

C7 BK A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE ADMINISTRATION TO AUTHORIZE LIVE NATION TO WAIVE THE \$8,000 VENUE RENTAL FEE TO ENABLE THE HISPANIC HERITAGE ALLIANCE, A DIVISION OF JORDAN-MARCOS THE AGENCY, TO USE ONE OF THE CITY'S TWO (2) FREE USES OF THE FILLMORE THEATER FOR FISCAL YEAR 2026 FOR THE PRESENTATION OF "HANSEL Y RAUL 50TH ANNIVERSARY TRIBUTE" ON NOVEMBER 8, 2025, AS THE CULMINATION OF HISPANIC HERITAGE MONTH, PROVIDED THAT HISPANIC HERITAGE ALLIANCE SHALL BE SOLELY RESPONSIBLE FOR ALL OTHER COSTS AND EXPENSES ASSOCIATED WITH THE USE OF THE VENUE.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: June 25, 2025

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE ADMINISTRATION TO AUTHORIZE LIVE NATION TO WAIVE THE \$8,000 VENUE RENTAL FEE TO ENABLE THE HISPANIC HERITAGE ALLIANCE, A DIVISION OF JORDAN-MARCOS THE AGENCY, TO USE ONE OF THE CITY'S TWO (2) FREE USES OF THE FILLMORE THEATER FOR FISCAL YEAR 2026 FOR THE PRESENTATION OF "HANSEL Y RAUL 50TH ANNIVERSARY TRIBUTE" ON NOVEMBER 8, 2025, AS THE CULMINATION OF HISPANIC HERITAGE MONTH, PROVIDED THAT HISPANIC HERITAGE ALLIANCE SHALL BE SOLELY RESPONSIBLE FOR ALL OTHER COSTS AND EXPENSES ASSOCIATED WITH THE USE OF THE VENUE.

RECOMMENDATION

BACKGROUND/HISTORY

ANALYSIS

The attached Resolution was prepared at the request of the sponsor, Commissioner Alex Fernandez.

FISCAL IMPACT STATEMENT

N/A

Does this Ordinance require a Business Impact Estimate?
(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

FINANCIAL INFORMATION

CONCLUSION

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

No

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

City Attorney

Sponsor(s)

Commissioner Alex Fernandez

Co-sponsor(s)

Commissioner Laura Dominguez

Condensed Title

Authorize Live Nation Waive Rental Fee for Hispanic Alliance Presentation. (AF/LD) CA

Previous Action (For City Clerk Use Only)

RESOLUTION NO. 2025 - _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE ADMINISTRATION TO AUTHORIZE LIVE NATION TO WAIVE THE \$8,000 VENUE RENTAL FEE TO ENABLE THE HISPANIC HERITAGE ALLIANCE, A DIVISION OF JORDAN-MARCOS THE AGENCY, TO USE ONE OF THE CITY'S TWO (2) FREE USES OF THE FILLMORE THEATER FOR FISCAL YEAR 2026 FOR THE PRESENTATION OF "HANSEL Y RAUL 50TH ANNIVERSARY TRIBUTE" ON NOVEMBER 8, 2025, AS THE CULMINATION OF HISPANIC HERITAGE MONTH, PROVIDED THAT HISPANIC HERITAGE ALLIANCE SHALL BE SOLELY RESPONSIBLE FOR ALL OTHER COSTS AND EXPENSES ASSOCIATED WITH THE USE OF THE VENUE.

WHEREAS, the City of Miami Beach and Live Nation are parties to that certain Management Agreement dated June 22, 2007 (the "Original Management Agreement"), as amended by that certain (i) Amendment No. 1 dated December 9, 2009 (the "First Amendment"), (ii) Amendment No. 2 dated July 7, 2011 (the "Second Amendment"), (iii) Third Amendment dated May 6, 2016 (the "Third Amendment"), (iv) Fourth Amendment dated March 2021, (v) Memorandum of Understanding dated February 1, 2022 (the "2022 MOU"), (vi) Fifth Amendment dated June 1, 2022 (the "Fifth Amendment"), and (vii) Memorandum of Understanding dated May 14, 2024 (the "2024 MOU", and collectively with the Original Management Agreement, First Amendment, Second Amendment, Third Amendment, Fourth Amendment, 2022 MOU, Fifth Amendment and 2024 MOU, the "Management Agreement"), pursuant to which Live Nation acts as the City's agent with respect to the management and operation of The Jackie Gleason Theater located at 1700 Washington Ave., Miami Beach, Florida 33139 (the "Facility"), in accordance with the terms therein; and

WHEREAS, Section 2.4(a) of the Management Agreement provides that the City shall be entitled on two (2) occasions in each full Fiscal Year (and proportionately for any partial Fiscal Year) during the Term and any Renewal Term, subject to the terms and conditions thereof, to make use of the Facility for hosting an Event of one (1) day or one (1) evening, in each case expressly subject to the provisions of this subparagraph (a) (such instance(s) of use by City is herein referred to as "City Use"); and

WHEREAS, although the City shall not owe a fee, rent or other payment strictly for the right to make such City Use, nonetheless the City shall promptly (within ten (10) business days after receipt of written invoice therefor), reimburse Live Nation for all actual expenses and costs incurred by Live Nation to facilitate City Use, including, without limitation, Live Nation's standard charges for janitorial, clean up, crowd and traffic control, set-up and tear-down costs and fees and charges (including for materials, labor and other services) directly necessitated by the occurrence of City Use (such expenses, collectively, "**Operational Expenses**"); and

WHEREAS, the Hispanic Heritage Alliance, a division of Jordan-Marcos The Agency, has requested the use of one of the City's two (2) free uses of the Fillmore Theater for fiscal

year 2026 for the presentation of "Hansel y Raul 50th Anniversary Tribute" on November 8, 2025 (the "Event"), as the culmination of Hispanic Heritage Month; and

WHEREAS, the Hispanic Heritage Alliance is an organization created to organize cultural events centered on Hispanic Heritage, and the Event will include costly production, performers, accompanying orchestra, publicity, and promotion; and

WHEREAS, the City of Miami Beach's support, including a waiver of The Fillmore's rental fee and venue technical requirements, will significantly contribute to the success of this cultural event celebrating the 50th Anniversary of these Cuban music icons; and

WHEREAS, Hispanic Heritage Alliance will be solely responsible for all Operational Expenses; and

WHEREAS, Hispanic Heritage Alliance has committed to donating a share of the net proceeds from the Event to Cor Jesu Corp., a non-profit organization dedicated to supporting charitable initiatives for the Catholic Church, consistently providing aid to those in greatest need across multiple areas.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby direct the Administration to authorize Live Nation to waive the \$8,000 venue rental fee to enable the Hispanic Heritage Alliance, a division of Jordan-Marcos The Agency, to use one of the City's two (2) free uses of the Fillmore Theater for fiscal year 2026 for the presentation of "Hansel y Raul 50th Anniversary Tribute" on November 8, 2025, as the culmination of Hispanic Heritage Month, provided that Hispanic Heritage Alliance shall be solely responsible for all other costs and expenses associated with the use of the venue.

PASSED and ADOPTED THIS ____ day of _____ 2025.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioner Alex J. Fernandez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney

6/23/2025

Date