

Town of Miami Lakes

Special Call Council Meeting

April 27, 2011



TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Michael Pizzi

Vice Mayor Nick Perdomo

Councilmember Mary Collins

Councilmember Tim Daubert

Councilmember Nelson Hernandez

Councilmember Ceasar Mestre

Councilmember Richard Pulido

AGENDA **SPECIAL TOWN COUNCIL MEETING**

April 27, 2011

5:10 PM

Town Hall

15150 NW 79th Court
Miami Lakes, Florida 33016

1. Call to Order:
2. Roll Call:
3. Pledge of Allegiance/ Invocation:
4. Public Comments:
5. Items for Discussion and/or Action:

A. Ordinance for First Reading:

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE NO. 10-125; AMENDING THE TOWN'S BUDGET FOR THE 2010-2011 FISCAL YEAR; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

B. Resolution:

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE TOWN OF MIAMI LAKES PROVIDING FOR QUALITY NEIGHBORHOOD IMPROVEMENTS PROGRAM PAYMENTS AND TRANSFERRING LOCAL PARKS TO THE TOWN; AUTHORIZING THE TOWN MANAGER TO FINALIZE THE TERMS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING TOWN OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey/Pizzi)

C. ADMINISTRATIVE SITE PLAN REQUIREMENTS (Pizzi)

D. APPOINTMENTS (Pizzi)

6. Adjournment:

7. Future Meetings:

May 10, 2011, Regular Council Meeting, 6:30pm, 16500 NW 87th Avenue

June 14, 2011, Regular Council Meeting, 6:30 pm, 16500 NW 87th Avenue

This meeting is open to the public. A copy of this Agenda and the backup therefore, has been posted on the Town of Miami Lakes Website at www.miamilakes-fl.gov and is available at Town Hall, 15150 NW 79th Court, Miami Lakes, FL. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact Town Hall at 305-364-6100 two days prior to the meeting.

Anyone wishing to appeal any decision made by the Miami Lakes Town Council with respect to any matter considered at this meeting or hearing will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based.

Any member of the public wishing to speak on a public hearing matter on this Agenda or under public comments for items not on this Agenda, should fill out a speaker card and provide it to the Town Clerk, prior to commencement of the meeting. Any person presenting documents to the Town Council should provide the Town Clerk with a minimum of 12 copies.



Town of Miami Lakes


Office of Town Clerk
15700 NW 67th Ave
Miami Lakes, Florida 33014

ITEM 5 A



TOWN OF MIAMI LAKES MEMORANDUM

To: Honorable Mayor and Town Council

From: Alex Rey, Town Manager 

Subject: Resolution of open items with Miami-County and Amendment to the FY 2010-11 Budget Ordinance

Date: April 27, 2011

Recommendation

It is recommended the Town Council approve the attached inter-local agreement that was negotiated by the Mayor and I to successfully resolve a number of outstanding issues with Miami-Dade County regarding Safe Neighborhood Parks (SNP) allocations, the conveyance of local parks to the Town, Building Better Communities General Obligation Bond (BBC GOB), and Quality Neighborhood Improvements Program (QNIP) obligations and adopt an ordinance amending the Fiscal Year 2010-11 Budget and appropriating the funds to effectuate the QNIP payment and the Town Hall development project.

The agreement will result in the beginning of a better relationship with County government and also provide funding for projects that will benefit our citizens.

Background

The attached agreement is the result of discussion initiated after the recent special elections and finalized during a meeting on April 18, 2011, where the Mayor and I met with County Commission Chairman Joe Martinez, County Manager Alina Tejeda-Hudak, and the Director of Strategic Business Management, Jennifer Glazer-Moon.

The Town has tried for years to resolve several outstanding issues with Miami-Dade County, beginning with the transfer of the special taxing district parks, which included the two existing community centers; however little progress was made for reasons known to us all. However, during the last few weeks, a new window of opportunity has opened and we have found County staff and elected officials ready, willing, and able to reach a global resolution on all our open items.

At this meeting we reached the following agreement, in principle, subject to approval of our respective legislative bodies:

- SNP Program – The Town was previously awarded three grants from the SNP Board, these included:
 - Royal Oaks Parks \$200,000
 - Miami Lakes Parks \$46,100
 - Sevilla Estates \$100,000

However, these funds were never released by the Board of County Commissioners. As part of this agreement, said funds will be release to the Town. The Royal Oaks Park funds were allocated for the completion of the park, and will reimburse the Town for expenses previously incurred. The funds for Miami Lakes Park and Sevilla Estates will be used to fund improvements in the upcoming years. These funds may need to be reallocated to other projects to comply with the terms of the SNP Bond Program.

- Special Taxing District Parks Transfer - Shortly after incorporation the Town reached an agreement with Miami-Dade County and assumed financial responsibility and management of these parks; however, official transfer of the parks was never effectuated. This agreement will provide for the conveyance of these (90) parks within 120 days from the day of the execution the interlocal agreement; this includes the community centers east and west.
- QNIP Bond Program – During the period prior to incorporation (1999), the County issued a QNIP Bond, funds were used to complete many projects within the Town. Based on the revenue pledge issued by the County, the Town is responsible for 2.9% of the debt service payments; in general, this translates to a payment of approximately \$153,423 per year. As part of this agreement, the Town will pay all amounts in arrears, to date, including the current fiscal year; it translates into a payment of \$1,195,933. These funds did not affect our operations since they were reserved in our fund balance for the payment of the QNIP bond pending resolution of the above mentioned items. The Town will be obligated to make payments in the amount of \$153,423 until the debt is retired in Fiscal Year 2024.
- BBC GOB Program – The Town received an allocation of \$2,000,000 from the BBC GOB program for the construction of the Royal Oaks Community Center and \$500,000 for the construction of a police station.
 - The Town completed the construction of the Royal Oaks Community Center in October 2009; however, the County was holding reimbursement of \$206,226,

pending a global resolution of the QNIP item. On April 18, the County in a show of good faith released these funds to the Town.

- As part of the bond program, the Town was also allocated \$500,000 for the construction of a police station. The Town's police station is being incorporated as part of the construction of the New Town Hall, and these funds are being programmed for this project. Timing of the flow of funds from the County will depend on their future bonds sales. This agreement will allow for these funds to be released to the Town.

