



# City of Miami

## Legislation

### Resolution: R-18-0308

City Hall  
3500 Pan American Drive  
Miami, FL 33133  
www.miamigov.com

**File Number: 4449**

**Final Action Date: 7/18/2018**

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A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY ATTORNEY TO PREPARE AN AMENDMENT TO THE CHARTER OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CHARTER"), FOR CONSIDERATION AT A SPECIAL ELECTION SCHEDULED FOR NOVEMBER 6, 2018, PROPOSING, UPON APPROVAL OF THE ELECTORATE, TO AMEND SECTION 29-B OF THE CHARTER, ENTITLED "CITY-OWNED PROPERTY SALE OR LEASE-GENERALLY," TO AUTHORIZE THE CITY COMMISSION, BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, TO WAIVE COMPETITIVE BIDDING AND TO NEGOTIATE AND EXECUTE A GROUND LEASE AND MASTER DEVELOPMENT AGREEMENT ("LEASE") BETWEEN THE CITY OF MIAMI ("CITY") AND MIAMI FREEDOM PARK, LLC ("MFP") FOR APPROXIMATELY SEVENTY-THREE (73) ACRES OF CITY-OWNED PROPERTY LOCATED GENERALLY AT 1400 NORTHWEST 37TH AVENUE, MIAMI, FLORIDA 33125, COMMONLY KNOWN AS MELREESE COUNTRY CLUB AND IDENTIFIED AS FOLIO NUMBERS 01-3132-000-0080 AND 01-3132-000-0090 ("DEMISED PROPERTY") WITH AN INITIAL TERM OF THIRTY-NINE (39) YEARS WITH TWO (2) ADDITIONAL THIRTY (30) YEAR OPTIONS TO RENEW, FOR A TOTAL TERM OF NINETY-NINE (99) YEARS, WITH AN ANNUAL BASE RENT EQUAL TO THE GREATER OF (A) FAIR MARKET VALUE AS DETERMINED BY STATE CERTIFIED APPRAISERS OR (B) FIVE PERCENT (5.0%) OF RENT FROM THE RETAIL, OFFICE, AND HOTEL DEVELOPMENT WITHIN THE DEMISED PROPERTY, BUT ANNUAL BASE RENT OF NO LESS THAN THREE MILLION FIVE HUNDRED SEVENTY-SEVEN THOUSAND THREE HUNDRED SIXTY-FIVE DOLLARS (\$3,577,365.00), IN ADDITION TO A CONTRIBUTION TO THE CITY OF TWENTY MILLION DOLLARS (\$20,000,000.00) PAYABLE OVER THIRTY (30) YEARS IN ANNUAL INSTALLMENTS, AND ANY RENT INCREASES AND/OR ADDITIONAL RENTS NEGOTIATED BY THE PARTIES; AUTHORIZING THE USE OF THE DEMISED PROPERTY FOR A SOCCER STADIUM, ENTERTAINMENT CENTER INCLUDING FOOD AND BEVERAGE VENUES, OFFICES, RETAIL, HOTEL AND CONFERENCE CENTER, AND OTHER ANCILLARY COMMERCIAL DEVELOPMENT WITH A MAXIMUM HEIGHT NOT TO EXCEED FEDERAL AVIATION ADMINISTRATION AEROSPACE OBSTRUCTION STANDARDS WITH RESTRICTIONS, REVERSIONS, AND RETENTION BY THE CITY OF ALL OTHER RIGHTS, GUARANTEEING A LIVING WAGE FOR ALL ON-SITE EMPLOYEES; FURTHER REQUIRING MFP TO UNDERTAKE THE REMEDIATION AND SITE DEVELOPMENT FOR A PUBLIC PARK OF APPROXIMATELY FIFTY-EIGHT (58) ACRES TO BE DEVELOPED ON PROPERTY ADJACENT TO THE DEMISED PROPERTY, CURRENTLY USED FOR THE MELREESE COUNTRY CLUB.

WHEREAS, the City of Miami ("City") is the owner in fee simple of approximately one hundred thirty-one (131) acres of real property generally located at 1400 Northwest 37th Avenue, Miami, Florida 33125, identified as folio numbers 01-3132-000-0080 and 01-3132-000-0090, commonly known as the Melreese County Club ("Site"); and

WHEREAS, Miami Freedom Park, LLC ("MFP") desires to design and develop approximately seventy-three (73) acres of the Site ("Demised Property") for the purposes of constructing a soccer stadium, entertainment center including food and beverage venues, offices, retail, hotel and conference center, and other ancillary commercial development ("Project"); and

WHEREAS, the City and MFP desire to negotiate and enter into a Ground Lease and Master Development Agreement ("Lease") for the Demised Property for an initial term of thirty-nine (39) years with two (2) thirty (30) year options to renew; and

WHEREAS, MFP proposes to pay the City an annual minimum base rent equal to the greater of (a) fair market value as determined by state certified appraisers or (b) five percent (5.0%) of rent from the retail, office, and hotel development within the Demised Property, but annual base rent of no less than three million five hundred seventy-seven thousand three hundred sixty-five dollars (\$3,577,365.00); and

WHEREAS, the City shall negotiate with MFP to ensure the financial return to the City meets or exceeds fair market value through a minimum rent, profit sharing, or other similar financial contribution from MFP to the City; and

WHEREAS, MFP's proposed Project design includes a state-of-the-art professional soccer complex including a twenty-five thousand (25,000) seat stadium and related facilities on approximately ten and one half (10.5) acres of the Demised Property; and

