

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CHAIRPERSON AND MEMBERS OF THE MIAMI BEACH REDEVELOPMENT AGENCY (RDA), FOLLOWING A DULY ADVERTISED PUBLIC HEARING, ACCEPTING THE RECOMMENDATION OF THE CITY'S FINANCE AND ECONOMIC RESILIENCY COMMITTEE, AND WAIVING, BY 5/7TH VOTE, THE FORMAL COMPETITIVE BIDDING REQUIREMENT IN SECTION 82-39(a) OF THE CITY CODE, FINDING THAT THE PUBLIC INTEREST WOULD BE BETTER SERVED BY WAIVING SUCH CONDITION; AND APPROVING AND AUTHORIZING THE CHAIRPERSON AND SECRETARY TO EXECUTE A NEW LEASE AGREEMENT BETWEEN THE RDA (LANDLORD) AND THE MIAMI BEACH CHAMBER OF COMMERCE (TENANT) FOR USE OF APPROXIMATELY 721 SQUARE FEET OF GROUND FLOOR RETAIL SPACE AT THE ANCHOR SHOPS GARAGE, LOCATED AT 100 16TH STREET, SUITE NO. 6, MIAMI BEACH, FLORIDA, FOR AN INITIAL TERM OF ONE (1) YEAR, RETROACTIVELY COMMENCING ON JANUARY 1, 2021, WITH TWO (2) ADDITIONAL ONE-YEAR RENEWAL TERMS, AT THE RDA'S OPTION.

**WHEREAS**, as a result of the Miami Beach Convention Center Renovation Project, the Visitor Center of the Miami Beach Chamber of Commerce (MBCC) had to relocate to the northeasterly 935 square feet area of the Pennsylvania Garage retail space, which has a total of 7,655 square feet, located at 1661 Pennsylvania Avenue (Penn Garage Space); and

**WHEREAS**, Moonlighter Fablab, Inc. d/b/a Moonlighter Makerspace (Moonlighter) executed a lease with the City and the Miami Beach Redevelopment Agency (collectively, Landlord) for use the remaining 6,720 square feet of the Penn Garage Space (Moonlighter Space), for an initial term of three (3) years, commencing upon the City providing Moonlighter with possession of the Moonlighter Premises, with two (2) one-year renewal terms; and

**WHEREAS**, Moonlighter has not been able to take possession of the Moonlighter Space, in that, due to the combined use of the Penn Garage Space, the City would have to install a devising wall to separate the spaces and modify the existing kitchen equipment and related systems, for an approximate cost of \$80,000; or, in the alternative, Moonlighter would have to secure a zoning change of use (to light industrial) in order to share the Penn Garage Space with MBCC; and

**WHEREAS**, the Miami Beach Redevelopment Agency (RDA) currently has approximately 721 square feet of vacant ground floor retail space at the Anchor Shops Garage, located at 100 16th Street, Suite No. 6, Miami Beach, Florida (the "Space"); and

**WHEREAS**, on February 19, 2021, the Finance and Economic Resiliency Committee (FERC) recommended approving a new lease agreement with MBCC for use of the Space, based upon the following essential terms:

**Premises:** 100 16th Street, Suite 6 Miami Beach, Florida 33139

**Size:** Approximately 721 square feet

**Term:** One (1) year term, commencing on January 1, 2021 and ending on December 31, 2021, with two (2) successive one-year renewal terms, at the option of the RDA.

**Rental Rate:** \$1.00 annually

**Operating Expenses:** Tenant shall pay its proportionate share of Property Taxes, Insurance, and Common Area Maintenance for the Anchor Shops and Parking Garage. \$8.81/sq. ft. per year - \$529.34 per Month.

**Termination Option:** The City reserves the right, through its City Manager, to terminate the Lease Agreement, at any time, without cause and without liability to the City, upon providing Tenant with ninety (90) days prior written notice.

**WHEREAS,** based upon the foregoing, the Executive Director hereby recommends accepting the recommendation of the Finance and Economic Resiliency Committee, and waiving, by 5/7ths vote, the competitive bidding requirement in Section 82-39(a) of the City Code, as being in the best interest of the RDA, and approving a new lease agreement with MBCC, in the form attached to this Resolution as Exhibit "1".

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE CHAIRPERSON AND MEMBERS OF THE MIAMI BEACH REDEVELOPMENT AGENCY (RDA),** that the Chairperson and Members of the RDA, following a duly advertised public hearing, hereby accept the recommendation of the City's Finance and Economic Resiliency Committee, and waive, by 5/7th vote, the formal competitive bidding requirement in Section 82-39(a) of the City Code, finding that the public interest would be better served by waiving such condition; and approve and authorize the Chairperson and Secretary to execute a new lease agreement between the RDA (landlord) and the Miami Beach Chamber of Commerce (tenant) for use of approximately 721 square feet of ground floor retail space at the Anchor Shops Garage, located at 100 16th street, Suite No. 6, Miami Beach, Florida, for an initial term of one (1) year, retroactively commencing on January 1, 2021, with two (2) additional one-year renewal terms, at the RDA's option.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
Dan Gelber, Chairperson

**ATTEST:**

\_\_\_\_\_  
Rafael E. Granado, Secretary

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

\_\_\_\_\_  
Redevelopment Agency  
General Counsel

4-13-21  
Date