

MEMORANDUM

Amended
Agenda Item No. 11(A) (8)

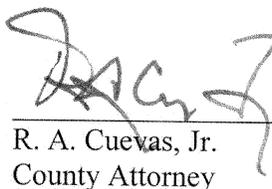
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: July 17, 2008

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution authorizing the
Mayor to approve an extension
of time for Miami-Dade County
to enforce its deed reverter on
land for the Caribbean Palms
Development

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.



R. A. Cuevas, Jr.
County Attorney

RAC/up



MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

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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
Veto _____
Override _____

Amended
Agenda Item No.11(A)(8)
7-17-08

RESOLUTION NO. 862-08

RESOLUTION AUTHORIZING THE MAYOR OR HIS
DESIGNEE TO APPROVE AN EXTENSION OF TIME
FOR MIAMI-DADE COUNTY TO ENFORCE ITS DEED
REVERTER ON LAND FOR THE CARIBBEAN PALMS
DEVELOPMENT OF FORTY-FIVE (45) AFFORDABLE
SINGLE FAMILY HOUSING UNITS AND A DAY
CARE CENTER

WHEREAS, the land for the Caribbean Palms Development, located between S.W. 203 Street on the North, S.W. 206 Street on the South, S.W. 120 Avenue on the Westward S.W. 119 Avenue on the East, was deeded by Miami-Dade County on January 5, 2001 to South Miami Heights Community Development Corporation (SMHCDC) restricting the development of the property to the construction of 45 affordable single family housing units and a day care center and imposing a reverter for failure to comply with the restriction; and

WHEREAS, on June 2, 2008, Bankers Lending Services obtained a Final Judgment of Foreclosure on its mortgage against SMHCDC; and

WHEREAS, Habitat for Humanity of Greater Miami (Habitat) has reached an agreement with SMHCDC to assume ownership and control of the property and to proceed with the Caribbean Palms Development of 45 affordable single family housing units and a daycare center; and

WHEREAS, Habitat estimates that it will require three (3) years to complete the Caribbean Palms Development; and

WHEREAS, Miami-Dade County is desirous of facilitating the completion of the development project envisioned for the land,

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

Section 1. Authorizes and directs the Mayor or his Designee to help facilitate the transfer of the property and Caribbean Palms Development to Habitat; subject, however, to the restriction that the property be developed with 45 affordable single family housing units and a day care center, together with a three (3) year automatic reverter in favor of Miami-Dade County if Habitat fails to comply with the restrictions;

Section 2. In the event Habitat's agreement with SMHCDC is not executed, then the Board authorizes and directs the Mayor or his designee to help facilitate the transfer of the property to Habitat, including the transfer of said land by County Deed, as deemed appropriate, with restrictions and the three year reverter.

The Prime Sponsor of the foregoing resolution is Commissioner Dennis C. Moss.

It was 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:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of July, 2008. 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. 

Thomas Goldstein

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