

ORDINANCE NO. 24-321

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, ESTABLISHING AUTHORITY FOR THE COLLECTION OF RENTS, PAYMENT OF UTILITIES, MAINTENANCE FOR REAL PROPERTY OWNED BY THE TOWN OF MIAMI LAKES, LOCATED AT 5951 NW 151 STREET, MIAMI LAKES, FLORIDA 33014; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AUTHORITY; PROVIDING FOR THE CREATION OF GENERAL LEDGER ACCOUNTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on April 9, 2019, the Town of Miami Lakes (the “Town”) Council passed Resolution No. 19-1604, which made findings of fact and necessity to take certain real property located at 5951 NW 151 Street, Miami Lakes, Florida 33014, better described as:

Lot 12, Block 2, Miami Lakes Industrial Park Section Five, according to the plat thereof, as recorded in Plat Book 93, at Page 96 of the Public Records of Miami-Dade County, Florida. (herein “Subject Property”)

in order to create a road connection to the North-East section of the Town, disconnected from vehicular transit; and

WHEREAS, after ensuing litigation and subsequent negotiations, the Town Council passed Resolution No. 23-1959, authorizing a settlement and purchase of the Subject Property; and

WHEREAS, on January 19, 2024, the Town of Miami Lakes (the “Town”) acquired the Subject Property through an Order of Taking; and

WHEREAS, currently the Subject Property houses twenty four (24) business tenants; and

WHEREAS, a consequence of the Order of taking is the termination of all existing leases that may have existed prior to the Town’s acquisition; and

WHEREAS, according to the United States Uniform Relocation Act, the Town has engaged a right of way consultant and special counsel to assist in providing these hold-over tenants with the requisite ninety (90) day notice and offer of relocation benefits; and

WHEREAS, during the next ninety (90) days, the business tenants will be required to pay the Town rents; and

WHEREAS, during the next ninety (90) days, the Town Council will be required to pay operational costs related to the maintenance of the Subject Property; and

WHEREAS, Section 4.3 (vii), of the Town Charter provides that any action that requires an action related to the lease of Town lands, requires the adoption of an Ordinance; and

WHEREAS, in order for the Town to collect rents from the Subject Property's hold-over tenants, and pay operational expenses related to Subject Property, it is necessary for the Town to adopt this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. Each of the above stated recitals are true and correct and are incorporated herein by this reference.

Section 2. Adoption. The Town Council adopts this Ordinance and provides for the requisite authority to the Town Manager and Town Attorney, and or their designees, to collect rents from any and all tenants and pay necessary expenses.

Section 3. Providing for Authority. the Town Manager and Town Attorney, and or their designees, shall have authority to collect rents from hold-over business tenants operating from 5951 NW 151 Street, Miami Lakes, Florida 33014, and to pay for any operational maintenance expenses related to 5951 NW 151 Street, Miami Lakes, Florida 33014.

Section 3. Creation of a General Ledger within the Capital Projects Fund. The Town Manager and, or his designee, is authorized to create General Ledger accounts for the collection of rents, the expense of operational costs, and the collection and disbursement of security deposits for hold-over tenants operating from 5951 NW 151 Street, Miami Lakes, Florida 33014.

Section 5. Effective Date. That this Ordinance shall be effective immediately upon its adoption on second reading.

FIRST READING

The foregoing ordinance was offered by Councilmember Ruano who moved its adoption on first reading. The motion was seconded by Councilmember Collazo and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	No
Vice-Mayor Tony Fernandez	No
Councilmember Luis E. Collazo	Yes
Councilmember Josh Dieguez	Yes
Councilmember Ray Garcia	Yes
Councilmember Marilyn Ruano	Yes

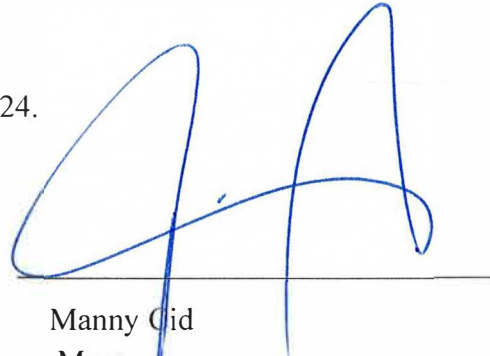
Passed on first reading this 13th day of February 2024.

SECOND READING

The foregoing ordinance was offered by Councilmember Dieguez who moved its adoption on first reading. The motion was seconded by Councilmember Ruano and upon being put to a vote, the vote was as follows:

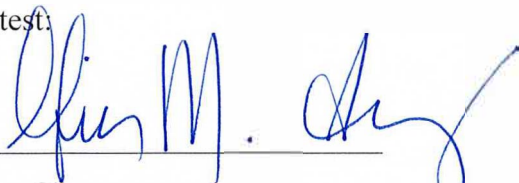
Mayor Manny Cid	No
Vice-Mayor Tony Fernandez	No
Councilmember Luis E. Collazo	Yes
Councilmember Josh Dieguez	Yes
Councilmember Ray Garcia	Yes
Councilmember Marilyn Ruano	Yes

Passed on second reading this 12th day of March 2024.




Manny Cid
Mayor

Attest:



Gina M. Inguanzo
Town Clerk

Approved as to form and legal sufficiency:



Lorenzo Cobiella
Gastesi, Lopez and Mestre, PLLC
Deputy Town Attorney