

EXHIBIT B

RESOLUTION NO. 2005-26060

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING A FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF MIAMI BEACH AND MIAMI-DADE COUNTY, DATED JUNE 20, 1986, PERTAINING TO THE PROVISION OF LIBRARY SERVICES FOR THE RESIDENTS OF THE CITY OF MIAMI BEACH, FLORIDA; SAID AMENDMENT REFERENCING THE RELOCATION OF SERVICES TO THE NEW REGIONAL LIBRARY AND THE NEW SOUTH SHORE READING ROOM, RESPECTIVELY; ESTABLISHING A POLICE SUBSTATION AT THE NEW REGIONAL LIBRARY; AND CLARIFYING THE DEFINITION OF "MAINTENANCE FEES" TO INCLUDE THE REIMBURSEMENT OF AND FUTURE PAYMENT BY THE COUNTY OF CONDOMINIUM FEES AT THE NEW SOUTH SHORE READING ROOM, WHICH IS LOCATED AT THE COURTS CONDOMINIUM.

WHEREAS, on June 20, 1986, the City and Miami-Dade County entered into an Interlocal Agreement (Interlocal) pertaining to the respective parties' responsibilities and obligations associated with the provision of library services in Miami Beach; and

WHEREAS, the subsequent relocation of the Regional Library and the South Shore Reading Room to their respective new locations at 227 22nd Street and 131 Alton Road, has prompted the need to amend the Interlocal to reflect the relocation of services to these new facilities; and

WHEREAS, the City and the County have also agreed to the placement of a police substation in the new Regional Library facility, located at 227 22nd Street, the conditions for which have to be incorporated into the Interlocal to address maintenance thereof, access and hours of operation; and

WHEREAS, pursuant to the Interlocal, the County is responsible for remitting payment for all operating and utility costs associated with each of the facilities it operates within the City's boundaries; and

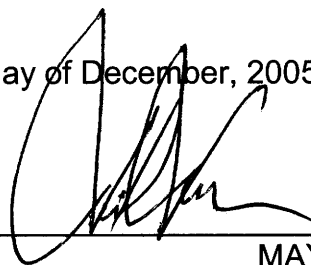
WHEREAS, since the South Shore Reading Room was relocated to a unit in The Courts Condominium, located at 131 Alton Road, the County has been unable to pay the monthly condominium maintenance fees for same, claiming that the current definition of "Maintenance Fees" in the Interlocal is not broad enough to include the payment of condominium fees; and

WHEREAS, the RDA has remitted fees on the County's behalf, totaling (to date) \$21,948 (\$1,987 per month), to The Courts Condominium Association, subject to reimbursement by the County; and

WHEREAS, the Interlocal needs to be amended to provide for reimbursement of any and all condominium payments made by the RDA on behalf of the County, as well as in the future, clarifying the definition of "Maintenance Fees" in order to reimburse the City for maintenance fees that the City has advanced on the County's behalf, as well as, for the future, render the County solely responsible for making regular payments to The Courts of South Beach Condominium Association, to include monthly maintenance fees, periodic assessments and any and all other costs associated with the maintenance of the facility.

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 a First Amendment to the Interlocal Agreement by and between the City of Miami Beach and Miami-Dade County, dated June 20, 1986, pertaining to the provision of library services for the residents of the City of Miami Beach, Florida; said Amendment referencing the relocation of services to the new Regional Library and the South Shore Reading Room, respectively; establishing a police substation at the new Regional Library; and clarifying the definition of "Maintenance Fees" to include the reimbursement of and future payment by the County of the condominium fees at the new South Shore Reading Room, which is located at The Courts Condominium.

PASSED AND ADOPTED this 7th day of December, 2005.



MAYOR
David Dermer

Attest:



CITY CLERK Robert Parcher

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**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney

11-28-05
Date

Condensed Title:

A Resolution approving a first amendment to the Interlocal Agreement between the City and Miami-Dade County, pertaining to the provision of library services in the City, A) referencing the relocation of services to the new Regional Library and the New South Shore Reading Room; B) establishing a Police substation in the new Regional Library; and C) clarifying the definition of maintenance fees to include the payment of condominium fees at the South Shore Reading Room.

Key Intended Outcome Supported:

- Increase resident ratings of Public Safety Services

Issue:

Shall the City adopt the proposed amendment to the Interlocal?

