

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE A NEW MEMORANDUM OF UNDERSTANDING (MOU), BETWEEN THE CITY AND THE LINCOLN ROAD BUSINESS IMPROVEMENT DISTRICT, INC. (LRBID), IN ORDER TO CONTINUE TO PROVIDE CITY FUNDING, IN THE AMOUNT OF \$160,000.00 PER YEAR (OR \$13,333.33 PER MONTH), FOR ENVIRONMENTAL MAINTENANCE AND HOSPITALITY SERVICES FOR THE AREA LOCATED WITHIN THE LINCOLN ROAD BUSINESS IMPROVEMENT DISTRICT; SAID MOU HAVING AN INITIAL TERM OF ONE (1) YEAR, COMMENCING RETROACTIVELY ON OCTOBER 1, 2022 AND EXPIRING ON SEPTEMBER 30, 2023, WITH TWO (2) ONE-YEAR RENEWAL TERMS, AT THE OPTION OF THE CITY MANAGER.

WHEREAS, on April 15, 2015, the Mayor and City Commission adopted Resolution No. 2015-28992, which created a special assessment district to be known as the Lincoln Road Business Improvement District (the "District") for a period of ten (10) years, to stabilize and improve the Lincoln Road retail business district, which is located within a nationally recognized historic district, through promotion, management, marketing, and other similar services; and

WHEREAS, on October 1, 2016, the Lincoln Road Business Improvement District, Inc. (the "LRBID"), entered into an agreement with Mydatt Services Inc. d/b/a Block by Block ("Block by Block") to provide environmental maintenance services, hospitality, and safety services for the area located within the District (the "Services"); and

WHEREAS, Block by Block provides safety, cleaning, hospitality, and outreach services for business improvement districts; and

WHEREAS, on February 9, 2017, and pursuant to City Resolution No. 2016-29692, the City and the LRBID entered into a Memorandum of Understanding (the "MOU") to provide City funding, in the amount of \$13,333.33 per month, for the Services, for a Term of approximately eight (8) months, which Term ended on September 30, 2017; and

WHEREAS, on October 18, 2017, pursuant to City Resolution No. 2017-30051, the City Manager executed Amendment No. 1 to the MOU, to extend the Term for one (1) year, until September 30, 2018, with the option to extend the Term for one additional year, until September 30, 2019; and

WHEREAS, on September 11, 2019, the City Commission adopted Resolution No. 2019- 30948, approving an amendment to the MOU to extend the Term on a month-to-month basis, provided that this extension of the MOU shall not exceed a period of six (6) months; and

WHEREAS, the LRBID and Block by Block suspended the performance of the Services in the District as a result of the COVID-19 pandemic, intending to resume the Services in or around May 2020; and

WHEREAS, on June 24, 2020, the Mayor and City Commission adopted Resolution No. 2020-31298, approving a new MOU with a term of five (5) months, commencing retroactively

on May 1, 2020 and expiring on September 30, 2020, in order to continue providing City funding for the Services at the rate of \$160,000 per year (i.e. \$13,333 per month); and

WHEREAS, the previous MOU provided for two (2) one-year renewal terms, to be exercised at the City Commission's sole discretion, and subject to any required budgetary appropriations; and

WHEREAS, on September 16, 2020, the City Commission adopted Resolution No. 2020-31402, exercising the first renewal option, and extending the term of the MOU for one year, commencing on October 1, 2020, and expiring on September 30, 2021 ("First Renewal Term"); and

WHEREAS, on October 6, 2021, the City Commission adopted Resolution No. 2021-31843, exercising the second and final renewal option and extending the term of the MOU for an additional year, commencing on October 1, 2021, and expiring on September 30, 2022 ("Second Renewal Term"); and

WHEREAS, the parties now desire to execute a new MOU with the LRBID for an initial term of one (1) year, retroactively commencing on October 1, 2022 and expiring on September 30, 2023, with two (2) one-year renewal terms, at the option of the City Manager, in order to continue to provide City funding for the Services at the rate of \$160,000.00 per year (or \$13,333.33 per month); and

WHEREAS, the City Manager recommends approving the Memorandum of Understanding in the form attached to the City Commission Memorandum accompanying this Resolution.

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 and City Clerk to execute a new Memorandum of Understanding (MOU), between the City of Miami Beach, Florida and the Lincoln Road Business Improvement District, Inc., in order to continue to provide City funding in amount of \$160,000.00 per year (or \$13,333.33 per month), for environmental maintenance and hospitality services for the area located within the Lincoln Road Business Improvement District; said MOU having an initial term of one (1) year, commencing retroactively on October 1, 2022 and expiring on September 30, 2023, with two (2) one-year renewal terms, at the option of the City Manager.

PASSED and ADOPTED this 26th day of October 2022.

ATTEST:

Rafael E. Granado, City Clerk

Dan Gelber, Mayor

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney *[Signature]*

10-6-22
Date