

MEMORANDUM

Agenda Item No. 8(N)(2)

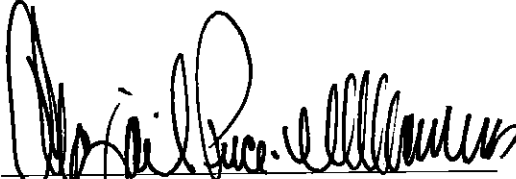
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: July 23, 2019

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution authorizing conveyance of an easement to Florida Power and Light Company on or across and through County-owned land, for \$1.00 to service the Compressed Natural Gas Facility at the Coral Way Bus Maintenance Facility, located at 2775 SW 74 Avenue; and authoring the County Mayor to execute said easement and to exercise all provisions contained therein

The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Vice Chairwoman Rebeca Sosa.


Abigail Price-Williams
County Attorney

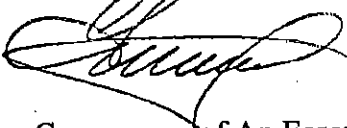
APW/uw

Memorandum



Date: July 23, 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 for \$1.00 to Florida Power and Light Company Through County-Owned Land to Service the Compressed Natural Gas Fueling Station at the Coral Way Bus Maintenance Facility, located at 2775 SW 74 Avenue, Miami, Florida; and Authorizing the County Mayor or County Mayor's Designee to Exercise all Provisions Contained Therein

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) authorize the conveyance of an approximately 896 square foot easement to Florida Power and Light Company (FPL) for the installation of the electrical power service for the new fueling station that will serve Miami-Dade County (County) Compressed Natural Gas (CNG) bus fleet at the Coral Way Bus Maintenance Facility, located at 2775 SW 74 Avenue, Miami, Florida.

SCOPE

This easement is physically located within Commission District 6, which is represented by Commissioner Rebeca Sosa.

FISCAL IMPACT/FUNDING SOURCE

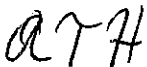
There is no fiscal impact to Miami-Dade County associated with the conveyance of this easement.

TRACK RECORD/MONITOR

In the past, the County has granted several easements to FPL. The person responsible for monitoring the conveyance of the easement is Javier Bustamante, Chief of Right of Way, Utilities and Joint Development.

BACKGROUND

The Department of Transportation and Public Works is transitioning its bus fleet from traditional diesel fuel buses to CNG buses in the near future. MDC and Trilium CNG are partnering in the construction and installation of a CNG fueling station at the Central Bus Maintenance Facility located at 2775 SW 74 Avenue. The CNG station requires an electrical power service to operate the fueling equipment. Therefore, it is necessary to convey an easement to FPL for the installation, operation and maintenance of the electrical power supply to the CNG fuel station. Pursuant to Resolution R-504-15, adopted by the Board on June 2, 2015, the FPL lines serving the CNG facility shall be directly buried underground for aesthetic presentation, with no or very little above ground appearance.



Alina T. Hudak
Deputy Mayor



MEMORANDUM
(Revised)

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

DATE: July 23, 2019

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(N)(2)

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

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(N)(2)
7-23-19

RESOLUTION NO. _____

RESOLUTION AUTHORIZING CONVEYANCE OF AN EASEMENT TO FLORIDA POWER AND LIGHT COMPANY ON OR ACROSS AND THROUGH COUNTY-OWNED LAND, FOR \$1.00 TO SERVICE THE COMPRESSED NATURAL GAS FACILITY AT THE CORAL WAY BUS MAINTENANCE FACILITY, LOCATED AT 2775 SW 74 AVENUE; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAID EASEMENT AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN

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:

Section 1. Approves the conveyance of an easement to Florida Power and Light Company ("FPL") for \$1.00 as described in the attached FPL easement, in substantially the form attached hereto as Exhibit "A".

Section 2. Further authorizes the County Mayor or County Mayor's designee to execute said easement for and on behalf of Miami-Dade County and exercise all provisions contained therein.

Section 3. Requires FPL, pursuant to Resolution R-504-15, to use reasonable measures to minimize any negative aesthetic impact to the public from the installation of the FPL services.

