

C7 O A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING RESOLUTION NO. 2024-33030, WHICH ACCEPTED THE RECOMMENDATION OF THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE, AT ITS MARCH 20, 2024 MEETING, AND AUTHORIZED THE CITY MANAGER TO NEGOTIATE AND ACCEPT A DEED FROM THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA (SCHOOL BOARD) TRANSFERRING THE SCHOOL BOARD'S INTEREST IN THE TATUM WATERWAY WALKWAY AND SURROUNDING AREA LOCATED OUTSIDE THE PERIMETER FENCE OF BISCAYNE BEACH ELEMENTARY SCHOOL (SITE), SUBJECT TO THE SCHOOL BOARD'S APPROVAL, TO ALSO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AN EASEMENT FROM THE SCHOOL BOARD WHICH SHALL INCLUDE THE RIGHT TO IMPROVE THE SITE AND DEVELOP THE CITY'S LIVING SHORELINE PROJECT, WITH THE ESSENTIAL TERMS OF THE NEGOTIATED EASEMENT BEING SUBJECT TO APPROVAL BY THE CITY COMMISSION.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: October 30, 2024

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING RESOLUTION NO. 2024-33030, WHICH ACCEPTED THE RECOMMENDATION OF THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE, AT ITS MARCH 20, 2024 MEETING, AND AUTHORIZED THE CITY MANAGER TO NEGOTIATE AND ACCEPT A DEED FROM THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA (SCHOOL BOARD) TRANSFERRING THE SCHOOL BOARD'S INTEREST IN THE TATUM WATERWAY WALKWAY AND SURROUNDING AREA LOCATED OUTSIDE THE PERIMETER FENCE OF BISCAYNE BEACH ELEMENTARY SCHOOL (SITE), SUBJECT TO THE SCHOOL BOARD'S APPROVAL, TO ALSO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AN EASEMENT FROM THE SCHOOL BOARD WHICH SHALL INCLUDE THE RIGHT TO IMPROVE THE SITE AND DEVELOP THE CITY'S LIVING SHORELINE PROJECT, WITH THE ESSENTIAL TERMS OF THE NEGOTIATED EASEMENT BEING SUBJECT TO APPROVAL BY THE CITY COMMISSION.

RECOMMENDATION

The Administration recommends approving the Resolution.

BACKGROUND/HISTORY

The Tatum Waterway Walkway ("Site"), also known as Crab Alley, is a small, asphalt-paved walking and biking route ("Walkway") that connects Park View Island to 77th Street and offers beautiful, secluded canal views and small fishing spots along the entire walkway. The Walkway is contained on a portion of the land located outside of the perimeter fence of Biscayne Beach Elementary School ("School"), which meanders along the western and southern portions of the school property, and is bordered on the west side by Tatum Waterway, as more particularly described in the sketch prepared by Longitude Surveyors, a copy of which is attached to the City Commission Memorandum accompanying this Resolution (Attachment A).

In its current state, the Walkway faces challenges such as broken sidewalks and overgrown vegetation (overgrown roots of trees, which are lifting the asphalt) and the City's Public Works Department would like to include funding to repair the walkway in the capital budget for Fiscal Year 2025.

The City's Public Works Department would like to develop the portion of the seawall adjacent to the site as part of the City's Living Shoreline Project, which will be funded from the capital budget for Fiscal Year 2025.

There is a small segment of the site which is owned solely by the City, with the remainder of the site being owned either jointly, between the City and the School Board of Miami-Dade County ("School Board"), or solely by the School Board; therefore, the consent of the School Board would be required to develop the majority of the site.

Discussions between the City Administration and Miami-Dade County Public Schools ("School District") staff have been ongoing concerning a possible conveyance of the School Board's interests in the walkway to the City, with the clear understanding that such a conveyance is subject to the School Board authorizing the transfer of ownership at a regularly scheduled School Board meeting, and the City Administration and School District staff continue to discuss this initiative.

On January 31, 2024, the Mayor and City Commission ("City Commission") approved a referral to the Public Safety and Neighborhood Quality of Life Committee (PSNQLC) to discuss renaming the "Tatum Waterway Walkway" to "Tatum Waterway Nature Trail" and consider proposed improvements to revitalize the trail, which were discussed during the March 20, 2024 PSNQLC meeting.

On the March 20, 2024 PSNQLC meeting, the City's Public Works Department also shared the fact that the City Administration had been involved in ongoing discussions with the School District regarding the possible conveyance of the School Board's interests in the site to the City, and at that meeting, the PSNQLC made a favorable recommendation to move the item to the City Commission for approval.

On May 15, 2024, the City Commission adopted Resolution No. 2024-33030 (Attachment B), accepting the recommendation of the PSNQLC, at its March 20, 2024 meeting, and authorizing the City Manager to negotiate and, subject to the School Board of Miami-Dade County, Florida, authorizing the transfer of the School Board's interests, accept a deed from the School Board transferring the School Board's interest in the site, so that the City would secure the requisite property rights to improve the site, currently in disrepair, and include the portion of Tatum Waterway adjacent to the Site as part of the City's Living Shoreline Project; and further authorized the performance of any required due diligence and execute any documents or agreements related to the acquisition of the Site.

Following the May 15, 2024 City Commission meeting, the Administration engaged the School District and at that time the School District staff indicated that they were also considering a grant of easement ("Easement") to the City, which mechanism would still grant the City the right to use the Site to develop and maintain the improvements.

