

RESOLUTION NO. 2014-3609

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS CALLING FOR THE HOLDING OF A SPECIAL ELECTION FOR THE CITY ON TUESDAY, APRIL 8, 2014; SPECIFYING THE PURPOSE OF THE SPECIAL ELECTION; PROVIDING AUTHORIZATIONS AND DIRECTIONS TO THE CITY CLERK; EFFECTIVE DATE

WHEREAS, the City has been approached by a real estate developer to purchase a small area of the Miami Springs Golf Course comprising 10,299 square feet, as is more accurately depicted on Exhibit "A" attached hereto; and,

WHEREAS, the subject property has never been used as part of the Golf Course since the City's acquisition of the Course in 1997; and,

WHEREAS, the subject property is currently subject to a License Agreement with an adjacent property owner (former James Medical Clinic property) as it has comprised part of the adjacent property's parking area for many years; and,

WHEREAS, the City and the proposed contract purchaser have agreed upon a purchase price of \$115,000 after having secured two (2) appraisals of the subject area of the Golf Course; and,

WHEREAS, the City Council has negotiated the purchase price and agreed that a formal Contract for the Sale and Purchase of the subject property would be agreed upon prior to the Special Election; and,

WHEREAS, City of Miami Springs Charter Section 1.04(5) prohibits the sale or rezoning of Miami Springs Golf and Country Club property without first being approved and authorized by a majority of the qualified City electors voting in an election to consider any such actions; and,

WHEREAS, at the regular City Council meeting of January 13, 2014 the City Council approved the calling of a Special Election on Tuesday, April 8, 2014, to place the proposed sale of Golf Course property before the electors of the City as required by City Charter; and,

WHEREAS, the City Clerk, as provided in City Charter Sections 3.03 and 8.02, as Supervisor of Elections for the City is charged with the responsibilities of preparing the ballot and conducting all City elections; and,

WHEREAS, all City elections are conducted in accordance with City Ordinance Section 11.01 which provides:

§11.01 STATE ELECTION CODE ADOPTED FOR MUNICIPAL ELECTIONS.

All General and Special Elections held in the City shall be held and conducted in accordance with the provisions of state law as nearly as practicable where state law is applicable to municipalities by reasonable construction, except as provided by the City Charter, this Chapter, or other Ordinance of the City. The City Council shall perform all acts in relation to such General and Special Election which by the state law is made the duty of the County Commission; and,

WHEREAS, the City Clerk has been advised by the Miami-Dade County Elections Department that the City may conduct a Special Election on Tuesday, April 8, 2014, so long as an appropriate Resolution calling the Special Election, and all other required information and documentation, are timely submitted to the Elections Department following the adoption of this resolution; and,

WHEREAS, the City Council of the City of Miami Springs has determined that it is both proper and appropriate to conduct a Special City Election on April 8, 2014, to allow the City electors to determine if the area of the Miami Springs Golf and Country Club property set forth on Exhibit "A" attached hereto should be sold and rezoned for development, as required by City Charter Section 1.04(5):

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:

Section 1: That a City Special Election shall be called for and conducted on April 8, 2014.

Section 2: That the purpose of the Special Election is to allow the qualified electors of the City to vote on the following ballot question as required by City Charter Section 1.04(5);

**QUESTION TO AUTHORIZE THE SALE OF
A PORTION OF GOLF COURSE PROPERTY**

"Shall the City Council be authorized to sell and rezone the 10,299 square feet (less than a quarter of an acre) of Golf Course property adjacent to the former James Medical Clinic currently under License Agreement as a parking area to proposed contract purchasers for \$115,000?"

___ YES

___ NO

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Section 3: That the Miami-Dade County Elections Department is hereby requested to schedule a Miami Springs Special Election for Tuesday, April 8, 2014, to consider the ballot question set forth in Section 2 herein.

Section 4: That the City Clerk is hereby directed to advertise the Special City Election in accordance with the requirements of law.

Section 5: That the City Clerk, as the Supervisor of Elections for the City, is hereby authorized and directed to forward this Resolution to the Miami-Dade County Elections Department to insure that the Charter question previously set forth herein is properly placed on the Special City Election ballot by the Miami-Dade County Elections Department, and to conduct the Special City Election in accordance with all the requirements of law, and to cooperate with and assist the Miami-Dade County Elections Department in the conduct of this Election.

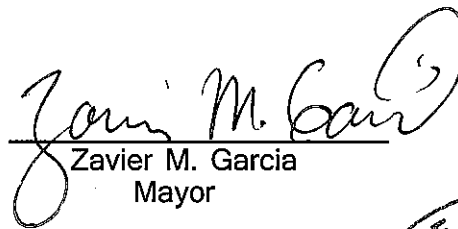
Section 6: That the provisions of this Resolution shall be effective immediately upon adoption by the City Council.

