

RESOLUTION NO. R2026--XX

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AN OFF-SYSTEM CONSTRUCTION AND MAINTENANCE AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING FOR MAINTENANCE RESPONSIBILITIES; PROVIDING FOR AUTHORIZATION; PROVIDING FOR SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Department of Transportation ("FDOT") proposes to undertake certain transportation improvements within the City of North Miami Beach (the "City"); and

WHEREAS, the proposed project includes improvements along Highland Drive, NE 139th Street, and NE 146th Street (collectively, the "Off-System Project Limits"); and

WHEREAS, the scope of work for the Off-System Improvements includes, but is not limited to:

- Replacement of sidewalks, with sidewalks beyond pedestrian ramps to be maintained by the City in perpetuity;
- Milling and resurfacing of pavement and installation of pavement markings behind crosswalks, to be maintained by the City in perpetuity;
- Installation of signalization pull boxes, conduits, controller cabinet modifications, electrical service disconnects, and meters, to be maintained by FDOT in perpetuity;
- Retrofit of existing lighting poles and installation of new lighting infrastructure, including poles, conduits, pull boxes, service disconnects, meters, and load center modifications, to be maintained by FDOT in perpetuity; and

WHEREAS, FDOT will be responsible for acquiring any additional right-of-way necessary for the Project, with cooperation and support from the City; and

WHEREAS, the Project will be designed and constructed in accordance with all applicable federal and state laws, rules, and regulations, as well as FDOT standards; and

WHEREAS, FDOT shall retain final authority over project design, design review, construction, and any required utility relocations; and

WHEREAS, the City's Public Works Department has reviewed the proposed Off-System Construction and Maintenance Agreement and recommends approval, finding that the Project supports the City's goals of infrastructure modernization, enhanced pedestrian and traffic safety, and compliance with state transportation standards.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA:

Section 1. The foregoing whereas clauses are true and correct and adopted as the legislative and administrative findings of the City Commission and made a specific part of this Resolution; all exhibits attached hereto are made a specific part of this Resolution.

Section 2. The mayor and City Commission of the City of North Miami Beach, Florida, approve an Off-System construction and maintenance agreement with the Florida Department of Transportation.

Section 3. The City Manager or designee is authorized to do all things necessary to effectuate this Resolution.

Section 4. All Resolutions or parts of Resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 5. Any scrivener or typographical errors that do not affect intent may be corrected with notice to, and the authorization of the City Attorney and City Manager without further process.

Section 6. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared to be severable.

Section 7. This Resolution shall take effect immediately upon adoption.

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APPROVED AND ADOPTED by the City of North Miami Beach City Commission at the regular meeting assembled this ___th **day of March 2026.**

ATTEST:

ANDRISE BERNARD, MMC
CITY CLERK

MICHAEL JOSEPH
MAYOR

(CITY SEAL)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE CITY OF NORTH MIAMI BEACH ONLY:

GREENSPOON MARDER, LLP.

By: _____
CITY ATTORNEYS

Sponsored by: Mayor & Commission

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