

MEMORANDUM

Substitute
Agenda Item No. 11(A)(2)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: July 18, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to enter into negotiations for construction of a new airport hotel with Parmco Airport Hospitality LLC; determining that an airport hotel is an airport facility pursuant to section 125.35, Florida Statutes; directing the County Mayor to submit any agreed lease and development agreement to this Board for approval; waiving certain provisions of Implementing Order 8-4

This substitute differs from the original resolution in that it requires the County Mayor, in conducting negotiations, to additionally ensure: (i) that prior to commencement of construction of the hotel a market study is conducted and findings of the study support the need for a second hotel; (ii) that the County retains control of the phasing of the construction of an additional hotel so as to minimize impacts to airport operations, and; (iii) that any hotel constructed on this additional site serves a different market segment than the hotel contemplated in RFP-01677 and does not offer unnecessarily duplicative amenities such as restaurants or meetings/conference space.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Oliver G. Gilbert, III.


Geri Bonzon-Keenan
County Attorney

GBK/jp

MDC001



MEMORANDUM
(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: July 18, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Substitute
Agenda Item No. 11(A)(2)

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 _____

Substitute
Agenda Item No. 11(A)(2)
7-18-23

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ENTER INTO NEGOTIATIONS FOR CONSTRUCTION OF A NEW AIRPORT HOTEL WITH PARMCO AIRPORT HOSPITALITY LLC; DETERMINING THAT AN AIRPORT HOTEL IS AN AIRPORT FACILITY PURSUANT TO SECTION 125.35, FLORIDA STATUTES; DIRECTING THE COUNTY MAYOR TO SUBMIT ANY AGREED LEASE AND DEVELOPMENT AGREEMENT TO THIS BOARD OF COUNTY COMMISSIONERS FOR APPROVAL; WAIVING CERTAIN PROVISIONS OF IMPLEMENTING ORDER 8-4

WHEREAS, many major airports have multiple onsite hotels which are directly accessible from the airports' terminal areas; and

WHEREAS, travelers expect that major airports will have multiple onsite hotels, and make decisions as to which airports to connect through on the basis of amenities, such as hotels, offered by such airports; and

WHEREAS, the existing hotel at Miami International Airport (MIA) was constructed over 50 years ago, and its physical plant and layout are not consistent with the desires of today's travelers; and

WHEREAS, in Resolution No. R-831-08, the Board of County Commissioners directed the County Mayor to solicit expressions of interest pursuant to section 125.35, Florida Statutes, for firms willing to finance, construct, operate, and maintain a new hotel at MIA; and

WHEREAS, pursuant to Resolution No. R-521-20, this Board directed that the County Mayor issue an expedited procurement for construction of a new airport hotel, on a site which the County had previously programmed for a hotel; and

WHEREAS, that expedited procurement has taken nearly three years to complete; and
WHEREAS, with continued growth of MIA, an additional new hotel is necessary; and
WHEREAS, the MIA master plan identified a need for a second airport hotel, and specified a site for such additional hotel adjacent to Terminal E; and

WHEREAS, a procurement process for an additional hotel will likely take years to complete, pushing delivery of the facility many years into the future; and

WHEREAS, Parmco Airport Hospitality LLC (Parmco) currently has a team in place to finance, design, build, operate, and maintain an airport hotel; and

WHEREAS, negotiations with Parmco over a contract to finance, design, build, operate, and maintain an additional airport hotel can be accomplished substantially faster than a procurement process, resulting in MIA bringing multiple first class hotels on line in a short time frame, and thus providing substantial benefits to the users of the airport; and

WHEREAS, in the event MDAD cannot complete negotiations or such negotiations are no longer in the best interest of the County, MDAD shall initiate an expedited solicitation for an additional new hotel through another process following notice to this Board,

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

Section 1. This Board determines, consistent with prior Board determinations, that a hotel physically attached to MIA's terminal or parking structures is an airport facility pursuant to section 125.35, Florida Statutes.

Section 2. The County Mayor or County Mayor’s designee is directed to enter into negotiations with Parmco Airport Hospitality LLC (Parmco), pursuant to which Parmco would finance, design, construct, operate, and maintain a hotel at MIA. Negotiations shall, to the extent possible given the differences in the site and MIA’s evolving business needs and any market changes generated by any other hotel operation or construction at MIA, be consistent with the proposal submitted by Parmco in response to, and consistent with the requirements of, RFP-01677 >>and the County Mayor or County Mayor’s designee shall additionally ensure: (i) that prior to commencement of construction of the hotel a market study is conducted and findings of the study support the need for a second hotel; (ii) that the County retains control of the phasing of the construction of an additional hotel so as to minimize impacts to airport operations, and; (iii) that any hotel constructed on this additional site serves a different market segment than the hotel contemplated in RFP-01677 and does not offer unnecessarily duplicative amenities such as restaurants or meetings/conference space.<<¹ If negotiations result in an agreed form of lease and development agreement, the County Mayor shall submit such agreement to the Board of County Commissioners for approval.

¹ The differences between the substitute and the original item are indicated as follows: Words stricken through and/or [[double bracketed]] shall be deleted, words underscored and/or >>double arrowed<< are added.

Section 3. As the site has no valid alternate county use, and as use of the property for other than airport purposes is constrained by federal regulations and the Miami International Airport Bond and Trust Agreement, the Board waives the provisions of Implementing Order 8-4 related to the initiating action, application, property circulation, and review of restrictions; any negotiated lease and development agreement shall otherwise comply with the provisions of that Implementing Order.

The Prime Sponsor of the foregoing resolution is Chairman Oliver G. Gilbert, III. 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:

Oliver G. Gilbert, III, Chairman	
Anthony Rodríguez, Vice Chairman	
Marleine Bastien	Juan Carlos Bermudez
Kevin Marino Cabrera	Sen. René García
Roberto J. Gonzalez	Keon Hardemon
Danielle Cohen Higgins	Eileen Higgins
Kionne L. McGhee	Raquel A. Regalado
Micky Steinberg	

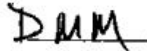
The Chairperson thereupon declared this resolution duly passed and adopted this 18th day of July, 2023. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override 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.



David M. Murray