

RESOLUTION No. 2008-97-784

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 2009*, 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 third *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 would like to negotiate for a producer 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

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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, 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 2009*, 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 MAY 28, 2008.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA K. DICKENS
City Attorney

SPONSORED BY: MAYOR SHIRLEY GIBSON

MOVED BY: Councilman Gilbert
SECOND BY: Councilman Bratton

VOTE: 7-0

Mayor Shirley Gibson	<u> X </u> (Yes)	<u> </u> (No)
Vice Mayor Barbara Watson	<u> X </u> (Yes)	<u> </u> (No)
Councilman Oliver Gilbert, III	<u> X </u> (Yes)	<u> </u> (No)
Councilman Melvin L. Bratton	<u> X </u> (Yes)	<u> </u> (No)
Councilman Aaron Campbell	<u> X </u> (Yes)	<u> </u> (No)
Councilman André Williams	<u> X </u> (Yes)	<u> </u> (No)
Councilwoman Sharon Pritchett	<u> X </u> (Yes)	<u> </u> (No)

City of Miami Gardens

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



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Aaron Campbell Jr.
Councilman André Williams
Councilman Melvin L. Bratton
Councilwoman Sharon Pritchett
Councilman Oliver Gilbert III

Agenda Cover Page

Date: 5-28-08

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

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Staff Summary

The City conducted its third annual *Jazz in the Gardens* event on March 15th & 16th, 2008 at Dolphins Stadium. This featured local and national contemporary, blues, jazz and R & B acts, with a festival environment. There were approximately 16,000 attendees over the two-day period, a significant increase from the 9,500 in the previous year and 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 over a two-day week-end in March, 2009. 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**).

**K-1) CONSENT AGENDA
RESOLUTION
JAZZ IN THE GARDENS 2009**

Last year we researched 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 were happy with the performance of the critical players during last year's event and would like to negotiate the terms for their continued participation. We were able to work with them to ensure that they captured the vision, theme and image we want to convey.

We will continue 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.

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 2009 Jazz Festival.

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 2009 *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

Jazz in the Gardens
2009 Festival Budget

EXPENSES

Talent & Production	\$	1,008,000
Stadium Operations (Net)	\$	70,000
Marketing & Media	\$	225,000
Total Expenses	\$	1,303,000

REVENUES

Sponsorships	\$	500,000
Cultural Affairs Grants	\$	2,500
Ticket Sales	\$	600,000
VendorBooths	\$	20,000
Food Vendor Booths	\$	30,000
Merchandise Sales	\$	5,000
Total Revenues	\$	1,157,500
City of Miami Gardens	\$	145,500

Ex A Page 1

Line Items	Line Totals Budgeted	2009 Proposed Budget	2008 Actuals	2008 Adjusted Budget
Talent Saturday		\$ 225,000.00	280,000	\$ 390,000
Talent Sunday		\$ 225,000.00	168,500	\$ 130,000
Talent Jazziz		\$ 1,000.00	900	
Rider		\$ 60,000.00	66,564	\$ 57,500
(Dinner Buyouts)	\$ 3,500.00			
Outside Catering	\$ 1,500.00			
Boston Culinary Catering	\$ 7,000.00			
Hotels	\$ 33,000.00			
Hotels				
Local Ground	\$ 15,000.00			
Venue		\$ 73,000.00	72,273	\$ 50,200
Trailers	\$ 13,000.00			
Décor	\$ 25,000.00			
Sponsor Catering (Boston Culinary)	\$ 25,000.00			
Vendor Buyout	\$ 4,000.00			
Insurance	\$ 3,500.00			
Prod. Trailer Office Supplies	\$ 1,000.00			
Dressing Rooms	\$ 1,500.00			
Production & Labor		\$ 239,100.00	242,736	\$ 221,400
Stage	\$ 35,000.00			
Lights	\$ 20,000.00			
Sound	\$ 25,000.00			
Technicians	\$ 10,000.00			
Piano Tuner	\$ 400.00			
Video/Camera Crew	\$ 35,000.00			
Grandstand	\$ 20,000.00			
Event Sinage (L.E.D. Walls & Towers)	\$ 14,850.00			
Signage Buildout (Structural)	\$ 5,000.00			
Backline Equipment Rental	\$ 18,000.00			
Stagehands/Loaders/Spotlight Op	\$ 25,000.00			
Union Riggers	\$ 6,000.00			
Vendor Coordinator	\$ 5,000.00			
Usher Coordinator	\$ 1,250.00			
Talent Liaison	\$ 2,000.00			
Dressing Rooms	\$ 750.00			
Sponsor Garden Manager	\$ 1,500.00			
Site Operations Manager	\$ 2,000.00			
Stage Manager	\$ 1,500.00			
Event Operations Manager	\$ 2,000.00			
Production Runner (2)	\$ 400.00			
Artist Runners (2)	\$ 400.00			
Photographer/Wire Service				
Catering (Production Tues-Mon)	\$ 3,000.00			
Hotels	\$ 5,050.00			

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Producer Fees		\$ 156,000.00	126,000	\$ 125,000
Producer Contract	\$ 125,000.00			
Sponsor Management	\$ 30,000.00			
Sponsor Management Expenses	\$ 1,000.00			
Sponsor Commission				
Miscellaneous		\$ 2,950.00	2,704	\$ 1,400
Credentials - (laminates)	\$ 1,000.00			
Credentials - (parking)	\$ 550.00			
Credentials - (wristbands)	\$ 700.00			
Credentials - (Lanyards)	\$ 200.00			
Sponsor Tickets	\$ 500.00			
Volunteers - Food, Shirts, etc				
Ticket Commission				
Golf		\$ 25,300.00	22,605	\$ 20,000
Course	\$ 16,000.00			
Luncheon	\$ 5,000.00			
Trophies	\$ 800.00			
Golf Shirts	\$ 3,000.00			
Signage	\$ 500.00			
TOTAL EXPENSES		\$ 1,007,350.00	982,282	\$ 995,500