



MIAMI BEACH

NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE MEETING

SUPPLEMENTAL MATERIAL

CITY MANAGER'S LARGE CONFERENCE ROOM, 4TH FLOOR, CITY HALL

SEPTEMBER 24, 2012 3:00PM

Neighborhood/Community Affairs Committee
Commissioner Edward L. Tobin, Chairperson
Commissioner Jerry Libbin, Vice-Chairperson
Commissioner Jorge Exposito, Member
Commissioner Jonah Wolfson, Alternate

SUPPLEMENTAL MATERIAL FOR ITEMS 2 and 9

2. Policies Related To Storms, Hurricanes and Parking.

A. Discussion Regarding Whether The City Should Have A General Standing Rule To Waive Certain Fees, Such As Parking And Other, Related To Reconstruction Of Private Property Damaged Due To A Severe Storm Event Or Similar Nature Event.

Commission Item C4H, July 15, 2009

(Requested by Mayor Matti Herrera Bower)

Max Sklar, Acting Assistant City Manager

Kevin Crowder, Economic Development Division Director

B. Discussion Regarding Review Of Hurricane Season And Seasonal Flooding Parking Policies.

Commission Item C4B, September 12, 2012

(Requested by Commissioner Weithorn)

Saul Frances, Parking Department Director

9. Discussion Regarding The Upper La Gorce Stormwater Drainage, Specifically, The Budget And Design Criteria Package.

Commission Item C4L/R9M, June 6, 2012

(Requested by Commissioner Tobin)

Fred Beckmann, Public Works Director

C: Mayor and Members of the City Commission
Jorge Gomez, Assistant City Manager
Jose Smith, City Attorney
Stephen Scott, Building Department Director
Robert Santos-Alborná, Code Compliance Div. Dir.
Carla Gomez, Special Projects Administrator

Duncan Ballantyne, Assistant City Manager
Max Sklar, Acting Assistant City Manager
Rafael Granado, City Clerk
Hernan Cardeno, Code Compliance Commander
Barbara Hawayek, Customer Service Manager

Neighborhood/Community Affairs Committee Meeting
September 24, 2012

Policies Related To Storms, Hurricanes and Parking.

A. Discussion Regarding Whether The City Should Have A General Standing Rule To Waive Certain Fees, Such As Parking And Other, Related To Reconstruction Of Private Property Damaged Due To A Severe Storm Event Or Similar Nature Event.

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Commission Item C4B, September 12, 2012

(Requested by Commissioner Weithorn)

Saul Frances, Parking Department Director

ITEM 2



MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida, 33139, www.miamibeachfl.gov

COMMITTEE MEMORANDUM

TO: Neighborhoods/Community Affairs Committee Members

FROM: Kathie Brooks, Interim City Manager

DATE: September 24, 2012

SUBJECT: **DISCUSSION REGARDING WHETHER THE CITY SHOULD HAVE A GENERAL STANDING RULE TO WAIVE CERTAIN FEES, SUCH AS PARKING AND OTHER, RELATED TO RECONSTRUCTION OF PRIVATE PROPERTY DAMAGED DUE TO A SEVERE STORM EVENT OF SIMILAR NATURE EVENT.**

BACKGROUND

This is a follow-up to the item previously brought to this Committee regarding development of post-event mitigation and assistance for businesses following certain severe storm events, which do not qualify as a “disaster” and/or “emergency” as defined by applicable local codes, state statutes, or federal regulations.

A complicating factor of many flooding events is that they may be highly localized with only portions of Miami Beach being affected. The majority of these incidents are isolated events that affect relatively few people. In addition, in the affected areas, although there may be property damage, the damage generally does not overwhelm the ability for people to care for themselves, meaning that the population is able to continue to provide itself food, water, and shelter. Given the fact that individuals remain able to mitigate and address the damage from local flooding on their own, usually via self resources or at times with private insurance, these events do not qualify as a “disaster” or “emergency” at a state or federal level.

Notwithstanding, an interest was expressed by the Committee for staff to perform some additional research. The Committee also limited the discussion of potential post-event mitigation and assistance to damage and problems connected to weather-related events such as storms or similar natural causes. On December 14, 2010, the Committee directed the Administration to return to the committee with recommendations on the handling of emergency/flooding events.

It is very important to consider that any costs of assistance provided by the City due to a local event that does not receive a federal or state emergency declaration will be paid for solely by the City. As such the fiscal impact of such an ordinance could be considerable, depending on the nature and impact of the event.

PRE-EVENT MITIGATION

Prior to a flooding event, the Office of Emergency Management coordinates a number of activities with City departments, including Communications, Public Works, Police, Parking, and Parks.

