

Memorandum



Date: January 20, 2021

To: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

Agenda Item No. 8(O)(4)

From: Daniella Levine Cava
County Mayor

Subject: Resolution Authorizing Refund of Water and Sewer Connection Charges for Miami Midtown, LLC

Recommendation

It is recommended that the Board of County Commissioners (Board) adopt the attached resolution authorizing the Miami-Dade Water and Sewer Department (WASD) to refund a payment of water and sewer connection charges in the amount of \$145,653.10 to Miami Midtown, LLC, a 151-room hotel, which has replaced an existing duplex and one (1) single family residence located within the North Central Dade Enterprise Zone. Pursuant to Section 2-348 of the Miami-Dade County Code, Miami Midtown, LLC is entitled to a refund of the water and sewer connection charges because it: (1) renovated property located within a designated enterprise zone, as defined by Section 290.004, Florida Statutes; (2) met the requirement to employ a certain percentage of residents who reside in the enterprise zone; and (3) was deemed to have received a property tax abatement exemption by the Department of Regulatory and Economic Resources.

Scope of Agenda Item

Miami Midtown, LLC is located at 3450 Biscayne Boulevard, Miami, Florida 33137, which is within the County’s North Central Enterprise Zone. The property is located in District 3, which is represented by Commissioner Keon Hardemon.

Fiscal Impact/Funding Source

Upon Board approval of this item, there will be a fiscal impact to the County in the amount of \$145,653.10, which is the refund amount due to Miami Midtown, LLC for water and sewer connection charges resulting from enhancements made to an existing facility within an enterprise zone. The funding source for the refund is WASD Plant Expansion Funds.

Track Record/ Monitor

WASD’s Chief Financial Officer, Frances Morris, will oversee the refund process to Miami Midtown, LLC.

Background

Miami Midtown, LLC is an improved 151-unit hotel that provides temporary living accommodations to visitors and residents of the Miami Midtown area. Vince Procacci, Hospitality Analyst of Miami Midtown, LLC, applied for a refund of water and sewer connection charges after the improvements were completed. See Exhibit A attached hereto.

As a condition to the continued rendition of increased water and sewer service and as part of the development process, WASD imposed water and sewer connection charges in the amount of \$145,653.10

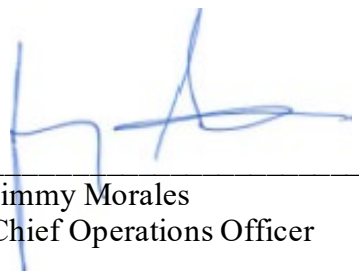
for the additional gallonage required for a 151-unit Hotel. The connection charge was collected with the understanding that should the business meet the requirements delineated in Section 2-348 of the Code of Miami-Dade County, which provides for waivers of payment for water and sewer connection charges, the County would refund the payment made for the water and sewer connection charges.

Section 2-348 of the Code of Miami-Dade County provides that commercial or industrial real property development within enterprise zones, for which new or increased water or sewer service is required, is eligible for waiver of payment of water and sewer connection charges upon approval of the Board of County Commissioners (Board), subject to the following requirements:

1. The development is consistent with Miami-Dade County Comprehensive Development Master Plan;
2. The development is located within an existing designated enterprise zone established pursuant to Florida Law;
3. The development has been deemed to have been granted an ad valorem tax exemption by Miami-Dade County; and
4. The development meets the requirement that 25 percent of the employees reside in the enterprise zone.

The County’s Department of Regulatory and Economic Resources reviewed the application sent by Vince Procacci and issued a response confirming that the improvements made to Miami Midtown, LLC met the County’s criteria specified in section 2-348 of the Miami-Dade County Code. See Exhibit B attached hereto. Miami Midtown, LLC was advised that the renovations made qualified for a refund of the water and sewer connection charges. Miami Midtown, LLC must create five new jobs and maintain those jobs for five years. In addition, 25 percent of their employees must live within the Enterprise Zone to continue to meet the criteria for this program over the next five years, which condition must be verified on the Florida Department of Revenue’s Employer’s Quarterly Report. Pursuant to the employee roster, and as confirmed during the site visit, Miami Midtown, LLC has 51 employees with 18 residing within the Enterprise Zone.

