

MEMORANDUM

Agenda Item No. 8(H)(7)

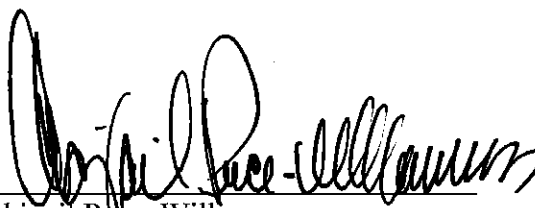
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: May 7, 2019

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution authorizing
Conveyance of an Easement to
Florida Power and Light
Company in exchange for a one-
time payment of \$1.00 to install
and maintain electric power solar
canopy facilities at Zoo Miami,
located at 12400 S.W. 152 Street,
Miami, Fl. 33177; authorizing
County Mayor to execute
easement and exercise all
provisions contained therein

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 Dennis C. Moss.



Abigail Price-Williams
County Attorney

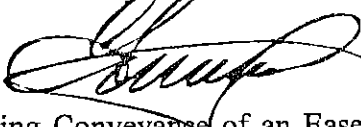
APW/lmp

Memorandum



Date: May 7, 2019

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Resolution Authorizing Conveyance of an Easement to the Florida Power and Light Company for the Installation and Maintenance of Solar Canopy Facilities at Zoo Miami

Recommendation

It is recommended that the Board of County Commissioners adopt the attached resolution authorizing the conveyance of a 400-square foot easement to the Florida Power and Light Company (FPL) for a Solar Canopy electrical power installation at Zoo Miami.

Scope

Zoo Miami is located at 12400 S.W. 152 Street Miami, FL 33177, in County Commission District 9, which is represented by Commissioner Dennis C. Moss. Zoo Miami is an asset of regional significance.

Fiscal Impact/Funding Source

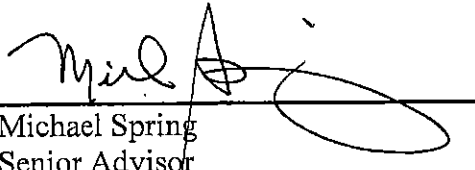
The fiscal impact is a one-time receipt of \$1.00 from FPL, into Index Code PRRMET555019.

Track Record/Monitor

The Parks, Recreation and Open Spaces Department's (PROS) Planning Landscape Architect II, Jessica Blackwell, will ensure completion of the easement document, its recording, and delivery to the Clerk of the Board.

Background

MDPROS' Zoo Miami needs to provide continuous and unobstructed access to FPL to reach all of its solar canopy (shelter) electrical facilities that service Zoo Miami at the referenced location attached. The easement area (Attachment A to the resolution) is approximately 400 square feet. The entire installation will not adversely impact the park's aesthetics, in accordance with Resolution No. R-504-15.


Michael Spring
Senior Advisor

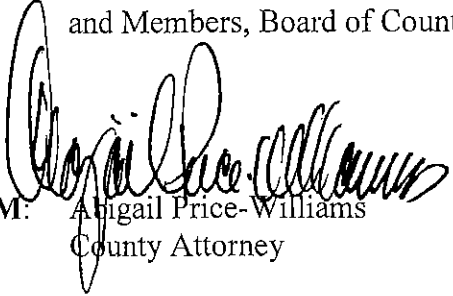


MEMORANDUM

(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: May 7, 2019

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(H)(7)

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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

3

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(H)(7)
5-7-19

RESOLUTION NO. _____

RESOLUTION AUTHORIZING CONVEYANCE OF AN EASEMENT TO FLORIDA POWER AND LIGHT COMPANY IN EXCHANGE FOR A ONE-TIME PAYMENT OF \$1.00 TO INSTALL AND MAINTAIN ELECTRIC POWER SOLAR CANOPY FACILITIES AT ZOO MIAMI, LOCATED AT 12400 S.W. 152 STREET, MIAMI, FL 33177; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE EASEMENT AND EXERCISE ALL PROVISIONS CONTAINED THEREIN