Section 4. Directs the Mayor or the County Mayor's designee, pursuant to Resolution No. R-974-09, to record the easement conveyance accepted herein in the public records of the County and provide a recorded copy to the Clerk of the Board within 30 days of execution of said instrument and directs the Clerk of the Board to permanently store the recorded copy with the 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.	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Eileen Higgins	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	


The Chairperson thereupon declared this resolution duly passed and adopted this 23rd day of July, 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.



Bruce Libhaber

Work Request No. _____
Sec. __, Twp __ S, Rge __ E
Parcel I.D. _____
(Maintained by County Appraiser)

UNDERGROUND EASEMENT (BUSINESS)

This Instrument Prepared By

Name: _____
Co. Name: _____
Address: _____

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 _____



436 West Commodore Blvd. Suite 1
Jackson, NJ 08527
Tel: (844) SURVEY-9

SHEET 1 OF 2

EXHIBIT "A"

LEGAL DESCRIPTION

A PORTION OF TRACT I OF UTILITIES CENTER, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 50, PAGE 91, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 54 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA; THENCE ALONG THE EAST LINE OF SAID SECTION 14, SOUTH $01^{\circ}48'04''$ EAST, A DISTANCE OF 930.15 FEET TO THE POINT OF BEGINNING; THENCE SOUTH $86^{\circ}11'23''$ EAST, A DISTANCE OF 6.90 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SW 72ND AVENUE AND THE WEST LINE OF THE EAST 12.50 FEET OF SAID TRACT I; THENCE SOUTH $01^{\circ}48'04''$ EAST, ALONG SAID WEST LINE, A DISTANCE OF 10.05 FEET; THENCE DEPARTING SAID WEST LINE, RUN NORTH $86^{\circ}11'23''$ WEST, A DISTANCE OF 47.27 FEET; THENCE NORTH $80^{\circ}13'20''$ WEST, A DISTANCE OF 8.97 FEET; THENCE SOUTH $09^{\circ}46'40''$ WEST, A DISTANCE OF 4.00 FEET; THENCE NORTH $80^{\circ}13'20''$ WEST, A DISTANCE OF 18.00 FEET; THENCE NORTH $09^{\circ}46'40''$ EAST, A DISTANCE OF 18.00 FEET; THENCE SOUTH $80^{\circ}13'20''$ EAST, A DISTANCE 18.00 FEET; THENCE SOUTH $09^{\circ}46'40''$ WEST, A DISTANCE OF 4.00 FEET; THENCE SOUTH $80^{\circ}13'20''$ EAST, A DISTANCE OF 8.45 FEET; THENCE SOUTH $86^{\circ}11'23''$ EAST, A DISTANCE OF 38.87 FEET TO THE POINT OF BEGINNING.

CONTAINING 876 SQUARE FEET, MORE OR LESS.

The above description is in accordance with the Attachment "A", prepared by American Layout & Land Surveying dated March 4, 2019

Robert W. Monaco, P.S.M.
Professional Surveyor & Mapper
Florida License No. LS5980
March 4, 2019



SKETCH OF DESCRIPTION EXHIBIT "A" (continued) - NOT A SURVEY -

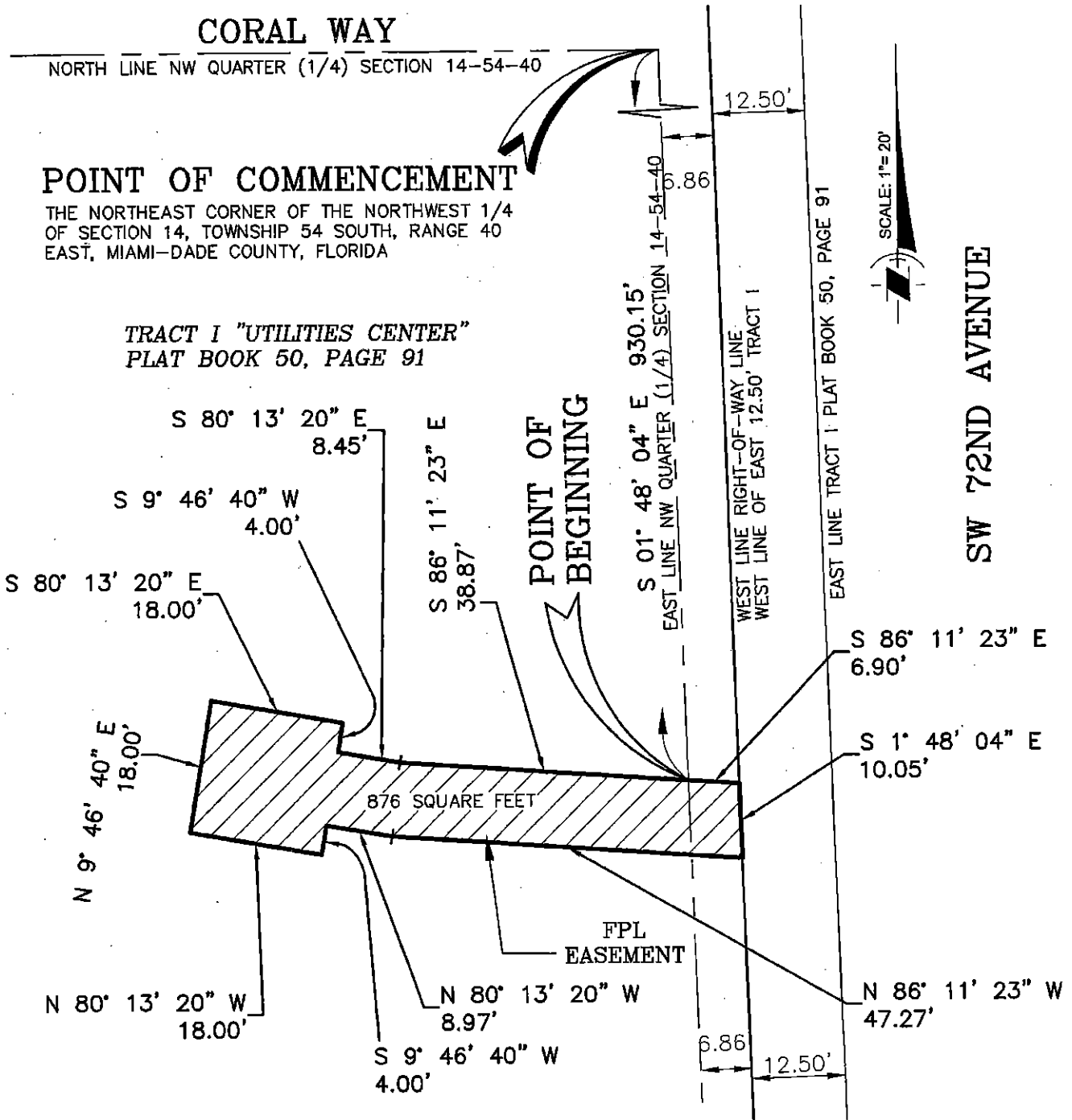
CORAL WAY

NORTH LINE NW QUARTER (1/4) SECTION 14-54-40

POINT OF COMMENCEMENT

THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 54 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA

TRACT I "UTILITIES CENTER"
PLAT BOOK 50, PAGE 91



SURVEYOR'S NOTES

- 1) Bearings are based on the East line of the Northwest 1/4 of Section 14-54-40, Miami-Dade County, Florida, having an assumed bearing of S 01°48'04" E.
- 2) See sheet 1 of 2 for Legal Description.



**AMERICAN
LAYOUT**

AMERICAN LAYOUT & LAND SURVEYING

5125 Adanson Street, Suite 800, Orlando, Florida 32804

Tele. No. (844) 787-8399

LICENSED BUSINESS No. 8131

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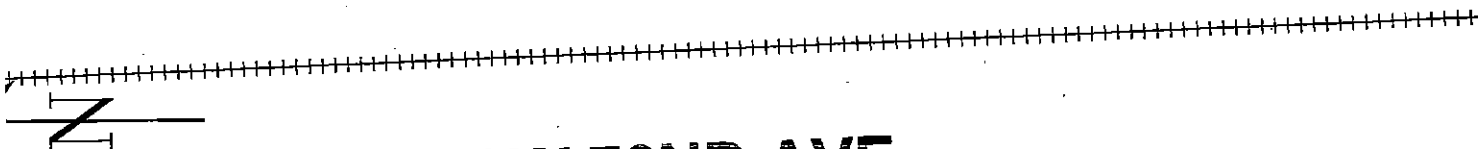
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LOC 1: INST/
LOC 1-2: PUL
LOC 2: INST/
SIMILAR TO I