The Director of Miami-Dade Water and Sewer Department has approved the required documentation. See Exhibit C attached hereto. A Covenant executed by Boaz Ashbel, Manager on behalf of Miami Midtown, LLC is attached hereto as Exhibit D.



Jimmy Morales
Chief Operations Officer

Exhibit A



Department of Regulatory and Economic Resources (RER)

MIAMI-DADE COUNTY ENTERPRISE ZONE 1301 LOCAL INCENTIVE APPLICATION Road Impact Fee Refund Water & Sewer Connection Fee Refund



Business Owner or Contact Person: Miami Midtown LLC, Tel. Number: 305-938-8603

Business Address: 505 Riverfront Parkway, Chattanooga, TN 37402

Property Address If Different: 3450 Biscayne Boulevard, Miami, FL 33137

Date of Incorporation in Florida: 4/26/2013, FEIN: 46-2680022

Description of Business: Retail [] Wholesale [] Service [] Office [] Industrial [] Other Hotel

Applying as a: New Business [x] / Expansion of an Existing Business []

Date improvements to begin/completed at this location: 12/2014 (begin construction) / 3/2017 (opened)

Describe the completed improvements to real property and community benefit.

It is improved with a 150-unit Hampton Inn & Suites Hotel that provides temporary living accommodations to visitors and residents of the Miami Midtown area. It has created numerous jobs in the area (28.6% of employees live within the Enterprise Zone).

NEW BUSINESS

Total number of new employees: 49, Sq. ft. of Development 99,900 SF

Number of new employees that are Enterprise Zone residents: 14 (28.6% New Hires)

EXPANDING BUSINESS

Number of employees prior to expansion: , Sq. ft. of Expansion

Number of new employees:

Number of new employees that are Enterprise Zone residents:

Under penalty of perjury I affirm that I have reviewed this form including all applicable documentation, and to the best of my knowledge and belief, it is true, correct and complete. My signed declaration acknowledges liability for any inaccurate or untruthful information provided by the business or on the business's behalf.

Signed: [Signature] (Business Owner)

*Power of Attorney is required for Preparer

Signed: (Preparer)

Title: Manager

(Preparer's Address)

Date: 3/20/2017

(Preparer's Phone Number)

Attachment A - Florida UCT 8 form [x] Attachment B - State-Approved ID and Proof of Address for EZ Employees [x] Attachment C - Schedule of EZ Employees [x] Attachment D - Power of Attorney [] N/A []

Eligibility not official until all requested documentation is received and verified by RER

The Business herein meets (x) does not meet () the eligibility requirements of Section 29-83 and is deemed to have been granted the Ad Valorem Tax Exemption. The Business may apply for and be granted all local incentives upon meeting the respective incentive eligibility requirements. The business agrees to furnish all information Miami-Dade County and/or the governing authority or municipality may request in regard to the exemption requested herein. Non-compliance by the Business with any of the eligibility requirements of Section 29-83 of the Miami-Dade County Code will nullify the tax exemption status granted.

[Signature] Enterprise Zone Administrator/ Date 4/20/17



Carlos A. Gimenez, Mayor

Department of Regulatory and Economic Resources
 Planning Research and Economic Analysis Section

Stephen P. Clark Government Center
 111 NW First Street • 12th Floor
 Miami, Florida 33128
 T (305)-375-2845

miamidade.gov

September 26, 2019

Miami Midtown, LLC
 Vince Procacci, Hospitality Analyst
 Aztec Group, Inc.
 2665 S. Bayshore Dr. PH – 2A
 Miami, FL 33133

Dear Mr. Procacci:

