

C7 U A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, EXTENDING THE ANNUAL ALLOCATION OF \$666,666.66 FROM THE MIAMI BEACH RESILIENCY FUND FOR THE PRIVATE PROPERTY ADAPTATION PROGRAM, CREATED PURSUANT TO RESOLUTION NO. 2020-31504, FOR FIVE (5) ADDITIONAL YEARS, THROUGH FY 2030; AND FURTHER, WAIVING THE REQUIREMENT ESTABLISHED PURSUANT TO RESOLUTION NO. 2023-32647 THAT THE ADMINISTRATION REVIEW AND MAKE RECOMMENDATIONS REGARDING RECURRING GRANT PROGRAMS WITH REGARD TO THE FUNDING ALLOCATION DIRECTED TO BE MADE BY THIS RESOLUTION.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: February 26, 2025

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, EXTENDING THE ANNUAL ALLOCATION OF \$666,666.66 FROM THE MIAMI BEACH RESILIENCY FUND FOR THE PRIVATE PROPERTY ADAPTATION PROGRAM, CREATED PURSUANT TO RESOLUTION NO. 2020-31504, FOR FIVE (5) ADDITIONAL YEARS, THROUGH FY 2030; AND FURTHER, WAIVING THE REQUIREMENT ESTABLISHED PURSUANT TO RESOLUTION NO. 2023-32647 THAT THE ADMINISTRATION REVIEW AND MAKE RECOMMENDATIONS REGARDING RECURRING GRANT PROGRAMS WITH REGARD TO THE FUNDING ALLOCATION DIRECTED TO BE MADE BY THIS RESOLUTION.

RECOMMENDATION

BACKGROUND/HISTORY

ANALYSIS

The attached Resolution was prepared at the request of the sponsor, Commissioner Laura Dominguez.

FISCAL IMPACT STATEMENT

The fiscal impact of this measure is an annual allocation of \$666,666.66 from the Miami Beach Resiliency Fund through FY 2030.

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

CONCLUSION

Applicable Area

Citywide

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

No

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

City Attorney

Sponsor(s)

Commissioner Laura Dominguez

Co-sponsor(s)

Condensed Title

Extend Funding for Private Property Adaptation Program through FY 2030. (Dominguez) CA

Previous Action (For City Clerk Use Only)

RESOLUTION NO. 2025-_____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, EXTENDING THE ANNUAL ALLOCATION OF \$666,666.66 FROM THE MIAMI BEACH RESILIENCY FUND FOR THE PRIVATE PROPERTY ADAPTATION PROGRAM, CREATED PURSUANT TO RESOLUTION NO. 2020-31504, FOR FIVE (5) ADDITIONAL YEARS, THROUGH FY 2030; AND FURTHER, WAIVING THE REQUIREMENT ESTABLISHED PURSUANT TO RESOLUTION NO. 2023-32647 THAT THE ADMINISTRATION REVIEW AND MAKE RECOMMENDATIONS REGARDING RECURRING GRANT PROGRAMS WITH REGARD TO THE FUNDING ALLOCATION DIRECTED TO BE MADE BY THIS RESOLUTION.

WHEREAS, on or about January 20, 2015, the City and Miami-Dade County ("County") executed an Amended and Restated Interlocal Cooperation Agreement ("Interlocal Agreement"), approved by the City pursuant to Resolution No. 2014-28836, which Interlocal Agreement, among other terms, removed restrictions with regard to certain payments previously received by the City for capital projects within the former South Pointe Redevelopment Agency geographic area, as well as payments the City would continue to receive under Section V.A of the Interlocal Agreement until 2022, with the intent that the City would use such funding for sea level rise mitigation or other projects in the City (the "ILA Funds"); and

WHEREAS, the City Commission subsequently earmarked the ILA Funds for stormwater capital projects to offset the need for an additional stormwater rate increase needed for the third \$100 million in planned stormwater capital projects. The Financial Feasibility Report developed for the 2017 Stormwater Bonds (the second \$100 million tranche) included an anticipated \$103 million from this funding source, with the actual amounts to be received dependent on growth in property values. The Engineer's Report developed by AECOM for the 2017 Stormwater Bonds estimated the total cost of the Stormwater program at \$658.9 million; and

WHEREAS, on November 18, 2020, the Mayor and City Commission adopted Resolution No. 2020-31504, creating a "Resiliency Fund," as part of the City Commission's efforts to plan, prioritize, and identify funding for City-wide infrastructure resilience projects, including road elevation projects, new stormwater infrastructure incorporating stormwater treatment systems, and projects to reduce flood risk due to sea level rise, high tides, rainfall, and storms; and

WHEREAS, the Miami Beach Resiliency Fund consisted of \$38 million of then uncommitted ILA Funds, as well as all future ILA Fund payments to be received from Miami-Dade County, with the total estimated funding in the Miami Beach Resiliency Fund to approximate \$68 million by 2022; and

WHEREAS, pursuant to Resolution No. 2020-31504, the Mayor and City Commission also approved the allocation of \$666,666.66 for FY 2020 from the Miami Beach Resiliency Fund for a Private Property Flooding and Sea Level Rise Adaptation Program (the "Private Property Adaptation Program"), and up to \$666,666.66 annually thereafter; and

WHEREAS, on May 17, 2023, the Mayor and Commission adopted Resolution No. 2023-32164, which erroneously indicated that Resolution No. 2020-31504 provided funding for the Private Property Adaptation Program solely until FY 2024, when Resolution 2020-31504 did not include a sunset date; and

WHEREAS, although Resolution 2020-31504 did not specify that the funding allocation of \$666,666.66 from the Resiliency Fund to the Private Property Adaptation Program would expire after in FY 2024, the Mayor and City Commission purported to extend the allocation of \$666,666.66 for the Private Property Adaptation Program for one (1) additional year, through FY 2025; and

WHEREAS, the Mayor and City Commission desire to honor the intent of Resolution No. 2020-31504 that funding allocation for the Private Property Adaptation Program would be implemented over the long term to address the City's long term resiliency issues; and

WHEREAS, the Mayor and City Commission desire to extend the annual allocation of \$666,666.66 from the Miami Beach Resiliency Fund for an additional five (5) years, through FY 2030, as originally authorized and contemplated by Resolution No. 2020-31504; and

WHEREAS, on June 28, 2023, the City Commission adopted Resolution No. 2023-32647 which requires the Administration to review and make recommendations to the City Commission on recurring grants every three (3) years to allow for periodic review and approval of all Commission-sponsored initiatives or grant programs which involve recurring funding to ensure that recurring grants align with the City Commission's evolving budget priorities; and

WHEREAS, the City Commission recognizes the continuing need to fund the adaptation and resiliency efforts for private properties to address flooding and sea level rise challenges and, accordingly, desire to waive the requirement in Resolution No. 2023-32647 with respect to the five (5) year funding allocation directed to be made by this Resolution.

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 extend the annual allocation of \$666,666.66 from the Miami Beach Resiliency Fund for the Private Property Adaptation Program, created pursuant to Resolution No. 2020-31504 for five (5) additional years, through FY 2030; and further, waive the requirement established pursuant to Resolution No. 2023-32647 that the Administration review and make recommendations regarding recurring grant programs with regard to the funding allocation directed to be made by this resolution.


PASSED AND ADOPTED this _____ day of _____, 2025.
ATTEST:

Rafael E. Granado, City Clerk

(Sponsored by Commissioner Laura Dominguez)

Steven Meiner, Mayor

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

2/19/2025

Date