

Exhibit C

MIAMI BEACH

OFFICE OF THE CITY MANAGER

LTC# 239-2023

LETTER TO COMMISSION

TO: Honorable Mayor Dan Gelber and Members of the City Commission

FROM: Alina T. Hudak, City Manager 

DATE: May 24, 2023

SUBJECT: **UPDATE ON THE ITEMIZED IMPROVEMENTS AT THE MIAMI BEACH MARINA.**

As requested by Commissioner Kristen Rosen-Gonzalez, the purpose of this Letter to Commission (LTC) is to provide the Mayor and City Commission with an update on the improvements being conducted by Suntex Marina Investors, LLC (Suntex), as the operator of the Miami Beach Marina (the Marina).

On November 21, 2022, the Administration sent a notice (**Exhibit A**) to Suntex advising of needed repairs, maintenance and/or capital improvements to include landscaping, install irrigation and new foliage, entrance gates at each Pier need sandblasting and painting (Piers A thru M). In addition, the retail building needs a new look to include painting, new awnings, spalling repairs, interior ceiling and walkway upgrades, elevator modernization, new planters and signage throughout.

Suntex must produce a rendering showing the color pallet desired for the building façade and Baywalk signage concepts. The Baywalk tinted sidewalk designs are faded and must be replaced along with repairs to broken sidewalks, curbs, etc. The garbage receptacles and concrete tables should be replaced with a more appealing concept.

Suntex has taken measures to remedy the deficiencies identified. Suntex has divided the projects into two (2) phases. The following is an update as of April 2023:

PHASE 1 (Items that will be under contract by end of year 2023)

- Landscaping - design/install irrigation and new foliage. – **Completed** (see attached photos – **Exhibit B**).
- Up lights in trees – **In progress**.
- New signage package throughout the marina and gates – **City approved signage and currently in production**.
- Awnings on the main building updated – **Suntex is preparing the specification package for the City's Planning Department review and approval**.
- Planters, trash receptacles, and accessories updated and changed out – **Suntex is preparing specification package for City review and approval to include the concrete tables and benches**.
- Painting of exterior surfaces and accents on the main building. **Suntex is preparing specification package for City review and approval**.

LTC: Miami Beach Marina Improvements

PHASE 2 (Items to be completed by May 2024)

- Entrance gates at each Pier refurbished or replaced – **Suntex is preparing specification package for City review and approval.**
- Building interior walkways and floorings - **Suntex is preparing specification package for City review and approval.**
- Address baywalk issues including concrete and pavers - **Administration to review options with Suntex and City Planning Dept.**
- Improvement of electrical and lighting on Baywalk – **Suntex is reviewing potential options for 2024.**
- Elevator modernization - **Suntex will provide a timeline and design for a 2024 project.**

On March 10, 2023, a site inspection of the Marina was conducted with the Building Department's Chief Electrical Inspector, Asset Management, Suntex Marina General Manager and Marina personnel to review the reports of the Miami Beach Marina shutting down electrical power to the docks during the King Tides. Suntex has retained electrical engineers to provide reports on these conditions with recommendations.

The following points were observed:

- Suntex's General Manager explained the issue of the King Tides is not related to the actual docks, just three Baywalk electrical manholes (see attached photos – **Exhibit C**).
- When the tide rises and overflows onto the Baywalk during the King Tides, there are times these three manholes become submerged. If there are exposed/spliced cables, it may cause a trip to the system. This is only pertaining to the manholes that feed Docks J, K and L. All other docks are not affected by the high tide due to their elevation.
- Suntex Marina has hired electrical engineers to complete a study and will provide a report with their findings.
- Since a thorough verification of the type of equipment used in these manholes (wiring and splices) is required to make sure they are consistent with what is listed for these locations, the Building Department's Chief Electrical Inspector recommends waiting on the engineer's report and recommendations, which should state a plan of action going forward.

Should you have any questions on the foregoing please contact Adrian Morales at adrianmorales@miamibeachfl.gov.

Attachment

Exhibit A – Letter to Suntex

Exhibit B – Landscaping

Exhibit C – Electrical Manholes

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MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, FL 33139, www.miamibeachfl.gov
FACILITIES AND FLEET MANAGEMENT DEPARTMENT
Asset Management Division
Tel: 305-673-7193

November 21, 2022

Mr. Sam Chavers
Regional Vice President
Miami Beach Associates, Ltd.
300 Alton Road, Suite 208
Miami Beach, Florida 33139

Subject: Repairs and Maintenance

Re: Lease Agreement between the City of Miami Beach ("City") and Carner-Mason Associates, Ltd., dated June 24, 1983, whose leasehold interest was acquired by Tallahassee Building Corporation pursuant to a judgment of foreclosure on October 17, 1963; as amended by the First Amendment to Marina Lease Agreement dated October 23, 1991; the Second Amendment to Marina Lease Agreement dated August 11, 1994; the Third Amendment to Marina Lease Agreement dated May 27, 1997, which also, pursuant to Resolution No. 97-22398, contained the City's consent to the assignment of the Lease from Tallahassee Building Corporation to the Miami Beach Marina Associates, Ltd. ("Lessee"); and the Fourth Amendment to Marina Lease Agreement dated April 15, 1998 (collectively, the "Marina Lease"; and the Parking Facility Management and Operation Agreement, by and Among Miami Beach Marina Associates, Ltd., the City, and the Miami Beach Redevelopment Agency ("Agency") dated December 1, 1999 (the "Parking Management Agreement").

Dear Mr. Chavers:

Please allow this correspondence to serve as the City/RDA's formal Notice of identified repair and maintenance required by the Marina for the deficiencies listed below:

- Deteriorated landscaping. Need to design/install irrigation and new foliage.
- Graffiti & stickers throughout the Marina on pole lights, railings and signage.
- New signage needed for the electrical power boxes.
- Entrance gates at each Pier need sandblasting and painting.
- Several light poles along the boardwalk are missing electrical covers and rusting.
- Retail Building needs a new look (at the very least):
 - Painting inside and out
 - Awning replacement
 - Awning frame painting
 - Spalding throughout concrete and stucco needed
 - Vegetation on various areas of concrete, roof and gutters
 - Interior walkway ceilings and floorings need to be replaced with a modern design
 - Monty's pool and pool decking, exterior bar and seating need full remodel
 - Store fronts need window treatment improvements

- Elevator needs modernization
- Railings need upgrades
- Walls need painting
- Planters and ashtrays need to be replaced and updated
- New signage throughout
- Produce a rendering showing the color pallet on the building façade. List the paint brand and color code clearly on the rendering and permit application. Complete permit application.
- Email permit application (signed and notarized by your Contractor) to Gabby and me. We will review first and then proceed to have it signed and notarized on behalf of the City.
- Submit signed permit application with renderings to the City for Planning Dept review and approval.
- Please note, if you will be installing ladders or scaffolds anywhere on City Property, you will need to also pull an MOT permit showing a pedestrian walk path, etc.
- Baywalk signage needs to be replaced. If a new or different design is desired, Suntex Marina must submit a signage plan for approval. The current signs are deteriorating fast.
- The baywalk tinted sidewalk designs are faded and must be replaced.
- Replace / repair all broken sidewalks, curbs, etc.
- Planters along baywalk to be replaced with a fresh, modern concept. Replace foliage from the "ALOE" plants with plant materials that are lush and more appealing (i.e. bougainvillea's).
- Utility covers throughout baywalk are cracked or broken. These should be replaced, while maintaining a consistent design.
- The stamped concrete along the baywalk (which replaced the broken pavers) was not City approved. Do not proceed with stamped concrete.
- Garbage receptacles should be replaced with a more appealing concept.

The City/RDA hereby requests that the Suntex Marinas fully cure all of the above-mentioned deficiencies, within the next thirty (30) days ("Cure Period"). Failure to do so, may constitute an event of default Pursuant to Article XX(B) of the Marina Lease.