The attached interlocal agreement and County resolution is scheduled for approval on May 03, 2011 by the Miami-Dade County Board of County Commissioners, and includes the deeds to ninety local parks. In addition to the interlocal agreement, we are required to amend the FY 2010-11 Budget Ordinance to appropriate the funds and effectuate the QNIP payment within the current fiscal year.

Additionally, we are incorporating the budget for the Town Hall acquisition and development which will be required to effectuate the purchase of the facility, and reflects the BBC GOB proceeds into a separate Town Hall Development budget in the attached ordinance.

In conclusion, the agreement negotiated by the Mayor and I subsequent to the recent special election, will result in:

1. Conveyance of the parks
2. Release of SNP and BBC GOB funds
3. Funding for public safety area of new Town Hall
4. Satisfaction of outstanding issues and better relationships with Miami-Dade County

ORDINANCE NO. 2011-_____

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE NO. 10-125; AMENDING THE TOWN'S BUDGET FOR THE 2010-2011 FISCAL YEAR; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 200.065, Florida Statutes and Section 8.7 of the Town of Miami Lakes (the "Town") Charter, the Town Council adopted the Budget for Fiscal Year 2010-2011 (the "Budget") by Ordinance No. 10-125; and

WHEREAS, on March 8, 2011, the Town Council adopted Ordinance No. 11-129 amending the Budget; and

WHEREAS, the Town Council has determined that it is necessary to amend the Budget a second time, as set forth in Exhibit "A," to appropriate bond proceeds and GOB funds and effectuate payment of QNIP obligations within the current fiscal year and further based upon the recommendations of the Town Manager.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The recitals are true and correct and are incorporated herein by this reference.

Section 2. **Budget Amendment.** The Budget for fiscal year 2010-2011 adopted in Section 2 of Ordinance 10-125, as amended by Ordinance 11-129, is amended as shown in Exhibit "A", attached. All other terms and conditions of Ordinance No. 10-125 not otherwise amended by this Ordinance remain in full force and effect.

Section 3. Authorization of Town Manager. The Town Manager is hereby authorized to take all actions necessary to implement the terms and conditions of this Ordinance.

Section 4. Effective Date. This Ordinance shall become effective immediately upon adoption on second reading.

The foregoing Ordinance was adopted by motion as provided herein by Councilmember _____ and seconded by Councilmember _____, by a vote of _____ with each Town Councilmember voting as follows:

Mayor Michael Pizzi _____
Vice Mayor Nick Perdomo _____
Councilmember Mary Collins _____
Councilmember Tim Daubert _____
Councilmember Nelson Hernandez _____
Councilmember Ceasar Mestre _____
Councilmember Richard Pulido _____

PASSED AND ADOPTED this _____ day of _____ 2011.

This Ordinance was filed in the Office of the Town Clerk on this ___ day of _____, 2011.

MICHAEL PIZZI
MAYOR

ATTEST:

MARJORIE TEJEDA
TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR USE ONLY BY THE TOWN OF MIAMI LAKES:

WEISS SEROTA HELFMAN PASTORIZA
COLE & BONISKE, P.L.
TOWN ATTORNEY

TOWN OF MIAMI LAKES GENERAL FUND

FY 2010-11

Budget Amendment

General Fund				Current Adopted Budget	Budget Revisions May 2011	Adopted Budget as Amended
				FY 2010-11	FY 2010-11	FY 2010-11
			3350012 · STATE REVENUE SHARING - Other	603,250		603,250
			Total 3350012 · STATE REVENUE SHARING	603,250		603,250
			3350018 · HALF CENT SALES TAX	1,475,000		1,475,000
			Total 3350000 · STATE SHARED REVENUES TOTALS	2,078,250		2,078,250
			3370000 · POLICE GRANTS			
			3342010 · GRANT/LOCAL LAW ENF BLOCK GRANT			
			3372010 · GRANT - BYRNE GRANT			
			3370000 · POLICE GRANTS - Other	3,200		3,200
			Total 3370000 · POLICE GRANTS	3,200		3,200
			3400000 · OTHER			
			3410090 · OTHER CHARGES AND FEES - CLERK			
			3410091 · LOBBYIST REGISTRATION			
			3470020 · PARKS - SERVICES & RENTAL FEES			
			3410092 · ELECTION QUALIFYING FEES			
			3490010 · LIEN INQUIRY LETTERS	8,000		8,000
			3490020 · FDOT-LANDSCAPE MAINT	1,700		1,700
			3690000 · OTHER MISCELLANEOUS REVENUES	1,000		1,000
			Total 3400000 · OTHER	10,700		10,700
			3500000 · FINES & FORFEITS			
			3510020 · POLICE - TRAFFIC FINES	100,000		100,000
			RED LIGHT CAMERAS	50,000		50,000
			3510030 · POLICE - L.E.T.T.F.			
			3510040 · SCHOOL CROSSING GUARDS	32,000		32,000
			3540010 · CODE VIOLATION FINES	100,000		100,000
			3590020 · PARK FINES			
			Total 3500000 · FINES & FORFEITS	282,000		282,000
			3600000 · MISCELLANEOUS REVENUES			
			3610010 · INTEREST INCOME	60,000		60,000
			3610030 · INSURANCE CLAIMS			
			3660000 · CONTRIBUTIONS & DONATIONS			
			3600000 MISCELLANEOUS REVENUES- Other			
			Total 3600000 · MISCELLANEOUS REVENUES	60,000		60,000
			PRIOR YEAR'S CARRY-OVER FUNDS			
			3642110 · DISPOSITION OF POLICE VEHICLES			
			Transfer from Capital Fund per Council Allocation			60,000
			ENCUMBERED RESERVE REVENUE FOR QNIP	0	1,195,933	1,195,933
			Total Revenues	15,173,575		16,429,508

