

MEMORANDUM

Agenda Item No. 8(H)(1)

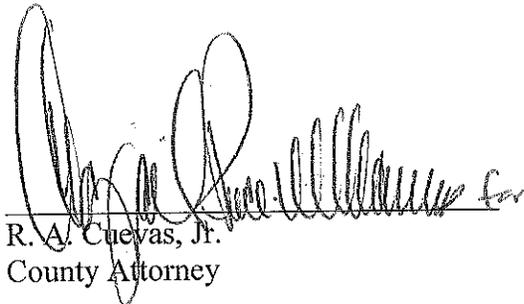
TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: October 7, 2014

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

SUBJECT: Resolution authorizing the conveyance of an easement to Florida Power and Light Company, for \$1.00, to install and maintain electric power facilities at Amelia Earhart Park, located at 11900 NW 42 Avenue, and authorizing the County Mayor to execute easement

The accompanying resolution was prepared by the Parks, Recreation and Open Spaces Department and placed on the agenda at the request of Prime Sponsor Commissioner Esteban L. Bovo, Jr.



R. A. Cuevas, Jr.
County Attorney

RAC/lmp

Memorandum



Date: July 24, 2014

To: Carlos A. Gimenez
Mayor

From: Jack Kardys
Director
Parks, Recreation and Open Spaces Department

Subject: Salient Bullets
Amelia Earhart Park-Wakeboard Complex-FPL Easement

The purpose of this agenda item is to approve granting an easement to Florida Power and Light Company for installation and maintenance of electrical power facilities to serve a wakeboard complex at Amelia Earhart Park.

- Miami Wakeboard Cable Complex LLC is building a new wakeboard complex at Amelia Earhart Park, located at 11900 NW 42 Avenue.
- Florida Power and Light Company will provide electrical power to the complex, provided that the County allow for an easement for the area where its electrical facilities will be located.
- The electrical facilities are necessary for the operation of the complex and will not affect the park's aesthetics.
- Miami Wakeboard Cable Complex LLC was the successful proposer for RFP 803 at Amelia Earhart Park, approved under R-781-12. Miami Wakeboard Cable Complex LLC is doing business as and better known as the Miami Watersports Complex (MWC).
- The cable system provides many more ride opportunities for wake boarders across all levels of riders from beginners to professionals. MWC will also offer to the parks patrons a state of the art tow boat that can be utilized for the newest sport of wave surfing
- MWC is responsible for the financing, development and operation of the facility.
- Estimated cost of the facility is \$2.1 Million, funded entirely by MWC.
- Estimated revenue to the parks department once the facility is opened is \$42,000 per year.

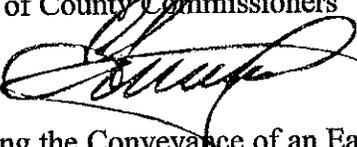
Attachments

Memorandum



Date: October 7, 2014

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

From: Carlos A. Gimenez
Mayor 

Subject: Resolution Authorizing the Conveyance of an Easement to Florida Power and Light Company for the Installation and Maintenance of Electrical Power Transmission Facilities at Amelia Earhart Park

Recommendation

It is recommended that the Board of County Commissioners (Board) adopt the attached resolution authorizing the conveyance of a 10,262 square foot easement to Florida Power and Light Company (FPL) for an electrical transformer and related equipment for the wakeboard complex located at Amelia Earhart Park.

Scope

Amelia Earhart Park is located in Commission District 13, at 11900 NW 42 Avenue; however, Amelia Earhart Park is a Countywide asset of regional significance.

Fiscal Impact/Funding Source

Approval of this resolution will have no fiscal impact to Miami-Dade County.

Track Record/Monitor

The Property Management Supervisor of the Miami-Dade Parks, Recreation and Open Spaces Department (MDPROS), John Bowers, will ensure completion of the easement document, its recording, and delivery to the Clerk of the Board.

Background

A new wakeboard complex that requires electrical power will begin construction at Amelia Earhart Park, the site plan is shown in Attachment A. The Board approved RFP803 under resolution R-781-12 at its October 2, 2012 meeting, awarding a license Agreement to Miami Watersports Complex (MWC). MWC will construct the wakeboard facilities at its own expense, estimated at \$2.1 million and pay rent to the County of approximately \$42,000 per year. FPL will provide electrical power to the complex in exchange for Miami-Dade County providing a 10,262 square foot easement (Attachment B) for an electrical transformer, power lines and related equipment for the new building. The easement is located to the east of the new complex, and is approximately 10-foot wide and 1,200 feet in length.

