Memorandum

MIAMI-DADE COUNTY

Date: October 7, 2008

Agenda Item No. 8(R)(1)(A)

To: Honorable Chairman Bruno Barreiro and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Resolution authorizing the execution of an easement to Florida Power and Light for the installation and maintenance of a new electric service connection necessary for the upgrade of Pump Station Number 641 located at 19010 SW 119 Court in Miami-Dade County

---

RECOMMENDATION

It is recommended that the Board of County Commissioners approve the attached resolution for the Miami-Dade Water and Sewer Department (WASD) authorizing the granting of an easement to Florida Power and Light (FPL) for the installation and maintenance of a new electric service connection necessary for the upgrade of Pump Station Number 641.

SCOPE OF AGENDA ITEM

Pump Station Number 641 is located at 19010 SW 119 Court in District 8 (Exhibit A).

FISCAL IMPACT/FUNDING SOURCE

There is no fiscal impact to the County associated with this grant of easement.

TRACK RECORD/MONITOR

WASD's Real Estate Manager will monitor the conveyance of the property and the execution of the deed (attached).

BACKGROUND

Pump Station Number 641 is currently under a conditional moratorium imposed by the United States Environmental Protection Agency (USEPA), pursuant to the First Partial Consent Decree (Civ-93-1109-MORENO) issued in September 1993, due to a lack of storage capacity. The pump station will be upgraded to provide more storage capacity, as well as reduce the number of operational hours to less than 10 hours per day during the rainy season.

To accomplish this upgrade, a new electric service connection is required to run the larger motors. This easement is being granted to FPL to install and maintain the necessary electric equipment in Pump Station 641. Once installed, Pump Station 641 will be in compliance by providing more storage capacity which helps to prevent sewage spills.

Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: October 7, 2008

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

SUBJECT: Agenda Item No. 8(R)(1)(A)

Please note any items checked.

_____ **"4-Day Rule" ("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**

_____ **Bid waiver requiring County Manager's written recommendation**

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

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(R)(1)(A)
10-7-08

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE EXECUTION OF AN EASEMENT TO FLORIDA POWER AND LIGHT COMPANY FOR A PAD MOUNTED TRANSFORMER AND UNDERGROUND SERVICE AT WASTEWATER PUMP STATION NUMBER 641, LOCATED AT 19010 SW 119 COURT

WHEREAS, this Board 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 this Board approves the granting of an easement to Florida Power and Light Company for a pad mounted transformer and underground service at wastewater Pump Station Number 641, located at 19010 SW 119 Court, in substantially the form attached hereto and made a part hereof; and authorizes the County Mayor or County Mayor's designee to execute the easement for and on behalf of Miami-Dade County, upon approval by the County Attorney's Office.

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:

Bruno A. Barreiro, Chairman
Barbara J. Jordan, Vice-Chairwoman

Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of October, 2008. 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.

Henry N. Gillman

Work Request No. 3167023

Sec.01, Twp 56 S, Rge 39 E

Parcel I.D.30-6901-012-0401
(Maintained by County Appraiser)

Form 3722 (Stocked) Rev. 7/94

EASEMENT

This Instrument Prepared By

Name: Jose Palomo
Co. Name: Florida Power & Light Company
Address: 14250 SW 112th Street
Miami, FL 33186

Reserved for Circuit Court

The undersigned, in consideration of the payment of $1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its licensees, agents, successors, and assigns, an easement forever for the construction, operation and maintenance of underground electric utility facilities (including cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as, the size of and remove such facilities or any of them within an easement as described in the attached Exhibit "A" as follows:

See Attached Exhibit "A"

Together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes; the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the easement area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property.

IN WITNESS WHEREOF, this Easement has been executed by the Grantor whose hand and seal is affixed hereto, the date first above written.

_____
WITNESS SIGNATURE

_____
PRINT NAME

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

_____
WITNESS SIGNATURE

By: _____
County Mayor

_____
PRINT NAME

ATTEST: HARVEY RUVIN,
Clerk of Said Board

By: _____
Clerk

5

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

I HEREBY CERTIFY, that on this day personally appeared before me _____, and _____Chairperson and Clerk, respectively, of Miami-Dade County, a political subdivision of the State of Florida, to me known to be the persons described in and who executed the foregoing easement deed and acknowledged before me that they executed the same for the purposes therein expressed.

WITNESS my hand and official seal at _____ in the State and County aforesaid, this _____ day of _____, 2008.