RE: Water and Sewer Connection Fee Approval Letter – Miami Midtown, LLC

This letter is to inform you that the project located at **3450 Biscayne Blvd, Miami, FL 33127** has been deemed to have received a property tax abatement exemption and thereby qualifies for a refund of water sewer connections authorized under County Ordinance No. 13-51. A business (project) is deemed to have met the criteria for this program under the following conditions:

- It is a new or expanding business in the Enterprise Zone (EZ) – improvements must be verified by the Property Appraiser's Office;
- It must have created five (5) new jobs and maintain those jobs for five (5) years;
- Twenty-five (25) percent of all employees must live in the Enterprise Zone, approval from the Board of County Commissioners and municipality approval (if applicable) must be received to qualify for the refund of water/sewer connection fees.

Twenty (25) percent of EZ employees must be maintained for five (5) years and verified on the Florida Department of Revenue Employer's Quarterly Report (RT6). Employees hired by a tenant are acceptable. However, the applicant will be responsible for ensuring that the jobs have been created and maintained. In the event the jobs are not maintained, the refund and statutory interest must be paid to the County or a lien will be placed on the property. The landowner must execute the lien as a condition of the reimbursement.


Every year on the anniversary date of this letter, (for the next four (4) years), the RT6 form and an employee roster certifying that the jobs have been created/maintained, must be submitted to this office. Failure to submit these required documents constitutes failure to comply with the term and conditions program. A representative of the Planning Research and Economic Analysis Section of the Department of Regulatory and Economic Resources will be conducting yearly site visits to monitor compliance with the employment requirement.

Pursuant to the employee roster and confirmed during the site visit, this project has a total of 51 employees with 18 residing in the enterprise zone.

To continue with the refund process, please contact Sandra Alvarez, New Business Manager, in the Water and Sewer Department at (786) 268-5112.

Delivering Excellence Every Day

Sincerely,

A handwritten signature in black ink, appearing to read 'Manuel A. Armada', written in a cursive style.

Manuel A. Armada
Chief Planning Research and Economic Analysis Section
Department of Regulatory and Economic Resources

C: Sandra Alvarez, New Business Manager
Miami-Dade County Water and Sewer Department

Exhibit C

APPLICATION AND APPROVAL FORM
FOR WATER AND SEWER CONNECTION CHARGE EXEMPTION
Ordinance No. 92-08

Applicant: MIAMI MIDTOWN, LLC
VINCE PROCACCI
2655 S. BAYSHORE DR, PH 2A
MIAMI, FL 33133

Description of Proposed Development: 161 room hotel replacing SFR, duplex total of
12,970 Gallons Per Day Increase.

Taxpayer ID: 38-4083643

Enterprises Zone: 1301

Folio Number: 01-3230-003-0360

Site Address: 3450 BISCAYNE BLVD

Legal Description: See Attached

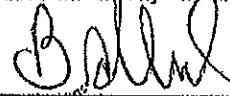
Pursuant to Section 2-348 of the Code Miami-Dade County, the undersigned Applicant does hereby apply for exemption of the above described commercial or industrial real property development from payment of water and sewer connection charges, including special sewer connection charges, in accordance with the exemption provisions of Section 2-348 of the Code of Miami-Dade County.

TOTAL EXEMPTION AMOUNT CLAIMED BY APPLICANT: \$145,653.10

TOTAL EXEMPTION AMOUNT APPROVED BY DIRECTOR: \$145,653.10

The Applicant hereby certifies that all information provided on this form and any attachments are true and correct to the best of its/his/her knowledge and belief.

Date:

BY: 
 PRINT NAME: PAUL ARSHEL
 TITLE: MANAGER

The undersigned does hereby recommend approval of the application for exemption subject to Applicant's compliance with all requirements set forth in Section 2-348 of the Code of Miami-Dade County.