WHEREAS, the County, through its Parks, Recreation and Open Spaces Department, manages Zoo Miami, located at 12400 SW 152 Street, Miami, FL 33177; and

WHEREAS, the electrical power solar canopy will be installed by FPL; and

WHEREAS, FPL requires a new easement be established for the continued monitoring and maintenance of the solar canopy FPL facilities; and

WHEREAS, the easement is for solar canopy electrical services that will not adversely impact the park's aesthetics, in accordance with Resolution No. R-504-15; 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:

Section 1. This Board adopts the foregoing recitals as if fully set forth herein.

Section 2. This Board authorizes the conveyance of an easement to the Florida Power and Light Company for a one-time payment of \$1.00 for installation and maintenance of electrical line facilities at Zoo Miami, in substantially the form attached hereto as Attachment A and made

a part hereof, and authorizes the County Mayor or County Mayor's designee to execute the easement and to exercise all provisions contained therein.

Section 3. This Board, pursuant to Resolution No.: R-974-09, (a) directs the County Mayor or County Mayor's designee to record the easement in the Public Records of Miami-Dade County and to provide a recorded copy of the instrument to the Clerk of the Board within 30 days of recordation of the easement; and (b) directs the Clerk of the Board to attach and permanently store a recorded copy of said easement 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:

Audrey M. Edmonson, Chairwoman

Rebeca Sosa, Vice Chairwoman

Esteban L. Bovo, Jr.

Jose "Pepe" Diaz

Eileen Higgins

Joe A. Martinez

Dennis C. Moss

Xavier L. Suarez

Daniella Levine Cava

Sally A. Heyman

Barbara J. Jordan

Jean Monestime

Sen. Javier D. Souto

The Chairperson thereupon declared this resolution duly passed and adopted this 7th day of May, 2019. 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.

MJS

Melanie J. Spencer

Work Request No. 8224895

Sec. 36, Twp 39 S, Rge 39 E

Parcel I.D. 30-59-3636-000-0050
(Maintained by County Appraiser)

UNDERGROUND EASEMENT (BUSINESS)

This Instrument Prepared By

Name: Florida Power & Light
Co. Name: Amy Wilkes
Address: 700 Universe Blvd
Juno Beach, FL 33408

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 affiliates, licensees, agents, successors, and assigns ("FPL"), a non-exclusive easement forever for the construction, operation and maintenance of underground electric utility facilities (including cables, conduits, appurtenant equipment, and appurtenant above-ground 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 described as follows:

Reserved for Circuit Court

see Exhibit A attached

Together with the right to permit any other person, firm, or corporation to attach or place wires to or within any facilities hereunder and lay cable and conduit within the Easement Area and to operate the same for communications purposes; the right of ingress and egress to the Easement Area at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area; the right 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 Easement Area, over, along, under and across the roads, streets or highways adjoining or through said Easement Area.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on _____, 20__.

Signed, sealed and delivered in the presence of:

Entity Name

(Witness' Signature)

By: _____

Print Name: _____
(Witness)

Print Name: _____

(Witness' Signature)

Print Address: _____

Print Name: _____
(Witness)

STATE OF _____ AND COUNTY OF _____. The foregoing instrument was acknowledged before me this _____ day of _____, 20__, by _____, the _____ of _____ a _____, who is personally known to me or has produced _____ as identification, and who did (did not) take an oath.
(Type of Identification)

My Commission Expires:

Notary Public, Signature

Print Name _____

Exhibit A

'LEGAL DESCRIPTION:

A PORTION OF SECTION 36, TOWNSHIP 55 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 36; THENCE SOUTH 65°11'19" EAST A DISTANCE OF 490.88 FEET TO THE POINT OF BEGINNING; THENCE NORTH 67°22'25" EAST A DISTANCE OF 20.00 FEET; THENCE SOUTH 22°37'35" EAST A DISTANCE OF 20.00 FEET; THENCE SOUTH 67°22'25" WEST A DISTANCE OF 20.00 FEET; THENCE NORTH 22°37'35" WEST A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN MIAMI-DADE COUNTY, FLORIDA, AND CONTAINING 400 SQUARE FEET (0.009 ACRE), MORE OR LESS.

