MEMORANDUM

Agenda Item No. 5(D)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	July 1, 2014
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution approving significant modification to Building Better Communities General Obligation Bond Program Project No. 39 – "Kendall Indian Hammocks Park"

The accompanying resolution was prepared by the Parks, Recreation and Open Spaces Department and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto.

R. A. Cuevas, Jr.
County Attorney

RAC/lmp

Memorandum

MIAMI-DADE COUNTY

Date: July 1, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Significant Modification to Building Better Communities General Obligation Bond Program Project No. 39 – "Kendall Indian Hammocks Park"

Recommendation

It is recommended that the Board of County Commissioners (Board) adopt the attached resolution approving a significant modification to the project description for Building Better Communities-General Obligation Bond (BBC-GOB) program Project No. 39, "Kendall Indian Hammocks Park," following a public hearing pursuant to Resolution R-913-04 ("Authorizing Resolution"). The significant modification authorizes the use of BBC-GOB funding for land acquisition. BBC-GOB funding may be utilized for the acquisition of adjacent property to which the County has right-of-first-refusal.

Item	Original BBC Project	Modified BBC Project
Project Name	Kendall Indian Hammocks Park	Kendall Indian Hammocks Park
Project Number	39	39
Project Description	"Area-wide park improvements include recreation center construction; athletic fields; dog park, vehicular and pedestrian circulation; and utilities"	"Area-wide park improvements include recreation center construction; athletic fields; dog park, vehicular and pedestrian circulation; utilities and land acquisition"
Amount and schedule of BBC funding allocation	$6.0 Million Allocation available through fiscal year 2019-2020	No change

Scope

The scope is solely limited to Kendall Indian Hammocks Park for this project. The park is located at 11395 S. W. 79th Street in Commission District 10, Commissioner Javier D. Souto's district.

Fiscal Impact/Funding Source

There is no fiscal impact on the existing BBC-GOB allocation due to this modification. However, if the County proceeds to exercise its right-of-first-refusal on the adjacent 21-acre parcel or a portion thereof, the Miami-Dade County Parks, Recreation and Open Spaces (PROS) Department's increase to the annual operating cost of Kendall Indian Hammocks Park is expected to be minimal because the grounds maintenance crews already exist in the adjacent park.

Track Record/Monitor

The agency responsible for implementing the project is PROS and the project manager is Maria Nardi, Chief of Planning, Research and Natural Areas Management Divisions.

Background

On November 2, 2004, voters overwhelmingly approved the referendum to fund more than 300 capital improvements throughout the County over the next 15 to 20 years. Appendix "A" to Resolution R-913-04 (Attachment 1) lists municipal projects eligible for funding from the BBC-GOB Bond Program by number, name and project description. All additions, deletions and significant modifications to individual projects require a majority vote of the Board following a public hearing.

Kendall Indian Hammocks Park is a 124-acre regional park and a unique asset to Miami-Dade County. The opportunity to expand the park by 21-acres (17%), or a portion thereof, through the purchase of the Haven Center property is likely to be the only opportunity to significantly increase the level of service within the East Kendall community for a generation. This significant modification enumerates land acquisition within the project description to form a portion of the funding required to act within the narrow window of opportunity to exercise the County's right-of-first-refusal. The additional lands would serve to increase park services, expand programming and enhance park visitors' experience. This action is consistent with Board Resolution R-953-12, which requires the Mayor to consider and analyze the acquisition of any parcel of land that becomes available adjacent to a County park, and also with R-719-12, which has similar requirements but is specific to Kendall Indian Hammocks Park.

The use of BBC-GOB allocated funds is vital for a successful park expansion due to high land values, limited availability of funding options when needed for this acquisition and the opportunity for the County to exercise its rights. The park's general plan will be amended to incorporate newly acquired parcels.

This item was reviewed by the Building Better Communities Citizens' Advisory Committee at their meeting on April 29, 2014 and was forwarded for consideration by the Board with a favorable recommendation. The Board approved the right-of-first-refusal extension agreement under resolution R-460-14 (Attachment 2) at its May 6, 2014 meeting, approving continuance of negotiations for acquisition of the Haven Center property.

Attachment

Michael Spring, Senior Advisor
Office of the Mayor

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: July 1, 2014

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 5(D)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(D)
7-1-14

RESOLUTION NO. _____

RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 39 - "KENDALL INDIAN HAMMOCKS PARK" AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-913-04 AFTER A PUBLIC HEARING

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by this reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recital is incorporated in this resolution and is approved.

Section 2. This Board hereby approves the significant modification to Building Better Communities General Obligation Bond Program Project No. 39 - "Kendall Indian Hammocks Park" identified in Appendix A to Resolution No. R-913-04 after a public hearing, all as more particularly described in the accompanying memorandum.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of July, 2014. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Monica Rizo

ATTACHMENT 1

MEMORANDUM

Amended
Special Item No. 2

TO: Honorable Chairperson Barbara Carey Shuler, Ed. D. and Members, Board of County Commissioners

DATE: July 20, 2004

FROM: George M. Burgess
County Manager

SUBJECT: Resolution Approving a Special Election for the *Building Better Communities* Bond Program – To Construct and Improve Park and Recreational Facilities

R#913-04

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing the placement of the *Building Better Communities* General Obligation Bond Program (Program) ballot question authorizing funding for projects to construct and improve park and recreational facilities on the November 2, 2004 ballot. If approved by the Board and the voters, the referendum will allow the County to construct and improve park and recreation facilities such as Greynolds, Haulover, Amelia Earhart and Tropical parks (see Appendix A). This resolution will allow the County to issue General Obligation Bonds in an amount not to exceed $680.258 million over a multi-year period to fund improvements to the County's infrastructure and address a number of quality of life issues in our community. Legislation creating interlocal agreements with the municipalities and establishing a Program Advisory Committee will be forwarded to the Board upon approval of the Program by the electorate. Individual debt issuances will also be subsequently forwarded for Board approval.

BACKGROUND

The recommended Program will provide the County with the capability of responding to the community's longstanding unfunded capital infrastructure needs in a comprehensive manner. The attached recommended list of projects provides a multi-faceted approach which addresses the need for facilities and infrastructure as well as economic development concerns. Since our Community Small Business Enterprise and Community Workforce regulations will apply to the *Building Better Communities* projects, it is anticipated that the Program will contribute to our economy by generating a large number of jobs as well as many new and meaningful business development and training opportunities in our local community.

A comprehensive report detailing our efforts to assemble a balanced *Building Better Communities* Program is presented under separate cover. The attached resolution and corresponding project recommendations further refine the proposed Program by incorporating the Board's input from the June 24, 2004 General Obligation Bond Workshop as well as subsequent individual follow-up meetings with Board members.

We have a unique opportunity to move forward with this Program at this time. Existing debt from the Decade of Progress Bond Program, the Criminal Justice Bond Program and the Safe Neighborhood Parks Bond Program is being retired allowing capacity for future bond issuances while maintaining a flat millage rate for debt service. Finally, placement of the ballot question on an already scheduled General Election allows us to avoid incurring the considerable costs that would be associated with a separate election.

Therefore, it is respectfully requested that the Board approve the attached resolution and allow the electorate to vote on critical capital improvement issues impacting the future of Miami-Dade County.

Cor Brody
Assistant County Manager

Approved _____ Mayor
Veto _____
Override _____

Amended
Special Item No. 2
7-20-04

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
DADE COUNTY, FLORIDA

RESOLUTION NO. R-913-04

RESOLUTION PROVIDING FOR HOLDING OF GENERAL OBLIGATION BOND SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, ON NOVEMBER 2, 2004 WITH RESPECT TO AUTHORIZATION OF NOT EXCEEDING $680,258,000 GENERAL OBLIGATION BONDS OF SAID COUNTY TO CONSTRUCT AND IMPROVE PARK AND RECREATIONAL FACILITIES

WHEREAS, the Board of County Commissioners of Miami-Dade County, Florida (the "Board") finds it necessary and appropriate and in the best interest of the County to hold a special election to authorize the issuance of General Obligation Bonds (the "Bonds") of Miami-Dade County in an amount not to exceed $680,258,000, as needed, in series from time to time, which Bonds will be secured by the full faith and credit of the County; and

WHEREAS, proceeds from such Bonds will be used for various, unfunded capital projects that have been identified and delineated in Appendix A, attached to this Resolution; and

WHEREAS, issuing such Bonds will stimulate the County economy and provide employment; and

WHEREAS, upon approval by the electors of the County to issue the Bonds, the Board will enact Bond ordinances authorizing the issuance of the Bonds so approved; and

WHEREAS, the Board intends, to the extent possible, that the debt service millage required to pay the debt service on the Bonds shall not exceed the current debt service millage in any year while the Bonds are outstanding and the total principal amount of the Bonds has been fixed with that intention in mind;

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NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. The preamble to this Resolution and the County Manager's memorandum accompanying this Resolution are approved and incorporated by reference in this Resolution.

Section 2. A General Obligation Bond Special Election shall be held on Tuesday, November 2, 2004, for the purpose of submitting to the qualified electors of the County the questions stated in the Notice of General Obligation Bond Special Election set forth below in Section 3 of this Resolution.

Section 3. Notice of said General Obligation Bond Special Election shall be published in The Miami Herald, a newspaper of general circulation in Miami-Dade County, Florida, at least twice, once in the fifth week and once in the third week prior to the week in which the election is to be held, the date of first publication in said newspaper to be at least thirty days before said election, which notice shall be substantially in the following form:

NOTICE OF GENERAL OBLIGATION BOND SPECIAL ELECTION
BUILDING BETTER COMMUNITIES
To be Held On
TUESDAY, NOVEMBER 2, 2004
MIAMI-DADE COUNTY, FLORIDA

A General Obligation Bond Special Election will be held on Tuesday, November 2, 2004, for the purpose of submitting to the qualified electors of Miami-Dade County, Florida, the following question:

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BUILDING BETTER COMMUNITIES
CONSTRUCT AND IMPROVE PARKS AND RECREATIONAL FACILITIES

To construct and improve neighborhood and regional parks and other recreational areas to include athletic fields and gymnasiums, courts, pools, playgrounds, marinas, restore beaches, and the preservation of endangered lands described in Resolution No. 913-04, adopted July 20, 2004, shall Miami-Dade County issue General Obligation Bonds to pay cost of such projects in a principal amount not exceeding $680,258,000, bearing interest not exceeding maximum legal rate, payable from ad valorem taxes?

