

RESOLUTION NO. R2004-08-101

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOMESTEAD, MIAMI-DADE COUNTY, FLORIDA, EXPRESSING SUPPORT FOR THE CREATION OF THE BAYWINDS COMMUNITY DEVELOPMENT DISTRICT BY THE MIAMI-DADE COUNTY COMMISSION, FOR THE LANDS DESCRIBED ON EXHIBIT "A," AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Baywinds Land Trust ("Petitioner") plans to petition Miami-Dade County to consider the adoption of an ordinance to establish the Baywinds Community Development District ("CDD"), pursuant to Chapter 190, Florida Statutes; Article VIII, Section 6(1) of the Florida Constitution; and the Dade County Home Rule Charter, for the lands described in Exhibit "A," and

WHEREAS, Miami-Dade County has indicated that it will not approve a CDD without the support of the City when all of the lands of the CDD are located within the City boundaries; and

WHEREAS, the City Council finds that the proposed CDD will constitute a timely, efficient, effective, responsive and economic method of delivering community development services in the area, without overburdening the City's taxpayers; and

WHEREAS, as proposed by the Petitioner, the City will be providing water and wastewater services to the CDD and all lands within its boundaries contingent upon the Petitioner constructing and conveying at no cost to the city all of the water and sewer infrastructure necessary to serve all development within the boundaries of the CDD, and;


WHEREAS, the City Council finds that the creation of the CDD is not inconsistent with the City's Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOMESTEAD:

Section 1 City Support. The City Council hereby expresses its support for the creation of the Baywinds Community Development District, contingent on the City providing the water and wastewater services for the CDD and all the lands within its boundaries; and upon the Petitioner constructing and conveying at no cost to the City all of the water and sewer infrastructure necessary to serve all development within the boundaries of the CDD.


Section 2 Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 16th day of August, 2004.



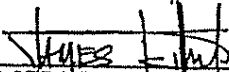
ROSCOE WARREN
Mayor

ATTEST:



SHARON AUXIER, GMC
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



WEISS SEROTA HELFMAN PASTORIZA GUEDES COLE & BONISKE, P.A.
City Attorney

Offered by Mr. Hodge

Motion to adopt by Mr. Hodge seconded by Mr. Porter

FINAL VOTE AT ADOPTION

<i>Mayor Roscoe Warren</i>	<u>YES</u>
<i>Vice Mayor Lynda Bell</i>	<u>YES</u>
<i>Councilwoman Amanda S. Garner</i>	<u>YES</u>
<i>Councilman Norman L. Hodge, Jr.</i>	<u>YES</u>
<i>Councilman Steven D. Losner</i>	<u>ABSENT</u>
<i>Councilman Jeffrey D. Porter</i>	<u>YES</u>
<i>Councilwoman Judy Waldman</i>	<u>ABSENT</u>

R2004-03-101 EXPRESSING SUPPORT OF THE CREATION OF THE BAYWINDS CDD