My Commission Expires:

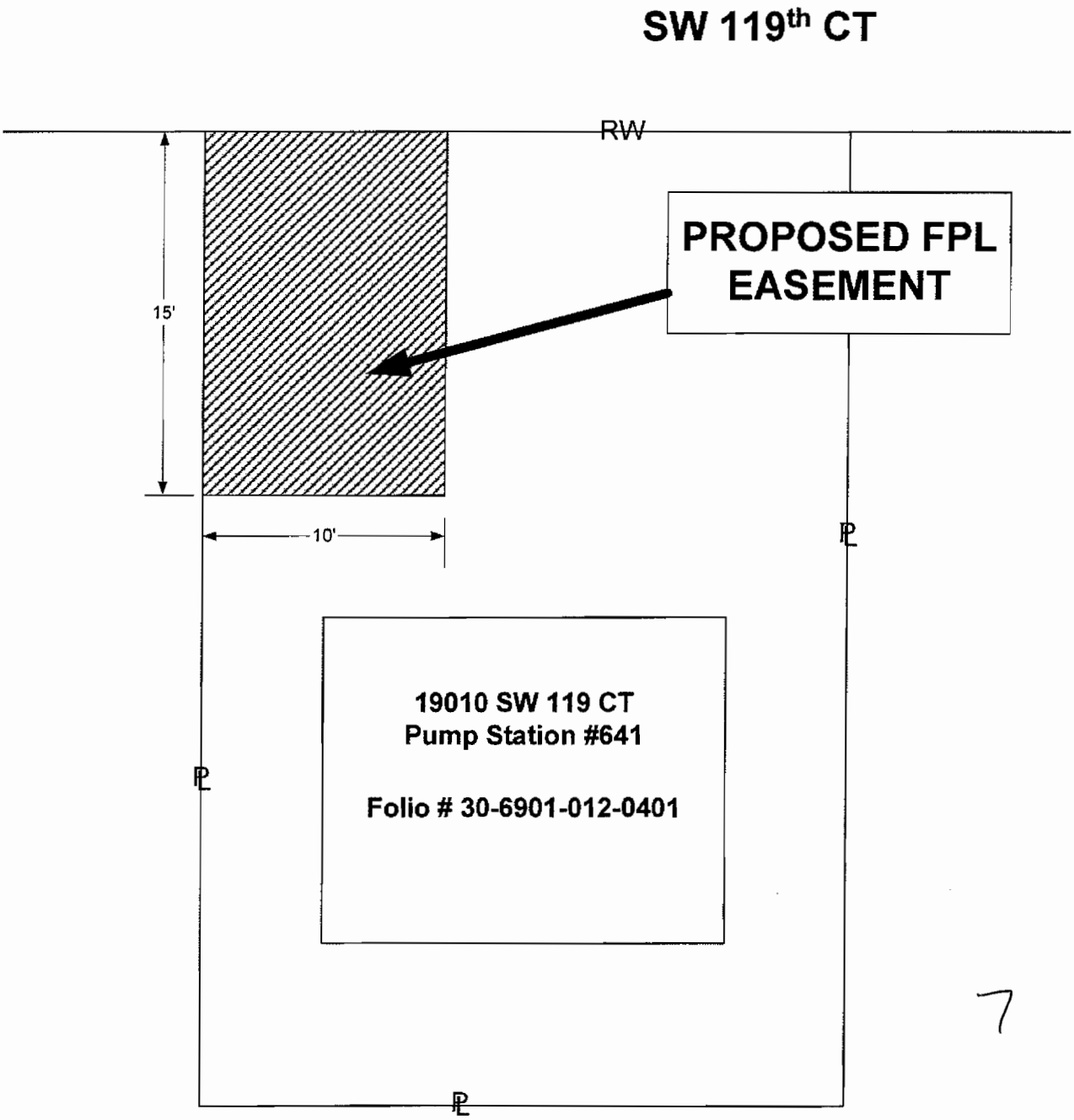
_____
Notary Public, Signature

Print Name _____

6

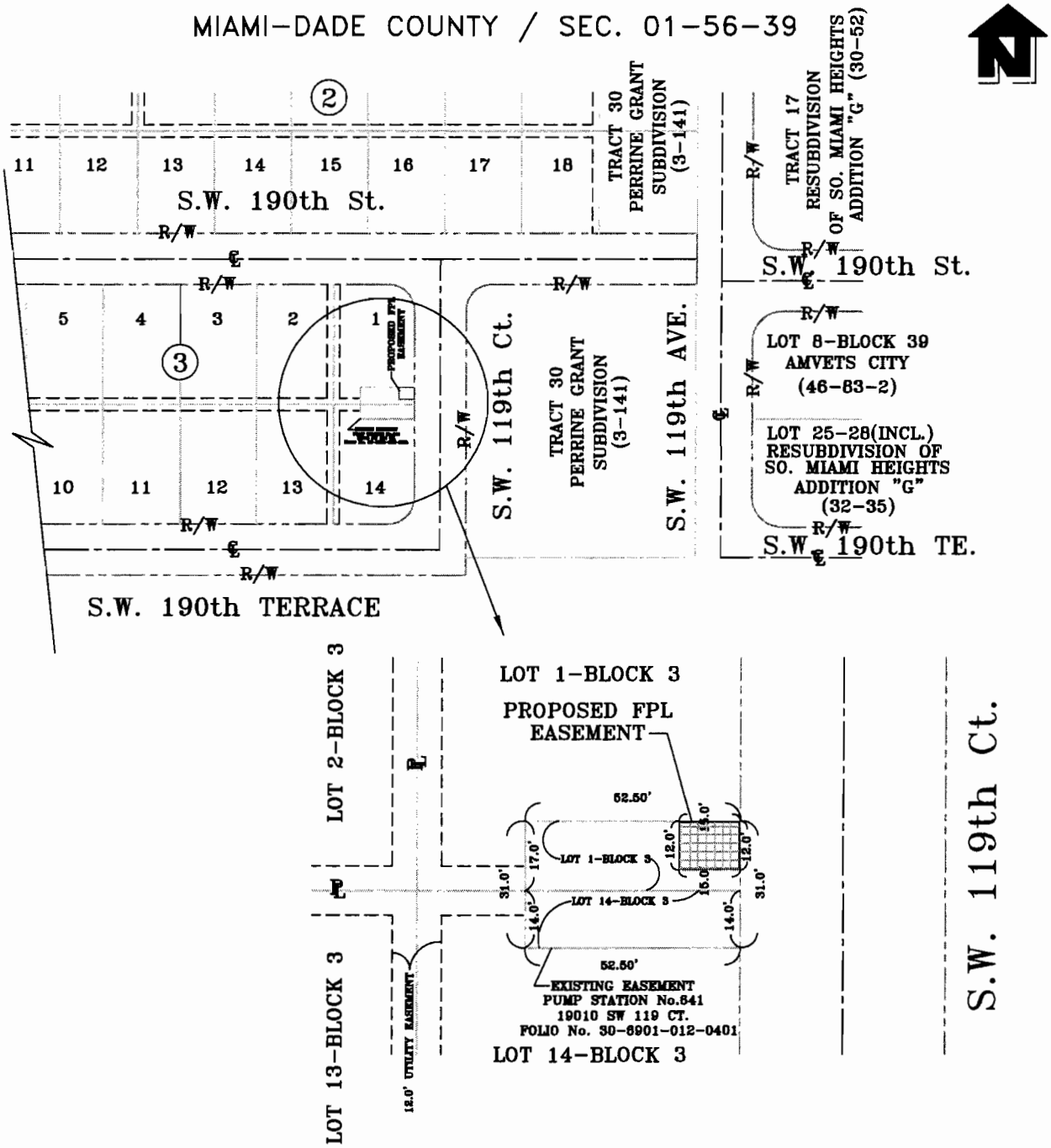
EXHIBIT "A"

PROPOSED FPL EASEMENT AT WASA PUMP STATION #641



7

MIAMI-DADE COUNTY / SEC. 01-56-39



LEGAL DESCRIPTION

The East 15 feet of the North 12 feet of the South 17 feet of Lot 1 Block 3, "Los Angeles Estates Section One", according to the plat thereof, as recorded in Plat Book 91 at Page 89 of the Public Records of Miami-Dade County, Florida.

8

ESTEBAN ORTIZ
PROFESSIONAL SURVEYOR AND MAPPER
LICENSE NUMBER LS5027
STATE OF FLORIDA

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER

THIS IS NOT A BOUNDARY SURVEY

PROPOSED F.P.L. EASEMENT AT MDWASD PUMP STATION No. 641, LOACATED AT: 19010 S.W. 119th CT., MIAMI, FLORIDA.	
MIAMI - DADE WATER AND SEWER DEPARTMENT	
DATE: JULY 29, 2008	SCALE: N.T.S.
	S-027