

MEMORANDUM

Agenda Item No. 11(A)(4)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: October 3, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County
Mayor to require persons or
entities conducting diligence,
survey, underground assessments
or other similar activities on
County property to provide the
results of such activities to the
County as a condition of access

Resolution No. R-888-23

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Juan Carlos Bermudez.



Geri Bonzon-Keenan
County Attorney

GBK/gh



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: October 3, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(4)

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 _____

Agenda Item No. 11(A)(4)
10-3-23

RESOLUTION NO. _____ R-888-23

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO REQUIRE PERSONS OR ENTITIES CONDUCTING DILIGENCE, SURVEY, UNDERGROUND ASSESSMENTS OR OTHER SIMILAR ACTIVITIES ON COUNTY PROPERTY TO PROVIDE THE RESULTS OF SUCH ACTIVITIES TO THE COUNTY AS A CONDITION OF ACCESS

WHEREAS, periodically, firms or entities seek to access County property to conduct due diligence, perform surveys, engage in underground assessments, or other similar activities; and

WHEREAS, the County may grant access to such person or entity via issuance of a license, permit, or other instrument; and

WHEREAS, the County is generally not obligated to allow such persons or entities to access County property; and

WHEREAS, the County may impose conditions on such persons or entities as a condition of access; and

WHEREAS, it is the County's best interest to receive information generated by such person or entity as may relate to factual condition of the County's property,

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

Section 1. The County Mayor or County Mayor's designee is directed to require, as a condition of access to the County's property, that all persons or entities seeking access to County property for the purpose of conducting due diligence on the property, to survey the property, to engage in underground assessments of the property, or other similar activities, that such person or

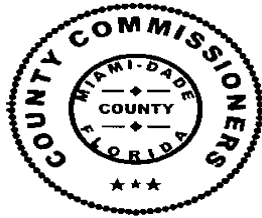
entity provide the County with a complete report on the results of such activity upon completion. The County Mayor or County Mayor's designee shall ensure that all reports are held in an accessible form and location which is easily searchable by County staff.

Section 2. The County Mayor or County Mayor's designee is authorized to waive this requirement where in the best interests of Miami-Dade County due to exigent or unique circumstances. In the event of such waiver, the County Mayor or County Mayor's designee shall provide notice to the Clerk of the Board of County Commissioners.

The Prime Sponsor of the foregoing resolution is Commissioner Juan Carlos Bermudez. It was offered by Commissioner **Anthony Rodriguez**, who moved its adoption. The motion was seconded by Commissioner **Danielle Cohen Higgins** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	aye		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	absent
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 3rd day of October, 2023. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in dark ink, appearing to read "DMM", is written over a horizontal line.

David M. Murray