MEMORANDUM

Substitute
Agenda Item No. 11(A)(19)

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

DATE: October 9, 2025

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

Resolution No. R-989-25

The substitute differs from the original in that it deletes the second sentence of section 2 related to public local roads, deletes the phrase "creation of a TIF district" in two places from Section 2, adds the phrase "and federal and state funds" in Section 2, and corrects a scrivener's error.

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

for

Geri Bonzon-Keenan
County Attorney

GBK/jp

MEMORANDUM
(Revised)

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

DATE: October 9, 2025

FROM: Geri Bonzon-Keenan
County Attorney

Substitute
SUBJECT: Agenda Item No. 11(A)(19)

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 __________

Substitute
Agenda Item No. 11(A)(19)
10-9-25

RESOLUTION NO. R-989-25

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 ("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 is detrimental to the County and the ability of the Board to make decisions for the benefit of the County;[[~~;~~]] [1] and

WHEREAS, in April 2025, the County filed suit for breach of contract against International Atlantic, LLC, (IAL) for failure to comply with the terms of the declaration of restrictions requiring the construction of the Project on property which was conveyed to IAL by the County, including but not limited to IAL's failure to diligently pursue and obtain the necessary approvals and permits required to develop the property, and seeking $5,000,000.00 in liquidated damages; and

WHEREAS, the County's lawsuit against IAL is currently pending and the County and IAL have been meeting to attempt to settle this dispute; and

WHEREAS, modifying Resolution No. R-629-18 may provide greater flexibility related to the development of the Project and may potentially increase opportunities related to development and infrastructure in the surrounding area; and

WHEREAS, accordingly, this Board wishes to modify 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 Resolution No. R-629-18 so that [[~~the creation of a TIF district and~~]] the use of impact fees >>and federal and state funds<< shall not be subject to the restrictions in Resolution No. R-629-18. [[~~Additionally, this Board hereby modifies~~

[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.

~~Resolution No. R-629-18 so that the County's use of any County dollars for public local roads shall not be subject to the restrictions of Resolution No. 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 **Juan Carlos Bermudez** , who moved its adoption. The motion was seconded by **Sen. René García** and upon being put to a vote, the vote was as follows:

Anthony Rodriguez, Chairman **aye**
Kionne L. McGhee, Vice Chairman **aye**

Marleine Bastien	**nay**	Juan Carlos Bermudez	**aye**
Sen. René García	**aye**	Oliver G. Gilbert, III	**aye**
Roberto J. Gonzalez	**aye**	Keon Hardemon	**aye**
Danielle Cohen Higgins	**aye**	Eileen Higgins	**nay**
Natalie Milian Orbis	**aye**	Raquel A. Regalado	**aye**
Micky Steinberg	**nay**		

The Chairperson thereupon declared this resolution duly passed and adopted this 9th day of October, 2025. 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.

COUNTY COMMISSIONERS MIAMI-DADE COUNTY FLORIDA

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.

JEM

Debra Herman
Lauren E. Morse