SURVEYOR'S NOTES:

1. NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER.
2. THIS IS NOT A BOUNDARY SURVEY.
3. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
4. THE LANDS SHOWN HEREON WERE NOT ABSTRACTED BY THE SURVEYOR FOR RIGHTS-OF-WAY, EASEMENTS, RESTRICTIONS, COVENANTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
5. DISTANCES SHOWN HEREON ARE IN U.S. SURVEY FEET AND DECIMAL PORTIONS THEREOF.
6. BEARINGS SHOWN HEREON ARE RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, TRANSVERSE MERCATOR PROJECTION, NORTH AMERICAN DATUM OF 1983 WITH THE 2011 ADJUSTMENT (NAD 83/11), AND ESTABLISHED BY GLOBAL POSITIONING SYSTEM (GPS) - REAL TIME KINEMATICS (RTK) METHODS USING THE TRIMBLE VIRTUAL REFERENCE STATION (VRS) NETWORK, WITH A REFERENCE BEARING OF SOUTH 65°11'19" EAST FROM THE NORTHWEST CORNER OF SECTION 36, TOWNSHIP 55 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, TO THE POINT OF BEGINNING.
7. THE PURPOSE OF THIS SKETCH AND DESCRIPTION IS TO SHOW THE LOCATION OF IMPROVEMENTS ADJACENT TO FLORIDA POWER AND LIGHT COMPANY STRUCTURES.

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE, BELIEF, AND INFORMATION AS SURVEYED UNDER MY DIRECTION ON NOVEMBER 02, 2018. I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH AND SCHNARS, P.A.
ENGINEERS-PLANNERS-SURVEYORS

BY: BENJAMIN B. HOYLE, P.S.M.
FLORIDA REGISTRATION NO. 6769

SEE SHEET 2 OF 2 FOR SKETCH

FPL EASEMENT

Z:\Projects\18072 FPL\69-200-MIAMI\00\SURVEY\CAD\18072.00-SC-FPL EASEMENT (REV. 11-02-18).dwg