The Administration recommends amending Resolution No. 2024-33030 authorizing the negotiation of an easement, authorizing the City to use the site to improve the walkway and develop the City's Living Shoreline Project, with the essential terms of the negotiated easement being subject to approval by the City Commission.

The Administration will be submitting the renaming of the Tatum Waterway Walkway to Tatum Waterway Nature Trail pursuant to a separate City Commission agenda item once the City has acquired ownership or other rights to name the Site.

FISCAL IMPACT STATEMENT

No fiscal impact.

CONCLUSION

The Administration recommends approving the Resolution.

Applicable Area

Middle Beach

<u>Is this a “Residents Right to Know” item, pursuant to City Code Section 2-17?</u>	<u>Is this item related to a G.O. Bond Project?</u>
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Yes

No

Department

Public Works

Sponsor

Commissioner Laura Dominguez

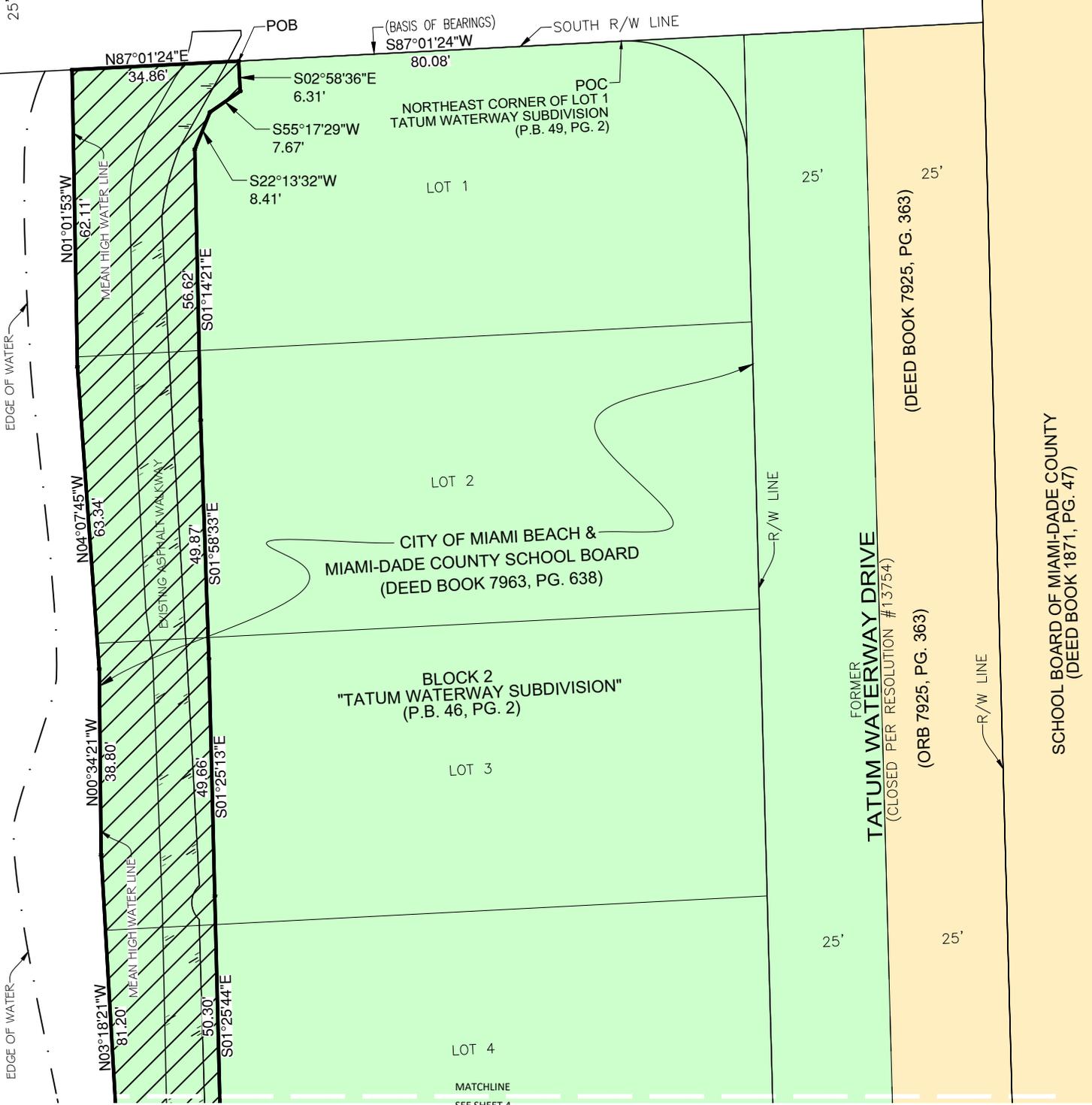
Condensed Title

Amend Reso 2024-33030, Transferring School Board’s Interest in Tatum Waterway Walkway.
PW



SKETCH TO ACCOMPANY DESCRIPTION

77TH STREET
(R/W OPEN TO THE PUBLIC)



LEGEND:

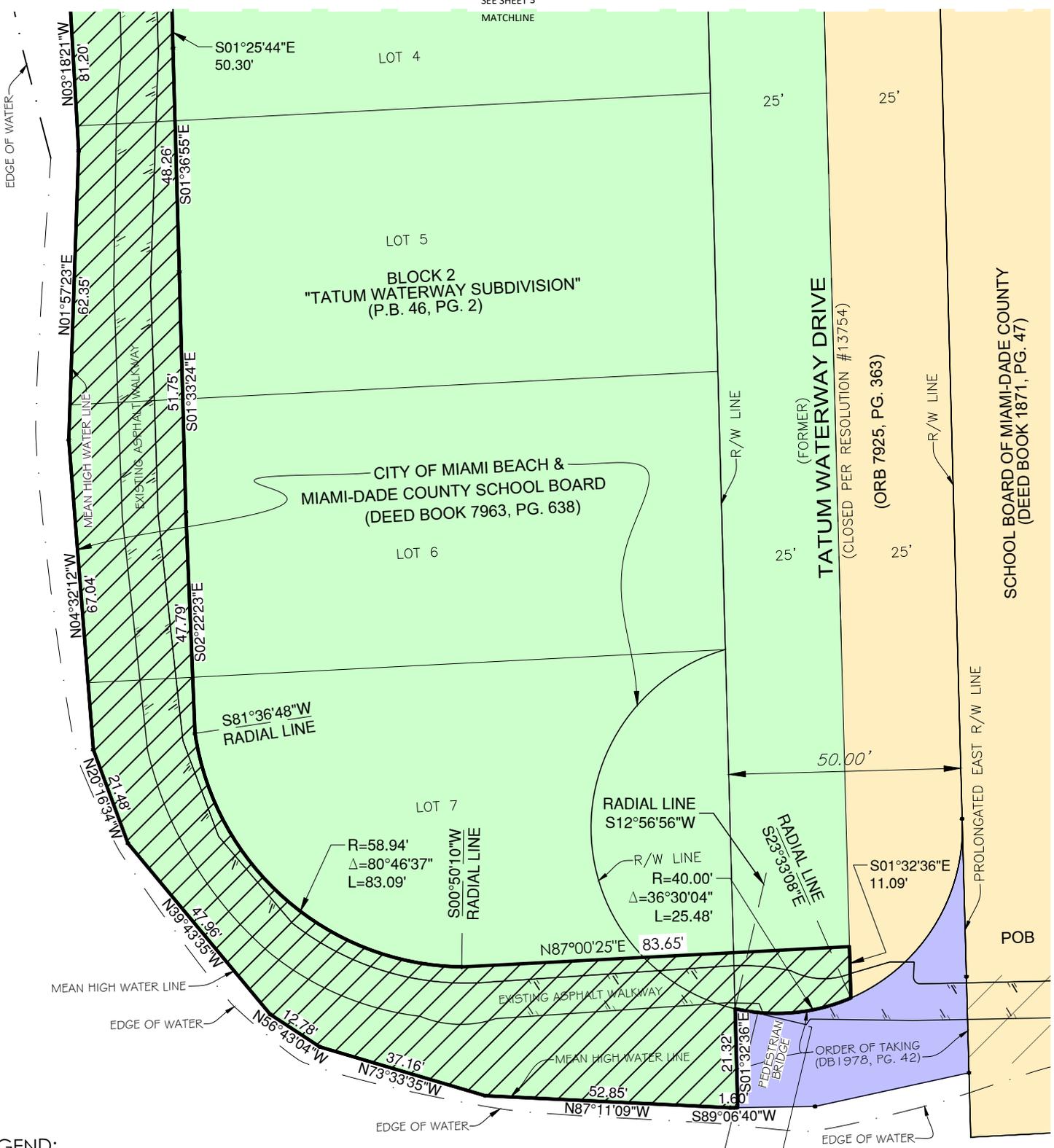
SEC.	SECTION	POC	POINT OF COMMENCEMENT
R/W	RIGHT-OF-WAY	POB	POINT OF BEGINNING
P.B.	PLAT BOOK	PG.	PAGE
Δ	CENTRAL ANGLE	R	RADIUS OF CURVE
L	LENGTH OF CURVE	⊕	CENTERLINE

NOT TO SCALE
THIS SKETCH IS NOT A SURVEY



SKETCH TO ACCOMPANY DESCRIPTION

SEE SHEET 3
MATCHLINE



LEGEND:

SEC.	SECTION	POC	POINT OF COMMENCEMENT
R/W	RIGHT-OF-WAY	POB	POINT OF BEGINNING
P.B.	PLAT BOOK	PG.	PAGE
Δ	CENTRAL ANGLE	R	RADIUS OF CURVE
L	LENGTH OF CURVE	☉	CENTERLINE

