

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner David Richardson
DATE: October 26, 2022

SUBJECT: REFERRAL TO THE OCTOBER 31, 2022 FINANCE AND ECONOMIC RESILIENCY COMMITTEE MEETING TO DISCUSS IMPROVING THE PROCESS FOR THE CITY'S COMMUNITY BENEFIT WAIVER PROGRAM AND CITY'S SUPPORT FOR NON-PROFIT EVENTS TAKING PLACE AT THE FILLMORE MIAMI BEACH, THE COLONY THEATER, AND THE MIAMI BEACH BANDSHELL.

RECOMMENDATION

I have been discussing these matters with representatives of the Cultural Arts Council (CAC) for several months. Just recently, the CAC discussed these matters and passed a resolution encouraging more flexibility in the review and award of fee waivers.

Therefore, please place on the October 26, 2022 agenda a referral to the October 31, 2022 Finance and Economic Resiliency Committee, to discuss improving the City Community Benefit Waiver Program. The City Administration does not need to be ready to present any recommendations at this meeting, but rather hear from the Committee on issues that need to be addressed in an upcoming committee meeting.

Pursuant to the City's Management Agreement with Live Nation, a surcharge of \$1.50 per ticket sold at the Fillmore Live Nation is allocated to a Community Benefit Fund, which is used to underwrite performing arts activities in Miami Beach. The City's Management Agreement with the Rhythm Foundation and Miami New Drama, for the operation of the Miami Beach Bandshell and the Colony Theater, respectively, each contain provisions to provide for up to twelve (12) rental waivers for qualifying non-profit events. The rental waiver applications are reviewed by the Tourism and Culture Department, and awarded by the Cultural Arts Council.

First, I would like to discuss changing the process for the timing of the Cultural Arts Council awards, as several organizations have expressed concerns that there is too short of a notice before a given show is awarded a waiver. For example, I understand that the CAC will review applications in October for the first six months of 2023, leaving applicants with a show in January little time to plan with the certainty that their event will be funded. I would ask that the Administration please review the timing for the CAC awards and be prepared to make any recommendations to better address this issue.

Second, I would like to review and possibly create the ability to transfer unused waivers between venues. Specifically, if a waiver is unused at the Colony Theater for any reason, I would like for the Bandshell or The Fillmore to be able to utilize any unused waiver, to ensure maximum utilization of rental waivers for the benefit of non-profit cultural arts events in the city. To this end, I would like to discuss the issue at Committee, as I understand that the fees reimbursed pursuant to the waiver program vary under each management agreement, and implementation of this concept may require a procedure for identifying unused rental waivers each year (and the total amounts that correspond to the unused waivers). I also understand that amendments to the management agreements with the Rhythm Foundation and Miami New Drama may be required.

I would ask for the Administration to review and provide recommendations for the most efficient way to approach this issue, but only after hearing issues, concerns, and discussing the matter at the October FERC meeting. The item will be introduced at the October FERC meeting, and then again when the Administration is ready to make recommendations.

SUPPORTING SURVEY DATA

N/A

FINANCIAL INFORMATION

N/A

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

No

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Prosperity - Market and promote Miami Beach as a world class arts, culture, and quality entertainment destination.

Legislative Tracking

Commissioner David Richardson