

MEMORANDUM

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

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

DATE: September 18, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to take all actions to acquire the Fuel Facility Property at Fisher Island through negotiations over a period of 31 days for appraised value plus certain incentives; further directing the County Mayor to employ appraisers and experts and obtain environmental audits, record instruments of conveyance, negotiate agreements with cruise and cargo shipping lines to offset the costs associated with the acquisition of the Fuel Facility Property, and negotiate contracts for the operation of the Fuel Facility Property subject to certain parameters; authorizing the use of the Seaport Department Capital Improvement Programs Expedite and Acceleration Ordinance for the Fuel Facility Property; authorizing the County Mayor to exercise all rights in any agreements approved herein; directing the County Mayor to provide a status update at the October 9, 2025 Board meeting; directing the County Attorney to prepare a resolution authorizing and directing the County Mayor to initiate eminent domain proceedings if negotiations for an acquisition of the Fuel Facility Property are unsuccessful and to place such item on the Board's October 9 agenda if the parties have reached an impasse by such date; directing the County Mayor to meet with the Fisher Island Community Association, Inc. and Fisher Island Club, Inc. to develop a beautification plan; and directing the County Mayor to provide the port with written reports of all real property suitable for port uses that is available for purchase in the immediate vicinity of PortMiami

Resolution No. R-897-25

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



Geri Bonzon-Keenan
County Attorney

GBK/ks

MDC001



MEMORANDUM

(Revised)

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

DATE: September 18, 2025

FROM: 
Glen 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 ____, 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

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

Veto _____

9-18-25

Override _____

RESOLUTION NO. R-897-25

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS TO ACQUIRE THE FUEL FACILITY PROPERTY AT FISHER ISLAND THROUGH NEGOTIATIONS OVER A PERIOD OF 31 DAYS FOR APPRAISED VALUE PLUS CERTAIN INCENTIVES; FURTHER DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EMPLOY APPRAISERS AND EXPERTS AND OBTAIN ENVIRONMENTAL AUDITS, RECORD INSTRUMENTS OF CONVEYANCE, NEGOTIATE AGREEMENTS WITH CRUISE AND CARGO SHIPPING LINES TO OFFSET THE COSTS ASSOCIATED WITH THE ACQUISITION OF THE FUEL FACILITY PROPERTY, AND NEGOTIATE CONTRACTS FOR THE OPERATION OF THE FUEL FACILITY PROPERTY SUBJECT TO CERTAIN PARAMETERS; AUTHORIZING THE USE OF THE SEAPORT DEPARTMENT CAPITAL IMPROVEMENT PROGRAMS EXPEDITE AND ACCELERATION ORDINANCE FOR THE FUEL FACILITY PROPERTY; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL RIGHTS IN ANY AGREEMENTS APPROVED HEREIN; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE A STATUS UPDATE AT THE OCTOBER 9, 2025 BOARD MEETING; DIRECTING THE COUNTY ATTORNEY TO PREPARE A RESOLUTION AUTHORIZING AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO INITIATE EMINENT DOMAIN PROCEEDINGS IF NEGOTIATIONS FOR AN ACQUISITION OF THE FUEL FACILITY PROPERTY ARE UNSUCCESSFUL AND TO PLACE SUCH ITEM ON THE BOARD'S OCTOBER 9 AGENDA IF THE PARTIES HAVE REACHED AN IMPASSE BY SUCH DATE; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO MEET WITH THE FISHER ISLAND COMMUNITY ASSOCIATION, INC. AND FISHER ISLAND CLUB, INC. TO DEVELOP A BEAUTIFICATION PLAN; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE THE PORT WITH WRITTEN REPORTS OF ALL REAL PROPERTY SUITABLE FOR PORT USES THAT IS AVAILABLE FOR PURCHASE IN THE IMMEDIATE VICINITY OF PORTMIAMI

WHEREAS, at the special meeting of the Board of County Commissioners held on September 18, 2025, a motion was made to establish a process for the County’s acquisition of the roughly 10-acre marine fuel depot property located on Fisher Island, owned by TransMontaigne Partners LLC, and comprising those parcels identified as Folio Nos. 30-4209-000-0050 and 30-4209-000-0040 together with any property interests necessary for the berthing of vessels alongside said parcels for the purpose of the transfer and storage of marine fuel (the “Fuel Facility Property”),

