

**RESOLUTION NO. 06- 476**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, IN SUPPORT OF MITIGATION ADJUSTMENT POLICY REVIEW TASK FORCE REPORT ADOPTED ON JUNE 26, 2006 AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO WORK WITH THE COUNTY TO IMPLEMENT THE REPORT; DIRECTING THE TOWN CLERK; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on March 21, 2006 the Board of County Commissioners, (“BOCC”) adopted Resolution R-342-06 establishing the Mitigation Adjustment Policy Review Task Force (“Task Force”) to advise the BOCC on a proposed policy regarding the adjustment of mitigation paid by municipalities as a condition of incorporation; and.

**WHEREAS**, the Task Force was established in fulfillment of an agreement between municipal, County, and State elected officials regarding the withdrawal of legislation proposed during the 2006 State legislative session that sought to foreclose the County’s right to impose mitigation as a condition for incorporation and that mitigation should be resolved at the local level; and

**WHEREAS**, the Town, the Village of Palmetto Bay and the City of Doral currently make mitigation payments to Miami-Dade County; and

**WHEREAS**, the Town, Doral and Palmetto Bay have expressed interest in developing a policy regarding the adjustment of their mitigation payments; and

**WHEREAS**, on June 26, 2006 the Task Force adopted a Mitigation Adjustment Policy Review Task Force Report, a copy of the Report is attached as Exhibit “A” (the “Report”); and

**WHEREAS**, in the Report Task Force concluded that the net effect of the incorporation of the municipalities of Miami Lakes, Palmetto Bay, Doral, Miami Gardens, and Cutler Bay resulted in a net revenue transfer to UMSA, based on the respective Impact to UMSA analyses prepared at the time of incorporation of each municipality; and

**WHEREAS**, the Task Force determined that mitigation should not result in a net revenue transfer to UMSA; and

**WHEREAS**, the Task Force Report recommends and concludes that mitigation payments by the municipalities of Miami Lakes, Palmetto Bay and Doral should cease; and

**WHEREAS**, the Town Council supports the conclusion of the Task Force as outlined in the Report.

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

**Section 1. Recitals.** The above Recitals are true and correct and incorporated into this Resolution by this reference.

**Section 2. Support of Task Force Report.** The Town Council supports the findings of the Mitigation Task Force Report recommends a reduction in mitigation payments.

**Section 3. Authorization of Town Officials.** The Town Council directs the Mayor, Town's consultants and all appropriate staff to work with the County to implement the findings of the Task Force.

**Section 4. Clerk.** The Town Clerk is authorized to send a copy of this Resolution to the County Mayor, the Mayor of the City of Doral, the Village of Palmetto Bay and Board of County Commissioners.

**Section 5. Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 12 day of December, 2006.

Motion to adopt by Roberto Alonso, second by Wayne Slaton.

FINAL VOTE AT ADOPTION

Mayor Wayne Slaton	<u>yes</u>
Vice Mayor Mary Collins	<u>Absent</u>
Councilmember Roberto Alonso	<u>yes</u>
Councilmember Robert Meador	<u>yes</u>
Councilmember Michael Pizzi	<u>yes</u>
Councilmember Richard Pulido	<u>yes</u>
Councilmember Nancy Simon	<u>yes</u>

Wayne Slaton  
Wayne Slaton  
MAYOR

ATTEST:

Debra Eastman  
Debra Eastman, MMC  
TOWN CLERK

Approved as to form and legality for the use and benefit of the Town of Miami Lakes only:

[Signature]  
Weiss, Serota, Helfman, Pastoriza,  
Cole & Boniske, P.A.  
TOWN ATTORNEY