Attachments



Michael Spring, Senior Advisor
Office of the Mayor



MEMORANDUM

(Revised)

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

DATE: October 7, 2014

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

SUBJECT: Agenda Item No. 8(H)(1)

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. 8(H)(1)
10-7-14

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE CONVEYANCE OF AN EASEMENT TO FLORIDA POWER AND LIGHT COMPANY, FOR \$1.00, TO INSTALL AND MAINTAIN ELECTRIC POWER FACILITIES AT AMELIA EARHART PARK, LOCATED AT 11900 NW 42 AVENUE, AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE EASEMENT

WHEREAS, the County, through its Parks, Recreation and Open Spaces Department, is building a wakeboard complex at Amelia Earhart Park, located at 11900 NW 42 Avenue; and

WHEREAS, as part of the complex's construction, the County desires to use electric power facilities from the Florida Power and Light Company; and

WHEREAS, Florida Power and Light Company agrees to provide electric power facilities to the new complex in exchange for an easement to allow access to install and maintain them, and said easement will not adversely impact natural resources, or the park facilities and uses; and

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 hereby authorizes the granting of an easement to Florida Power and Light Company for \$1,00, or installation and maintenance of electric power facilities at Amelia Earhart Park, 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, same for and on behalf of Miami-Dade County, upon approval by the County Attorney's Office, and to exercise all provisions therein; and pursuant to Resolution No. R-974-09, directs the County Mayor or County Mayor's designee to record the instruments of easement conveyance accepted herein in the Public Records of Miami-Dade County, Florida; directs the County Mayor or County Mayor's designee to provide a recorded copy of the instruments to the Clerk of the Board within thirty (30) days of the execution of said instruments; and directs the Clerk of the Board to attach and permanently store the recorded copies together with this resolution.

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

Jose "Pepe" Diaz

Sally A. Heyman

Jean Monestime

Sen. Javier D. Souto

Juan C. Zapata

Esteban L. Bovo, Jr.

Audrey M. Edmonson

Barbara J. Jordan

Dennis C. Moss

Xavier L. Suarez

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

ATTACHMENT B

E A S E M E N T

Work Request No. _____

This Instrument Prepared By

Sec 30 Twp 52 Rge 41

Name: Randy Koper
Co. Name: Miami Dade County
PROS Dept.

Folio No.
30 2130 000 0020

Address: 275 NW 2nd Street
Suite #430
Miami, FL 33128

Reserved for Recording

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 and Light Company, its licensees, agents, successors, and assigns, ("Grantee") an easement forever for the construction, operation and maintenance of underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenance 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 located at Amelia Earhart Park, 11900 NW 42 Avenue, within the following described property:

See attached "Exhibit A"

Grantors Address:
Miami-Dade County
111 NW 1st Street
Miami, Florida 33128

Grantee Address:
Florida Power and Light Company
9250 West Flagler Street
Miami, Florida 33174

Together with the right to permit Grantee the right to attach wires to any facilities hereunder and lay cable and conduit within the Easement Area and to operate the same for Grantee's 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 said Easement Area. The County shall have the right and privilege to use the Easement Area in any manner that does not interfere with the rights, use and enjoyment granted hereunder to Grantee.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on _____, 2014.

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

By: _____
Deputy Clerk

By: _____
Mayor

Approved as to Form and Sufficiency _____
Print Name _____

The foregoing was authorized and approved by Resolution, _____ of the Board of County Commissioners of Miami-Dade County, Florida, on the _____ day of _____, 20_____.

EXHIBIT "A"

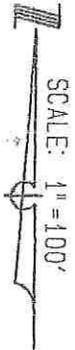
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Certificate of Authorization #LB1678.

MATCH LINE TO SHEET 2



LEGEND:

- ⊕ Centerline
- A/W Right-of-Way
- POC Point of Commencement
- POB Point of Beginning
- TS Transformer Slab Location

Louis R. Campanile
PSM #1224
3-11-2014

EAST LINE,
SECTION 30, TOWNSHIP 52 SOUTH,
RANGE 41 EAST

SOUTHEAST CORNER, SOUTHWEST 1/4,
SECTION 29, TOWNSHIP 52 SOUTH,
RANGE 41 EAST

SOUTHWEST CORNER,
SECTION 29, TOWNSHIP 52 SOUTH,
RANGE 41 EAST

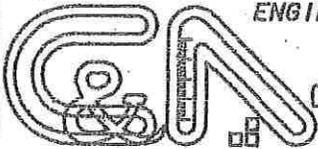
SOUTH LINE, SOUTHWEST 1/4
SECTION 29, TOWNSHIP 52 SOUTH,
RANGE 41 EAST

S89°51'21"W 2573.06'

