

MEMORANDUM

Agenda Item No. 8(L)(1)

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

DATE: May 7, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution rescinding Resolution
No. R-903-14 which allocated
\$2,000,000.00 of Project 320
funds to Sunshine Plaza Project
and Miami Merchants Mart,
LLC, and recapturing said funds
for allocation to other eligible
projects previously approved by
this Board

Resolution No. R-386-24

The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Housing, Recreation, Culture and Community Development Committee.



Geri Bonzon-Keenan
County Attorney

GBK/jp

Memorandum



Date: May 7, 2024

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

From: Daniella Levine Cava
Mayor 

Subject: Rescinding Resolution No. R-903-14 – Relating to Allocation of Economic Development Fund Project 320 to Miami Merchants Mart, LLC.

Executive Summary

This item is requesting that the Board of County Commissioners (Board) rescind Resolution No. R-903-14 approving a \$2,000,000.00 allocation from the Building Better Communities General Obligation Bond (BBC-GOB) Program, Economic Development Fund in Targeted Urban Areas Project No. 320 (Project 320). The request to rescind is as a result of the property being sold and no longer being eligible for BBC-GOB funds.

The Board has allocated all Project 320 funds to eligible public infrastructure projects, subject to the negotiation by the County Mayor or County Mayor's designee, of a grant or interlocal agreement for each of those infrastructure projects. Additionally, a waiting list has been established by the Board for potential recipients of Project 320 funds, anticipating recaptured funds. By rescinding Resolution No. R-903-14, the \$2,000,000.00 initially allocated to Miami Merchants Mart, LLC pursuant to the resolution is designated as recaptured funds to be reallocated to other eligible Project 320 projects in-line.

Recommendation

It is recommended that the Board of County Commissioners (Board) rescind the \$2,000,000.00 allocation of funding from the Building Better Communities General Obligation Bond Program, Economic Development Fund in Targeted Urban Areas Project No. 320 to Miami Merchants Mart, LLC (Developer), which was authorized by the Board pursuant to Resolution No. R-903-14.

Scope

This project is located within District 2, which is represented by Commissioner Marleine Bastien.

Delegation of Authority

If adopted, the resolution rescinds Resolution No. R-903-14 and the \$2,000,000.00 allocation to Miami Merchants Mart, LLC reallocating such funds to other eligible Project 320 projects.

Fiscal Impact/Funding Source

There will be no fiscal impact to the County with the approval of this item. Rescinding the \$2,000,000.00 allocation to the Developer will make the funds available for reallocation to other eligible Project 320 projects.

Track Record/Monitor

Elizabeth Fernandez, Innovation and Economic Development Coordinator in the Office of Innovation and Economic Development within the Department of Regulatory and Economic Resources, will be responsible for monitoring the Program.

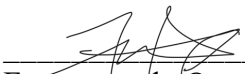
Background

On October 7, 2014, the Board approved Resolution No. R-903-14, which allocated \$2,000,000.00 to the Developer for the Sunshine Plaza 79/Miami Merchants Mart Project and also directed the County Mayor or County Mayor's designee to begin negotiating the terms of a grant agreement. The Resolution further directed that the grant agreement between the County and the Developer be submitted to the Board for approval.

The Office of Innovation and Economic Development conducted a recent audit of Project 320. The audit concluded the County has been unable to negotiate an agreement. On February 27, 2017, the Department of Regulatory and Economic Resources (Department) and the Developer attended a negotiation meeting to discuss the terms of the grant agreement. This was the last communication with the Developer. The Department attempted to communicate with the Developer and the Attorney on record in June 2018 to no avail. The Miami-Dade Property Appraiser's records indicate the property has been sold as of May 2019. A condition of the BBC-GOB Program is that the Grantee owns or has legal control over the land on which the GOB Project will be built, or ownership is vested in Miami-Dade County and it be maintained for 25 years.

Therefore, it is recommended that the Board rescind the allocation to the Developer for the Sunshine Plaza 79/Miami Merchants Mart, and such funds be recaptured to be made available to eligible Project 320 recipients.

The recaptured funds will be reallocated to Platform 3750, LLC to fulfill the funding requirements approved by Resolution No. R-1095-23, to support the Platform 3750 Project at Frankie Shannon Rolle Center. Additionally, a waiting list has been established by the Board for potential recaptured funds. Pursuant to Resolution No. R-317-23 the City of Miami Gardens was placed next in-line and approved an allocation of up to \$7,500,000.00 for the Miami Gardens City Center Project in the event recaptured funds became available. The remaining \$1,900,000.00 of recaptured funds will be reallocated to The Miami Gardens City Center Project.



Francesca de Quesada Covey
Chief Innovation and Economic Development Officer



MEMORANDUM

(Revised)

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

DATE: May 7, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(L)(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
Veto _____
Override _____

Agenda Item No. 8(L)(1)
5-7-24

RESOLUTION NO. R-386-24

RESOLUTION RESCINDING RESOLUTION NO. R-903-14
WHICH ALLOCATED \$2,000,000.00 OF PROJECT 320 FUNDS
TO SUNSHINE PLAZA PROJECT AND MIAMI MERCHANTS
MART, LLC, AND RECAPTURING SAID FUNDS FOR
ALLOCATION TO OTHER ELIGIBLE PROJECTS
PREVIOUSLY APPROVED BY THIS BOARD

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying
Mayor's 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. The foregoing recitals are approved and incorporated in this Resolution.

Section 2. This Board rescinds Resolution No. R-903-14, which allocated
\$2,000,000.00 of Project 320 funds to the Sunshine Plaza Project and Miami Merchants Mart, LLC
so that the funds may be reallocated to other eligible projects previously approved by the Board as
follows: \$100,000.00 to Platform 3750, LLC for the Platform 3750 Project at the Frankie Shannon
Rolle Center and \$1,900,000.00 to City of Miami Gardens for the Miami Gardens City Center
Project.

The foregoing resolution was offered by Commissioner **Danielle Cohen Higgins** ,
who moved its adoption. The motion was seconded by Commissioner **Anthony Rodriguez**
and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 7th day of May, 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: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MRP

Monica Rizo Perez