Date:

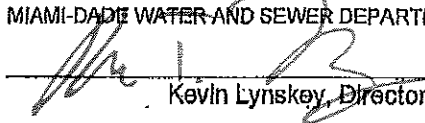
MIAMI-DADE WATER AND SEWER DEPARTMENT
 BY: 
 Kevin Lynskey, Director

EXHIBIT "A"
LEGAL DESCRIPTION OF PROPERTY
HAMPTON INN AND SUITES MIAMI MIDTOWN, LLC"

LOTS 17, 18, 19, 20, 21, 22, IN BLOCK 2, OF "SANDRICOURT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, AT PAGE 83, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AND

THAT PORTION OF LOT 16, IN BLOCK 2, LYING EAST OF LOT 17 AND LYING WEST OF BISCAYNE BOULEVARD RIGHT-OF-WAY, OF "SANDRICOURT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, AT PAGE 83, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.



New Business Office

Miami-Dade Water & Sewer Dept.
P.O. Box 330316
Miami, FL 33233-0316

Invoice

Invoice Number N00003394
 Customer Number 00004770
 Invoice Date January 13, 2015
 Building Process Number (X)
Total Amount Due **\$150,818.90**

HAMPTON INN
3450 BISCAYNE BLVD
MIAMI FL 33137

Note:
 WTR & SWR CCS & BISC BASIN CCS FOR A 151 ROOM HOTEL WITH 4600 SF RETAIL REPLACING
 14 ROOM HOTEL, 1 SFR 7 A DUPLEX WITH APT @ 3450 BISCAYNE BLVD FOLIOS 01-3230-003-
 0350 & 01-3230-003-0390

*not approved
by R.E.R.*

ER Water 2014-125
 ER Sewer
 Agreement ID 20704

| Description | JO/Agmt | Qty | UOM | Unit Price | Charge Amt | Interest | Line Total |
|--------------------------|---------|--------|-----|------------|------------|----------|--------------|
| CC WASD Water | | 13,430 | GPD | 1.39 | 18,667.70 | 0.00 | 18,667.70 |
| CC WASD Sewer | | 13,430 | GPD | 5.60 | 75,208.00 | 0.00 | 75,208.00 |
| CC Bisc Basin Spcl Sewer | | 13,430 | GPD | 4.24 | 56,943.20 | 0.00 | 56,943.20 |
| Total Standard Charges | | | | | | | \$150,818.90 |

Total Invoice

\$150,818.90

** Please note RER has only approved for 151 room hotel.*

*151 ROOMS = 15,100 SPD'S (gallons per day)
 Existing credits = 2,130 SPD'S
 total credit = 12,970 GPD'S
 X \$6.99
 \$90,660.30
 PLUS Basin = 12,970
 X 4.24
 \$54,992.80
 RERend
 \$145,653.10*

\$54,992.80

Exhibit D

CFN: 20200161282 BOOK 31850 PAGE 494
DATE: 03/13/2020 09:57:58 AM
HARVEY RUVIN, CLERK OF COURT, MIA-DADE CTY

HAMPTON INN & SUITES MIAMI MIDTOWN, LLC

This instrument was prepared by:
Raymond Chirino,
WASD New Business
3575 S. LeJeune Road
Miami, FL 33136

I.D. # 30458

(reserved for Clerk of Court)

COVENANT RUNNING WITH THE LAND
FOR EXEMPTION AND REFUND OF WATER AND SEWER CONNECTION CHARGES

This Covenant is made and enter into this 26th day of February, 2020, by Miami Midtown, LLC, a Florida limited liability company ("Applicant") and Midtown Lodging, LLC, a Florida limited liability company ("Property Owner"), whose mailing address is: 505 Riverfront Parkway, Chattanooga, TN 37402.

