

MEMORANDUM

Agenda Item No. 11(A)(4)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: June 16, 2026

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution establishing Board policy limiting the number and duration of extensions granted to developers of County-owned property that are conveyed or leased to such developers pursuant to sections 125.35, 125.379, and 125.38, Florida Statutes, or other applicable laws for the development of affordable housing; and directing the County Mayor to take all necessary action to enforce the County's reversionary interest set forth in County deeds or termination provisions set forth in leases; and authorizing the County Mayor to accept deeds conveying property back to the County in lieu of exercising the County's reversionary interest

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Anthony Rodriguez and Co-Sponsors Commissioner Juan Carlos Bermudez and Senator René García.



Geri Bonzon-Keenan
County Attorney

GBK/uw

MDC001



MEMORANDUM
(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

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FROM: 
Gen Bonzon-Keenan
County Attorney

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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**
- _____ **Statement of social equity required**
- _____ **Ordinance creating a new board requires detailed County Mayor’s report for public hearing**
- _____ **No committee review**
- _____ **Requires more than a majority vote (i.e., 2/3’s present ____, 2/3 membership ____, 3/5’s ____, unanimous ____, majority plus one ____, CDMP 7 votes (majority of membership) ____, CDMP 2/3 members present but not less than 7 votes (majority of membership) ____, CDMP 9 votes (2/3 membership) _____) 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. 11(A)(4)
6-16-26

RESOLUTION NO. _____

RESOLUTION ESTABLISHING BOARD POLICY LIMITING THE NUMBER AND DURATION OF EXTENSIONS GRANTED TO DEVELOPERS OF COUNTY-OWNED PROPERTY THAT ARE CONVEYED OR LEASED TO SUCH DEVELOPERS PURSUANT TO SECTIONS 125.35, 125.379, AND 125.38, FLORIDA STATUTES, OR OTHER APPLICABLE LAWS FOR THE DEVELOPMENT OF AFFORDABLE HOUSING; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL NECESSARY ACTION TO ENFORCE THE COUNTY'S REVERSIONARY INTEREST SET FORTH IN COUNTY DEEDS OR TERMINATION PROVISIONS SET FORTH IN LEASES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ACCEPT DEEDS CONVEYING PROPERTY BACK TO THE COUNTY IN LIEU OF EXERCISING THE COUNTY'S REVERSIONARY INTEREST

WHEREAS, this Board has authorized the conveyance and leasing of County-owned property to private developers for the purpose of developing affordable housing pursuant to sections 125.35, 125.379, and 125.38, Florida Statutes; and

WHEREAS, such conveyances and leases are intended to promote the timely development of affordable housing units to address the County's ongoing housing affordability crisis; and

WHEREAS, development agreements, County deeds, and related instruments often establish deadlines for commencement and completion of construction; and

WHEREAS, this Board has, from time to time, granted extensions of such deadlines upon request by developers; and

WHEREAS, while extensions may be warranted in limited circumstances due to factors beyond a developer's control, repeated or lengthy extensions can delay the delivery of affordable housing units and undermine the purpose of such conveyances; and

WHEREAS, excessive extensions may also result in underutilization of publicly owned land and limit the County's ability to convey or lease such property to other developers who are ready and able to timely perform; and

WHEREAS, establishing clear policy limitations on the number and duration of extensions will promote accountability, ensure more efficient use of County resources, and accelerate the delivery of affordable housing; and

WHEREAS, this Board desires to adopt uniform guidelines governing the granting of extensions in connection with County property conveyed or leased for affordable housing development; and

WHEREAS, this Board also finds it in the best interest of the County to limit the number of extensions that may be granted while preserving flexibility for extraordinary circumstances,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. It shall be the policy of this Board to establish that where this Board has reserved its right to grant extensions related to the development of affordable housing on County-owned property, this Board shall grant no more than two extensions to any developer for any individual County-owned property that is conveyed or leased to such developer pursuant to sections 125.35, 125.379, or 125.38, Florida Statutes, or other applicable laws. Each extension shall be for no more than one year. In determining whether to grant an extension, this Board shall consider, at a minimum:

- (i) the developer's progress towards completion;
- (ii) whether delays were caused by factors beyond the developer's control;

- (iii) the developer's compliance with all program requirements; and
- (iv) the impact of the extension on the timely delivery of affordable housing units.

In cases involving declared emergencies, natural disasters, or other extraordinary circumstances directly affecting the progress of the construction of the dwelling unit and only upon the developer providing a detailed written justification that provides reasons this Board should consider granting an additional extension, it is further the policy of this Board that this Board, at its sole option and discretion, may grant one additional extension beyond the maximum set forth in this section 2, upon a two-thirds vote of its membership.

Section 3. Further, upon the expiration of the maximum number of allowable extensions, this Board directs the County Mayor or County Mayor's designee to take appropriate action, which may include reversion of the property to the County or termination of the lease, subject to the County Mayor or County Mayor's designee completing all required due diligence review, including, but not limited to, title searches and environmental reviews, prior to exercising such reversionary interest or termination provision.

Section 4. Alternatively, in those instances where property is conveyed to a developer, this Board authorizes the County Mayor or County Mayor's designee, in their sole discretion, to receive on behalf of the County from a developer, after conducting all due diligence, including, but not limited to, title searches and environmental reviews, a deed which conveys any property back to the County in the event a developer is unable or fails to comply with the deed restrictions set forth in the County deed. Upon the receipt of a deed from a developer, the County Mayor or County Mayor's designee shall record such deed in the Public Records of Miami-Dade County.

The Prime Sponsor of the foregoing resolution is Chairman Anthony Rodriguez and the Co-Sponsors are Commissioner Juan Carlos Bermudez and Senator René García. 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:

- | | |
|---------------------------------|------------------------|
| Anthony Rodriguez, Chairman | |
| Kionne L. McGhee, Vice Chairman | |
| Marleine Bastien | Juan Carlos Bermudez |
| Sen. René García | Oliver G. Gilbert, III |
| Roberto J. Gonzalez | Keon Hardemon |
| Danielle Cohen Higgins | Vicki L. Lopez |
| Natalie Milian Orbis | Raquel A. Regalado |
| Micky Steinberg | |

The Chairperson thereupon declared this resolution duly passed and adopted this 16th day of June, 2026. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Terrence A. Smith