



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Alina T. Hudak, City Manager  for

DATE: September 27, 2023

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE ADMINISTRATION TO ENTER INTO A GRANT AGREEMENT ("REEFLINE GRANT AGREEMENT") WITH BLUE LAB PRESERVATION SOCIETY INC. ("REEFLINE") TO FUND THE INSTALLATION OF AN ARTIFICIAL REEF ("PROJECT") FROM A PORTION OF THE PROCEEDS OF THE GENERAL OBLIGATION BOND FOR ARTS & CULTURE, SUCH REEFLINE GRANT AGREEMENT TO BE SUBSTANTIALLY IN THE FORM PREVIOUSLY APPROVED BY THE CITY COMMISSION PURSUANT TO RESOLUTION NOS. 2023-32423, 2023-32593 AND 2023-32691, TOGETHER WITH AN ADDENDUM REQUIRING REEFLINE TO FULFILL CERTAIN OBLIGATIONS OF THE CITY PURSUANT TO AN AGREEMENT BETWEEN THE CITY AND THE COUNTY RELATING TO THE PROJECT; AND FURTHER, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE FINALIZED REEFLINE GRANT AGREEMENT.**

BACKGROUND

At the July 20, 2022 Commission meeting, the Mayor and Commission approved Resolution 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 (GOB), 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.

On November 8, 2022, the voters of the City of Miami Beach approved the issuance of a General Obligation Bond for Arts & Culture in the not to exceed amount of \$159 million.

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.

On March 27, 2023, the City Commission adopted Resolution No. 2023-32523 approving the Grant Agreement Template.

On April 28, 2023, the City Commission adopted the following Resolutions related to the Arts & Culture G.O. Bond:

- 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 (including grant amounts for the following projects: Workforce Housing, New World Symphony, Holocaust Memorial, Miami Beach Hispanic Community Center, The Wolfsonian and the Jewish Museum of Florida).
- Resolution No. 2023-32593 approving revisions to the Grant Agreement Template.
- 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.

On May 17 and June 28, 2023, the first and second public readings of the bond issuance resolution were held.

On July 26, 2023, the City Commission adopted the following resolutions related to the Arts & Culture Bond:

- Resolution No. 2023-32691 approving a First Amendment to the Grant Agreement template which allow for the advancing of Grant award funds.
- Resolution No. 2023-32714 adopting the Eight Amendment to the capital budget for the Appropriation of funds for Tranche 1 of the G.O. Bond for Arts & Culture in the amount of \$101,700,000.

ANALYSIS

The final list of projects approved as part of the General Obligation Bond for Arts & Culture included a \$5 million allocation for the Aquatic Sculpture Park Project (the Project).

Miami-Dade County (the "County"), through its Department of Regulatory and Economic Resources, Division of Environmental Resources Management ("DERM"), manages artificial reef activities and is the permittee for various local, state, and federal regulatory permits for artificial reefs in Miami-Dade County outside of Biscayne National Park and Florida Keys National Marine Sanctuary (the "County Permits"). The Project's first phase entails deploying an artificial reef within the boundaries of the area covered by the County Permits. One or more of the County Permits was originally issued in 2011 and has recently been extended through July 2024.

Blue Lab Preservation Society Inc.

Blue Lab Preservation Society Inc. ("Blue Lab" or "ReefLine") is a 501(c)3 non-profit foundation, led by Ximena Caminos, with a mission to build "positive community impact by addressing ocean pollution, water quality, climate change, and environmental and social issues".

Their most significant initiative is the conceptualization and design of the "ReefLine," a series of artist-designed, scientist-informed artificial reefs to be located within swimming distance of Miami Beach's shore.

The idea of uniting art and science to drive sustainable change came to Ms. Caminos after a conversation with marine biologist Colin Foord, the founder of Miami-based Coral Morphologic. Together, they explored how artificial reefs could restore and protect Miami Beach's marine ecosystem.

Since its inception in 2018, ReefLine has established partnerships with recognized leaders in artificial reef structure design and deployment, including Coral Morphologic, Ocean Rescue Alliance (ORA), Miami-Dade County Division of Environmental Resources Management (DERM), University of Miami (UM), and Cummins Cederberg, among others. On November 18, 2020, the Miami Beach Mayor and City Commission adopted Resolution No. 2020-31489, accepting the recommendation of the Miami Beach Sustainability Committee and the Miami Beach Cultural Arts Council to support the Project as a concept to create habitats for local aquatic marine life, promote cultural and ecological tourism, create a unique art experience, and provide recreational activities for locals and tourists. The passing of this Resolution marked the beginning of ReefLine's unique partnership with the City of Miami Beach.

In 2019, Caminos received a Knight Foundation Arts Challenge Award, which provided the essential seed money to advance the Project to the next stages, which included the development of the technical drawings and specifications required to satisfy all permit requirements with agencies having jurisdiction such as DERM, the Florida Department of Environmental Protection (FDEP) and the U.S. Army Corps of Engineers (USACE).

Given the extensive knowledge, history and involvement with the Project, Blue Lab is uniquely qualified to bring the Project to fruition with the most efficiency.

Subject to the approval by the County's Board of County Commissioners, DERM has agreed to allow the City to work under the County's permits subject to satisfaction by the City of the terms and conditions set forth in a proposed agreement between the County and the City ("County Agreement"), a copy of which is attached as Attachment B to the Memorandum accompanying the Resolution for a companion item (item C7 A) included in the September 27, 2023 Commission Agenda. The companion item requests approval by the Mayor and City Commission of the County Agreement.

The Project will be executed by Blue Lab via a Grant Agreement to be funded out of a portion of the proceeds of the General Obligation Bond for Arts & Culture. The Grant Agreement with Blue Lab will include an addendum requiring Blue Lab to fulfill the City's obligations pursuant to the County Agreement, as well as indemnity provisions in favor of the City and the County consistent with those set forth in the County Agreement. These indemnity provisions will be supplemental to the standard indemnity provisions already included in the Grant Agreement Template approved by the Commission pursuant to Resolution Nos. 2023-32423, 2023-32593 and 2023-32691.

CONCLUSION

The Administration recommends the adoption of this Resolution authorizing the administration to enter into a Grant Agreement ("ReefLine Grant Agreement") with Blue Lab Preservation Society Inc. ("ReefLine") to fund the installation of an artificial reef ("Project") from a portion of the proceeds of the General Obligation Bond for Arts & Culture, such ReefLine Grant Agreement to be substantially in the form previously approved by the City Commission, together with an addendum requiring ReefLine to fulfill certain obligations of the city pursuant to an Agreement between the City and the County relating to the Project; and further, authorizing the City Manager and City Clerk to execute the finalized ReefLine Grant Agreement.