

MIAMI BEACH

**CITY OF MIAMI BEACH
NOTICE OF PUBLIC HEARING****July 29, 2020 – Virtual City Commission Meeting**

NOTICE IS HEREBY given that a Second Reading/Public Hearing will be heard by the Mayor and City Commission of the City of Miami Beach, Florida, via teleconference and webinar on **Wednesday, July 29, 2020 at 10:05 a.m.**, or as soon thereafter as the matter can be heard to consider the below referenced lease of City-owned property. To participate or provide comments, the public may join the virtual meeting at: <https://us02web.zoom.us/j/85224811868> or via telephone at: **1.312.626.6799** (U.S.) or **888.475.4499** (Toll Free). The Webinar ID is: **85224811868#**. Members of the public wanting to speak on an item during the Virtual Commission Meeting, must click the “raise hand” icon if using the Zoom app or press *9 on the telephone to raise their hand.

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, FOLLOWING SECOND READING/PUBLIC HEARING, PURSUANT TO SECTION 82-37(A)(2) OF THE CITY CODE, A LEASE AGREEMENT (“LEASE”) BETWEEN THE CITY OF MIAMI BEACH (“CITY”) AND MB MARINA PARK, LLC, AN AFFILIATE OF SUNTEX MARINA INVESTORS, LLC (THE “LESSEE”), OF THE CITY-OWNED PROPERTIES LOCATED AT 300-400 ALTON ROAD, (FOLIO NOS. 02-4203-009-9210, 02-4203-000-0010, AND 02-4203-009-9250), AN APPROXIMATELY 3.51 ACRE SITE, MORE PARTICULARLY DESCRIBED IN THIS RESOLUTION (THE “LEASED PROPERTY”), FOR THE OPERATION OF THE MIAMI BEACH MARINA, WHICH LEASE SHALL PROVIDE FOR: (1) THE CONSTRUCTION OF A NEW FACILITY OF APPROXIMATELY 45,000 SQUARE FEET, FOR RETAIL, RESTAURANT, OFFICE AND MARINA USES, IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE LEASE AND THE DEVELOPMENT AGREEMENT BY AND AMONG CITY, MARINA PARK RESIDENTIAL, LLC AND MARINA PARK COMMERCIAL, LLC FOR THE MARINA PARK PROJECT, APPROVED PURSUANT TO CITY COMMISSION RESOLUTION NO. 2020-_____ (“DEVELOPMENT AGREEMENT”); (2) THE CITY’S SUBLEASE TO THE LESSEE OF THE SUBMERGED LANDS AREA LEASED TO THE CITY AND MIAMI BEACH REDEVELOPMENT AGENCY BY THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENTS TRUST FUND OF THE STATE OF FLORIDA, AS MAY BE AMENDED (BOT FILE NO. 130765469) (“AREA 2”); (3) A TERM OF NINETY-NINE YEARS, COMMENCING ON JANUARY 1, 2022 AND EXPIRING DECEMBER 31, 2120; (4) ANNUAL RENT TO THE CITY, CONSISTING OF THE GREATER OF MINIMUM BASE RENT OR A FIXED PERCENTAGE OF THE GROSS REVENUES OF THE MIAMI BEACH MARINA, AMONG OTHER RENT; AND (5) LESSEE’S CONSTRUCTION, AT ITS SOLE COST AND EXPENSE, OF ADDITIONAL CAPITAL IMPROVEMENTS IN THE AGGREGATE AMOUNT OF \$35 MILLION WITHIN THE FIRST THIRTY (30) YEARS OF THE LEASE; FURTHER, PROVIDING THAT THE LEASE SHALL BE SUBJECT TO AND CONTINGENT UPON APPROVAL BY A MAJORITY OF THE VOTERS VOTING IN A CITY-WIDE REFERENDUM PURSUANT TO SECTION 1.03(B)(1) OF THE CITY CHARTER AND THE CLOSING ON THE SALE OF THE RESIDENTIAL PARCEL, AS CONTEMPLATED IN THE DEVELOPMENT AGREEMENT AND RELATED AGREEMENTS ATTACHED AS EXHIBITS THERETO; AND FURTHER, WAIVING, BY 5/7TH VOTE, THE COMPETITIVE BIDDING REQUIREMENT OF SECTION 82-39 OF THE CITY CODE, FINDING THAT THE PUBLIC INTEREST WOULD BE SERVED BY WAIVING SUCH CONDITION.

This Resolution is being heard pursuant to Section 82-37 of the City of Miami Beach Code or Ordinances.

A copy of the proposed Development Agreement that is related to this item is available for public inspection during normal business hours in the Office of the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139.

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This item is available for public inspection during normal business hours in the City Clerk’s Office, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting, or any item herein, may be continued, and under such circumstances, additional legal notice need not be provided. Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in alternate format, sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceedings, call 305.604.2489 and select option 6; TTY users may call via 711 (Florida Relay Service).

Rafael E. Granado, City Clerk
City of Miami Beach