

MEMORANDUM

Agenda Item No. 11(A)(16)

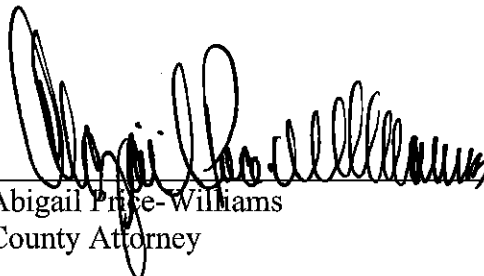
TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: July 6, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor to study the feasibility of accepting the donation from Fontainebleau Lakes, LLC of certain land in Fontainebleau East that was once part of the Fontainebleau Golf Course for a park; directing County Mayor to undertake due diligence on the land, to identify and study mechanisms available to the County to fund the ongoing maintenance of such land as park, and to report back to this Board within 60 days on the results thereof and recommendations on how to proceed

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


Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: July 6, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(16)

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**
- _____ **Statement of social equity 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. 11(A)(16)
7-6-17

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO STUDY THE FEASIBILITY OF ACCEPTING THE DONATION FROM FONTAINEBLEAU LAKES, LLC OF CERTAIN LAND IN FONTAINEBLEAU EAST THAT WAS ONCE PART OF THE FONTAINEBLEAU GOLF COURSE FOR A PARK; DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO UNDERTAKE DUE DILIGENCE ON THE LAND, TO IDENTIFY AND STUDY MECHANISMS AVAILABLE TO THE COUNTY TO FUND THE ONGOING MAINTENANCE OF SUCH LAND AS PARK, AND TO REPORT BACK TO THIS BOARD WITHIN 60 DAYS ON THE RESULTS THEREOF AND RECOMMENDATIONS ON HOW TO PROCEED

WHEREAS, a principal and the registered agent of Fontainebleau Lakes, LLC ("Owner"), Mr. Masoud Shojacee, approached Miami-Dade County with an offer to donate to the County certain land owned by the Owner for use and maintenance by the County as a public park; and

WHEREAS, the land that the Owner is offering to donate to the County for a park was once part of the Fontainebleau Golf Course, is located in Fontainebleau East, and consists of the land identified in Folio numbers 30-4004-084-0540, 30-4004-084-0550, and 30-4004-084-0560 ("Park Land") and in the shaded areas in the surveys attached to this resolution as Exhibit "A"; and

WHEREAS, it would be in the best interest of the residents surrounding the Park Land if Miami-Dade County were to own, manage and maintain the Park Land as a public park for the use, benefit and enjoyment of the public; and

WHEREAS, the County would need to establish and create either a special taxing district, a community development district, or some other mechanism in order to pay for the maintenance and operations of the Park Land if the County were to accept the donation of such land; and

WHEREAS, this Board desires to have the County Mayor or Mayor's designee study the feasibility of the County accepting the donation of the Park Land from the Owner, at no cost to the County; and

WHEREAS, as part of the feasibility study, this Board desires to have the County Mayor or Mayor's designee undertake due diligence on the land, including researching the title to determine if there are any liens or encumbrances associated with the Park Land and an environmental assessment to determine whether there is any contamination on the Park Land, and to identify and study the mechanisms available to fund the ongoing maintenance of the Park Land; and

WHEREAS, this Board desires to have the County Mayor or Mayor's designee submit a written report back to this Board within 60 days of this resolution on the results of such feasibility study and the County Mayor or Mayor's designee's recommendations as to how best to proceed with this acquisition,

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

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

Section 2. This Board directs the County Mayor or Mayor's designee to study the feasibility of the County accepting the donation of the Park Land from the Owner, at no cost to the County, for use as a public park.

Section 3. This Board directs the County Mayor or Mayor's designee to, as part of the feasibility study, undertake due diligence on the Park Land, including researching the title to determine if there are any liens or encumbrances associated with the Park Land and an environmental assessment to determine whether there is any contamination on the Park Land, and to identify and study the mechanisms available to fund the ongoing maintenance of the Park Land.