TOWN OF MIAMI LAKES GENERAL FUND

FY 2010-11

Budget Amendment

General Fund					Current Adopted Budget	Budget Revisions May 2011	Adopted Budget as Amended
					FY 2010-11	FY 2010-11	FY 2010-11
				5744950 · SPEC EVENTS-ECONOMIC DEVEL COM	21,250		21,250
				5744960 · SPEC EVENT-EDUCATIONAL ADVISORY	53,000		53,000
				5744992 · SPECIAL EVENTS			
				5744990 · SPEC EVENTS- VETERAN'S DAY	5,000		5,000
				5744991 · SPECIAL EVENTS-RENAISSANCE			
				5744993 · SPECIAL EVENTS- EARTH DAY	5,000		5,000
				5744994 · SPECIAL EVENTS- 4TH OF JULY	20,000		20,000
				5744996 · 10TH YEAR ANNIVERSARY	10,000		10,000
				5744997 · SPECIAL EVENTS-BACK TO SCHOOL			
				SPECIAL EVENT - SUMMER EDUCATIONAL PROGRAMS			20,000
				Total 5744992 · SPECIAL EVENTS	40,000		40,000
				5725110 · PARKS-OFFICE SUPPLIES			
				Total 5720000 · PARKS AND RECREATION	2,477,768		2,497,768
				Total Departmental Expenses	14,771,087		14,831,087
				Additional Expenses (Exp Reduction)			
				COMPENSATED ABSENCES			
				TRANSFER TO CAPITAL BUDGET			
				IT SOFTWARE ACQUISITION	162,501		162,501
				NEW BUILDNG APPRAISAL/LEGAL COST	25,000		25,000
				BOUNDLESS PLAYGROUND			
				ROYAL OAKS PARK	45,828		45,828
				PARK DEVELOPMENT - FLORINDA ESTATES	30,000		30,000
				NW 170 St Greenway Development - Bike Path	100,000		100,000
				Moving Cost	5,000		5,000
				BUILDING FURNITURE			
				FRS JUL 2011 ADJUSTMENTCONTINGENCY			
				NON DEPARTMENTAL RESERVE FOR REVENUE SHORTAGES	34,159		34,159
				QNIIP PAYMENT TO COUNTY		1,195,933	1,195,933
				Total ADDITIONAL EXPENSES (EXP REDUCTION)	402,488		1,598,421
				Total Expenses	15,173,576		16,429,509

		FY 2010-11 Current Adopted Budget	Budget Revisions May FY 2010-11	FY 2010-11 Budget as Amended
Capital Project Fund				
4	Drainage associated with Miami Lakeway North from MLD to Ludlam	\$30,000		\$30,000
5	Northeast Industrial areas			
6	Lake Patricia	\$310,000		\$310,000
7	Business Park East			
8	Lake Martha			
9	Cowpen, Gage, Meadow walk			
10	Lochness			
11	Lake Elizabeth			
12	Various Localized Drainage Improvements	\$30,000		\$30,000
	Sub-total Expense	\$1,834,939		\$1,834,939
Facilities and Equipment Development				
Revenue				
	County's General Obligation Bond Program	\$500,000	-\$500,000	\$0
	State Grant			
	Transfer from General Fund	\$192,501	-\$192,501	\$0
	Carry-over Funds	\$607,499	-\$82,499	\$525,000
	Sub-total Revenues	\$1,300,000		\$525,000
Expense				
	Police station (part of Building Acquisition)	\$500,000	-\$500,000	\$0
	Accounting Software	\$100,000		\$100,000
	Permitting System Software	\$250,000		\$250,000
	Furniture Purchase	\$250,000	-\$250,000	\$0
	Moving Expenses	\$5,000		\$5,000
	Legal cost of real estate acquisition	\$25,000	-\$25,000	\$0
	Information Technology	\$110,000		\$110,000
	Transfer to General Fund per Council Allocation	\$60,000		\$60,000
	RESERVE (for allocation by Council)	\$0		\$0
	Sub-total Expense	\$1,300,000		\$525,000
TOWN HALL DEVELOPMENT				
Revenue				
	Bond Issue		\$6,102,830	\$6,102,830
	GOB Police Facility - Land Acquisition		\$500,000	\$500,000
	Police Impact Fee Revenue		\$300,000	\$300,000
	Bond Finance Allocation from FY 2009-10 C/O		\$96,095	\$96,095
	Furniture Allocation in FY 2009-10		\$250,000	\$250,000
	Real Estate Acquisition FY 2010-11		\$25,000	\$25,000
	General Fund Reserve Allocation		\$0	\$0
	Sub-total Revenue		\$7,273,925	\$7,273,925
Expense				
	Land Acquisition & Building Construction		\$6,489,000	\$6,489,000
	Fixtures, Furniture, & Equipment Acquisition		\$363,830	\$363,830
	Radio Station Equipment		\$100,000	\$100,000
	Bond Financing Cost		\$96,095	\$96,095
	Reserve and Acquisition Cost		\$225,000	\$225,000
	Sub-total Expense		\$7,273,925	\$7,273,925
Total Revenues - Capital Budget		\$5,926,142		\$11,384,647
Total Expenses - Capital Budget		\$4,493,322		\$10,613,714



Town of Miami Lakes

Office of Town Clerk
15700 NW 67th Ave
Miami Lakes, Florida 33014

ITEM 5 B

RESOLUTION NO. 11-_____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE TOWN OF MIAMI LAKES PROVIDING FOR QUALITY NEIGHBORHOOD IMPROVEMENTS PROGRAM PAYMENTS AND TRANSFERRING LOCAL PARKS TO THE TOWN; AUTHORIZING THE TOWN MANAGER TO FINALIZE THE TERMS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING TOWN OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Miami-Dade County (the “County”) currently owns parks in the Town (the “Parks”) that are part of the Miami Lakes Special Tax District (the “Taxing District”) within the Town of Miami Lakes (the “Town”); and

WHEREAS, the Town currently maintains and funds the operation of the Parks; and

WHEREAS, the County wishes to convey to the Town the Parks; and

WHEREAS, it is in the best interest of the Town to provide recreational facilities and opportunities to residents of the Town; and

WHEREAS, prior to the Town’s incorporation (1999), the County issued a Quality Neighborhood Improvements Program (QNIP) Bond which funds were used to complete many projects within the Town; and

WHEREAS, based on the revenue pledge issued by the County, the County has asserted that the Town is responsible for a payment of approximately \$153,423 per year through fiscal year 2023/24; and

WHEREAS, the County has agreed that payment by the Town of \$1,195,933 would satisfy the Town’s QNIP obligation for prior years including the current fiscal year and would

allow the County to release to the Town approximately \$346,000 in SNP grants and \$206,226 in General Obligation Bond (GOB) monies being withheld by the County pending the settlement of the QNIP issue, as well as the aforementioned Parks and future GOB monies; and

WHEREAS, the Town Council finds that the approval of this Interlocal Agreement Between Miami-Dade County and the Town of Miami Lakes providing addressing QNIP issues and transferring local parks to the Town (the “Agreement”) is in the best interests of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and incorporated herein by this reference

Section 2. Approval of Interlocal Agreement. The Interlocal Agreement between Miami-Dade County and the Town of Miami Lakes transferring the Parks to the Town, a copy of which is attached as Exhibit “A,” is approved. Subject to approval by the Town Attorney as to form and legality, the Town Manager is authorized to approve non-material changes to the Agreement and to also approve additional text pertaining to the interpretation of the legal restrictions imposed by the County Charter.

