

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE DESIGN FOR THE 41ST STREET CORRIDOR REVITALIZATION PROJECT, INCLUDING CERTAIN ADDITIONAL SCOPE ITEMS AS RECOMMENDED BY THE COMMUNITY, DESIGN REVIEW BOARD, AND THE MAYOR'S 41ST STREET BLUE RIBBON COMMITTEE, WITH FUNDING TO BE REQUESTED THROUGH THE FISCAL 2026 CAPITAL BUDGET PROCESS.

WHEREAS, in 2018, the City engaged Alta Planning and Design, Inc. ("Alta") to prepare a vision plan for the 41st Street Corridor Revitalization Project (the "Project"); and

WHEREAS, the resulting vision plan (the "Alta Vision Plan") prioritized pedestrians along the corridor by supporting consistent, safe, and comfortable bus and bike networks, creating more reasons to spend time on the street, support transit riders and foster social resiliency; and

WHEREAS, the Alta Vision Plan was the culmination of 4 weeks of stakeholder engagement, several committee discussions, meetings with business owners and residents, questionnaires, pop-up workshops, a public survey, and a public charrette; and

WHEREAS, the 2018 G.O. Bond ("GOB") Program allocated \$15 million for the Project as described in the Alta Vision Plan, which was approved by the Mayor's 41st Street Blue Ribbon Committee in August 2018; and

WHEREAS, on December 12, 2018, the City Commission accepted the recommendation of the Land Use and Sustainability Committee ("LUSC"), approving the Alta Vision Plan, and referring the Project to the City's Finance and Citywide Projects Committee ("FCWPC") to develop a plan to prioritize the budgeted funds from the GOB program; and

WHEREAS in March 2020, the City engaged the design firm AECOM to prepare a feasibility study for the implementation of the Alta Vision Plan and the development of conceptual design, which encompasses portions of 41st Street, and intersecting roads north to 42nd Street and south to 40th Street, between Alton Road and Pine Tree Drive; and

WHEREAS, the conceptual design completed by AECOM included pedestrian improvements with widened, branded sidewalks, shortened crosswalks, alteration of on-street parking spaces, increased public art along the street, bike lanes, human scale lighting, landscaping to increase tree canopy, irrigation, outdoor seating, alteration of bus shelters and gateway features intended to reinvigorate the 41st Street corridor at Alton Road and Pine Tree Drive;

WHEREAS, on January 13, 2021, the City Commission adopted Resolution No. 2021-31551 approving the AECOM 41st Street Conceptual Streetscape Design (the "Conceptual Design"), authorizing the Administration to develop and issue a Request for Qualifications for the selection of a firm for the design development, bid assistance, and construction administration services for the Project; and

WHEREAS, the approval of the Conceptual Design included the removal of a maximum of 18 on-street parking spaces on 41st Street, 9 on-street parking spaces on side streets, and the

condition that the eventual design limit the removal of Florida Royal Palms to no more than 15% of the existing Royal Palms along the corridor; and

WHEREAS, the Resolution stipulates that any Royal Palm that is removed from the corridor must be replaced with a Royal Palm on side streets within two blocks of the corridor (north and south), and that benches proposed must be designed to prevent loitering and vagrancy; and

WHEREAS, on September 2, 2021, the Mayor and City Commission adopted Resolution No. 2021-31838 approving and authorizing negotiations with Brooks + Scarpa ("B+S") relating to Request for Qualifications No. 2021-196-ND for Architectural and Engineering Design Services for the Project; and

WHEREAS, the agreement between the City and B+S for Architectural and Engineering Services for the Project was executed in March, 2022; and

WHEREAS, on March 29, 2022, the City issued Notice to Proceed to B+S to start the design of the Project; and

WHEREAS, B+S has worked to prepare updated concept drawings, and 30% design documents, compliant with the scope identified in the Conceptual Design, and the conditions identified by the City Commission; and

WHEREAS, B+S along with City staff have conducted public engagement meetings and have presented the project to the Mayor's 41st Street Blue Ribbon Committee; and

WHEREAS, the 41st Street Corridor is a state-owned road and therefore, B+S initially submitted schematic plans to FDOT on November 15, 2022, and received favorable support for the Project; and

WHEREAS, the 30% design documents were presented to the Design Review Board (DRB) for advisory review and received a favorable recommendation during the July 5, 2023 DRB meeting; and

WHEREAS, subsequent meetings with FDOT, at the 30% and 60% design phases, yielded several comments warranting significant design changes; and

WHEREAS, B+S prepared updated 60% design documents incorporating comments received from the community, neighborhood committees, City staff and FDOT; and

WHEREAS, the design has materially changed since the DRB approval in July 2023; and

WHEREAS, many of the design elements previously proposed within the street portion of the right-of-way, were rejected by FDOT during subsequent reviews and therefore removed from the scope of work, and replaced with additional design elements along the corridor, as allowed, and at the intersection of Pine Tree Drive and 41st Street, at Lieberman Square; and

WHEREAS, in May 2024, the updated 60% design documents including the material changes, were submitted for another round of review by City staff, FDOT and the DRB; and