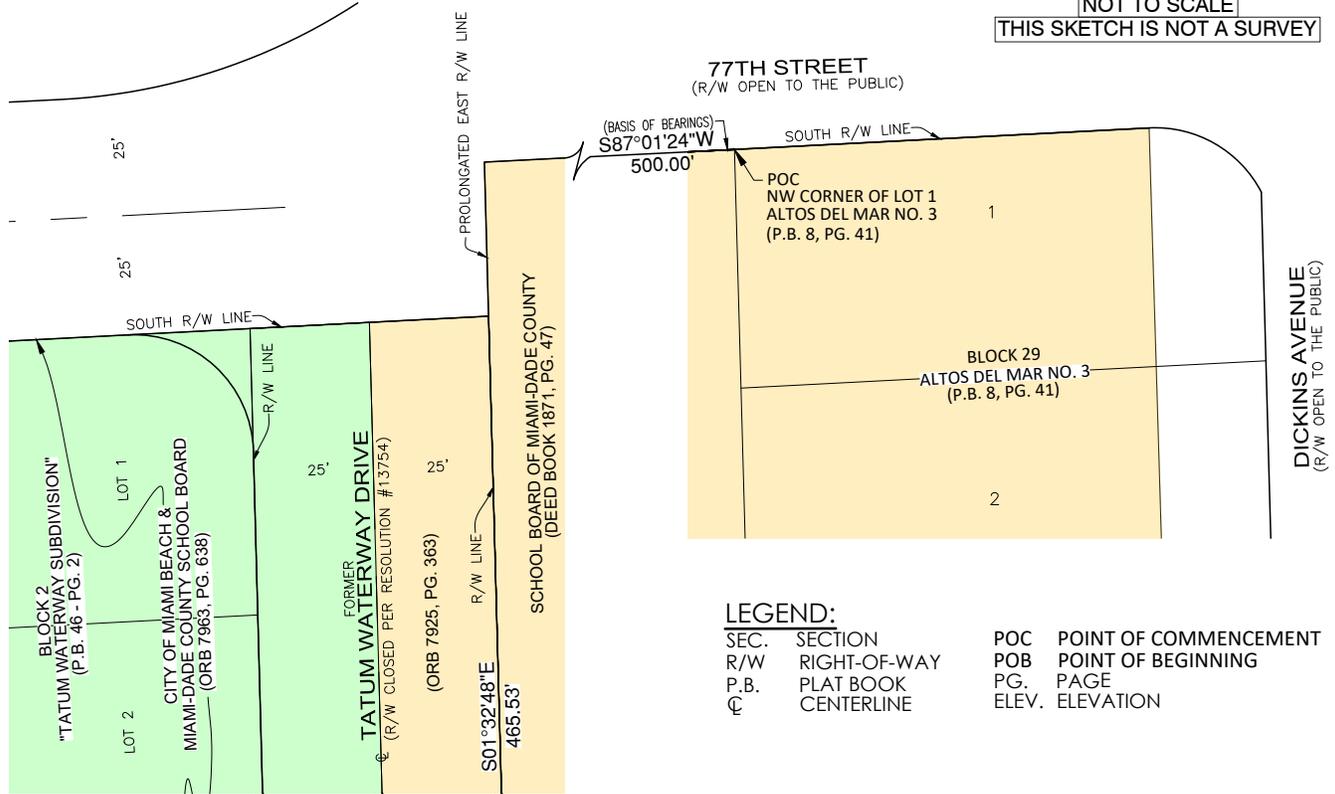
NOT TO SCALE
THIS SKETCH IS NOT A SURVEY



NORTH

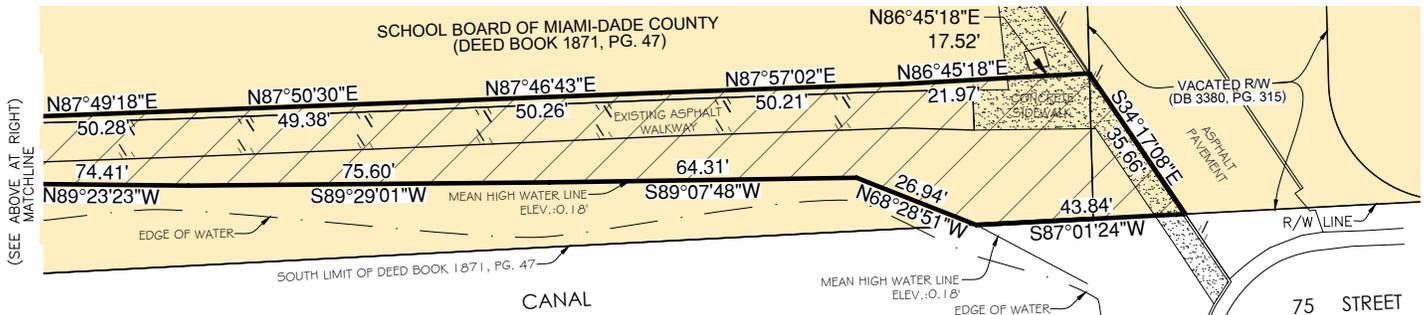
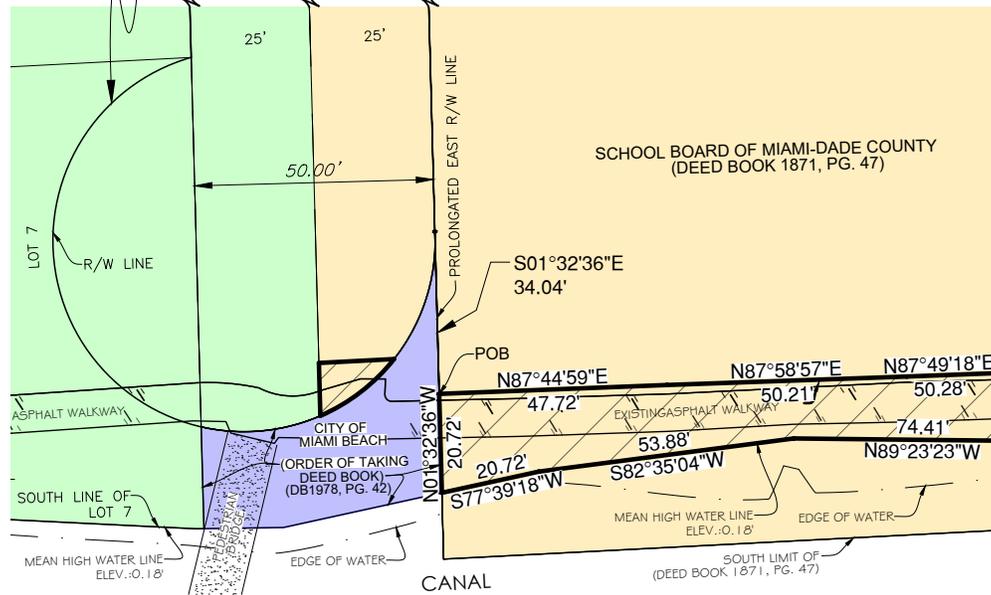
SKETCH TO ACCOMPANY DESCRIPTION

