

MEMORANDUM

Agenda Item No. 11(A)(6)

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

DATE: September 17, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution modifying Resolution No. R-629-18 which established County policy that prohibited certain County subsidies related to the design and construction of the American Dream Miami project

This item was amended at the July 8, 2024 Chairman's Policy Council and Intergovernmental Affairs Committee to change rescinding to modifying throughout the resolution and to add a requirement that any TIF district or impact fee use allowed as a result of the resolution must come back to the Board.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Juan Carlos Bermudez.


Geri Bonzon-Keenan
County Attorney

GBK/jp



MEMORANDUM

(Revised)

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

DATE: September 17, 2024

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(6)

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 ____, majority plus one ____, 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) ____, 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)(6)
9-17-24

RESOLUTION NO. _____

RESOLUTION MODIFYING RESOLUTION NO. R-629-18
WHICH ESTABLISHED COUNTY POLICY THAT
PROHIBITED CERTAIN COUNTY SUBSIDIES RELATED TO
THE DESIGN AND CONSTRUCTION OF THE AMERICAN
DREAM MIAMI PROJECT

WHEREAS, on May 17, 2018, this Board adopted Resolution No. R-629-18, which established County policy to prohibit certain County subsidies related to the design or construction of the American Dream Miami project; and

WHEREAS, specifically, Resolution No. R-629-18 set County policy that the County not enter into an agreement to provide any County financing, County grant, County-funded loan or subsidy, or any similar County program of any kind to fund the design or construction of improvements related to the American Dream Miami project, whether onsite or offsite; and

WHEREAS, Resolution No. R-629-18 also provided that the County would not approve tax increment financing (“TIF”), payment in lieu of taxes, short-term or long-term real estate or sales tax exemption or tax reduction, bond financing, grants, loans or subsidies to fund the design or construction of improvements related to the above-mentioned American Dream Miami project; and

WHEREAS, the County policies set by Resolution No. R-629-18 are restrictions on the County itself, and the County creating these types of formal restrictions on itself may not be typical; and

WHEREAS, >>modifying<<¹ ~~[[rescinding]]~~ Resolution No. R-629-18 may provide greater flexibility related to the development of the American Dream Miami project and may potentially increase opportunities related to development and infrastructure in the surrounding area; and

WHEREAS, accordingly, this Board wishes to >>modify<< ~~[[rescind]]~~ Resolution No. R-629-18,

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

Section 1. The foregoing recitals are hereby approved and incorporated herein.

Section 2. This Board hereby >>modifies<< ~~[[rescinds]]~~ Resolution No. R-629-18 >>so that the creation of a TIF district and the use of impact fees shall not be subject to the restrictions in Resolution No. R-629-18. Any such creation of a TIF district or impact fee use, including anything negotiated as a result of this resolution, shall come back to this Board for approval<<.

The Prime Sponsor of the foregoing resolution is Commissioner Juan Carlos Bermudez. 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:

¹ Committee amendments are indicated as follows: Words stricken through and/or ~~[[double bracketed]]~~ are deleted, words underscored and/or >>double arrowed<< are added.

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 17th day of September, 2024. 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.



Lauren E. Morse
Abbie Schwaderer-Raurell