

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING A PROCEDURE TO LIMIT THE CITY COMMISSION'S AWARD OF UNBUDGETED GRANTS FOR COMMUNITY GROUPS AND SPECIAL PROJECTS, AS FOLLOWS: (1) IMPOSING AN ANNUAL NOT-TO-EXCEED CAP ON UNBUDGETED COMMISSION-SPONSORED FUNDING REQUESTS FOR COMMUNITY-BASED ORGANIZATION GRANTS, SPECIAL EVENTS, SPONSORSHIPS, OR OTHER SIMILAR DISCRETIONARY EXPENDITURES, WITH A CAP OF \$525,000 FOR THE REMAINDER OF FISCAL YEAR 2023; (2) LIMITING EACH MEMBER OF THE CITY COMMISSION TO AN ALLOCATION OF UP TO \$75,000 FOR ANY GRANT AWARD, SPECIAL EVENT, SPONSORSHIP OR OTHER EXPENDITURE SERVING A PUBLIC PURPOSE; (3) REQUIRING THAT SUCH ALLOCATIONS BE SUBJECT TO RATIFICATION BY THE CITY COMMISSION ON THE NEXT AVAILABLE CONSENT AGENDA AFTER THE ALLOCATION IS MADE, AND MAY ONLY BE DISAPPROVED UPON A FINDING, ON A 4/7THS VOTE, THAT NO PUBLIC PURPOSE IS SERVED THEREBY; (4) PROVIDING THAT ANY PROPOSAL FOR FUNDING IN EXCESS OF EACH MEMBER'S AGGREGATE ALLOCATION OF \$75,000 FOR THE REMAINDER OF FY2023 BE ADDRESSED AS PART OF THE ANNUAL BUDGET PROCESS FOR FY2024 OR MAY OTHERWISE ONLY BE APPROVED VIA A WAIVER OF THIS RESOLUTION, ON A 5/7THS VOTE, AFTER REVIEW AND RECOMMENDATION BY A COMMISSION COMMITTEE; AND (5) FURTHER, PROVIDING THAT THIS RESOLUTION SHALL NOT APPLY TO OR LIMIT ADMINISTRATION-RELATED FUNDING REQUESTS WITH RESPECT TO THE OPERATION OR ADMINISTRATION OF THE CITY.

**WHEREAS**, the City of Miami Beach annually adopts a comprehensive budget for the City that includes, *inter alia*, allocation of funds for various community-based organization grants, special event sponsorships, and other discretionary items serving public purposes which may require financial support; and

**WHEREAS**, despite the exhaustive efforts of the City Commission and the City Administration to publicize the budget process to the community-at-large, and to accurately forecast all community-based organizations and events that might qualify for some form of City funding or support during the upcoming fiscal year, some organizations and events invariably miss the annual budget process and, for whatever reason, only come to the City Commission to request funds and other support to be awarded, if at all, as an unbudgeted expenditure during the fiscal year; and

**WHEREAS**, the Mayor and City Commission are often placed in the unfortunate position of considering City Commissioner mid-year proposed awards of funds and other support for various community-based organization grants, special event sponsorships, and other discretionary items serving public purposes that may very well have been awarded during the normal budget process if they had been considered as part of that process, but that cause considerable financial burdens for the City if approved during the fiscal year without any correspondingly budgeted funds; and

**WHEREAS**, the Mayor and City Commission strongly urge any entity desiring to request City funds and/or other support to participate in the annual budget process for each upcoming fiscal year, which would obviate the need to consider individual requests mid-year that have no funds set aside in the budget to grant; and

**WHEREAS**, the Mayor and City Commission do recognize, however, that City Commissioner initiated mid-year proposed awards of funds and other support for various community-based organization grants, special event sponsorships, and other discretionary items serving public purposes have historically and repeatedly appeared on the agenda of various City Commission meetings, despite the best-efforts to route such requests through the normal budget process; and

**WHEREAS**, the Mayor and City Commission desire to create and formalize a process to limit unbudgeted expenditures to community groups and special projects during the fiscal year, and outside the normal budget process; and

**WHEREAS**, the Mayor and City Commission desire to authorize and impose an annual not-to-exceed cap on unbudgeted City Commissioner sponsored expenditures relating to community-based organization grants, special event sponsorships, and other discretionary items serving public purposes, which may require financial support, with the fiscal year 2023 cap in the amount of \$75,000 for each member of the City Commission; providing that each City Commissioner may award one or more allocation of funds or other financial support to one or more requesting entities, with each allocation to be reviewed by the full City Commission and disapproved on a 4/7th vote upon a finding that the proposed allocation serves no public purpose; and

**WHEREAS**, the Mayor and City Commission desire to provide that any City Commissioner-sponsored request in excess of the established cap shall only be approved via a waiver of this Resolution by the City Commission on a 5/7ths vote after referral to, and positive recommendation by, the City's Finance and Economic Resiliency Committee ("FERC"), or is otherwise addressed as part of the annual budget process for the following fiscal year; and

**WHEREAS**, the Mayor and City Commission desire to provide that this Resolution would not apply to limit consideration of unexpected and unbudgeted Administration requests related to the operation or administration of the City that may arise during the fiscal year.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and the City Commission hereby establish a limitation on the City Commission's award of unbudgeted grants for community groups and special projects, as follows: (1) imposing an annual not-to-exceed cap on unbudgeted Commission-sponsored funding requests for community-based organization grants, special events, sponsorships, or other similar discretionary expenditures, with a cap of \$525,000 for the remainder of fiscal year 2023; (2) limiting each member of the City Commission to an allocation of up to \$75,000 for any grant award, special event, sponsorship or other expenditure serving a public purpose; (3) requiring that such allocations be subject to ratification by the City Commission on the next available consent agenda after the allocation is made, and may only be disapproved upon a finding, on a 4/7ths vote, that no public purpose is served thereby; (4) providing that any proposal for funding in excess of each member's aggregate allocation of \$75,000 for the remainder of FY2023 be addressed as part of the annual budget

process for FY2024 or may otherwise only be approved via a waiver of this resolution, on a 5/7ths vote, after review and recommendation by a Commission Committee; and (5) further, providing that this resolution shall not apply to or limit administration-related funding requests with respect to the operation or administration of the City.

**PASSED AND ADOPTED** this \_\_\_\_ day of February 2023.


\_\_\_\_\_  
Mayor Dan Gelber


**ATTEST:**

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Rafael E. Granado, City Clerk

(Sponsored by Commissioner Alex J. Fernandez)

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney

  
\_\_\_\_\_  
Date

