

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2015-303

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA URGING MIAMI-DADE COUNTY, THROUGH THE MIAMI-DADE COUNTY MAYOR AND BOARD OF COUNTY COMMISSIONERS, TO RESOLVE THE DISPUTE WITH THE LOLA B. WALKER HOMEOWNERS FOUNDATION REGARDING THE BAHAMIAN VILLAGE PROJECT, AND GRANTING THE CITY MANAGER AND CITY ATTORNEY FULL AUTHORITY TO TAKE ANY NECESSARY ACTION TO FACILITATE RESOLUTION OF THE MATTER, INCLUDING DIRECTING THE CITY ATTORNEY TO SEEK TO APPEAR IN THE LITIGATION AS AMICUS CURIAE.

WHEREAS, the Lola B. Walker Homeowners Association represents the residents of the MacFarlane Homestead and Golden Gate neighborhoods of Coral Gables, which includes the MacFarlane Homestead Historic District, which is on the national register of historic places; and

WHEREAS, this geographic area of Coral Gables has an extraordinarily rich and important history, as it was built by the Bahamian settlers who worked with George Merrick to build the original homes throughout Coral Gables, and whose children and grandchildren continue to live there today; and

WHEREAS, the Lola B. Walker Homeowners Association represents a number of Coral Gables families with lower incomes, and received a land grant through the related Lola B. Walker Homeowners Foundation that includes a duty to build a community center at the corner of US-1 and Grand Avenue; and

WHEREAS, the Lola B. Walker Homeowners Association, the County, and the City wish to see a community center built at this location; and

WHEREAS, there have been delays related to development of the property over the past decade that have caused concern by all stakeholders; although it should also be noted that a significant economic recession occurred during this time; and

WHEREAS, the City has approved the site plan for the community center and recently approved a regulatory covenant regarding the community center that will allow it to proceed once a permit is issued; and

WHEREAS, litigation is occurring involving the owner/developer of the property and the County that could impede or delay the ability to complete the community center; and

WHEREAS, the County named the Lola B. Walker Homeowners Foundation in the litigation, and is taking a position that could effectively divest the Lola B. Walker Homeowners Foundation of its entire interest in the property; and

WHEREAS, the City is significantly concerned with the impact the litigation may pose to the community center and the surrounding neighborhood; and

WHEREAS, the City wishes to urge Miami-Dade County, through the Board of County Commissioners and the Mayor, to reach a settlement with the parties to the litigation and allow them to proceed to complete the community center project;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. That the City Commission does hereby authorize the City Manager and City Attorney to take any and all actions necessary to facilitate resolution of the dispute between Miami-Dade County and the Lola B. Walker Homeowners Foundation, including invocation of dispute resolution processes, and through expediting any further reviews of the project.

SECTION 3. That the City Attorney is directed to seek to appear in the litigation as amicus curiae.

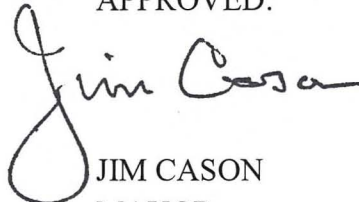
SECTION 4. That the City Clerk is directed to provide a copy of this resolution to the Mayor of Miami-Dade County, along with the Chair and each member of the Board of County Commissioners.

SECTION 5. That the City respectfully requests a personal appearance before the Board of County Commissioners to present the City's position.

SECTION 6. That said Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS EIGHTH DAY OF DECEMBER, A.D., 2015.
(Moved: Lago / Seconded: Keon)
(Yeas: Keon, Lago, Quesada, Slesnick, Cason)
(Unanimous: 5-0 Vote)
(Agenda Item: F-3)

APPROVED:

A handwritten signature in black ink that reads "Jim Cason". The signature is written in a cursive style with a large, looping initial "J".

JIM CASON
MAYOR

ATTEST:

A handwritten signature in blue ink that reads "Walter J. Foeman". The signature is written in a cursive style with a large, looping initial "W".

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

A handwritten signature in blue ink that reads "Craig E. Leen". The signature is written in a cursive style with a large, looping initial "C".

CRAIG E. LEEN
CITY ATTORNEY