_____FOR BONDS

_____AGAINST BONDS

The polls at said election will be open from 7:00 o'clock A.M. until 7:00 P.M. of the same day. All qualified electors of the County shall be entitled to vote at said special election.

Said General Obligation Bond Special Election will be held at the established polling places in the several precincts, respectively, in the County as established for County-wide general elections.

Miami-Dade County shall be authorized to issue the bonds covered by the question hereinabove set forth if such issuance as to such question shall have been approved by vote of a majority of the qualified electors of Miami-Dade County voting thereon.

By order of the Board of County Commissioners of Miami-Dade County, Florida.

_____
Clerk of the Board of County Commissioners of
Miami-Dade County, Florida

<u>Section 4.</u> Touch Screen Voting Machines shall be used at such special election, and the ballot question shall appear in substantially the form set forth in the Notice of General Obligation Bond Special Election in Section 3 of this Resolution.

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Section 5. The question shall appear on the touch screens ballot as a separate question. Those qualified electors desiring to approve the issuance of bonds shall be instructed to vote "FOR BONDS". Those qualified electors desiring to disapprove the issuance of bonds shall be instructed to vote "AGAINST BONDS".

Section 6. Absentee paper ballots may be used by qualified electors of the County for voting on the question at said election. The form of such absentee ballot shall be in accordance with the requirements prescribed by the general election laws, and shall have printed thereon the question hereinabove set forth, with proper place for voting either "FOR BONDS" or "AGAINST BONDS" following the statement of the question aforesaid.

Section 7. A sample ballot showing the manner in which the question aforesaid shall appear on the touch screen ballot at this special election shall be published and provided in accordance with the applicable provisions of the general election laws.

Section 8. This special election on the question aforesaid shall be held and conducted in accordance with the applicable provisions of the general laws relating to special elections and the provisions of the Miami-Dade County Home Rule Charter. The County Manager, the Finance Director, the Supervisor of Elections and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this Resolution. This special election shall be a nonpartisan election. Inspectors and clerks to serve as election officials in connection with this special election shall be appointed in accordance with the provisions of the general election laws.

Section 9. This special election shall be canvassed by the County Canvassing Board as provided under the election laws of this State, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

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Section 10. All proceeds of the sale of the Bonds shall be delivered to the Finance Director of the County who shall deposit those proceeds in appropriate construction fund trust accounts, not to be commingled with other funds of the County, to be disbursed solely for the purposes set forth in this Resolution. The County, itself or through independent auditors, shall have the right at all times to audit the books and records of all beneficiaries who receive proceeds from the sale of the Bonds.

Some projects listed in Appendix A of this Resolution may be the subject of contractual agreements between the County and the external agencies receiving the Bond proceeds to pay the cost of such projects. Such agreements shall provide the terms and conditions for the County to release Bond proceeds to the agency and such other requirements as the County shall deem appropriate. In the event that an agency fails, without adequate reason, to commence acquisition, planning, design or construction of a project within six (6) months of the receipt of County approval to proceed with such project, the County shall have the option of reallocating the Bond proceeds earmarked for such project to any other projects listed in Appendix A falling within the same ballot category.

All additions, deletions and significant modifications to individual projects or to Appendix A shall require a majority vote of the Board after public hearing.

Section 11. Bond proceeds in an amount not to exceed 3% of the principal amount of the Bonds shall be used to pay administrative expenses associated with managing the Bond program. The Finance Director will deposit these funds in a separate Bond Administrative Expense Fund.

Section 12. The Bonds are part of an overall Bond Program pursuant to which the County is proposing to issue up to $2,925,750,000 in General Obligation Bonds ("Bond

Program") upon voter approval. The intent of the County is to include a combined municipal and UMSA component ("Municipal Component") in the Bond Program totaling 10% of the Bond proceeds, net of issuance costs. The formula used for distribution of proceeds is based on a weighted formula 75% on population and 25% on contribution to the tax roll (based on June 1, 2004 figures) as compared to the total population and property tax roll figures for the entire County. The data for this distribution was based upon most recent Census figures as provided by the Miami-Dade County Planning Department and tax roll figures as provided by the Miami-Dade County Property Appraiser. Should a municipality incorporate after passage of this Bond program, it may petition the Board for a portion of any unallocated Bond proceeds that had been apportioned to local projects in the UMSA area then contained in such municipality. Not all of the individual components of the Bond Program will include a Municipal Component but in the aggregate, the overall Bond Program will include a Municipal Component that equals 10% of the Bond Program.

It is the intent of the County that the balance of the bond proceeds from the Bond Program net of cost of issuance (90%) shall be used for projects of countywide and/or regional significance.

The foregoing resolution was offered by Commissioner Jose "Pepe" Diaz , who moved its adoption. The motion was seconded by Commissioner Katy Sorenson and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson aye
Katy Sorenson, Vice-Chairperson aye

Bruno A. Barreiro	aye	Jose "Pepe" Diaz	aye
Betty T. Ferguson	aye	Sally A. Heyman	aye
Joe A. Martinez	absent	Jimmy L. Morales	aye
Dennis C. Moss	aye	Dorrin D. Rolle	aye
Natacha Seijas	nay	Rebeca Sosa	absent
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of July, 2004. This Resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: KAY SULLIVAN
Deputy Clerk

Approved by County Attorney as to form and legal sufficiency.

Gerald T. Heffernan

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APPENDIX A

2004 BUILDING BETTER COMMUNITIES BOND PROGRAM
RECOMMENDED LIST OF PROJECTS

CONSTRUCT AND IMPROVE WATER, SEWER AND FLOOD CONTROL SYSTEMS

PROJECT NUMBER	MUNICIPAL PROJECT LOCATION	BCC DISTRICT	PROJECT NAME	PROJECT DESCRIPTION	STREET ADDRESS	ALLOCATION (000's)
1	CW	CW	Local Drainage Improvements	Construct stormwater drainage improvements in various locations across the county	Various	$95,175
311	UMSA	6	Drainage Improvements	Construct stormwater drainage improvements in district 6.	SW 82 Avenue	$1,000
312	Sweetwater	12	Drainage Improvements	Construct stormwater drainage improvements in the City of Sweetwater.	Various	$2,300
3	Golden Beach	4	Golden Beach - Drainage Improvement	GOB funds to compliment other funding for drainage improvements at various locations in the City of Golden Beach.	Various	$121
4	Hialeah Gardens	12	Hialeah Gardens Water and Sewer Improvements	GOB funding will compliment other funding for a force main extension in the new annexation area.	Various	$867
5	Key Biscayne	7	Key Biscayne - Installation of Sanitary Sewer.	Municipal GOB funds will compliment WASD GOB funds to install sanitary sewers throughout the Village of Key Biscayne.	Various	$2,670
304	Miami	Various - 3, 5, 6, 7	Miami - Drainage and Storm System Improvements	To provide drainage and storm system improvements.	Various	$15,000
6	Miami Lakes	13	Miami Lakes - Drainage Improvements	GOB funds will compliment other funding for drainage improvements along 82 Avenue and 154 Street in the Town of Miami Lakes.	Various	$589
7	Miami Shores	Various - 3 & 4	Miami Shores - Drainage Improvements	Drainage Improvements to eliminate stormwater flooding conditions in Miami Shores Village.	Various	$850
8	North Bay Village	4	North Bay Village - Install Wastewater Force Main	Municipal GOB funds will compliment other funds to install a 16" wastewater force main line to connect to the 24" WASD line in the City of North Bay Village.	Various	$786
9	Pinecrest	Various - 7 & 8	Pinecrest - Water and Fire Protection Improvement Project	GOB funds will compliment other funding for the design and construction of approximately 187,000 LF of water mains throughout the Village of Pinecrest to provide potable water and fire protection.	Various	$2,857

Note: Allocation shown in nominal value.

2004 BUILDING BETTER COMMUNITIES BOND PROGRAM
RECOMMENDED LIST OF PROJECTS

APPENDIX A

PROJECT NUMBER	MUNICIPAL PROJECT LOCATION	BCC DISTRICT	PROJECT NAME	PROJECT DESCRIPTION	STREET ADDRESS	ALLOCATION (000's)
14	UMSA	CW	**South Dade Disposal Facility Cell 5 Construction**	Construct South Dade Disposal Facility Cell 5.	24000 SW 97 Avenue	$11,250
15	Sunny Isles	4	**Sunny Isles - Center Island Drainage Project**	Complete system for collection of standing water and storm runoff, to include installation of storm drain lines, catch basins, and a subsurface pump station with injector wells in the City of Sunny Isles Beach.	Various	$2,500
16	Surfside	4	**Surfside - Water and Sewer Enhancements**	GOB funds will compliment other funding to provide the Town with water and sewer enhancements.	Various	$829
17	CW	CW	**Countywide Water and Sewer System Enhancements**	Construct main, pipeline and other enhancements to water delivery systems and to sewer collection systems to increase efficiency, capacity, quality of service, public health or fire protection.	Various	$222,000
			Bond Issuance Cost To Construct and Improve Water, Sewer and Flood Control Systems	The costs to issue bonds for water, sewer and flood control systems.		$19,389
					TOTAL	$376,183

Note: Allocation shown in nominal value.

2004 BUILDING BETTER COMMUNITIES BOND PROGRAM
RECOMMENDED LIST OF PROJECTS

APPENDIX A

CONSTRUCT AND IMPROVE PARK AND RECREATIONAL FACILITIES

PROJECT NUMBER	MUNICIPAL PROJECT LOCATION	BCC DISTRICT	PROJECT NAME	PROJECT DESCRIPTION	STREET ADDRESS	ALLOCATION (000's)
18	UMSA	1	Ives Estates District Park	Area-wide park improvements including building construction, athletic fields, maintenance facility, vehicle and pedestrian circulation, landscaping and picnic area	1475 Ives Dairy Road	$20,000
317	CW	1	Parks Improvements in District 1	General improvements to existing local parks include renovation, and upgrades	Various	$3,000
19	North Miami	2	Recreational Facility	GOB funds to compliment other funding sources to construct a recreational facility to house an olympic sized pool, martial arts facilities and fencing facilities	TBD	$5,000
20	UMSA	4	Haulover Park	Area-wide park improvements that include building construction and renovations, vehicle and pedestrian circulation, beach area, great lawn, landscaping, boat slips, and jetty pier	10800 Collins Avenue	$23,000
21	North Miami Beach	4	Greynolds Park	Area-wide park improvements that include building construction and restoration, pedestrian circulation, natural areas restoration and landscaping	17530 W Dixie Hwy.	$7,000
22	Miami Beach	5	Lummus Park	Provide improvements to Lummus Park and the Art Deco Visitors Center	Ocean Drive (5 St-15 St)	$7,000
23	Miami Beach	5	South Pointe Park	Provide improvements to South Pointe Park	1 Washington Street	$5,000
24	UMSA	6	A.D. Barnes Park	Area-wide park improvements include leisure access expansion, maintenance facility, enhancements to facilities for the disabled, shelter renovations and vehicle and pedestrian circulation	3401 SW 72 Avenue	$4,000
25	UMSA	7	Crandon Park	Area-wide improvements that include master plan time certain conditions, building construction and renovation, tennis center renovation, cart pathways, landscaping; vehicle and pedestrian circulation, beach area, enhance amusement area, landscaping, natural area restoration, utilities; and marina improvements	4000 Crandon Blvd.	$23,000

Note: Allocation shown in nominal value.