EAST 65TH STREET

POC

CAMPANILE & ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS



6420 MAHI DRIVE
CORAL GABLES, FLORIDA 33158
(305) 971-1988
ACAMPAN@AOL.COM

AMELIA EARHART PARK
PROPOSED FPL EASEMENT LEGAL DESCRIPTION
AND
SKETCH TO ACCOMPANY
LEGAL DESCRIPTION

PAGE 1 OF 3

DATE: 3-11-2014

SCALE: AS NOTED

DWG. NO. 4947ELEC

AC
NC
DRAWN
CHECKED

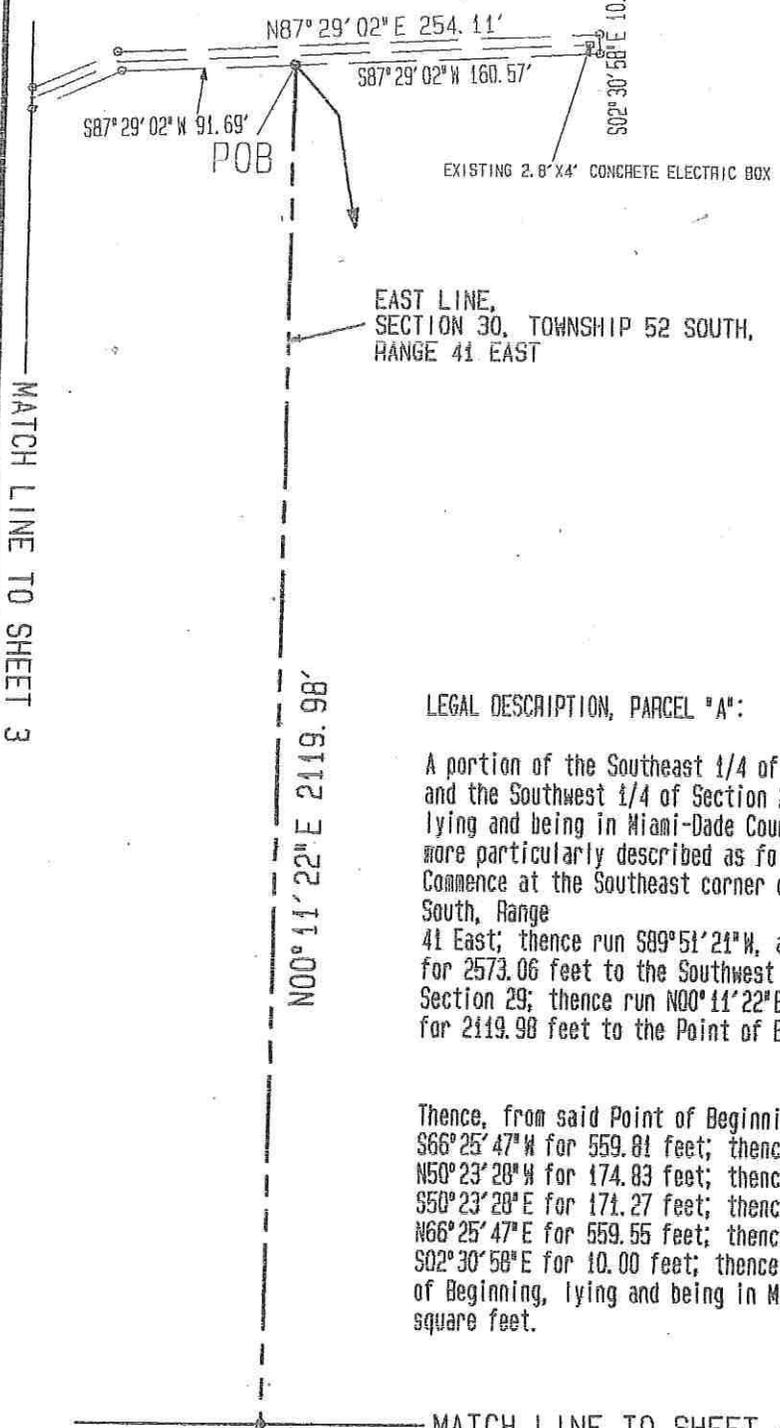
EXHIBIT "A"

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LEGAL DESCRIPTION, PARCEL "A":