WHEREAS, the Project is expected to include ancillary development, including, but not limited to, four hundred thousand (400,000) square feet of office space; six hundred thousand (600,000) square feet of food, beverage, art, music, entertainment-related, and retail uses; at least seven hundred fifty (750) hotel rooms; twenty thousand (20,000) square feet of conference space, guaranteeing a living wage for all on-site employees; and a parking facility with platform covered by a green roof, including multiple publicly available soccer pitches; and

WHEREAS, MFP will undertake the remediation and site development for a public park ("New Park") of approximately fifty-eight (58) acres to be developed on the property adjacent to the Demised Property; and

WHEREAS, the City will not expend any funds for the remediation of the Demised Property or the New Park and MFP will be responsible for all environmental remediation of the Demised Property and New Park; and

WHEREAS, nothing shall preclude MFP from obtaining any tax credits or other economic incentives from federal or state remediation programs; and

WHEREAS, the City Commission has determined that the Lease and Project is in the City's best interest;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Resolution are adopted by reference and incorporated as fully set forth in this Section.

Section 2. The City Attorney is directed to prepare an amendment to the Charter of the City of Miami, Florida ("Charter") for consideration at a Special Election to be held on November 6, 2018, proposing, upon approval of the electorate, to amend Section 29-B of the Charter, entitled "City-owned property sale of lease-generally," to authorize the City Commission, by a four-fifths (4/5ths) affirmative vote, to waive competitive bidding and to negotiate and execute a Lease between the City and MFP for the Demised Property with an initial term of thirty-nine (39) years with two (2) thirty (30) year options to renew, for a total term of ninety-nine (99) years, with an annual base rent equal to the greater of (a) fair market value as determined by state certified appraisers or (b) five percent (5.0%) of rent from the retail, office, and hotel development within the Demised Property, but annual base rent of no less than three million five hundred seventy-seven thousand three hundred sixty-five dollars (\$3,577,365.00), a contribution to the City of twenty million dollars (\$20,000,000.00) payable over thirty years in annual installments, and any rent increases and/or additional rents negotiated by the parties; authorizing the use of the Demised Property for a soccer stadium, entertainment center including food and beverage venues, offices, retail, hotel and conference center, and other ancillary commercial development, guaranteeing a living wage for all on-site employees, with a maximum height not to exceed Federal Aviation Administration Aerospace Obstruction Standards, with restrictions, reversions, and retention by the City of all other rights.

Section 3. This Resolution shall become effective immediately upon its adoption and signature of the Mayor.<sup>1</sup>

APPROVED AS TO FORM AND CORRECTNESS:

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<sup>1</sup> If the Mayor does not sign this Resolution, it shall become effective at the end of ten (10) calendar days from the date it was passed and adopted. If the Mayor vetoes this Resolution, it shall become effective immediately upon override of the veto by the City Commission.



# City of Miami

## Master Report

City Hall  
3500 Pan American Drive  
Miami, FL 33133  
www.miamigov.com

**Enactment Number: R-18-0308**

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**File Number:** 4449                      **File Type:** Resolution                      **Status:** **ADOPTED WITH MODIFICATION(S)**

**Revision:** B    **Controlling Body:** City Commission

**File Name:** Direct City Attorney - Charter Amendment - Soccer                      **Introduced:** 6/28/2018

**Requesting Dept:** City Manager's Office                      **Final Action Date:** 7/18/2018

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**Title:** \*

**Sponsors:**

**Notes:**

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**Links:**

- Attachments:** 4449-Submittal-Miguel Villalobos-Letter to Commissioners (PDF)  
4449-Submittal-Grace Solares-Resolution from the Urban Environmental League (PDF)  
4449-Submittal-Gladys Fuentes-Remarks (PDF)  
4449-Submittal-William Douglas Muir-Letter to Commissioners (PDF)  
4449-Submittal-Mickey Miñagorri-News Article (PDF)  
4449-Submittal-Mayor Suarez-Letter to Mayor Suarez from Mayor Bain of Miami Springs (PDF)  
4449-Submittal-Commissioner Reyes-Financial Statements for City's operation at Melreese Golf Course Fiscal Years ending September 30, 2012-18 (Tab A) (PDF)  
4449-Submittal-Commissioner Gort-Petitions (PDF)  
4449-Submittal-Gladys Fuentes-Media Guide-The First Tee (PDF)  
4449-Submittal-City Attorney-Ballot Language (PDF)  
4449-Submittal-Commissioner Joe Carollo-Letter to Charles Delucca Jr. from City Manager (PDF)  
4449-Submittal-Vice Chair Russell-Connected Riverwalk Map (PDF)

**History of Legislative File:**

Revision:	Acting Body:	Date:	Action:	Result:
B	Victoria Méndez		Approved Form and Correctness with Modification(s)	Pending
	Miriam Arcia	6/29/2018	City Manager Review	Completed
	Victoria Méndez	7/2/2018	Approved Form and Correctness	Completed
	City Commission	7/12/2018	Meeting	Completed
	City Commission	7/12/2018	DEFERRED	Passed
A	Victoria Méndez	7/17/2018	Approved Form and Correctness	Completed
A	City Commission	7/18/2018	Meeting	Completed
A	City Commission	7/18/2018	ADOPTED WITH MODIFICATION(S)	Passed
B	Mayor's Office	7/18/2018	Signed by the Mayor	Completed
B	City Clerk's Office	7/18/2018	Signed and Attested by the City Clerk	Completed