

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DESIGNATING THE CITY-OWNED PROPERTY IN SUNSET ISLAND II, LOCATED BETWEEN 25TH STREET TO 27TH STREET ALONG SUNSET DRIVE (FOLIO NO. 02-3228-001-1280), AS A NEIGHBORHOOD PARK, TO BE USED FOR PASSIVE RECREATIONAL USE AND OPEN GREENSPACE PURPOSES.

WHEREAS, the City of Miami Beach (the "City") is the owner of the property in Sunset Island II, located between 25th Street to 27th Street along Sunset Drive (Folio No. 02-3228-001-1280) (hereinafter, the "Property"); and

WHEREAS, generally, the vacant Property, which is beautifully landscaped, provides much-needed greenspace in Sunset Island II, and is used by residents for passive recreational activities such as dog walking, running/jogging and other light outdoor recreational activities; and

WHEREAS, the Mayor and City Commission wish to designate the Property as a Neighborhood Park, to be used for passive recreational use and open space purposes; and

WHEREAS, once officially designated as a Neighborhood Park, the use of the Parcels will be restricted for recreational purposes, and any sale thereof would require a Citywide voter referendum pursuant to Section 1.03(b)(1) of the City Charter, which requires disposition of any City-owned park or recreation property to be approved by a majority of the voters voting in a Citywide referendum; and

WHEREAS, by designating the parcels as a Neighborhood Park, the use of the Parcels for park purposes would be further protected by Section 7.02 of the Miami-Dade County Charter, which provides that no neighborhood park may be disposed of unless a majority of the residents residing in voting precincts within 1 mile of the park authorize such disposition by majority vote in an election; and

WHEREAS, as the City Charter and County Charter provisions applicable to neighborhood parks are limited to restrictions on the sale or lease of property, the designation of the property as a neighborhood park would not preclude or restrict the City from implementing any necessary utility improvements on the property in the future, in the best interest of the City and its residents; and

WHEREAS, this Resolution, sponsored by Commissioner David Richardson, will ensure that the Property will continue to be used for the benefit of residents as green space and open recreational space.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby designate the City-owned property in Sunset Island II, located between 25th Street to 27th Street along Sunset Drive (Folio No. 02-3228-001-1280), as a Neighborhood Park, to be used for passive recreational use and open greenspace purposes.

PASSED AND ADOPTED this ____ day of _____ 2021.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

Sponsored by Commissioner David Richardson

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney *fx*

9-8-21
Date