Neighborhood Improvement Project (Project) is designed to enhance quality of life with aesthetics and infrastructure, and to reduce flood risk to this vulnerable neighborhood both now and in the future. This neighborhood is one of the lowest lying areas in the City of Miami Beach (City) with elevations as low as 1.7' NAVD. 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). A high groundwater table and intense rain events result in additional compound flooding concerns.

The Project represents a comprehensively defined neighborhood improvement program, focused on resolving challenges associated with climate impacts and aged infrastructure. 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 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 bay walk segment. The limits of the improvements are West Avenue between 8th Street and Lincoln Road, including side streets, and Bay Road between 14th Street and Collins Canal, and includes upgrading the project to City standards of resilience of the neighborhood.

On March 22, 2017, the City Commission adopted Resolution No. 2017-29800, accepting the recommendation of the City Manager to award a Design Build Agreement (Agreement) to Ric-

Man Construction Florida, Inc. (Ric-Man) for design-build services for West Avenue Improvements Phase II north of 14 Street (Phase II). On July 31, 2017, the City issued a Notice to Proceed to Ric-Man to commence design work pursuant to the terms and conditions of the Agreement.

The notice to proceed to start construction of the stormwater pump station at the City's parking lot on West Avenue was issued and the construction began on January 2, 2024. The West Avenue segment between 14th Street and Collins Canal is in the final design development and permitting phase.

Coordination with the community continues as the private property harmonization designs are being prepared and presented to the individual property representatives.

## **ANALYSIS**

Ric-Man, in order to obtain one of, if not the final remaining permit, has submitted the Project's Pavement Marking and Signage drawings to Miami-Dade County (County) Department of Transportation and Public Works, for review. Review by the County has identified items requiring the creation and execution of an Intergovernmental Agency Agreement (IAA) between the City and the County, transferring the maintenance responsibilities of certain non-standard items from the County to the City. The construction drawings for the Project include a reduction in speed limit from 30 miles per hour (MPH) to 25 MPH, and a paver roadway with associated striping for a portion of 16 Street and Lincoln Terrace, west of Bay Road. As these are non-standard items, the maintenance responsibility for which normally fall under the responsibility of the County, the City is requesting to assume maintenance responsibilities for these items, thereby obtaining approval and permit for the design/construction documents.

Pursuant to Sections 2-95 and 2-96.1 of the County Code, all traffic control and traffic engineering services in Miami-Dade County are under the exclusive jurisdiction of the County and Section 2-96.1 of the County Code provides the County Manager [Mayor] or his/her designee with the authority, in his/her sole discretion, to enter into an IAA to permit an adequately equipped municipal agency to assume certain traffic engineering functions.

In the attached draft IAA (Exhibit A), the City is requesting that the County:

1. Allow the City to perform the installation and maintenance responsibilities of the 25 MPH speed limit signs pertaining to its local municipal streets within the Project area only; and
2. Allow the City to perform the installation and maintenance responsibilities of pavers and the associated markings and striping within the project limits.

In accordance with the IAA, the City has transportation engineers available to plan, design, and perform construction inspection of transportation projects within its Public Works Department and has represented to the County that it is capable, equipped, and qualified to perform the duties and functions requested. Further, the City has reviewed the construction documents and found them to be in compliance with the Design Criteria Package for the Project, and that the identified deviations from County Standards are in the best interest of the Project and the City.

## **FISCAL IMPACT STATEMENT**

N/A

**Does this Ordinance require a Business Impact Estimate?**  
(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:  
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

**FINANCIAL INFORMATION**

N/A

**CONCLUSION**

The Administration recommends approving the Resolution, authorizing the Administration to enter into negotiations with Miami-Dade County, for an IAA, in substantial form with the provided template.

**ATTACHMENTS:**

Exhibit A – Intergovernmental Agency Agreement

**Applicable Area**

South Beach

**Is this a “Residents Right to Know” item, pursuant to City Code Section 2-17?**

Yes

**Is this item related to a G.O. Bond Project?**

No

**Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying?** No

If so, specify the name of lobbyist(s) and principal(s):

**Department**

Capital Improvement Projects

**Sponsor(s)**

**Co-sponsor(s)**

**Condensed Title**

Intergovernmental Agency Agreement w/ MDC, West Ave Neighborhood. CIP

**Previous Action (For City Clerk Use Only)**