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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: April 8, 2008

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Agenda Item No. 8(K)(1)(B)

Resolution No: R-398-08

Subject: Resolution Regarding Village Allapattah and Royalton Apartments

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RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) approve a resolution to correct scrivener's errors relating to the names of the contracting entities for Village Allapattah and Royalton Apartments adopted by the BCC on June 5, 2007 through Resolution R-641-07. The remaining provisions of the Resolution 641-07 shall remain unchanged.

SCOPE

Village Allapattah and Royalton Apartments are located at 2370 NW 17 Avenue (Commission District 3) and 131 SE 1 Street (Commission District 5), respectively.

FISCAL IMPACT

This resolution will not create a negative fiscal impact to the County nor does it change or affect the amounts awarded by the BCC to the two projects.

BACKGROUND

Resolution R-641-07 allocated $25 million of gap funding for ten separate affordable housing projects as part of the 2007 Surtax Mid-Year Cycle Request for Application (RFA) process. Among the ten projects were Village Allapattah and Royalton Apartments.

After the BCC adopted R-641-07, staff became aware that there were scrivener's errors with respect to the name for the contracting entities associated with Village Allapattah and Royalton Apartments. The County Attorney's Office has opined that staff requires BCC approval to correct the names for the two contracting entities before executing any contracts.

The Developer/Applicant of the affected developments listed in the attachment and the correct contracting entities are as follows:

Developers Name/Applicant	Activity/Project Name	Correct Contracting Entities
Village Allapattah Development, LLC	Village Allapattah	Village Allapattah Phase I, LLC
Royalton Development, LLC	Royalton Apartments	TCG Royalton Apartments, LLC

Upon BCC approval of this Resolution, staff will continue to work with these two entities to execute their contracts.

Cynthia W. Curry
Senior Advisor to the County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: April 8, 2008

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

SUBJECT: Agenda Item No. 8(K)(1)(B)

Please note any items checked.

_____ **"4-Day Rule" ("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**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(K)(1)(B)
4-8-08

RESOLUTION NO. R-398-08

RESOLUTION CORRECTING SCRIVENER'S ERRORS IN RESOLUTION R-641-07 APPROVED BY THE MIAMI-DADE BOARD OF COUNTY COMMISSIONERS RELATING TO THE CONTRACTING ENTITIES FOR VILLAGE ALLAPATTAH AND ROYALTON APARTMENTS WITHOUT CHANGING THE EXISTING FUNDING AMOUNT; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE ANY NECESSARY AGREEMENTS

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board authorizes the correction of scrivener's errors to Resolution R-641-07, relating to the contracting entities for Village Allapattah, and Royalton Apartments as outlined in the original Request For Application (RFA) binder submitted for a previously approved Documentary Stamp Surtax Program (Surtax) allocation, without changing the existing funding amount. Finally, the Board authorizes the County Mayor or his designee, following approval by the County Attorney's Office, to execute agreements, contracts, and amendments on behalf of Miami-Dade County; to shift funding sources for this program activity without exceeding total amount allocated to that agency; to shift funding to different agencies without exceeding the total allocated to the project; and to exercise amendment, modification, renewal, cancellation and termination clauses on behalf of Miami-Dade County, Florida.

The foregoing resolution was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Barbara J. Jordan** and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman **aye**
Barbara J. Jordan, Vice-Chairwoman **aye**

Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Carlos A. Gimenez	**aye**	Sally A. Heyman	**aye**
Joe A. Martinez	**aye**	Dennis C. Moss	**aye**
Dorrin D. Rolle	**aye**	Natacha Seijas	**absent**
Katy Sorenson	**aye**	Rebeca Sosa	**absent**
Sen. Javier D. Souto	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of April, 2008. 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: **Kay Sullivan**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Shannon D. Summerset