

C7 I A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY'S FINANCE AND ECONOMIC RESILIENCY COMMITTEE AT ITS MARCH 26, 2025 MEETING, AND APPROVING, IN SUBSTANTIAL FORM, A LEASE AGREEMENT BETWEEN THE CITY ("LANDLORD") AND MIAMI BEACH POLICE ATHLETIC LEAGUE, INC. ("PAL" OR "TENANT"), FOR USE OF A BUILDING HAVING APPROXIMATELY 13,367 SQUARE FEET, LOCATED WITHIN FLAMINGO PARK, AT 999 11TH STREET ("PREMISES"), FOR A PERIOD OF NINE (9) YEARS AND THREE HUNDRED AND SIXTY-FOUR (364) DAYS, COMMENCING ON JULY 1, 2025 AND EXPIRING ON JUNE 29, 2035; AND FURTHER AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE THE LEASE AGREEMENT.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: April 23, 2025

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY'S FINANCE AND ECONOMIC RESILIENCY COMMITTEE AT ITS MARCH 26, 2025 MEETING, AND APPROVING, IN SUBSTANTIAL FORM, A LEASE AGREEMENT BETWEEN THE CITY ("LANDLORD") AND MIAMI BEACH POLICE ATHLETIC LEAGUE, INC. ("PAL" OR "TENANT"), FOR USE OF A BUILDING HAVING APPROXIMATELY 13,367 SQUARE FEET, LOCATED WITHIN FLAMINGO PARK, AT 999 11TH STREET ("PREMISES"), FOR A PERIOD OF NINE (9) YEARS AND THREE HUNDRED AND SIXTY-FOUR (364) DAYS, COMMENCING ON JULY 1, 2025 AND EXPIRING ON JUNE 29, 2035; AND FURTHER AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE THE LEASE AGREEMENT.

RECOMMENDATION

The Administration recommends that the Mayor and City Commission approve in substantial form, the Lease Agreement as outlined in this memorandum, a copy of which is attached hereto as Exhibit "B"; and further authorize the City Manager to finalize and execute the Lease Agreement.

BACKGROUND/HISTORY

The City is the owner of a property consisting of a building with approximately 13,367 square feet, located within Flamingo Park located at 999 11th Street, Miami Beach, Florida, 33139 (the "Premises"). On May 15, 1996, the Mayor and City Commission adopted Resolution No. 96-21987, approving a Lease Agreement between the City and the Miami Beach Police Athletic League, Inc. ("PAL"), a nonprofit organization dedicated to providing youth mentorship and athletic programs in collaboration with the Miami Beach Police Department. The agreement granted PAL use of the Premises for a five-year term, from July 1, 1996, to June 30, 2001.

On June 17, 1998, the City Commission approved Resolution No. 98-22787, authorizing the First Amendment to the Lease Agreement, which extended the lease term from July 1, 2001, to June 30, 2023, with subsequent amendments further extending it through June 30, 2025.

As the current lease approaches expiration, PAL formally requested a new lease from the City of Miami Beach on February 24, 2025 (attached hereto as Exhibit A). PAL has expressed interest in continuing its operations under a new lease agreement with similar terms to ensure the continuation of its community-focused programming. The proposed renewal contains the following key terms and conditions:

1. Lease Term and Rent

Lease Term: Nine (9) years and Three Hundred and Sixty-Four (364) Days: July 1, 2025, to June 29, 2035

Rent: \$1.00 per year.

2. Property and Shared Use

Property Description: The building, located at 999 11th Street, with 13,367 sq. ft.

Shared Use: The Premises will be jointly used by the PAL and the City.

Division of Use: The building is divided into:

- o PAL's Area (for youth programs and PAL offices)
- o City's Area (for City recreational programs)
- o Shared Areas (jointly used spaces, including community rooms and restrooms).

3. Financial Responsibilities

Utilities:

- o The PAL and the City will each pay 50% of shared utility expenses (electricity, water, cable).

Real Estate Taxes:

- o Property is not currently assessed
- o If taxes are assessed solely due to PAL's use or subleases, PAL covers 100% of the tax liability.

4. Maintenance and Repairs

Lessor's (City's) Responsibilities:

- o General building maintenance (HVAC, plumbing, electrical, windows, structural repairs).
- o Capital improvements (roof, exterior walls, infrastructure).