Section 3. Authorization of Funds Expenditure. The Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the Agreement.

Section 4. Authorization of Town Officials. The Town Manager and Town Attorney are authorized to take all action necessary to implement the terms and conditions of the Agreement, including the preparation, execution and recordation of any documents required to effectuate the transfer of the Parks.

Section 5. Execution of Contract. The Mayor is authorized to execute the Agreement on behalf of the Town and to execute such other documents that may be necessary to transfer of the Parks.

Section 6. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this ____ day of _____, 2011.

Motion to adopt by _____, second by _____.

FINAL VOTE AT ADOPTION

Mayor Michael Pizzi _____
Vice Mayor Nick Perdomo _____
Councilmember Mary Collins _____
Councilmember Tim Daubert _____
Councilmember Nelson Hernandez _____
Councilmember Ceasar Mestre _____
Councilmember Richard Pulido _____

MICHAEL PIZZI
MAYOR

ATTEST:

Marjorie Tejeda
TOWN CLERK

Approved as to form and legality for the use
and benefit of the Town of Miami Lakes only:

Weiss, Serota, Helfman, Pastoriza, Cole & Boniske, P.L.
TOWN ATTORNEY

Memorandum



Date:

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

From: Alina T. Hudak
County Manager

Subject: Resolution Regarding Quality Neighborhoods Improvements Program obligations, Safe Neighborhood Parks Allocations, Building Better Communities General Obligation Bond Allocations and Conveyance of Parks in the Town of Miami Lakes

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution to resolve a number of related outstanding issues with the Town of Miami Lakes regarding Quality Neighborhoods Improvements Program (QNIP) obligations, Safe Neighborhood Parks (SNP) allocations, Building Better Communities General Obligation Bond (BBC GOB) Program funds, and the conveyance of local parks to the Town of Miami Lakes.

Scope

The scope of this agenda item impacts Commission District 13.

Fiscal Impact

The attached resolution has a positive fiscal impact. Once approved, the County will receive payment of outstanding and past due QNIP debt service obligations from the Town of Miami Lakes in the amount of \$1,042,511 plus the Town's 2010-2011 QNIP obligation of \$153,423, as well as approve an Interlocal Agreement to provide for timely payment of future QNIP obligations of the Town of Miami Lakes totaling \$1,994,499 through FY 2023-24, or \$153,423 annually through FY 2023-24, based on the current debt-service schedule. SNP funding in the total amount of \$346,100 is to be provided by the County to the Town as authorized pursuant to County Ordinance No. 96-115, as amended. In addition, \$206,226 in pending reimbursements under BBC GOB Project No. 68- "Miami Lakes - Royal Oaks Park Development Project" which were being withheld until the QNIP issues were resolved have been released. Project No. 68 was a voter-approved project to be funded from BBC GOB program funds and has been completed.

Track Record/Monitoring

The Town will implement the projects. The County's Office of Capital Improvements (OCI), George Navarrete, Director, will monitor the BBC and SNP projects. The County's Office of Strategic Business Management (OSBM), Jennifer Glazer-Moon, Special Assistant/Director, will monitor timely payment of QNIP obligations.

Background

Since 1999, Miami-Dade County has issued Florida Public Service Tax Revenue Bonds – Unincorporated Municipal Service Area (UMSA) to fund capital infrastructure improvements under the QNIP program. Portions of UMSA that later incorporated continued to have responsibility for the pro-rata payment of QNIP debt service. Since FY 2003-04, however, the Town of Miami Lakes has failed to remit payments on behalf of its residents. The Town's annual obligation is \$153,423, and its outstanding balance owed to the County through and including fiscal year 2010-11 is \$1,195,934.

With the concurrence of the Board of County Commissioners and consistent with the County's policy toward delinquent debts, certain monies have been withheld from the Town pending resolution of the QNIP debt, including \$346,100 in SNP funds recommended for approval by the SNP Citizens' Oversight

Honorable Joe A. Martinez, Chairman
and Members, Board of County Commissioners
Page 2

Committee (COC) for projects at parks within the Town and \$206,226 under a BBC GOB interlocal agreement between the Town and the County for BBC GOB Project No. 68- "Miami Lakes – Royal Oaks Park Development Project." The administration has recently been engaged in meaningful negotiations with the Town and has reached a tentative agreement on the payment of the outstanding QNIP debt which is being presented for this Board's approval as part of this item. Project No. 68 was a voter-approved BBC GOB project which was successfully completed by the Town in October 2009. The applicable federal tax rules prevent the County from reimbursing the Town beyond 18 months from project completion. The 18 month deadline expired on April 16, 2011. As a result, and as allowed by County code, the administration released the \$206,226 subject to Board ratification.

The Town is seeking to have the Board award the SNP funds to the Town for park projects and to ratify the County Manager's reimbursement of the BCC GOB funds. The Town also seeks the conveyance of a number of parks within the Town, a list of which was previously approved by the Board pursuant to Resolution Nos. R-785-09 and R-786-09 on June 30, 2009. The attached resolution rescinds Resolution No. R-785-09 relating to Miami Lakes West Park and Resolution No. R-786-09 relating to the various other parks in order to consolidate the conveyance of all of the parks into a single Interlocal Agreement and to approve a modified version of the Interlocal Agreement that also addresses the past due and future QNIP debt service share payments.

In order to achieve a mutually acceptable settlement of all outstanding issues and ensure timely payment of both the Town's past-due QNIP obligations and future obligations totaling \$3,190,439 through FY 2023-24, the administration held numerous meetings with Town leaders. The Town has agreed to remit its FY 2010-11 payment of \$153,423 and pay its entire past-due balance of \$1,042,511 within thirty (30) days of the effective date of the Resolution approving this item, and further agreed to remain current on all future QNIP obligations.

