

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AMENDMENT NO. 1 TO THAT CERTAIN GRANT AGREEMENT (THE "AGREEMENT") DATED OCTOBER 31, 2023, BY AND BETWEEN THE CITY AND MIAMI CITY BALLET, INC. (THE "GRANTEE"), IN CONNECTION WITH THE USE OF GENERAL OBLIGATION BOND FOR ARTS & CULTURE ("GOBAC") FUNDS; SAID AMENDMENT: (I) ADDING A CAPITAL RENEWAL AND REPLACEMENT PROJECT (THE "CR&R PROJECT") TO THE SCOPE OF THE AGREEMENT, IN THE AMOUNT OF \$4,407,415, FROM PREVIOUSLY AWARDED GOBAC FUNDING; (II) INCREASING THE TOTAL GOBAC GRANT AMOUNT FROM \$7,518,000 TO \$11,925,415; AND (III) AUTHORIZING THE GRANTEE TO UNDERTAKE THE CONSTRUCTION MANAGEMENT RESPONSIBILITIES FOR THE NEW CR&R PROJECT, SUBJECT TO OVERSIGHT FROM THE CITY, TO INTEGRATE THE CR&R PROJECT WITH THE CURRENT TECHNOLOGY RELATED PROJECT AND EFFICIENTLY MANAGE THE COMBINED PROJECT UNDER THE AGREEMENT.

WHEREAS, 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; 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 June 28, 2023, the City Commission adopted Resolution No. 2023-32634 approving grant awards to Miami City Ballet, Miami New Drama (Colony Theater) and Rhythm Foundation (Miami Beach Bandshell) for technology related scope of work only; and

WHEREAS, accordingly, Miami City Ballet was awarded a grant in the amount of \$7,518,000; and

WHEREAS, on July 26, 2023, the City Commission adopted Resolution 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 \$12 million allocation for the Miami City Ballet facility; and

WHEREAS, the total allocation was subdivided into two parts: (i) a grant in the amount of \$7,518,000 was awarded to Miami City Ballet ("Grantee") for technology related scope of work and (ii) \$4,482,000 was budgeted for capital renewal & replacement ("CR&R") projects to be managed by the City's Facilities Management Division; and

WHEREAS, on October 31, 2023, the City and Grantee entered into that certain Grant Agreement (the "Agreement") for the technology related scope of work; and

WHEREAS, in February 2024, the Grantee requested that the City allow them to manage the full scope of CR&R work, citing the complexity of coordinating interconnected projects while maintaining the school and production facilities operational; and

WHEREAS, additionally, the Grantee identified opportunities to leverage cost savings from consolidating construction management, allowing for potential enhancements beyond the originally contemplated scope, including improvements to rehearsal studios for public performances; and

WHEREAS, the Administration acknowledged the challenges of coordinating invasive CR&R projects within an operational facility and determined that allowing the Grantee to oversee the work would serve the best interests of both parties, provided that terms and scope could be properly supervised by the City; and

WHEREAS, over the following 15 months, the Grantee collaborated with its design team and the Administration to develop a comprehensive project integrating the new CR&R projects (collectively, the "CR&R Project") with the technology related upgrades, and expanded enhancements to improve performance spaces and enable remote interactive classes; and

WHEREAS, to date, \$74,585 has been expended from GO Bond funds on CR&R projects, and the Grantee has requested an amendment to the GO Bond for Arts and Culture Grant Agreement ("Amendment No. 1") to incorporate the remaining budget for CR&R projects and associated \$4,407,415 in funding as a new CR&R Project under the scope of the Agreement, together with construction management responsibilities, subject to oversight from the City, so that

Grantee may combine the CR&R work with the existing technology related scope of work, bringing the total GOBAC grant amount under the Agreement to \$11,925,415; and

WHEREAS, there is no additional 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, following a presentation by the Grantee on May 15, 2025, the G.O. Bond Oversight Committee made a motion to support the revision to the Miami City Ballet Grant Agreement with City oversight; and

WHEREAS, the City Manager recommends accepting the recommendation of the G.O. Bond Oversight Committee and authorizing the City Manager to negotiate and execute Amendment No. 1 to the Agreement; said Amendment: (i) adding the CR&R Project to the scope of the Agreement, in the amount of \$4,407,415, from previously awarded GOBAC funding; (ii) increasing the total GOBAC grant amount from \$7,518,000 to \$11,925,415; and (iii) authorizing the Grantee to undertake the construction management responsibilities for the new CR&R Project, subject to oversight from the City, and inclusion in the Amendment any and all additional provisions, deemed necessary by the City Administration and the City Attorney, to ensure the protection of the GOBAC grant funds.

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 hereby authorize the City Manager to negotiate and execute Amendment No. 1 to that certain Grant Agreement (the "Agreement") dated October 31, 2023, by and between the City and Miami City Ballet, Inc. (the "Grantee"), in connection with the use of General Obligation Bond for Arts & Culture ("GOBAC") funds; said Amendment: (i) adding a capital renewal and replacement project (the "CR&R Project") to the scope of the Agreement, in the amount of \$4,407,415, from previously awarded GOBAC funding; (ii) increasing the total GOBAC grant amount from \$7,518,000 to \$11,925,415; and (iii) authorizing the Grantee to undertake the construction management responsibilities for the new CR&R Project, subject to oversight from the City, to integrate the CR&R Project with the current technology related project and efficiently manage the combined project under the Agreement..

PASSED and ADOPTED this _____ day of _____, 2025.

Steven Meiner, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney *ESG*

6/17/2025
Date