

C7 AF 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, AS SECURITY FOR THE CITY'S ROUTINE MAINTENANCE AND REPAIR OBLIGATIONS OF THE PEDESTRIAN BRIDGES, SUBJECT TO CPI INCREASES EVERY FIVE YEARS; (2) THE FOLLOWING TWO (2) AGREEMENTS GOVERNING ANY CASH DEPOSIT TO BE HELD BY FDOT: (I) A LOCALLY FUNDED AGREEMENT, AND (II) A THREE PARTY ESCROW AGREEMENT; AND (3) A COMMUNITY AESTHETIC FEATURE AGREEMENT, WHICH MAY INCLUDE ANY RELATED MAINTENANCE BOND OR SECURITY DEPOSIT; AND FURTHER, AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE ALL OF THE AGREEMENTS AND TAKE ANY ACTION AND EXECUTE ANY ADDITIONAL AGREEMENTS OR DOCUMENTS REQUIRED TO EFFECTUATE THE INTENT OF THE AGREEMENTS.

Applicable Area: