

MIAMIBEACH

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www.miamibeachfl.gov

COMMISSION MEMORANDUM

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

FROM: Alina T. Hudak, City Manager

DATE: April 6, 2022

SUBJECT: **A RESOLUTION OF THE MAYOR AND COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE, IN THE FORM ATTACHED TO THIS RESOLUTION AS EXHIBIT A, THE SOVEREIGNTY SUBMERGED LANDS FEE WAIVED LEASE RENEWAL (BOT FILE NO. 130037916), FOR A FOUR (4) SLIP DOCKING FACILITY AT THE NORTH SHORE POLICE SUBSTATION, LOCATED AT 6860 INDIAN CREEK DRIVE, BY AND BETWEEN THE CITY (LESSEE) AND THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA (LESSOR); SAID LEASE RENEWAL HAVING A TERM OF FIVE (5) YEARS, COMMENCING ON MAY 17, 2022 AND ENDING ON MAY 17, 2027.**

BACKGROUND

On July 10, 2002, the City, as Lessee, executed a Sovereignty Submerged Lands Lease (BOT No. 130037916) ("Lease") with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, as Lessor, for a parcel of sovereignty submerged land located adjacent to the North Shore Police Substation at 6860 Indian Creek Drive. The Lease was for a term of five (5) years which retroactively commenced on May 17, 2002, and ended on May 16, 2007; with future renewal(s) of said Lease, if any, being at the sole option of Lessor.

On April 22, 2008, the City and the Lessor agreed to renew the Lease, as modified to reflect a reduction in the leased premises, for a term of five (5) years, retroactively commencing on May 17, 2007 and ending on May 17, 2012; with future renewal(s) of said Lease, if any, being at the sole option of Lessor. The original area of 17,120 square feet was reduced to 10,515 square feet due to a change in the number of docks verified by a current survey. The reduction in the number of docks was an outcome of property destruction from past hurricanes and extreme weather conditions. It was determined that the remaining docks were sufficient for the intended and exclusive use of the City.

On September 12, 2012, the City and the Lessor agreed to renew the Lease, for a term of five (5) years, retroactively commencing on May 17, 2012 and ending on May 17, 2017; with future renewal(s) of said Lease, if any, being at the sole option of Lessor.

On October 17, 2017, the City and the Lessor agreed to renew the Lease, for a term of five (5) years, retroactively commencing on May 17, 2017 and ending on May 17, 2022; with future renewal(s) of said Lease, if any, being at the sole option of Lessor.

ANALYSIS

The Lease authorizes the City to operate an existing four (4)-slip docking facility exclusively to be used for mooring of police and municipal City-owned vessels in conjunction with the upland police station. The Fire Department utilizes one of the docks for its new fire boat. Marine Patrol also utilizes the remaining docks on an ongoing basis. The docking facility serves as a valuable asset to the City in its efforts to serve the North Shore area.

There is no annual rent or lease fee payments required under the Lease.

The City and Lessor have agreed to renew the Lease, attached hereto as Exhibit A (Lease), for a term commencing on May 17, 2022 and ending on May 17, 2027; with future renewal(s) of said Lease, if any, being at the sole option of Lessor.

CONCLUSION

The Administration recommends that the Mayor and City Commission adopt the Resolution authorizing the City Manager to execute the Sovereignty Submerged Land Lease Renewal for a four (4)-slip docking facility at the North Shore Police Substation commencing on May 17, 2022 and ending on May 17, 2027.

Attachments:

- 1) Resolution
- 2) Exhibit A – Lease

