

RESOLUTION NO. 2013-05-1801

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, WAIVING THE ART IN PUBLIC PLACES REQUIREMENTS OF SECTION 20, ARTICLE IV OF THE CITY'S CODE AS IT RELATES TO THE CITY HALL PROJECT; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 20, Article IV of the City's Code of Ordinances, when the City undertakes a public construction project, the City is required to set aside funds, which can be used for the acquisition, insurance, maintenance and preservation of works of art and certain expenses relating to the Art in Public Places Program, and

WHEREAS, the City has undertaken the construction of the new City Hall Municipal Complex, and

WHEREAS, in accordance with the art in public places Ordinance, the City Council would be required to set aside one and one-half percent (1½%) of the construction cost of the City Hall project for the Art in Public Places Program, and

WHEREAS, the City Manager is requesting that the City Council waive the art in public places requirement relating to setting aside one and one-half percent (1½%) of construction cost for the art in public places program due to the fact that the City Manager is unable at this time to determine whether or not there will be funds available at the end of the project for this purpose, and

WHEREAS, the City Manager is also asking that the City Council waive the art in public places advisory committee requirement, in light of the fact, that would be more expeditious to allow the City Manager to review the proposals and make a recommendation to the City Council for approval,

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NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA AS FOLLOWS:

Section 1: ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2: AUTHORIZATION: The City Council of the City of Miami Gardens hereby waiving the art in public places requirements of Section 20, Article IV of the City's Code.

Section 3: EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON JANUARY 9, 2013.



OLIVER GILBERT, III, MAYOR

ATTEST:



RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

SPONSORED BY: DR. DANNY O. CREW, CITY MANAGER

Moved by: Councilman Williams
Second by: Councilwoman Robinson

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VOTE: 7-0

Mayor Oliver Gilbert, III	<u>X</u> (Yes)	_____ (No)
Vice Mayor Lisa Davis	<u>X</u> (Yes)	_____ (No)
Councilwoman Lillie Q. Odom	<u>X</u> (Yes)	_____ (No)
Councilman David Williams Jr	<u>X</u> (Yes)	_____ (No)
Councilwoman Felicia Robinson	<u>X</u> (Yes)	_____ (No)
Councilman Rodney Harris	<u>X</u> (Yes)	_____ (No)
Councilman Erhabor Ighodaro, Ph.D.	<u>X</u> (Yes)	_____ (No)



1515 NW 167 Street, Building 5 Suite 200
Miami Gardens, Florida 33169

City of Miami Gardens Agenda Cover Memo

Council Meeting Date:	January 9, 2012		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other	
				X			
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading	
	X			Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes
Funding Source:	Bond		Advertising Requirement: <i>(Enter X in box)</i>		Yes		No
						X	
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid #:				
	X						
Strategic Plan Related <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area: Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Image <input type="checkbox"/> Communications <input type="checkbox"/>	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i>			
Sponsor Name	Danny Crew, City Manager		Department:	Capital Improvements			

Short Title:

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Staff Summary:

In 2010, City Council approved Ordinance No. 2012-22-230 establishing the City of Miami Gardens Art in Public Places (AIPP) program. The purpose of this Ordinance is to enhance the aesthetic environment of the City by including works of art on public property within the City on City construction projects.

**ITEM K-5) CONSENT AGENDA
RESOLUTION
Waiving Art in Public
Places Requirement**

Due to time constraints, uncertainty of remaining project costs and no appointments to the Art in Public Places Advisory Committee, City staff is requesting a waiver for Art in Public Places project associated with the new City Hall Municipal Complex. While we may have funds available at the end of the project, it is by no means certain.

AIPP waivers are needed in two areas:

- Waive the 1.5% of construction cost required to allocate towards AIPP for the City Hall Municipal Complex. City staff will endeavor to fund an AIPP project associated with City Hall Municipal Complex as funds become available.
- Waive the Art in Public Places Advisory Committee review/recommendation requirement; thus allowing the City Manager to review proposals and propose a recommendation to Council for approval. When said funds become available, City staff will need to act quickly to ensure appropriate timing for production and installation.

Proposed Action:

It is recommended that City Council authorize the City Manager to waive requirements of the Art in Public Places (AIPP) program associated with the City Hall Municipal Complex.

Attachment:

None.