MEMORANDUM

Agenda Item No. 11(A)(12)

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

DATE: July 21, 2009

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

SUBJECT: Resolution urging the Florida Legislature, the Florida Department of Community Affairs, the South Florida Water Management District and other applicable state agencies to support and approve the development and operation of a recreation area for all-terrain vehicles and other off-highway vehicles at the Dade-Collier Training and Transition Airport or other suitable site

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice-Chairman Jose "Pepe" Diaz.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

MEMORANDUM

(Revised)

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

DATE: July 21, 2009

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

SUBJECT: Agenda Item No. 11(A)(12)

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)(12)
7-21-09

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE, THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT AND OTHER APPLICABLE STATE AGENCIES TO SUPPORT AND APPROVE THE DEVELOPMENT AND OPERATION OF A RECREATION AREA FOR ALL-TERRAIN VEHICLES AND OTHER OFF-HIGHWAY VEHICLES AT THE DADE-COLLIER TRAINING AND TRANSITION AIRPORT OR OTHER SUITABLE SITE

WHEREAS, on May 19, 2009, this Board passed Resolution No. 622-09 directing the Mayor or designee to negotiate on behalf of Miami-Dade County an interlocal agreement with Collier County for the joint development and operation of a 1,600-acre recreation area within the Dade-Collier Training and Transition Airport to support a variety of recreational activities including off-highway vehicle trails, subject to board approval, a copy of which is attached and incorporated by reference; and

WHEREAS, use of part of the Dade-Collier Training and Transition Airport for off-highway vehicle trails is now pending review and approval by various state agencies; and

WHEREAS, lobbying efforts before the executive and legislative branches in Tallahassee could assist in facilitating the approval of such a facility,

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

Section 1. Urges the Florida Legislature, the Florida Department of Community Affairs, the South Florida Water Management District and other applicable State agencies to support and approve the development and operation of a recreation area for all-terrain vehicles

and other off-highway vehicles at the Dade-Collier Training and Transition Airport or other suitable site.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade County State Legislative Delegation, Secretary of the Florida Department of Community Affairs, and the Executive Director of the South Florida Water Management District.

Section 3. Directs the County's state lobbyists to advocate for the legislation set forth in Section 1 above, and authorizes and directs that the 2009 and 2010 State Legislative Packages be amended to include this item.

The Prime Sponsor of the foregoing resolution is Vice-Chairman Jose "Pepe" Diaz. 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 21st day of July, 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.

Jess M. McCarty

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 14(A)(2)

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

DATE: May 19, 2009

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

SUBJECT: Resolution directing the County Mayor to negotiate an Interlocal Agreement with Collier County for the Joint Development & Operation of a 1,600 Recreation Area

Resolution No. R-622-09

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice-Chairman Jose "Pepe" Diaz.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

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MEMORANDUM

(Revised)

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

DATE: May 19, 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**

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Approved _____ _____ Mayor
Veto _____
Override _____

Agenda Item No. 14(A)(2)
5-19-09

RESOLUTION NO. **R-622-09**

RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO NEGOTIATE ON BEHALF OF MIAMI-DADE COUNTY AN INTERLOCAL AGREEMENT WITH COLLIER COUNTY FOR THE JOINT DEVELOPMENT AND OPERATION OF A 1,600-ACRE RECREATION AREA WITHIN THE DADE-COLLIER TRAINING AND TRANSITION AIRPORT TO SUPPORT A VARIETY OF RECREATIONAL ACTIVITIES INCLUSIVE OF OFF-HIGHWAY VEHICLE USE AND TRAILS, SUBJECT TO BOARD APPROVAL; IDENTIFY THE REQUISITE FUNDING FOR PLANNING AND DEVELOPMENT AND APPLICABLE APPROVALS; AND SUBMIT A WRITTEN REPORT TO THE BOARD REGARDING THE STATUS OF SUCH INTERLOCAL AGREEMENT, FUNDING AND APPROVALS WITHIN ONE HUNDRED AND TWENTY DAYS FROM THE EFFECTIVE DATE OF THIS RESOLUTION

WHEREAS, Collier County and Miami-Dade County (the "Counties") each have approximately 12,000 all-terrain vehicles and off-highway motorcycles ("OHVs") registered within their jurisdiction; and

WHEREAS, law enforcement agencies within each County have determined that the lack of a safe and legal location for members of the public to ride OHVs have caused a growing number of severe accidents, losses of life, charges of trespassing, and wildfires that cause costly damage to private lands and to federal, state and county natural and agricultural areas; and

WHEREAS, the Counties jointly seek to provide a convenient location where residents can safely and legally ride OHVs; and

WHEREAS, the Miami-Dade County Park and Recreation Department ("Parks Department") utilized a State of Florida grant to evaluate safe and legal locations that could properly support OHV use and the result of the evaluations was that the Dade-Collier Training

and Transition Airport (the "Airport Site"), located at the 48-mile marker of U.S. Highway 41, was the preferred site; and

WHEREAS, approximately twenty percent (20%) of the Airport Site is located within the legal boundaries of Miami-Dade County and approximately eighty percent (80%) of the Airport Site is located within the legal boundaries of Collier County and Miami-Dade County is the sole owner of the entire Airport Site; and

WHEREAS, a Miami-Dade County Aviation Department ("Aviation Department") study, dated April, 2009, recommended that a 1,600-acre portion of the 24,480-acres Airport Site be transitioned to support a variety of outdoor recreation activities including, but not limited to, camping, fishing, archery, wildlife viewing, and designated trails for hiking, biking, and OHVs; and

WHEREAS, the Parks Department and the Aviation Department have executed a Memorandum of Understanding, dated December, 2008, that establishes the basis for the use of the 1,600-acre property and provides for the joint development of a portion of the Airport Site as the Dade-Collier Cypress Recreation Area (the "Recreation Area"); and

WHEREAS, because this Recreation Area is equidistant between Miami-Dade County and Collier County resident population areas, it could successfully provide a suitable place for OHV riders and could provide a functional replacement for the 2005 closure of the 640-acre Picayune Strand, which was previously used by Collier County OHV riders; and

WHEREAS, the transition of this Recreation Area from Aviation use to Recreation use will insure the preservation and enhancement of the ecosystem, while simultaneously permitting the authorized and safe use of certain non-sensitive areas in the Recreation Area by OHV riders; and

WHEREAS, Miami-Dade County has already initiated required land use amendments from Collier County as a prerequisite to establishing the Recreation Area; and

WHEREAS, the Counties understand that additional funding is necessary to complete development approval of the property, as well as the coordination of the extensive input of national, state and county regulatory agencies with the variety of affected interest groups,

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

Section 1. Directs the County Mayor or Mayor's designee to negotiate an interlocal agreement with Collier County for the development and operation of the Recreation Area to support a variety of recreational activities, including OHV use and trails, within the Airport Site, subject Board approval.

Section 2. Directs the County Mayor or the Mayor's Designee to: (a) work with officials from Collier County to jointly identify funding for the project and the applicable planning and development approvals necessary for the development of the Recreation Area; and (b) submit a written report to the Board within one hundred and twenty (120) days from the effective date of this resolution regarding the status of the interlocal agreement between the Counties and the identification of necessary funding and applicable approvals for the project.

The Prime Sponsor of the foregoing resolution is Vice-Chairman Jose "Pepe" Diaz. It was offered by Commissioner **Jose "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Sen. Javier D. Souto** and upon being put to a vote, the vote was as follows:

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

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

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of May, 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: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Martin W. Sybblis

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