MEMORANDUM

Agenda Item No. 14(A)(2)

TO:	Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners	**DATE:**	June 30, 2009
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution authorizing the Mayor to modify the Latin Q Tower Condominium Project

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro.

R. A. Cuevas, Jr.
County Attorney

RAC/up

MEMORANDUM

(Revised)

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

DATE: June 30, 2009

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

SUBJECT: Agenda Item No. 14(A)(2)

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. 14(A)(2)
6-30-09

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO MODIFY THE LATIN Q TOWER CONDOMINIUM PROJECT WITHOUT CHANGING THE ORIGINAL FUNDING AMOUNT DESIGNATED BY THIS BOARD; AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO REVISE THE SQUARE FOOTAGE OF THE UNITS AND TO INCREASE THE TOTAL NUMBER OF UNITS; AND AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO EXECUTE ANY NECESSARY AGREEMENTS ON BEHALF OF THE MIAMI-DADE

WHEREAS, on April 25, 2006, the Board of County Commissioners awarded $1,000,000 in HOME funds for the construction of 60 condominium units to the Latin Q Condominium Project; and

WHEREAS, in an attempt to keep the project viable, the funds were switched to Surtax on July 3, 2006; and

WHEREAS, the developer agreed to construct 60 units of which 45 units would be set-aside for families earning up to 80% of the area median income (AMI), and 15 units would be set-aside for families earning up to 140% of the AMI; and

WHEREAS, this project has also received City of Miami HOME funds; and

WHEREAS, the project began construction and is currently at 90% completion; and

WHEREAS, the developer has approached the County to seek its consent to increase the total number of units to be constructed from 60 to 72 units and to adjust the square footage for the two and three bedroom units; and

WHEREAS, these changes are substantially different from those approved by this Board at the time of the FY 2006 award; and

WHEREAS, these changes require the approval of this Board,

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

Section 1. Authorizes the modification of the Latin Q Tower Condominium previously approved Surtax allocation, on April 25, 2006, through Resolution R-427-06 without changing the original funding amount designated by this Board.

Section 2. Authorizes the Mayor or the Mayor's designee to revise the Project's Scope of Services to increase the total number of units to be constructed from 60 to 72 units and to further revise the Scope of Services as follows:

Model	Unit Size	Original Sq. Ft.	**Revised Square Footage**
Model A	1bedroom/1bath	654	600
Model B	2bedrooms/2bath	997	865
Model C	3bedrooms/2bath	1227	1043

Section 3. Authorizes the County Mayor or his designee, following approval by the County Attorney's Office to execute agreements, contracts, and amendments on behalf of Miami-Dade County; to shift funding sources for this program activity without exceeding the total amount allocated to that agency; to shift funding to different agencies without exceeding the total amount allocated to the project; and to exercise amendment, modification, renewal, cancellation and termination clauses on behalf of Miami-Dade County, Florida.

The Prime Sponsor of the foregoing resolution is Commissioner Bruno A. Barreiro. 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 30th day of June, 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.

Terrence A. Smith