- NOAA alerts are provided to the Office of Communications for distribution to the public, with information on what type of weather event is forecast and the likely impacts;
- Localized areas are identified for Fire/Police/Public Works to monitor and be prepared to respond to;
- Public Works will check and if necessary clean catch basins in low lying areas that are

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Post Storm Business Mitigation Program*

prone to flooding; check the flexible valves at the stormwater outfalls; and prepare equipment (vacuum trucks, pumps, etc) and personnel for continued response operations (24/7 if necessary);

The City's operational departments provide the Emergency Manager with conditions updates during and following an event.

Additionally, on September 12, 2012, the Mayor and City Commission approved a referral to the NCAC of a Review of Hurricane Season & Seasonal Flooding Policies (memo attached). The purpose of the referral is to review the circumstances regarding free residential access to municipal garages during flooding events and periods of high tides with flooding potential.

The City's current parking policy at garages during a hurricane storm event is to open its municipal garage(s) at no cost for automobile storage upon issuance of a Hurricane Warning by the National Hurricane Center (NHC) and/or the issuance of a Mandatory Evacuation Order for the City of Miami Beach by the Miami-Dade County Office of Emergency Management. Availability is on a first-come basis with City vehicles taking a priority. Parking resumes normal operations once the city has been declared safe; a reoccupation has been granted; and/or at a pre-determined time.

During the most recent storm event, Hurricane Isaac, the City did not initially open municipal garages free of charge, because a Hurricane Warning was not issued for Miami-Dade County and the City was not required to evacuate. However, the Governor declared a State of Emergency and residents believed this allowed them to park for free. Residents were also concerned for any potential localized flooding as a result of the storm. The Interim City Manager then decided to open the garages for storage, free of charge and on a first-come first-served basis.

The Administration recommends considering an amendment to the City's current hurricane or storm related event policy establishing a different trigger for opening the municipal garages for no cost vehicle storage. The Committee may also want to develop another program to address impacts of localized flooding. One concept to assist residents in areas that experience flooding at times throughout the year is to create a pre-registered Resident Vehicle Storage Program. Registered participants in turn will receive a pass that will need to be shown and displayed upon entering and exiting the assigned parking facility. The City would create criteria to determine when the program would be implemented. Once the program is in effect, participants will be able to begin storing their vehicles in the garage they have been assigned to when registering. Participants will show their pass upon entrance and pull a ticket to indicate their time of entrance into the garage. Instructions may be given on where to park the vehicle. All parking spaces in the garage will be filled on a first-come, first-serve basis for registered participants. The participants will be able to access the garage up until the time the facility is full or the designated flooding event finishes.

POST-EVENT MITIGATION/ASSISTANCE

The proposed mitigation plan would be a component of the Flood Contingency Plan under development by the Office of Emergency Management. Should the City want to consider having a separate policy to address post-event mitigation and assistance not covered under a state or federally-declared emergency, any criteria that triggers the implementation of the assistance should be objective and have defined benchmarks. It would also be suggested that any program developed be designed to address impacts that affect more than one property.

Local Definition of Emergency that would prompt post-event Mitigation/Assistance:

The following are the thresholds that would be suggested to constitute any local action:

- Types of emergencies that could be considered for post-event mitigation/assistance could include:
 - significant, localized flooding;
 - tornado;
 - lightning strikes that cause other impacts (fire, etc.); and
 - sinkholes.
- Within the geographical area (to be defined) being considered for post-event mitigation/assistance, at least five (5) individual separately-owned properties must report significant damage due to a weather related event, such as a storm or similar natural cause. For purposes of this section, significant damage is defined as the ground floor being flooded by a weather event to a depth of six inches or greater; and/or structural or electrical or mechanical or plumbing damage significant enough to warrant a closure of all or a portion of the building by the Building Official or Fire Marshal; or
- At least 50% of the previous shift staffing complements for certain departments, including Police, Fire, Public Works, and Parking must be held over to address the issues connected with the event. This staff would be added to the normal shift complement so that there is 150% of the regular shift working the event. For purposes of this section, holdover staff, call-back staff, and call-in staff will all be included in the calculation of 50% of the previous shift staffing complement.

Potential Mitigation/Assistance:

Should such a program be developed, any post-event mitigation/assistance would be for a specific geographic area encompassing all or a portion of the City, and the following mitigation/assistance that might be made available.

The majority of the mitigation measures identified below are current practice and may be implemented by the City in response to a rain event without a formal program or emergency declaration.