WHEREAS, the Board of County Commissioners of Miami-Dade County has adopted the Miami-Dade County water and sewer connection charge requirements in Chapter 32 of the Code of Miami-Dade County, Florida and Miami-Dade County Implementing Order 10-8; and

WHEREAS, Sections 2-348.1 and 2-348.2 of the Code of Miami-Dade County provide for the exemption and refund of water and sewer connection charges for any commercial or industrial development located within an existing designated enterprise zone, as defined in Section 290.004, Florida Statutes, that meets certain requirements; and

WHEREAS, if the commercial or industrial development applies for the water and sewer connection charge refund and meets the requirements set forth in Section 2-348.1 of the Miami-Dade County Code, the Miami-Dade County Board of County Commissioners will determine whether the refund will be granted to the applicant; and

WHEREAS, the Miami-Dade County Department of Regulatory and Economic Resources, through its Director, is given authority to receive applications and verify compliance with the requirements for a refund of water and sewer connection charges, including, among other things, satisfying the employment requirements set forth in Section 2-348.1(c) and the terms of this Covenant; and

WHEREAS, the Miami-Dade County Water and Sewer Department operates the water and sewer systems owned by the County, and is authorized to enforce collection of water and sewer connection charges; and

WHEREAS, the applicant is the owner of Miami Midtown, LLC ("the business") and has agreed that the business will create and maintain a workforce as required according to Chapter 29 of the Code of Miami-Dade County, Section 2-348.1 of the Code of Miami-Dade County, the ordinances and terms stated herein; and

WHEREAS, Applicant's business is located at: 3450 Biscayne Boulevard, Miami, FL 33137 (the "Property"); and

Revised 06/19 DP

7
6/19

HAMPTON INN & SUITES MIAMI MIDTOWN, LLC

WHEREAS, the applicant paid water and sewer connection charges, including special sewer connection charges, in the amount of \$145,653.10, per invoice #N00003394, for the business located at the property

WHEREAS, the property Owner is the fee simple owner of the Property, legally described in Exhibit "A" attached here to, which is leased to the applicant; and

WHEREAS, the Applicant and property owner are submitting this Covenant to induce the Board of County Commissioners to grant a refund of the aforesaid water and sewer connection charges to the applicant, excluding any administrative charges that may apply;

NOW THEREFORE, in consideration of the covenants and undertakings set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Applicant, its successors and assigns, do hereby covenant and agree as follows:

1. General

- A. That the Business will comply with the employment requirements for businesses in enterprise zones that receive refunds for impact fees in Chapter 29 of the Code of Miami-Dade County and with the requirements of Section 2-348.1 of the Code of Miami-Dade County. Each year, for a period of five (5) years hereafter, the Business shall submit to the Director of the Miami-Dade County Department of Regulatory and Economic Resources (or its successor department) a report that will verify the Business' compliance with the requirements of Section 2-348.1 of the Code of Miami-Dade County. Said report, which shall be in a format as prescribed by the Miami-Dade County Department of Regulatory and Economic Resources, shall be submitted no later than thirty (30) days following the Effective Date (month and day) of the Resolution approving the refund of the water and sewer connection charges to the Applicant by the Board of County Commissioners, and every year thereafter on that month and day for the next five (5) years; and
- B. If, at any time within five (5) years from the date of this Covenant, the Business no longer meets the eligibility requirements of Section 2-348.1 of the Code of Miami-Dade County, or if the Business fails to timely provide the annual compliance report as required in Section 1-A of this Covenant, the water and sewer connection charges (at the rate in effect at the time the Business fails to comply with this Covenant) will become due and payable by the owner of the Business. In accordance with the notice provision below, Miami-Dade County will provide a notice of non-compliance to the Business and/or Applicant that the Covenant has been breached and the connection charges are due within thirty (30) days. If the Covenant is breached and the connection charges become due, the Applicant and the Business will not be eligible to reapply for an exemption and refund of water and sewer connection charges again for the development at the Property.
- C. Miami-Dade County shall be authorized to lien the Property herein described and to pursue collection of water and sewer connection charges in accordance with the County's procedures for collecting unpaid or insufficient water and sewer connection charges. If the water and sewer connection charges are not repaid within thirty (30) days from notice of non-compliance with this Covenant, Miami-Dade County reserves the right to remove the water meter at the Property and terminate service until such time as the connection charges have been paid in full or a payment arrangement has been entered into, if applicable.

