

MEMORANDUM

Agenda Item No. 14(A)(1)

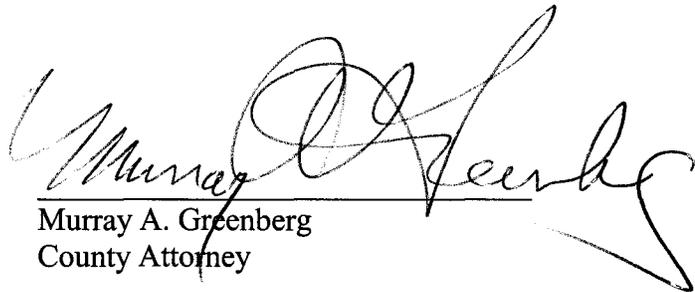
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: December 6, 2005

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution relating to
exploring alternatives for
development of a new
ballpark for the Florida
Marlins

The accompanying resolution was prepared and placed on the agenda at the request of
Commissioner Rebeca Sosa.



Murray A. Greenberg
County Attorney

MAG/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: December 6, 2005

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 14(A)(1)

Please note any items checked.

"4-Day Rule" ("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

Bid waiver requiring County Manager's written recommendation

Ordinance creating a new board requires detailed County Manager's report for public hearing

Housekeeping item (no policy decision required)

No committee review

Approved _____ Mayor

Agenda Item No. 14(A)(1)

Veto _____

12-6-05

Override _____

RESOLUTION NO. _____

RESOLUTION DIRECTING COUNTY MANAGER TO EXPLORE THE ALTERNATIVES FOR THE DEVELOPMENT OF A NEW BALLPARK FOR THE FLORIDA MARLINS AND TO PREPARE A REPORT DETAILING, AMONG OTHER THINGS, POTENTIAL LOCATIONS IN MIAMI-DADE COUNTY AND FUNDING OPTIONS SPECIFIC TO SUCH LOCATIONS

WHEREAS, on March 1, 2005 this Board adopted Resolution No. R-283-05 approving the terms of and authorizing the County Manager to execute a Memorandum of Understanding among the County, the City of Miami and the Florida Marlins, L.P. for the development, construction and operation of a new ballpark at the Orange Bowl site (the "MOU"); and

WHEREAS, pursuant to the provisions of the MOU, the completion of the funding plan and implementation of the terms of the MOU was specifically conditioned upon the State legislature's approval of an amendment to Florida law to allow the Marlins to receive a State Sales Tax Rebate in an amount equal to \$2 million per year for 30 years (the "State Sales Tax Rebate"); and

WHEREAS, the State legislature did not approve the State Sales Tax Rebate; and

WHEREAS, despite the State's failure to approve the State Sales Tax Rebate, the Parties continued to explore possibilities to overcome the funding gap and the severe time constraints in order to open the ballpark for 2008 season; and

WHEREAS, the Marlins recently indicated that the team was no longer pursuing development of a ballpark at the Orange Bowl site and that as such Major League Baseball had granted the team's request to pursue relocation; and

WHEREAS, this Board desires to direct the County Manager to explore the alternatives for developing a new ballpark for the Florida Marlins in Miami-Dade County and to prepare a report outlining such alternatives,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY

COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby directs the County Manager to explore the alternatives for the development of a new ballpark for the Florida Marlins and to prepare a report detailing, among other things, potential locations in Miami-Dade County and funding options specific to such locations. The report shall be prepared and presented to the Board within 30 days.

The foregoing resolution was sponsored by Commissioner Rebeca Sosa and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

- | | |
|-------------------------------|--------------------------|
| Joe A. Martinez, Chairman | |
| Dennis C. Moss, Vice-Chairman | |
| Bruno A. Barreiro | Dr. Barbara Carey-Shuler |
| Jose "Pepe" Diaz | Carlos A. Gimenez |
| Sally A. Heyman | Barbara J. Jordan |
| Dorin D. Rolle | Natacha Seijas |
| Katy Sorenson | Rebeca Sosa |
| Sen. Javier D. Souto | |

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of December, 2005. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.
Geri Bonzon-Keenan

GBK