NOT TO SCALE
THIS SKETCH IS NOT A SURVEY



LEGEND:

- SEC. SECTION
- R/W RIGHT-OF-WAY
- P.B. PLAT BOOK
- Ⓢ CENTERLINE
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- PG. PAGE
- ELEV. ELEVATION



NOTICE: This document is not valid, full, and complete without all three (3) pages.



SURVEYORS

DATE: 8/12/24 JOB No. 22085.0.06 PAGE 3 OF 3

7700 N. KENDALL DRIVE, MIAMI, FL 33156, SUITE 705 * PHONE: (305)463-0912 * WWW.LONGITUDESURVEYORS.COM

RESOLUTION NO. 2024-33030

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE, AT ITS MARCH 20, 2024 MEETING, AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND, SUBJECT TO THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA (SCHOOL BOARD) AUTHORIZING TRANSFER OF THE SCHOOL BOARD'S INTERESTS, ACCEPT A DEED FROM THE SCHOOL BOARD TRANSFERRING THE SCHOOL BOARD'S INTEREST IN THE TATUM WATERWAY WALKWAY AND SURROUNDING AREA LOCATED OUTSIDE OF THE PERIMETER FENCE OF BISCAYNE BEACH ELEMENTARY SCHOOL (SITE), WHICH MEANDERS ALONG THE WESTERN AND SOUTHERN PORTIONS OF THE SCHOOL PROPERTY, SO THAT THE CITY WILL SECURE THE REQUISITE PROPERTY RIGHTS TO IMPROVE THE WALKWAY, CURRENTLY IN DISREPAIR, AND INCLUDE THE PORTION OF TATUM WATERWAY ADJACENT TO THE SITE AS PART OF THE CITY'S LIVING SHORELINE PROJECT; AND FURTHER AUTHORIZING THE CITY MANAGER TO PERFORM ANY REQUIRED DUE DILIGENCE AND EXECUTE ANY DOCUMENTS OR AGREEMENTS REALTED TO THE ACQUISITION OF THE SITE.

WHEREAS, the Tatum Waterway Walkway ("Walkway"), also known as Crab Alley, is a small, asphalt-paved walking and biking route that connects Park View Island to 77th Street and offers beautiful, secluded canal views, and small fishing spots along the entire Walkway; and

WHEREAS, the Walkway is contained on a portion of the land located outside of the perimeter fence of Biscayne Beach Elementary School (School), which meanders along the western and southern portions of the School property, and is bordered on the west side by Tatum Waterway (the "Site"), as more particularly described in the sketch prepared by Longitude Surveyors, a copy of which is attached to the City Commission Memorandum accompanying this Resolution; and

WHEREAS, In its current state, the Walkway faces challenges such as broken sidewalks and overgrown vegetation (overgrown roots of trees, which are lifting the asphalt) and the City's Public Works Department would like to include funding to repair the Walkway in the capital budget for Fiscal Year 2025; and

WHEREAS, the City's Public Works Department would like to develop the portion of the seawall adjacent to the Site as part of the City's Living Shoreline Project, which Project will be funded from the capital budget for Fiscal Year 2025; and

WHEREAS, there is a segment of the Site which is jointly owned by the City and the School Board of Miami-Dade County (the "School Board"); however, a significant portion of the Site is owned solely by the School Board; therefore, the consent of the School Board would be required to develop any portion of the Site; and

WHEREAS, discussions between the City Administration and Miami-Dade County Public Schools ("School District") staff have been ongoing concerning a possible conveyance of the School Board's interests in the Walkway to the City, with the clear understanding that such a conveyance is subject to the School Board authorizing the transfer of ownership at a regularly scheduled School Board meeting, and the City Administration and School District staff continue to discuss this initiative; if the City Administration and School District staff are able to finalize terms and conditions of the proposed transfer of title, it is anticipated that School District staff will recommend to the School

Board, at a future School Board meeting, that it transfer its interest in the Site to the City; and

WHEREAS, at its January 31, 2024 meeting, the City Commission approved a referral to the Public Safety and Neighborhood Quality of Life Committee ("Committee") to discuss renaming the "Tatum Waterway Walkway" to Tatum Waterway Nature Trail" and consider proposed improvements to revitalize the trail, which matters were discussed during the March 20, 2024 Committee meeting; and

WHEREAS, at the March 20, 2024 Committee meeting, the City's Public Works Department also discussed the fact that the City Administration had been involved in ongoing discussions with the School District regarding the possible conveyance of the School Board's interests in the Walkway to the City, and at that meeting, the Committee recommended in favor of approving all of the matters discussed; and

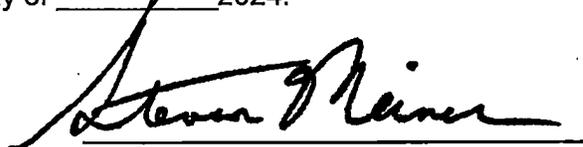
WHEREAS, the Administration will be submitting the renaming of the Tatum Waterway Walkway to Tatum Waterway Nature Trail pursuant to a separate City Commission agenda item; and

WHEREAS, the City Manager recommends accepting the recommendation of the Committee and authorizing the City Manager to perform any required due diligence, such as securing a survey of the Site, retaining the services of a title agent to insure title to the Site; and further authorizing the City Manager to execute any documents or agreements related to the acquisition of the Site.

