

RESOLUTION NO. 2024-33030

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE, AT ITS MARCH 20, 2024 MEETING, AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND, SUBJECT TO THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA (SCHOOL BOARD) AUTHORIZING TRANSFER OF THE SCHOOL BOARD'S INTERESTS, ACCEPT A DEED FROM THE SCHOOL BOARD TRANSFERRING THE SCHOOL BOARD'S INTEREST IN THE TATUM WATERWAY WALKWAY AND SURROUNDING AREA LOCATED OUTSIDE OF THE PERIMETER FENCE OF BISCAYNE BEACH ELEMENTARY SCHOOL (SITE), WHICH MEANDERS ALONG THE WESTERN AND SOUTHERN PORTIONS OF THE SCHOOL PROPERTY, SO THAT THE CITY WILL SECURE THE REQUISITE PROPERTY RIGHTS TO IMPROVE THE WALKWAY, CURRENTLY IN DISREPAIR, AND INCLUDE THE PORTION OF TATUM WATERWAY ADJACENT TO THE SITE AS PART OF THE CITY'S LIVING SHORELINE PROJECT; AND FURTHER AUTHORIZING THE CITY MANAGER TO PERFORM ANY REQUIRED DUE DILIGENCE AND EXECUTE ANY DOCUMENTS OR AGREEMENTS REALTED TO THE ACQUISITION OF THE SITE.

WHEREAS, the Tatum Waterway Walkway ("Walkway"), also known as Crab Alley, is a small, asphalt-paved walking and biking route that connects Park View Island to 77th Street and offers beautiful, secluded canal views, and small fishing spots along the entire Walkway; and

WHEREAS, the Walkway is contained on a portion of the land located outside of the perimeter fence of Biscayne Beach Elementary School (School), which meanders along the western and southern portions of the School property, and is bordered on the west side by Tatum Waterway (the "Site"), as more particularly described in the sketch prepared by Longitude Surveyors, a copy of which is attached to the City Commission Memorandum accompanying this Resolution; and

WHEREAS, In its current state, the Walkway faces challenges such as broken sidewalks and overgrown vegetation (overgrown roots of trees, which are lifting the asphalt) and the City's Public Works Department would like to include funding to repair the Walkway in the capital budget for Fiscal Year 2025; and

WHEREAS, the City's Public Works Department would like to develop the portion of the seawall adjacent to the Site as part of the City's Living Shoreline Project, which Project will be funded from the capital budget for Fiscal Year 2025; and

WHEREAS, there is a segment of the Site which is jointly owned by the City and the School Board of Miami-Dade County (the "School Board"); however, a significant portion of the Site is owned solely by the School Board; therefore, the consent of the School Board would be required to develop any portion of the Site; and

WHEREAS, discussions between the City Administration and Miami-Dade County Public Schools ("School District") staff have been ongoing concerning a possible conveyance of the School Board's interests in the Walkway to the City, with the clear understanding that such a conveyance is subject to the School Board authorizing the transfer of ownership at a regularly scheduled School Board meeting, and the City Administration and School District staff continue to discuss this initiative; if the City Administration and School District staff are able to finalize terms and conditions of the proposed transfer of title, it is anticipated that School District staff will recommend to the School

Board, at a future School Board meeting, that it transfer its interest in the Site to the City; and

WHEREAS, at its January 31, 2024 meeting, the City Commission approved a referral to the Public Safety and Neighborhood Quality of Life Committee ("Committee") to discuss renaming the "Tatum Waterway Walkway" to Tatum Waterway Nature Trail" and consider proposed improvements to revitalize the trail, which matters were discussed during the March 20, 2024 Committee meeting; and

WHEREAS, at the March 20, 2024 Committee meeting, the City's Public Works Department also discussed the fact that the City Administration had been involved in ongoing discussions with the School District regarding the possible conveyance of the School Board's interests in the Walkway to the City, and at that meeting, the Committee recommended in favor of approving all of the matters discussed; and

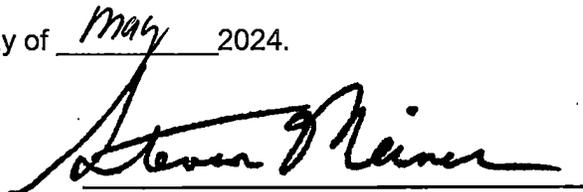
WHEREAS, the Administration will be submitting the renaming of the Tatum Waterway Walkway to Tatum Waterway Nature Trail pursuant to a separate City Commission agenda item; and

WHEREAS, the City Manager recommends accepting the recommendation of the Committee and authorizing the City Manager to perform any required due diligence, such as securing a survey of the Site, retaining the services of a title agent to insure title to the Site; and further authorizing the City Manager to execute any documents or agreements related to the acquisition of the Site.

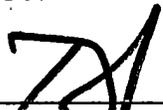
NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby accept the recommendation of the Public Safety and Neighborhood Quality of Life Committee, at its March 20, 2024 meeting, and authorize the City Manager to negotiate, and subject to the School Board of Miami-Dade County, Florida (School Board) authorizing transfer of the School Board's interests, accept a deed from the School Board transferring the School Board's interest in the Tatum Waterway Walkway and surrounding area, located outside of the perimeter fence of Biscayne Beach Elementary School (Site), which meanders along the western and southern portions of the School property, so that the City will secure the requisite property rights to improve the Walkway, currently in disrepair, and include the portion of Tatum Waterway adjacent to the Site as part of the City's Living Shoreline Project; and further authorize the City Manager to perform any required due diligence and execute any documents or agreements related to the acquisition of the Site.

PASSED AND ADOPTED this 15 day of May 2024.