Upon receipt of the agreed-upon payment of \$1,195,934, the County would execute the standard SNP Grant Agreement in the amount of \$346,100 (the amount recommended for allocation to the Town by the COC which includes \$200,000 for Royal Oaks Park, \$100,000 for Sevilla Estates Park and \$46,100 for Miami Lakes Park). The Board has previously indicated its intent to award those funds only after resolution of the QNIP issues. However, because delays may have rendered one or more of the above-listed parks ineligible for SNP funding, this resolution would permit the County Mayor or Mayor's designee to execute an SNP Grant Agreement to fund any other eligible park project within the Town, subject to the same regulations and limitations.

Also contingent upon the receipt of the \$1,195,934 payment, the County would execute the attached Interlocal Agreement and execute the attached County deed for the conveyance of the local parks within Miami Lakes. The conveyances would be made under the same terms as other similar conveyances of County neighborhood parks to municipalities; for example, all County residents would enjoy equal access to the parks, regardless of whether they are Town residents.



Assistant County Manager

**INTERLOCAL AGREEMENT
BETWEEN
MIAMI-DADE COUNTY AND
TOWN OF MIAMI LAKES**

This is an Interlocal Agreement between Miami-Dade County, a political subdivision of the State of Florida ("COUNTY") and the Town of Miami Lakes, a municipal corporation of the State of Florida ("TOWN"), entered into this _____ day of _____, 2011 (the "Agreement").

WITNESSETH

WHEREAS, the COUNTY owns local parks that were previously part of the Miami Lakes Special Tax District within the TOWN boundaries, (Exhibit A); and

WHEREAS, the COUNTY ceased funding the Miami Lakes Special Tax District; and

WHEREAS, the COUNTY wishes to convey to the TOWN and the TOWN wishes to receive said local parks ("Parks"), including Miami Lakes West Park (P-74), within the former Miami Lakes Special Tax District, and

WHEREAS, it is in the best interest of the COUNTY and the TOWN to provide recreational facilities and opportunities to residents of the TOWN and the COUNTY,

NOW, THEREFORE, IN CONSIDERATION OF THE FOLLOWING MUTUAL COVENANTS THE COUNTY AND THE TOWN AGREE AS FOLLOWS:

1. Conveyance of Real Property

- 1.1 The COUNTY shall convey to the TOWN the Parks currently under COUNTY ownership listed in the "Miami Lakes Special Tax District Parks Legal Descriptions" attached to and incorporated herein as Exhibit "A". The transfer of the Parks shall be by execution and delivery to the Town of a County Deed(s) in a form approved by the County Attorney.
- 1.2 The properties and facilities are conveyed in an as-is condition, and subject to all easements and restrictions of record.
- 1.3 Prior to conveyance of the Parks, the COUNTY shall take all steps necessary to transfer and/or assign any warranties or guarantees the COUNTY may have for Park improvements, fixtures or equipment to the TOWN.
- 1.4 The Town Manager and the County Mayor or Mayor's designee shall mutually agree to the date of the transfer to the TOWN and execution of the conveyance documents, provided further that the transfer of the Parks shall occur no later than 120 days from the date of execution of this Agreement.

- 1.5 The conveyance from the COUNTY to the TOWN may include the conveyance of County-owned personal property, fixtures and equipment located at or in use at the Parks, which shall be determined solely by the COUNTY during a walk through examination by staff designated by the County Mayor or Mayor's designee and the Town Manager.
- 1.6 Upon conveyance of the Parks, the COUNTY shall provide the TOWN, at the TOWN's expense, a copy of all permits, plans, and any other documents pertaining to the COUNTY's operation of the Parks that the COUNTY may have in its possession. The COUNTY shall have no obligation, however, to create, recreate, construct, or reconstruct any permit, plan, or any other document (e.g. "as-builts") not in its possession as of the date of conveyance.

2. **Restrictions Related to the TOWN's Use of the Property**

As a condition to the acceptance of the Property, the TOWN agrees that:

- 2.1 The Parks shall be used as public parks, and the Parks shall be open to all members of the public.
- 2.2 The TOWN shall not discriminate against Miami-Dade County residents in program registration, pricing or other policies as they relate to the use of the Parks.
- 2.3 Except as specifically exempted, Article 7 of the Miami-Dade County Home Rule Charter shall apply to the Parks.

Should the TOWN violate any of the restrictions or conditions listed in Sections 2.1 through 2.3 and Sections 3.1 through 3.4, the COUNTY shall provide the TOWN with written notice of the alleged violations including a statement that "The COUNTY may exercise its reversionary interest in the property if the violation is not cured." Within 45 days of receipt of the notice, the TOWN shall cure the violation. If the violation is of a type that cannot be cured within this time period, the TOWN shall notify the COUNTY in writing specifying the reason and the additional time required to cure the violation. However, in no event shall the time to cure exceed 90 days, unless such time period is extended by action of the Board of County Commissioners. If the TOWN fails to cure the violation within the specified time period, as determined within the sole discretion of the COUNTY, then the COUNTY shall have the right, but not the obligation to exercise an immediate right of re-entry by providing notice of same and title to the subject Park and any improvements thereon shall revert to and vest in the COUNTY, without the necessity of obtaining a court order therefore. Upon same, the TOWN shall deed the Park by Warranty Deed to the COUNTY and the TOWN specifically waives, by acceptance of the Deed and execution of this Agreement, any entitlement to or right to seek any compensation whatsoever for said Park, and any monetary investments and improvements made to the subject Park shall be forfeited without any right to compensation.

3. Further conditions

3.1 The COUNTY issued Public Service Tax Revenue Bonds, Series 1999, [also known as, and referred to herein as, Quality Neighborhood Improvement Program (“QNIP”) bonds] prior to the TOWN’s incorporation, which are currently outstanding. The QNIP bonds are payable from Public Service Taxes for electrical, water and gas services. The TOWN recognizes and agrees that, through and including fiscal year 2009-2010, it owes the County \$1,042,511.00 in past due payments of its pro-rata share of debt service on the QNIP bonds (“Debt Service Share”). The TOWN agrees to pay the past due amount of \$1,042,511.00 plus its 2010-2011 Debt Service Share of \$153,423.00, for a total payment of **\$1,195,934.00** within thirty (30) days of the approval of this Agreement by the Board of County Commissioners. Further, the TOWN agrees to timely pay its Debt Service Share until such time as the debt service on the QNIP bonds has been legally defeased and/or paid in full.

