MEMORANDUM Agenda Item No. 11(A)(13)

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

DATE: November 4, 2010

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

SUBJECT: Resolution urging the Florida Legislature to enact legislation providing to current long-term mobile home park tenants the right of first refusal for purchase of underlying mobile home lots or for purchase or lease of residences created in the event of redevelopment of mobile home park properties

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

R. A. Cuevas, Jr.
County Attorney

RAC/cp

MEMORANDUM

(Revised)

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

DATE: November 4, 2010

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

SUBJECT: Agenda Item No. 11(A)(13)

Please note any items checked.

_____ **"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**

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

✓ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous_____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(13)
11-4-10

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION PROVIDING TO CURRENT LONG-TERM MOBILE HOME PARK TENANTS THE RIGHT OF FIRST REFUSAL FOR PURCHASE OF UNDERLYING MOBILE HOME LOTS OR FOR PURCHASE OR LEASE OF RESIDENCES CREATED IN THE EVENT OF REDEVELOPMENT OF MOBILE HOME PARK PROPERTIES

WHEREAS, mobile home parks represent an important component of Miami-Dade County's stock of affordable housing; and

WHEREAS, the Florida Legislature has adopted section 723.083, Florida Statutes, which provides that "[n]o agency of government shall approve any application for rezoning, or take any other official action, which would result in the removal or relocation of mobile home owners residing in a mobile home park without first determining that adequate mobile home parks or other suitable facilities exist for the relocation of the mobile home owners"; and

WHEREAS, as lessees, many long-term mobile home park tenants have limited resources and often find themselves subject to permanent displacement due to redevelopment of mobile home park properties; and

WHEREAS, long-term mobile home park tenants who own the mobile homes in which they reside make significant investments in order to purchase and maintain their homes; and

WHEREAS, long-term mobile home park tenants often develop strong ties to the communities and neighborhoods in which they reside; and

WHEREAS, section 723.061, Florida Statutes, provides that all mobile home park tenants shall be given at least six months notice of a proposed change in the use of land and of their need to secure other accommodations,

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 to adopt legislation providing that any tenant who has resided in a mobile home park for 180 days preceding a notice of change in the use of the land comprising the mobile home park, shall be given the right of first refusal to purchase the underlying mobile home lot or to purchase or lease a residence created as a result of the redevelopment of the mobile home park property.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

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 2011 State Legislative Package be amended to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. 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	

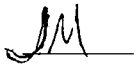
The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of November, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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.



John McInnis