

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, IN SUBSTANTIAL FORM, A MAINTENANCE MEMORANDUM OF AGREEMENT (MMOA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), ADDRESSING EACH PARTY'S RESPECTIVE MAINTENANCE RESPONSIBILITIES RELATING TO PUMP STATIONS, DRAINAGE SYSTEMS, SEAWALLS & OTHER MISCELLANEOUS FEATURES LOCATED WITHIN THE PROJECT LIMITS OF SR-A1A (COLLINS AVENUE) FROM 25TH STREET TO 26TH STREET, AND SR-A1A (INDIAN CREEK DRIVE) FROM COLLINS AVENUE TO 41ST STREET; AND FURTHER AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE THE MMOA.

WHEREAS, Indian Creek Drive is considered one of the City's main corridors, forming a southbound artery between North/Mid Beach and South Beach, which serves to provide access for emergency services, and as a hurricane evacuation route; and

WHEREAS, during extreme high tide events during spring and fall, Indian Creek Drive, would consistently flood between 26th and 34th Streets; and

WHEREAS, FDOT has jurisdiction over State Road (SR) A1A (Collins Avenue) from 25th Street to 26th Street, and SR-A1A (Indian Creek Drive) from Collins Avenue to 41st Street (SR-112), which is located within the limits of the City; and

WHEREAS, the City and FDOT mutually recognize that it is in the best interest of the public to improve SR-A1A (Collins Avenue) from 25th Street to 26th Street, and SR-A1A (Indian Creek Drive) from Collins Avenue to 41st Street (SR-112) (the "Project Limits"); and

WHEREAS, the City, pursuant to Project FM#439228-2-58-01, agreed to design and construct permanent roadway and seawall improvements (the "Project,") along the Project Limits, within FDOT and City right-of-way; and

WHEREAS, certain improvements were constructed within private properties pursuant to license agreements, easements, or other permissions or property rights secured by the City from the private property owners; and

WHEREAS, the City and FDOT have negotiated the essential terms of a Maintenance Memorandum of Agreement (MMOA), setting forth the responsibilities of each party with regard to the maintenance of the improvements within the Project Limits; and

WHEREAS, pursuant to the proposed MMOA, the City will be taking over the routine maintenance of the pump structure system built within the Project Limits, drainage features built within the City's right of way, the seawall and riprap, some miscellaneous features built outside of FDOT's right way, and devices used to separate the bicyclists from the travel lanes; and

WHEREAS, as part of Financial Project 439228-2-58-01, on September 30, 2016, the City and FDOT entered into a Department Funded Agreement (DFA), as amended, for roadway and drainage improvements on S.R. A1A/Indian Creek Drive from 41st Street to 26th Street (M.P. 1.034 to M.P. 0.232); and