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HAMPTON INN & SUITES MIAMI MIDTOWN, LLC

2. Termination

The Applicant, Business, the property owner, their successors, and their assigns shall have the right, upon written request delivered to the Miami-Dade County Regulatory and Economic Resources Department, to be released from the terms and conditions contained herein, upon tender to Miami-Dade County of the amount of the applicable water and sewer connection charges in effect at the time of the requested release, payable in accordance with the provisions of the Ordinances.

3. Covenant Running with the Land

This Covenant shall constitute a covenant running with the land and may be recorded in the Public Records of Miami-Dade County, Florida. This Covenant shall remain in full force and effect and be binding upon Applicant and its successors and assigns until it is modified or released by Miami-Dade County.

4. Governing Law

This Covenant shall be governed by and construed in accordance with the laws of the State of Florida.

5. Notice

Any notice required to be given herein shall be given by personal delivery or by certified U.S. mail at the address specified below or at such other address as may be specified in writing by the parties.

Department

Applicant

Department of Regulatory and Economic Resources

Miami Midtown, LLC

Stephen P. Clark Center
111 NW 1 Street, Suite 1210
Miami, Florida 33128

2665 S. Bayshore Dr. PH-2A
Miami, FL 33133

ATTN.: Director

ATTN: Vince Procacci, Hospitality Analyst

DEPARTMENT

PROPERTY OWNER

Water and Sewer Department

Midtown Lodging, LLC

New Business Section
3575 S. Lejeune Road
Miami, Florida 33146

505 Riverfront Parkway,
Chattanooga, TN 37402

ATTN: Manager, New Business

ATTN: Nikhil Desai

6. Severability

If any provision of this Covenant shall be invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions shall not be affected or impaired

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HAMPTON INN & SUITES MIAMI MIDTOWN, LLC

IN WITNESS WHEREOF, the parties hereto have caused this Covenant to be executed by their respective officials as of the day and year above written.

Witnesses:

[Signature]
Signature
Joel Zisman
Print Name

[Signature]
Signature
Vince Proccaci
Print Name

MIAMI MIDTOWN, LLC, A FLORIDA LIMITED LIABILITY COMPANY

By: [Signature]
Name: BOAZ ASHBEL
Title: MANAGER

Address: 2605 S. Bayshore Dr. PH-24
Coconut Grove, FL 33133

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by Boaz Ashbel as Manager of [Owner]. He/She is personally known to me or has produced _____ as identification.

Witness my signature and official seal this 26th day of February 2020, in the County and State aforesaid.

(SEAL)

Bernadette Colais-Pedreira
Notary Public-State of Florida

Bernadette Colais-Pedreira
Print Name



My Commission Expires: 08/2/2021

HAMPTON INN & SUITES MIAMI MIDTOWN, LLC

IN WITNESS WHEREOF, the parties hereto have caused this Covenant to be executed by their respective officials as of the day and year above written

Witnesses:

[Signature]
Signature

Joel Zisman
Print Name

[Signature]
Signature
Vince Procacci
Print Name

MIDTOWN LODGING, LLC, A FLORIDA LIMITED LIABILITY COMPANY

By: [Signature]
Name: [Signature]
Title: MANAGER

Address: 2165 S. Bayshore Dr. #1211
Coconut Grove, FL 33133

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by Joel Zisman as Manager of [Owner]. He/She is personally known me, or has produced _____ as identification.

Witness my signature and official seal this 26th day of February, 2020, in the County and State aforesaid.

