

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE, AT ITS JUNE 11, 2021 MEETING, AND AUTHORIZING THE CITY TO APPROPRIATE AN AMOUNT NOT-TO-EXCEED \$1.6 MILLION, FOR THE CITY TO MATCH FUTURE DONATIONS MADE TO THE SABRINA COHEN FOUNDATION, FOR THE DESIGN AND CONSTRUCTION OF THE SABRINA COHEN FOUNDATION ADAPTIVE FITNESS AND RECREATION CENTER TO BE LOCATED AT 53RD STREET AND COLLINS AVENUE, PROVIDED THAT THE FOUNDATION RAISE THE FUNDS WITHIN A PERIOD OF TIME TO BE DETERMINED BY THE MAYOR AND CITY COMMISSION.**

**WHEREAS**, on May 12, 2021, the Finance & Economic Resiliency Committee ("FERC") discussed an item referred by Commissioner Arriola to consider the City appropriating \$2 million for the Sabrina Cohen Foundation Adaptive Fitness and Recreation Center (the "Project") that will serve as a first-class accessible amenity for people from our community with disabilities; and

**WHEREAS**, on October 31, 2017, the City Commission adopted Resolution No. 2017-30082, approving a Management Agreement with the Sabrina Cohen Foundation (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 to be located within a portion of the City's P72 surface parking lot at 53rd Street and Collins Avenue; and

**WHEREAS**, the Management 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 with an accessible access point to the beach and related beach programming; and

**WHEREAS**, on July 2, 2018, pursuant to the Management Agreement's terms, the City Commission adopted Resolution No. 2018-30377, approving the Foundation's proposed Concept Plan for the Project; 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; and

**WHEREAS**, on July 31, 2019, the City Commission approved Amendment No. 2 via Resolution No. 2019-30922, extending the fundraising schedule and deadlines in the Agreement by 12 months in order to provide the Foundation with additional time to raise donations for the design and construction of the Adaptive Recreation Center; and

**WHEREAS**, due to the COVID-19 emergency, the Foundation was entitled to an extension to their fundraising schedule and deadline, which is set to expire in September 2021; and

**WHEREAS**, the Project includes a new 3 story wellness center that will house an adaptive gym, rooftop pool, robotics lab, locker rooms, and storage space for the Beach Days program, with planned services that includes a resource library, yoga and meditation classes and various therapy forms (water, art, dance, music); and

**WHEREAS**, the cost of the Project is currently estimated at \$15 to \$20 million, to be funded by private donations; and

**WHEREAS**, in April 2021, a new beachfront observation deck and park designed to be accessible for people with disabilities was funded for \$577,000 in Miami-Dade County general obligation bond; and

**WHEREAS**, the Miami-Dade County beachfront observation deck is separate from the Adaptive Recreation Center and not included in the Management Agreement; and

**WHEREAS**, on April 21, 2021, the Mayor and City Commission approved a settlement agreement between Ocean Terrace Holding and its related entities ("Ocean Terrace") and the City which provided for a \$3 million contribution to the City; and

**WHEREAS**, of the total \$3 million contribution to the City pursuant to the Settlement Agreement with Ocean Terrace, \$1 million is earmarked for the 72nd Street Community Complex, and \$400,000 is needed to cover the legal fees for the settlement agreement, leaving a total of \$1.6 million that is uncommitted and available to fund a capital project; and

**WHEREAS**, during the June 11, 2021 FERC meeting, the Committee recommended that the City appropriate and match, dollar for dollar, future donations made to the Foundation for the design and construction of the Project, up to an amount not-to-exceed \$1.6 million, and provided further that the Foundation be required to raise the funds within a period of time specified by the Mayor and City Commission.

**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 accept the recommendation of the Finance and Economic Resiliency Committee at its June 11, 2021 meeting, and authorize the City to appropriate an amount not-to-exceed \$1.6 Million, for the City to Match future donations made to the Sabrina Cohen Foundation, for the design and construction of the Sabrina Cohen Foundation Adaptive Fitness and Recreation Center, to be located at 53rd Street and Collins Avenue, provided that the Foundation raise the funds within a period of time to be determined by the Mayor and City Commission.


**PASSED and ADOPTED** this 23<sup>rd</sup> day of June, 2021.


**ATTEST:**

\_\_\_\_\_  
Dan Gelber, Mayor

\_\_\_\_\_  
Rafael E. Granado, City Clerk

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

  
\_\_\_\_\_  
City Attorney

 6-14-21  
\_\_\_\_\_  
Date