

MEMORANDUM

Agenda Item No. 11(A)(6)

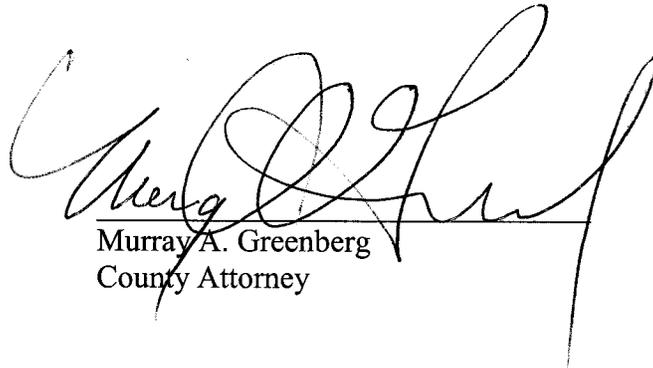
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: January 25, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution relating to the
Rental Car Facility at Miami
International Airport;
reference amending agreement
in keep with the Aviation
Department's proposed space
allocation formula

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Carlos A. Gimenez.



Murray A. Greenberg
County Attorney

MAG/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: January 25, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 11(A)(6)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(6)

01-25-07

RESOLUTION NO. _____

RESOLUTION RELATING TO THE RENTAL CAR FACILITY AT MIAMI INTERNATIONAL AIRPORT; DIRECTING COUNTY MANAGER TO CONTINUE NEGOTIATIONS WITH THE PARTICIPATING CAR RENTAL COMPANIES REGARDING AN AMENDMENT TO THE EXISTING MEMORANDUM OF UNDERSTANDING AND RENTAL CAR CONCESSION AGREEMENT SO AS TO INCORPORATE IN SUCH AGREEMENTS AN ALLOCATION OF SPACE FORMULA FOR THE VARIOUS ZONES OF THE FACILITY THAT IS IN KEEPING WITH THE AVIATION DEPARTMENT'S PROPOSED SPACE ALLOCATION FORMULA

WHEREAS, in 2005, the Board of County Commissioners provided the Aviation Department with a directive as to the allocation of space within the proposed Rental Car Facility ("RCF") that is being designed and constructed by the Florida Department of Transportation; and

WHEREAS, earlier in 2000, this Board approved a Memorandum Of Understanding, its First Amendment, and a Rental Car Concession Agreement (the "Agreements") between the County and the rental car companies for their future use of the RCF, such Agreements providing that the allocation of space within the RCF will be determined on a market share basis; and

WHEREAS, without such executed Agreements, the County would not have been able to qualify for a federal loan to fund the construction cost of the RCF; and

WHEREAS, following approval of the Agreements by the Board, the participating car rental companies executed such Agreements that provided that the rental car companies' market shares would be the basis of the allocation of space within the RCF; and

WHEREAS, in order to incorporate into the RCF agreements any space allocation formula other than a formula based on market shares of the participating rental car companies, it is necessary to formally amend the Agreements; and

WHEREAS, following the 2005 directive, the Aviation Department commenced discussions and negotiations with the participating car rental companies that signed the Agreements in an effort to obtain their consent to an amendment of the market share basis for space allocation within the RCF; and

WHEREAS, although the Aviation Department was not able to obtain the car rental companies' consent to the Board's 2005 directive, the Aviation Department was able to get their preliminary consent to a space allocation formula that was presented to the Regional Transportation Committee at its meeting of October 26, 2006, and the Aviation Department believes the car rental companies will accept such formula or a variation thereof; and

WHEREAS, this Board desires to direct the County Manager to continue the negotiations with the car rental companies for their acceptance of the Aviation Department's space allocation formula,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board directs the County Manager to continue the County's negotiations with the sixteen participating car rental companies entitled to operate within the County's Rental Car Facility ("RCF") at Miami International Airport upon its completion, for an amendment to the Memorandum of Understanding and Rental Car Concession Agreement already executed by the companies so as to incorporate in such agreements an allocation of space formula for the various zones of the RCF that is in keeping with the Aviation Department's formula presented to the Regional Transportation Committee at its meeting of October 26, 2006; and directs the County Manager to report to this Board within ninety days of this Resolution the progress being made in such negotiation efforts.

The foregoing resolution was sponsored by Commissioner Carlos A. Gimenez and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 25th day of January, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Thomas P. Abbott

