

RESOLUTION No. 2007-106-613

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER, IN CONSULTATION WITH THE MAYOR, TO SELECT AN ENTITY OR ENTITIES AND TO NEGOTIATE AND EXECUTE AGREEMENT(S) FOR THE PRODUCTION OF *JAZZ IN THE GARDENS 2008*, SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY ATTORNEY; AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE EVENT; PROVIDING FOR EXCEPTIONS/WAIVERS TO BID AND QUOTATION PROCEDURES WHERE NECESSARY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, last year, the City of Miami Gardens hosted its second *Jazz in the Gardens* ("Event"), and

WHEREAS, *Jazz in the Gardens* proved to be a successful regional event that attracted both local residents and residents of the Tri-County area, and

WHEREAS, in anticipation of next year's Event, and in an effort to improve upon last year's Event, City staff has researched using the services of a producer to handle the detailed aspects of putting on the Event in 2008, and

WHEREAS, City staff is in the process of negotiation with vendors to provide the requisite services, for this purpose, and

WHEREAS, in light of the fact that *Jazz in the Gardens* is the City's signature Event, it is important that the City select a producer that has handled these types of events before, and that the City is able to give input as to the type of event, artist selection and other matters, and

WHEREAS, in light of the uniqueness of the Event, City staff believes that it would not be prudent for the selection of the Event producer to be subject to competitive bidding procedures of the City's Purchasing Ordinance, so City staff is requesting that

the City Council waive the competitive bidding requirements and authorize the City Manager, in consultation with the Mayor, to select an entity and to negotiate and contract with such entity for the production of the Event, and

WHEREAS, the City will endeavor to support the local vendors and talents whenever possible and will encourage the selected producer to do the same, and

WHEREAS, performing artists and entertainers, as well as artistic services, are exempt from the bidding/quotation requirement of the City's Purchasing Ordinance, and

WHEREAS, in the event the City is able to secure "top shelf" artists to perform at the event, the City Manager may be required to exceed his purchasing authority, without having the necessary time to bring matters back to the City Council for approval, and

WHEREAS, it is being requested that the City Council authorize the City Manager to exceed his purchasing authority, outlined in the City's Purchasing Ordinance, without having to come back to the City Council for approval,

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. AUTHORITY: The City Council of the City of Miami Gardens, finds that the competitive bidding procedures of the City's Purchasing Code should be waived, under the circumstances and within the parameters described herein, in light of the services to be provided, and hereby authorizes the City Manager, in consultation with the Mayor, to select an entity and to negotiate and execute a contract(s) with such

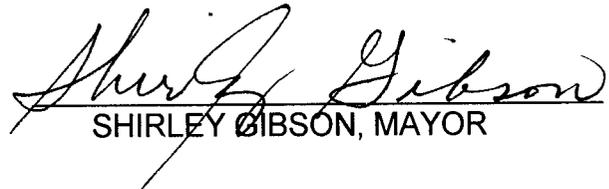
entity or entities, as may be necessary and appropriate, for the production of *Jazz in the Gardens 2008*, with the proviso that any such agreement be reviewed and approved by the City Attorney.

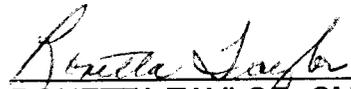
Section 3. WAIVER: The City Council of the City of Miami Gardens hereby waives the bidding procedures of the City's Purchasing Ordinance, for purchases made in connection with the Event, and authorizes the City Manager to exceed his purchasing authority, as may be necessary therefor.

Section 4. 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 JULY 11, 2007.

ATTEST:


SHIRLEY GIBSON, MAYOR


RONETTA TAYLOR, CMC, CITY CLERK

Prepared by JAMES C. BRADY, ESQ.
Assistant City Attorney

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

MOVED BY: Vice Mayor Braynon
SECONDED BY: Councilman Campbell

VOTE: 6-0

Mayor Shirley Gibson	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)	
Vice Mayor Oscar Braynon, II	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)	
Councilman Melvin L. Bratton	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)	
Councilman Aaron Campbell	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)	
Councilman André Williams	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)	
Councilwoman Sharon Pritchett	<input type="checkbox"/> (Yes)	<input type="checkbox"/> (No)	Not present
Councilwoman Barbara Watson	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)	