Section 4. This Board directs the County Mayor or Mayor's designee to report back to this Board, in writing, within 60 days of this resolution on the results of such feasibility study and the County Mayor or Mayor's designee's recommendations as to how best to proceed with this acquisition. Pursuant to Ordinance No. 14-65, the completed report shall be placed on an agenda of the Board.

The Prime Sponsor of the foregoing resolution is Senator 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:

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

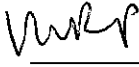
The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of July, 2017. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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 Perez

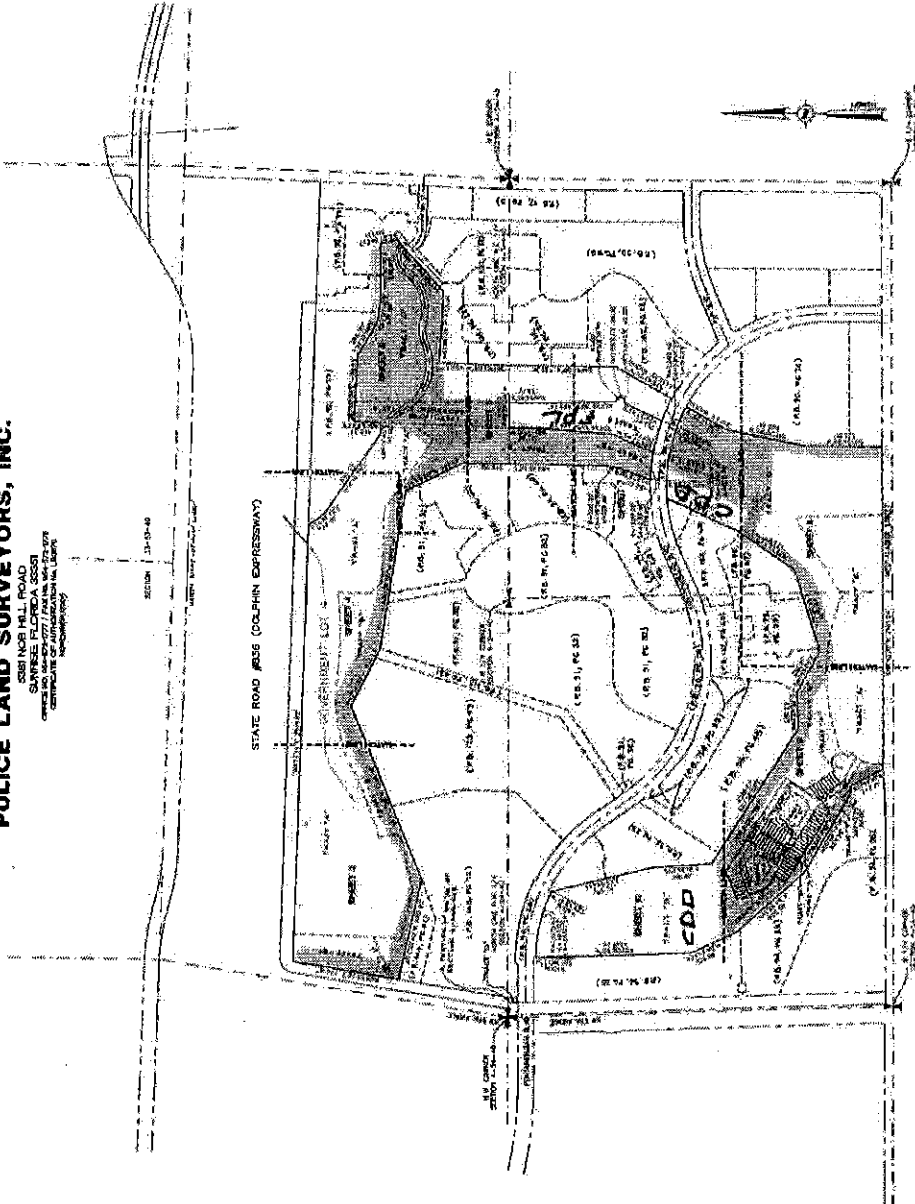
FONTAINEBLEAU EAST

A REPLAT OF TRACTS 1, 2, 3, 4 AND 7 OF FONTAINEBLEAU PARK SUBDIVISION SECTION ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN P.B. 90, PG. 56, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND A SUBDIVISION