

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, PURSUANT TO SECTION 142-425(d) OF THE CITY CODE; FOLLOWING A DULY NOTICED PUBLIC HEARING, APPROVING BY 5/7^{THS} VOTE OF THE CITY COMMISSION, THE WAIVER OF THE REQUIREMENTS OF SECTION 138-71 OF THE CITY CODE ENTITLED, "GENERAL ADVERTISING SIGNS," IN ORDER TO INSTALL THE LOGOS FOR THE GRANTORS, THE TRUST FOR PUBLIC LANDS AND TD BANK, FOR THEIR GRANT TO THE CITY OF FITNESS EQUIPMENT TO BE INSTALLED AT FLAMINGO PARK FITNESS ZONE AT FLAMINGO PARK LOCATED AT 1200 MERIDIAN AVENUE, MIAMI BEACH, FLORIDA, WHICH SIGN SHALL RECOGNIZE THE GRANTORS IN BOTH ENGLISH AND SPANISH.

WHEREAS, at the October 18, 2017 City Commission meeting, Resolution No. 2017-30053 was approved authorizing the City to accept a donation from The Trust For Public Land (TPL), a non-profit corporation established in 1972 to conserve land for people and create parks, gardens, trails and other special places, ensuring livable communities for generations to come, in the total amount of \$120,000, for the construction and installation of outdoor fitness equipment in an area to be known as the Fitness Zone ("project"), which equipment will be located in the area approved under the Flamingo Park Master Plan; and

WHEREAS, TPL funding for this project carries conditions that require a signage acknowledgement of 'TD Bank', as TD Bank provided the funding to TPL; and

WHEREAS, for the purposes of this Resolution, TPL and TD Bank, shall be jointly referred to as the "Grantors;" and

WHEREAS, one of the requirements under the grant is for the City to install two "Welcome to your Flamingo Park Fitness Zone" signs (one in English and one in Spanish), which would include the Grantors' logos, and the City of Miami Beach logo, with the dimensions of each of the signs being 25.625" x 39", to be located on the NW side of the fitness zone and up to an additional eight signs containing the Grantors' information; and

WHEREAS, pursuant to the requirements of Section 142-425(d) of the City Code, the Planning Board, at the Board's July 24, 2018 Meeting, reviewed the waiver of development regulations request to allow the advertising relating to Grantors' names to be placed on the signage for the Fitness Zone at Flamingo Park; and

WHEREAS, Section 138-71 of the City Code entitled "General Advertising Signs" precludes advertising on public property, and the logos and recognition of TPL or TB Bank would be considered advertising; and

WHEREAS, due to the grant funding the City seeks to waiver the requirements of Section 138-71 of the City Code in order to install the two signs (one in Spanish and one in English) in order to recognize the Grantors; and

WHEREAS, the Planning Board recommended to the City Commission to approve the waiver of the prohibition against general advertising contained in the land development regulations, so that the signage including the logos acknowledging the grant funding by Grantors, can be installed at the Fitness Center at Flamingo Park; and

WHEREAS, the original grant required that the names of the Grantors be installed by each piece of equipment, which would have resulted in over eight signs within the Fitness Zone at Flamingo Park; and

WHEREAS, at the September 12, 2018 City Commission meeting, Resolution No. 2018-30467 was adopted modifying the recommendation of the Planning Board in order to limit the number of signs being placed in the Fitness Zone at Flamingo Park, and set a public hearing for October 17, 2018; and

WHEREAS, the number of signs has been limited to two signs, one in English, one in Spanish, "Welcome to your Flamingo Park Fitness Zone" signs, which would include the Grantors' logos, and the City of Miami Beach logo, with the dimensions of each of the signs being 25.625" x 39", to be located on the NW side of the fitness zone; and

WHEREAS, the Administration recommends that the signage regulation be waived in accordance with the attached plan.

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, pursuant to Section 142-425(d) of the City Code; following a duly noticed public hearing, approving by 5/7^{ths} vote of the City Commission, the waiver of the requirements of Section 138-71 of the City Code entitled "General Advertising Signs," in order to install the logos for the Grantors, the Trust For Public Lands and TD Bank, for their grant to the City of fitness equipment to be installed at the Flamingo Park Fitness Zone at Flamingo Park located at 1200 Meridian Avenue, Miami Beach, Florida, which sign shall recognize the Grantors in both English and Spanish.

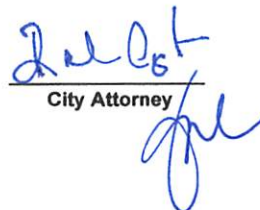
PASSED and ADOPTED this 17th day of October, 2018.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

9/27/18

Date

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8/10/18 [Signature]
Date City Attorney