

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

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING A REVISION TO THE SCOPE OF WORK APPROVED IN CONNECTION WITH THE GRANT AGREEMENT AWARDED TO THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES, A PUBLIC BODY CORPORATE EXISTING UNDER THE LAWS OF THE STATE OF FLORIDA, ON BEHALF OF THE JEWISH MUSEUM OF FLORIDA-FLORIDA INTERNATIONAL UNIVERSITY ("GRANTEE"), IN CONNECTION WITH THE GENERAL OBLIGATION BOND FOR ARTS & CULTURE; AND FURTHER, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO DRAFT AND EXECUTE AMENDMENT 2 ACCORDINGLY.**

**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 ("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; and

**WHEREAS**, 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; 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; 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 (Approved Grant Agreement Template); and

**WHEREAS**, on April 28, 2023, the City Commission adopted Resolution No. 2023-32592 accepting the recommendations of the Finance and Economic Resiliency Committee ("FERC") 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**, on July 26, 2023, the City Commission adopted Resolution No. 2023-32691 approving a first amendment to the Grant Agreement Template, allowing for the advancing of grant award funds pursuant to the Grant Agreements previously approved in connection with the General Obligation Bond for Arts & Culture; and

**WHEREAS**, the final list of projects approved as part of the General Obligation Bond for Arts & Culture included a \$750,000 allocation for the Jewish Museum facility; and

**WHEREAS**, the scope of work was further defined as part of the Grant Agreement executed on December 20, 2023, and is attached to the Commission Memorandum as Exhibit 1; and

**WHEREAS**, the Jewish Museum of Florida (the "Grantee") has requested the deletion of certain scopes of work to be able to perform a full replacement of the facility's air conditioning ("AC") system, which was unforeseen and is now time sensitive; and

**WHEREAS**, the Grantee's formal request is attached to the Commission Memorandum as Exhibit 2; and

**WHEREAS**, the total estimated cost of the AC replacement, according to the Grantee, is \$300,000, and the total estimated cost of the scope of work to be removed is \$307,000; and

**WHEREAS**, there is no cost to the City for this request – the Grantee will be responsible for all costs in excess of amounts approved by the City and will remain in full compliance with the terms and conditions of the approved grant agreement; and

**WHEREAS**, as per sections 1.2, 2.1 and 7.3 of the Grant Agreement, City Commission approval is required for any alterations to the previously approved scope of work; and

**WHEREAS**, the City's Bond Counsel and Tax Advisor have reviewed the request and have no objections; and

**WHEREAS**, the G.O. Bond Oversight Committee reviewed the request at the July 18, 2024 meeting and has no objections.

**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 revision to the scope of work approved in connection with the Grant Agreement awarded to the Florida International University Board of Trustees, a public body corporate existing under the laws of the State of Florida, on behalf of the Jewish Museum of Florida-Florida International University ("Grantee"), in connection with the General Obligation Bond for Arts & Culture; and further, authorize the City Manager and City Clerk to draft and execute Amendment 2 accordingly.

**PASSED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Steven Meiner, Mayor

**ATTEST:**

\_\_\_\_\_  
Rafael E. Granado, City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

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

7/10/2024  
\_\_\_\_\_  
Date