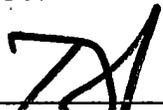
NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby accept the recommendation of the Public Safety and Neighborhood Quality of Life Committee, at its March 20, 2024 meeting, and authorize the City Manager to negotiate, and subject to the School Board of Miami-Dade County, Florida (School Board) authorizing transfer of the School Board's interests, accept a deed from the School Board transferring the School Board's interest in the Tatum Waterway Walkway and surrounding area, located outside of the perimeter fence of Biscayne Beach Elementary School (Site), which meanders along the western and southern portions of the School property, so that the City will secure the requisite property rights to improve the Walkway, currently in disrepair, and include the portion of Tatum Waterway adjacent to the Site as part of the City's Living Shoreline Project; and further authorize the City Manager to perform any required due diligence and execute any documents or agreements related to the acquisition of the Site.

PASSED AND ADOPTED this 15 day of May 2024.

MAY 21 2024


Steven Meiner, Mayor

ATTEST:


Rafael E. Granado, Secretary



Sponsored by Commissioner Laura Dominguez
Co-Sponsored by Commissioner Joseph Magazine
Co-Sponsored by Commissioner Tanya K. Bhatt

APPROVED AS TO
FORM & LANGUAGE
FOR EXECUTION

City Attorney Eric 4/26/2024
Date

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
 FROM: Rickelle Williams, Interim City Manager
 DATE: May 15, 2024

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE, AT ITS MARCH 20, 2024 MEETING, AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND, SUBJECT TO THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA (SCHOOL BOARD) AUTHORIZING TRANSFER OF THE SCHOOL BOARD'S INTERESTS, ACCEPT A DEED FROM THE SCHOOL BOARD TRANSFERRING THE SCHOOL BOARD'S INTEREST IN THE TATUM WATERWAY WALKWAY AND SURROUNDING AREA LOCATED OUTSIDE OF THE PERIMETER FENCE OF BISCAYNE BEACH ELEMENTARY SCHOOL (SITE), WHICH MEANDERS ALONG THE WESTERN AND SOUTHERN PORTIONS OF THE SCHOOL PROPERTY, SO THAT THE CITY WILL SECURE THE REQUISITE PROPERTY RIGHTS TO IMPROVE THE WALKWAY, CURRENTLY IN DISREPAIR, AND INCLUDE THE PORTION OF TATUM WATERWAY ADJACENT TO THE SITE AS PART OF THE CITY'S LIVING SHORELINE PROJECT; AND FURTHER AUTHORIZING THE CITY MANAGER TO PERFORM ANY REQUIRED DUE DILIGENCE AND EXECUTE ANY DOCUMENTS OR AGREEMENTS RELATED TO THE ACQUISITION OF THE SITE.

RECOMMENDATION

The City Manager recommends accepting the recommendation of the Committee and authorizing the City Manager to perform any required due diligence, such as securing a survey of the Site, retaining the services of a title agent to insure title to the Site; and further authorizing the City Manager to execute any documents or agreements related to the acquisition of the Site.

BACKGROUND/HISTORY

The Tatum Waterway Walkway ("Walkway"), also known as Crab Alley, is a small, asphalt-paved walking and biking route that connects Park View Island to 77th Street and offers beautiful, secluded canal views, and small fishing spots along the entire Walkway.

The Walkway is contained on a portion of the land located outside of the perimeter fence of Biscayne Beach Elementary School (School), which meanders along the western and southern portions of the School property and is bordered on the west side by Tatum Waterway (the "Site"), as more particularly described in the sketch prepared by Longitude Surveyors, a copy of which is attached to the City Commission Memorandum.

In its current state, the Walkway faces challenges such as broken sidewalks and overgrown vegetation (overgrown roots of trees, which are lifting the asphalt) and the City's Public Works Department would like to include funding to repair the Walkway in the capital budget for Fiscal Year 2025.

The City's Public Works Department would like to develop the portion of the seawall adjacent to the Site as part of the City's Living Shoreline Project, which Project will be funded from the capital budget for Fiscal Year 2025.

There is a segment of the Site which is jointly owned by the City and the School Board of Miami-Dade County (the "School Board"). However, a significant portion of the Site is owned solely by the School Board, therefore, the consent of the School Board would be required to develop any portion of the Site.

Discussions between the City Administration and Miami-Dade County Public Schools ("School District") staff have been ongoing concerning a possible conveyance of the School Board's interests in the Walkway to the City, with the clear understanding that such a conveyance is subject to the School Board authorizing the transfer of ownership at a regularly scheduled School Board meeting, and the City Administration and School District staff continue to discuss this initiative. If the City Administration and School District staff are able to finalize terms and conditions of the proposed transfer of title, it is anticipated that School District staff will recommend to the School Board, at a future School Board meeting, that it transfer its interest in the Site to the City.

At its January 31, 2024, meeting, the City Commission approved a referral to the Public Safety and Neighborhood Quality of Life Committee ("Committee") to discuss renaming the "Tatum Waterway Walkway" to Tatum Waterway Nature Trail" and consider

proposed improvements to revitalize the trail, which matters were discussed during the March 20, 2024, Committee meeting.

