

MEMORANDUM

Agenda Item No. 11(A)(16)

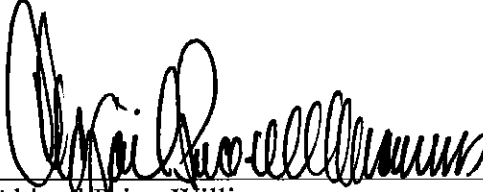
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: June 4, 2019

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor to assess the condition of County-owned property which is vacant or not in use, perform any necessary maintenance on properties in disrepair due to delayed maintenance, and to submit a report setting forth a proposed future course of action within 90 days of the effective date of this resolution and to submit a status report within 180 days of the effective date of this resolution

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez.


Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
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
- 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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) 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. 11(A)(16)

Veto _____

6-4-19

Override _____

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ASSESS THE CONDITION OF COUNTY-OWNED PROPERTY WHICH IS VACANT OR NOT IN USE, PERFORM ANY NECESSARY MAINTENANCE ON PROPERTIES IN DISREPAIR DUE TO DELAYED MAINTENANCE, AND TO SUBMIT A REPORT SETTING FORTH A PROPOSED FUTURE COURSE OF ACTION WITHIN 90 DAYS OF THE EFFECTIVE DATE OF THIS RESOLUTION AND TO SUBMIT A STATUS REPORT WITHIN 180 DAYS OF THE EFFECTIVE DATE OF THIS RESOLUTION

WHEREAS, Miami-Dade County, through its various departments, currently owns a number of vacant land parcels and properties with buildings that are not currently occupied ("County Properties"); and

WHEREAS, it is in the best interest of the County and the public for County Properties to be maintained in a manner that comports with the requirements of the County's zoning code provisions regarding property maintenance; and

WHEREAS, delayed or untimely maintenance of County Properties can give rise to additional costs arising from the necessity of more excessive remediation, which can far exceed the costs incurred for regular scheduled maintenance; and

WHEREAS, it is in the County's best interest to take a proactive role in avoiding delayed maintenance, which will not only result in cost savings, but will create a cleaner and more aesthetically pleasing environment for the County's residents and visitors,

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

Section 1. This Board incorporates and adopts the foregoing recitals as though fully set forth herein.

Section 2. This Board directs the County Mayor or County Mayor's designee to: (1) assess the condition of the County Properties to determine whether the maintenance of such properties has been delayed such that the maintenance requirements of the County Code are not being timely met, thereby giving rise to the need for immediate or more extensive and costly remediation; (2) perform required maintenance on such County Properties using legally available funds; and (3) provide a written report to this Board setting forth a proposed course of action to avoid delayed and more extensive and costly maintenance in the future, including (i) proposed measures, (ii) timeframes for implementation, and (iii) cost analysis including any estimated cost savings resulting from the avoidance of the by-product of delayed maintenance. The County Mayor or County Mayor's designee is directed to provide such report directly to this Board within 90 days of the effective date of this resolution, and to place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65. The County Mayor or County Mayor's designee is further directed to provide a status report directly to this Board within 180 days of the effective date of this resolution, setting forth the status of such maintenance repairs, and in the event that such repairs have not been completed, setting forth reasons for such inability to complete, including but not limited to lack of available funding, and to place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Joe A. Martinez. 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:

Audrey M. Edmonson, Chairwoman
Rebeca Sosa, Vice Chairwoman

Esteban L. Bovo, Jr.
Jose "Pepe" Diaz
Eileen Higgins
Joe A. Martinez
Dennis C. Moss
Xavier L. Suarez

Daniella Levine Cava
Sally A. Heyman
Barbara J. Jordan
Jean Monestime
Sen. Javier D. Souto

The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of June, 2019. 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
David Sherman