

# MEMORANDUM

EPC  
Agenda Item No. 2(I)

---

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

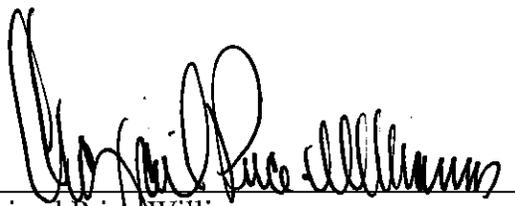
**DATE:** November 13, 2015

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution waiving provisions  
of Resolution No. R-1046-07  
and approving an allocation of  
\$6,000,000.00 from Building  
Better Communities General  
Obligation Bond Program  
Project No. 10 – “Purchase of  
Development Rights”  
identified in Appendix A to  
Resolution No. R-913-04 to  
fund the acquisition of the  
Ludlam Trail

---

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

  
\_\_\_\_\_  
Abigail Price-Williams  
County Attorney

APW/smm



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** December 1, 2015

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No.

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
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor'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

Agenda Item No.

Veto \_\_\_\_\_

12-1-15

Override \_\_\_\_\_

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

RESOLUTION WAIVING PROVISIONS OF RESOLUTION NO. R-1046-07 AND APPROVING AN ALLOCATION OF \$6,000,000.00 FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 10 – “PURCHASE OF DEVELOPMENT RIGHTS” IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-913-04 TO FUND THE ACQUISITION OF THE LUDLAM TRAIL

**WHEREAS**, pursuant to Resolution No. R-913-04 (the “Parks Resolution”), the voters approved the issuance of general obligation bonds to construct and improve neighborhood and regional parks and other recreational areas to include athletic fields and gymnasiums, courts, pools, playgrounds, marinas, restore beaches, and the preservation of endangered lands; and

**WHEREAS**, Appendix A to the Parks Resolution lists projects eligible for funding from the Building Better Communities General Obligation Bond Program (the “Bond Program”) by project number, municipal project location, Commission district, project name, project description, street address and allocation; and

**WHEREAS**, one of the projects listed in Appendix A to the Parks Resolution and approved by the voters for funding is Project No. 10 – “Purchase of Development Rights”, with a municipal project location of “Countywide”, a “TBD” (or to-be-determined) street address, with an original allocation of \$30,000,000.00 and the following project description: “Purchase of greenspace including development rights to maintain agricultural lands and protect well fields” (“Project No. 10”); and

**WHEREAS**, three years following approval by the voters of Project No. 10, this Board adopted Resolution No. R-1036-07 (“PDR Resolution”), which established the County’s purchase of development rights program in order to set forth how the \$30,000,000.00 Bond Program funds were to be used; and

**WHEREAS**, the PDR Resolution limited the use of Project No. 10 funds to the purchase of development rights via conservation easements of farm lands located outside of the Urban Development Boundary; and

**WHEREAS**, to date, less than \$4,000,000.00 of the Project No. 10 original allocation of \$30,000,000.00 have been used or committed by the County for uses consistent with the PDR Resolution; and

**WHEREAS**, recently, this Board approved Resolution No. R-763-15, which approved a significant modification of Project No. 10 to reduce its allocation by \$10,000,000.00 and to instead allocate those \$10,000,000.00 to Bond Program Project No. 52 – “Beach Erosion Mitigation and Renourishment”; and

**WHEREAS**, therefore, \$16,141,590.00 of Project No. 10 funds remain unallocated and unused; and

**WHEREAS**, yet, over the past several months, this Board has approved at least four resolutions seeking additional monies to fund the acquisition by the County of portions of the Ludlam Trail, including designating such funding as a state legislative priority for the County; and

**WHEREAS**, it is a priority for this Board to identify funding for the purchase of the Ludlam Trail which, as greenspace under threat of development by the owners of the Ludlam Trail, is eligible to be purchased using Project No. 10 funds; and

**WHEREAS**, this Board desires to waive the PDR Resolution and approve an allocation of \$6,000,000.00 from Project No. 10 in order to fund the acquisition of the Ludlam Trail,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board hereby waives the provisions of the PDR Resolution and approves an allocation of \$6,000,000.00 from Project No. 10 to fund the acquisition of the Ludlam Trail.

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:

- |                                     |                      |
|-------------------------------------|----------------------|
| Jean Monestime, Chairman            |                      |
| Esteban L. Bovo, Jr., Vice Chairman |                      |
| Bruno A. Barreiro                   | Daniella Levine Cava |
| Jose "Pepe" Diaz                    | Audrey M. Edmonson   |
| Sally A. Heyman                     | Barbara J. Jordan    |
| Dennis C. Moss                      | Rebeca Sosa          |
| Sen. Javier D. Souto                | Xavier L. Suarez     |
| Juan C. Zapata                      |                      |

The Chairperson thereupon declared the resolution duly passed and adopted this 1<sup>st</sup> day of December, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.

WRP

Monica Rizo Perez