At the March 20, 2024, Committee meeting, the City's Public Works Department also discussed the fact that the City Administration had been involved in ongoing discussions with the School District regarding the possible conveyance of the School Board's interests in the Walkway to the City, and at that meeting, the Committee recommended in favor of approving all of the matters discussed.

The Administration will be submitting the renaming of the Tatum Waterway Walkway to Tatum Waterway Nature Trail pursuant to a separate City Commission agenda item.

SUPPORTING SURVEY DATA

Results from the 2022 Resident Survey related to the City's perception and satisfaction show an overall approval of 67.4%, and rated the City as a good place to live.

FINANCIAL INFORMATION

No fiscal impact.

CONCLUSION

The Administration recommends accepting the recommendation of the Committee to authorize the Interim City Manager to perform any required due diligence, such as securing a survey of the Site, retaining the services of a title agent to insure title to the Site and further authorize the Interim City Manager to execute any documents or agreements related to the acquisition of the Site.

Applicable Area

Middle Beach

Is this a "Residents Right to Know" Item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Prosperity - Market and promote Miami Beach as a world class arts, culture, and quality entertainment destination.

Legislative Tracking

Public Works

Sponsor

Vice-Mayor Laura Dominguez

ATTACHMENTS:

Description

- Sketch
- Resolution

Legend

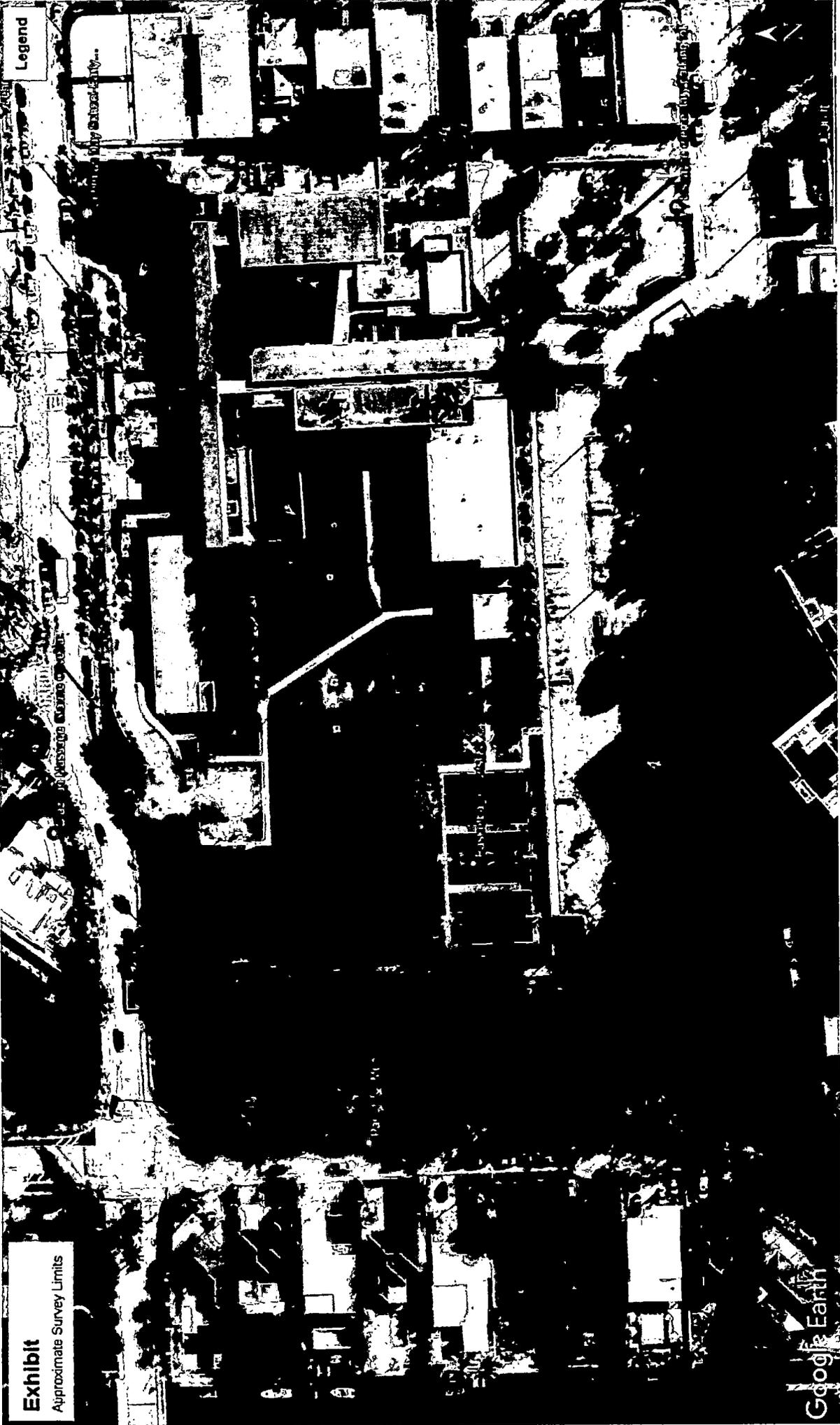


Exhibit
Approximate Survey Limits

Google Earth

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING RESOLUTION NO. 2024-33030, WHICH ACCEPTED THE RECOMMENDATION OF THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE, AT ITS MARCH 20, 2024 MEETING, AND AUTHORIZED THE CITY MANAGER TO NEGOTIATE AND ACCEPT A DEED FROM THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA (SCHOOL BOARD) TRANSFERRING THE SCHOOL BOARD'S INTEREST IN THE TATUM WATERWAY WALKWAY AND SURROUNDING AREA LOCATED OUTSIDE THE PERIMETER FENCE OF BISCAZYNE BEACH ELEMENTARY SCHOOL (SITE), SUBJECT TO THE SCHOOL BOARD'S APPROVAL, TO ALSO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AN EASEMENT FROM THE SCHOOL BOARD WHICH SHALL INCLUDE THE RIGHT TO IMPROVE THE SITE AND DEVELOP THE CITY'S LIVING SHORELINE PROJECT, WITH THE ESSENTIAL TERMS OF THE NEGOTIATED EASEMENT BEING SUBJECT TO APPROVAL BY THE CITY COMMISSION.

WHEREAS, the Tatum Waterway Walkway ("Walkway"), also known as Crab Alley, is a small, asphalt-paved walking and biking route that connects Park View Island to 77th Street and offers beautiful, secluded canal views, and small fishing spots along the entire Walkway; and

WHEREAS, the Walkway is contained on a portion of the land located outside of the perimeter fence of Biscayne Beach Elementary School (School), which meanders along the western and southern portions of the School property, and is bordered on the west side by Tatum Waterway (the "Site"), as more particularly described in the sketch prepared by Longitude Surveyors, a copy of which is attached to the City Commission Memorandum accompanying this Resolution; and

WHEREAS, In its current state, the Walkway faces challenges such as broken sidewalks and overgrown vegetation (overgrown roots of trees, which are lifting the asphalt) and the City's Public Works Department would like to include funding to repair the Walkway in the capital budget for Fiscal Year 2025; and

WHEREAS, the City's Public Works Department would like to develop the portion of the seawall adjacent to the Site as part of the City's Living Shoreline Project, which Project will be funded from the capital budget for Fiscal Year 2025; and

WHEREAS, there is a small segment of the Site which is owned solely by the City, with the remainder of the Site being owned either jointly, between the City and the School Board of Miami-Dade County (the "School Board"), or solely by the School Board; therefore, the consent of the School Board would be required to develop the majority of the Site; and