2004 BUILDING BETTER COMMUNITIES BOND PROGRAM
RECOMMENDED LIST OF PROJECTS

APPENDIX A

PROJECT NUMBER	MUNICIPAL PROJECT LOCATION	BCC DISTRICT	PROJECT NAME	PROJECT DESCRIPTION	STREET ADDRESS	ALLOCATION (000's)
26	Coral Gables	7	Matheson Hammock Park	Area-wide park improvements that include building restoration, maintenance center relocation, vehicle and pedestrian circulation natural area restoration, and landscaping	9610 Old Cutler Road	$6,000
27	Palmetto Bay	7	Chapman Field Park	Area-wide park improvements include vehicle and pedestrian circulation building construction, trails, signage, landscaping, and utilities and park lighting	13601 Old Cutler Road	$5,000
28	Palmetto Bay	8	Charles Deering Estate	Area-wide park improvements that include rehydration, south addition improvements, fencing, vehicular and pedestrian circulation, landscaping	16701 SW 72 Avenue	$5,000
29	UMSA	8	Black Point Park and Marina	Area-wide park improvements include jetty development, and vehicle and pedestrian circulation	24775 SW 87 Avenue	$1,800
30	UMSA	8	Redland Fruit and Spice Park	Area-wide park improvements include lake, pergola, pedestrian and vehicular circulation, teahouse, and landscaping	24801 SW 187 Avenue	$4,000
31	UMSA	8	Camp Owaissa Bauer	Area-wide park improvements include building renovation, pedestrian circulation, trails, and landscaping	17001 SW 264 Street	$1,000
32	UMSA	8	Lakes by the Bay Park	Area-wide park improvements include building construction, athletic fields and courts, vehicle and pedestrian circulation, natural areas restoration, and utilities	SW 216 St and 87 Avenue	$4,500
33	UMSA	9	Homestead Bayfront Park	Area-wide park improvements that include building construction & renovation, atoll pool improvements, enhanced picnic areas, vehicular and pedestrian circulation, landscaping	9698 NW Canal Drive	$4,000
34	UMSA	9	Homestead Air Reserve Park	Area-wide park improvements include building construction, dog park, athletic fields and courts, playgrounds, vehicular & pedestrian circulation, picnic areas, and landscaping and related site improvements	SW 268 St and SW 127 Avenue	$15,057
35	UMSA	9	Southridge Park	Area-wide park improvements include stadium completion, building construction, aquatic center, courts, playgrounds, vehicle and pedestrian circulation, and landscaping	19355 SW 114 Court	$7,600
36	UMSA	9	Larry and Penny Thompson Park	Area-wide park improvements to include campground renovations, trails, aquatic facility, beach and lake picnic facilities.	12451 SW 184 Street	$6,600

Note: Allocation shown in nominal value.

APPENDIX A

2004 BUILDING BETTER COMMUNITIES BOND PROGRAM
RECOMMENDED LIST OF PROJECTS

PROJECT NUMBER	MUNICIPAL PROJECT LOCATION	BCC DISTRICT	PROJECT NAME	PROJECT DESCRIPTION	STREET ADDRESS	ALLOCATION (000's)
106	UMSA	9	West Perrine Park	Local park improvements include aquatic center, athletic fields and courts, vehicle and pedestrian circulation, landscaping and irrigation	17121 SW 104 Avenue	$5,000
108	UMSA	9	Sgt Joseph Delancy Park	Local park improvements include pool renovation and expansion and irrigation	14450 Boggs Drive	$2,500
109	UMSA	9	Goulds Park	Local park improvements include pool renovation and expansion, irrigation and vehicular circulation	21840 SW 114 Avenue	$1,243
306	UMSA	9	Colonial Drive Park	Local park improvements include building renovations, athletic field upgrades, irrigation upgrades, and a playground	10750 SW 156 Terrace	$1,325
307	UMSA	9	Sharman Park	Local park improvements includes development of the general plan, irrigation and renovations of facilities.	SW 219 Street and SW 123 Avenue	$600
37	UMSA	10	Kendall Soccer Park	Area-wide park improvements include building construction, athletic fields, playgrounds, pedestrian circulation, picnic areas, and landscaping.	SW 80 St and 127 Avenue	$4,000
38	UMSA	10	Tropical Park	Area-wide park improvements include equestrian and boxing center expansion, stadium upgrades, dog park, vehicle and pedestrian circulation improvements, landscaping, and utilities	7900 SW 40 Street	$15,000
39	UMSA	10	Kendall-Indian Hammocks Park	Area-wide park improvements include recreation center construction, athletic fields, dog park, vehicular and pedestrian circulation, and utilities.	11395 SW 79 Street	$6,000
41	UMSA	10	Tamiami Park	Area-wide park improvements include building upgrades, athletic fields and courts, vehicle and pedestrian circulation, aquatic center, landscaping, and utilities	11201 SW 24 Street	$8,000
40	UMSA	11	West Kendall District Park	Area-wide park improvements include lake excavation, building construction, athletic fields and courts, dog park, playgrounds, vehicle and pedestrian circulation, picnic areas, and landscaping	SW 120 St and SW 167 Avenue	$23,000
42	UMSA	11	Boystown (Camp Matecumbe)	Area-wide park improvements include building demolition, renovations, and construction, playground, athletic fields and courts, vehicle and pedestrian circulation, landscaping, and utilities.	SW 120 St and SW 137 Avenue	$6,000
43	UMSA	11	Tree Islands Park	Area-wide park development to include environmental mitigation, recreation center buildings, walkways, vehicle circulation, landscaping, and picnic area	SW 24 St and 142 Avenue	$5,000

Note: Allocation shown in nominal value.

2004 BUILDING BETTER COMMUNITIES BOND PROGRAM
RECOMMENDED LIST OF PROJECTS

APPENDIX A

PROJECT NUMBER	MUNICIPAL PROJECT LOCATION	BCC DISTRICT	PROJECT NAME	PROJECT DESCRIPTION	STREET ADDRESS	ALLOCATION (000's)
44	UMSA	12	Trail Glades Range	Area-wide park improvements include building and range construction and renovation, and mitigation	US 41 and Krome Avenue	$8,000
45	Hialeah	13	Amelia Earhart Park	Construct an aquatic center or provide area-wide park improvements that include completion of sports complex; mountain biking course; recreation center building construction, vehicle and pedestrian circulation, utilities upgrades, and landscaping	11900 NW 42 Avenue	$23,000
46	UMSA	CW	Miami MetroZoo	Construction of Phase IV - Lakes and Australia Exhibit	12400 SW 152 Street	$31,000
47	UMSA	CW	Miami MetroZoo	Construction of Phase V - Florida Exhibit	12400 SW 152 Street	$31,000
48	UMSA	CW	Miami MetroZoo	Construction of Phase III - Zoo wide improvements and entry	12400 SW 152 Street	$12,000
313	UMSA	CW	Miami MetroZoo	Additional improvements to MetroZoo	12400 SW 152 Street	$13,000
2	CW	CW	Environmentally Endangered Lands (EEL) Program	Purchase lands at various sites throughout Miami-Dade County to support environmental protection initiatives	Various	$40,000
10	CW	CW	Purchase Development Rights (PDR)	Purchase greenspace including development rights to maintain agricultural lands and protect well fields	Various	$30,000
49	Miami Beach	CW	Beach Maintenance Facility	Renovate/replace area-wide beach maintenance facility at Northshore Open Space Park	Collins Ave and 72 Street	$500
50	Miami	CW	Renovate the Orange Bowl	Provide needed renovations to the Orange Bowl.	1501 NW 3 Street	$50,000
51	UMSA	Various - 1, 8, 9	South Dade and North Dade Greenway and Trail	Area-wide continued development of South Dade Greenway; and North Dade Greenway	South Dade Greenway	$7,000
52	Various - Miami & UMSA	Various - 4, 5, 7	Beach Erosion Mitigation and Renourishment Project	Beach renourishment projects for eroded portions of Miami-Dade County beaches	Various	$17,500

Note: Allocation shown in nominal value.

2004 BUILDING BETTER COMMUNITIES BOND PROGRAM
RECOMMENDED LIST OF PROJECTS

APPENDIX A

PROJECT NUMBER	MUNICIPAL PROJECT LOCATION	BCC DISTRICT	PROJECT NAME	PROJECT DESCRIPTION	STREET ADDRESS	ALLOCATION (000's)
53	Opa-locka	1	Opa-locka - Community Swimming Pool and Gymnasium	GOB funds will compliment other funding for the acquisition of land, design and construction of new community swimming pool/gymnasium to provide recreational activities for youth and young adults in the City of Opa-locka	TBD	$609
54	Miami Gardens	1	Miami Gardens - Park Renovations and Improvements	Park improvements to all 16 parks in the City of Miami Gardens to include, renovations and new construction of stadiums, field centers, recreational centers, athletic fields and facilities; pedestrian and vehicle access, irrigation, and pool improvements	Various	$9,831
55	El Portal	3	El Portal - Acquire Land for Park	GOB funds will compliment other funding for land acquisition for a new park in the Village of El Portal	TBD	$249
56	Sunny Isles	4	Sunny Isles - Redesign Active Park	GOB funds will compliment other funding for revamping of Active Park to provide for amenities, inclusive of a community center, gymnasium, playground, and little league baseball field in City of Sunny Isles Beach	181 Dr and N Bay Road	$347
57	Aventura	4	Aventura - Purchase Land for Parks/Public Facilities	GOB funds will compliment other funding to purchase vacant land in the City of Aventura to be used for parks or other public facilities	TBD	$4,714
58	West Miami	6	West Miami - Recreational Building	GOB funds will compliment other funding for construction of new multi-purpose recreation center building in City of West Miami	TBD	$131
59	Miami Springs	6	Miami Springs - Recreation Complex	GOB funds will compliment other funding to renovate existing and/or build a new gym, new competition swimming pool, tennis courts, plus parking lot and access road on the golf course in the City of Miami Springs	1401 Westward Drive	$1,520
60	South Miami	7	South Miami - Green Space Park	GOB funds will compliment other funding to acquire 10 acres for Green Space park	TBD	$1,343
61	Palmetto Bay	8	Palmetto Bay - Acquisition and Improvements of Parks	GOB funds will compliment other funding for the acquisition and improvement of parks and the construction of a new recreational community center in the Village of Palmetto Bay	TBD	$3,026
62	Florida City	9	Florida City - Construct Youth Activity Center	GOB funds will compliment other funding for the construction of a Youth Activity Center in Florida City	TBD	$846

Note: Allocation shown in nominal value.

