

RESOLUTION NO. 2024-32992

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE ADMINISTRATION TO NEGOTIATE APPROPRIATE TERMS AND CONDITIONS FOR THE POSSIBLE EXTENSION OF THE TERM OF THE MIAMI BEACH MARINA LEASE, TO INCLUDE OPTIONS FOR BOTH A SHORT-TERM (LESS THAN 10 YEARS) AND LONG-TERM (10 YEARS OR MORE) EXTENSION, AND TO PRESENT A DRAFT TERM SHEET THAT INCLUDES BOTH OPTION TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE (FERC) AND TO THE PUBLIC SAFETY NEIGHBORHOODS AND QUALITY OF LIFE COMMITTEE (PSNQLC) FOR REVIEW BY EACH COMMITTEE AS SOON AS REASONABLY PRACTICABLE.

WHEREAS, early in 2023, the South of Fifth Neighborhood Association ("SOFNA") created a Sub-Committee of Marina Condo Stakeholders (the "Sub-Committee") which was empowered to work with the City and Miami Beach Marina Associates, Ltd. ("Suntex") to find ways to address resident concerns regarding at-times unruly passengers on the so-called "party boats" (the "Party Charters") that became prolific at the Miami Beach Marina (the "Marina") during the COVID 19 pandemic; and

WHEREAS, various meetings took place in 2023 among members of the Sub-Committee and the City to determine if there was a way to help address concerns of residents living in the condominium towers abutting the Marina and other residents who use the baywalk adjacent to the Marina ("Affected Residents") regarding the Party Charters; and

WHEREAS, by the end of March 2023, Suntex had terminated three (3) slip agreements and opted not to renew an additional seven (7) slip agreements with charter operators that were not following Suntex's rules and regulations pertaining to disorderly behavior by guests, as well as hired a new commercial dockmaster position whose primary responsibility was to monitor charter activity, but affected Residents did not feel sufficient progress was being made; and

WHEREAS, by the end of the summer of 2023, the Sub-Committee was at a complete impasse with Suntex; and

WHEREAS, the Sub-Committee persevered and, following many months of discussions with Suntex, the two parties drafted a framework in the form of a letter of intent for changes to the Marina Lease that would benefit the Affected Residents and, in exchange, Suntex indicated certain modifications to the Marina Lease that it would desire (a copy of the letter of intent between the Sub-Committee and Suntex is attached as **Exhibit A**); and

WHEREAS, both the Sub-Committee and Suntex understood that any amendment to the Marina Lease would require direct negotiations between the City, as the owner of the Marina, and Suntex; and

WHEREAS, both parties also fully appreciated that their framework represented only a starting point for discussions between the City and Suntex to consider amending the Marina Lease to, among other things, address the concerns of Affected Residents and was not binding on the City or Suntex; and

WHEREAS, at the March 13, 2024 meeting of the Mayor and City Commission, Commissioner Alex Fernandez referred an item to the Finance and Economic Resiliency Committee (the "FERC") to discuss the possible extension of the term of the Marina Lease; and

WHEREAS, the Mayor and City Commission desire to expedite the negotiation of a draft term sheet, to include options for both a short-term (less than 10 years) and long-term (10 years or more) extension, and to present the draft term sheet to the FERC and the Public Safety Neighborhoods and Quality of Life Committee for review by each committee as soon as reasonably practicable; and

WHEREAS, the draft term sheet should address both unfavorable and/or dated terms and conditions as well as the concerns raised by Affected Residents.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA that the Mayor and City Commission hereby direct the Administration to negotiate appropriate terms and conditions for the possible extension of the term of the Miami Beach Marina Lease, to include options for both a short-term (less than 10 years) and long-term (10 years or more) extension, and to present a draft term sheet that includes both options to the Finance and Economic Resiliency Committee (FERC) and to the Public Safety Neighborhoods and Quality of Life Committee for review by each committee as soon as reasonably practicable.


PASSED AND ADOPTED this 3 day of April, 2024.

ATTEST:



Rafael E. Granado, City Clerk

APR 08 2024


Steven Meiner, Mayor

(Sponsored by Commissioner David Suarez)



**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**


City Attorney

3-26-24
Date