

MEMORANDUM

Agenda Item No. 11(A)(9)

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

DATE: June 19, 2012

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

SUBJECT: Resolution extending the time by which Miami-Dade County as Lessor under lease agreements with Alonzo Mourning Charities, Inc. as Lessee may reject or accept Lessee's financial plan; authorizing and directing the Mayor to review the financial plan, continue negotiations on the terms of the lease, and return to this Board for action on the financial plan and renegotiated lease terms

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairwoman Audrey M. Edmonson.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM

(Revised)

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

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County Attorney

SUBJECT: Agenda Item No. 11(A)(9)

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)(9)
6-19-12

RESOLUTION NO. _____

RESOLUTION EXTENDING THE TIME BY WHICH MIAMI-DADE COUNTY AS LESSOR UNDER LEASE AGREEMENTS WITH ALONZO MOURNING CHARITIES, INC. AS LESSEE MAY REJECT OR ACCEPT LESSEE'S FINANCIAL PLAN; AUTHORIZING AND DIRECTING THE MAYOR OR THE MAYOR'S DESIGNEE TO REVIEW THE FINANCIAL PLAN, CONTINUE NEGOTIATIONS ON THE TERMS OF THE LEASE, AND RETURN TO THIS BOARD FOR ACTION ON THE FINANCIAL PLAN AND RENEGOTIATED LEASE TERMS

WHEREAS, pursuant to Resolution 1369-08 this Board authorized leases with Alonzo Mourning Charities for the provision of affordable housing; and

WHEREAS, the Alonzo Mourning Charities, Inc. ("AMC"), a Florida not-for-profit corporation, which has been organized for the purposes of promoting community interest and welfare and has been designated as an organization exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, submitted an application, and leased from the County, with the intent to develop a total of approximately five acres of County-owned land at the southwest corner of Northwest 3rd Avenue and Northwest 17th Street in the Overtown neighborhood of Miami-Dade County (the "Site") for the benefit of the current and future residents of Overtown; and

WHEREAS, the leases provided for certain plans to be submitted by Alonzo Mourning Charities and further provided certain timelines in which Miami-Dade County had to review and approve or reject those plans; and

WHEREAS, Alonzo Mourning Charities has provided those plans to Miami-Dade County within the times provided in the leases; and

WHEREAS, Miami-Dade County needs additional time to review those plans and make adjustments as needed,

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

Section 1. Extends the time by which Miami-Dade County as Lessor, under lease agreements approved by Resolution R1369-08, with Alonzo Mourning Charities, Inc. as Lessee may reject or accept Lessee's financial plan. Miami-Dade County shall have one hundred eighty (180) days from the effective date of this Resolution to approve or reject the financial plan submitted by Alonzo Mourning Charities, Inc.

Section 2. Authorizes and directs the Mayor or the Mayor's designee to review the financial plan, continue negotiations on the terms of the lease, and return to this Board for action on the financial plan and renegotiated lease terms.

The Prime Sponsor of the foregoing resolution is Vice Chairwoman Audrey M. Edmonson. 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 |
| Esteban L. Bovo, Jr. | Jose "Pepe" Diaz |
| Sally A. Heyman | Barbara J. Jordan |
| Jean Monestime | Dennis C. Moss |
| Rebeca Sosa | Sen. Javier D. Souto |
| Xavier L. Suarez | |

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of June, 2012. 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.



Shannon D. Summerset-Williams

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