WHEREAS, discussions between the City Administration and Miami-Dade County Public Schools ("School District") staff have been ongoing concerning a possible conveyance of the School Board's interests in the Walkway to the City, with the clear understanding that such a conveyance is subject to the School Board authorizing the transfer of ownership at a regularly scheduled School Board meeting, and the City Administration and School District staff continue to discuss this initiative; and

WHEREAS, at its January 31, 2024 meeting, the City Commission approved a referral to the Public Safety and Neighborhood Quality of Life Committee ("Committee") to discuss renaming the "Tatum Waterway Walkway" to Tatum Waterway Nature Trail" and consider proposed improvements to revitalize the trail, which matters were discussed during the March 20, 2024 Committee meeting; and

WHEREAS, at the March 20, 2024 Committee meeting, the City's Public Works Department also discussed the fact that the City Administration had been involved in ongoing discussions with the School District regarding the possible conveyance of the School Board's interests in the Site to the City, and at that meeting, the Committee recommended in favor of approving all of the matters discussed; and

WHEREAS, on May 15, 2024, the Mayor and City Commission adopted Resolution No. 2024-33030, accepting the recommendation of the Committee, at its March 20, 2024 meeting, and authorizing the City Manager to negotiate and, subject to the School Board of Miami-Dade County, Florida (School Board) authorizing transfer of the School Board's interests, accept a deed from the School Board transferring the School Board's interest in the Site, so that the City would secure the requisite property rights to improve the Site, currently in disrepair, and include the portion of Tatum Waterway adjacent to the Site as part of the City's Living Shoreline Project; and further authorizing the City Manager to perform any required due diligence and execute any documents or agreements related to the acquisition of the Site; and

WHEREAS, following the May 15, 2024 City Commission meeting, the City Administration again engaged the School District and at that time the School District staff indicated that they were also considering a grant of easement ("Easement") to the City, which mechanism would still grant the City the right to use the Site to develop and maintain the improvements; and

WHEREAS, the City Manager recommends amending Resolution No. 2024-33030 to authorize the City Manager to also negotiate an Easement, authorizing the City to use the Site to improve the Walkway and develop the City's Living Shoreline Project, with the essential terms of the negotiated Easement being subject to approval by the City Commission; and

WHEREAS, the Administration will be submitting the renaming of the Tatum Waterway Walkway to Tatum Waterway Nature Trail pursuant to a separate City Commission agenda item once the City has acquired ownership or other rights to name the Site.

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 amend Resolution No. 2024-33030, which accepted the recommendation of the Public Safety and Neighborhood Quality of Life Committee, at its March 20, 2024 meeting, and authorized the City Manager to negotiate and accept a deed from the School Board of Miami-Dade County, Florida (School Board), transferring the School Board's interest in the Tatum Waterway Walkway and surrounding area located outside the perimeter fence of Biscayne Beach Elementary School (Site), subject to the School Board's approval, to also authorize the City Manager to negotiate an easement from the School Board which shall include the right to improve the Site and develop the City's Living Shoreline Project, with the essential terms of the negotiated easement being subject to approval by the City Commission.

PASSED and **ADOPTED** this _____ day of _____ 2024.

Steven Meiner, Mayor

ATTEST:

Rafael E. Granado, Secretary

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney *grc*

10/10/2024

Date