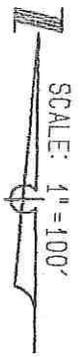
A portion of the Southeast 1/4 of Section 30, Township 52 South, Range 41 East, and the Southwest 1/4 of Section 29, Township 52 South, Range 41 East, lying and being in Miami-Dade County, Florida and being more particularly described as follows:

Commence at the Southeast corner of the Southwest 1/4 of Section 29, Township 52 South, Range

41 East; thence run S89° 51' 21" W, along the south line of said Section 29, for 2573.06 feet to the Southwest corner of said

Section 29; thence run N00° 11' 22" E, along the east line of Section 30 for 2119.98 feet to the Point of Beginning;

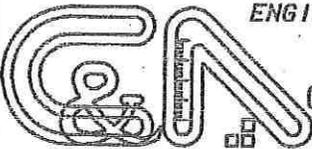
Thence, from said Point of Beginning run S87° 29' 02" W for 91.69 feet; thence run S66° 25' 47" W for 559.81 feet; thence run N89° 34' 13" W for 43.16 feet; thence run N50° 23' 28" W for 174.83 feet; thence run N39° 36' 32" E for 10.00 feet; thence run S50° 23' 28" E for 171.27 feet; thence run S89° 34' 13" E for 37.47 feet; thence run N66° 25' 47" E for 559.55 feet; thence run N87° 29' 02" E for 254.11 feet; thence run S02° 30' 58" E for 10.00 feet; thence run S87° 29' 02" W for 160.57 feet to the Point of Beginning, lying and being in Miami-Dade County, Florida, containing 10,262.3 square feet.



Louis R. Campanile

PSM #1224 3-11-2014

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AMELIA EARHART PARK
PROPOSED FPL EASEMENT LEGAL DESCRIPTION
AND
SKETCH TO ACCOMPANY
LEGAL DESCRIPTION

PAGE 2 OF 3

DATE: 3-11-2014

SCALE: AS NOTED

DWG. NO. 4947ELEC

DRAWN: AC
CHECKED: INC



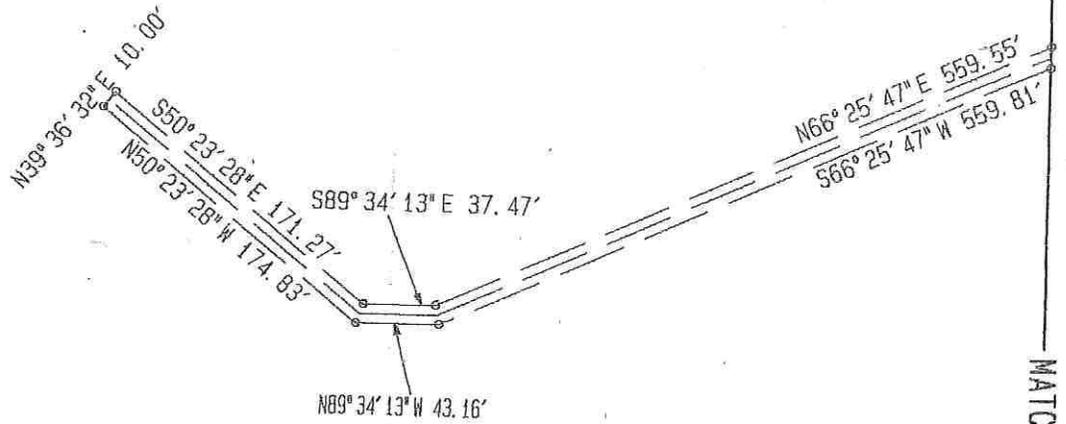
EXHIBIT "A"

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NOTES:

This is not a survey.

Bearings and North arrow are based upon the recorded geometry of Sections 29 & 30, Township 52 South, Range 41 East and referenced to the East line of said Section 30, Bearing = N00° 11' 22" E.

Site improvements not shown.

Location of proposed electrical equipment are proposed and are based upon information provided to us by the designer.

LEGEND:

- Ⓢ Centerline
- R/W Right-of-Way
- POC Point of Commencement
- POB Point of Beginning
- TS Transformer Slab Location

Louis R. Campanile
Psm #1224 3-11-2014

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AMELIA EARHART PARK
PROPOSED FPL EASEMENT LEGAL DESCRIPTION
AND
SKETCH TO ACCOMPANY
LEGAL DESCRIPTION

PAGE 3 OF 3

DATE: 3-11-2014

SCALE: AS NOTED

DWG. NO. 4947ELEC

DRAWN: LAC
CHECKED: MC