The Administration may preliminarily determine that an area meets the criteria of a localized event for which mitigation/assistance is available. This determination must be ratified by the Mayor and City Commission at the next regularly scheduled meeting if the mitigation includes fee waivers, since any fees or fines issued will not be immediately due.

- Towing of Cars in the Right of Way
 - Vehicles that block traffic or are a threat to public safety (as determined by Police/Parking/Fire) will continue to be towed.
 - Vehicles that do not pose a threat to public safety will not be towed for a period of 24 hours.
- Contractors and Repairs
 - There are currently protocols in place that allow for expedited emergency repairs and after-the-fact permitting.
- Parking Meters
 - Authorize courtesy waiver of citations issued to affected vehicles connected to the event, upon request and substantiation, and following ratification of the event by the Mayor and City Commission.
 - Provide Hang Tags for access for a limited time to meters upon proof of eligibility/proof of financial interest for business owners in the affected area. (A City Code amendment will be required for implementation).
- Access

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- Authorize restricted access to the affected areas, if appropriate, to protect life and property, as determined by Police/Public Works.
- Code Compliance
 - Allow Temporary Signage in affected areas, primarily to direct customers to the business and provide information about the business. The Temporary Business Signs section of the City Code currently permits the use of temporary signage during this type of incident, for a limited period of time. City Code further authorizes the City Manager to extend the time limits for a temporary business sign.
- Communication
 - Continue to provide information on the event to the community.
 - Provide information from the Small Business Development Center, the Small Business Administration and SCORE to impacted businesses and identify resources to assist business recovery.

Next Steps

1. Prepare a Resolution creating the program that:
 - Establishes criteria for a designated mitigation event;
 - Formalizes the Business Mitigation Program for a period of 24-hours after the event ends (when water recedes in the case of flooding);
 - References and identifies those mitigation measures and activities that are currently performed by the City's operational departments (it is important to note that most these activities will may be implemented regardless of a formal declaration;
 - Suspends towing of cars within the designated area except for public safety purposes;
 - Requires retroactive approval of the designation by the Mayor and City Commission.
2. Prepare an Ordinance that implements the following:
 - Authorizes Hang Tags for use at parking meters for business owners in the designated area.

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Conclusion

This is offered as discussion points to address a very narrow situation. It should be kept in mind that should a "disaster" and/or "emergency" occur that affects the general area, it is likely that a declaration would be issued by the Governor.

Should the Committee direct the Administration to continue development of this program the Administration will develop the necessary resolutions and ordinances for presentation to the Mayor and City Commission along with a detailed fiscal impact analysis.

KGB/JGG/MAS/kc

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**Discussion Regarding The Upper La Gorce Stormwater Drainage, Specifically, The Budget
And Design Criteria Package.**

*Commission Item C4L/R9M, June 6, 2012
(Requested by Commissioner Tobin)*

Fred Beckmann, Public Works Director

ITEM 9



COMMITTEE MEMORANDUM

TO: Neighborhood / Community Affairs Committee

FROM: Kathie G. Brooks, Interim City Manager

DATE: September 24, 2012

SUBJECT: **Discussion Regarding The Upper La Gorce Stormwater Drainage, Specifically, The Budget And Design Criteria Package**

BACKGROUND

The 1997 Stormwater Management Master Plan (SWMMP) identified three (3) basins within the La Gorce neighborhood as priority basins. In May 2002, the design firm of Reynolds, Smith and Hills, Inc. (RS&H) submitted a Basis of Design Report (BODR) for the La Gorce neighborhood, as part of the CIP Office's Neighborhood Improvement Program, which included proposed improvements to these three basins. As RS&H began its design, it recognized the need to include two additional drainage areas on North Bay Road. Over the next several years, RS&H held community meetings and developed preliminary plans. Per the RS&H 2010 Drainage Report, it proposed to meet the required level of service by providing new inlets, pipes, drainage wells, control structures, and outfalls in gravity systems. The final design did not re-grade any streets and designed for a tailwater and groundwater elevation of -0.96 feet NAVD.

The current SWMMP is more comprehensive than the 1997 SWMMP. It has re-evaluated the functionality of each basin and taken a more in-depth look at the drainage deficiencies Citywide. It has also re-defined statistical rainfall data as well as impacts associated to sea level rise.

By comparison, the groundwater and tailwater elevations are 0.67 feet NAVD in the current SWMMP instead of the -0.96 feet NAVD, previously assumed by RS&H. Additional runoff from Alton Road into the North Bay Road stormwater system has also now been identified in the plan which was not accounted for in the earlier design.

