

MEMORANDUM

RTRC

Agenda Item No. 3(A)

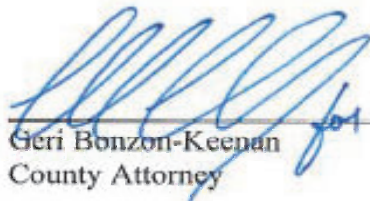
TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: October 14, 2026

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution approving terms of a Declaration of Restrictive Covenant on Vizcaya Museum and Gardens ("Vizcaya"), located at 3251 South Miami Avenue, Miami, FL 33129, in favor of the Florida State Historic Preservation Office for the restoration of the Vizcaya Casino for a term of 15 years in exchange for a Florida State Division of Historical Resources grant in the amount of \$500,000.00; and authorizing and directing the County Mayor to execute the declaration of restrictive covenant for and on behalf of Miami-Dade County, exercise all provisions contained therein and record same in the public records of Miami-Dade County

The accompanying resolution was prepared by the Cultural Affairs Department and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/wm

MDC001

Memorandum



Date: November 17, 2026

To: Honorable Chairman Anthony Rodriguez and Members, Board of County Commissioners

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Subject: Execution and Recordation of a Declaration of Restrictive Covenant for the Casino building on the County-owned Vizcaya Museum and Gardens property

Executive Summary

This item is requesting that the Board of County Commissioners approve the terms of and grant the County Mayor or the County Mayor's designee the authority to execute a Declaration of Restrictive Covenant on the Vizcaya Museum and Gardens in support of a \$500,000 grant (25.h.sc.100.102) from the State of Florida, Department of State, Division of Historical Resources, to support the preservation of the property's Casino, for a term of fifteen years, which will be recorded by the Miami-Dade County Clerk of Courts.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the terms of and grant the County Mayor or the County Mayor's designee the authority to execute the Declaration of Restrictive Covenant on Vizcaya Museum and Gardens (Vizcaya) as they are required by the funding agencies as conditions of Vizcaya Museum and Gardens Trust, Inc.'s (the Trust) in support of a \$500,000 grant (P20AP00365) from the State of Florida, Department of State, Division of Historical Resources. This grant will be used to support the preservation of the property's Casino building, which is important culturally, historically and architecturally and is a contributing resource to Vizcaya's National Historic Landmark designation.

Scope

The impact of this agenda item is countywide. Vizcaya Museum and Gardens is located at 3251 South Miami Avenue Miami, FL 33129, which is in County Commission District 7, represented by Commissioner Raquel Regalado. Since 1953, Vizcaya Museum and Gardens has served the entire community.

Fiscal Impact/Funding Source

The County owns the land and buildings that make up the Vizcaya Museum and Gardens and has an Operating and Management Agreement with Vizcaya Museum and Gardens Trust, Inc. to operate and maintain the facility. The grant \$500,000 in matching funds which will be provided by the Trust through County Countywide Infrastructure Investment Program (CIIP) funds, CIIP Project #3.

Match funding is allocated for Vizcaya Museum and Gardens and included in the FY 2025-26 Adopted Budget and Multi-Year Capital Plan under program # 709910. Refer to the table below for additional information.

Revenue Name	Budget Reference	Fund Code	Revenue Amount
CIIP Program Financing	FY 2025-26 Adopted Budget Volume and Multi-Year Capital Plan, Volume 2, page 191	CO080	\$4,753,000

Delegation of Authority

The County Mayor or Mayor's designee is delegated the authority to execute the restrictive covenants and to take all actions to comply with the requirements of the grant agreement and the purpose for which the funds were granted to the Trust.

Track Record/Monitor

The Trust will oversee the implementation, compliance, and the use of the grant funds. The Miami-Dade County Department of Cultural Affairs, led by Director Ashlee Thomas, is managing the BBC GOB and CIIP allocations to Vizcaya. Both the Department and the Trust have track records of successfully implementing grants and capital projects.

Background

In 1952 and 1955, the heirs of James Deering conveyed Vizcaya's Main House, Gardens and the Vizcaya Village to Miami-Dade County. For several decades, Vizcaya was operated as a subdivision of the County's Parks and Recreation Department, steered through a Policy Committee. Following Vizcaya's achievement of accreditation by the American Alliance of Museums and its designation as a National Historic Landmark in 1998, the Board passed Ordinance 98-112, making Vizcaya a freestanding County agency. Vizcaya later engaged in a strategic planning process that resulted in the recommendation for Vizcaya to advance its role as a vital community resource by streamlining its operations through a dedicated non-profit structure to strengthen Vizcaya's capabilities of raising private-sector support and facilitating enhancements to its preservation and educational programming. In 2017, the Board passed Ordinance 17-42 approving an Operating and Management Agreement between Miami-Dade County and the Vizcaya Museum and Gardens Trust, Inc., a Florida not-for-profit corporation, for the operation of Vizcaya.

