



MIAMI BEACH

Special City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
February 20, 2007

Mayor David Dermer
Vice-Mayor Simon Cruz
Commissioner Matti Herrera Bower
Commissioner Michael Góngora
Commissioner Saul Gross
Commissioner Jerry Libbin
Commissioner Richard L. Steinberg

City Manager Jorge Gonzalez
City Attorney Jose Smith
City Clerk Robert E. Parcher

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's Office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

Meeting called to order at 5:24:26 p.m.

REGULAR AGENDA

R7 - Resolutions

- R7A A Resolution Approving On Second And Final Reading, In Accordance With The Requirements Of Sections 163.3220 - 163.3243, Florida Statutes, Also Referred To As The "Florida Local Government Development Act," A First Addendum ("Addendum") To The Development Agreement Between The City Of Miami Beach ("City") And The New World Symphony ("NWS"), Dated January 5, 2004, Which Agreement Provided For Development Of That Certain Project (Formerly Referred To As "Soundspace" And Now Referred To As The "New World Symphony Campus Expansion Project"), Which Provides For The Design, Development And Construction Of A Not To Exceed 50,000 Square Foot Educational Performance And Internet Broadcast Facility And An Exterior Screen, A Public Parking Garage Containing Both Parking And Ground Floor Retail Space, And Certain Other Public Streetscape Improvements, Including A Park; Approving Said First Addendum And Authorizing NWS To Proceed With The Following Public Improvements, Funded By The City, And To Be Designed, Developed, And Constructed By NWS (In Accordance With The Terms Of The Development Agreement, As Amended By The First Addendum): The Parking Garage, At A Total Cost Not To Exceed \$15,210,135; The Park Adjacent To The Proposed NWS Campus Expansion (The Park Project), At A Total Cost Not To Exceed \$14,960,000; And Certain Other Additional Public Streetscape Improvements (The Additional Improvements), At A Total Cost Not To Exceed \$6,400,000; Further Authorizing The Administration To Release Certain Initial Funding To NWS, In

The Not To Exceed Amount Of \$3,500,000, To Proceed With Design Development Of The Garage And The Park Portions Of The Project, (Said Funding To Be Appropriated By The Miami Beach Redevelopment Agency From City Center Redevelopment Area Funds And Subject To Further Final Approval Of This First Addendum, And Execution Of Same By The City And NWS. Upon Approval Of The Addendum. **5:00 p.m. Second Reading, Public Hearing**

(Economic Development)

(Continued from February 14, 2007)

ACTION: Public Hearing held. Resolution No. 2007-26475 adopted. The first addendum to the development agreement between the City Of Miami Beach and the New World Symphony dated January 5, 2004 was amended. Motion made and seconded by the City Commission; Approved by acclamation of the City Commission; Voice vote: 7-0. Tim Hemstreet to handle.

Amendment:

Add language In Exhibit G where it talks about the qualifying expenditures related to the \$15 million, language needs to be added to clarify that expenditures need to be RDA eligible expenditures

End

Jorge Gonzalez, City Manager, stated that regarding the grant-in-aid requested by the New World Symphony (NWS) the City will provide assistance to the NWS as they need it, when they need it. The grant is not available before October 2009 and also it is not available to the NWS until the NWS shows evidence of having expended \$135 million of other funding resources. Then and only then will the City's \$15 million be made available if the NWS demonstrates evidence that the project is in budget. He stated the last dollars to be used on the project will be the City's \$15 million. He added that the items before the City Commission today are the best compromise between the City and the NWS relative to the overall project which is upwards of a \$150 to \$200 million investment in the City owned land bounded by Washington Avenue, Pennsylvania, Lincoln Lane, and 17 Street.

Commissioner Libbin clarified the statement that the City funds were going to be the last dollars in, that if the project was going to exceed the \$150 million, the City would be contributing after the \$135 million; however, the City would require the NWS to demonstrate that the additional funds are available.

Tim Hemstreet, Assistant City Manager, stated, for the record, that the actual first addendum being voted on today is the redline copy distributed on the dais. He reviewed several changes which were made from the weekend version to the current redline version distributed on the dais.

