

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, IN SUBSTANTIAL FORM, AMENDMENT NO.1 TO THE LEASE AGREEMENT DATED OCTOBER 1, 2004 (AGREEMENT), BY AND BETWEEN PARKVIEW POINT CONDOMINIUM ASSOCIATION, INC (LESSOR) AND THE CITY OF MIAMI BEACH, FLORIDA (LESSEE); SAID AMENDMENT APPROVING THE ONLY RENEWAL TERM UNDER THE AGREEMENT FOR A PERIOD OF TEN (10) YEARS, COMMENCING ON SEPTEMBER 1, 2024 AND EXPIRING ON AUGUST 31, 2034, AND MODIFYING THE ANNUAL USE PAYMENT AMOUNT DURING THE RENEWAL TERM AS NEGOTIATED BY THE PARTIES; AND FURTHER AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE THE AMENDMENT.

WHEREAS, for several decades, the City has used certain privately-owned condominium towers for the location and operation of public facilities; and

WHEREAS, on October 15, 2003, the Mayor and City Commission adopted Resolution No. 2003-25382, approving a Lease Agreement with Parkview Point Condominium Association, Inc. ("Parkview Point") for an initial term of twenty (20) years, with one (1) renewal option, upon mutual agreement of the parties, for a term of ten (10) years; and

WHEREAS, the City and Parkview Point executed the Lease Agreement, dated October 1, 2004, with an effective date of September 1, 2004 (the "Agreement"), with the initial term currently set to expire on August 31, 2024; and

WHEREAS, on April 5, 2024, Parkview Point notified the City of their desire to modify the annual Use Payment under the Agreement for the renewal term; and

WHEREAS, Park View proposed that for the first year of the renewal term of the Agreement, beginning on September 1, 2024, the effective Use Payment amount would be Thirty-Four Thousand One Hundred and Forty Dollars (\$34,140.00) per year, payable in quarterly payments of \$8,535.00, and for each successive year the Agreement remains in effect, the Use Payment would be increased by Four and a Half Percent (4.5%) per year; and

WHEREAS, the requested modifications to the Use Payment are more in line with other agreements the City currently has in place for the same use in other privately owned condominiums; and

WHEREAS, the Administration recommends in favor of approving, in substantial form, the proposed Amendment No.1 to the Agreement, incorporated herein by reference and attached to the City Commission Memorandum accompanying this Resolution; said Amendment approving the ten-year renewal term, commencing September 1, 2024 and ending August 31, 2034, and modifying the Use Payment for such renewal term as negotiated by the parties.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve, in substantial form, Amendment No.1 to the Lease Agreement dated October 1, 2004 (Agreement), by and between Parkview Point Condominium Association, Inc. (Lessor) and the City of Miami Beach, Florida (Lessee); said Amendment approving the only

renewal term under the Agreement for a period of ten (10) years, commencing on September 1, 2024 and expiring on August 31, 2034, and modifying the annual Use Payment amount during the renewal term as negotiated by the parties; and further authorize the Interim City Manager to execute the Amendment.

PASSED AND ADOPTED this ____ day of _____ 2024.

Steven Meiner, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

5/4/2024

Date