

MEMORANDUM

Non-Agenda Item No. 15(F)(3)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: October 5, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution authorizing the Chairperson or Vice Chairperson of the Board of County Commissioners to execute amended and restated County Deeds for Palmetto Homes of Miami, Inc, a Florida for profit corporation, to increase the maximum sales price from \$205,000.00 to the current maximum sales price authorized pursuant to Ordinance No. 21-80 for single-family homes constructed and sold to qualified households in accordance with the Miami-Dade Infill Housing Initiative Program, as amended; authorizing the County Mayor to take all action necessary to exercise any and all rights set forth in Resolution No. R-351-19 and the amended and restated County Deeds; authorizing the County Mayor to grant one two-year extension to obtain final certificates of occupancy for each home to be sold to qualified households; and waiving Implementing Order 8-4

Resolution No. R-879-21

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice-Chairman Oliver G. Gilbert, III.



Geri Bonzon-Keenan
County Attorney

GBK/jp



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: October 5, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Non-Agenda Item No.15(F)(3)

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
- ☐ Statement of social equity 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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor _____
Veto _____
Override _____

Non-Agenda Item No. 15(F)(3)
10-5-21

RESOLUTION NO. R-879-21

RESOLUTION AUTHORIZING THE CHAIRPERSON OR VICE CHAIRPERSON OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE AMENDED AND RESTATED COUNTY DEEDS FOR PALMETTO HOMES OF MIAMI, INC, A FLORIDA FOR PROFIT CORPORATION, TO INCREASE THE MAXIMUM SALES PRICE FROM \$205,000.00 TO THE CURRENT MAXIMUM SALES PRICE AUTHORIZED PURSUANT TO ORDINANCE NO. 21-80 FOR SINGLE-FAMILY HOMES CONSTRUCTED AND SOLD TO QUALIFIED HOUSEHOLDS IN ACCORDANCE WITH THE MIAMI-DADE INFILL HOUSING INITIATIVE PROGRAM, AS AMENDED; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTION NECESSARY TO EXERCISE ANY AND ALL RIGHTS SET FORTH IN RESOLUTION NO. R-351-19 AND THE AMENDED AND RESTATED COUNTY DEEDS; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GRANT ONE TWO-YEAR EXTENSION TO OBTAIN FINAL CERTIFICATES OF OCCUPANCY FOR EACH HOME TO BE SOLD TO QUALIFIED HOUSEHOLDS; AND WAIVING IMPLEMENTING ORDER 8-4

WHEREAS, at the October 5, 2021 Board of County Commissioners meeting, a motion to (1) authorize the Chairperson or the Vice-Chairperson of the Board to execute amended and restated County Deeds related to the properties that were previously conveyed to Palmetto Homes of Miami, Inc. in accordance with Resolution No. R-351-19, in order to increase the maximum sales price from \$205,000.00 to the maximum sales price set forth in Ordinance No. 21-80 for single-family homes that are constructed and sold to qualified households through the Miami-Dade Infill Housing Initiative Program, as amended, subject to the County Attorney's Office approval; (2) authorize the County Mayor or County Mayor's designee to take all actions necessary to exercise any and all rights set forth in Resolution No. R-351-19 and the amended and restated

deeds, including the County's reversionary rights, that are not reserved by the Board; (3) authorize the County Mayor or County Mayor's designee to grant a two-year extension from the recording of the amended deeds to allow Palmetto Homes sufficient time to obtain the final certificates of occupancy for each of the homes to be sold to qualified households; and (4) waive Implementing Order 8-4, which requires all contracts, leases, and agreements, except those with other governmental entities, to be executed by the other party before submission to the Board,

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

Section 1. Pursuant to section 125.411, Florida Statutes, authorizes the Chairperson or Vice-Chairperson of the Board to execute amended and restated County Deeds ("amended deeds") related to the properties that were previously conveyed to Palmetto Homes of Miami, Inc., a Florida for profit corporation ("Palmetto Homes"), in accordance with Resolution No. R-351-19, in order to increase the maximum sales price from \$205,000.00 to the current maximum sales price set forth in Ordinance No. 21-80 for single-family homes that are constructed and sold to qualified households through the Miami-Dade Infill Housing Initiative Program, as amended, subject to the County Attorney's Office approval.

Section 2. Authorizes the County Mayor or County Mayor's designee to take all actions necessary to exercise any and all rights set forth in Resolution No. R-351-19 and the amended deeds, including the County's reversionary rights, that are not reserved by the Board.

Section 3. Authorizes the County Mayor or County Mayor's designee to grant from the date of recording of the amended deeds one two-year extension to allow Palmetto Homes sufficient time to obtain the final certificates of occupancy for each of the homes to be sold to qualified households. The grant of such extensions shall be in the manner set forth in the amended deeds.

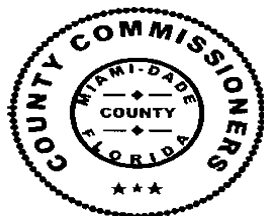
Section 4. Waives Implementing Order 8-4, which requires all contracts, leases, and agreements, except those with other governmental entities, to be executed by the other party before submission to the Board.

Section 5. Directs the County Mayor or County Mayor's designee, pursuant to Resolution No. R-974-09, to record in the public record the amended deeds, covenants, rental regulatory agreements, and any instrument creating or reserving a real property interest in favor of the County and to provide a copy of such recorded instruments to the Clerk of the Board within 30 days of execution and final acceptance. Directs the Clerk of the Board, pursuant to Resolution No. R-974-09, to attach and permanently store a recorded copy of any instrument provided in accordance herewith together with this resolution.

The Prime Sponsor of the foregoing resolution is Vice-Chairman Oliver G. Gilbert, III. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Eileen Higgins** and upon being put to a vote, the vote was as follows:

	Jose "Pepe" Diaz, Chairman	aye	
	Oliver G. Gilbert, III, Vice-Chairman	aye	
Sen. René García	aye	Keon Hardemon	absent
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	absent
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared this resolution duly passed and adopted this 5th day of October, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "TAS", written over a horizontal line.

Terrence A. Smith