

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE AT ITS MAY 20, 2018 MEETING TO NAME THE 9TH STREET FITNESS AREA WITHIN LUMMUS PARK AS _____ AND, PURSUANT TO SECTION 82-503 OF THE CITY CODE, SETTING A PUBLIC HEARING FOR JULY 25, 2018 TO CONSIDER THE NAMING, AND DIRECTING THE CITY CLERK TO PUBLISH THE APPROPRIATE PUBLIC NOTICE.

WHEREAS, at the April 11, 2018 City Commission meeting, a discussion regarding the naming of the fitness area in Lummus Park was referred to the Neighborhood/Community Affairs Committee ("NCAC"); and

WHEREAS, at the May 22, 2018 NCAC meeting, the Committee recommended the following names for the 9th Street fitness area in Lummus Park, and moved the discussion to the City Commission:

- "Muscle Beach at Lummus Park"
- "Muscle Beach at South Beach"
- "Muscle Beach South Beach"; and

WHEREAS, following the NCAC discussion, a review of trademarks revealed that there is currently a holder of a trademark for the name "Muscle Beach South Beach"; and

WHEREAS due to the similarity of the names "Muscle Beach South Beach" and "Muscle Beach at South Beach," neither of these names is recommended unless permission is obtained from the holder of the "Muscle Beach South Beach" mark; and

WHEREAS, pursuant to the City's existing policies and procedures for the naming of interior portion(s) of a public facility, proposals must be in compliance with the provisions set forth in Section 82-503(b) of the City Code, which includes a referral to NCAC, a recommendation from NCAC, a public hearing by the City Commission, and a 5/7ths vote of approval by the City Commission at the public hearing; and

WHEREAS, the Mayor and City Commission wish to name the 9th Street fitness area within Lummus Park as _____, subject to the City entering into an agreement with the holder of the "Muscle Beach South Beach" trademark which grants the City permission to use the mark.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that Mayor and City Commission hereby accept the recommendation of the Neighborhood/Community Affairs Committee at its May 20, 2018 meeting to name the 9th Street fitness area within Lummus Park as _____ as set forth herein and pursuant to Section 82-503(a) of the City Code, hereby set a Public Hearing for July 25, 2018 to consider the naming, and direct the City Clerk to publish the appropriate public notice.

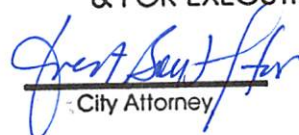
PASSED AND ADOPTED this 6th day of June, 2018.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

6/1/18

Date