

RESOLUTION NO. 2018-R-30

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO NEGOTIATE A POTENTIAL PUBLIC PRIVATE PARTNERSHIP (P3) AGREEMENT BETWEEN THE CITY, BSD18, LLC AND THE GREATER NORTH MIAMI CHAMBER OF COMMERCE FOR THE CONSTRUCTION OF A MIXED USED DEVELOPMENT AND PARKING GARAGE ON PROPERTIES LOCATED NEAR AND AROUND THE CURRENT SITE OF THE EXISTING NORTH MIAMI CHAMBER OF COMMERCE; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, in 2013, the Florida Legislature enacted Chapter 2013-223, Laws of Florida, Section 2 of which was codified section 287.05715, Florida Statutes, entitled “Public Private Partnerships” (the “P3 Statute”); and

WHEREAS, the P3 Statute contemplates contractual agreements between a public body and a private sector entity for the delivery of public projects and services; and

WHEREAS, the City Administration, BSD18, LLC (the “Developer”) and The North Miami Chamber of Commerce (the “Chamber”) have identified a potential P3 opportunity and desire the City Council’s approval to move forward; and

WHEREAS, the Developer is the owner of the one-story shopping center located at NE 131st Street and West Dixie Highway; and

WHEREAS, The North Miami Chamber of Commerce (the “Chamber”) is the owner of the Chamber Building located at 13100 West Dixie Highway (the “Chamber Building”) as well as the owner of the vacant real property located adjacent to Chamber Building (the “Chamber Property”); and

WHEREAS, the City is the owner of the land beneath the Chamber Building as well as the adjacent parking lot (the “City Parking Lot”); and

WHEREAS, through a collaborative process the City, the Developer and the Chamber have tentatively reached an agreement whereby the City and the Chamber will convey each of their respective properties to the Developer; and

WHEREAS, in return for the City and Chamber properties, the Developer will develop a new project consisting of a multistory residential building which will include commercial and retail uses as well as a separate building to house the Chamber and new public parking garages; and

WHEREAS, the parties have not completed their negotiations and wish to have the City Council's approval to move forward towards a final project and agreement that will be brought back to the City Council for final approval;

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. Authority to Negotiate an Agreement. The Mayor and City Council of the City of North Miami, Florida, hereby authorize the City Manager and the City Attorney to negotiate an agreement with substantially the same terms as those described as Exhibit "A" with BSD18, LLC and the North Miami Chamber of Commerce for a Public Private Partnership for the construction of mixed used development and parking garage on properties located near and around the current site of the existing North Miami Chamber Of Commerce.

Section 2. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 27th day of February, 2018.



DR. SMITH JOSEPH
MAYOR

ATTEST:



MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Bien-Aime

Seconded by: Keys

Vote:

Mayor Smith Joseph, D.O., Pharm. D.
Vice Mayor Carol Keys, Esq.
Councilman Scott Galvin
Councilman Philippe Bien-Aime
Councilman Alix Desulme

X (Yes) _____ (No)
X (Yes) _____ (No)
X (Yes) _____ (No)
X (Yes) _____ (No)
X (Yes) _____ (No)