2004 BUILDING BETTER COMMUNITIES BOND PROGRAM
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PROJECT NUMBER	MUNICIPAL PROJECT LOCATION	BCC DISTRICT	PROJECT NAME	PROJECT DESCRIPTION	STREET ADDRESS	ALLOCATION (000's)
63	Sweetwater	12	Sweetwater - Improvements to Dominoes Park & Carlow Park	Addition to tot lot with equipment and gazebo at Dominoes Park and restoration of gazebos at Carlow Park in the City of Sweetwater.	10650 SW 4 Street	$100
64	Sweetwater	12	Sweetwater - Improvements to Youth Center Building	Install a new roof, new field lights, new playground equipment, grounds and field improvements at the Youth Center Building in the City of Sweetwater.	TBD	$500
65	Hialeah Gardens	12	Hialeah Gardens - Passive Park Improvements	Improvements to walking path and gazebo at Passive Park	TBD	$300
66	Hialeah Gardens	12	Hialeah Gardens - Bernie Wilson Park Improvements	Purchase playground equipment for Bernie Wilson Park in the Town of Hialeah Gardens.	10300 NW 87 Avenue	$80
67	Doral	12	Doral - Acquisition and Development of Municipal Parks	GOB funds will compliment other funding to acquire and develop municipal parks	3000 NW 87 Avenue	$4,607
68	Miami Lakes	13	Miami Lakes - Royal Oaks Park Development Project	Construction of Royal Oaks Park Community Center/Clubhouse facility in Town of Miami Lakes	16500 NW 87 Avenue	$2,000
69	North Miami Beach	Various - 1 & 4	North Miami Beach - Renovate Various City Facilities	GOB funds will compliment other funding for repairs and upgrades to public facilities owned by the City of North Miami Beach including pools, recreation centers, and parks.	Various	$4,321
70	North Miami	Various - 1, 2, 4	North Miami - Construct Recreational Community Center at Claude Pepper Park	GOB funds will compliment other funding for the construction of a new recreational Community Center with teen lounge and gymnasium in City of North Miami	1400 NW 135 Street	$5,937
71	Hialeah	Various - 2, 6, 12, 13	Hialeah - Convert Milander Stadium Playing Surface	Milander Stadium conversion of playing surface to artificial turf and new press box.	4700 Palm Avenue	$899
72	Hialeah	Various - 2, 6, 12, 13	Hialeah - Reconstruct Walker Park	Demolition and reconstruction of recreation building with the addition of e-library, police sub-station, outdoor restrooms, aquatic facility & indoor soccer field at Walker Park.	2825 W 8 Avenue	$3,702
73	Hialeah	Various - 2, 6, 12, 13	Hialeah - Reconstruct Wilde Park & Wilde Adult Center	Wilde Park & Wilde Adult Center renovation of buildings, field, court and lighting.	5405 W 18 Avenue	$529

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APPENDIX A

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PROJECT NUMBER	MUNICIPAL PROJECT LOCATION	BCC DISTRICT	PROJECT NAME	PROJECT DESCRIPTION	STREET ADDRESS	ALLOCATION (000's)
74	Hialeah	Various - 2, 6, 12, 13	Hialeah - Renovate Edgar J. Hall Recreational Center	Renovation of the Edgar J. Hall Special Population Recreational Center building.	2250 W 60 Street	$212
75	Hialeah	Various - 2, 6, 12, 13	Hialeah - Renovate O'Quinn Park	Renovation of building, courts, fields, parking lot and playground at O'Quinn Park	6041 W 2 Avenue	$317
76	Hialeah	Various - 2, 6, 12, 13	Hialeah - Renovate Slade Park	Conversion of field #2 to soccer field and addition of batting cages at Slade Park	2501 W 74 Street	$159
77	Hialeah	Various - 2, 6, 12, 13	Hialeah - Renovate Southeast Park	Renovation of basketball courts, playgrounds, buildings and new irrigation system at Southeast Park.	1015 SE 9 Avenue	$132
78	Hialeah	Various - 2, 6, 12, 13	Hialeah - Renovate Sparks Park	Renovation of building, courts and fields at Sparks Park.	1301 W 60 Street	$264
79	Hialeah	Various - 2, 6, 12, 13	Hialeah - Renovations to Bucky Dent Park	Renovations of the softball fields and concession/restroom building at Bucky Dent Park	2250 W 60 Street	$846
80	Hialeah	Various - 2, 6, 12, 13	Hialeah - Renovations to Goodlet Park	Conversion of hockey rink to indoor soccer area, construction of outdoor restroom/concession building, additional field drainage, additional wiring and sound in cultural arts theatre, renovation of Tennis Center at Goodlet Park.	4200 W 8 Avenue	$635
81	Hialeah	Various - 2, 6, 12, 13	Hialeah - Upgrade Graham Park	Installation of batting cages, renovation of dugouts and miscellaneous repairs at Graham Park	455 W 60 Street	$106
82	Miami	Various - 3, 5, 6, 7	Miami - Parks and Facility Improvements	Provide the following: Grapeland Water Park, Little Haiti Soccer Park, Linear Parks/Greenways/Baywalk	Various	$26,761
83	Miami Beach	Various - 4 & 5	Miami Beach - Beachfront Restrooms	To construct eight ADA compliant, beachfront restrooms	Various	$250

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2004 BUILDING BETTER COMMUNITIES BOND PROGRAM
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PROJECT NUMBER	MUNICIPAL PROJECT LOCATION	BCC DISTRICT	PROJECT NAME	PROJECT DESCRIPTION	STREET ADDRESS	ALLOCATION (000's)
84	Miami Beach	Various - 4 & 5	Miami Beach - Flamingo Park	Renovation of Park	11 Street and Jefferson Avenue	$3,099
85	Miami Beach	Various - 4 & 5	Miami Beach - Normandy Shores Golf Course	Elevate entire course, re-build bunkers, re-grass fairways, continuous cart path, upgrade irrigation system for pas palum, pas palum grass, laser grade tees	2401 Biarritz Avenue	$1,000
86	Miami Beach	Various - 4 & 5	Miami Beach - Band Shell Park	Renovation of historic band shell and surrounding park, which is on the beach walk corridor.	7275 Collins Avenue	$1,500
87	Miami Beach	Various - 4 & 5	Miami Beach - Scott Rakow Youth Center	Renovation to Youth Center, including gymnasiums, ice rink into multi-purpose room, adding fitness center, ADA accessibility and exterior improvements	2700 Sheridan Avenue	$1,000
88	Coral Gables	Various - 6 & 7	Coral Gables - Enhancement/expansion of Public Parks and Plazas	Creation of new parks (land acquisition), restoration and improvements	TBD	$5,000
89	Homestead	Various - 8 & 9	Homestead - Humpty Dumpty Park	GOB funding will compliment other funding for the development of a park in the City of Homestead	Palm Dr & Farmlife Road	$3,509
90	UMSA	1	Unincorporated Municipal Service Area - Country Village Park	Local park improvements include athletic fields and courts and pedestrian circulation	NW 186 St and NW 67 Avenue	$1,578
91	UMSA	1	Unincorporated Municipal Service Area - North Glades Park	Local park improvements including building replacement	NW 52 Ave and NW 173 Drive	$1,400
92	UMSA	2	Unincorporated Municipal Service Area - Arcola Lakes Park	Local park improvements include building and aquatic construction, picnic shelter, vehicle and pedestrian circulation, landscaping, and utilities	1301 NW 83 Street	$6,000
93	UMSA	2	Unincorporated Municipal Service Area - Oak Grove Park	Local park improvements include building renovation, playground, picnic area, pedestrian circulation improvements, and landscaping	690 NW 159 Street	$618
314	CW	2	Unincorporated Municipal Service Area - Local Park Improvements	General improvements to existing local parks include renovation, and upgrades.	Various	$4,000
94	UMSA	3	Unincorporated Municipal Service Area - North Shorecrest and Military Trail Park	Local park improvements include shelter, exercise station, pedestrian circulation, natural area re-development and landscaping	825 NE 89 Street	$500

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2004 BUILDING BETTER COMMUNITIES BOND PROGRAM
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PROJECT NUMBER	MUNICIPAL PROJECT LOCATION	BCC DISTRICT	PROJECT NAME	PROJECT DESCRIPTION	STREET ADDRESS	ALLOCATION (000's)
95	UMSA	3	Unincorporated Municipal Service Area - Olinda Park	Local park improvements include pedestrian circulation, seating, and utilities upgrade	2101 NW 51 Street	$250
96	UMSA	3	Unincorporated Municipal Service Area - Marva Bannerman Park	Local park improvements include irrigation, lighting, and seating	4830 NW 24 Avenue	$150
97	UMSA	3	Unincorporated Municipal Service Area - Local Parks	General improvements to existing local parks include renovation, and upgrades	Various	$184
98	UMSA	3	Unincorporated Municipal Service Area - Jefferson Reaves Sr. Park	Local park improvements include court and picnic area	3100 NW 50 Street	$200
99	UMSA	4	Unincorporated Municipal Service Area - Biscayne Shores Park	Local park improvements include building construction, vehicle and pedestrian circulation, picnic area, landscaping, and utilities	NE 116 St and 14 Avenue	$1,500
100	UMSA	4	Unincorporated Municipal Service Area - Local Parks	General improvements to existing local parks include renovation, and upgrades.	Various	$327
101	UMSA	8	Unincorporated Municipal Service Area - Southdade Park	Local park improvements include aquatic facility	16350 SW 280 Street	$5,000
102	UMSA	8	Unincorporated Municipal Service Area - Leisure Lakes Park	Local park improvements include building renovations.	29305 Illinois Road	$600
103	UMSA	8	Unincorporated Municipal Service Area - Medsouth Park	Local park improvements include courts, playground, vehicular and pedestrian circulation, picnic area, exercise station, and landscaping.	SW 208 Street and 130 Avenue	$700
104	UMSA	8	Unincorporated Municipal Service Area - Continental Park	Local park improvements include building expansion and playground replacement.	10000 SW 82 Avenue	$1,000
315	UMSA	8	Gloria Floyd - Pineshore Pineland Preserve	General improvements to existing local parks include renovation, and upgrades.	128 Street and 122 Avenue	$250
316	UMSA	8	Unincorporated Municipal Service Area - Briar Bay Park	General improvements to existing local parks include renovation, and upgrades	SW 128 Street and 90 Avenue	$250
105	UMSA	9	Unincorporated Municipal Service Area - Chuck Pezoldt Park	Local park improvements include building construction, athletic fields and courts, vehicle and pedestrian circulation, playground, landscaping, irrigation, picnic area, and utilities	SW 168 Street and SW 157 Avenue	$4,350

