

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE ADMINISTRATION TO NEGOTIATE AN AMENDMENT TO THE AGREEMENT BETWEEN THE CITY AND FRIENDS OF THE BASS MUSEUM, INC; SAID AMENDMENT PERMITTING THE OPERATION OF AN OUTDOOR CONCESSION AREA ADJACENT TO THE MUSEUM, WHICH WILL PROVIDE FOOD AND BEVERAGE CONCESSION SERVICES TO MUSEUM VISITORS AND THE GENERAL PUBLIC; AND FURTHER PROVIDING THAT THE FINAL NEGOTIATED AMENDMENT SHALL BE SUBJECT TO THE ADVANCE APPROVAL OF THE MAYOR AND CITY COMMISSION.**

**WHEREAS,** on March 18, 2016, the Administration presented a discussion item to the Finance and Citywide Projects Committee (FCWPC) requesting direction on pursuing food and beverage concessions at the Miami Beach Soundscape, Collins Park and the Miami Beach Botanical Garden; and

**WHEREAS,** due to the estimated high cost to renovate the Rotunda at Collins Park and make it suitable for a full-service food and beverage concession (with commercial kitchen, restrooms, life safety requirements, and ADA accessibility) in the approximate sum of \$929,000, the FCWPC directed staff to work with the Friends of the Bass Museum, Inc. (Bass), which manages the Bass Museum at Collins Park, to identify an alternate solution for providing an outdoor food and beverage concession at Collins Park; and

**WHEREAS,** the Bass Museum is currently under construction and anticipates that the construction will be completed in the spring of 2017; and

**WHEREAS,** the Bass issued a Request for Proposals (RFP) in June of 2016 to identify a caterer to operate its new indoor cafe and has negotiated an agreement with Thierry Catering; and

**WHEREAS,** after further discussions with Staff, the Bass is agreeable to expanding the new indoor cafe to the exterior of the Bass Museum building in order to serve museum visitors and members of the public and further activate Collins Park for approximately six months of the year (December – May); and

**WHEREAS,** the Agreement between the City and the Bass does not extend past the building footprint and the Bass is not authorized to operate an outdoor concession area in Collins Park; and

**WHEREAS,** the Bass has been in discussions with Thierry Catering to utilize their services for both the indoor cafe and the proposed outdoor concession area; and

**WHEREAS,** Thierry's Catering has advised the Bass that they are interested in operating the outdoor concession area adjacent to the Bass Museum building but are not interested in utilizing the Rotunda in conjunction with the outdoor concession; and

**WHEREAS,** Thierry's Catering has requested that the City provide security services for the outside concession area during operating hours; and

**WHEREAS,** the FCWPC was in favor of negotiating an agreement with the Bass for the outdoor concession area, including the City providing security services, and an abatement of any financial consideration to the City.

**NOW, THEREFORE, BE IT DULY RESOLVED THAT THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA,** that the Mayor and City Commission hereby authorize the Administration to negotiate an amendment to the agreement between the City and Friends of the Bass Museum, Inc.; said amendment permitting the operation of an outdoor concession area adjacent to the museum, which will provide food and beverage concession services to the museum visitors and the general public; and further provide that the final negotiated amendment shall be subject to the advance approval of the Mayor and City Commission.

**PASSED** and **ADOPTED** this \_\_\_\_ day of \_\_\_\_\_ 2017.

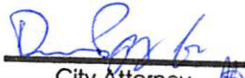
ATTEST:

\_\_\_\_\_  
**RAFAEL E. GRANADO, CITY CLERK**

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**PHILIP LEVINE, MAYOR**

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APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

 1/4/17  
City Attorney Date