

MEMORANDUM

Agenda Item No. 11(A)(8)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: February 19, 2014

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution requiring the
County Mayor prepare a report
on potential alternative uses of
the parcels constituting the
Airport City project at Miami
International Airport

This item was amended at the Finance Committee on February 11, 2014 to delete language calling for rejection of all proposals; instead, it calls for a study to be presented regarding potential alternative uses of the Airport City parcels. Accordingly, the title of the resolution was also amended to reflect that it no longer requires rejection of the proposals

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Esteban L. Bovo, Jr.



R. A. Cuevas, Jr.
County Attorney

RAC/smm



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
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Please note any items checked.

- "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
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Agenda Item No. 11(A)(8)

Veto _____

2-19-14

Override _____

RESOLUTION NO. _____

RESOLUTION REQUIRING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE PREPARE A REPORT ON POTENTIAL ALTERNATIVE USES OF THE PARCELS CONSTITUTING THE AIRPORT CITY PROJECT AT MIAMI INTERNATIONAL AIRPORT

WHEREAS, in 2008, this Board was advised that the Miami-Dade County Aviation Department intended to procure a developer to partner with to develop several parcels at Miami International Airport for use as hotels, office space, and other commercial use, this project commonly known as "Airport City"; and

WHEREAS, ultimately, only two entities submitted proposals to the County for the construction of Airport City; and

WHEREAS, in February 2010, Miami-Dade County Aviation Department selected Oderbrecht Construction Inc. ("Oderbrecht") to be the entity with whom the County would negotiate to develop these parcels; and

WHEREAS, final agreements for the development of Airport City by Oderbrecht were approved by the Federal Aviation Administration in January, 2013; and

WHEREAS, on January 15, 2014, the Aviation Director informed the Transportation and Aviation Committee that it was no longer in the best interests of Miami International Airport to pursue construction on the largest Airport City parcel, as evolving airline needs require that parcel to be kept for aviation uses; and

WHEREAS, it has now been nearly six years since Miami International Airport began pursuing the Airport City project; and

WHEREAS, since 2008 the local and national economy has improved substantially; and

WHEREAS, since 2008 the local real estate market has changed; and

WHEREAS, since 2008, Miami International Airport has experienced unprecedented growth; and

WHEREAS, there may be entities who are now able to perform the Airport City project who were not otherwise interested in taking on this project, due to the then existing worldwide economic conditions; and

WHEREAS, Miami International Airport generates a tremendous amount of jobs and revenue for Miami-Dade County; and

WHEREAS, Miami International Airport lacks large amounts of open and developable space; and

WHEREAS, it is therefore highly important that development at Miami International Airport be pursued only if it results in the highest and best use of a particular parcel; and

WHEREAS, the various Airport City projects present unique risks to the County if performed poorly, as those projects will become the public face of Miami International Airport, and will otherwise occupy high value land in the heart of Miami International Airport; and

WHEREAS, therefore, independent from the business terms of any deal, the County must use all reasonable care to ensure that it is conveying this infrastructure to the highest quality partner available; and

WHEREAS, given the passage of time and changed circumstances since the initiation of negotiations for Airport City, it is no longer clear that the development of Airport City as currently constituted represents the highest and best uses of the parcels by Miami International Airport,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby >>directs the<<¹ ~~[[rejects all proposals received and leases negotiated in connection with Airport City. The]]~~ County Mayor >>or County Mayor's designee, within sixty days of the effective date of this Resolution, to present a report to the Board of County Commissioners identifying any other potential alternative developments opportunities on the parcels, taking into account any unsolicited proposals, which could constitute a higher and better use of the parcels. This report should consider the parcels both individually and in the aggregate.<< ~~[[is directed to prepare a report on whether development on the parcels making up Airport City should be pursued, and if so, the conditions which would constitute the highest and best uses of such parcels, and to present such report to the Board of County Commissioners within sixty days of the date of this resolution.]]~~

The Prime Sponsor of the foregoing resolution is Commissioner Esteban L. Bovo, Jr. It was 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:

Rebeca Sosa, Chairwoman

Lynda Bell, Vice Chair

Bruno A. Barreiro

Jose "Pepe" Diaz

Sally A. Heyman

Jean Monestime

Sen. Javier D. Souto

Juan C. Zapata

Esteban L. Bovo, Jr.

Audrey M. Edmonson

Barbara J. Jordan

Dennis C. Moss

Xavier L. Suarez

¹ Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of February, 2014. 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.

ATC for DMM

David M. Murray