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2004 BUILDING BETTER COMMUNITIES BOND PROGRAM
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PROJECT NUMBER	MUNICIPAL PROJECT LOCATION	BCC DISTRICT	PROJECT NAME	PROJECT DESCRIPTION	STREET ADDRESS	ALLOCATION (000's)
107	UMSA	9	Unincorporated Municipal Service Area - Royal Colonial Park	Local park improvements include picnic area, vehicle and pedestrian circulation, landscaping; and utilities	SW 149 Avenue and SW 280 Street	$1,400
110	UMSA	9	Unincorporated Municipal Service Area - Naranja Park	Local park improvements include building renovations, irrigation, pool renovation and expansion, and site improvements	14150 SW 264 Street	$2,000
308	UMSA	9	Unincorporated Municipal Service Area - Deerwood Park	Local park improvements includes development of the general plan and irrigation	SW 144 Street and SW 122 Avenue	$775
309	UMSA	9	Unincorporated Municipal Service Area - Domino Park (West Perrine)	Local park improvements includes development of the general plan and irrigation	TBD	$218
111	UMSA	10	Unincorporated Municipal Service Area - Local Park Improvements	General improvements to existing local parks include renovation, and upgrades	Various	$4,000
112	UMSA	11	Unincorporated Municipal Service Area - Westwind Lakes Park	Local park improvements include building construction, athletic fields and courts; pedestrian circulation; and utilities	SW 69 St and 152 Avenue	$2,400
113	UMSA	11	Unincorporated Municipal Service Area - Wild Lime Park	Local park improvements include courts, vehicular and pedestrian circulation, playground, picnic area, and landscaping	11341 SW 147 Avenue	$1,500
114	UMSA	11	Unincorporated Municipal Service Area - Eden Lakes Park	Local park improvements include open play field, courts, playground, picnic area, pedestrian circulation, and landscaping	SW 167 Ave and 47 Street	$1,500
115	UMSA	11	Unincorporated Municipal Service Area - Olympic Park	Local park improvements include building construction and vehicular circulation	8601 SW 152 Avenue	$1,600
116	UMSA	11	Unincorporated Municipal Service Area - Bird Lakes Park	Local park improvements include athletic field and park lighting	SW 144 Ave & SW 47 Street	$283
117	UMSA	11	Unincorporated Municipal Service Area - Lago Mar Park	Local park improvements include restroom building; shelter construction and vehicular circulation	SW 162 Ave & 80 Street	$1,000
118	UMSA	11	Unincorporated Municipal Service Area - International Gardens Park	Local park improvements include completion of pedestrian circulation	SW 18 St. & SW 123 Court	$100
119	UMSA	11	Unincorporated Municipal Service Area - Local Park Improvements	General improvements to existing local parks include renovation, and upgrades	Various	$3,500

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PROJECT NUMBER	MUNICIPAL PROJECT LOCATION	BCC DISTRICT	PROJECT NAME	PROJECT DESCRIPTION	STREET ADDRESS	ALLOCATION (000's)
120	UMSA	12	Unincorporated Municipal Service Area - North Trail Park	Local park improvements include picnic area, athletic fields and courts, pedestrian circulation, and landscaping.	SW 8 St and SW 127 Avenue	$1,759
121	UMSA	12	Unincorporated Municipal Service Area - Country Lake Park	Local park improvements include building construction, athletic field and courts, playground, and landscaping	NW 195 St and NW 87 Avenue	$2,500
122	UMSA	13	Unincorporated Municipal Service Area - Ferri Property	Local park improvements include building construction and vehicle and pedestrian circulation improvements	Miami Gardens Dr. and Old Elm Road	$2,100
123	UMSA	13	Unincorporated Municipal Service Area - Local Park Improvements	Park improvements to existing local parks to include renovation and upgrades.	NW 194 St and NW 82 Avenue	$1,283
			Bond Issuance Cost To Construct and Improve Park and Recreational Facilities	The costs to issue bonds for park and recreational facilities.		$34,877
					TOTAL	$680,258

Note: Allocation shown in nominal value.

ATTACHMENT 2

MEMORANDUM

Agenda Item No. 14(A)(3)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: May 6, 2014

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution approving Right-Of-First-Refusal Extension Agreement between Miami-Dade County; The Haven Center, Inc.; and Kendall Health Care Properties; and authorizing the Mayor to execute such Agreement and exercise all authority delegated therein

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto.

R. A. Cuevas, Jr.
County Attorney

RAC/lmp

MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: May 6, 2014

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 14(A)(3)

Please note any items checked.

_____ "3-Day Rule" for committees applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

_____ Ordinance creating a new board requires detailed County Mayor's report for public hearing

_____ No committee review

_____ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve

_____ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 14(A)(3)
5-6-14

RESOLUTION NO. _____

RESOLUTION APPROVING RIGHT-OF-FIRST-REFUSAL EXTENSION AGREEMENT BETWEEN MIAMI-DADE COUNTY; THE HAVEN CENTER, INC.; AND KENDALL HEALTH CARE PROPERTIES; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SUCH AGREEMENT AND EXERCISE ALL AUTHORITY DELEGATED THEREIN

WHEREAS, the County has a right of first refusal to purchase certain real property adjacent to Kendall Indian Hammocks Park (the "Property"), which Property is better described in the Declaration of Restrictions attached to the Right-of-First-Refusal Extension Agreement (the "Agreement") as Exhibit 1; and

WHEREAS, the County's right of first refusal affords the County a 30-day window in which to exercise its right to purchase the Property, which 30-day window runs from the date the County receives notice of a bona fide purchase offer; and

WHEREAS, the County received notice on April 3, 2014, of an offer from Kendall Health Care Properties ("Palace"), the prospective purchaser of the Property, to The Haven Center, Inc. ("Haven"), the owner of the Property, under which Palace would purchase the Property for $7.45 million; and

WHEREAS, the County, Palace, and Haven desire to extend the right-of-first-refusal window to July 11, 2014, on the terms and conditions set forth in the Agreement; and

WHEREAS, the Board otherwise desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Board approves the

Agreement and authorizes the County Mayor or County Mayor's designee to execute the Agreement and exercise all authority delegated therein.

The Prime Sponsor of the foregoing resolution is Commissioner Javier D. Souto. It was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of May, 2014. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. MAG

Miguel A. Gonzalez

Memorandum

MIAMI-DADE COUNTY

Date: May 6, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Resolution Authorizing County's Right of First Refusal Extension Agreement for Purchase of Land Adjacent to Kendall Indian Hammocks Park

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Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution approving the Right of First Refusal Extension Agreement (Agreement) and authorizing the County Mayor or the County Mayor's designee to execute the Agreement and exercise any rights conferred therein. The Agreement (Attachment A) will allow the County additional time to negotiate an acquisition of a portion of the land adjacent to Kendall Indian Hammocks Park (KIH) with Kendall Health Care Properties (Palace), a prospective purchaser of the property. The Agreement is a tri-party agreement between the County; the owner of the property, Haven Center, Inc. (Haven); and Palace. On April 3, 2014, Palace notified the County that Palace and Haven had entered into an Agreement of Sale and Purchase, triggering the County's right of first refusal to purchase the entire property. Unless extended by the Agreement, the County would have thirty (30) days from the April 3rd notice to exercise its right of first refusal. The Board had one scheduled meeting for the month of April, on the 8th of the month. The next scheduled Board meeting is May 6th, however, the parties have agreed to extend the right of first refusal time period to July 11th with this item.

Scope

KIH and the adjacent Haven property are located within Commission District 10, Commissioner Javier D. Souto's district. The impact of this agenda item is countywide, as KIH is a regional park for residents and visitors throughout Miami-Dade County.

Fiscal Impact/Funding Source

As the Agreement does not require or authorize the County to exercise its right of first refusal, but merely provides additional time for the County to negotiate a division of the subject property with Palace, there is no fiscal impact associated with the Agreement. To the extent that the County exercises its right of first refusal to purchase the property, the County would seek separate authorization from the Board. To the extent that the County does not exercise its right of first refusal to purchase the property, there would be a positive fiscal impact to the County in the amount of $372,500.

Track Record/Monitor

There are no known performance issues with Palace or Haven. The agreement will be monitored by Joe Webb, the Parks, Recreation and Open Spaces Department's (PROS) Park Planning Section Supervisor.

Background

Under a Declaration of Restrictions (Declaration) recorded on or about July 28, 1987, at Official Records Book 13359 Page 1986, the County has a right of first refusal to purchase the real property described in the Declaration. The County's right to purchase that real property runs from the date on which the County receives written notice of a "bona fide offer pursuant to a contract" to purchase the real property. The County has thirty (30) days from the date on which it receives written notification of the purchase offer in which to exercise its right of first refusal. To the extent that the County exercises its right of first refusal, it must do so "on the same terms and conditions" as the offer presented to the County.

If the County does not exercise its right of first refusal, the Declaration entitles the County to a payment of 5% of the "gross proceeds of the land value of the sale." In this case, Haven has agreed to sell the entire property to Palace for $7.45 million. Accordingly, based on the purchase price, the County should anticipate a payment of $372,500.

Regardless of whether the County exercises its right of first refusal, the Declaration limits the permissible uses of the property to certain institutional uses specifically identified in the Declaration and further provides that the property shall not be used for "business, commercial, retail, manufacturing or non-institutional residential uses." Removal of these restrictions requires separate Board action.