Lessee's (PAL's) Responsibilities:

- o Maintain PAL's Area (interior walls, floors, security system, phone, cable).
- o Daily maintenance of the PAL's Area, including cleaning, garbage removal, and minor repairs.

5. Approved Uses and Programming

The PAL's Approved Uses:

- o Youth programs (sports, fitness, mentoring, tutoring, summer camps).
- o Adult fitness center and boxing program.
- o Community events (meetings, elections, special events).

City's Approved Uses:

- o City recreational programs (sports leagues, after-school care, summer camps).
- o Disaster/hurricane relief site.
- o Polling site

Scheduling & Conflicts: If conflicts arise in shared use, the City Manager will resolve disputes.

Additional Programs: Any new programs must be mutually approved by the PAL and the City.

6. Public Benefits

- The PAL will provide City employees with a minimum 25% discount off the membership fee for use of the Fitness Center

7. Subleases and Additional Tenants

Approved Subleases:

- o Miami Beach Policemen's Relief and Pension Fund; William Nichols Lodger No.8, Fraternal Order of Police ("FOP")
- o Miami Beach Police Athletic League Fitness Center, Inc. (a for-profit entity owned by the PAL).

Conditions for Subleases:

- o The PAL must indemnify the City from liabilities related to subtenants.
- o Insurance required for subtenants, including general liability and workers' compensation.

8. Insurance and Indemnification

PAL's Insurance Requirements (Subject to modification by the City's Risk Management):

- o \$1,000,000 General Liability Insurance.
- o All-Risk Property Insurance (covering tenant improvements and property).
- o Workers' Compensation as required by Florida law.

Waiver of Subrogation: PAL must waive its insurer's right to sue the City.

City Named as Additional Insured on all policies.

9. Management and Staffing

Executive Director Requirement:

- o The PAL must hire an Executive Director to manage operations and fundraising.
- o The City Manager must approve the Executive Director.

Dedicated Police Officer:

- o The City will provide one full-time police officer to oversee police-community programs (excluding fundraising).

10. Financial Reporting & Oversight

Annual Budget Submission: PAL must submit an annual operating budget to the City.

Financial Reports: PAL must provide annual audited financial statements.

Revenue Use Restrictions:

- o Any revenue from PAL activities must be reinvested into PAL programs.
- o No private individual can profit from PAL's operations.

11. Miscellaneous Provisions

Hours of Operation:

- o PAL: 6:30 AM – 11:00 PM (weekdays), 8:00 AM – 8:00 PM (weekends).
- o City: 8:30 AM – 9:00 PM (daily).

Conflict Resolution: The City Manager has final authority in disputes.

ANALYSIS

The proposed Lease Agreement (Exhibit B) ensures the continued operation of the Miami Beach Police Athletic League (PAL) at its current location, supporting its mission to provide youth mentorship, athletic programs, and community engagement. The lease terms maintain a favorable financial structure, with PAL paying a nominal rent while contributing to shared expenses such as utilities. The agreement also establishes clear guidelines for maintenance responsibilities, insurance coverage, and financial reporting, ensuring accountability and sustainability.

Furthermore, the lease promotes an efficient shared-use model between PAL and the City, maximizing the public benefit of the facility. The inclusion of sublease provisions allows PAL to maintain financial stability while ensuring responsible oversight of subtenants.

FISCAL IMPACT STATEMENT

This item was discussed at the March 26, 2025, Finance and Economic Resiliency Committee (FERC) meeting. The Committee recommended in favor of approving a new lease with the Miami Beach Police Athletic League, Inc. ("PAL") containing the terms and conditions outlined above.

FISCAL IMPACT

The proposed lease has a minimal financial impact on the City, with the \$1.00 annual rent allowing PAL to continue its operations without undue financial strain. PAL's contributions toward operating expenses help offset a portion of the facility's costs.

Moreover, PAL's commitment to community benefits, such as discounts for seniors and first responders, further reinforces the value of this agreement. The shared-use model enhances the

facility's efficiency, ensuring it remains a vital resource for the community.

Does this Ordinance require a Business Impact Estimate?
(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

N/A

CONCLUSION

The Miami Beach Police Athletic League has been a key partner in youth and community development for decades, fostering positive relationships between law enforcement and residents. These new Lease Agreement will support PAL's mission while ensuring responsible financial oversight and efficient use of public resources.

