

RESOLUTION NO. 20-__

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SUPPORTING THE CUTLER BAY PROPERTIES ACQUISITION PROPOSAL NO. 4 OF MIAMI-DADE COUNTY'S ENVIRONMENTALLY ENDANGERED LANDS PROGRAM; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Cutler Bay (the "Town") denied a site plan on property owned by Cutler Properties, LC, which consists of approximately 8.45 acres located at 18551 Old Cutler Road, as shown on Exhibit "A" (the "Property"); and

WHEREAS, in order to prevent a lawsuit, the Town adopted Resolution No.20-18 authorizing the Town Manager to negotiate and execute a purchase and sale agreement in efforts to acquire property for park, conservation of land and resiliency purposes (the "Property"); and

WHEREAS, the Town is in of additional financing in order to close on the Property; and

WHEREAS, this acquisition greatly complements the Town and County's environmental conservation and resiliency objectives, by allowing this Property to be preserved and to continue protecting environmental and built resources within the Town and County; and

WHEREAS, the idea of preserving the Property in its natural state and preventing its development has been a longtime rallying cry echoed in the Town and County; and

WHEREAS, the Property includes and is adjacent to a critical component of the Comprehensive Everglades Restoration Plan (CERP) and is also included in the Biscayne Bay and Southeastern Everglades Management Plan, which is currently under development; and

WHEREAS, on May 27, 2020, the EEL Project Review Committee discussed the Cutler Bay Properties Acquisition Proposal No. 4 (attached hereto as Exhibit "A") to define the preliminary boundaries of the proposal and unanimously recommended that the Property be added to the list and forwarded to the Land Acquisition Selection Committee (LASC); and

WHEREAS, the Town whole-heartedly supports the efforts of the EEL Program in the protection and conservation of endangered lands; and

WHEREAS, the Town urges the LASC to recommend the approval of this Property to the Land Acquisition List, and to expedite the LASC meeting so that we may comply with our tight timeline of securing financing for the acquisition of the Property and to protect this Property from potential development; and

WHEREAS, the Town Council finds that this Resolution is in the best interest of the public health, welfare, and safety of the Town's residents.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, THAT:

Section 1. **Recitals.** The above recitals are true and correct and are incorporated herein by this reference.

Section 2. **Support.** The Town Council hereby expresses its support of the Cutler Bay Properties Acquisition Proposal No. 4 Application recommended by the Environmentally Endangered Lands Project Review Committee and requests the Land Acquisition Selection Committee to expedite the process as provided herein.

Section 3. **Transmittal by Clerk.** The Town Clerk is hereby directed to transmit this Resolution to the Land Acquisition Selection Committee, the Miami-Dade County Board of Commissioners, and Miami-Dade County Mayor Carlos A. Gimenez.

Section 4. **Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED and ADOPTED this ____ day of June, 2020.

Attest:

TIM MEERBOTT
Mayor

DEBRA E. EASTMAN, MMC
Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN
COLE & BIERMAN, P.L.
Town Attorney

Moved By: _____
Seconded By: _____

FINAL VOTE AT ADOPTION:

Mayor Tim Meerbott _____

Vice Mayor Sue Ellen Loyzelle _____

Council Member Robert “BJ” Duncan _____

Council Member Michael P. Callahan _____

Council Member Roger Coriat _____