The Trust applied for and was awarded \$500,000.00 in financial assistance from State of Florida, Department of State, Division of Historical Resources, to support the preservation

Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners
Page No. 3

of the property's Casino (25.h.sc.100.102). The restrictive covenant agreement is entered into for the purpose of preserving the Vizcaya Museum and Gardens **Casino** for fifteen (15) years as a condition of eligibility for this grant and is included as **Attachment A** herein.

A handwritten signature in black ink, appearing to read 'CH', followed by a horizontal line.

Christopher Hudtwalcker
Chief of Staff

RESTRICTIVE COVENANTS**Project Name:** Preservation of the Vizcaya Casino**Grant Number:** 25.h.sc.100.102

THESE COVENANTS are entered into this ____ day of _____, 20__, by Miami-Dade County, hereinafter referred to as the Owner, and Vizcaya Museum and Gardens Trust, Inc., hereinafter referred to as the Grant Recipient, and shall be effective for a period of 15 years from the date of recordation by the Clerk of the Circuit Court of Miami-Dade County, Florida.

WHEREAS, the Owner is the fee simple titleholder of the Property located at 3251 South Miami Ave., Miami, FL 33129, Miami-Dade County, Florida, as described in Exhibit A, attached to and made a part hereof and

WHEREAS, the Grant Recipient is to receive State Historic Preservation Grant assistance funds administered by the State of Florida, Department of State, Division of Historical Resources, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, hereinafter referred to as the Department, in the amount of \$500,000, to be used for the preservation of the property of the Owner as described in Exhibit A, and

WHEREAS, said State funds have been or will be expended for the purpose of preserving the historic qualities of the property or contributing to the historic character of the district in which the property is located,

Now THEREFORE, as part of the consideration for the State grant, the Owner and Grant Recipient hereby make and declare the following restrictive covenants which shall run with the title to said Property and be binding on the Owner and Grant Recipient and their successors in interest, if any, for a period stated in the preamble above:

1. The Owner and Grant Recipient agree to maintain the property in accordance with good preservation practices and the Secretary of the Interior's Standards for Rehabilitation.
2. The Owner and Grant Recipient agree that no modifications will be made to the Property, other than routine repairs and maintenance, without advance review and approval of the plans and specifications by the Department's Bureau of Historic Preservation.
3. The Owner and Grant Recipient agree that every effort will be made to design any modifications to the Property in a manner consistent with the Secretary of the Interior's Standards for Rehabilitation.
4. The Owner and Grant Recipient agree that the Department, its agents and its designees shall have the right to inspect the Property at all reasonable times in order to ascertain whether the conditions of the Grant Award Agreement and these covenants are being observed.
5. The Owner and Grant Recipient agree that these restrictions shall encumber the property for a period of 15 years from the date of recordation, and that if the restrictions are violated within the 15 year period, the Department shall be entitled to liquidated damages from the Grant Recipient pursuant to the following schedule:
 - a. If the violation occurs within the first five (5) years of the effective date of these covenants, the Department shall be entitled to return of the entire grant amount.
 - b. If the violation occurs after the first five (5) years, the Department shall be entitled to return of the entire grant amount, less 10% for each year past the first five (5).
6. The Owner agrees to file these covenants with the Clerk of the Circuit Court of Miami-Dade County, Florida, and shall pay any and all expenses associated with their filing and recording.
7. The Owner and Grant Recipient agree that the Department shall incur no tax liability as a result of these restrictive covenants.

IN WITNESS WHEREOF, the Owner and Grant Recipient have read these Restrictive Covenants and have hereto affixed their signatures.

WITNESSES:

Witness Signature

OWNER

Witness Name Typed/Printed

Owner's Address

Witness Signature

City State Zip

Witness Name Typed/Printed

The State of Florida
County of _____

I certify that on this date before me, an officer duly authorized in the state and county named above to take acknowledgments, that _____ personally
(Name)

appeared as _____ for _____
(Officer) (Name of Corporation/Partnership)

known to me to be or who proved to my satisfaction that he/she is the person described in and who executed the foregoing instrument.

Type of Identification Produced _____

Executed and sealed by me at _____, Florida on _____, 20__.