WHEREAS, on May 15, 2024, the Mayor and City Commission ("City Commission") referred item C4 AK, sponsored by Commissioner Alex Fernandez and co-sponsored by

Commissioner Joseph Magazine, to the LUSC, to provide a presentation, status and direction of the Project; and

WHEREAS, on July 2, 2024, the 60% Design Documents, reflecting the FDOT requested design modifications were presented to DRB on an advisory basis, where they provided favorable comments with recommendations; and

WHEREAS, an LTC recapping the meeting was transmitted to the City Commission by the Planning Department on July 18, 2024, and the DRB included the following:

- Explore utilizing other bright colors (besides Miami Beach pink) for the canopy structures.
- Miami Beach pink is acceptable for the sidewalk pavement and furniture that emerges from the sidewalk.
- Miami Beach pink sidewalks should have the same branding features as the gray sidewalks.
- Utilize the proposed canopy structures to provide shade.
- Utilize the proposed canopy structures to call attention to and embrace the palm trees or shade trees.
- Option 2 regarding lighting (up and down light for every other Royal Palm tree) is recommended.
- Recommend increasing the number of shade trees and widening sidewalks, including a reduction in the number of on-street parking.
- Recommend signage be provided for navigation to adjacent parking garages and surface lots.
- Although not in the existing scope, recommend replacing the existing acorn lamp posts with a more contemporary type of lighting.
- Explore relocating either the utility pole or Starchild art piece at Liebman Square, as they conflict with each other; and

WHEREAS, the Project was scheduled to be presented during the LUSC meeting on July 9, 2024, then deferred to the September 2024 meeting, and then the item was anticipated to be included in the October 18, 2024 meeting, but was recently deferred to a future meeting; and

WHEREAS, the updated project design will be presented to the G.O. Bond Oversight Committee ("GOBOC") at their November 14, 2024 meeting and the presentation will also advise the GOBOC of the additional scope of work that is being considered and the cost implications; and

WHEREAS, the Project currently includes design elements to enhance the pedestrian experience with new, widened concrete sidewalks, the relocation of trees and hardscape or lighting that obstruct the pathway, new fixed outdoor seating walls at four (4) mid-block locations, strategically placed bike racks, alteration of limited on-street parking spaces to create more sidewalk area, planting of native canopy trees with the required irrigation, incorporation of public art in the form of canopy structures and gateway features, and the creation of a public space at the intersection of 41st Street and Pine Tree Drive, at Henry Liebman Square; and

WHEREAS, the changes to the Florida Royal Palms and on-street parking in the current design, are within the limits stipulated by the City Commission in its approval of the AECOM concepts; and

WHEREAS, renovation of the existing light fixtures was implemented in a separate project by the Public Works Department ("PWD"), using funds from the 2018 General Obligation Bond for this Project, and therefore was not included in the scope of work for B+S; and

WHEREAS, the DRB has recommended that the existing acorn lights be updated with a more contemporary type of lighting to match the proposed updated design on 41st Street; and

WHEREAS, B+S has recommended the use of a Louis Poulsen light fixtures and poles from the City's Approved product list as a possible replacement; and

WHEREAS, during the design process, the PWD identified that the string lighting installed on the Florida Royal Palm trees does not meet the code requirements for permanent installation of lighting in the public right-of-way; and

WHEREAS, the string lights were installed temporarily for the holidays in 2020 and have been left in place since then; and

WHEREAS, a light fixture that lights the tree canopy and trunk, as suggested by the DRB, and its required infrastructure, is proposed in the 60% design documents; and

WHEREAS, the integration of new tree lighting and the required infrastructure was not included in the AECOM Conceptual Design, the GOB Project scope or the Project budget; and

WHEREAS, there are currently no cameras or security facilities within the 41st Street corridor, and the Police Department has requested that new infrastructure with new service points and several poles be provided as infrastructure for future License Plate Reader ("LPR") installations; and

WHEREAS, each pole will include conduit and wires for data and electric service; and

WHEREAS, Police will later install data wire and LPRs only if all other infrastructure to be provided through the 41 Street Corridor Revitalization Project is completed; and

WHEREAS, B+S suggested that LPRs share electrical service from the street lighting and be mounted to city-owned light poles to minimize cost; and

WHEREAS, the scope of work is now being coordinated with FDOT to confirm what will be allowed and FDOT has indicated that separate poles are required for mounting LPRs within their right of way; and

WHEREAS, a PWD project for the replacement of existing water transmission and distribution lines along 41st Street is currently in the permitting phase; and

WHEREAS, CIP will procure and construct the utility replacement project, using separate funding, concurrently with the revitalization Project to minimize disruptions to the community; and

WHEREAS, the project remains in the 60% Construction Documents phase while the consultant prepares to submit formally for a permit with FDOT; and

WHEREAS, comments provided by FDOT focused on technical compliance, the requirements for approval of design variations, easements and harmonization agreements

required with adjacent property owners, execution of a Community Aesthetic Feature (“CAF”) agreement (with accompanying bond requirement) and a Maintenance Memorandum of Agreement (“MMOA”); and