The real property in question is vacant land adjacent to KIH. The property consists of 21.06 acres of land just south and adjacent to KIH. Acquisition of this property would be consistent with Board Resolution No. R-953-12 (Attachment B) that directed the Mayor to consider and analyze whether a vacant parcel of land that is for sale and is adjacent to a park should be purchased by the County, and Resolution No. R-719-12 (Attachment C) that directed the Mayor to take action to amend the KIH General Plan to accommodate expansion of KIH and to explore opportunities for future development of the park.

On April 3, 2014, the County received a document titled "Notice to County of Bona Fide Offer to Purchase Property," which included a signed Agreement of Sale and Purchase between Haven and Palace. The purchase agreement concerns the land covered by the Declaration. Accordingly, under the Declaration, the County has 30 days in which to exercise its right of first refusal to purchase the property.

Approving the Agreement extends the time for the County to exercise its right of first refusal to July 11, 2014. The County intends to use the additional time afforded by the Agreement to negotiate a mutually agreeable division of the subject property with Palace on mutually agreeable terms and conditions. Any agreement reached as a result of those negotiations would be brought to the Board for separate approval. If the County and Palace are unable to reach an agreement for the division of the subject property, the Agreement preserves the County's right to purchase all of the property.

Acquiring all or a portion of the property will allow PROS to expand this very popular park in the heart of Kendall. PROS expects this area to be used for much needed athletic fields that can be used for soccer, lacrosse, field hockey and flag football.

Attachments

Michael Spring, Senior Advisor
Office of the Mayor

Attachment A

RIGHT-OF-FIRST-REFUSAL EXTENSION AGREEMENT

This Right-of-First-Refusal Extension Agreement (the "Agreement") is entered into between Miami-Dade County (the "County"), Kendall Health Care Properties (the "Palace"), and The Haven Center, Inc. ("Haven") (each are a "Party" and, collectively, the "Parties") on this ___ day of May, 2014.

WHEREAS, on or about April 3, 2014, Palace delivered to the County notice (the "ROFR Notice") of a bona fide offer made by the Palace to Haven to purchase, for $7.45 million, the property (the "Property") described in Exhibit A of the Agreement of Sale and Purchase dated April 1, 2014 (the "Purchase Agreement") attached to the ROFR Notice; and

WHEREAS, before Haven may sell the Property to Palace pursuant to the Purchase Agreement, the County has a right of first refusal under the Declaration of Restrictions recorded at Official Records Book 13359 at Page 1986 and attached hereto as Exhibit 1, whereby the County may purchase the Property "at the same price and on the same terms and conditions as a bona fide offer" (the "ROFR"); and

WHEREAS, the ROFR grants the County thirty (30) days to exercise its purchase rights thereunder from the date of delivery of the ROFR Notice (the "ROFR Period"), and the County is prepared to exercise its rights under the ROFR within the ROFR Period; and

WHEREAS, before the County exercises its rights under the ROFR, the Parties desire to extend the ROFR Period to allow the County and Palace an opportunity to negotiate a conveyance agreement between them (the "County-Palace Conveyance Agreement"), whereunder it is contemplated that the Palace would complete and consummate the purchase of the Property from Haven pursuant to the Purchase Agreement, and thereafter convey a portion of the Property to the County, all on terms and conditions acceptable to and approved by the County and the Palace and set forth in a fully executed County-Palace Conveyance Agreement; and

WHEREAS, Haven has determined that it will agree to the request of Palace and County to extend the ROFR period as set forth in this Agreement provided, always and notwithstanding any provisions of this Agreement or the Purchase Agreement to the contrary, that the deadlines in the Purchase Agreement are not extended except as set forth in Section (2) of this Agreement;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein and the mutual benefits to be derived from this Agreement, the parties hereto agree as follows:

(1) Incorporation by Reference. The recitals set forth in this Agreement are incorporated by reference as though set forth in full herein. The parties acknowledge that the recitals set forth in this Agreement are true and correct. All capitalized terms used but not defined herein shall have the meanings ascribed to them in the Purchase Agreement.

(2) Extension of ROFR Period. To allow the County and Palace the time to negotiate a division of the Property and the County-Palace Conveyance Agreement, the Parties agree to extend the ROFR Period, to 5:00 p.m. on Friday, July 11, 2014, such that the County may exercise its ROFR on or before 5:00 p.m. on July 11, 2014 (the "Extended ROFR Period").

If the County does not exercise its ROFR prior to the expiration of the Extended ROFR Period, then the County shall, within 72-hours of the end of the Extended ROFR Period, deliver to Haven and Palace notice that the County is not exercising its ROFR (the "County Waiver") (as such term is defined in Section 14(D) of the Purchase Agreement and the approved form of which is attached hereto and made a part hereof as Exhibit 2) to Haven and Palace. By approving this Agreement, the Miami-Dade County Board of County Commissioners shall have delegated to the County Mayor or the County Mayor's designee the authority to execute the County Waiver.

If the County does exercise its ROFR prior to the expiration of the Extended ROFR Period, then within five (5) business days from the date on which the County exercises the ROFR, the County shall deliver the "Deposit" (as such term is defined in Section 3(A) of the Purchase Agreement) to a replacement and substitute Escrow Agent reasonably acceptable to County and Haven (the "Replacement Escrow Agent"). If a Replacement Escrow Agent has not been selected and approved by the County and Haven prior to the date that the County is obligated to deliver the Deposit, then the County shall deliver the Deposit to the current Escrow Agent, who shall hold that Deposit in accordance with the Purchase Agreement until the County and Haven have selected the Replacement Escrow Agent, whereupon the current Escrow Agent shall then deliver that Deposit to the Replacement Escrow Agent. County and Haven shall exercise good-faith efforts to then promptly select and approve the Replacement Escrow Agent. Failure of County to deliver the Deposit within the required time period shall constitute a failure

by County to exercise the ROFR and the Property shall be sold to Palace in accordance with the Purchase Agreement. Time is of the essence as to all provisions of this Agreement, especially but not limited to this paragraph.

Notwithstanding anything contained herein to the contrary, it is acknowledged and agreed that this Agreement does not constitute an agreement by the Palace to convey any portion of the Property to the County under any terms or conditions; that neither the County nor the Palace is under any obligation to agree to or otherwise enter into a County-Palace Conveyance Agreement; and that the County and/or the Palace may elect to abate or terminate negotiations of the terms and conditions of the County-Palace Conveyance Agreement at any time.

(3) **No Prejudice to ROFR County's Rights.** The County's entry into this Agreement shall not prejudice its right to exercise its ROFR for the purchase of all of the Property. Accordingly, at any time before the expiration of the Extended ROFR Period, the County shall retain the right as set forth in the ROFR and County shall abide by the procedures set forth in this Agreement and in the Purchase Agreement and the Declaration (Exhibit 1 hereto) except to the extent modified by this Agreement to purchase all of the Property.

(4) **Site Access.** To allow the County the opportunity to conduct any due diligence that the County, in its sole and absolute discretion, deems reasonably necessary regarding the condition of the Property, Haven agrees to grant to the County and any of its consultants full access to the Property during the Extended ROFR Period in exchange for County's agreement that it is bound to Haven for all inspection and indemnification obligations owed to Haven as contained in Section 4.B. of the Purchase Agreement.

(5) **Entire Agreement.** This Agreement constitutes the entire agreement between the Parties with respect to the extension of the ROFR Period and supersedes any prior agreements, understandings, and arrangements, both oral and written, between the Parties with respect thereto. The Parties agree that this Agreement does not supplant the Declaration of Restrictions in any respect, except as to the date on which the County may exercise its ROFR.

(6) **Termination.** The Parties acknowledge and agree that, upon Haven and Palace's execution of this Agreement, neither Haven nor Palace shall have a right to terminate this Agreement during the Extended ROFR Period, unless the Miami-Dade County Board of County

Commissioners fails to adopt this Agreement, in substantially the form executed by Haven and Palace, at the first meeting at which the Agreement is considered on its merits.

(7) **Purchase Agreement Closing Date.** Haven and Palace agree that nothing in this Agreement shall extend any time periods under the Purchase Agreement except for the thirty (30) day ROFR period. In the event the County exercises the ROFR, the closing shall occur thirty (30) days from the date on which County exercises the ROFR unless extended by mutual agreement of County and Haven and such mutual agreement shall be in the sole discretion of County and Haven. In the event County exercises the ROFR and fails to close, County and Haven shall retain such rights and obligations as contained in the Purchase Agreement as remedies under the circumstances and Palace shall have the right to close within thirty (30) days thereafter (but no later under any circumstances) on the terms in the Purchase Agreement without additional or further notice to County.

(8) **Attorneys' Fees.** Should any Party employ an attorney or attorneys to enforce any provisions hereof, or to recover damages for breach of this Agreement, the party prevailing shall be entitled to payment by the other party of all reasonable costs, charges, and expenses, including attorneys' fees through all levels of proceedings, expended or incurred in connection therewith by the prevailing party.

(9) **Pre-Suit Mediation.** Before bringing any claim for the enforcement of any provisions of this Agreement, or to recover damages for breach of this Agreement, the Parties shall mediate their dispute before a mutually agreed-upon neutral. Unless the Parties mutually agree to another timeframe, the pre-suit mediation required under this paragraph shall occur within one week of any Party's written notice to the other Parties of an intent to bring a lawsuit to enforce this Agreement and in the event mediation does not occur within one week of the notice, the Party serving the notice may bring the lawsuit without regard to this pre-suit mediation process. The Parties shall not be entitled to attorneys' fees or costs incurred before the completion of the mediation, even if such mediation occurs after the filing of a lawsuit to enforce a right or obligation under this Agreement. The County shall be responsible for one-half (1/2) of the costs of mediation, and the other on-half of such costs of mediations shall be split equally amongst the other Parties participating in the mediation.