(SEAL)

Bernadette Calais-Pedreira
Notary Public-State of Florida



Bernadette Calais-Pedreira
Print Name

My Commission Expires: 08/02/2021

HAMPTON INN & SUITES MIAMI MIDTOWN, LLC

**EXHIBIT "A" OF COVENANT
BETWEEN
MIAMI-DADE COUNTY
AND
MIAMI MIDTOWN, LLC
AND
MIDTOWN LODGING, LLC,**

PARCEL I:

LOTS 17, 18, AND 19, BLOCK 2, AND THAT PORTION OF LOT 16, LYING EAST OF LOT 17 AND LYING WEST OF THE BISCAYNE BOULEVARD RIGHT-OF-WAY, SANDRICOURT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 83, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PARCEL II:

LOTS 20, 21, AND 22, BLOCK 2, SANDRICOURT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 83, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

LESS AND EXCEPT FROM PARCELS I AND II THAT CERTAIN PORTION CONVEYED BY THE RIGHT-OF-WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 29961, PAGE 142, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF LOTS 16 THROUGH 22, INCLUSIVE, OF BLOCK 2, SANDRICOURT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE, 83, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 22; THENCE NORTH 90°00'00" EAST ON THE NORTH LINE OF SAID BLOCK 2, ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF N.E. 35TH STREET, 303.60 FEET TO THE INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF BISCAYNE BOULEVARD (U.S. HIGHWAY NO. 1) (STATE ROAD NO. 5); THENCE SOUTH 02°17'00" WEST ON SAID WESTERNLY RIGHT-OF-WAY LINE 32.52 FEET TO A POINT OF CUSP OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY; THENCE NORTHWESTERLY ON THE ARC OF SAID CURVE, WITH A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 92°17'00", FOR AN ARC DISTANCE OF 40.27 FEET TO A POINT OF TANGENCY; THENCE SOUTH 90°00'00" WEST ON A LINE 6.50 FEET SOUTH OF AND PARALLEL WITH THE AFORESAID NORTH LINE OF BLOCK 2 AND SOUTH RIGHT-OF-WAY LINE 277.39 FEET TO THE INTERSECTION WITH THE WEST LINE OF SAID LOT 22; THENCE NORTH 00°33'59" EAST ON SAID WEST LINE 6.50 FEET TO THE POINT OF BEGINNING.

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MIAMI - DADE WATER AND SEWER DEPARTMENT