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

Section 1. Directs and authorizes the County Mayor or County Mayor’s designee to:

- (a) take any and all appropriate actions, over a period of 31 days, to acquire the Fuel Facility Property through a negotiated agreement, including all improvements thereon, for appraised value. Such negotiated agreement may also provide for the following incentives:
 - (i) to the extent the County’s negotiated purchase agreement is with a prospective purchaser of the Fuel Facility Property, reimbursement of all verified costs incurred by the prospective purchaser in connection with the planned redevelopment of the Property;
 - (ii) with respect to any reimbursed costs for studies, drawings, or plans related to the Property, conveyance of such deliverables to the County along with the rights to use and modify such deliverables;
 - (iii) an incentive payment not to exceed 1.5 percent over the appraised value of the Property; and
 - (iv) payment of reasonable attorneys’ fees and costs, not to exceed \$500,000.00.

- (b) employ appraisers and expert witnesses, to obtain environmental audits, and to take any and all appropriate actions to acquire the Fuel Facility Property.
- (c) record any instruments of conveyance accepted pursuant to the terms of this resolution in the public records of Miami-Dade County and to provide a recorded copy of each instrument to the Clerk of the Board within 30 days of execution of said instruments.
- (d) negotiate and execute agreements with those entities contracting with the County under preferential berthing rights agreements or cruise or cargo terminal ground lease agreements to potentially offset costs associated with the acquisition of the Fuel Facility Property.
- (e) negotiate any contracts for the operation of the Fuel Facility Property, provided that such contracts are (1) revenue generating, (2) cost neutral, or (3) have terms providing that any costs associated with such contracts are borne by third parties and to bring any finalized contracts back to the Board for approval.
- (f) authorize the use of the Miami-Dade Seaport Department Capital Improvement Programs Expedite and Acceleration Ordinance set forth in section 2-8.2.15 of the Code with respect to any capital projects necessary for the Fuel Facility Property once the Fuel Facility Property is added to the Seaport Department's Multi-Year Capital Plan.
- (g) exercise all rights in any agreement authorized pursuant to this motion, including rights of renewal and termination, and to take any actions necessary to effectuate the purposes of this resolution, including, without limitation, through the granting of easements and license agreements to utility companies.

Section 2. Directs the County Mayor or County Mayor's designee to provide a report at the Board's meeting of October 9 providing an update on any matters concerning PortMiami's fuel supply.

Section 3. Directs the County Attorney to prepare a resolution authorizing and directing the County Mayor or County Mayor's designee, if negotiations under section 1 are unsuccessful, to initiate eminent domain court proceedings with respect to the Fuel Facility Property including a declaration of taking as necessary for and on behalf of Miami-Dade County. If the parties have reached an impasse before October 9, 2025, then such resolution for the initiation of eminent domain proceedings shall be placed on the Board's October 9 agenda.

Section 4. Directs the County Mayor or County Mayor's designee, upon the County's acquisition of the Fuel Facility Property, to meet with the Fisher Island Community Association, Inc. and Fisher Island Club, Inc. to develop a plan to beautify the area surrounding Fuel Facility Property.

Section 5. Directs the County Mayor or County Mayor's designee to provide the Board, on an ongoing basis, with a written report of all real property suitable for port uses that is available for purchase and located in the immediate vicinity of PortMiami. The Board further directs the County Mayor or County Mayor's designee to place any reports required under this section on an agenda of the full Board without committee review pursuant to rule 5.06(j) of the Board's Rules of Procedure.

The Prime Sponsor of the foregoing resolution is Commissioner Raquel A. Regalado. It was offered by Commissioner **Raquel A. Regalado**, who moved its adoption. The motion was seconded by Commissioner **Kionne L. McGhee** 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	absent
Sen. René García	nay	Oliver G. Gilbert, III	aye
Roberto J. Gonzalez	nay	Keon Hardemon	aye
Danielle Cohen Higgins	absent	Eileen Higgins	aye
Natalie Milian Orbis	nay	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 18th day of September, 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.



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.

MAG

Miguel A. Gonzalez
Andrea I. Gonzalez
Christian J. Fernandez-Andes
Laura A. Figueroa