



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

**Parks and Cultural Affairs Committee**  
**Meeting**

February 15, 2017  
9:30 A.M.  
Commission Chamber

**Research Division**

Office of the Commission Auditor  
111 NW First Street, Suite 1030  
Miami, Florida 33128  
305-375-4354

**Parks and Cultural Affairs Committee**  
**February 15, 2017 Meeting**  
**Research Notes**

Item No.	Research Notes
<b>3A 170160</b>	RESOLUTION DECLINING CONVEYANCE FROM WILLIAMS ISLAND VENTURES, LLC TO MIAMI-DADE COUNTY OF 37.6 ACRES OF REAL PROPERTY FOR PUBLIC PARK USE IN ACCORDANCE WITH THE DECLARATION OF RESTRICTIONS RECORDED ON JULY 28, 2004 IN CONNECTION WITH AN APPLICATION FOR THE AMENDMENT OF THE COMPREHENSIVE DEVELOPMENT MASTER PLAN
<b>Notes</b>	<p>The proposed resolution declines the conveyance of real property located surrounding the Aventura Isles development at NW 199 Street and NE 3 Court (Property) from Williams Island Ventures, LLC (Developer). The Property consists of a 5-acre active park, 5-acre passive park, and 27.6-acre trail with a jogging path.</p> <p>Upon the BCC's rejection of the conveyance, the Property will remain under the control of the Developer or the Aventura Isles Community Development District (CDD). However, notwithstanding the BCC's rejection of the conveyance, the Property must be maintained and operated as a public park in accordance with recorded deed restrictions.</p> <p><b><u>Fiscal Impact/Funding Source</u></b></p> <p>There is no fiscal impact to the County based on declining the conveyance of the Property. The parcels will remain in private ownership and the County will continue to collect assessed ad valorem taxes, which totaled \$9,863.00 in 2015.</p> <p><b><u>Background</u></b></p> <p>In connection with the development approval process allowing the conversion of the former Williams Island golf course to a residential development with 653 units, the developer committed to dedicating the Property to the County for use as a public park. The developer's commitment to dedicate the Property as a public park site appears in three (3) recorded documents:</p> <ul style="list-style-type: none"> <li>• A Declaration of Restrictions recorded on July 28, 2004 in connection with an application to amend the Comprehensive Development Master Plan (CDMP);</li> <li>• A Planned Area Development Agreement recorded on March 31, 2006 in connection with Zoning Application No. 05-149; and</li> <li>• A Declaration of Covenants in Favor of Miami-Dade County recorded on April 4, 2014.</li> </ul> <p>Each of these recorded documents provide that the conveyance of the Property to the County is subject to the County's acceptance of the Property. Under the Declaration of Restrictions made in connection with the CDMP application, if the County, through the BCC, declines acceptance of the Property, each component of the Property must be maintained by its owner "as a park pursuant to the provisions of Section 8." Specifically, Section 8 of the Declaration of Restrictions provides that upon the County's rejection of the Property:</p> <p style="padding-left: 40px;"><i>The Owner shall operate and maintain said parks and jogging path as open to the public, subject to reasonable security and safety controls, as the same are applied to public parks operated and maintained by Miami-Dade County, and the Owner shall be responsible for the operation and maintenance costs of said parks and jogging path which may be funded by either (i) a special taxing district, subject to County approval, composed of the owners of residential units located on the Golf Course Property, (ii) a homeowners association composed of the then owners of residential units located on the Golf Course Property, or (iii) such other funding mechanism as may be approved by the Miami-Dade Board of County Commissioners, or its successor entity.</i></p> <p><b>The residents and community of Aventura Isles have strongly requested that the Property be fully under the control of the CDD and Home Owners Association (HOA) for development, operation, maintenance, and security. Both the CDD and HOA are fully operational and willing to maintain and operate the Property in accordance with the Declaration of Restrictions.</b></p> <p>In April 2013, the BCC approved Ordinance No. 13-38 establishing the Champion Lakes Multi-Purpose Special Taxing District (STD). The STD remains dormant at this time, however, it provides for the maintenance of the park areas, if it were to become activated upon the failure of the Community Development District or HOA.</p>

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	<p>In May 2013, the BCC approved Ordinance No. 13-44 establishing the Aventura Isles Community Development District (CDD) for the purpose of delivering community development facilities and services, including ownership and maintenance of the park areas.</p> <p>In May 2016, an Amendment to Grant of Easement was issued to the Aventura Isles CDD from the owner, Williams Island Ventures, LLC, granting perpetual access to the CDD to the park areas for public park and irrigation purposes.</p>
<p><b>3B</b> <b>170062</b></p>	<p><b>RESOLUTION CONFIRMING INTENT TO MAINTAIN IMPROVEMENTS ON THE BISCAYNE TRAIL SEGMENTS C AND D ALONG THE C-102, C-103, AND L-31-E CANALS WITHIN THE SOUTH DADE GREENWAY NETWORK FOR AN ESTIMATED ANNUAL COST OF \$50,000.00</b></p>
<p><b>Notes</b></p>	<p>The proposed resolution confirms the intent of the County to maintain improvements on the Biscayne Trail Segments C and D within the rights of way of the C-102, C-103, and L-31-E Canals of the South Florida Water Management District (the District).</p> <p><i>The District has requested that the County state in a resolution of its governing Board that the County will perform maintenance on facilities that the County constructed or desires to construct on District properties.</i></p> <p><b><u>Fiscal Impact/Funding Source</u></b>  Maintenance of the area is expected to cost approximately \$50,000.00 annually, to be funded by the Bicycle Trail Maintenance Fund.</p> <p><b><u>Background</u></b>  The Biscayne Trail is part of the South Dade Greenways Master Plan that the County, through the Parks, Recreation and Open Spaces Department (Department), is committed to build and maintain. Segment C contains 14.5 acres and Segment D contains 16 acres. The Trail will provide an essential connecting element in the overall network of trails in South Dade that will connect Biscayne National Park and Everglades National Park. Approval of this resolution is a requirement of the District's Right-of-Way Permit.</p> <p>The District has a policy of allowing the public to utilize publicly owned rights of ways for passive recreational purposes and the District supports the development of linear parks and greenways. The County, through the Department, has applied for permits with the District to improve public access for recreational purposes along District Canal C-102, C-103, and L-31-E.</p> <p><b><u>Additional Information on Greenways and Trails<sup>1</sup></u></b>  The Miami Dade Greenways, Trails and Water Trails Vision is for an interconnected system that provides transportation alternatives and reduces traffic congestion; creates new recreational opportunities; increases property values; protects natural resources; and encourages tourism and business development. These paths strengthen connections across the County, from Broward to Monroe Counties, from the Atlantic Ocean to the Everglades.</p> <p>The Vision builds upon the corridors described by the North Dade Greenways Master Plan and South Dade Greenway Network Master Plan, and goes farther in linking these green fingers into a holistic, seamless system. Its corridors weave through new parks, tie into bike lanes, and act as verdant channels that draw people into natural resource areas. Water Trails that have already been identified by previous plans are incorporated into the Vision, but greatly expanded upon: all major canals and waterways are accessible for recreation and strengthen physical and visual connections between the east and west edges of the County. Canals and levees managed by the South Florida Water Management District are converted into greenways and trails corridors, and provide an opportunity for public education on Everglades Restoration.</p>

<sup>1</sup> <http://www.miamidade.gov/parksmasterplan/trails-vision.asp>