

# MEMORANDUM

Agenda Item No. 11(A)(40)

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** May 3, 2011

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

**SUBJECT:** Resolution directing the County Mayor to prepare amendment to Crandon Park Master Plan which would allow advertising and promotion on Crandon Park during one-day events sponsored by not-for-profit entities

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The accompanying resolution was prepared and placed on the agenda at the request of Co-Prime Sponsors Commissioner Sally A. Heyman and Commissioner Carlos A. Gimenez.

  
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R. A. Cuevas, Jr.  
County Attorney

RAC/up



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

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County Attorney

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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)(40)  
5-3-11

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO PREPARE AMENDMENT TO CRANDON PARK MASTER PLAN, FOR BOARD CONSIDERATION, WHICH WOULD ALLOW ADVERTISING AND PROMOTION ON CRANDON PARK DURING ONE-DAY EVENTS SPONSORED BY NOT-FOR-PROFIT ENTITIES; TO PRESENT SUCH AMENDMENT TO BOARD WITHIN SEVENTY (70) DAYS; AND TO PROVIDE REQUIRED NOTICE

**WHEREAS**, on December 1, 1992, the Board approved a settlement agreement between the County and the Matheson heirs to settle the dispute regarding the development and construction of a tennis complex, including a tennis stadium, by the County at Crandon Park; and

**WHEREAS**, the 1992 settlement agreement resulted in the creation of the Crandon Park Master Plan ("CPMP") that would determine, for all time, the permitted uses of various areas in the Crandon Park lands; and

**WHEREAS**, the 1992 settlement agreement also established a procedure for amendment of the CPMP that would require initial Board approval and final approval by the Crandon Park Amendment Committee ("CPAC"); and

**WHEREAS**, currently, the CPMP prohibits "any advertising or promotion of any product, service or organization on or within the Crandon Park lands," except during the tennis tournament period; and

**WHEREAS**, there are not-for-profit community organizations, such as Autism Speaks and the March of Dimes, that desire to have one-day events at Crandon Park and to display advertising and promotional materials, banners and signs of the event sponsors; and

**WHEREAS**, this Board desires to amend the CPMP in order to allow not-for-profit community organizations to display advertising and promotional materials, banners and signs during their one-day events at Crandon Park; and

**WHEREAS**, on May 18, 2010, this Board approved a settlement agreement between the County and Bruce Matheson for alleged violations of the CPMP and that settlement agreement required that the County provide the CPAC and a newly-created Crandon Park Master Plan Advisory Committee (“Advisory Committee”) with seventy (70) days’ advance notice that an amendments to the CPMP was to be voted upon by the Board; and

**WHEREAS**, this Board desires to direct the County Mayor or Mayor’s designee to immediately provide such notice,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board hereby directs the County Mayor or Mayor’s designee to prepare an amendment to all of the relevant provisions of the CPMP which would allow not-for-profit community organizations to display advertising and promotional materials, banners and signs during their one-day events at Crandon Park, to present such amendment for Board consideration within seventy (70) days of the effective date of this resolution, and to provide the CPAC and the Advisory Committee with the required timely notice of such proposed amendment.

The Co-Prime Sponsors of the foregoing resolution are Commissioner Sally A. Heyman and Commissioner Carlos A. Gimenez. 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:

Joe A. Martinez, Chairman  
Audrey M. Edmonson, Vice Chairwoman  
Bruno A. Barreiro  
Lynda Bell  
Jose "Pepe" Diaz  
Sally A. Heyman  
Barbara J. Jordan  
Jean Monestime  
Dennis C. Moss  
Rebeca Sosa  
Sen. Javier D. Souto

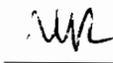
The Chairperson thereupon declared the resolution duly passed and adopted this 3th day of May, 2011. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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.

  
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Monica Rizo