

MEMORANDUM

Agenda Item No. 11(A)(5)

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

DATE: October 5, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution consenting to conveyance of property located at 230 NW 15th Street, Miami, Florida from Lotus Endowment Fund to its wholly owned subsidiary, Lotus Village Development, LLC for use in connection with the Lotus Village project

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



Abigail Price-Williams
County Attorney



APW/smm



MEMORANDUM

(Revised)

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

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FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(5)

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
Veto _____
Override _____

Agenda Item No. 11(A)(5)
10-5-16

RESOLUTION NO. _____

RESOLUTION CONSENTING TO CONVEYANCE OF PROPERTY LOCATED AT 230 NW 15TH STREET, MIAMI, FLORIDA FROM LOTUS ENDOWMENT FUND TO ITS WHOLLY OWNED SUBSIDIARY, LOTUS VILLAGE DEVELOPMENT, LLC FOR USE IN CONNECTION WITH THE LOTUS VILLAGE PROJECT

WHEREAS, pursuant to Resolution No. R-1000-15, this Board authorized the conveyance of property located at 230 NW 15th Street, Miami, Florida (the “County Property”) to Lotus Endowment Fund, Inc. (“Lotus”), a Florida not-for-profit corporation, for use in connection with the Lotus Village project, including shelter facilities and support programs servicing homeless individuals and families; and

WHEREAS, on December 30, 2015, the Board conveyed the County Property to Lotus by County Deed, which, among other restrictions, required the consent of this Board with respect to any future conveyances; and

WHEREAS, the Lotus Village project includes the County Property as well as ten other lots currently owned by Lotus; and

WHEREAS, Lotus seeks to convey title to the 11 lots, including the County Property, to Lotus Village Development, LLC, a wholly owned subsidiary of Lotus, in order to facilitate the development of the project; and

WHEREAS, all restrictions on the County Property, including but not limited to the requirement that it be used for the Lotus Village project, will remain on the County Property; and

WHEREAS, it is in the best interests of the County to facilitate the construction of the Lotus Village project by consenting to the transfer of the County Property to Lotus' wholly owned subsidiary,

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

Section 1. This Board ratifies and adopts the matters set forth in the foregoing recitals.

Section 2. This Board approves the conveyance of the County Property from Lotus Endowment Fund, Inc., to Lotus Village Development, LLC, its wholly owned subsidiary, with all County Deed restrictions remaining in full force and effect.

The Prime Sponsor of the foregoing resolution is Commissioner 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:

- | | |
|-------------------------------------|----------------------|
| 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 5th day of October, 2016. 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.



Debra Herman