(10) Sovereign Rights. It is expressly understood that notwithstanding any provisions of this Agreement and the County's status as a Party to this Agreement,

(a) the County retains all of its sovereign prerogatives and rights and regulatory authority (quasi-judicial or otherwise) as a county or city under Florida law and shall in no way be estopped from or be liable for withholding or refusing to issue any approvals of applications for building, zoning, planning or development under present or future laws and regulations of whatever nature, which laws or regulations are or might be applicable to the planning, design, construction, development, or operation of any project on the Property;

(b) the County shall not by virtue of this Agreement be obligated to grant any approvals of applications for building, zoning, planning or development under present or future laws and ordinances of whatever nature applicable to the planning, design, construction, development, or operation of any project on the Property; and

(c) notwithstanding and prevailing over any contrary provision in this Agreement, any County covenant or obligation that may be contained in this Agreement shall not bind the Board, the County's Planning and Zoning Department, DERM, or their successor entities, or any other County, Federal or State department or authority, committee or agency to grant or leave in effect any zoning changes, variances, permits, waivers, contract amendments, or any other approvals that may be granted, withheld or revoked in the discretion of the County or other applicable governmental agencies in the exercise of its police power.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Parties have executed this Agreement through appropriate officials of each of them as of the date first written above:

"County"

MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS

By: _____
Carlos A. Gimenez, County Mayor

By: _____
Clerk of the Board

By: _____
County Attorney
(as to form and legal sufficiency)

"Haven"

THE HAVEN CENTER, INC., a Florida corporation

By: _____

"Palace"

KENDALL HEALTH CARE PROPERTIES, a Florida general partnership
By: Helen Homes of Kendall Corporation, General Partner
By: _____
Israel Shalom, President

KATZ, BARRON, SQUITERO, FAUST, FRIEDBERG, ENGLISH & ALLEN, P.A., as Escrow Agent

By: _____
Marc L. Faust, Esq., Vice Pres.

IN WITNESS WHEREOF, the Parties have executed this Agreement through appropriate officials of each of them as of the date first written above:

"County"

MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS

By: _____
Carlos A. Gimenez, County Mayor

By: _____
Clerk of the Board

By: _____
County Attorney
(as to form and legal sufficiency)

"Haven"

The Haven Center, Inc., a Florida corporation

By: _____ AGENT
LESLIE N. LEECH JR

"Palace"

KENDALL HEALTH CARE PROPERTIES, a Florida general partnership

By: _____

Katz, Barron, Squitero, Faust, Friedberg, English & Allen, P.A.
as Escrow Agent

By: _____

6A

1987 JUL 28 10:11:07 87R289278
OFF. REC. 13359PG 1986

DECLARATION OF RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS that the undersigned (the "Owner") being the owner, or having some right, title or interest in the following described property (the "Property"), lying, being and situated in Dade County, Florida, to-wit:

> All that part of Section 31, Township 54 South, Range 40 East described as follows:
>
> The West half of the N.E. 1/4 of the S.W. 1/4 less the North 35 feet, the East 25 feet and the South 25 feet thereof, and less the West 25 feet of the South half thereof; and the East half of the N.E. 1/4 of the N.W. 1/4 of the S.W. 1/4 less the North 35 feet thereof.
>
> As well as the East 1/2 of the N.E. 1/4 of the S.W. 1/4 of Section 31, Township 54 South, Range 40 East, Dade County, Florida, less the North 35 feet and the East 35 feet and the South 25 feet and the West 25 feet thereof;

in order to assure the County Commission of Dade County, Florida, that representations made to the Commission by the Owner during review of the Owner's request for a revision of restrictive covenants as set forth below will be abided by, voluntarily makes the following Declaration of Restrictions (the "Declaration") covering and running with the Property, and declares that the Property and every part thereof will be used only in accordance with the Restrictions set out in this Declaration, as follows:

1. The Property and every part of it may be used for the following institutional purposes only: schools, public or private; home for the aged and/or mentally or physically disabled; sanitarium; convalescent home; day care center; adult congregate living facility; other compatible caretaking institutional use. Neither the Property, nor any part thereof, shall be used for business, commercial, retail, manufacturing or non-institutional residential or other purposes not specifically listed above.

2. Dade County shall have the right of first refusal, at the same price and on the same terms and conditions as a

PREPARED BY: Stanley B. Price, Esq.
One CenTrust Financial Center
100 S.E. Second Street
Miami, Florida 33131

"EXHIBIT 1"

1930

bona fide offer pursuant to a contract contingent on the County's right of first refusal for the sale or transfer of the Property or any portion thereof by Owner as well as Owner's successors, assigns or transferees, prior to the sale of the Property or portion thereof for the purposes enumerated in Paragraph 1. In the event that the County refuses to exercise its right of first refusal within 30 days of written notification of such bona fide offer by the Owner, the Owner may sell the Property or portion thereof for the express purposes delineated in Paragraph 1, and Dade County shall receive five (5) percent of the gross proceeds of the land value of the sale; provided, however, that if Owner should sell or transfer any particular portion of the Property of less than 11 acres within one (1) year of executing this Declaration, Dade County shall receive $55,000.00 for the express purpose of improving County-owned parks within one (1) mile of the Property and such transfer or sale and any future transfers or sales of such particular portion of the Property shall not be subject to the right of first refusal provided for herein. In no event shall Dade County be entitled to multiple payments of five (5) percent on real property for which it has previously received payment including the less-than-eleven-acre portion of the Property which may be transferred within one (1) year of the execution of this Declaration.

3. In the event payments are not made as promised, or uses are not restricted as promised, in addition to any other remedies available, the Dade County Departments, including Building and Zoning Department, are hereby authorized to withhold any further permits, and refuse any inspections or grant any approvals, until such time as this Declaration is complied with.

4. In the event of any transfer or sale pursuant to Paragraph 2 herein, the then Owner of the property shall inform in writing, each lessee, resident, renter, or user of the property of all uses within 750 feet of the property.

5. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of

remedies, nor shall it preclude the party exercising the same from exercising any other additional rights, remedies or privileges.

As further part of this Declaration, it is hereby understood that any official inspector of the Dade County Building and Zoning Department, or its agents duly authorized, has the privilege at any time during normal working hours of entering and investigating the use of the Property to determine whether or not the requirements of the building and zoning regulations and the conditions herein-agreed to are being complied with.

These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the Property and for the public welfare.

This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded in the public records of Dade County, Florida.

These covenants contained in this Declaration are to run with the land and shall be binding on all parties and all persons claiming under them for a period of 30 years from the date this Declaration is recorded, after which time they shall be extended automatically for successive periods of ten (10) years, unless an instrument has been recorded agreeing to change the Declaration in whole, or in part.

This Declaration may be modified, amended or released as to the Property, or any portion thereof, by a written instrument executed by the then owner of the fee simple title of such lands petitioning such modification, amendment or release, provided that the same is also approved by the Board of County Commissioners of Metropolitan Dade County, Florida, after public hearing.

Should this Declaration be so modified, amended or released, the Director of the Dade County Building and Zoning Department, or the executive officer of the successor of such Department, or in the absence of such director or executive officer, by his assistant in charge of the Department in his absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

Enforcement shall be by action at law or in equity against any parties or persons violating, or attempting to violate, any covenants, either to restrain violation or to recover damages. The prevailing party in this action, or suit, shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available under law.

Invalidation of any one of these covenants, by judgment or Court, in no way shall affect any of the other provisions which shall remain in full force and effect.

Signed, sealed, executed and acknowledged this 8th day of July, 1987.

WITNESSES:

THE HAVEN CENTER, INC.

By: John T. Mastefey
Its: President

Attest: David Bailey Esq.
Its: Secretary

STATE OF FLORIDA)
) SS.
COUNTY OF DADE)

HEREBY certify that on this day before me, a Notary Public duly authorized in the state and county named above to take acknowledgements, personally appeared John Mastefey and David Bailey Esq., to me known to be the persons described as President and Secretary of The Haven Center, Inc., a Florida* who executed the foregoing instrument, and acknowledged before me that such persons executed the said instrument in the name of and for that corporation, affixing the corporate seal of that corporation thereto, that as such corporate officers such persons are duly authorized by that corporation to do so, and that the foregoing instrument is the act of that corporation.

WITNESS my hand and official seal in the county and state named above this 8th day of July, A.D. 1987.

* not-for-profit corporation,

Kathryn Medford
Notary Public in and for the
State of Florida at Large

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. MAY 5, 1990

THIS INSTRUMENT PREPARED BY:
Marc L. Faust, Esq.
Katz, Barron, Squitero, Faust
2699 S. Bayshore Drive, 7th Floor
Miami, Florida 33133
305) 856-2444

WAIVER AND RELEASE

This Waiver and Release is made and delivered as of the ___ day of _____, 2014, by **MIAMI-DADE COUNTY**, a political subdivision of the State of Florida (the "**County**").

RECITALS

A. By that certain Declaration of Restrictions recorded July 28, 1987 in Official Records Book 13359, at Page 1986, of the Public Records of Miami-Dade County, Florida (the "**Declaration**"), the County was granted a right of first refusal (the "**ROFR**") with respect to the real property more particularly described therein and affecting and including the real property legally described on **Exhibit "A"** attached hereto and made a part hereof (the "**Property**"). The Property now constitutes all of the real property remaining subject to and affected by the ROFR.

B. Haven Center, Inc., a Florida corporation ("**Owner**"), as the owner of the Property, has contracted to sell the Property to Kendall Health Care Properties, a Florida general partnership or its assigns ("**KHCP**"), pursuant to that certain Agreement of Sale and Purchase dated April 1, 2014 (the "**Purchase Agreement**").

C. The County has received and reviewed the Purchase Agreement, and has elected NOT to exercise the ROFR.

NOW, THEREFORE, in consideration of the premises and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, (i) the County acknowledges and confirms that it has elected not to exercise the ROFR, (ii) the County hereby waives the ROFR and releases the Property from the ROFR, and (iii) the County further acknowledges and confirms that upon the sale of the Property to KHCP, all real property affected

"EXHIBIT 2"

by the ROFR will have been conveyed to third parties such that the ROFR will have and be of no further force or effect.

IN WITNESS WHEREOF, the County has caused this Waiver and Release to be executed on its behalf the day and year first written above.

Signed, sealed and delivered in the presence of:

MIAMI DADE COUNTY, a political subdivision of the State of Florida

_____

_____
(Print name above)

_____

_____
(Print name above)

By: _____
_____, County Mayor

By: _____
County Attorney
(as to form and legal sufficiency)

STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me, the undersigned authority, in the County and State aforesaid, this _____ day of _____, 2014, by _____, as _____ of Miami-Dade County, a political subdivision of the State of Florida, who is [____] personally known to me or who [____] provided _____ as proof of identification.

_____
Notary Public, State of Florida at Large

_____
(Print Notary's name above)

My Commission Expires:

EXHIBIT "A"
LEGAL DESCRIPTION

All that part of Section 31, Township 54 South, Range 40 East, described as follows:

The West half of the NE 1/4 of the SW 1/4, less the North 35 feet, the East 25 feet and the South 25 feet thereof, and less the West 25 feet of the South half thereof, and the East half of the NE 1/4 of the NW 1/4 of the SW 1/4 less the North 35 feet thereof, as well as the East 1/2 of the NE 1/4 of the SW 1/4 of Section 31, Township 54 South, Range 40 East, Miami-Dade County, Florida, less the North 35 feet and the East 35 feet and the South 25 feet and the West 25 feet thereof.