Sincerely


Ozzie Dominguez, Director
Asset Management Division

Cc: SMI Miami Beach GP, LLC, General Partner
Miami Beach Marina Associates, LTD.
17330 Preston Road, Suite 220A
Dallas, TX 75252

Adrian Morales, Director, Facilities and Fleet Management Department
AdrianMorales@miamibeachfl.gov



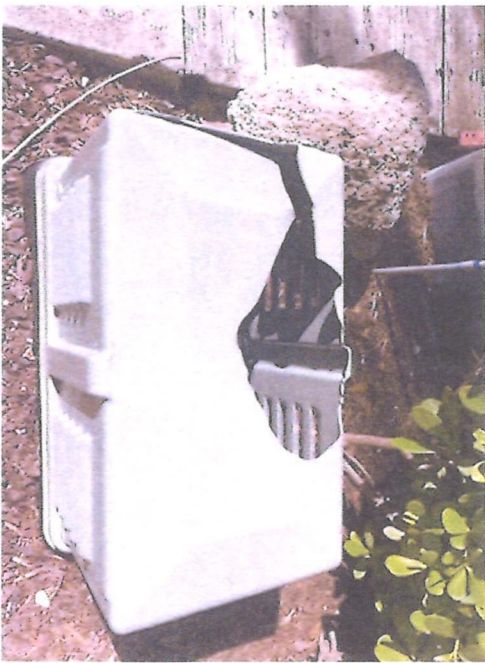




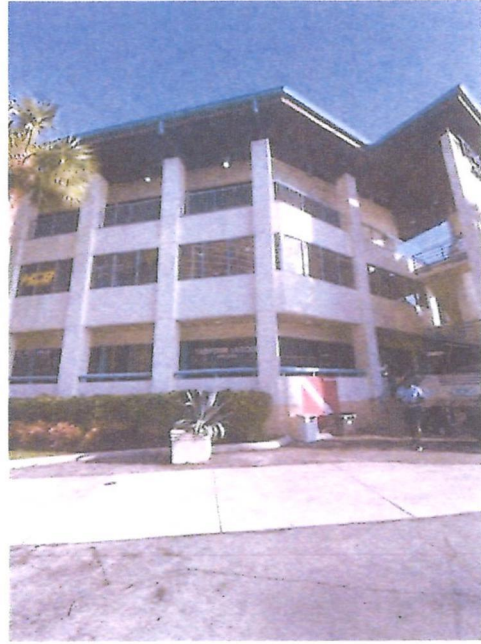
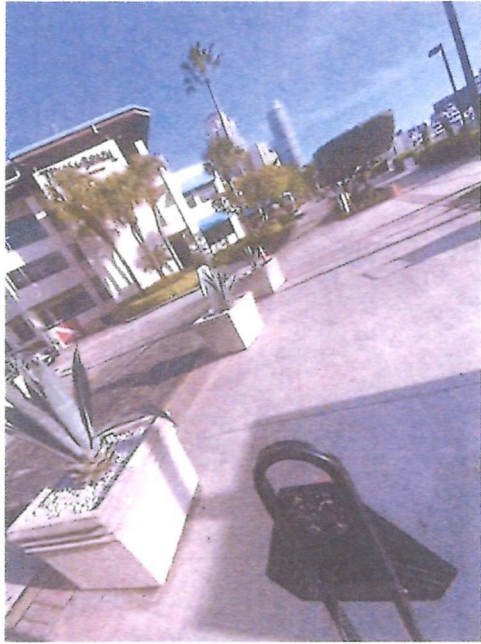












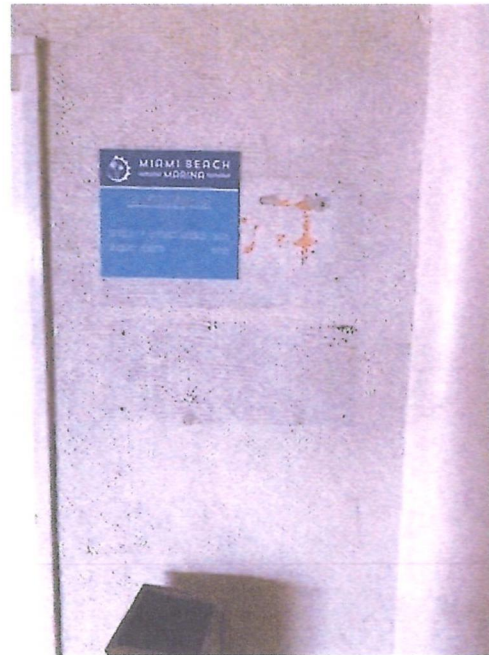








Exhibit B





Exhibit C

