

RESOLUTION NO. _____

RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA INITIATING F.S. CHAPTER 164 CONFLICT RESOLUTION PROCEEDINGS; AUTHORIZING THE VILLAGE MANAGER AND VILLAGE SPECIAL COUNSEL TO IMPLEMENT SAID PROCESS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Key Biscayne, Village Council has various objections to certain development activity approved by Miami-Dade County (the “County”) for a portion of Virginia Key known as “Marine Stadium” and located at approximately 3501 Rickenbacker Causeway in Miami, FL (the “Site”); and

WHEREAS, on January 27, 2015 the Village Council passed and adopted Resolution No. 2015-4 authorizing the commencement of legal action against all necessary and/or appropriate parties from developing and using the Site in a manner which is in violation of law, or restrictions limiting the use of the Site; and

WHEREAS, on February 17, 2016, the Village of Key Biscayne filed court proceedings against the County, in the Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, seeking judicial relief related to development activity on the Site that was approved by the County and that is inconsistent with the County’s Comprehensive Development Master Plan; and

WHEREAS, it is the intent of the Village Council to attempt to resolve its disputes with the County through good faith negotiations, and the initiation of conflict resolution procedures provided for in Chapter 164 of the Florida Statutes, prior to prosecuting action on the previously filed court proceeding and has engaged special counsel to assist in this effort.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF
KEY BISCAYNE, FLORIDA AS FOLLOWS:**

Section 1. Recitals Adopted. That each of the recitals stated above are hereby adopted and confirmed.

Section 2. Conflict Resolution and Implementation. The Village Council hereby directs its special counsel and Village Manager to take all appropriate steps to invoke the conflict resolution process provided for in Chapter 164 of the Florida Statutes, while preserving and vesting all of the Village's rights at law and in equity. The Village Manager and special counsel are hereby authorized and directed to take all steps necessary and appropriate to implement the terms of this resolution and to use all appropriate discretion in such implementation.

Section 3. Effective Date. This resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this ___ day of March, 2016.

MAYRA PEÑA LINDSAY, MAYOR

ATTEST:

CONCHITA H. ALVAREZ, MMC
VILLAGE CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

VILLAGE ATTORNEY