

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 NEW WORLD SYMPHONY, INC. ("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 \$5.7 million allocation for the New World Symphony facility; and

WHEREAS, the scope of work, as approved by the City Commission included a \$750,000 allocation for a new pergola at the Roof Garden; and

WHEREAS, the detailed scope of work, as approved in the Grant Agreement executed on October 11, 2023, is attached to the Commission Memorandum as Exhibit 1 accompanying this Resolution; and

WHEREAS, the New World Symphony ("Grantee") has requested the substitution of the pergola scope of work for the replacement of the cameras and robotic control system in the Michael Tilson Performance Hall; and

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

WHEREAS, the total estimated cost of the new cameras and robotic control system, according to the Grantee is \$1,545,051; 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 have 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 New World Symphony, Inc. ("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