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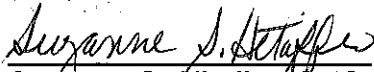
PASSED AND ADOPTED by the City Council of the City of Miami Springs, Florida, this 13th day of January, 2014.

The motion to adopt the foregoing resolution was offered by Vice Mayor Bain, seconded by Councilman Lob, and on roll call the following vote ensued:

Vice Mayor Bain	"aye"
Councilman Windrem	"aye"
Councilman Lob	"aye"
Councilman Petralanda	"aye"
Mayor Garcia	"aye"


Zavier M. Garcia
Mayor

ATTEST:


Suzanne S. Hitaffer, CMC
Acting City Clerk



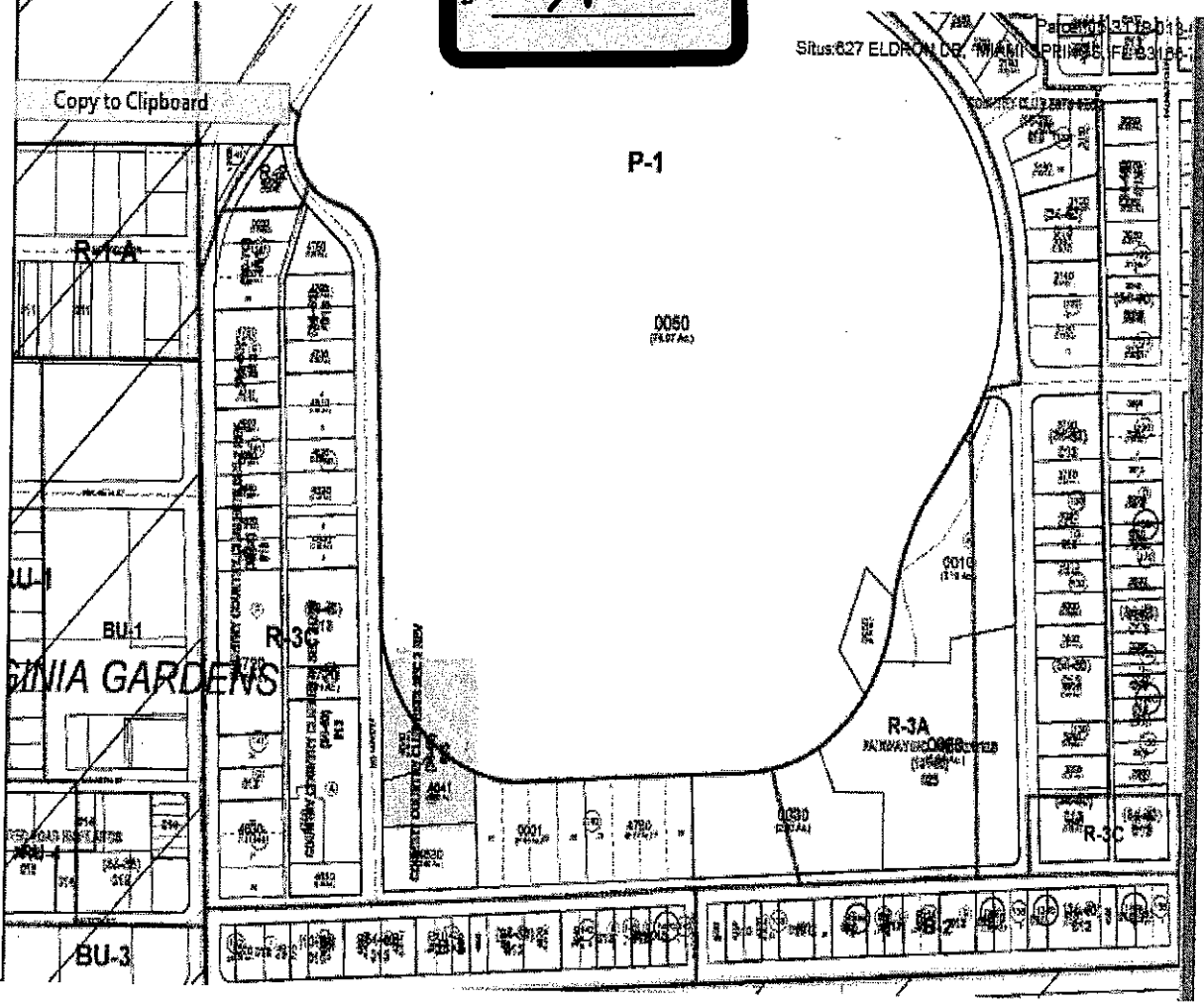
APPROVED AS TO FORM AND LEGAL SUFFICIENCY



Jan K. Seiden, Esquire
City Attorney

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EXHIBIT
"A"



PLAT MAP

OWNER OF RECORD

The owner of record as per Miami Dade County Public Records is:

City of Miami Springs
201 Westward Drive
City of Miami Springs, FL 33166

Source: www.miamidade.gov