

Memorandum



Date: December 29, 2015

To: Honorable Jean Monestime, Chairman
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Florida International University and the Miami-Dade County Fair & Exposition

In response to the memorandum issued by Commissioner Juan Zapata on December 17, 2015 regarding Florida International University (FIU) and the Miami-Dade County Fair & Exposition (The Fair), it is important to state the requirements that must be met and reiterate the responsibility that we have to protect Miami-Dade County taxpayers given the November 2014 referendum, rather than asserting simplistic observations or demagoguing about complex issues. Here are the facts:

- The Fair has a lease with the County through 2085 (as amended and restated in 1995) that is protective of The Fair's interests and provides clearly defined conditions and financial terms that must be met for The Fair's relocation.
- These lease provisions include, but are not limited to, the requirement that the County pay for all moving expenses for The Fair and pay the replacement cost of all permanent improvements made by The Fair on the Fairgrounds at Tamiami Park and at other County properties. By its own terms, the lease requires that, as the relocation site, the County "secure an equal or better alternate site in Dade County, in all respects," including "proper zoning, permits and associated costs, along with adequate parking immediately adjacent to the Fairgrounds, and adequate public highway access and being otherwise generally acceptable to [The Fair] for similar use."
- Certain relocation scenarios may cost tens of millions of dollars in order to meet the conditions of The Fair's lease. Miami-Dade County cannot and will not be exposed to any costs related to the relocation.
- The Fair has expressed that it is satisfied with its current location and is not interested in being relocated, but is open to considering alternative sites that meet the requirements of its lease with the County.
- It is important to emphasize that the November 2014 referendum authorized:
 - An extension of the Article 7 exemption relating to the Dade County Youth Fair Site ("Fair Site") to FIU for its expansion onto **up to** 64 acres of the Fair Site **upon relocation of The Fair**; and
 - A requirement that **no County funds be used** for FIU's expansion and The Fair's required relocation.
- While FIU has imposed on itself a strict limitation of \$50 million to meet the conditions of the lease for the relocation of The Fair, the County's responsibility is to ensure that The Fair's relocation occurs in accordance with the terms of the lease and the November 2014 referendum. While the County understands FIU's self-imposed \$50 million limit on relocation of The Fair, the most important consideration from the County's perspective is that the relocation occurs in a manner that involves the use of **no** County funds and meets the terms of the lease with The Fair.

- The examination of sites that might accomplish the relocation of The Fair in a way that can meet all of these conditions is complex and difficult, and we will not be pressured into a decision that may jeopardize the voters' mandate that "no County funds be used" for this purpose. Approaching this problem with care is important for many reasons, not the least of which is that to date, **FIU has refused to provide the County with an indemnity** to protect it from any claims that might be asserted against the County as a result of the relocation efforts.
- We continue to work cooperatively with FIU and The Fair on the assessment of the four (4) sites recommended in my March 30, 2015 memorandum to you (attached), which would need to satisfy the terms of the County's lease with The Fair and guarantee that no County funds will be spent in light the financial limitations imposed by FIU.
- We have not yet confirmed that these lease and financial conditions can be met for any of these four (4) sites: the work to do so must be performed to Miami-Dade County's satisfaction, and must be paid for by FIU and/or The Fair.
- We have been considering other possible site solutions that could satisfactorily address the legal and financial parameters established for this issue; the scenario that involves a reorganization of The Fair's site was being explored in this spirit and does not preclude consideration of the other site options.

It is my administration's intention to continue to work cooperatively with both FIU and The Fair, with the objective of reaching a solution that can be accomplished within the financial limitations set by FIU. We remain committed to the importance of FIU's expansion, to the terms of our lease with The Fair, and to the requirements of the referendum in regard to expending no County funds on this endeavor.

My administration encourages Commissioner Zapata, the District Commissioner, to sponsor a resolution that endorses the initiation of our negotiations with FIU and The Fair in regard to the Fair's relocation to the South Miami-Dade (also referred to as the "Homestead") site.

Attachment

- c: Abigail Price-Williams, County Attorney
Michael Spring, Senior Advisor, Office of the Mayor
Office of the Mayor Senior Staff
Jack Kardys, Director, Parks, Recreation and Open Spaces Department
Dr. Mark B. Rosenberg, President, Florida International University
Robert Hohenstein, President/Chief Executive Officer, The Miami-Dade County Fair &
Exposition, Inc.