Approving this Lease Agreement will solidify the City's commitment to public safety, youth development, and community resilience.

The Administration recommends that the Mayor and City Commission approve in substantial form, the Lease Agreement as outlined in this memorandum, a copy of which is attached hereto as Exhibit "B"; and further authorize the City Manager to finalize and execute the Lease Agreement.

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

No

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

Facilities and Fleet Management

Sponsor(s)

Co-sponsor(s)

Condensed Title

Accept Recommendation/Approve Lease Agreement w/ PAL, 999 11th Street (Flamingo Park).
FF

Previous Action (For City Clerk Use Only)



MIAMI BEACH POLICE ATHLETIC LEAGUE, INC. "Abe Resnick Youth Resource Center"

999-11th Street, Miami Beach, FL 33139
Tel (305) 531-5636 / Fax (305) 673-4690 / www.beachpal.org

Exhibit A

February 24, 2025

City Hall
1700 Convention Center Drive
Miami Beach, FL 33139
Subject: PAL Lease Agreement Request

Dear City of Miami Beach Property Management Department,

I am writing to formally request the City of Miami Beach's assistance in drafting a new lease agreement for the Miami Beach Police Athletic League, Inc. building located at 999 11th Street, Miami Beach, FL 33139. The current lease is set to expire in June of 2025. As such, we would like to begin the process of negotiating the terms for a new lease. We are requesting the following:

- In the event the General Obligation (G.O.) Bond is approved and we proceed with relocation, we do not wish to remain bound by the current lease agreement. We request that this lease be considered null and void upon the formal approval of the G.O. Bond and our subsequent move to a new location.

Additionally, we would like to confirm our intention to fully comply with the terms outlined in the 2nd amendment to the lease agreement produced on the 16th day of March, 2025. We are open to discussing the terms and conditions of the new lease to ensure that it meets the needs of both the City of Miami Beach and our organization. Thank you for your cooperation and support.

Sincerely,

Signed by:


9B876286FC8742C...
Major Robert Jenkins
President of Board of Directors
Miami Beach Police Athletic League, Inc.
999 11th Street, Miami Beach, FL 33139
(305)531-5636 Ext. 21

"Success Through Education"
"Cops & Kids: A Winning Combination"

A not-for-profit
501(c)3 Corp.

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MAJ. ROBERT JENKINS, NBV.

VICE PRESIDENTS

OFC. PETE SOCARRAS

MELANIE VEIZAGA

SGT. ROBERT HERNANDEZ, FOP PRES.

SECRETARY

OFC. REBECCA LACY

TREASURER

LT. PAUL OZAETA

SGT. AT ARMS

ROBERT ASHENOFF

EXECUTIVE DIRECTOR

OFC. ARTHUR MARTINEAU

CHAPLAIN

OFC. CHRISTOPHER MITCHELL

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NELSON GONZALEZ

JERRY JACOBS

CHIEF WAYNE A. JONES, CMB

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YOLANDA LUNDY

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OFC. HARRY "ROCKY" MORGAN

SGT. BERNIE MILSTEIN*

SGT. DICK TOBIN*

SECRETARY EMERITUS

SELMA MAZER*

ATHLETIC DIRECTOR

CARLOS MUÑOZ

* Deceased



MIAMI BEACH POLICE ATHLETIC LEAGUE, INC. “Abe Resnick Youth Resource Center”

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SGT. DICK TOBIN*

SECRETARY EMERITUS

SELMA MAZER*

ATHLETIC DIRECTOR

CARLOS MUÑOZ

* Deceased

Proof of Receipt:

*By signing below, you confirm you received the above letter via DocuSign on
this 26th of February 2025.*

X_____

Signature: Kevin Sanchez – City of Miami Beach

X_____

Signature: Ozzie Dominguez – City of Miami Beach

X_____

Signature: Agueda Acevedo – City of Miami Beach

X_____

Signature: Jean Carlos Vasquez – City of Miami Beach

**“Success Through Education”
“Cops & Kids: A Winning Combination”**

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY'S FINANCE AND ECONOMIC RESILIENCY COMMITTEE AT ITS MARCH 26, 2025 MEETING, AND APPROVING, IN SUBSTANTIAL FORM, A LEASE AGREEMENT BETWEEN THE CITY ("LANDLORD") AND MIAMI BEACH POLICE ATHLETIC LEAGUE, INC. ("PAL" OR "TENANT"), FOR USE OF A BUILDING HAVING APPROXIMATELY 13,367 SQUARE FEET, LOCATED WITHIN FLAMINGO PARK, AT 999 11TH STREET ("PREMISES"), FOR A PERIOD OF NINE (9) YEARS AND THREE HUNDRED AND SIXTY-FOUR (364) DAYS, COMMENCING ON JULY 1, 2025 AND EXPIRING ON JUNE 29, 2035; AND FURTHER AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE THE LEASE AGREEMENT.

