

MEMORANDUM

Non-Agenda Item No. 15(F)(1)

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

DATE: January 19, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to negotiate a six-year extension term for rental car companies at Miami International Airport for long term financial relief as a result of the effects of COVID-19; delegating to the County Mayor the authority to negotiate and enter into such agreements subject to the County Mayor filing with the Clerk of the Board a waiver of formal bid procedures pursuant to section 5.03(d) of the Home Rule Charter and non-competitive bid waiver provisions of section 2-8.1(b) of the Code, and compliance with the requirements of the Federal Aviation Administration, Airport Amended and Restated Trust Agreement, TIFIAA Loan Agreements, and bond covenants; finding the waiver of competitive bids to be in the best interests of Miami-Dade County; authorizing the County Mayor to execute the financial relief amendments; and directing the County Mayor to provide a report

Resolution No. R-80-22

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Keon Hardemon.



Geri Bonzon-Keenan
County Attorney

GBK/jp



MEMORANDUM

(Revised)

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

DATE: January 19, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Non-Agenda Item No. 15(F)(1)

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

Non-Agenda Item No. 15(F)(1)

Veto _____

1-19-22

Override _____

RESOLUTION NO. R-80-22

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO NEGOTIATE A SIX-YEAR EXTENSION TERM FOR RENTAL CAR COMPANIES AT MIAMI INTERNATIONAL AIRPORT FOR LONG TERM FINANCIAL RELIEF AS A RESULT OF THE EFFECTS OF COVID-19; DELEGATING TO THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE THE AUTHORITY TO NEGOTIATE AND ENTER INTO SUCH AGREEMENTS SUBJECT TO THE COUNTY MAYOR FILING WITH THE CLERK OF THE BOARD A WAIVER OF FORMAL BID PROCEDURES PURSUANT TO SECTION 5.03(D) OF THE HOME RULE CHARTER AND NON-COMPETITIVE BID WAIVER PROVISIONS OF SECTION 2-8.1(B) OF THE CODE, AND COMPLIANCE WITH THE REQUIREMENTS OF THE FEDERAL AVIATION ADMINISTRATION, AIRPORT AMENDED AND RESTATED TRUST AGREEMENT, TIFIAA LOAN AGREEMENTS, AND BOND COVENANTS; FINDING THE WAIVER OF COMPETITIVE BIDS TO BE IN THE BEST INTERESTS OF MIAMI-DADE COUNTY; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE FINANCIAL RELIEF AMENDMENTS; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE A REPORT

WHEREAS, at the January 19, 2022 meeting of the Board of County Commissioners, a motion was made directing the County Mayor or County Mayor's designee to negotiate a six-year extension term for rental car companies at Miami International Airport for long term financial relief as a result of the effects of COVID-19; delegating to the County Mayor or County Mayor's designee the authority to negotiate and enter into such agreements subject to a) the County Mayor filing with the Clerk of the Board a waiver of formal bid procedures pursuant to section 5.03(d) of the Home Rule Charter and non-competitive bid waiver provisions of section 2-8.1(b) of the Code, and b) compliance with the requirements of the Federal Aviation Administration, Airport Amended and Restated Trust Agreement, TIFIAA loan agreements, and bond covenants; finding

the waiver of competitive bids to be in the best interests of Miami-Dade County; authorizing the County Mayor or County Mayor's designee to execute such financial relief amendments; and directing the County Mayor or County Mayor's designee to provide a report to this Board within 30 days of this motion in the event that the County Mayor or County Mayor's designee does not file the bid waiver within such time,

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

Section 1. Directs the County Mayor or County Mayor's designee to negotiate a six-year extension term for rental car companies at Miami International Airport for long term financial relief as a result of the effects of COVID-19.

Section 2. Delegates to the County Mayor or County Mayor's designee the authority to negotiate and enter into such financial relief amendments subject to a) the County Mayor filing with the Clerk of the Board a waiver of formal bid procedures pursuant to section 5.03(d) of the Home Rule Charter and non-competitive bid waiver provisions of section 2-8.1(b) of the Code, and b) compliance with the requirements of the Federal Aviation Administration, Airport Amended and Restated Trust Agreement, TIFIAA loan agreements, and bond covenants.

Section 3. Finds the waiver of competitive bids to be in the best interests of Miami-Dade County.

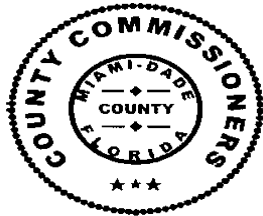
Section 4. Authorizes the County Mayor or County Mayor's designee to execute the financial relief amendments.

Section 5. Directs the County Mayor or County Mayor's designee to provide a report to this Board within 30 days of January 19, 2022 in the event that the County Mayor or County Mayor's designee does not file the bid waiver within such time.

The Prime Sponsor of the foregoing resolution is Commissioner Keon Hardemon. It was offered by Commissioner **Keon Hardemon**, who moved its adoption. The motion was seconded by Commissioner **Oliver G. Gilbert, III** and upon being put to a vote, the vote was as follows:

	Jose "Pepe" Diaz, Chairman	aye	
	Oliver G. Gilbert, III, Vice-Chairman	aye	
Sen. René García	absent	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 19th day of January, 2022. 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: **Melissa Adames**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

APP

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