OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(1)

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

DATE: December 16, 2014

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

SUBJECT: Resolution waiving Administrative Rules for Economic Development Fund Project 124 of Building Better Communities General Obligation Bond Program; approving allocation of $9,000,000.00 from Project 124 to Skyrise Miami, LLC to fund Skyrise Miami Project
Resolution No. R-1121-14

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

MEMORANDUM
(Revised)

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

DATE: December 16, 2014

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

SUBJECT: Agenda Item No. 11(A)(1)

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
Veto _____
Override _____

Agenda Item No. 11(A)(1)
12-16-14

RESOLUTION NO. R-1121-14

RESOLUTION WAIVING ADMINISTRATIVE RULES FOR ECONOMIC DEVELOPMENT FUND PROJECT 124 OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; APPROVING ALLOCATION OF $9,000,000.00 FROM PROJECT 124 TO SKYRISE MIAMI, LLC TO FUND SKYRISE MIAMI PROJECT; AND DIRECTING COUNTY MAYOR OR DESIGNEE TO NEGOTIATE THE TERMS OF A GRANT AGREEMENT WITH SKYRISE MIAMI, LLC PURSUANT TO BOND PROGRAM'S ADMINISTRATIVE RULES AND PRESENT SUCH GRANT AGREEMENT OR, ALTERNATIVELY, A REPORT FOR CONSIDERATION BY BOARD

WHEREAS, Appendix A to Resolution No. R-914-04 ("Public Infrastructure Resolution"), lists projects eligible for funding from the Building Better Communities General Obligation Bond Program ("Bond Program") by project number, municipal project location, Commission district, project description, street address, and project funding allocation; and

WHEREAS, one of the projects listed in Appendix A to the Public Infrastructure Resolution and approved by the voters for funding is Project No. 124 – Economic Development Fund ("Project 124") with a project description that states "Provide infrastructure improvements to spur economic development and attract new businesses to the community and to create jobs"; and

WHEREAS, the goal of Project 124 is to encourage development that will create jobs and cause economic development which will have a long term benefit to the community; and

WHEREAS, Skyrise Miami, LLC proposes the development of a $410 million entertainment center and tourism attraction at Bayside Market Place ("Skyrise Miami") which is

anticipated to result in approximately 571 employment positions (part-time and full-time) from businesses operating within Skyrise Miami; and

WHEREAS, Skyrise Miami is estimated to attract an additional 2.8 million visitor nights in Miami-Dade which will increase tourism spending by an estimated $741 million annually and result in a significant number of additional jobs due to the increase in such tourism spending; and

WHEREAS, Skyrise Miami has submitted an application to the County requesting a Project 124 grant in the amount of $9,000,000.00 to fund certain public infrastructure needs, including, a public parking garage and expansion of current garages onsite, relocation of utilities, relocation of City of Miami Marina offices, construction of a public promenade, and roadway construction; and

WHEREAS, a lease agreement with the City of Miami for Skyrise Miami was placed before the electors of the City of Miami with 70 percent of the votes cast in favor of the lease in the August 26, 2014 election; and

WHEREAS, this Board wishes to approve an allocation of $9,000,000.00 from Project 124 to Skyrise Miami, LLC as a grant and direct the County Mayor or County Mayor's designee to commence negotiations pursuant to the policy established in Resolution No. R-668-10 and incorporated in the administrative rules of the Building Better Communities General Obligation Bond Program ("Administrative Rules"); and

WHEREAS, it is the desire of this Board to direct the County Mayor, to negotiate a Grant Agreement between the County and Skyrise Miami, LLC, in accordance with the Administrative Rules and, upon completion of the negotiations, to submit the Grant Agreement to this Board for its consideration; and

WHEREAS, this Board wishes to waive the requirement, established in Resolution No. R-668-10 and set forth in the Administrative Rules, for Skyrise Miami that Project 124 allocations be made to projects with a minimum value of $10,000,000.00,

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

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

Section 2. The requirement in the Administrative Rules that each Project 124 allocation be a minimum of $10,000,000.00 is waived with regard to Skyrise Miami and an allocation of $9,000,000.00 from Project 124 to Skyrise Miami is approved, subject to the future consideration by this Board of a Grant Agreement between the County and Skyrise Miami, LLC.

Section 3. The County Mayor or designee is directed to negotiate the terms of a grant agreement with Skyrise Miami, LLC, pursuant to the Administrative Rules. The County Mayor or designee shall prepare and present a grant agreement to this Board for its consideration within one hundred and twenty (120) days from the effective date of this resolution; provided, however, if the County Mayor or designee is unable to successfully negotiate the terms of such grant agreement within the requisite time period, a report detailing the status of the negotiations shall be presented to this Board instead. The County Mayor or designee shall provide the report to this Board within one hundred and twenty (120) days from the effective date of this resolution and shall place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Bruno A. Barreiro. It was offered by Commissioner **Bruno A. Barreiro**, who moved its adoption. The motion was seconded by Commissioner **Audrey Edmonson** and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman			**nay**
Bruno A. Barreiro	**aye**	Esteban L. Bovo, Jr.	**absent**
Daniella Levine Cava	**nay**	Jose "Pepe" Diaz	**aye**
Audrey M. Edmonson	**aye**	Sally A. Heyman	**aye**
Barbara J. Jordan	**aye**	Jean Monestime	**aye**
Dennis C. Moss	**aye**	Sen. Javier D. Souto	**absent**
Xavier L. Suarez	**nay**	Juan C. Zapata	**absent**

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of December, 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: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. JRA

Juliette R. Antoine