City of Miami Gardens

1515-200 NW 167th Street
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Oscar Braynon II
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilwoman Barbara Watson
Councilman André Williams

Agenda Cover Page

Date: 6-27-07

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Public hearing

Ordinance

Quasi-Judicial

Resolution

Funding Source: **General Fund – Community Outreach Div** 1st Reading 2nd Reading

Contract/P.O. Requirement: Yes No Advertising requirement: Yes No

Sponsor Name/Department: **City Manager, Danny O. Crew** RFP/RFQ/Bid # _____

Title

A Resolution of the City Council of the City of Miami Gardens, authorizing the City manager, in consultation with the Mayor, to select an entity or entities and to negotiate and expedite agreement(s) for the production of Jazz in the Gardens 2008, subject to the review and approval of the City Attorney; authorizing the expenditure of funds for the event; providing for exceptions/waivers to bid and quotation procedures where necessary; providing for the adoption of representations; providing an effective date.

Staff Summary

The City conducted its second annual *Jazz in the Gardens* event on March 25th & 26th, 2007 at Dolphins Stadium. This featured local and national contemporary, blues, jazz and R & B acts, with a festival environment from 3:00pm to midnight. There were approximately 9,500 attendees over the two-day period, a significant increase from the 2,500 attendees during the first year. The venue, booths, entertainment and décor were well received by the community, although we have identified a number of areas that can be enhanced.

We have started planning for next year's event and are negotiating with the Dolphins Stadium to have the event during the last few week-ends in March, 2008. It is our intent to start the planning process much earlier and to build the sponsorship, attendance, ticket sales, premium sales and profile of the event. The City has developed a tentative budget to serve as a blueprint for producing and staging this year's event (**Exhibit 1**).

We have been researching organizations that would be able to produce this event for the City, in the three critical areas of: 1. Sponsorship acquisition; 2. Marketing & Public relations; and 3. Talent Acquisition, Production & on-site coordination. We would work with them to ensure that they capture the vision, theme and image we want to convey.

We are negotiating with vendors with experience in participating in similar Jazz-styled theme to what we are seeking. We anticipate the negotiation process will be completed shortly, after which we would start the sponsorship process immediately.

**J-6) CONSENT AGENDA
RESOLUTION
JAZZ IN THE GARDENS 2008**

Under our proposal the contractors would be responsible for coordinating all the necessary services (stage, light, sound, printing, etc.) on the City's behalf at a fixed fee, plus a percentage of any sponsorship funding they obtain. Expenses would be pre-approved and paid by the City.

In addition, we anticipate that performing artists, advertising, marketing and expenditures in several areas will exceed the Manager's authority as proscribed under the Purchasing Code. If we are required to bring each of these matters back to the Council for approval, we would have difficulty negotiating the various agreements for these services in a timely manner. As such we request authorization to allow the City Manager to exceed his purchasing authority, as it relates to the expenditures for the 2008 Jazz Festival.

Recommendation

Because of the unique nature of these services, we recommend authorization for the City Manager to negotiate contracts for: Sponsorship acquisition; Marketing & Public relations; and Talent Acquisition, Production & on-site coordination for the 2008 *Jazz in the Gardens* festival; waiver of bid requirements and approval of the total expenditures as proposed in the tentative budget. (This is similar to what was done last year, with monthly reporting of activities that would exceed my authority).

Attachment

Festival Staffing		
Concertz	fee included in contract proposal	
Producer	fee included in contract proposal	
Producer/Production Manager	fee included in contract proposal	
Associate Producer		
Vendor Coordinator		
Food Vendor Coordinator		
Stage Manager		
Asst Stage Manager		
Runner/Prod. Asst.		
Artist Liaison/Transportation		
Artist Liaison		
Usher Director		
Dressing Rooms Coordinator/Runner		\$ 12,000.00
Talent		
Artists & Performers	\$ 230,000.00	
Hosts/M/C's	\$ 5,000.00	
Rider		
Dinner Buyouts	\$ 5,000.00	
Hotels	\$ 20,000.00	
Local Ground	\$ 15,000.00	\$ 275,000.00
Venue		
Trailers	\$ 8,500.00	
Décor	\$ 20,000.00	
Insurance	\$ 3,500.00	
Misc Supplies	\$ 5,000.00	\$ 37,000.00
Production & Labor		
Stage	\$ 20,000.00	
Lights	\$ 20,000.00	
Sound	\$ 20,000.00	
Technicians	\$ 9,000.00	
Video/Camera Crew	\$ 20,000.00	
Grandstand	\$ 18,000.00	
Event Sinage (scrims, fascades, archways)	\$ 15,000.00	
Signage Buildout	\$ 5,000.00	
Backline Equipment Rental	\$ 15,000.00	
Stagehands & Loaders/Spotlight Operators	\$ 15,000.00	
Catering (Production Tues-Mon)	\$ 5,000.00	
Misc. Production expenses	\$ 10,000.00	\$ 172,000.00

