

RESOLUTION NO. 2015-7

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

WHEREAS, the Village of Key Biscayne, Village Council has various objections to certain development activity proposed by the City of Miami (the “City”) for a portion of Virginia Key known as “Marine Stadium;” and

WHEREAS, on January 27, 2015 the Village Council passed and adopted Resolution No. 2015-4 authorizing the commencement of legal action against the City to enjoin the proposed development activity by the City; and

WHEREAS, on February 6, 2015 the Village of Key Biscayne filed court proceedings against the City, in the Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, seeking judicial relief related to the proposed development activity by the City; and

WHEREAS, it is the intent of the Village Council to attempt to resolve its disputes with the City 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 BISCAZYNE, 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.

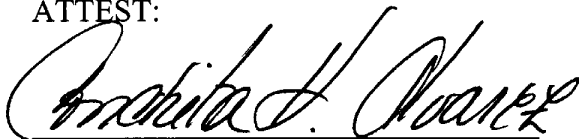
Section 3. Conflicts. To the extent that anything therein conflicts with any directions related to Chapter 164 within Resolution No. 2015-4, this resolution shall prevail.

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

PASSED AND ADOPTED this 9th day of February, 2015.


MAYOR MAYRA PEÑA LINDSAY

ATTEST:



CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY


VILLAGE ATTORNEY

