

RESOLUTION NO. 2022-_____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY AND 3425 COLLINS, LLC (DEVELOPER), BASED UPON THE ESSENTIAL TERMS SET FORTH IN THIS RESOLUTION AND PURSUANT TO THE REQUIREMENTS OF THE CITY'S HISTORIC PRESERVATION BOARD CONSOLIDATED ORDER, DATED MAY 25, 2021 (FILE NO. HPB20-0441), INVOLVING JACK STEWART'S "APOLLO" MURAL; SAID MOU REQUIRING DEVELOPER, AT ITS SOLE COST, TO RESTORE, TRANSPORT AND INSTALL THE FULLY RESTORED MURAL ON THE NEW BUILDING FOR FIRE STATION NO. 1.

WHEREAS, on May 11, 2021, an application was filed by 3425 Collins, LLC ("The Developer") requesting modifications to a previously issued Certificate of Appropriateness for the partial demolition, renovation and restoration of the existing 16-story hotel building, including the total demolition of the 1955 south addition, and the construction of a new residential 16-story detached ground level tower addition, and modifications to the site plan; and

WHEREAS, a mosaic tile mural entitled "*Apollo*" was introduced on the site in 1955, concurrently with the construction of the previously existing Melvin Grossman designed south addition; and

WHEREAS, the mural, created by artist Jack Stewart has approximately 92' in length by 17' in height, and was primarily located along the west elevation with a portion extending along the south elevation, wrapping the corner; and

WHEREAS, in 2014, the Historic Preservation Board reviewed and approved the demolition of the south addition inclusive of the artistic mural; and

WHEREAS, the mural was subsequently removed and relocated to a storage facility and the 1955 addition was demolished; and

WHEREAS, approval of the Historic Preservation Board Consolidated Order dated May 25, 2021, required certain conditions be met by the Developer, including the donation of the Jack Stewart "*Apollo*" mural to the City and covering all associated cost for its relocation and restoration; and

WHEREAS, prior to the issuance of a building permit for the new residential tower, the Developer shall return to the Historic Preservation Board to present the final plan for the restoration of the mural, including the specific location where it will be installed; and

WHEREAS, in July 2021, the Developer engaged the services of RLA Conservation to assess the current condition of *Apollo* and recommend a conservation plan; and

WHEREAS, the City has considered a number of options in terms of locating the *Apollo* mural on a City property; however, given the size of the mural, placement on an existing facility has been challenging; and

WHEREAS, the Administration recommends that the best option would be for the Developer to install the mural as an integrated architectural feature at the new Fire Station No. 1, once completed; and

WHEREAS, the City and the Developer mutually agree upon the essential terms of the MOU, which include requiring the Developer, at its sole cost, to undertake all aspects of restoring the mural; conservation services; design and engineering fees; and upon completion of the restoration and acceptance by the City of the condition of the restored mural, transporting the mural to a storage location, designated by the City Manager's designee; transporting the mural from the City's storage location to Fire Station 1; and installing the mural on the location of the new building for Fire Station No. 1, to be designated by the City Manager's designee.

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 City Manager to execute a Memorandum of Understanding (MOU) between the City and 3425 Collins, LLC (Developer), based upon the essential terms set forth in this Resolution and pursuant to the requirements of the City's Historic Preservation Board Consolidated Order, dated May 25, 2021 (File No. HPB20-0441), involving Jack Stewart's "Apollo" mural; said MOU requiring Developer, at its sole cost, to restore, transport and install the fully restored mural on the new building for Fire Station No. 1.

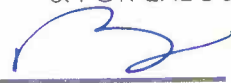
PASSED and **ADOPTED** this 20th day of July 2022.

DAN GELBER, MAYOR

ATTEST:

RAFAEL E. GRANADO, CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney *ANT*

7-10-22
Date