Commencing in fiscal year 2011-2012, the TOWN shall annually remit to the COUNTY, on or before September 30th of each fiscal year, its annual Debt Service Share in the amount of \$153,423.00, based on the current debt-service schedule attached hereto as Exhibit “B”, through FY 2023-24.

3.2 The TOWN’s Debt Service Share shall be determined by expressing the Public Service Taxes collected within the TOWN at the time of incorporation as a percentage of the total Public Service Taxes collected within the unincorporated area of Miami-Dade County at the time of the TOWN’s incorporation and apply that percentage to the total annual debt service on the QNIP bonds. Thus, the TOWN recognizes and agrees that its Debt Service Share is 2.9%. The TOWN may prepay its proportionate share of the aforementioned bonds at any time during the life of the bonds without penalty.

3.3 By accepting this Agreement, the TOWN agrees that it will make every good faith effort to operate and maintain the Parks in a manner that provides appropriate active and passive recreational opportunities to park users.

3.4 The Parks will be operated and maintained in a manner equal to or better than existing conditions.

3.5 Any permits and agreements between the COUNTY and non-profit or for-profit organizations within Parks will be terminated upon execution of this Agreement.

4. Indemnification

4.1 Prior to the execution of this agreement, the COUNTY shall provide the TOWN with any known claims, litigation or other proceedings that may be pending regarding the COUNTY’s operation of the Parks.

- 4.2 Prior to the conveyance of the Parks, the COUNTY does hereby agree to indemnify and hold harmless the TOWN to the extent and within the limitations of Section 768.28 Fla. Stat., subject to the provisions of that Statute whereby the COUNTY shall not be held liable to pay a personal injury or property damage claim or judgment by any one person which exceeds the sum of \$100,000, or any claim or judgments of portions thereof, which, when totaled with all other occurrences, exceeds the sum of \$200,000, from any and all personal injury or property damage claims, liabilities, losses and causes of action which may arise solely as a result of the negligence of the COUNTY. However, nothing herein shall be deemed to indemnify the TOWN from any liability or claim arising out of the negligent performance or failure of performance of the TOWN or any unrelated third party. Notwithstanding the foregoing, the COUNTY's indemnification obligations shall be limited to personal injuries and/or property damage claims, liabilities, losses, causes of action or judgments that occurred prior to the date of conveyance.
- 4.3 After the conveyance of the Parks, the TOWN does hereby agree to indemnify and hold harmless the COUNTY to the extent and within the limitations of Section 768.28 Fla. Stat., subject to the provisions of that Statute whereby the TOWN shall not be held liable to pay a personal injury or property damage claim or judgment by any one person which exceeds the sum of \$100,000, or any claim or judgments of portions thereof, which, when totaled with all other occurrences, exceeds the sum of \$200,000, from any and all personal injury or property damage claims, liabilities, losses and causes of action which may arise solely as a result of the negligence of the TOWN. However, nothing herein shall be deemed to indemnify the COUNTY from any liability or claim arising out of the negligent performance or failure of performance of the COUNTY or any unrelated third party.
- 4.4 The indemnification provided in Section 4.2 shall additionally include any claims that were filed before the date of conveyance for alleged violations of the Americans with Disabilities Act.

5. Notices

All notices hereunder must be in writing and shall be deemed validly given if sent by certified mail, return receipt requested, or by hand delivery, or by overnight delivery to the addresses as follow (or any other address that the party to be notified may have designated to the sender by like notice):

County: Miami-Dade County Mayor
111 N.W. First Street, Suite 2910
Miami, Florida 33128

Copied to: County Attorney, Miami-Dade County

111 N.W. First Street, Suite 2810
Miami, Florida 33128

and Director, Miami-Dade County Parks and
Recreation Department
275 NW 2nd Street, 5th Floor
Miami, Florida 33128

TOWN: TOWN Manager,
Town of Miami Lakes
15150 NW 79th Court, 1st Floor
Miami Lakes, Florida 33016

Copied to: Town Attorney
c/o Weiss Serota et al
2525 Ponce de Leon Boulevard, Suite 700
Coral Gables, Florida 33134

6. Entire Agreement

The Town and the County agree that this is the entire Agreement between the parties. This Agreement supersedes all prior negotiations, correspondence, conversations, agreements or understandings applicable to the matters contained herein, and there are no commitments, agreements or understandings concerning the subject matter of this Agreement that are not contained in this document.

7. Amendments

This Agreement cannot be modified or amended without the express written consent of the parties. Accordingly, no modification, amendment or alteration of the terms or conditions contained herein shall be effective unless contained in a written document. Notwithstanding any provision herein, this Agreement in no way obviates or nullifies the obligations of the TOWN under the Town Charter.

8. Severability

If any term or provision of this Agreement shall to any extent be held invalid or unenforceable, the remainder of this Agreement shall not be affected and each term and provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.

9. Assignment

Neither this Agreement nor any term nor provision hereof or right hereunder shall be assignable by any parties and any attempt to make such assignment shall be void.

10. Governing Law

This Agreement shall be construed in accordance with the laws of the State of Florida, and any proceedings arising in any matter pertaining to this Agreement shall, to the extent permitted by law, be held in Miami-Dade County, Florida.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on their behalf as of the date first above written.

TOWN OF MIAMI LAKES,
a municipal corporation

By: _____
Town Mayor

By: _____
Town Attorney

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

By its Board of County Commissioners:

By: _____
Honorable Joe A. Martinez, Chairman

ATTEST:
By: _____
Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY BY:

County Attorney

Exhibit A
Miami Lakes Special Tax District Parks
Legal Descriptions

PARCEL NAME	PLAT NAME	PB	PB PG	ID #
LOT "D"	FIRST ADDN TO MIAMI LAKES SEC SIX	85	90	2023-33
LOT 22	MIAMI LAKES-LAKE GLENN ELLEN	113	99	2022-01
LOT 41	MIAMI LAKES-LAKE GLENN ELLEN	113	99	2022-02
P-01	MIAMI LAKES-LOCH LOMOND	76	91	2014-01
P-02	MIAMI LAKES SEC ONE	75	35	2024-01
P-02	MIAMI LAKES-LOCH LOMOND	76	91	2014-02
P-03	MIAMI LAKES SEC ONE	75	35	2024-02
P-03	MIAMI LAKES-LOCH LOMOND	76	91	2014-03
P-04	MIAMI LAKES SEC ONE	75	35	2024-03
P-05	MIAMI LAKES SEC ONE	75	35	2024-04
P-06	MIAMI LAKES SEC ONE	75	35	2024-05
P-07	MIAMI LAKES SEC ONE	75	35	2024-06
P-08	MIAMI LAKES SEC ONE & RIP RIGHTS	75	35	2024-07
P-10	MIAMI LAKES SEC 2	76	70	2024-08
P-11	MIAMI LAKES SEC 2	76	70	2024-09
P-12	MIAMI LAKES SEC 3	78	47	2024-10
P-13	MIAMI LAKES SEC 3	78	47	2024-11
P-14	MIAMI LAKES SEC 3	78	47	2024-12
P-15	MIAMI LAKES SEC 4	79	8	2023-01
P-16	MIAMI LAKES SEC 4	79	8	2023-02
P-17	MIAMI LAKES SEC 4	79	8	2023-03
P-18	MIAMI LAKES SEC 4	79	8	2023-04
P-19	MIAMI LAKES SEC 4	79	8	2023-05
P-20	MIAMI LAKES SEC 4	79	8	2023-35
P-21	MIAMI LAKES SEC 5	79	81	2023-06
P-22	MIAMI LAKES SEC 5	79	81	2023-07
P-23	MIAMI LAKES SEC 5	79	81	2023-08
P-24	MIAMI LAKES SEC 6	81	66	2023-09
P-25	MIAMI LAKES-LOCH LOMOND WEST	91	95	2023-10
P-26	MIAMI LAKES HILDA TOWNHOUSE SECTION	81	72	2023-11
P-27	MIAMI LAKES HILDA TOWNHOUSE SECTION	81	72	2023-12
P-28	MIAMI LAKES SEC 6	84	34	2023-13
P-29	MIAMI LAKES SEC 7	84	34	2023-14
P-30	MIAMI LAKES SEC 7	84	34	2023-15
P-31	MIAMI LAKES SEC 7	84	34	2023-16
P-32	MIAMI LAKES SEC 7	84	34	2023-17
P-33	MIAMI LAKES IND PARK SEC 3	85	62	2024-13
P-34	MIAMI LAKES IND PARK SEC 5	93	96	2024-14
P-35	MIAMI LAKES -LAKE MARTHA SEC	86	76	2023-18
P-36	MIAMI LAKES -LAKE MARTHA SEC	86	76	2023-19
P-37	MIAMI LAKES PARK ADDITIONS	89	73	2023-20
P-38	MIAMI LAKES PARK ADDITIONS & RIP RIGHTS	89	73	2023-21
P-39	MIAMI LAKES PARK ADDITIONS & RIP RIGHTS	89	73	2023-22
P-40	MIAMI LAKES-LOCH LOMOND WEST	91	95	2023-23
P-41	MIAMI LAKES-LOCH LOMOND WEST	91	95	2014-04
P-42	MIAMI LAKES CYPRESS VILLAS SECTION	92	26	2023-24
P-43	MIAMI LAKES CYPRESS VILLAS SECTION	92	26	2023-25
P-44	MIAMI LAKES-LAKE KATHERINE	93	43	2024-15
P-44	MASON-SMITH OF MIAMI LAKES	93	100	2023-26
P-45	MIAMI LAKES KATHARINE VILLAS	93	43	2024-16
P-46	MIAMI LAKES KATHARINE VILLAS	93	43	2024-17
P-47	MIAMI LAKES KATHARINE VILLAS	93	43	2024-18
P-48	MIAMI LAKES-LOCH LOMOND EAST	93	44	2014-05

Exhibit A
Miami Lakes Special Tax District Parks
Legal Descriptions

P-49	MIAMI LAKES-LOCH LOMOND EAST	93	44	2014-06
P-50	MIAMI LAKES LOCH NESS SECTION	93	45	2014-07
P-51	MIAMI LAKES LOCH NESS SECTION	93	45	2014-08
P-52	MIAMI LAKES LOCH NESS SECTION	93	45	2014-09
P-53	MIAMI LAKES LOCH ANDREWS	99	92	2023-27
P-54	MIAMI LAKES IND PARK SEC 6	100	21	2024-19
P-56	MIAMI LAKES WINDMILL GATE SEC	103	41	2013-02
P-57	MIAMI LAKES WINDMILL GATE SEC	103	41	2013-03
P-58	MIAMI LAKES WINDMILL GATE SEC	103	41	2013-04
P-59	MIAMI LAKES EAGLE NEST SEC PT 1	106	14	2024-20
P-60	MIAMI LAKES EAGLE NEST SEC PT 1	106	14	2024-21
P-61	MIAMI LAKES EAGLE NEST SEC PT 2	106	22	2013-05
P-62	MIAMI LAKES LOCH ISLE	110	19	2023-28
P-63	MIAMI LAKES LOCH ISLE	110	19	2023-29
P-64	MIAMI LAKES LOCH ISLE	110	19	2023-30
P-65	MIAMI LAKES LOCH ISLE	110	19	2023-31
P-66	MIAMI LAKES-LAKE GLENN ELLEN	113	99	2022-03
P-67	MIAMI LAKES-LAKE GLENN ELLEN	113	99	2022-04
P-68	MIAMI LAKES-LAKE GLENN ELLEN	113	99	2022-05
P-69	MIAMI LAKES-LAKE SANDRA	115	6	2022-06
P-70	MIAMI LAKES-LAKE SANDRA	115	6	2022-07
P-71	MIAMI LAKES-LAKE SANDRA	115	6	2022-08
P-72	MIAMI LAKES-LAKE SANDRA	115	6	2022-09
P-73	MIAMI LAKES-LAKE SANDRA	115	6	2022-10
P-74	MIAMI LAKES MEADOW WALK	116	13	2014-10
P-74	MIAMI LAKES IND PARK SEC 9	117	76	2022-11
P-75	MIAMI LAKES-LAKE CYNTHIA SECTION ONE	125	29	2022-12
P-76	MIAMI LAKES-LAKE CAROL	127	31	2022-13
P-77	MIAMI LAKES-LAKE CAROL	127	31	2022-14
P-78	MIAMI LAKES-LAKE CAROL REPLT 4	134	41	2022-15
P-79	MIAMI LAKES-LAKE CAROL	127	31	2022-16
P-80	MIAMI LAKES-LAKE CYNTHIA SECTION 2	127	35	2022-17
P-81	MIAMI LAKES-LAKE CYNTHIA SECTION 2	127	35	2022-18
P-82	MIAMI LAKES-LAKE ELIZABETH SECTION ONE	128	71	2022-19
P-83	MIAMI LAKES-LAKE ELIZABETH SECTION 4	134	40	2022-20
TRACT "A"	MIAMI LAKES LOCH ISLE	110	19	2023-32
TRACT "A"	As per BCC RESOLUTION # 10319, NOVEMBER 30,1964	N/A	N/A	2024-22
***NOTE**				
This listing does not include various cul-de-sacs and greenways, formerly maintained by the Special Taxing District, but contained within the rights-of-way				