Notary Public in and for

The State of _____

My commission expires: _____

[SEAL]

[Signature]

Witness Signature

[Signature]

GRANT RECIPIENT

Macon Toledano

Witness Name Typed/Printed

Vizcaya Museum and Gardens Trust, Inc.
3251 South Miami Avenue

Grant Recipient's Address

[Signature]

Witness Signature

Miami, FL 33129

City

State

Zip

John A. Stuart

Witness Name Typed/Printed

The State of Pennsylvania
Florida
County of Beaver

I certify that on this date before me, an officer duly authorized in the state and county named above to take acknowledgments, that Joel Martin Hoffman personally

(Name)

appeared as Executive Director/CEO

(Officer)

for Vizcaya Museum and Gardens Trust, Inc.

(Name of Corporation/Partnership)

known to me to be or who proved to my satisfaction that he/she is the person described in and who executed the foregoing instrument.

Type of Identification Produced Driver License

Executed and sealed by me at Midland, Pennsylvania ~~Florida~~ on 07/14, 2026.

Commonwealth of Pennsylvania - Notary Seal
Matthew E Webb, Notary Public
Beaver County
My commission expires April 9, 2030
Commission Number 1298553

[Signature]

Notary Public in and for

The State of Pennsylvania

My commission expires: 04/09/2030

Notarized remotely online using communication technology via Proof.

[SEAL]



MEMORANDUM

(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: November 17, 2026

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No.

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**
- _____ **Requires more than a majority vote (i.e., 2/3’s present ____, 2/3 membership ____, 3/5’s ____, unanimous ____, majority plus one ____, CDMP 7 votes (majority of membership) ____, CDMP 2/3 members present but not less than 7 votes (majority of membership) ____, CDMP 9 votes (2/3 membership) ____) 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.

RESOLUTION NO. _____

RESOLUTION APPROVING TERMS OF A DECLARATION OF RESTRICTIVE COVENANT ON VIZCAYA MUSEUM AND GARDENS (“VIZCAYA”), LOCATED AT 3251 SOUTH MIAMI AVENUE, MIAMI, FL 33129, IN FAVOR OF THE FLORIDA STATE HISTORIC PRESERVATION OFFICE FOR THE RESTORATION OF THE VIZCAYA CASINO FOR A TERM OF 15 YEARS IN EXCHANGE FOR A FLORIDA STATE DIVISION OF HISTORICAL RESOURCES GRANT IN THE AMOUNT OF \$500,000.00; AND AUTHORIZING AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EXECUTE THE DECLARATION OF RESTRICTIVE COVENANT FOR AND ON BEHALF OF MIAMI-DADE COUNTY, EXERCISE ALL PROVISIONS CONTAINED THEREIN AND RECORD SAME IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

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

Section 1. This Board ratifies and adopts the matters set forth in the accompanying justification memorandum as if fully set forth herein.

Section 2. This Board approves the terms of a Declaration of Restrictive Covenant on Vizcaya Museum and Gardens (“Vizcaya”), located at 3251 South Miami Avenue, Miami, Florida 33129, in favor of the Florida State Historic Preservation Office, in substantially the form attached to the accompanying memorandum (“Declaration”) as Exhibit A for the purposes of restoring the casino at Vizcaya for a term of 15 years in exchange for a Florida State Division of Historical Resources grant in the amount of \$500,000.00.

Section 3. This Board authorizes the County Mayor or County Mayor's designee to:

(a) execute the Declaration of Restrictive Covenant in substantially the form attached to the accompanying memorandum as Exhibit A for and on behalf of Miami-Dade County; (b) exercise all provisions contained therein; (c) record the Declaration in the public records of Miami-Dade County; and (d) provide a recorded copy to the Clerk of the Board within 30 days of the execution of said instrument and further directs the Clerk of the Board to permanently store the recorded copies along with this resolution. This Board further authorizes the County Mayor or County Mayor's designee, upon a determination that such actions are in the best interest of the County, to modify the terms of the Declaration so long as such modifications are approved by the County Attorney's Office and are not substantially inconsistent with this resolution. The County Mayor or County Mayor's designee shall be required to seek Board approval for any approvals, consents, actions, events or undertakings that would create a financial obligation, cost or expense to the County beyond those set forth in and specifically identified in the Declaration.

The foregoing resolution 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:

Anthony Rodriguez, Chairman	
Kionne L. McGhee, Vice Chairman	
Marleine Bastien	Juan Carlos Bermudez
Sen. René García	Oliver G. Gilbert, III
Roberto J. Gonzalez	Keon Hardemon
Danielle Cohen Higgins	Vicki L. Lopez
Natalie Milian Orbis	Raquel A. Regalado
Micky Steinberg	

The Chairperson thereupon declared this resolution duly passed and adopted this 17th day of November, 2026. 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.

mmg

Melissa M. Gallo