MEMORANDUM

Agenda Item No. 11(A)(4)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: March 3, 2009

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

SUBJECT: Resolution relating to negotiating with the City of Hialeah for the development of an elderly residential project at the Okeechobee Metrorail Site

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Natacha Seijas.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: March 3, 2009

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

SUBJECT: Agenda Item No. 11(A)(4)

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 Mayor'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 _____

Agenda Item No. 11(A)(4)
3-3-09

RESOLUTION NO. _____

RESOLUTION REQUESTING THAT THE COUNTY MAYOR OR HIS DESIGNEE SUBMIT TO THE BOARD OF COUNTY COMMISSIONERS EITHER WITHIN SIXTY DAYS A COMPLETED NEGOTIATED AGREEMENT WITH THE CITY OF HIALEAH FOR THE DEVELOPMENT OF AN ELDERLY RESIDENTIAL PROJECT AT THE OKEECHOBEE METRORAIL SITE OR IN THE ALTERNATIVE SUBMIT WITHIN THIRTY DAYS A REPORT DETAILING THE REASONS FOR ANY DELAY IN COMPLETING THE NEGOTIATIONS AND INDICATING WHAT ADDITIONAL TIME IS NEEDED TO COMPLETE THE NEGOTIATIONS

WHEREAS, on July 24, 2007, the Board of County Commissioners (BCC) adopted R-903-07 which authorized the termination of negotiations with a private developer after 18 months of fruitless negotiations for the development of the Okeechobee Metrorail site; and

WHEREAS, the City of Hialeah expressed an interest in potentially developing the Okeechobee Metrorail site for elderly housing; and

WHEREAS, the need for affordable, elderly housing in Miami-Dade County continues to be of paramount importance; and

WHEREAS, the County Manager's recommendation to the BCC, which was incorporated into R-903-07, specifically stated that Miami-Dade Transit would enter into discussions with the City of Hialeah to assist in the development of a project and negotiation of a lease agreement which will be brought back to the Board for consideration; and

WHEREAS, to date no such negotiated lease has been presented to the BCC for its consideration,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby requests that the County Mayor or his designee submit to the Board of County Commissioners

either within sixty days a completed negotiated agreement with the city of Hialeah for the development of an elderly residential project at the Okeechobee Metrorail site or in the alternative submit within thirty days a report detailing the reasons for any delay in completing the negotiations and indicating what additional time is needed to complete the negotiations.

The Prime Sponsor of the foregoing resolution is Commissioner Natacha Seijas. 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:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of March, 2009. 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.

Bruce Libhaber