

RESOLUTION NO. 2013-28371

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 A SECOND AMENDMENT TO THAT CERTAIN AGREEMENT BETWEEN MIAMI-DADE COUNTY, FLORIDA (COUNTY) AND THE CITY OF MIAMI BEACH, FLORIDA (CITY) RELATING TO THE LIBRARY LOCATED AT 131 ALTON ROAD, UNIT CU-2, MIAMI BEACH, FLORIDA (SOUTH SHORE BRANCH), PROVIDING FOR THE CONTRIBUTION OF ONE HALF THE CONDOMINIUM FEES ASSESSED AGAINST THE SOUTH SHORE BRANCH FOR THE FISCAL YEAR 2013-2014, IN AN AMOUNT NOT TO EXCEED THE SUM OF \$16,365.78, CONTINGENT UPON THE COUNTY AGREEING TO MAINTAIN THE CURRENT HOURS OF OPERATION AND CURRENT STAFFING LEVELS.

WHEREAS, pursuant to Resolution No. R-1003-86, adopted by the Miami-Dade Board of County Commissioners on July 15, 1986, and Resolution No. 86-18488, adopted by the City Commission of the City of Miami Beach on June 18, 1986, an Agreement between the City and County was executed, in connection with the merger of the library services within the City of Miami Beach, Florida (the "Agreement"); and

WHEREAS, pursuant to Resolution No. R-82-06, adopted by the Miami-Dade Board of County Commissioners on January 24, 2006, and Resolution No. 2005-26060, adopted by the City Commission of the City of Miami Beach on December 7, 2005, the Agreement was subsequently amended by First Amendment to Interlocal Agreement between City of Miami Beach and Miami-Dade County for Library Services, dated January 24, 2006 ("First Amendment"), collectively referred to herein as (the "Agreement"); and

WHEREAS, the First Amendment included expanding the definition of "Premises" to include a new library location at 227 22nd Street, Miami Beach, FL, including establishing the operation of a City Police Substation at this location ("Regional Library Facility"), and the relocation of the South Shore Reading Room to approximately 5,000 square feet of air conditioned and heated office space, located at the Courts of South Beach Condominium, 131 Alton Road, Unit CU-2, Miami Beach, Florida ("South Shore Branch"); and

WHEREAS, pursuant to the First Amendment, as part of the "Cost of Operation", the County is responsible for payment of all fees charged by the Courts of South Beach Condominium Association (the "Association") for the South Shore Branch premises, including condominium maintenance fees, periodic assessments, and any other fees charged by the Association ("Condominium Fees"); and

WHEREAS, the Agreement has been successively renewed every year and is currently in the twenty-seventh renewal option period, which commenced on October 1, 2013 and terminates on September 30, 2014 under the same terms and conditions; and

WHEREAS, in order to keep the South Shore Branch open, the County has requested that the City contribute one half of the estimated Condominium Fees assessed against the South Shore Branch for the fiscal year 2013-2014, totaling \$32,731.56, for a total contribution of \$16,365.78 (City's Contribution); and

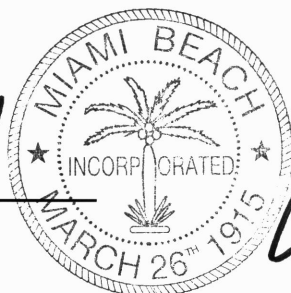
WHEREAS the City has agreed to make the City's Contribution, effective October 1, 2013, so long as the City's Contribution does not exceed the total sum of \$16,365.78, and additionally contingent upon the County maintaining the current hours of operation and current staffing levels at the South Shore Branch;

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 that certain agreement between Miami-Dade County, Florida (County) and the City of Miami Beach, Florida (City), relating to the library located at 131 Alton Road, Unit CU-2, Miami Beach, Florida (South Shore Branch), providing for the contribution of one half the condominium fees assessed against the South Shore Branch for the fiscal year 2013-2014, in an amount not to exceed the sum of \$16,365.78, contingent upon the County agreeing to maintain the current hours of operation and current staffing levels.

PASSED AND ADOPTED THIS 30TH DAY OF SEPTEMBER, 2013

ATTEST:


CITY CLERK




MAYOR

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

JLM:JJ:MS:GNT

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City Attorney


Date

2-26-14

R9 - New Business and Commission

- R9B Discussion Regarding Miami-Dade County's Request For Contribution Toward
The Operational Cost Of South Shore Library.
(City Manager's Office)