\$77,640,000
Miami-Dade County, Florida
Public Service Tax Revenue Bonds (UMSA Public Improvements)
Series 1999
Debt Service Schedule

Fiscal Year Ending September 30,	Type	Interest Rate	Principal	Interest	Total Debt Service	Miami Lakes Yearly Payments
2012	Serial	4.38%	2,860,000	2,471,975	5,331,975	153,423
2013	Serial	5.00%	2,995,000	2,334,537	5,329,537	153,423
2014	Serial	5.13%	3,140,000	2,179,200	5,319,200	153,423
2015	Serial	5.13%	3,290,000	2,014,432	5,304,432	153,423
2016	Serial	5.13%	3,450,000	1,841,719	5,291,719	153,423
2017	Serial	5.25%	3,620,000	1,658,288	5,278,288	153,423
2018	Serial	5.25%	3,805,000	1,463,381	5,268,381	153,423
2019	Term 1	5.00%	3,995,000	1,263,625	5,258,625	153,423
2020	Term 1	5.00%	4,200,000	1,058,750	5,258,750	153,423
2021	Term 2	5.00%	4,415,000	843,375	5,258,375	153,423
2022	Term 2	5.00%	4,645,000	616,875	5,261,875	153,423
2023	Term 2	5.00%	4,880,000	378,750	5,258,750	153,423
2024	Term 2	5.00%	5,135,000	128,375	5,263,375	153,423
			72,290,000	51,310,802	123,600,802	1,994,499

Instrument prepared under the direction of
Monica Rizo, Assistant County Attorney:
111 N.W. 1 Street, 28 Floor
Miami, Florida 33128-1907

COUNTY DEED

THIS DEED, made this day of , 20__ A.D. by **MIAMI-DADE COUNTY, FLORIDA** (the “County”), a Political Subdivision of the State of Florida, party of the first part, whose address is: Stephen P. Clark Center, 111 N.W. 1 Street Suite 2460, Miami, Florida 33128-1963, and the **TOWN OF MIAMI LAKES** (the “Town”), party of the second part, whose address is 8004 N.W.154th Street, PMB #378, Miami Lakes, Florida 33016.

WITNESSETH:

That the said party of the first part, for no consideration and in accordance with Florida Statute 197.592(3) has granted, bargained, and conveyed as is, Miami Lakes Special Tax District Parks, to the said party of the second part, his/her heirs and assigns forever, the following described land lying and being in Miami-Dade County, Florida:

EXHIBIT A

The Town shall: a) maintain the properties in perpetuity as public parks, b) agree to govern itself, in regards to the subject property, in accordance with Article 7 of the County Charter, c) keep the parks open to all Miami-Dade County residents, d) allow Miami-Dade County residents equal access and use of the parks and not discriminate in program registration, pricing and other policies, (e) timely pay its pro-rata share of debt service on Quality Neighborhood Improvement Program (QNIP) bonds (“Debt Service Shares”) until such time as the debt service on the QNIP bonds has been legally defeased and/or paid in full and timely pay its past due amounts of Debt Service Share, all in accordance with the Interlocal Agreement dated [] by and between the County and the Town, and (f) make every good faith effort to develop, operate and maintain the parks in a manner that provides appropriate active and

passive recreational opportunities to park users consistent with normal and customary park and recreation policies.

Upon failure of the Town to abide by any of the restrictions listed in (a) through (f), the County shall provide the Town with written notice of the alleged violations including a statement that “The County may exercise its reversionary interest in the property if the violation is not cured.” Within 45 days of receipt of the notice, the Town shall cure the violation. If the violation is of a type that cannot be cured within this time period, the Town shall notify the County in writing specifying the reason and the additional time required to cure the violation. However, in no event shall the time to cure exceed 90 days, unless such time period is extended by action of the Board of County Commissioners. If the Town fails to cure the violation within the specified time period, as determined within the sole discretion of the County, then the County shall have the right, but not the obligation to exercise an immediate right of re-entry by providing notice of same and title to the subject park and any improvements thereon shall revert to and vest in the County, without the necessity of obtaining a court order therefore. Upon same, the Town shall deed the park by Warranty Deed to the County and the Town specifically waives, by acceptance of this County Deed, any entitlement to or right to seek any compensation whatsoever for said park, and any monetary investments and improvements made to the subject park shall be forfeited without any right to compensation.

This grant conveys only the interest of the County and its Board of County Commissioners in the properties herein described and shall not be deemed to warrant the title or to represent any state of facts concerning the same.

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor of said Board, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST:

HARVEY RUVIN, CLERK

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

Reviewed by: _____
Alina T. Hudak,
County Manager

By: _____
Deputy Clerk

By: _____
Honorable Joe A. Martinez
Chairman, Board of County
Commissioners

Approved for legal sufficiency: _____

The foregoing was authorized and approved by Resolution No. R-_____ of the Board of County Commissioners of Miami-Dade County, Florida, on the _____ day of _____, 20__.



Town of Miami Lakes

Office of Town Clerk
15700 NW 67th Ave
Miami Lakes, Florida 33014

ITEM 5 C



Town of Miami Lakes

15700 NW 67TH Avenue
Miami Lakes, FL 33014

To: Honorable Town Council
From: Mayor Michael Pizzi
Date: April 25, 2011
Re: Administrative Site Plan Requirements

Although initially drafted to insure maintenance of the high standards and character of our Town, it has come to my attention that our Land Development Code may be inadvertently burdensome with respect to completion of improvements to driveways in townhouse communities.

As our communities mature and driveways are replaced with newer and/or different materials or aesthetic design, Townhouse unit owners are required to complete an administrative site plan review process which adds additional costs and delays to the permitting and approval process.

I am recommending that the Code be amended to eliminate the need for an administrative site plan review for driveway improvements in the Townhouse districts.