

MEMORANDUM

Agenda Item No. 11(A)(4)

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

DATE: November 6, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor, to provide this Board with the quarterly report required by Implementing Order No. 8-4 as to County-owned properties which have been conveyed or leased with restrictions or requirements, within 20 days of the effective date of this resolution, and to take all available measures to ensure future compliance

Resolution No. R-992-24

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/uw



MEMORANDUM

(Revised)

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

DATE: November 6, 2024

FROM: 
Glen Bonzon-Keenan
County Attorney

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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 ____, majority plus one ____, 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) ____, 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)
11-6-24

RESOLUTION NO. R-992-24

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE, TO PROVIDE THIS BOARD WITH THE QUARTERLY REPORT REQUIRED BY IMPLEMENTING ORDER NO. 8-4 AS TO COUNTY-OWNED PROPERTIES WHICH HAVE BEEN CONVEYED OR LEASED WITH RESTRICTIONS OR REQUIREMENTS, WITHIN 20 DAYS OF THE EFFECTIVE DATE OF THIS RESOLUTION, AND TO TAKE ALL AVAILABLE MEASURES TO ENSURE FUTURE COMPLIANCE

WHEREAS, in February 2022, pursuant to Resolution No. R-129-22, this Board adopted a new and revised Implementing Order No. 8-4 (IO 8-4) pertaining to guidelines and procedures for the sale or lease of County-owned property; and

WHEREAS, IO 8-4 includes specific and additional protections related to County-owned properties which were conveyed or leased with restrictions or requirements in the deed of conveyance, declaration of restrictions, or lease, in order to keep this Board fully advised as to the status of property compliance and to ensure that the intended purpose of the sale or lease which was approved by this Board is met; and

WHEREAS, IO 8-4 requires that, on a quarterly basis, the County Mayor or the County Mayor's designee shall provide a report to this Board that identifies: (i) any properties which are in non-compliance or default status; (ii) the nature of the non-compliance; (iii) the amount of time such property has been in non-compliance; (iv) any steps which have been taken to enforce compliance; and (v) any available remedies and recommendations; and

WHEREAS, IO 8-4 further requires the County Mayor or County Mayor's designee to identify in its quarterly report: (i) any properties which are 30 days away from approaching a milestone or potential event of default; and (ii) any properties that have reverted or that the lease has been terminated due to non-compliance; and

WHEREAS, to safeguard County assets and to ensure that the intent of this Board is carried out, it is essential for this Board to timely receive such quarterly reports; and

WHEREAS, such reports will enhance transparency and will allow for further necessary enforcement action to be taken on a timely basis,

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

Section 1. This Board adopts the foregoing recitals as if fully set forth herein.

Section 2. This Board directs the County Mayor or County Mayor's designee to: (1) provide the quarterly report required by IO 8-4 within 20 days of the effective date of this resolution, and to include the information required therein as to County-owned properties which have been conveyed or leased with restrictions and requirements; (2) place such report on an agenda of the full Board without committee review pursuant to rule 5.06(j) of the Board's Rules of Procedure and pursuant to the provisions of IO 8-4; and (3) take all available measures to ensure future compliance.

The Prime Sponsor of the foregoing resolution is Commissioner Juan Carlos Bermudez. It was offered by Commissioner **Danielle Cohen Higgins** , who moved its adoption. The motion was seconded by Commissioner **Marleine Bastien** 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	aye
Roberto J. Gonzalez	aye	Keon Hardemon	absent
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 6th day of November, 2024. 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 black ink, appearing to be "T. Smith", written over a horizontal line.

Debra Herman
Terrence A. Smith