ANALYSIS

Following an in-depth analysis of the 100% construction plans developed by RS&H, staff has deemed that the stormwater design will not address nor meet the level of service required by the current SWMMP and cannot be easily modified to do so. As a result, staff has determined that the proposed stormwater system warrants a full re-evaluation, as well as a re-design, to ensure that the current level of service is met.

Stormwater Design

The current SWMMP identifies the need for pump stations and additional injection wells in this area, due to the current stormwater design criteria, and identified additional flows into the system that were not included in the original RS&H design. Additionally, staff is re-evaluating aspects of the original design including the outfalls, sidewalks, and condition of the roadway,

which impact the functioning of the stormwater system and cost.

The size and elevations of the proposed large outfall pipes will need to be adjusted, as these outfalls were originally designed with inverts below the mud lines of the receiving water bodies.

The elevations of the sidewalks will need to be reviewed as there are areas where the sidewalk is lower than the adjacent roadway. These areas will require re-grading of the sidewalk, harmonization of driveways, additional drainage, and/or a change to the roadway profile. These were not contemplated in the RS&H design.

A consultant has been retained to evaluate the condition of the roadway and to provide a recommendation to mill and resurface or reconstruct various sections. The consultant will base its recommendation on the Federal Highway Administration Highway Performance Monitoring System. This includes a visual assessment of the crack severity, a determination of ride quality, and results from core samples. In addition to the roadway condition report recommendation, the engineer of record will have to consider the amount of underground improvements being installed, before a final determination is made regarding roadway reconstruction, milling and resurfacing, or a combination of. For example, if a stormwater line and a watermain are being installed parallel in a roadway, it may be more economical to reconstruct the roadway than to entirely restore the two trenches.

Staff has requested an additional \$4,260,000 in stormwater funding to accommodate the anticipated additional infrastructure that will be required to meet the newly identified stormwater requirements. Staff has also requested an additional \$319,500 in above ground funding to accommodate street re-grading and associated paving that is not associated with stormwater. In total, there is \$16,554,070 available for the project.

La Gorce Budget

Prior Years Funding	\$ 7,475,924
FY 2011/12 Funding	\$ 5,933,348
Requested Additional Funding	\$ 4,579,500
<u>Spent To Date</u>	<u>\$ (1,434,702)</u>
Available Funding	\$16,554,070

Procurement

It is staff's opinion that the most efficient delivery method for this neighborhood improvement project is via a design-build procurement scenario. Currently, staff is developing the design criteria package (DCP), which will furnish sufficient information to allow bidders to prepare a response to the City's request for qualifications. The DCP will specify performance based criteria for the project and the City Engineer, as the design criteria professional, will approve working drawings developed by the selected firm, to ensure statutory compliance with the established DCP.

As part of the due diligence of the DCP development, the City is also conducting additional softdig investigations to mitigate risks related to utility conflicts and provide the City with the opportunity to assist in early utility conflict resolutions, so as to minimize risks that may be assumed by the design-build firm.

The DCP will be based upon the RS&H BODR, survey, watermain design, streetscape design, the current SWMMP, the City Public Works Manual, the roadway assessment, and the additional softdig information.

There will be an engineer of record, working for the design-build firm, who completes the design and takes overall responsibility for it. The design-build firm will prepare signed and sealed contract documents for review by City staff to verify compliance with the DCP intent and regulatory requirements.

A draft DCP was provided to the CIP Department for review. Staff has incorporated the comments generated by this review. Further, the CIP Office retained a design firm and a cost estimating firm to prepare an estimate of the design-build effort. While the design firm and City staff took different approaches to achieve the stormwater level of service, the resulting stormwater cost estimates were similar. Public Works and CIP staff met with the CIP retained design firm to discuss the different design approaches and cost estimates. Once the roadway assessment recommendations and softdig information are incorporated into the DCP, a final version will be available for a constructability review by the CIP Department.

At this time, it is proposed to complete the design phase of the design-build contract in Fiscal Year 2012/2013 and to undertake the construction phase in Fiscal Year 2013/2014.

5900 Block of North Bay Road

The City is also working with FDOT to expedite the construction of drainage improvements on the 5900 block of North Bay Road. A portion of this block is extremely low and experiences tidal flooding during the spring and fall high tides. To resolve this issue, FDOT and the City need to reconstruct the outfalls at 59th Street and add backflow preventers. Staff from the CIP Office and the Public Works Department recently met with FDOT to discuss the design and the best procurement method to advance the construction. The City plans to design and construct these drainage improvements ahead of the La Gorce Neighborhood Improvement project.

CONCLUSION

The above information is provided for discussion by members of the N/CAC.


JGG//FHB/JJF/RWS