

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT NO. 2 TO THE COLLABORATION, FUNDING AND MANAGEMENT AGREEMENT BETWEEN THE CITY AND THE SABRINA COHEN FOUNDATION, INC. FOR AN ADAPTIVE RECREATION CENTER, WITH SUCH AMENDMENT NO. 2 EXTENDING THE FUNDRAISING SCHEDULE AND DEADLINES IN SECTION 7.1.B OF THE AGREEMENT BY TWELVE (12) MONTHS, IN ORDER TO PROVIDE THE FOUNDATION WITH ADDITIONAL TIME TO RAISE DONATIONS FOR THE DESIGN AND CONSTRUCTION OF THE ADAPTIVE RECREATION CENTER.

WHEREAS, on October 31, 2017, the Mayor and City Commission adopted Resolution No. 2017-30082, approving a Collaboration, Funding and Management Agreement ("Agreement") with the Sabrina Cohen Foundation, Inc. (the "Foundation"), for the Foundation to raise the funds and be responsible for all of the expenses related to the City's design, development and construction of an Adaptive Recreation Center (the "Center"), to be located within a portion of the City's "P72" surface parking lot at 53rd Street and Collins Avenue (the "P72 Lot"); and

WHEREAS, the Agreement provides that the City would be the owner of the Center, which would be used for the primary purpose of providing the general public and, specifically, persons living with physical and cognitive disabilities, including seniors living with disabilities and able-bodied individuals with temporary injuries, with an accessible access point to the beach and related beach programming; and

WHEREAS, on July 2, 2018, pursuant to the Agreement's terms, the Mayor and City Commission adopted Resolution No. 2018-30377, and approved, in the City's proprietary capacity, the Foundation's proposed Concept Plan for the Center; and

WHEREAS, on January 16, 2019, the City Commission approved Amendment No. 1 via Resolution No. 2019-30671 updating certain technical references, consistent with the Concept Plan approved by the City Commission on July 2, 2018 and applicable provisions of the City Code; and

WHEREAS, the City and the Foundation desire to amend the Agreement, a copy of which is attached to the Commission Memorandum accompanying this Resolution, to extend the fundraising schedule and deadlines in Section 7.1.b by a period of twelve (12) months, in order to provide the Foundation with additional time to raise the requisite donations for the design and construction of the Adaptive Recreation Center.

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 approve and authorize the Mayor and City Clerk to execute Amendment No. 2 to the Collaboration, Funding and Management Agreement between the City and the Sabrina Cohen Foundation, Inc. for an Adaptive Recreation Center, with such Amendment No. 2 extending the Fundraising Schedule and Deadlines in Section 7.1.b by twelve (12) months, in order to provide the Foundation with additional time to raise donations for the design and construction of the Adaptive Recreation Center.

PASSED and ADOPTED this _____ day of _____, 2019.

DAN GELBER, MAYOR

ATTEST:

RAFAEL E. GRANADO, CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

Raul Aguirre 7/19/19
City Attorney RAP Date