



**COMMISSION MEMORANDUM**

TO: Honorable Mayor and Members of the City Commission

FROM: Rickelle Williams, Interim City Manager

DATE: June 26, 2024

TITLE: RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, TO ADOPT A "STOP THE PAUSE" POLICY BY REQUIRING A 5/7TH VOTE TO PAUSE, DELAY, STOP, OR MATERIALLY MODIFY A CRITICAL INFRASTRUCTURE PROJECT (AS DEFINED IN THIS RESOLUTION) HAVING AN ESTIMATED CONSTRUCTION COST OF \$1,000,000 OR MORE THAT IS AT 60% DESIGN, AND A 6/7TH VOTE TO PAUSE, DELAY, STOP, OR MATERIALLY MODIFY A CRITICAL INFRASTRUCTURE PROJECT HAVING AN ESTIMATED CONSTRUCTION COST OF \$1,000,000 OR MORE THAT HAS OBTAINED ALL PERMITS AND IS SHOVEL-READY, SUBJECT TO EXCEPTIONS FOR UNFORESEEN SITE CONDITIONS THAT MATERIALLY IMPACT THE COST OF THE PROJECT, FUNDING LIMITATIONS, AND/OR FUNDING EMERGENCIES, PROVIDED THE FOREGOING POLICY SHALL NOT IN ANY WAY LIMIT THE COMMISSION'S ABILITY TO ACCEPT THE RECOMMENDATION OF THE CITY MANAGER TO REJECT ALL BIDS OR TO TAKE ANY ACTION THE COMMISSION DEEMS NECESSARY TO PROTECT THE CITY'S RIGHTS UNDER A CONTRACT WITH A DESIGN CONSULTANT OR CONTRACTOR.

**RECOMMENDATION**

The Administration recommends approving the Resolution.

**BACKGROUND/HISTORY**

The City of Miami Beach recognizes the importance of critical infrastructure projects that are essential to the health, safety, and well-being of its residents, commuters, and visitors. Such critical infrastructure projects include, by way of example:

- Projects relating to fire flow, stormwater drainage, potable water, and sanitary sewer projects deemed critical due to the advanced age of pipes or risk of failure.
- Utility projects to replace and/or upgrade systems that are at or near capacity.
- Rehabilitation of City facilities deemed critical for providing services to residents.
- Neighborhood improvement projects (NIPs) that have been supported and endorsed by a majority of residents in the applicable neighborhoods, such as road raising and harmonization.

It is in the best interest of the City to ensure that such critical infrastructure projects proceed without unnecessary interruptions or modifications once they have reached advanced stages of design or are shovel-ready. The Administration believes it is prudent to establish a higher threshold of approval to pause, delay, stop, or materially modify critical infrastructure projects at advanced stages to ensure continuity and completion, while allowing for exceptions in the case of unforeseen site conditions that materially impact the cost of the project, funding limitations, and/or funding emergencies. Additionally, this policy shall not in any way limit the Commission's ability to accept the recommendation of the City Manager to reject all bids or to take any action

the Commission deems necessary to protect the City's rights under a contract with a design consultant or contractor. Establishing such higher thresholds of approval to pause, delay, stop or materially modify projects will also result in substantial cost savings to taxpayers.

**FISCAL IMPACT STATEMENT**

No fiscal impact.

**CONCLUSION**

The Administration recommends approving the Resolution.

**Applicable Area**

Citywide

**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**

Public Works

**Sponsor(s)**

Commissioner Alex Fernandez