OF A PORTION OF THE NW 1/4 OF SECTION 4, TOWNSHIP 54 SOUTH, RANGE 40 EAST, AND A SUBDIVISION OF A PORTION OF GOVERNMENT LOT 4, LYING BETWEEN SECTION 33, TOWNSHIP 53 SOUTH, RANGE 40 EAST AND SECTION 4, TOWNSHIP 54 SOUTH, RANGE 40 EAST, ALL LYING IN GOVERNMENT LOT 4 AND SECTION 4, TOWNSHIP 54 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA

PREPARED BY:
PULICE LAND SURVEYORS, INC.
 3851 N.W. 111th AVE.
 SUITE 100
 MIAMI, FLORIDA 33187
 CERTIFICATE OF PROFESSIONAL REGISTRATION NO. 12379

LEGEND
 FOR THE PRINTED PLAT SHOW DISTANCE

PLAT BOOK
 163
 PAGE 262
 SHEET 2 OF 10 SHEETS



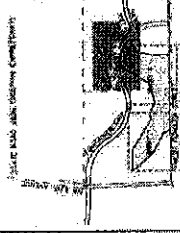
KEY MAP
 SCALE 1" = 300'

RECORDING INFORMATION
 THIS PLAT WAS RECORDED IN P.B. 90, PG. 56, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, ON 08/11/2011.
 PREPARED BY: PULICE LAND SURVEYORS, INC.
 3851 N.W. 111th AVE, SUITE 100, MIAMI, FL 33187
 CERTIFICATE OF PROFESSIONAL REGISTRATION NO. 12379
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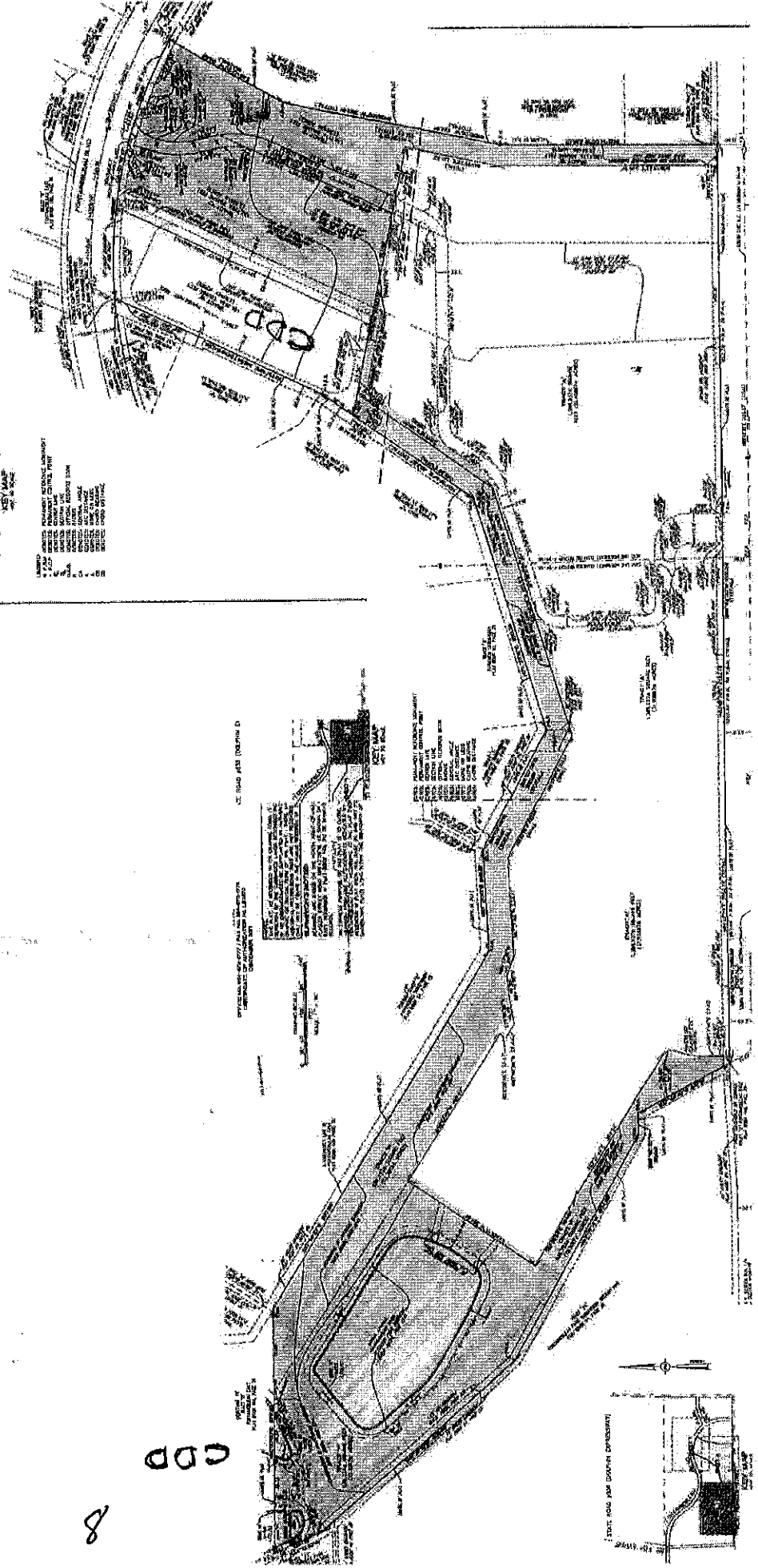
FONTAINEBLEAU PARK PLAZA

