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

MEMORANDUM Agenda Item No. 11(A)(1)

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

DATE: July 8, 2010

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

SUBJECT: Resolution rescinding Resolution No. R-200-10 that authorized the execution of amendments to the lease agreement and the concession and license agreement between Miami-Dade County and the Miami Parking authority
Resolution No. R-753-10

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

R. A. Cuevas, Jr.
County Attorney

RAC/cp

MEMORANDUM
(Revised)

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

DATE: July 8, 2010

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

SUBJECT: Agenda Item No. 11(A)(1)

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)(1)
7-8-10

RESOLUTION NO. R-753-10

RESOLUTION RESCINDING RESOLUTION NO. R-200-10 THAT AUTHORIZED THE EXECUTION OF AMENDMENTS TO THE LEASE AGREEMENT AND THE CONCESSION AND LICENSE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE MIAMI PARKING AUTHORITY

WHEREAS, on February 18, 2010, this Board adopted Resolution No. R-200-10, authorizing the execution of amendments to the lease agreement and the concession and license agreement between Miami-Dade County and the Miami Parking Authority, also known as the Department of Off-Street Parking of the City of Miami, for the properties now known as Lot 18 Folio Number 01-3135-037-0020, Lot 26 Folio Number 01-3135-037-0080 and Lot 27 Folio Number 01-3135-037-0010 all located in the City of Miami, Miami Dade County Florida and authorizing the County Mayor or his designee to execute same and exercise any and all rights conferred therein; and

WHEREAS, it is no longer in the best interests of the County to pursue such amendments; and

WHEREAS, the Board desires to rescind Resolution No. R-200-10,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby rescinds Resolution No. R-200-10.

The Prime Sponsor of the foregoing resolution is Commissioner Bruno A. Barreiro. It was offered by Commissioner **Katy Sorenson**, who moved its adoption. The motion was seconded by Commissioner **Jose "Pepe" Diaz** 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	**aye**	Joe A. Martinez	**aye**
Dorrin D. Rolle	**aye**	Natacha Seijas	**aye**
Katy Sorenson	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**		

The Chairman thereupon declared the resolution duly passed and adopted this 8th day of July, 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.

Debra Herman

MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR

Legislative Notes

Agenda Item:	**11(A)1**
File Number:	**101343**
Committee(s) of Reference:	**Board of County Commissioners**
Date of Analysis:	**June 4, 2010**
Sponsor:	**Commissioner Bruno A. Barreiro**

Summary

This resolution rescinds Resolution 200-10 that authorized the execution of amendments to the Lease Agreement and the Concession and License Agreement between Miami-Dade County and the Miami Parking Authority.

Background and Relevant Information

On February 18, 2010, the Board of County Commissioners, through Resolution 200-10, amended a Lease Agreement and the Concession and License Agreement between Miami-Dade County and the Miami Parking Authority, for Lot 18, Folio No. 01-3135-037-0020; Lot 26, Folio No. 01-3135-037-0080; and Lot 27, Folio No. 01-3135-037-0010 to accommodate temporary use of an open-air flea market during weekend hours and legal holidays.

The lots are located at the Richard E. Gerstein Criminal Courthouse (Civic Center area). In addition to the courthouse, the Civic Center area includes jails, hospitals, the Miami-Dade Public Defender's Office and the State Attorney's Office.

Amendment Highlights

The Miami Parking Authority would have paid rent to Miami-Dade County in the amount of 50 percent of the total gross revenue received from the flea market and any parking income received suring such operation.

The following questions were posed to General Administration Services (GSA) staff:

- By how much would the rental income increase? What is the rental income now?
  The County is paid approximately $75,000 per annum Monday to Friday for operations on each lot. The proposed dollars would be in addition to the $75,000 since the lots are not currently used on weekends.

Prepared by: Michael Amador-Gil