

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE ADMINISTRATION TO PREPARE AN AMENDMENT TO THE AGREEMENT DATED OCTOBER 23, 2019 BETWEEN THE CITY OF MIAMI BEACH AND THE RHYTHM FOUNDATION, INC. TO ALLOW THE CITY MANAGER TO EXTEND THE HOURS OF OPERATION OF THE MIAMI BEACH BANDSHELL, ON A CASE-BY-CASE BASIS, TO BROADCAST SPORTING EVENTS, INCLUDING MATCHES DURING THE COPA AMERICA 2024 TOURNAMENT; AND FURTHER, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE AMENDMENT SUBJECT TO REVIEW AND FORM APPROVAL BY THE CITY ATTORNEY.

WHEREAS, the City of Miami Beach and Rhythm Foundation, Inc. entered into a Management Agreement on October 23, 2019 (the "Agreement"), for the management of the Miami Beach Bandshell (formerly known as the North Shore Band Shell)(the "Bandshell"); and

WHEREAS, the Agreement stipulates that the hours of operation for the Bandshell shall generally be from 10: 00 am to 10: 00 pm, but allows the City Manager to extend the hours of operation on a case-by-case basis to 11:00 pm on the weekends (Fridays or Saturdays) and to 12:30 am on New Year's Eve, subject to the City Manager's prior written approval in each instance; and

WHEREAS, the broadcasting of sporting events at the Bandshell would connect the community and help to support local businesses in North Beach; and

WHEREAS, certain sporting events will run past the currently allowed hours of operation under the Agreement; and

WHEREAS, the schedule for certain live sporting events can extend until 12:30 am and accordingly, to serve the objectives above, it is necessary to amend the Management Agreement to grant the City Manager discretion to extend the hours of operation to 12:30 am, on a case-by-case basis, for the purpose of broadcasting live sporting events, provided the sound levels of the broadcast may not exceed 105dBC at any time; and

WHEREAS, the Mayor and City Commission desire to promote community engagement and to support businesses in North Beach.

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 direct the Administration to prepare an amendment to the Agreement dated October 23, 2019 between the City of Miami Beach and The Rhythm Foundation, Inc. to allow the City Manager the discretion to extend the hours of operation of the Miami Beach Bandshell, on a case-by-case basis, to broadcast sporting events, including matches during the *Copa America 2024* tournament; and further, authorizing the City Manager and City Clerk to execute the amendment subject to review and form approval by the City Attorney.

PASSED and **ADOPTED** this ____ day of _____ 2024.

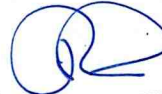
ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

(sponsored by Commissioner Joe Magazine)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

5/13/2024

Date