

# MEMORANDUM

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Agenda Item No. 3L

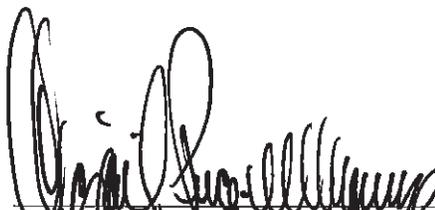
**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** October 13, 2016

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution rescinding Resolution Nos. R-523-13, R-526-13, R-530-13, R-531-13, R-532-13, R-533-13, R-534-13, R-535-13, R-536-13, R-538-13, R-539-13, R-541-13, R-542-13, R-543-13, R-544-13, R-545-13, R-546-13, R-547-13, R-550-13, R-551-13, and R-568-13, eliminating the acquisition of designated Parcels 100, 105, 111, 115, 116, 117, 118, 119, 120, 124, 125, 127, 129, 130, 131, 133, 134, 136, 139, 140, and 167 for the Original Project entitled Improvements to SW 137 Avenue from US-1 (SR5) to SW 200 Street

The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava.



Abigail Price-Williams  
County Attorney

APW/smm

# Memorandum



**Date:** November 1, 2016

**To:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Authorizing the Elimination of the Designated Properties Known as Parcels 100, 105, 111, 115, 116, 117, 118, 119, 120, 124, 125, 127, 129, 130, 131, 133, 134, 136, 139, 140, and 167 from the Right-of-Way Needed for the People's Transportation Plan Project Entitled Improvements to SW 137 Avenue from US-1 (SR5) to SW 200 Street as Originally Designed

## RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) rescind previously adopted Resolution Nos. R-523-13, R-526-13, R-530-13, R-531-13, R-532-13, R-533-13, R-534-13, R-535-13, R-536-13, R-538-13, R-539-13, R-541-13, R-542-13, R-543-13, R-544-13, R-545-13, R-546-13, R-547-13, R-550-13, R-551-13, and R-568-13. Said Resolutions authorized the acquisitions of Parcels 100, 105, 111, 115, 116, 117, 118, 119, 120, 124, 125, 127, 129, 130, 131, 133, 134, 136, 139, 140, and 167 needed for the roadway expansion, along SW 137 Avenue from US-1 (SR5) to SW 200 Street as originally designed (Original Project). Approval of the attached Resolution authorizes the elimination of these properties from acquisition in connection with the Original Project, many of which will be eliminated or modified in connection with a redesigned project (Redesigned Project).

## SCOPE

The properties are located within Commissioner Daniella Levine Cava's District 8.

## FISCAL IMPACT/FUNDING SOURCE

Funding for the right-of-way acquisition, design and construction of the Redesigned Project will be provided by the Charter County Transportation Surtax Bond Fund proceeds, and may be supplemented by other eligible funding sources. Funding is programmed within the adopted 2015-16 Right-of-Way Acquisition for Construction Projects Countywide (P2000000537) Site 76078 in Commission District 8. There is no negative fiscal impact from the elimination of these parcels.

## TRACK MONITOR

The Department of Transportation and Public Works (DTPW) is the entity overseeing this item and the person responsible is Mr. Francisco Fernandez, Chief Real Estate Officer, DTPW, Roadway Engineering and Right-of-Way Division.

## BACKGROUND

In an effort to reduce costs, the Original Project was re-evaluated for cost effectiveness and subjected to value engineering. These efforts resulted in the redesign of the Original Project, yielding cost savings, and minimizing the amount of right-of-way to be acquired, while maintaining the integrity of the project and adhering to the objectives set forth by the Board. In light of the change in scope of the Original Project, the referenced resolutions for the Original Project are being rescinded in order to authorize new resolutions reflecting the proper scope of the Redesigned Project, including modification or elimination of many of the original parcels.

  
Alina T. Hudak  
Deputy Mayor



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** November 1, 2016

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No.

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 Agenda Item No.  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION RESCINDING RESOLUTION NOS. R-523-13, R-526-13, R-530-13, R-531-13, R-532-13, R-533-13, R-534-13, R-535-13, R-536-13, R-538-13, R-539-13, R-541-13, R-542-13, R-543-13, R-544-13, R-545-13, R-546-13, R-547-13, R-550-13, R-551-13, AND R-568-13, ELIMINATING THE ACQUISITION OF DESIGNATED PARCELS 100, 105, 111, 115, 116, 117, 118, 119, 120, 124, 125, 127, 129, 130, 131, 133, 134, 136, 139, 140, AND 167 FOR THE ORIGINAL PROJECT ENTITLED IMPROVEMENTS TO SW 137 AVENUE FROM US-1 (SR5) TO SW 200 STREET

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

**WHEREAS**, the original SW 137th Avenue Project (the "Original Project") has been redesigned, resulting in a new project design (the "Redesigned Project") that has minimized the amount of right-of-way to be acquired, resulting in a cost savings while maintaining the integrity of the Original Project; and

**WHEREAS**, due to the changes to the scope of the Original Project, it is appropriate to rescind the prior resolutions authorizing acquisition of parcels for the Original Project, in order to authorize new resolutions which accurately reflect the scope of the Redesigned Project, including, in some instances, elimination or modification of many of the original parcels required for the Original Project; and

**WHEREAS**, rescission of the resolutions authorizing the acquisition of Parcel Nos. 100, 105, 111, 115, 116, 117, 118, 119, 120, 124, 125, 127, 129, 130, 131, 133, 134, 136, 139, 140, and 167 for the Original Project shall be replaced and superseded by new resolutions authorizing acquisition of parcels required for the Redesigned Project,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA,** that this Board ratifies and adopts these matters set forth in the foregoing recitals and hereby rescinds Resolution Nos. R-523-13, R-526-13, R-530-13, R-531-13, R-532-13, R-533-13, R-534-13, R-535-13, R-536-13, R-538-13, R-539-13, R-541-13, R-542-13, R-543-13, R-544-13, R-545-13, R-546-13, R-547-13, R-550-13, R-551-13, and R-568-13 eliminating the acquisition of the designated parcels known as 100, 105, 111, 115, 116, 117, 118, 119, 120, 124, 125, 127, 129, 130, 131, 133, 134, 136, 139, 140, and 167 for the Original Project.

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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 1<sup>st</sup> day of November, 2016. 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.



Debra Herman