

MEMORANDUM

Agenda Item No. 11(A)(20)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: November 7, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution amending the fiscal year 2023-24 adopted County budget (“budget”) to reallocate \$500,000.00 in available Miami Dade Rescue Plan funds to the Florida Grand Opera, Inc., a Florida not-for-profit organization, for operating expenses; directing the County Mayor to (1) identify any legally available additional funds to be allocated to the Adrienne Arsht Center Trust, Inc. (“Trust”) from the budget to offset the costs of hosting certain resident companies; (2) include any such additional funds in the fiscal year 2023-24 mid-year budget amendment; and (3) identify and allocate, as part of the County Mayor’s proposed fiscal year 2024-25 County budget, increased funding for the Trust in an amount sufficient to address the funding needs of certain resident companies at the Arsht

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Oliver G. Gilbert, III.


Geri Bonzon-Keenan
County Attorney

GBK/jp

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MEMORANDUM
(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: November 7, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(20)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(20)
11-7-23

RESOLUTION NO. _____

RESOLUTION AMENDING THE FISCAL YEAR 2023-24 ADOPTED COUNTY BUDGET (“BUDGET”) TO REALLOCATE \$500,000.00 IN AVAILABLE MIAMI DADE RESCUE PLAN FUNDS TO THE FLORIDA GRAND OPERA, INC., A FLORIDA NOT-FOR-PROFIT ORGANIZATION, FOR OPERATING EXPENSES; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO (1) IDENTIFY ANY LEGALLY AVAILABLE ADDITIONAL FUNDS TO BE ALLOCATED TO THE ADRIENNE ARSHT CENTER TRUST, INC. (“TRUST”) FROM THE BUDGET TO OFFSET THE COSTS OF HOSTING CERTAIN RESIDENT COMPANIES; (2) INCLUDE ANY SUCH ADDITIONAL FUNDS IN THE FISCAL YEAR 2023-24 MID-YEAR BUDGET AMENDMENT; AND (3) IDENTIFY AND ALLOCATE, AS PART OF THE COUNTY MAYOR’S PROPOSED FISCAL YEAR 2024-25 COUNTY BUDGET, INCREASED FUNDING FOR THE TRUST IN AN AMOUNT SUFFICIENT TO ADDRESS THE FUNDING NEEDS OF CERTAIN RESIDENT COMPANIES AT THE ARSHT

WHEREAS, the Florida Grand Opera, Inc. (“Florida Grand Opera”) is the oldest performing arts organization in Florida and was formed in 1994 by the merger of the Greater Miami Opera, founded in 1941, and The Opera Guild Inc. of Fort Lauderdale, founded in 1945; and

WHEREAS, the Florida Grand Opera has a storied legacy, including having Luciano Pavarotti make his American debut with them in 1965 and hosting the world-premiere of several operas; and

WHEREAS, part of the Florida Grand Opera’s programming includes use of the Adrienne Arsht Center for the Performing Arts (“Arsht Center”), a County-owned facility which is operated and managed by the Adrienne Arsht Center Trust, Inc. (the “Trust”) pursuant to an agreement with the County; and

WHEREAS, while the County provides annual funding to the Trust for the operations and management of the Arsht Center, these funds do not cover all of the costs associated with operating and managing the Arsht Center and it is therefore necessary for the Trust to charge and collect rental and other charges from third-party entities, including the Florida Grand Opera, that use the Arsht Center for performances; and

WHEREAS, in addition to the Florida Grand Opera, other resident companies such as the Miami City Ballet and the New World Symphony also rent and use the Arsht Center to host performances at a great expense to these resident companies; and

WHEREAS, this Board desires to identify any legally available funding in the fiscal year 2023-24 adopted County budget (“County budget”), and to have the County Mayor identify and allocate additional funding in the proposed fiscal year 2024-25 County budget, to provide the Trust additional funds in order to offset the rental and other charges associated with hosting resident companies; and

WHEREAS, further, this Board desires to allocate funds from the County budget in the amount of \$500,000.00 to the Florida Grand Opera for operating expenses; and

WHEREAS, the County budget included \$500,000.00 from the Miami Dade Rescue Plan (“Original Allocation”) that was originally allocated to provide financial support to an organization for its national annual conference that was scheduled to take place in Miami-Dade County but the organization chose to relocate and hold the conference outside of Miami-Dade County and therefore that funding is no longer needed for that purpose; and

WHEREAS, this Board desires to amend the County budget to reallocate the Original Allocation to the Florida Grand Opera for operating expenses,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Approves the foregoing recitals and incorporates them into this resolution.

Section 2. Amends the County budget to reallocate the Original Allocation to the Florida Grand Opera for operating expenses.

Section 3. Directs the County Mayor or County Mayor’s designee to: (1) identify any legally available, additional funds that can be allocated to the Trust from the County budget to offset the costs of hosting certain resident companies; (2) include any such additional funds in the County budget through the fiscal year 2023-24 mid-year budget amendment; and (3) identify and allocate, as part of the County Mayor’s proposed fiscal year 2024-25 County budget, increased funding for the Trust in an amount sufficient to address the funding needs of certain resident companies at the Arsht Center by offsetting their rental and other charges to use the Arsht Center.

The Prime Sponsor of the foregoing resolution is Chairman Oliver G. Gilbert, III. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

- | | |
|----------------------------------|----------------------|
| Oliver G. Gilbert, III, Chairman | |
| Anthony Rodríguez, Vice Chairman | |
| Marleine Bastien | Juan Carlos Bermudez |
| Kevin Marino Cabrera | Sen. René García |
| Roberto J. Gonzalez | Keon Hardemon |
| Danielle Cohen Higgins | Eileen Higgins |
| Kionne L. McGhee | Raquel A. Regalado |
| Micky Steinberg | |

The Chairperson thereupon declared this resolution duly passed and adopted this 7th day of November, 2023. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

JUAN FERNANDEZ-BARQUIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MRP

Monica Rizo Perez