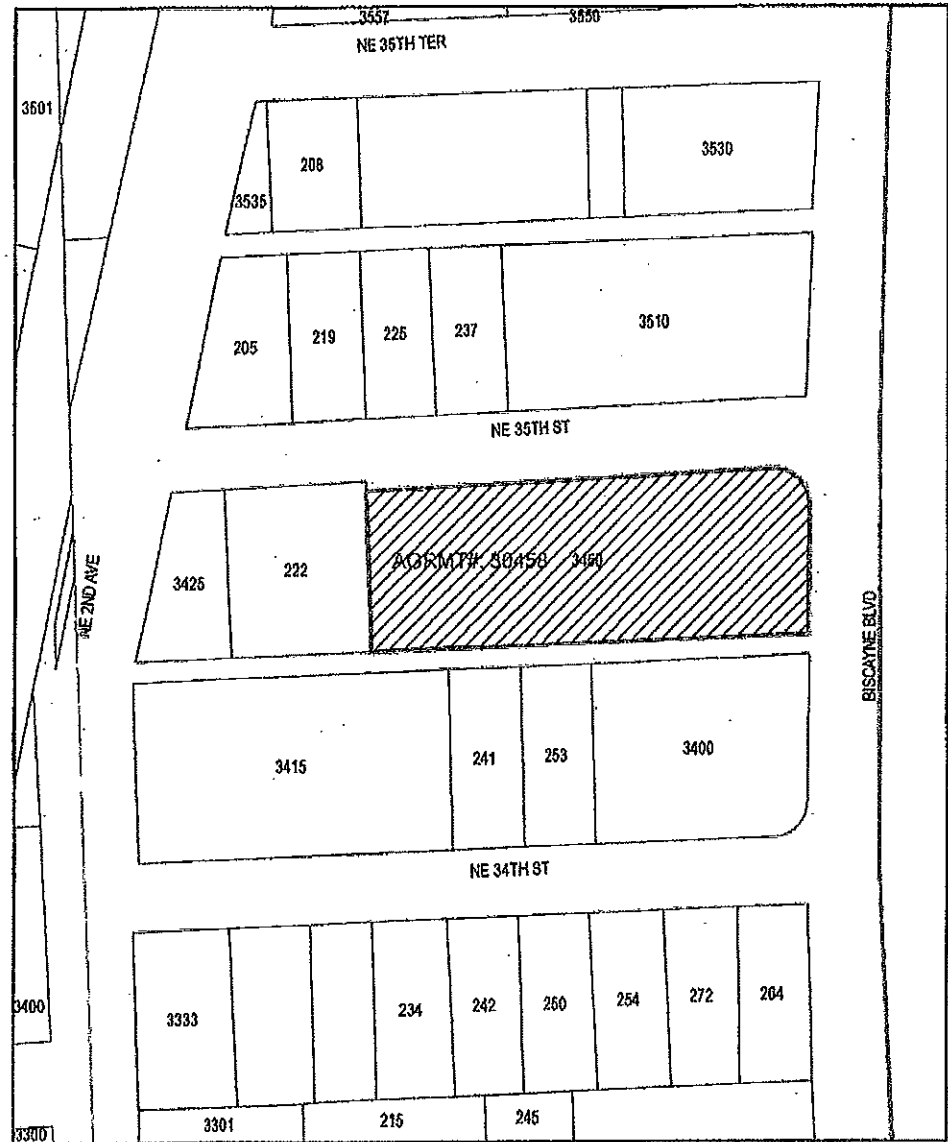


EXHIBIT "A" - 1
LOCATION SKETCH
 SCALE: N.T.S
 -THIS IS NOT A SURVEY-


HAMPTON INN & SUITES MIAMI MIDTOWN LLC
AGMT ID# 30458
FOLIO# 01-3230-003-0350
MIAMI-DADE COUNTY SEC 30-53-42
NOVEMBER 20, 2019



MEMORANDUM
(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: January 20, 2021

FROM: 
Gen Bonzon-Keenan
Successor County Attorney

SUBJECT: Agenda Item No. 8(O)(4)

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
- Statement of social equity 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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(O)(4)
1-20-21

RESOLUTION NO. _____

RESOLUTION AUTHORIZING REFUND OF PAYMENT OF WATER AND SEWER CONNECTION CHARGES IN THE AMOUNT OF \$145,653.10 PURSUANT TO SECTION 2-348 OF THE CODE OF MIAMI-DADE COUNTY TO MIAMI MIDTOWN, LLC FOR HAMPTON INN & SUITES HOTEL PROJECT LOCATED IN THE COUNTY'S ENTERPRISE ZONE 1301

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that pursuant to Section 2-348 of the Code of Miami-Dade County, this Board hereby approves a refund of the water and sewer connection charges to Miami Midtown, LLC in the amount of \$145,653.10 for HAMPTON INN & SUITES HOTEL, which is located at 3450 Biscayne Blvd, Miami, Florida, 33127, which is within the County's North Central Enterprise Zone 1301.

The foregoing resolution 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:

| | |
|---------------------------------------|------------------------|
| Jose "Pepe" Diaz, Chairman | |
| Oliver G. Gilbert, III, Vice-Chairman | |
| Sen. René García | Keon Hardemon |
| Sally A. Heyman | Danielle Cohen Higgins |
| Eileen Higgins | Joe A. Martinez |
| Kionne L. McGhee | Jean Monestime |
| Raquel A. Regalado | Rebeca Sosa |
| Sen. Javier D. Souto | |

The Chairperson thereupon declared this resolution duly passed and adopted this 20th day of January, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the 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.

SED

Sarah E. Davis