

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING REVISIONS TO THE FORM OF GRANT AGREEMENT TO BE EXECUTED BY ORGANIZATIONS RECEIVING GRANT AWARDS FUNDED FROM THE PROCEEDS OF THE CONTEMPLATED GENERAL OBLIGATION BOND FOR ARTS & CULTURE ISSUANCE TO INCORPORATE A CONTINGENCY FOR CERTAIN GRANTS AS WELL AS OTHER REASONABLE CHANGES REQUESTED BY GRANTEE ORGANIZATIONS; AND FURTHER, AUTHORIZING THE CITY MANAGER TO FINALIZE A GRANT AGREEMENT WITH EACH GRANTEE, WHICH AGREEMENTS SHALL INCLUDE THE AMOUNT OF GRANT AWARD AND ADDITIONAL PUBLIC BENEFITS PROVIDED BY EACH GRANTEE, AS APPROVED BY THE CITY COMMISSION; AND FURTHER, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE FINAL GRANT AGREEMENT WITH EACH OF THE G.O. BOND GRANTEES.

WHEREAS, at the July 20, 2022 Commission meeting, the Mayor and Commission approved Resolution No. 2022-32261, authorizing a special election, submitting to the electorate of the City of Miami Beach the question asking whether the City shall be authorized to issue general obligation bonds, not exceeding \$159,000,000, to improve facilities for resiliency of arts and cultural institutions throughout the City (the “G.O. Bonds for Arts & Culture”), including museums, performance venues, artistic playgrounds, senior/cultural centers, botanical garden, aquatic sculpture park, and related artist/workforce housing; and

WHEREAS, some of the projects that will be funded by the G.O. Bonds for Arts & Culture will require the City to enter into grant agreements with the recipient cultural institutions; and

WHEREAS, at the November 16, 2022 Commission meeting, the Mayor and Commission approved Resolution No. 2022-32405 directing the Administration and City Attorney's Office to negotiate and secure public benefits for residents of the City as part of the grant agreements with cultural arts organizations that will receive G.O. Bond for Arts & Culture funds, which could include public access requirements, discounted tickets to residents and free performances or other activations; and

WHEREAS, the City Attorney's office, working with City staff that will be involved in the deployment of the G.O. Bond for Arts & Culture, prepared a form of grant agreement to be executed by the cultural arts institutions that will receive grants funded by the G.O. Bond for Arts & Culture that was approved by bond counsel and tax counsel and, subsequently, by the City Commission at its March 27, 2023 meeting pursuant to Resolution No. 2023-32523 (the “Original Grant Agreement Template”); and

WHEREAS, certain projects that were originally budgeted as though they would be managed by the City are instead going to be managed by grantees, the Finance and Economic Resiliency Committee recommended (1) that amounts previously budgeted for project management by the City be included in the grant awards for the New World Symphony, the Holocaust Memorial and the Miami Beach Hispanic Community Center and (2) that the owner's contingency initially budgeted for use by the City be made available to the grantee organizations for the approved scope of projects, subject to the City Manager's prior approval; and

WHEREAS, certain grantee organizations provided comments to the Original Grant Agreement Template; and

WHEREAS, the Original Grant Agreement Template has been revised to incorporate revisions necessary to address the FERC's recommendations as well as a majority of the comments submitted by grantee organizations that provided comments, resulting in a new grant agreement template (the "Revised Grant Agreement Template") that is attached as **Exhibit A** to this Resolution; and

WHEREAS, the Administration recommends that the Mayor and City Commission approve the Revised Grant Agreement Template and authorize the City Manager to finalize and execute agreements in the form of the Original Grant Agreement Template with grant recipients.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission of the City of Miami Beach, Florida approve revisions to the form of grant agreement to be executed by organizations receiving grant awards funded from the proceeds of the contemplated General Obligation Bond for Arts & Culture issuance to incorporate a contingency for certain grants as well as other reasonable changes requested by grantee organizations; and further, authorizing the City Manager to finalize a grant agreement with each grantee, which agreements shall include the amount of grant award and additional public benefits provided by each grantee, as approved by the city commission; and further, authorizing the City Manager and City Clerk to execute the final grant agreement with each of the G.O. Bond grantees.

PASSED and ADOPTED this ____ day of _____, 2023.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney *TO* 4-24-23
Date