MAY 21 2024


Steven Meiner, Mayor

ATTEST:


Rafael E. Granado, Secretary



Sponsored by Commissioner Laura Dominguez
Co-Sponsored by Commissioner Joseph Magazine
Co-Sponsored by Commissioner Tanya K. Bhatt

APPROVED AS TO
FORM & LANGUAGE
FOR EXECUTION

City Attorney *Litte* 4/26/2024
Date

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
 FROM: Rickelle Williams, Interim City Manager
 DATE: May 15, 2024

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE, AT ITS MARCH 20, 2024 MEETING, AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND, SUBJECT TO THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA (SCHOOL BOARD) AUTHORIZING TRANSFER OF THE SCHOOL BOARD'S INTERESTS, ACCEPT A DEED FROM THE SCHOOL BOARD TRANSFERRING THE SCHOOL BOARD'S INTEREST IN THE TATUM WATERWAY WALKWAY AND SURROUNDING AREA LOCATED OUTSIDE OF THE PERIMETER FENCE OF BISCAYNE BEACH ELEMENTARY SCHOOL (SITE), WHICH MEANDERS ALONG THE WESTERN AND SOUTHERN PORTIONS OF THE SCHOOL PROPERTY, SO THAT THE CITY WILL SECURE THE REQUISITE PROPERTY RIGHTS TO IMPROVE THE WALKWAY, CURRENTLY IN DISREPAIR, AND INCLUDE THE PORTION OF TATUM WATERWAY ADJACENT TO THE SITE AS PART OF THE CITY'S LIVING SHORELINE PROJECT; AND FURTHER AUTHORIZING THE CITY MANAGER TO PERFORM ANY REQUIRED DUE DILIGENCE AND EXECUTE ANY DOCUMENTS OR AGREEMENTS RELATED TO THE ACQUISITION OF THE SITE.

RECOMMENDATION

The City Manager recommends accepting the recommendation of the Committee and authorizing the City Manager to perform any required due diligence, such as securing a survey of the Site, retaining the services of a title agent to insure title to the Site; and further authorizing the City Manager to execute any documents or agreements related to the acquisition of the Site.

BACKGROUND/HISTORY

The Tatum Waterway Walkway ("Walkway"), also known as Crab Alley, is a small, asphalt-paved walking and biking route that connects Park View Island to 77th Street and offers beautiful, secluded canal views, and small fishing spots along the entire Walkway.

The Walkway is contained on a portion of the land located outside of the perimeter fence of Biscayne Beach Elementary School (School), which meanders along the western and southern portions of the School property and is bordered on the west side by Tatum Waterway (the "Site"), as more particularly described in the sketch prepared by Longitude Surveyors, a copy of which is attached to the City Commission Memorandum.

In its current state, the Walkway faces challenges such as broken sidewalks and overgrown vegetation (overgrown roots of trees, which are lifting the asphalt) and the City's Public Works Department would like to include funding to repair the Walkway in the capital budget for Fiscal Year 2025.

The City's Public Works Department would like to develop the portion of the seawall adjacent to the Site as part of the City's Living Shoreline Project, which Project will be funded from the capital budget for Fiscal Year 2025.

There is a segment of the Site which is jointly owned by the City and the School Board of Miami-Dade County (the "School Board"). However, a significant portion of the Site is owned solely by the School Board, therefore, the consent of the School Board would be required to develop any portion of the Site.

Discussions between the City Administration and Miami-Dade County Public Schools ("School District") staff have been ongoing concerning a possible conveyance of the School Board's interests in the Walkway to the City, with the clear understanding that such a conveyance is subject to the School Board authorizing the transfer of ownership at a regularly scheduled School Board meeting, and the City Administration and School District staff continue to discuss this initiative. If the City Administration and School District staff are able to finalize terms and conditions of the proposed transfer of title, it is anticipated that School District staff will recommend to the School Board, at a future School Board meeting, that it transfer its interest in the Site to the City.

At its January 31, 2024, meeting, the City Commission approved a referral to the Public Safety and Neighborhood Quality of Life Committee ("Committee") to discuss renaming the "Tatum Waterway Walkway" to Tatum Waterway Nature Trail" and consider

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proposed improvements to revitalize the trail, which matters were discussed during the March 20, 2024, Committee meeting.

At the March 20, 2024, Committee meeting, the City's Public Works Department also discussed the fact that the City Administration had been involved in ongoing discussions with the School District regarding the possible conveyance of the School Board's interests in the Walkway to the City, and at that meeting, the Committee recommended in favor of approving all of the matters discussed.

The Administration will be submitting the renaming of the Tatum Waterway Walkway to Tatum Waterway Nature Trail pursuant to a separate City Commission agenda item.

SUPPORTING SURVEY DATA

Results from the 2022 Resident Survey related to the City's perception and satisfaction show an overall approval of 67.4%, and rated the City as a good place to live.

FINANCIAL INFORMATION

No fiscal impact.

CONCLUSION

The Administration recommends accepting the recommendation of the Committee to authorize the Interim City Manager to perform any required due diligence, such as securing a survey of the Site, retaining the services of a title agent to insure title to the Site and further authorize the Interim City Manager to execute any documents or agreements related to the acquisition of the Site.

Applicable Area

Middle Beach

Is this a "Residents Right to Know" Item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Prosperity - Market and promote Miami Beach as a world class arts, culture, and quality entertainment destination.

Legislative Tracking

Public Works

Sponsor

Vice-Mayor Laura Dominguez

ATTACHMENTS:

Description

- Sketch
- Resolution

Legend



Exhibit
Approximate Survey Limits

Google Earth