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

MEMORANDUM Agenda Item No. 11(A)(21)

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 that any resolution authorizing the rehabilitation, improvement or conveyance of County-owned real property appropriate for or to be used as affordable housing shall include detailed information on the property and the County's investment and future control

Resolution No. R-376-11

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/cp

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)(21)

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**

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Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(21)
5-3-11

RESOLUTION NO. R-376-11

RESOLUTION DIRECTING THAT ANY RESOLUTION AUTHORIZING THE REHABILITATION, IMPROVEMENT OR CONVEYANCE OF COUNTY-OWNED REAL PROPERTY APPROPRIATE FOR OR TO BE USED AS AFFORDABLE HOUSING SHALL INCLUDE DETAILED INFORMATION ON THE PROPERTY AND THE COUNTY'S INVESTMENT AND FUTURE CONTROL

WHEREAS, it is crucial that the Board of County Commissioners (the "Board") be given as much pertinent information as possible when deciding on a matter that will have a fiscal impact to the County or will affect the County's inventory of real property that is appropriate for affordable housing; and

WHEREAS, having a clear understanding of the County's prior and future investment in and future control of a property will enhance the Board's ability to fully assess the impact of the proposed item; and

WHEREAS, this Board wishes to review certain information regarding a particular property at the time it considers legislation that authorizes the conveyance of the property or designates funding to rehabilitate or make improvements to the property,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that any resolution authorizing the improvement, rehabilitation or conveyance of County-owned real property appropriate for or to be used for affordable housing shall include the following: (1) background information explaining how, when and why the County acquired the property; (2) an itemized

accounting of the County's past and proposed future investment in the property, including acquisition, rehabilitation, and maintenance costs; (3) the amount and an explanation of any mortgages, fines, liens or other costs paid by the County in acquiring the property; (4) the location of the property, including the commission district; (5) the assessed value of the property; (6) a summary of the terms, duties and responsibilities to be imposed upon the recipient of the property pursuant to any agreements; (7) a summary of remedies available to the County in the event that the proposed recipient does not fully comply with said agreements; and (8) a summary of future controls and transfer restrictions on the property or, in lieu of a summary, a copy of any restrictive covenant, restrictive deed or other controls to be placed upon the property by the County at the time of transfer or sale.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. 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 3rd 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. BKN

Brenda Kuhns Newman