EXHIBIT 1

RESOLUTION No. 2006-99-445-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER, IN CONSULTATION WITH THE MAYOR, TO SELECT AN ENTITY AND TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR THE PRODUCTION OF *JAZZ IN THE GARDENS 2007*, SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY ATTORNEY, AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE EVENT; PROVIDING FOR EXCEPTIONS/WAIVERS TO BID AND QUOTATION PROCEDURES WHERE NECESSARY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, this year, the City of Miami Gardens hosted its first ever *Jazz in the Gardens* ("Event"), and,

WHEREAS, *Jazz in the Gardens* proved to be a successful regional event that attracted both local residents and residents of the Tri-County area, and

WHEREAS, in anticipation of next year's Event, and in an effort to improve upon last year's Event, City staff has researched using the services of a producer to handle the detailed aspects of putting on the Event in 2007, and

WHEREAS, City staff is in the process of negotiation with vendors to provide the requisite services, for this purpose, and

WHEREAS, in light of the fact that *Jazz in the Gardens* is the City's signature Event, it is important that the City select a producer that has handled these types of events before, and that the City is able to give input as to the type of event, artist selection and other matters,

WHEREAS, in light of the uniqueness of the Event, City staff believes that it would not be prudent for the selection of the Event producer to be subject to competitive bidding procedures of the City's Purchasing Ordinance, so City staff is requesting that the City Council waive the competitive bidding requirements and permit the City Manager, in

consultation with the Mayor to select an entity and to negotiate and contract with and entity for the production of the Event, and

Whereas, the City will endeavor to support the local vendor and talents whenever possible and will encourage the selected producer to do the same, and

WHEREAS, performing artists and entertainers as well as artistic services, are exempt from the bidding/quotation requirement of the City's Purchasing Ordinance, and

WHEREAS, in the event the City is able to secure "top shelf" artists to perform at the event, the City Manager may be required to exceed his purchasing authority, without having the necessary time to bring matters back to the City Council for approval, and

WHEREAS, it is being requested that the City Council authorize the City Manager to exceed his purchasing authority outlined in the City's Purchasing Ordinance, without having to come back to the City Council for approval, and

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. AUTHORITY: The City Council finds that the competitive bidding procedures of the City's Purchasing Code should be waived in light of the services to be provided, and hereby authorize the City Manager, in consultation with the Mayor, to select a contractor and to negotiate and execute an Agreement for the production of *Jazz in the Gardens 2007*, with the proviso that any such agreement be reviewed and approved by the City Attorney.

Section 3. WAIVER: The City Council hereby waives the bidding procedures of the City's Purchasing Ordinance, for purchases made in reference to the Event, and authorizes the City Manager to exceed his purchasing authority, as may be necessary

Section 4. 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 SEPTEMBER 13, 2006.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: MAYOR, SHIRLEY GIBSON

MOVED BY: Vice Mayor Braynon

SECONDED BY: Councilwoman Pritchett

VOTE: 7-0

Mayor Shirley Gibson	<u>x</u> _____ (Yes)	____ (No)
Vice Mayor Oscar Braynon, II	<u>x</u> _____ (Yes)	____ (No)
Councilman Melvin L. Bratton	<u>x</u> _____ (Yes)	____ (No)
Councilman Aaron Campbell	<u>x</u> _____ (Yes)	____ (No)
Councilman Ulysses Harvard	<u>x</u> _____ (Yes)	____ (No)
Councilwoman Sharon Pritchett	<u>x</u> _____ (Yes)	____ (No)
Councilwoman Barbara Watson	<u>x</u> _____ (Yes)	____ (No)

SKD/yt