

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING A FIRST AMENDMENT TO THE GRANT AGREEMENT TEMPLATE, WHICH AMENDMENT WILL ALLOW FOR THE ADVANCING OF GRANT AWARD FUNDS PURSUANT TO THE GRANT AGREEMENTS PREVIOUSLY APPROVED IN CONNECTION WITH THE GENERAL OBLIGATION BOND FOR ARTS & CULTURE FOR CERTAIN GRANT RECIPIENTS; AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY CLERK TO FINALIZE AND EXECUTE AMENDMENT 1 WITH SUCH GRANT RECIPIENTS.

WHEREAS, on July 20, 2022, the Mayor and Commission approved Resolution 2022-32261, authorizing a special election, submitting to the electorate of the City of Miami Beach a question asking whether the City should 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, including museums, performance venues, artistic playgrounds, senior/cultural centers, Botanical Garden, aquatic sculpture park, and related artist/workforce housing ("Arts and Culture Bonds"); and

WHEREAS, on November 8, 2022, the voters of the City of Miami Beach approved the issuance of \$159 million in Arts and Culture Bonds; and

WHEREAS, on 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; and

WHEREAS, on March 27, 2023, the City Commission adopted Resolution No. 2023-32523 approving the template for the Grant Agreement to be signed by grant recipients; and

WHEREAS, on April 28, 2023, the City Commission adopted Resolution No. 2023-32592 accepting the recommendations of the Finance and Economic Resiliency Committee (F.E.R.C.) for Tranche 1 in the not-to-exceed amount of \$101,700,000; Resolution No. 2023-32593 approving revisions to the Grant Agreement Template; and Resolution No. 2023-32594 approving the additional public benefits proffered by each of the cultural arts organizations or entities that will receive Arts & Culture G.O. Bond funds or that will directly benefit from capital projects paid for with bond funding; and

WHEREAS, on May 17 and June 28, 2023, the first and second public hearings of the bond issuance were held; and

WHEREAS, because some of the grant recipients do not have sufficient cash on hand to pay the expenses of designing, constructing and/or equipping their projects as the expenses become due, they have requested cash advances to pay for these expenses; and

WHEREAS, the First Amendment to Grant Agreement allows for the advancing of grant award funds pursuant to the grant agreements previously approved in connection with the General Obligation Bond for Arts & Culture for grant recipients that certify they lack the necessary cash flow or other sources of funding to pay for project expenses as they become due; and

WHEREAS, the Administration recommends that the Mayor and City Commission approve the First Amendment to the Grant Agreement Template, a copy of which is attached as Exhibit B to the Memorandum accompanying this Resolution, and authorize the City Manager and City Clerk to finalize and execute a First Amendment to Grant Agreement substantially in the form of the First Amendment Template with such 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 approve a First Amendment to the Grant Agreement Template, which First Amendment will allow for the advancing of grant award funds pursuant to the grant agreements previously approved in connection with the General Obligation Bond for Arts & Culture for certain grant recipients; and further authorize the City manager and City Clerk to finalize and execute a First Amendment to Grant Agreement with such grant recipients.

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

7-19-23

Date