

RESOLUTION NO. R-9-2006-17

A RESOLUTION OF THE CHAIRMAN AND BOARD MEMBERS OF THE NORTH MIAMI COMMUNITY REDEVELOPMENT AGENCY APPROVING THE DEVELOPMENT AGREEMENT BETWEEN NORTH MIAMI HOUSING, LTD. AND THE NORTH MIAMI COMMUNITY REDEVELOPMENT AGENCY FOR THE DEVELOPMENT OF APPROXIMATELY 136 CONDOMINIUM UNITS ON THE RUCK'S PARK SITE AS AN AFFORDABLE HOUSING PROJECT KNOWN AS PIONEER GARDENS AT NORTH MIAMI IN ACCORDANCE WITH ITS COMMUNITY REDEVELOPMENT PLAN AND OTHER REDEVELOPMENT ACTIVITIES; AUTHORIZING THE CHAIRMAN AND THE EXECUTIVE DIRECTOR OF THE NORTH MIAMI COMMUNITY REDEVELOPMENT AGENCY TO EXECUTE THE DEVELOPMENT AGREEMENT; FURTHER AUTHORIZING THE EXECUTIVE DIRECTOR TO TAKE ANY AND ALL ACTIONS NECESSARY TO FACILITATE THE IMPLEMENTATION OF THE DEVELOPMENT AGREEMENT AND THE FULFILLMENT OF ANY AND ALL OBLIGATIONS OF THE NORTH MIAMI COMMUNITY REDEVELOPMENT AGENCY AS PROVIDED THEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of North Miami, Florida (the "City") has transferred to the North Miami Community Redevelopment Agency (the "CRA") the real property commonly known as Ruck's Park; and

WHEREAS, the CRA desires to implement a development plan for Ruck's Park as an affordable housing project known as Pioneer Gardens at North Miami in accordance with its community redevelopment plan and other redevelopment activities; and

WHEREAS, on January 24, 2006 the CRA Board adopted Resolution No.R-1-2006-3 which directed the CRA Executive Director to take all steps necessary and appropriate to implement a development plan for Ruck's Park as an affordable housing project in accordance with the CRA redevelopment plan and its other redevelopment activities. The steps to be taken by the CRA Executive Director include, but are not limited to, considering alternate site plans that increase density; coordinating with City staff and filing the necessary applications with the appropriate governmental entities regarding land use and zoning approvals such as platting and building permits; performing, or causing to be performed, due diligence with respect to the real property, or causing to be performed site clearing and grubbing; negotiating a development agreement with North Miami Housing, Ltd. ("NMH"); and exploring financing options; provided, however, the foregoing authorization did not authorize the CRA Executive Director to enter into any agreements (such as a development agreement) that would otherwise exceed the scope of the CRA Executive Director's authority, which such agreements will subsequently be brought to the CRA Board for consideration and approval.

WHEREAS, the CRA desires to engage NMH to develop Ruck's Park an affordable housing project known as Pioneer Gardens at North Miami, subject to the terms and provisions of the Development Agreement attached hereto as Exhibit "A" and by this reference made a part hereof.

NOW; THEREFORE, BE IT RESOLVED BY THE CHAIRMAN AND BOARD MEMBERS OF THE NORTH MIAMI COMMUNITY REDEVELOPMENT AGENCY:

Section 1. The recitals in the whereas clauses are true and correct, and incorporated into this Resolution.

Section 2. The CRA shall continue to implement a development plan for Ruck's Park as an affordable housing project in accordance with its community redevelopment plan and other redevelopment activities.

Section 3. The Development Agreement as attached hereto as Exhibit "A" is hereby approved, together with such other non-material changes acceptable to the CRA Executive Director and approved as to form and legality by the CRA Attorney.

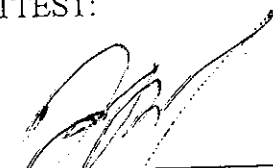
Section 4. The Chairman and the Executive Director of the CRA are authorized to execute the Development Agreement.

Section 5. The CRA Executive Director is authorized to take any and all actions necessary to facilitate the implementation of the Development Agreement and the fulfillment of any and all obligations of the CRA as provided therein.

Section 6. This resolution shall take effect immediately upon approval.

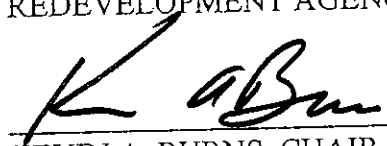
PASSED AND ADOPTED by a 4-1 vote of the Board of the North Miami Community Redevelopment Agency, this 26 day of September, 2006.

ATTEST:




FRANK WOLLAND, CITY CLERK

NORTH MIAMI COMMUNITY
REDEVELOPMENT AGENCY



KEVIN A. BURNS, CHAIR

APPROVED AS TO FORM:



GRAY ROBINSON, P.A.
CRA ATTORNEY

SPONSORED BY: ADMINISTRATION

Moved by: Chairman Kevin Burns

Seconded by: Jacques Despinosse

Vote:

Chair Kevin A. Burns	<u>X</u>	(Yes)	<u> </u>	(No)
Boardmember Michael R. Blynn	<u> </u>	(Yes)	<u>X</u>	(No)
Boardmember Jacques A. Despinosse	<u>X</u>	(Yes)	<u> </u>	(No)
Boardmember Scott Galvin	<u>X</u>	(Yes)	<u> </u>	(No)
Boardmember Marie Erlande Steril	<u>X</u>	(Yes)	<u> </u>	(No)

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