SKETCH OF DESCRIPTION

A PORTION OF SECTION 36,
TOWNSHIP 55 SOUTH,
RANGE 39 EAST

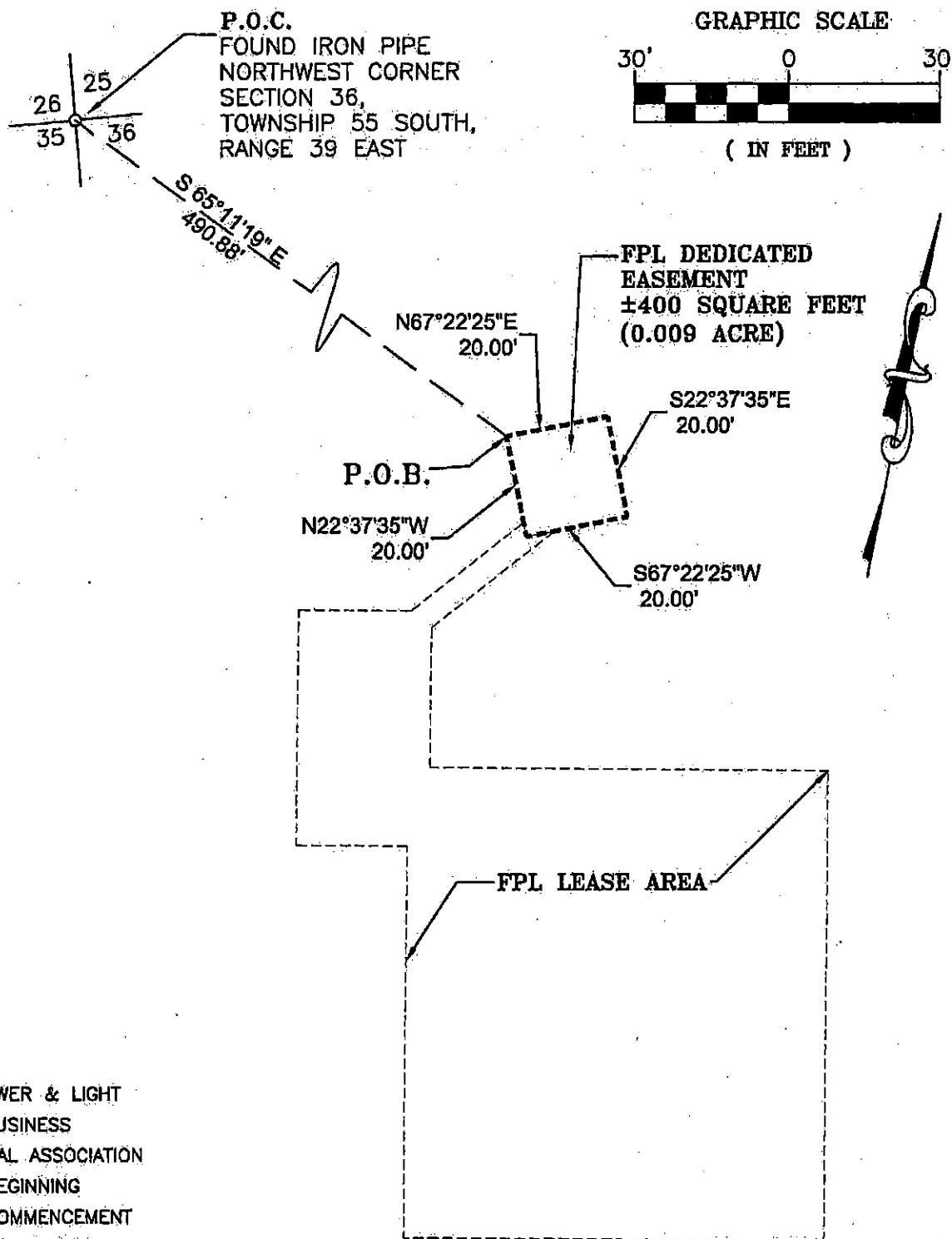
CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA

DATE 11/02/2018
SCALE AS SHOWN
FIELD BK. 1485
DWG. BY AC
CHK. BY BBH

DATE	REVISIONS

KS KEITH & SCHNARS

LB 1337
6500 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FL 33309-2132 (954)776-1816
SHEET NO. 1 OF 2 SHEETS
PROJECT NO. 18072.00



LEGEND:

FPL FLORIDA POWER & LIGHT
 LB LICENSED BUSINESS
 P.A. PROFESSIONAL ASSOCIATION
 P.O.B. POINT OF BEGINNING
 P.O.C. POINT OF COMMENCEMENT
 P.S.M. PROFESSIONAL SURVEYOR AND MAPPER

SEE SHEET 1 OF 2 FOR DESCRIPTION

FPL EASEMENT

Z:\Projects\18072 FPL\89-ZOO-MIAMI\00\SURVEY\CAD\18072.89 -SL-FPL EASEMENT_(REV. 11-02-18).dwg

SKETCH OF DESCRIPTION

A PORTION OF SECTION 36,
 TOWNSHIP 55 SOUTH,
 RANGE 39 EAST

CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA

DATE 11/02/2018
 SCALE AS SHOWN
 FIELD BK. 1485
 DWG. BY AC
 CHK. BY BBH

DATE	REVISIONS

KS KEITH & SCHNARS

LB 1337
 6500 NORTH ANDREWS AVENUE
 FORT LAUDERDALE, FL 33308-2132 (954)778-1818
 SHEET NO. 2 OF 2 SHEETS
 PROJECT NO. 18072.691

9