




City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMISSION MEMORANDUM

**TO:** Mayor Dan Gelber and Members of the City Commission  
**FROM:** Raul J. Aguila, City Attorney   
**DATE:** July 17, 2020  
**SUBJECT:** **Discussion Regarding Referendum Question To Dedicate Proceeds Received by the City from Marina Park Project Sale**

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At the request of Commissioner Gongora to include programs to benefit the elderly to the proposed uses of proceeds from the sale of City property and air rights for the Marina Park Project, an updated draft of the proposed ballot question is set forth below.

**Approval of Use of \$55,000,000  
From Sale of City Property for Marina Park Project**

If voters approve City's sale to Marina Park Residential, LLC of .30 acres of property and air rights over 300-400 Alton Road for residential component of the Marina Park Project, shall City Commission use the \$55,000,000 in sale proceeds, in equal portions, for the following public purposes:

- resiliency and sustainability initiatives,
- affordable/workforce/teacher housing,
- programs to benefit the elderly, and
- increasing City's budgetary reserves, impacted due to the COVID-19 pandemic?

The initial version of the use of proceeds ballot question, sponsored by Commissioners Samuelian and Gongora, is attached hereto.

For context and ease of reference, an updated draft of all three ballot questions related to the Marina Park Project are also attached hereto, including the ballot questions for voter referendum approval of the Lease and the Sale (sponsored by Commissioner Arriola), in the order in which the questions will most likely appear on the November 3, 2020 ballot.

**Initial version of proposed Use of Proceeds ballot question, sponsored by  
Commissioners Samuelian and Gongora:**

**Approval of Use of \$55,000,000  
From Sale of City Property for Marina Park Project**

If voters approve City's sale to Marina Park Residential, LLC of .30 acres of property and air rights over 300-400 Alton Road for the residential component of the Marina Park Project, shall the City Commission use the \$55,000,000 in sale proceeds, in equal portions, for the following public purposes:

- resiliency and sustainability initiatives,
- affordable/workforce/teacher housing, and
- increasing City's budgetary reserves, impacted due to the COVID-19 pandemic?

**City Charter Approval of Sale of  
City Property And Air Rights for Marina Park Project**

Should City sell .30 acres of property, and air rights over, 300-400 Alton Road, to Marina Park Residential, LLC, to develop the 275,000 square foot residential component of Marina Park Project, requiring, per Resolution 2020-\_\_\_\_\_:

- \$55,000,000 payment to City,
- \$22,500,000 in new marina facility improvements and additional public benefits, including 1.0 acre public park and resiliency enhancements, and
- Project restrictions of 385 feet in height and maximum of 60 residential units?

**City Charter Approval of Lease of  
City Property for Operation of Miami Beach Marina**

Should City lease 3.51-acre property at 300-400 Alton Road, and 38-acre submerged lands in Biscayne Bay south of 5<sup>th</sup> Street, to MB Marina Park, LLC, for 99 years, requiring, per Resolution 2020-\_\_\_\_\_:

- \$40,000,000 in new improvements for marina operations,
- delivery of 1.0 acre public park to City, and
- rent to City, greater of: guaranteed rent (\$16,400,000 in first ten years, adjusted thereafter) or percentage of marina's revenues annually?

**Approval of Use of \$55,000,000  
From Sale of City Property for Marina Park Project**

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- resiliency and sustainability initiatives,
- affordable/workforce/teacher housing,
- [programs to benefit the elderly, and]
- increasing City's budgetary reserves, impacted due to the COVID-19 pandemic?