

MEMORANDUM

Agenda Item No. 11(A)(11)

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

DATE: December 1, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to expeditiously develop and advertise one or more requests for Expressions of Interest for the development of two County-owned properties generally located south of SW 280 Street, west of SW 127 Avenue, north of Biscayne Drive, and east of Nevada Avenue and SW 128 Path adjacent to the Homestead Air Reserve Base of: (1) a large-scale container park to serve as a commerce and entertainment hub, and (2) under certain circumstances, a temporary small-scale container or event-space park; and further directing the County Mayor to prepare and transmit memorandum, and provide a status report

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Kionne L. McGhee.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM
(Revised)

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

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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
- 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. 11(A)(11)
12-1-21

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXPEDITIOUSLY DEVELOP AND ADVERTISE ONE OR MORE REQUESTS FOR EXPRESSIONS OF INTEREST FOR THE DEVELOPMENT OF TWO COUNTY-OWNED PROPERTIES GENERALLY LOCATED SOUTH OF SW 280 STREET, WEST OF SW 127 AVENUE, NORTH OF BISCAYNE DRIVE, AND EAST OF NEVADA AVENUE AND SW 128 PATH ADJACENT TO THE HOMESTEAD AIR RESERVE BASE OF: (1) A LARGE-SCALE CONTAINER PARK TO SERVE AS A COMMERCE AND ENTERTAINMENT HUB, AND (2) UNDER CERTAIN CIRCUMSTANCES, A TEMPORARY SMALL-SCALE CONTAINER OR EVENT-SPACE PARK; AND FURTHER DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PREPARE AND TRANSMIT MEMORANDUM, AND PROVIDE A STATUS REPORT

WHEREAS, on July 13, 2004, Miami-Dade County approved Resolution No. R-909-04 which authorized the County to execute an Economic Development Conveyance Agreement ("EDC agreement") with the secretary of the Air Force on behalf of the United States of America ("Air Force") to accomplish the transfer of 601 acres of former Homestead Air Reserve Base property ("EDC premises") to the County, at no cost, for the purpose of promoting economic development through job creation and new business development in the immediate area of the former Homestead Air Reserve Base; and

WHEREAS, as a result of the EDC agreement, the EDC premises were conveyed to the County by multiple deeds, which included various rights, obligations, and restrictions; and

WHEREAS, the County has leased or conveyed numerous properties for economic development purposes to various entities throughout the EDC premises since the initial conveyance from the Air Force; and

WHEREAS, the County holds two sizeable vacant parcels within the EDC premises generally located south of SW 280 Street, west of SW 127 avenue, north of Biscayne Drive, and east of Nevada Avenue and SW 128 Path, totaling approximately 47 gross acres, identified as folio number 30-7902-000-0021 including approximately 16.9 acres, and folio number 30-7902-000-0040 including approximately 29.7 acres (the “subject properties”), which can be used to promote job creation and new business development in the area; and

WHEREAS, this Board seeks to create and stimulate economic development opportunities and business development on the subject properties, while also providing opportunities to encourage small business growth, including engagement and participation by not-for-profit entities; and

WHEREAS, increasing opportunities for employment and other economic development will benefit the residents of District 9 and Miami-Dade County; and

WHEREAS, the County desires to develop the subject properties as a large scale container park, providing cost effective, flexible, and ecologically sensitive tenant space through the repurposing of shipping containers into business uses such as retail shops, entertainment, eating establishments, and community spaces; and

WHEREAS, container parks provide unique opportunities for small or start-up businesses, and can also include opportunities for not-for-profit entities, due to the low cost, customizable and flexible size, and variable configuration of such containers; and

WHEREAS, container parks have been developed throughout the United States, including, but not limited to, California, New York, Nevada, and Oklahoma, as well as in Florida such as in the City of Hollywood and in the City of Miami in Wynwood; and

WHEREAS, the Downtown Container Park in Las Vegas, which includes independent shops, local restaurants, outdoor entertainment, and interactive play areas for children, is an example of the successful economic opportunities which can be created by large-scale open air container parks; and

WHEREAS, a container park was likewise developed in Wynwood including individual outdoor food and beverage establishments, each operating from separate shipping containers, along with a courtyard which includes outdoor space in which the community can socialize and interact; and

