OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(17)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: December 3, 2013

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

SUBJECT: Resolution directing the County Mayor within ninety days, to study the feasibility of constructing fences or walls separating County parks from adjacent private property

Resolution No. R-1014-13

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto.

R. A. Cuevas, Jr.
County Attorney

RAC/lmp

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: December 3, 2013

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

SUBJECT: Agenda Item No. 11(A)(17)

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 Mayor'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)(17)
12-3-13

RESOLUTION NO. R-1014-13

RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE, WITHIN NINETY DAYS, TO STUDY THE FEASIBILITY OF CONSTRUCTING FENCES OR WALLS SEPARATING COUNTY PARKS FROM ADJACENT PRIVATE PROPERTY

WHEREAS, Miami-Dade County has 260 parks throughout the County, comprising 12,825 acres of park land; and

WHEREAS, some of the County's parks abut or are adjacent to private property; and

WHEREAS, the proximity of some parks to private property has contributed to an increased level of crime in County parks; and

WHEREAS, this Board desires to study the feasibility of constructing fences or walls around certain County parks to reduce or eliminate crime or nuisances generated by neighboring private property,

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

Section 1. Directs the County Mayor or Mayor's designee to, within ninety (90) days, identify the County parks abutting or adjacent to private property that have experienced increased criminal or nuisance activity as a result of the parks' location near private property.

Section 2. For each park identified, the County Mayor or Mayor's designee shall: (1) study the feasibility of constructing barriers between the County park and the nearby private property; (2) identify funding sources for any barriers to be constructed between the County park and nearby private property; and (3) suggest alternate means of securing County parks from nearby private property. In conducting its feasibility study, the County Mayor or Mayor's

designee shall recommend aesthetic standards for the fences or walls proposed to be constructed (i.e., avoiding chain link fences unless covered by shrubbery) so as to protect the appearance of the park and surrounding area.

The Prime Sponsor of the foregoing resolution is Senator Javier D. Souto. It was offered by Commissioner **Lynda Bell**, who moved its adoption. The motion was seconded by Commissioner **Esteban L. Bovo, Jr.** and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman			**aye**
Lynda Bell, Vice Chair			**aye**
Bruno A. Barreiro	**aye**	Esteban L. Bovo, Jr.	**aye**
Jose "Pepe" Diaz	**absent**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**absent**
Jean Monestime	**aye**	Dennis C. Moss	**absent**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of December, 2013. 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: **Christopher Agrippa**
Deputy Clerk

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

Miguel A. Gonzalez