

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: May 21, 2025

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING RESOLUTION NO. 2023-32819, WHICH AUTHORIZED THE CITY MANAGER TO NEGOTIATE A USE AND OCCUPANCY AGREEMENT AND LEASE OF AIRSPACE OVER STATE ROAD A1A/MACARTHUR CAUSEWAY WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") IN CONNECTION WITH THE CONSTRUCTION AND MAINTENANCE OF THE 5TH STREET PEDESTRIAN BRIDGE PROJECT; SAID AMENDMENT APPROVING, IN SUBSTANTIAL FORM, THE FOLLOWING AGREEMENTS: (1) A MODIFIED USE AND OCCUPANCY AGREEMENT, WHICH NOW REQUIRES THE CITY TO MAKE A MAINTENANCE DEPOSIT, IN THE AMOUNT OF \$20,000.00, SUBJECT TO CPI INCREASES EVERY FIVE YEARS; (2) THE FOLLOWING TWO (2) NEW AGREEMENTS GOVERNING ANY CASH DEPOSIT TO BE HELD BY FDOT: (I) A LOCALLY FUNDED AGREEMENT, AND (II) A THREE PARTY ESCROW AGREEMENT; AND (III) A NEW COMMUNITY AESTHETIC FEATURE AGREEMENT GOVERNING SIGNAGE TO BE INSTALLED ON THE PEDESTRIAN BRIDGE; AND FURTHER, AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE ALL OF THE AGREEMENTS.

### **RECOMMENDATION**

Item to be submitted in Supplemental.

### **BACKGROUND/HISTORY**

### **ANALYSIS**

### **FISCAL IMPACT STATEMENT**

**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**

South Beach

**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?**

Yes

**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**

Capital Improvement Projects

### **Sponsor(s)**

### **Co-sponsor(s)**

### **Condensed Title**

Pedestrian Bridge Amendment to FDOT Use and Occupancy Agreement. CIP

### **Previous Action (For City Clerk Use Only)**