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

MEMORANDUM

Agenda Item No. 11(A)(40)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: May 3, 2011

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

SUBJECT: Resolution directing the County Mayor to prepare amendment to Crandon Park Master Plan which would allow advertising and promotion on Crandon Park during one-day events sponsored by not-for-profit entities

Resolution No. R-391-11

The accompanying resolution was prepared and placed on the agenda at the request of Co-Prime Sponsors Commissioner Sally A. Heyman and Commissioner Carlos A. Gimenez.

R. A. Cuevas, Jr.
County Attorney

RAC/up

MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: May 3, 2011

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

SUBJECT: Agenda Item No. 11(A)(40)

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)(40)
5-3-11

RESOLUTION NO. R-391-11

RESOLUTION DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO PREPARE AMENDMENT TO CRANDON PARK MASTER PLAN, FOR BOARD CONSIDERATION, WHICH WOULD ALLOW ADVERTISING AND PROMOTION ON CRANDON PARK DURING ONE-DAY EVENTS SPONSORED BY NOT-FOR-PROFIT ENTITIES; TO PRESENT SUCH AMENDMENT TO BOARD WITHIN SEVENTY (70) DAYS; AND TO PROVIDE REQUIRED NOTICE

WHEREAS, on December 1, 1992, the Board approved a settlement agreement between the County and the Matheson heirs to settle the dispute regarding the development and construction of a tennis complex, including a tennis stadium, by the County at Crandon Park; and

WHEREAS, the 1992 settlement agreement resulted in the creation of the Crandon Park Master Plan ("CPMP") that would determine, for all time, the permitted uses of various areas in the Crandon Park lands; and

WHEREAS, the 1992 settlement agreement also established a procedure for amendment of the CPMP that would require initial Board approval and final approval by the Crandon Park Amendment Committee ("CPAC"); and

WHEREAS, currently, the CPMP prohibits "any advertising or promotion of any product, service or organization on or within the Crandon Park lands," except during the tennis tournament period; and

WHEREAS, there are not-for-profit community organizations, such as Autism Speaks and the March of Dimes, that desire to have one-day events at Crandon Park and to display advertising and promotional materials, banners and signs of the event sponsors; and

WHEREAS, this Board desires to amend the CPMP in order to allow not-for-profit community organizations to display advertising and promotional materials, banners and signs during their one-day events at Crandon Park; and

WHEREAS, on May 18, 2010, this Board approved a settlement agreement between the County and Bruce Matheson for alleged violations of the CPMP and that settlement agreement required that the County provide the CPAC and a newly-created Crandon Park Master Plan Advisory Committee ("Advisory Committee") with seventy (70) days' advance notice that an amendments to the CPMP was to be voted upon by the Board; and

WHEREAS, this Board desires to direct the County Mayor or Mayor's designee to immediately provide such notice,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby directs the County Mayor or Mayor's designee to prepare an amendment to all of the relevant provisions of the CPMP which would allow not-for-profit community organizations to display advertising and promotional materials, banners and signs during their one-day events at Crandon Park, to present such amendment for Board consideration within seventy (70) days of the effective date of this resolution, and to provide the CPAC and the Advisory Committee with the required timely notice of such proposed amendment.

The Co-Prime Sponsors of the foregoing resolution are Commissioner Sally A. Heyman and Commissioner Carlos A. Gimenez. It was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman			aye
Audrey M. Edmonson, Vice Chairwoman			aye
Bruno A. Barreiro	aye	Lynda Bell	aye
Jose "Pepe" Diaz	absent	Sally A. Heyman	aye
Barbara J. Jordan	aye	Jean Monestime	aye
Dennis C. Moss	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 3th day of May, 2011. 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.

Monica Rizo