WHEREAS, the formal permit application to FDOT is scheduled to be submitted in December 2024 and the project team will also initiate permitting with Miami Dade County Department of Environmental Resources Management (“DERM”) and Miami Dade County Department of Transportation and Public Works (“MDTPW”); and

WHEREAS, the estimate of construction cost based on the 60% Construction Documents is approximately 6% over the construction cost allocated in the project budget; and

WHEREAS, B+S has identified opportunities for value engineering that will bring the project construction cost within the budget; and

WHEREAS, during the conceptual, 30% and 60% design phases, B+S conducted meetings to present the design, garner input and provide updates on the Project; and

WHEREAS, these include:

- Several presentations to the Mayor’s 41st Street Blue Ribbon Committee, in 2022, 2023 and 2024, to present the design and provide updates on the Project. A Letter to Commission, LTC #157-2024, presented a motion from the Mayor’s 41st Street Blue Ribbon Committee urging the City Commission “to prioritize funding for lighting [string lighting and street lighting] and locations of curbs outs, signage and bus stops”.

- Three (3) stakeholder meetings were held in January 2023 to present the conceptual design to property and business owners.

- A hybrid meeting was held at City Hall to present the conceptual design to the public/community in February 2023.

- Two (2) presentations have been made to the Nautilus Area Homeowner Association (NAHA) during their annual meetings in February 2023 and 2024.

- On April 23, 2023, CIP shared a booth with the Economic Development Department at the 2023 Annual Miami Beach Police Department Block Party, to present the Project where residents asked questions and received information on the Project.

- On March 29, 2024, B+S provided a presentation of the initial 60% design documents reflecting FDOT comments to the 41st Street Business Improvement District (BID); and

WHEREAS, the Project has received favorable comments on the proposed design from the community and stakeholders, and the community, BID and Blue Ribbon Committee have urged that the City expedite the Project, minimize disruption of traffic during construction, and has requested that the Project correct the improperly installed, faulty or failing string lighting wrapped around the existing Florida Royal Palms; and

WHEREAS, in consideration of DRB advisory review and recommendations and input from the community, BID and Blue Ribbon Committee, staff is presenting the updated 60% design documents to the City Commission, highlighting changes since the approval of the AECOM conceptual design and additional scope that was not factored into the initial project scope or budget; and

WHEREAS, staff needs direction from the City Commission to determine if these items shall be included in the project as it moves towards the 90% Construction Documents; and

WHEREAS, the additional scope of work requested by the community, BID, and Blue Ribbon Committee, includes:

- Replacement of the string lights, installed by the Facilities department for the 2020 holidays and left in place at the request of the community, was requested during community meetings. Replacing these lights with permanent up and down lights, at every other palm tree, as requested by the community and as recommended by the DRB, and providing the appropriate electrical infrastructure can be included at an estimated additional cost of \$1.7 Million. The Administration recommends including this additional scope.
- Providing infrastructure for the license plate readers (LPR), as required by the Miami Beach Police Department can be included at an estimated cost of \$807,000. The Administration recommends including this additional scope.
- Replacing 44 existing city owned acorn light fixtures and poles, with more contemporary type of lighting as recommended by the DRB, can be included in the project scope at an estimated cost of \$1.2 Million. The Administration does not recommend including this additional scope at this time, since 1) these fixtures were updated by the Public Works Department in 2020; 2) replacement of these fixture would be wasteful of GOB funding; and 3) at a cost of \$1.2 million, this item is not cost effective; and

WHEREAS, based on the recommendations of the Administration, the total additional project cost is approximately \$2.5 million and if the additional scope, as recommended by the Administration, is accepted, the funding will be requested through the Fiscal Year 2026 Capital Budget process; and

WHEREAS, next steps include returning to Commission with an amendment to the agreement with B+S, and complete the 90% construction documents by spring 2025; and

WHEREAS, the Project, as required by FDOT, will need City Commission approval of the CAF and the MMOA; and

WHEREAS, selection of a contractor for the construction phase is scheduled for fall 2025, commencement of construction, including the PWD utility replacement scope of work, is anticipated in spring 2026 and completion, approximately 24 months later, in spring 2028; and

WHEREAS, the Administration recommends approval of the design, including the replacement of the temporary string lights with permanent up and down lights at every other palm tree, and providing the electrical infrastructure for LPR cameras; and

WHEREAS, the Administration does not recommend the replacement of the existing Acorn light fixtures and poles, for the reasons noted above; and

WHEREAS, funding for the additional scope will be requested through the Fiscal Year 2026 Capital Budget process.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA approving the design for the 41st Street Corridor Revitalization Project, including certain additional scope items as recommended by the community, Design Review Board, and the Mayor's 41st Street Blue Ribbon Committee, with funding to be requested through the fiscal year 2026 Capital Budget process.

PASSED and ADOPTED this _____ day of _____, 2024.

Steven Meiner, Mayor

ATTEST:

Rafael E. Granado, City Clerk

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

City Attorney **DA** 11/13/2024
Date