A PART OF ALL OF BLOCKS 1, 2, 3, 4, 5, 6, 7 AND 8 OF TRACT 1, 2, 3, 4, 5, 6, 7 AND 8 OF THE PUBLIC RECORDS OF DALLAS COUNTY, TEXAS, AS RECORDED IN PLAT BOOK 100, PAGE 10, OF THE PUBLIC RECORDS OF DALLAS COUNTY, TEXAS, IN THE NORTH 22 OF SECTION 34, TOWNSHIP 34 SOUTH, RANGE 40 EAST, MAP-DADE COUNTY, FLORIDA.

PREPARED BY
PULICE LAND SURVEYORS, INC.
 1000 N. GILBERT ST.
 DALLAS, TEXAS 75202
 PHONE 737-1111
 CABLE PULICE



LEGEND
 1. ADJACENT PROPERTY (SHOWN IN WHITE)
 2. ADJACENT PROPERTY (SHOWN IN HATCH)
 3. ADJACENT PROPERTY (SHOWN IN STIPPLE)
 4. ADJACENT PROPERTY (SHOWN IN CROSS-HATCH)
 5. ADJACENT PROPERTY (SHOWN IN DIAGONAL HATCH)
 6. ADJACENT PROPERTY (SHOWN IN DOTTED HATCH)
 7. ADJACENT PROPERTY (SHOWN IN WAVE HATCH)
 8. ADJACENT PROPERTY (SHOWN IN CHECKER HATCH)
 9. ADJACENT PROPERTY (SHOWN IN PLAIN HATCH)
 10. ADJACENT PROPERTY (SHOWN IN SHADY HATCH)
 11. ADJACENT PROPERTY (SHOWN IN DARK HATCH)
 12. ADJACENT PROPERTY (SHOWN IN LIGHT HATCH)
 13. ADJACENT PROPERTY (SHOWN IN MEDIUM HATCH)
 14. ADJACENT PROPERTY (SHOWN IN COARSE HATCH)
 15. ADJACENT PROPERTY (SHOWN IN FINE HATCH)
 16. ADJACENT PROPERTY (SHOWN IN VERY FINE HATCH)
 17. ADJACENT PROPERTY (SHOWN IN SUPER FINE HATCH)
 18. ADJACENT PROPERTY (SHOWN IN ULTRA FINE HATCH)
 19. ADJACENT PROPERTY (SHOWN IN MICRO FINE HATCH)
 20. ADJACENT PROPERTY (SHOWN IN NANO FINE HATCH)



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 CDD