Commissioner Gross stated that he is in total support of the project and recognized Howard Herring, Neisen Kasdin, Howard Frank, Michael Tilson Thomas, Paul Sejas, Tim Hemstreet, and Raul Aguila.

Jorge Gonzalez, City Manager, stated that for the record he wanted to clarify a last minute amendment. In Exhibit G where it talks about the qualifying expenditures related to the \$15 million, language needs to be added to clarify that expenditures need to be RDA eligible expenditures. Raul Aguila, First Assistant City Attorney, to handle.

Commissioner Steinberg spoke about the screen and to be able to view the screen from the park and the City would be able to program the screen both day and night.

Howard Herring, President of the New World Symphony, addressed several issues related to the screen.

Tim Hemstreet, Assistant City Manager, stated that the present agreement does call for a programming agreement with NWS which need to be negotiated and executed prior to the NWS

pulling a building permit that will address some of the issues raised, such as who programs the screen, what kinds of programs will be shown, it needs to be non-commercial, and it will consider allowing some of the local art groups and community groups to have access to the screen.

Neisen Kasdin spoke.

Commissioner Libbin raised the issue of parking spaces issue and asked how the City was going to handle.

Jorge Gonzalez, City Manager, stated that this issue should not be addressed at the dais today. The Administration is aware of this issue and will need to work with the NWS and the other developer. He explained that while it appears to be a simple issue, it is more complex and will need some time to be worked out.

Mayor Dermer and each Commissioner thanked the staff and the NWS.

David Kelsey stated that he is concerned about eliminating parking spaces in the business area.

Michael Tilson Thomas, spoke about the project.

Handout or Reference Materials:

1. Amended First Addendum to Development Agreement was distributed on the dais
2. Notice in The Miami Herald: AD # 421
3. Article titled "The Face-the-Music Academy" published February 18, 2007, by Daniel J. Wakin
4. Article in The New York Times, Arts & Leisure Section, Sunday, February 18, 2007, by Daniel J. Wakin

Miami Beach Redevelopment Agency

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive

February 20, 2007

Chairman of the Board David Dermer
Member of the Board Matti Herrera Bower
Member of the Board Simon Cruz
Member of the Board Michael Góngora
Member of the Board Saul Gross
Member of the Board Jerry Libbin
Member of the Board Richard L. Steinberg

Executive Director Jorge M. Gonzalez
Assistant Director Tim Hemstreet
General Counsel Jose Smith
Secretary Robert E. Parcher

AGENDA

1. NEW BUSINESS

- A A Resolution Of The Chairman And Members Of The Miami Beach Redevelopment Agency Approving And Authorizing An Initial Appropriation Of \$3,500,000 From City Center/Historic Convention Village (City Center) Redevelopment Agency Funds, To The City Of Miami Beach, In Order To Proceed With Design Development Of Certain Public Improvements, As Further Set Forth In This Resolution, To Be Designed, Developed And Constructed By The New World Symphony, In Accordance With The Development Agreement Between The City Of Miami Beach ("City") And The New World Symphony ("NWS"), Dated January 5, 2004, Which Project Provides For The Design, Development And Construction Of A Not To Exceed 50,000 Square Foot Educational Performance And Internet Broadcast Facility And An Exterior Screen (Formerly Known As "Soundspace" And Now Referred To As "The New World Symphony Campus Expansion Project"), A Public Parking Garage Containing Both Parking And Ground Floor Retail Space, And Certain Other Public Streetscape Improvements, Including A Park; Said Appropriation To Be Subject To And Contingent Upon Approval By The Mayor And City Commission Of A Proposed First Addendum To The Development Agreement, Scheduled For Second And Final Public Reading By The City Commission On February 20, 2007.

(Economic Development)

ACTION: Resolution No. 543-2007 adopted. Motion made by Commissioner Gross; seconded by Commissioner Bower; Voice-vote: 7-0. Tim Hemstreet to handle.

Meeting adjourned at 6:19:46 p.m.