WHEREAS, the City of Miami Beach (the "City" or "Landlord") owns a building located at 999 11th Street, Miami Beach, Florida 33139 ("Premises"), within Flamingo Park; and

WHEREAS, since July 1, 1996, the Miami Beach Police Athletic League, Inc. ("PAL"), a nonprofit organization dedicated to providing youth mentorship and athletic programs in collaboration with the Miami Beach Police Department, has leased the Premises; and

WHEREAS, PAL's lease has undergone multiple extensions, with the most recent lease expiring on June 30, 2025, and PAL has formally requested a new lease to continue its community-focused programming; and

WHEREAS, the proposed new Lease Agreement includes the following essential terms:

Lease Term: Nine (9) years and 364 days, from July 1, 2025, to June 29, 2035;

Rent: \$1.00 per year;

Property Use: Shared between PAL and the City:

- PAL's Area: Youth programs and PAL offices;
- City's Area: Recreational programs and public use;
- Shared Areas: Community rooms and restrooms;

Financial Responsibilities:

- Utilities: 50% shared between PAL and the City;

Maintenance & Repairs:

- City's Responsibilities: General building maintenance, HVAC, plumbing, structural repairs;
- PAL's Responsibilities: Interior maintenance, security, cleaning, and minor repairs;

Approved Uses:

- PAL's Programs: Youth mentoring, sports, fitness, tutoring, summer camps, adult fitness, community events;
- City's Programs: Recreational activities, sports leagues, disaster relief site;

Subleases: Miami Beach Policemen's Relief and Pension Fund; William Nichols Lodge No. 8, Fraternal order of Police, Inc.; and Miami Beach Police Athletic League Fitness Center,

Inc. (wholly owned by PAL). Any other subleases shall require the prior approval of the City Manager;

Staffing & Oversight: PAL must hire an Executive Director for operations and fundraising, subject to City approval and the City will provide a full-time police officer for oversight;

Financial Reporting: PAL must submit an annual budget and audited financial statements to the City; and

Public Benefit: PAL will continue providing mentorship and athletic programs, benefiting youth and fostering police-community relations and providing City; and

WHEREAS, the Finance and Economic Resiliency Committee (FERC) reviewed the proposed lease agreement at its March 26, 2025, meeting and recommended its approval; and

WHEREAS, the proposed new Lease Agreement further includes a public benefit to City employees, providing City employees with a minimum 25% discount off of the membership fee for use of the fitness center; and

WHEREAS, as with the current lease, PAL will continue to receive \$1.00 per hour of the off-duty police surcharge fund ("Surcharge Contribution"), subject to funding availability, for the payment of the salary of the Executive Director, PAL's Utility Expenses. PAL's programming, and other like operational expenses; and

WHEREAS, based upon the public benefits provided by PAL, and the shared-use model that maximizes the property's value for the community, the City Manager recommends accepting the FERC's recommendation, approving, in substantial form, the new Lease Agreement, a copy of which is attached to the City Commission Memorandum accompanying this Resolution as Exhibit "B", and authorizing the City Manager to finalize and execute the Lease Agreement.

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 accept the recommendation of the City's Finance and Economic Resiliency Committee at its March 26, 2025 meeting, and approve, in substantial form, a Lease Agreement between the City ("Landlord") and the Miami Beach Police Athletic League, Inc. ("PAL" or "Tenant"), for use of a building having approximately 13,367 square feet, located within Flamingo Park, at 999 11th Street, for a period of nine (9) years and three hundred and sixty-four (364) days, commencing on July 1, 2025 and expiring on June 29, 2035; and further authorize the City Manager to finalize and execute the Lease Agreement.

PASSED and ADOPTED this ____ day of _____ 2025.

ATTEST:

Rafael E. Granado, Secretary

Steven Meiner, Mayor

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney

1/13/2025
Date