AND

Together with that certain property conveyed to The Haven Center, Inc., f/k/a The Haven School Incorporated, a Florida not-for-profit corporation by Quit Claim Deed recorded in Official Records Book 13377, Page 325, described as follows:

The West 25 feet of the East 1/2 of the NE 1/4 of the SW 1/4 and the East 25 feet of the West 1/2 of the NE 1/4 of the SW 1/4 of Section 31, Township 54 South, Range 40 East, Dade County, Florida. LESS that portion thereof lying within the North 1/2 of the North 1/2 of the NE 1/4 of the SW 1/4 of said Section 31; and LESS the South 25.00 feet thereof.

Less North 1/2 of NE 1/4 of NE 1/4 of SW 1/4 and North 1/2 of NW 1/4 of NE 1/4 of SW 1/4, of Section 31, Township 54 South, Range 40 East.

Less PALACE OF KENDALL, according to the Plat thereof, as recorded in Plat Book 137, Page 22, of the Public Records of Miami-Dade County, Florida; and

Less a portion of the NE 1/4 of the SW 1/4 of Section 31, Township 54 South, Range 40 East, Miami-Dade County, Florida, being particularly described as follows:

Begin at the Southwest corner of Tract "A" of the PALACE OF KENDALL, according to the Plat thereof, as recorded in Plat Book 137, page 22, of the Public Records of Miami-Dade County, Florida, said point lying 25.00 feet North of, as measured at right angles to the South line of the said NE 1/4 of the SW 1/4 of Section 31; thence S 89° 09' 36 " W, along the North right-of-way line of SW 84th Street, as said right-of-way was dedicated by Resolution No. R-1127-88, and recorded in Official Records Book 13863, page 446, of the Public Records of Miami-Dade County, Florida for 249 93 feet to a point that is 25.00 feet West of as measured at right angles to the West line of the said NE 1/4 of the SW 1/4 of Section 31, said point lying on the East right-of-way line of SW 114th Avenue, as said of right of way was dedicated by the above Resolution No. R-1127-88; thence N. 0° 00' 58" E, along a line that is 25.00 feet East of and parallel with the said West line of the said NE 1/4 of the SW 1/4 of Section 31 and along the said East right-of-way line of SW 114th Avenue for 431.27 feet; thence N. 89° 09' 36" E, for 250.00 feet to the Northwest corner of the said Tract "A" of the PALACE OF KENDALL; thence S. 00° 01' 29" W, along the West line of the said Tract "A" of The PALACE OF KENDALL for 431.27 feet to the Point of Beginning.

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Attachment B

MEMORANDUM

Agenda Item No. 11(A)(25)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: November 8, 2012

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Resolution directing County Mayor to consider and analyze whether vacant parcel of land that is for sale and is adjacent to a park should be purchased by the County

Resolution No. R-953-12

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto and the Co-Sponsor is Vice Chairwoman Audrey M. Edmonson.

R. A. Cuevas, Jr.
County Attorney

RAC/lmp

MEMORANDUM
(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: November 8, 2012

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(25)

Please note any items checked.

_____ "3-Day Rule" for committees applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

_____ Ordinance creating a new board requires detailed County Manager's report for public hearing

_____ No committee review

_____ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous_____) to approve

_____ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(25)
11-8-12

RESOLUTION NO. R-953-12

RESOLUTION DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO CONSIDER AND ANALYZE WHETHER VACANT PARCEL OF LAND THAT IS FOR SALE AND IS ADJACENT TO A PARK SHOULD BE PURCHASED BY THE COUNTY TO EXPAND SUCH PARK AND, IF SO, TO ATTEMPT TO ACQUIRE THE PARCEL

WHEREAS, from 2000 to 2010, the population in Miami-Dade County increased by approximately ten percent (10%), thus increasing the need for additional parks and park and recreation facilities to serve the expanding population; and

WHEREAS, accordingly, the vision of the County's Park, Recreation and Open Spaces Department ("PROS") is that every resident to should have equitable access to parks and activities and that every neighborhood within the County should be upgraded, if necessary, to meet residents' needs; and

WHEREAS, moreover, the PROS's Parks and Open Space Master Plan provides that "every park should be designed to contribute to the environmental, social and economic well-being of the surrounding neighborhood and community"; and

WHEREAS, one way to accomplish this planning and design principle as well as to ensure that the County continues to add and develop park space is to encourage the acquisition by the County, whenever feasible, practical and necessary, of land adjacent to existing parks in order to expand parks; and

WHEREAS, the County should take advantage of any opportunity to annex adjacent parcels if they become available in order to maximize the limited resources to provide recreation and sporting facilities and programs to the public at the most economical cost, as it is more

expensive to acquire and develop a new park and then provide new staffing than to expand existing park add more space for more fields, more green space and more recreational facilities, while utilizing existing operational dollars and staff,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that, anytime the County becomes aware that a parcel of vacant, undeveloped land adjacent to an existing County park is being offered for sale, this Board directs the County Mayor or Mayor's designee to consider and analyze whether such parcel could be purchased and used to expand the park and, if so, to make good faith attempts to acquire the parcel. The aforementioned consideration and analysis performed by the County Mayor or Mayor's designee should include, but not be limited to, determining whether the expansion of the park in question is necessary to serve an increased population, whether the expansion of the park in question would contribute to the environmental, social and economic well-being of the surrounding neighborhood and community, and whether funds are available to acquire the parcel.

The Prime Sponsor of the foregoing resolution is Sen. Javier D. Souto and the Co-Sponsor is Vice Chairwoman Audrey M. Edmonson. It was offered by Commissioner Rebeca Sosa who moved its adoption. The motion was seconded by Commissioner **Lynda Bell** and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman			aye
Audrey M. Edmonson, Vice Chairwoman			absent
Bruno A. Barreiro	aye	Lynda Bell	aye
Esteban L. Bovo, Jr.	aye	Jose "Pepe" Diaz	absent
Sally A. Heyman	aye	Barbara J. Jordan	aye
Jean Monestime	aye	Dennis C. Moss	aye
Rebeca Sosa	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of November, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Monica Rizo

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Attachment C

Agenda Item No. 11(A)(10)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: September 4, 2012

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Resolution directing the County Mayor to take appropriate action to amend the Kendall Indian Hammocks Park General Plan to accommodate expansion of Kendall Indian Hammocks Park ("the Park") and to explore opportunities for future development of the park

Resolution No. R-719-12

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto.

R. A. Cuevas, Jr.
County Attorney

RAC/ep

RESOV1078

MEMORANDUM
(Revised)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: September 4, 2012

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 11(A)(10)

Resolution No. R-719-12

Please note any items checked.

_____ "3-Day Rule" for committees applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

_____ Ordinance creating a new board requires detailed County Manager's report for public hearing

_____ No committee review

_____ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve

_____ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(10)
9-4-12

RESOLUTION NO. R-719-12

RESOLUTION DIRECTING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO TAKE APPROPRIATE ACTION TO AMEND THE KENDALL INDIAN HAMMOCKS PARK GENERAL PLAN TO ACCOMMODATE EXPANSION OF KENDALL INDIAN HAMMOCKS PARK ("THE PARK") AND TO EXPLORE OPPORTUNITIES FOR FUTURE DEVELOPMENT OF THE PARK

WHEREAS, Kendall Indian Hammocks Park (the Park) is centrally located in the Kendall community; and

WHEREAS, expansion of the Park is necessary to enable the Department of Parks, Recreation and Open Spaces to meet the needs of the Kendall community for additional open-space and expanded recreational opportunities and will provide multiple public benefits, including, improved access to the Park, enhanced recreation programs, improved facilities for children, seniors, and persons with disabilities, and construction of an aquatics center; and

WHEREAS, the former Park and Recreation Department (now Department of Parks, Recreation, and Open Spaces) completed an Expansion Feasibility Study for Kendall Indian Hammocks Park (the Feasibility Study) on August 2, 2010, pursuant to Resolution R-531-10, that determined there was a need for expansion of the Park and included a number of recommendations to facilitate that expansion; and

WHEREAS, Kendall Indian Hammocks Park is adjacent to property that is either privately owned or owned by Miami-Dade County or other government entity; and

WHEREAS, it would be in the public interest to amend the Kendall Indian Hammocks Park General Plan to provide for additional land to be included in the Park; and

WHEREAS, to accommodate further expansion it may be appropriate for County-owned lands adjacent to the Park that are currently under the jurisdiction and administration of other County departments to be placed under the jurisdiction and administration of the Department of Parks, Recreation and Open Spaces; and

WHEREAS, if acquired, the abandoned Haven Center property contiguous to the Park would also be suitable for expansion of the Park; and

WHEREAS, future development of the Park may be enhanced through programming partnerships with private entities, including, without limitation, the Young Men's Christian Association (YMCA), for development of programs or facilities that will further meet the needs of the Kendall community,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated into this resolution and are approved.

Section 2. This Board directs the County Mayor or the Mayor's Designee to initiate the process of amending the Kendall Indian Hammocks Park General Plan to provide for the inclusion of additional land in the Park in order to accommodate its future growth and development.

Section 3. This Board directs the Mayor or the Mayor's Designee to determine whether it is feasible to increase the acreage of the Park by transferring jurisdiction and administration of other County-owned land adjacent to the Department of Parks, Recreation, and Open Spaces.

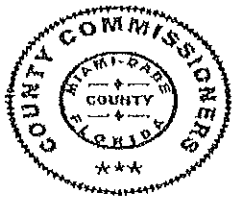
Section 4. This Board directs the Mayor or the Mayor's Designee to explore acquisition of the Haven Center property by Miami-Dade County for the purpose of further expanding the Park.

Section 5. This Board directs the Mayor or the Mayor's Designee to consider and explore the establishment of programming partnerships with the YMCA or similar entities for the development of facilities and programs to meet the recreational needs of the Kendall community.

The Prime Sponsor of the foregoing resolution is Senator Javier D. Souto. It was offered by Commissioner José "Pepe" Diaz who moved its adoption. The motion was seconded by Commissioner Audrey M. Edmonson and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman			aye
Audrey M. Edmonson, Vice Chairwoman			aye
Bruno A. Barreiro	aye	Lynda Bell	aye
Esteban L. Bovo, Jr.	aye	Jose "Pepe" Diaz	aye
Sally A. Heyman	aye	Barbara J. Jordan	aye
Jean Monestime	absent	Dennis C. Moss	aye
Rebeca Sosa	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 6 day of September, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

JM

John D. McInnis