

C7 L 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.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO:	Honorable Mayor and Members of the City Commission
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FROM: Rickelle Williams, Interim City Manager

DATE: July 24, 2024

TITLE: 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.

RECOMMENDATION

It is recommended that the Mayor and City Commission adopt the Resolution.

BACKGROUND/HISTORY

At the July 20, 2022 City Commission meeting, the Mayor and City 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.

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.

At the November 16, 2022 City Commission meeting, the Mayor and City 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.

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).

On April 28, 2023, the City Commission adopted the following Resolutions related to the Arts & Culture G.O. Bond:

- 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 (including grant amounts for the following projects: Workforce Housing, New World

Symphony, Holocaust Memorial, Miami Beach Hispanic Community Center, the Wolfsonian and the Jewish Museum of Florida).

- Resolution No. 2023-32593 approving revisions to the Grant Agreement Template.
- 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.

On May 17 and June 28, 2023, the first and second public readings of the bond issuance resolution were held.

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 G.O. Bond for Arts & Culture.

ANALYSIS

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.

The scope of work was further defined as part of the Grant Agreement executed on December 20, 2023. The detailed scope of work is attached herein as **Exhibit 1**.

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. The Grantee's formal request is included herein as **Exhibit 2**. There is no cost to the City for this request.

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**. 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.

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.

The City's Bond Counsel and Tax Advisor have reviewed the request and have no objections.

The G.O. Bond Oversight Committee will be reviewing the request at the July 18, 2024 meeting. Their recommendation will be provided as **Exhibit 3** via Supplemental Agenda.

FISCAL IMPACT STATEMENT

N/A

FINANCIAL INFORMATION

N/A

CONCLUSION

The Administration recommends the adoption of this Resolution 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.

Applicable Area

South Beach

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?

Yes

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

G.O. Bond Program

Sponsor(s)

Co-sponsor(s)

Attachments:

Exhibit 1: Current Scope of Work

Exhibit 2: Scope Change Request

Exhibit 3: G.O. Bond Oversight Committee Recommendation (to be provided via Supplemental Agenda)

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

Exhibit 1**EXHIBIT C
BUDGET, FUNDING SOURCES AND CASH FLOW SCHEDULE**

Upon receipt, funds can be deployed for construction and development within the range of six to twelve months. It is estimated that the aforementioned improvements will take approximately one to two years to complete.

Exterior Improvements	Landscape	\$	10,000
	Tree Removal/replanting	\$	10,000
	6 new sconces	\$	5,000
	Lawn sprinkler	\$	5,000
	Replace Tile on Front Steps	\$	35,000
	New & refurbish railings	\$	10,000
	Exterior lighting - parkingLED	\$	7,500
	Exterior lighting - building	\$	35,000
	Replace Sign Board	\$	1,500
	Parking lot security fences	\$	50,000
	security Bollards	\$	35,000
	Paint exterior	\$	50,000
	Emergency generator	\$	60,000
Collections	Repair and paint stairwell	\$	2,500
	Replace flooring	\$	5,000
	Replace furniture	\$	7,500
	Create Storage	\$	3,500
	Replace lighting LED	\$	2,000
	Paint	\$	2,000
	Window coverings	\$	1,000
	Fire Protection upgrade at Collections	\$	15,000
301 Building	Install new lighting control system in Gallery	\$	10,000
	New exhibit & cove lighting fixtures LED	\$	50,000
	Purchase new man-lift	\$	15,000
	Repair and paint stairwells and lower areas	\$	10,000
	Pump system upgrade	\$	5,000
	Lighting at stain glass interior	\$	5,000
311 Building	Install new lighting control system in Gallery	\$	10,000
	New exhibit lighting fixtures LED	\$	25,000
	Create Storage in 311 Lobby	\$	4,000
Kitchen/Receiving	Replace Dish washer	\$	1,000
	Build storage Cabinets	\$	8,000
BMG	Upgrade Lighting Exhibits	\$	15,000
	Acoustical upgrades	\$	20,000
Contingency		\$	42,600
		\$	573,100
Architectural Plans	10%	\$	57,310
Permits		\$	4,970
GC OH&P	20%	\$	114,620
TOTAL		\$	750,000

Highlighted items to be removed from original scope.

June 4, 2024

TO: Karen Rivo, Chair and G.O. Bond Oversight Committee and Maria Hernandez, G.O. Bond Program Director

FROM: Susan Gladstone Pasternack, Executive Director, Jewish Museum of Florida-FIU

The Jewish Museum of Florida is formally requesting the deletion of certain scopes of work originally requested from the G.O. Bond to be able to perform a full replacement of the museum's air conditioning (A.C.) system, which was not broken at the time of application. A functional A.C. is essential to the operation of the museum and the preservation of the museum's artifacts. The total estimated cost of the A.C. is \$300,000.00 while the scope of the work to be removed is \$307,000.00. There is no cost to the city for this request.

We respectfully submit this letter for your consideration.



Susan Gladstone Pasternack, MSW
Executive Director
Jewish Museum of Florida-FIU



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with honor roll distinction in all categories.



ATTACHMENT 2

	Estimated Cost
SCOPE TO BE ADDED:	
Air Conditioning Replacement	\$ 300,000
Total scope to be added	300,000
SCOPE TO DELETED:	
Tree Removal/replanting	\$ (10,000)
Replace Tile on Front Steps	(35,000)
New & refurbish railings	(10,000)
Exterior lighting - building	(35,000)
Replace Sign Board	(1,500)
Parking lot security fences	(50,000)
Emergency generator	(60,000)
Repair and paint stairwell	(2,500)
Create Storage	(3,500)
FireProtection upgrade at Collections	(15,000)
Install new lighting control system in Gallery	(10,000)
Pump system upgrade	(5,000)
Install new lighting control system in Gallery	(10,000)
New exhibit lighting fixtures LED	(25,000)
Upgrade Lighting Exhibits	(15,000)
Acoustical upgrades	(20,000)
Total scope to be deleted	(307,500)
TOTAL SURPLUS (TO BE ADDED TO CONTINGENCY)	\$ (7,500)

MIAMI BEACH

OFFICE OF THE CITY CLERK

LTC # 310-2024

LETTER TO COMMISSION

TO: Honorable Mayor Steven Meiner and Members of the City Commission

FROM: Rafael Granado, City Clerk



DATE: July 19, 2024

SUBJECT: **G.O. Bond Oversight Committee Motion
City Commission Item C7 L – Exhibit 3
Grant Agreement Scope Change – Jewish Museum of Florida**

On July 18, 2024, the G.O. Bond Oversight Committee made a motion endorsing the Jewish Museum of Florida's request to delete certain scopes of work to be able to perform a full replacement of the facility's air conditioning system.

Motion made by Jason Koslowe
Motion seconded by Kate Mosely
Motion passed 7-0
1 member absent
1 member not part of quorum

Voting Members part of quorum:

Karen Rivo (Chair), Bruce Halpryn, Dana Martorella, Jack Glottmann, Jason Koslowe, Kate Mosely, Laura Veitia,

Voting Members not part of quorum: Shari Gurkin

Voting Members absent: Dennis Scholl

Non-Voting Members present: David Sexton, Donald Goldberg, Isaiah Mosely, Jack Benveniste

Non-Voting Members absent: Adam Kravitz

Questions, regarding the motion, may be directed to Maria Hernandez, G.O. Bond Program Director and G.O. Bond Oversight Committee liaison, at MariaHernandez@miamibeachfl.gov or by calling extension #22584.

RG / MH