Item Summary/Recommendation:

On June 20, 1986, the City of Miami Beach and Miami-Dade County executed an Interlocal Agreement pertaining to the respective parties' responsibilities and obligations associated with the provision of library services in Miami Beach. The recent relocation of the Regional Library and the South Shore Reading Room to their respective new locations has prompted the need to amend the Interlocal to reflect the relocation of services to these new facilities as well as to add certain new provisions regarding the placement of a Police substation in the new Regional Library and to clarify certain language to allow the County to pay monthly condominium maintenance fees associated with the operation of the South Shore Reading Room.

Advisory Board Recommendation:

Financial Information:

Source of Funds:	Amount	Account	Approved
1			
2			
Total			



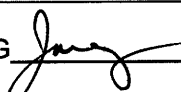
OBPI

Financial Impact Summary:

City Clerk's Office Legislative Tracking:

Kent O. Bonde

Sign-Offs:

Redevelopment Coordinator	Assistant City Manager	City Manager
KOB 	TH 	JMG 

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MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: City Manager Jorge M. Gonzalez 

DATE: December 7, 2005

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING A FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF MIAMI BEACH AND MIAMI-DADE COUNTY, DATED JUNE 20, 1986, PERTAINING TO THE PROVISION OF LIBRARY SERVICES FOR THE RESIDENTS OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING A FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF MIAMI BEACH AND MIAMI-DADE COUNTY, DATED JUNE 20, 1986, PERTAINING TO THE PROVISION OF LIBRARY SERVICES FOR THE RESIDENTS OF THE CITY OF MIAMI BEACH, FLORIDA, SAID AMENDMENT REFERENCING THE RELOCATION OF SERVICES TO THE NEW REGIONAL LIBRARY AND THE NEW SOUTH SHORE READING ROOM, RESPECTIVELY; ESTABLISHING A POLICE SUBSTATION AT THE NEW REGIONAL LIBRARY; AND, CLARIFYING THE DEFINITION OF "MAINTENANCE FEES" TO INCLUDE THE REIMBURSEMENT OF AND FUTURE PAYMENT BY THE COUNTY OF CONDOMINIUM FEES AT THE NEW SOUTH SHORE READING ROOM, WHICH IS LOCATED AT THE COURTS CONDOMINIUM.**

ADMINISTRATION RECOMMENDATION

The Administration recommends adopting the Amendment as proposed.

ANALYSIS

On June 20, 1986, the City of Miami Beach and Miami-Dade County executed an Interlocal Agreement pertaining to the respective parties' responsibilities and obligations associated with the provision of library services in Miami Beach. The recent relocation of the Regional Library and the South Shore Reading Room to their respective new locations has prompted the need to amend the Interlocal to reflect the relocation of services to these new facilities as well as to add certain new provisions regarding the placement of a Police substation in the new Regional Library and to clarify certain language to allow the County to pay monthly condominium maintenance fees associated with the operation of the South Shore Reading Room.

Police Substation

In order to enhance community policing initiatives already underway in the Collins Park neighborhood, the City and the County have agreed to the placement of a police substation in the new Regional Library facility located at 227 22nd Street. Pursuant to the proposed amendment, the Police Department would have after-hour access to the facility, thereby affording the opportunity for 24-hour presence in the area.

Maintenance Costs

Pursuant to the Interlocal Agreement in its current form, the County is responsible for remitting payment for all operating and utility costs associated with each of the facilities it operates within the City's boundaries. In January, 2005, the South Shore Library branch was relocated to a 5,000 square foot condominium space in the Courts Project, located at 131 Alton Road, which was purchased by the Miami Beach Redevelopment Agency specifically for this purpose, pursuant to Resolution No. 444-2003. Since this time however, the County has been unable to pay the monthly condominium maintenance fees, claiming that the current definition of maintenance fees in the Interlocal isn't broad enough to include the payment of condominium fees. Consequently, the RDA has remitted fees totaling \$21,948 (\$1,987 per month), to the Condominium Association, on behalf of and subject to reimbursement by the County. The proposed Amendment not only provides for reimbursement of any and all payments made by the RDA on behalf of the County, but also renders the County solely responsible for making regular payments to the Courts of South Beach, to include monthly maintenance fees, periodic assessments and any and all other costs associated with the maintenance of the facility.

Additionally, there are certain outstanding water, sewer and stormwater fees which remain unpaid from the old Regional Library facility totaling \$13,342. The Amendment requires the County to continue working with the City's Utility Billing Office to resolve this discrepancy.

Adoption of the Amendment is necessary in order to clarify these obligations and to ensure continuing compliance with the Interlocal Agreement.

JMG/TH/KOB
Attachment