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

MEMORANDUM

Agenda Item No. 11(A)(6)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: February 18, 2010

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

SUBJECT: Resolution urging the Florida Legislature to provide mobile home park homeowners' associations a first right to purchase when mobile home parks change to different land uses

Resolution No. R-191-10

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

R. A. Cuevas, Jr.
County Attorney

RAC/up

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: February 18, 2010

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

SUBJECT: Agenda Item No. 11(A)(6)

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)(6)
2-18-10

RESOLUTION NO. **R-191-10**

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS SB 1016, HB 513 OR SIMILAR LEGISLATION PROVIDING MOBILE HOME PARK HOMEOWNERS' ASSOCIATIONS A FIRST RIGHT TO PURCHASE WHEN MOBILE HOME PARKS CHANGE TO DIFFERENT LAND USES

WHEREAS, mobile homes remain an important form of affordable housing for many low income families in Miami-Dade County and the State of Florida; and

WHEREAS, long-term mobile home park tenants often develop strong ties to the neighborhoods and communities in which they reside; and

WHEREAS, despite these ties, mobile home park tenants are particularly vulnerable to permanent displacement due to redevelopment of mobile home park properties; and

WHEREAS, the Florida Legislature has recognized that the affordable housing available in mobile home parks is subject to being lost through redevelopment, and has passed section 723.083, Florida Statutes, which provides that no governmental entity shall approve any application for rezoning or take any other official action that would result in the removal or relocation of mobile home owners residing in a mobile home park without first determining that adequate mobile home parks or other suitable facilities exist for the relocation of the mobile homes; and

WHEREAS, the Florida Legislature has also passed section 723.061, Florida Statutes, which provides that all mobile home owners shall be provided at least six months notice of a

proposed change in land use and of the need to secure other accommodations for their mobile homes; and

WHEREAS, the Legislature can provide additional protections to mobile home park residents by providing mobile home park homeowners' associations a first right to purchase mobile home parks if mobile home parks change to different uses; and

WHEREAS, bills have been filed for consideration during the 2010 session, SB 1016 by Senator Dennis Jones (R – Seminole) and HB 513 by Representative Evan Jenne (D – Dania Beach), that would provide mobile home park homeowners' associations with a first right to purchase mobile home parks if such parks are changing to different uses,

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

Section 1. Urges the Florida Legislature to pass SB 1016, HB 513 or similar legislation providing mobile home park homeowners' associations a first right to purchase when mobile home parks change to different land uses.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade County State Legislative Delegation, Senator Dennis Jones and Representative Evan Jenne.

Section 3. Directs the County's state lobbyists to advocate for the passage of the legislation and the implementation of the reforms set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2010 State Legislative Package.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was offered by Commissioner **Jose "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Dennis C. Moss** and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman **aye**
Jose "Pepe" Diaz, Vice-Chairman **aye**

Bruno A. Barreiro	**absent**	Audrey M. Edmonson	**aye**
Carlos A. Gimenez	**aye**	Sally A. Heyman	**aye**
Barbara J. Jordan	**absent**	Joe A. Martinez	**aye**
Dorrin D. Rolle	**aye**	Natacha Seijas	**aye**
Katy Sorenson	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of February, 2010. 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: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. JMM

Jess M. McCarty