WHEREAS, the creation of a business and entertainment container park in the Homestead area would enhance and expand economic activities, invigorate the area, create jobs, and assist in providing a stronger and more vibrant economy; and

WHEREAS, in October 2022, the City of Homestead will host the second race in the NASCAR Cup Series Playoffs at Homestead-Miami Speedway (the “NASCAR event”); and

WHEREAS, the NASCAR event will attract a large number of people to the Homestead area in the vicinity of the subject properties; and

WHEREAS, the creation of a temporary container or event-space park at the subject properties in time for the NASCAR event would provide a forum where people can enjoy entertainment, shopping and dining in close proximity to the NASCAR races as well as attract tourists and locals alike to an area and entertainment venue they would then be likely to visit in the future; and

WHEREAS, therefore, a need exists, in addition to the construction of the large-scale container park, to complete a smaller-scale container or event-space park in time for the NASCAR event; and

WHEREAS, any temporary or event-space development on the subject properties can also potentially be thereafter converted to a more permanent development of the large scale container park, if deemed to be in the best interest of the County; and

WHEREAS, it is in the best interests of Miami-Dade County to promote economic growth, to create new jobs and to strengthen the County's economy; and

WHEREAS, pursuant to section 125.045, the County may employ measures to attract business enterprises, including but not limited to leasing real property directly to entities to attract such business enterprises; and

WHEREAS, section 125.045, Florida Statutes, provides an exception to competitive bidding requirements for non-competitive leases to retain or to allow the expansion of existing businesses in the community or to attract new businesses and industries to the community for economic development purposes; and

WHEREAS, this Board desires to develop the subject properties as a large-scale container park by entering into a lease agreement pursuant to section 125.045 with one or more private sector developers, who have experience in creating container parks, in order to accomplish such economic development on the subject properties; and

WHEREAS, in light of the unique and specialized nature of this development, and to notify potential developers and development partners of the availability of the subject properties for economic development opportunities, the County desires to develop and issue Requests for Expression of Interest (EOI) in order to have interested entities present their ideas and qualifications to the County regarding the development of the subject properties; and

WHEREAS, although the EOI is a useful tool for determining interested entities, this Board is not bound by the responses to, or information provided in, such EOI, which is for informational purposes; and

WHEREAS, this Board therefore desires to direct the County Mayor or County Mayor's designee to expeditiously develop and advertise one or more EOIs for the subject property for (i) the development of a large-scale permanent container park, and (ii) if necessary to achieve completion of an entertainment and event space to support and service the NASCAR event by the date of such event, a smaller-scale container or event-space park,

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. This Board directs the County Mayor or County Mayor's designee: to expeditiously develop and advertise, no later than 20 days from the effective date of this resolution, one or more EOIs for the subject property for (i) the development of a large-scale permanent container park, and (ii) if necessary to achieve completion of an entertainment and event-space to support and service the NASCAR event by the date of such event, a smaller-scale container or event-space park. At a minimum, the EOIs shall require interested parties to provide their relevant development experience, proposed uses for the containers to be placed on the subject properties along with any ancillary, supporting uses, estimated number of jobs to be created, the anticipated timeline for construction and completion, and proposed incentives or opportunities for participation by small or start-up businesses and not-for-profit business entities. The EOI shall further require responses to the EOI to be provided by the interested entities no later than 60 days of the issuance of the advertisement (EOI response date).

Section 3. This Board further directs the County Mayor or County Mayor's designee to: (1) provide a written status report to this Board by placement on the first available agenda of this Board within 60 days of the effective date of this resolution after the EOI is advertised pursuant to Ordinance No. 14-65; and (2) to report to the Board describing each of the EOI responses

received by transmitting a memorandum to each individual Commissioner no later than 90 days from the issuance of the EOI. The County Mayor or County Mayor's designee is directed to take no other actions which would encumber or impact the utilization of the subject properties other than as specified herein, and shall not issue any permits, licenses, or other agreements related to the subject properties in the absence of this Board's direction.

The Prime Sponsor of the foregoing resolution is Commissioner Kionne L. McGhee.

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:

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 1st day of December, 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.



Debra Herman
Monica Rizo Perez