

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Raul J. Aguila, City Attorney



DATE: July 29, 2020

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CALLING FOR A NOVEMBER 3, 2020 SPECIAL ELECTION, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH, FLORIDA A BALLOT QUESTION ASKING WHETHER THE CITY SHOULD SELL 0.3 ACRES OF PROPERTY, AND AIR RIGHTS OVER, 300-390 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.**

The attached Resolution has been prepared calling for a City of Miami Beach Special Election to be held on November 3, 2020 for the purpose of submitting to the City's voters the following question pursuant to Section 1.03(b)(1) of the City Charter:

City Charter approval of sale of City property and air rights for Marina Park Project

Should City sell 0.3 acres of property, and air rights over, 300-390 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?

* * *

Section 1.03(b)(1) of the City Charter provides in pertinent part:

The sale, exchange, conveyance, or lease of ten (10) years or longer (including option periods) of City-owned park, recreation, or waterfront property shall require approval by a majority vote of the voters in a City-wide referendum.

The property that is the subject of the proposed sale is waterfront property, subject to the referendum requirement of Section 1.03(b)(1) of the City Charter. The proposed agreements, including the Development Agreement and Purchase and Sale Agreement, are the subject of companion agendas item being considered at the July 29, 2020 City Commission meeting.

Pursuant to directive of the Miami-Dade County Elections Department, the final City Commission meeting at which the City Commission may adopt its Resolution placing a ballot measure on the November 3, 2020 ballot is July 29, 2020. Accordingly, this matter is timely presented to the City Commission and adoption of the attached Resolution may take place at today's meeting.