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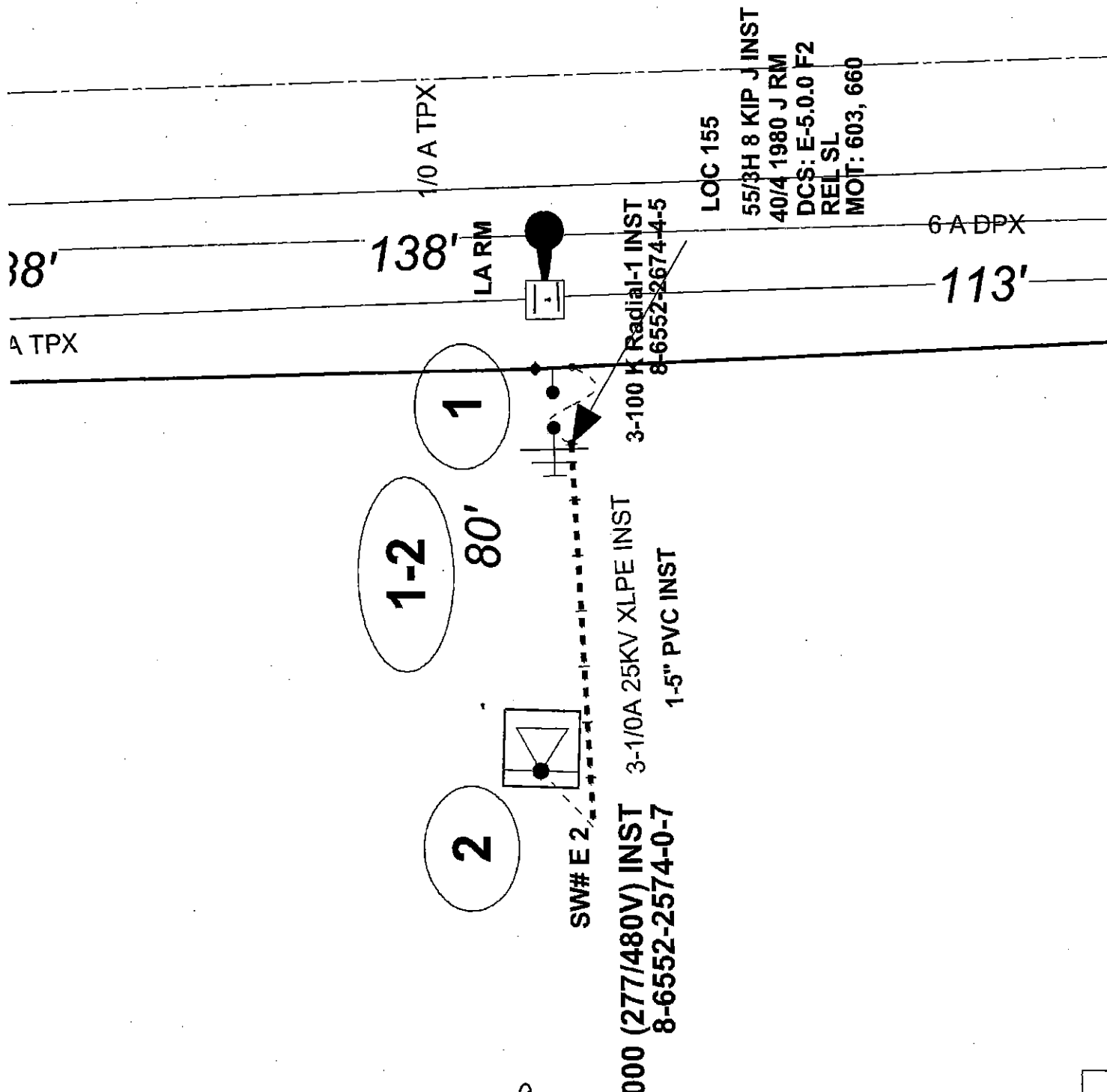
MOT 602

CPM: ISABEL

ACCESSIBLE



SW 72ND AVE



38'
A TPX

138'
LA RM

1/0 A TPX

LOC 155

55/3H 8 KIP J INST
40/4 1980 J RM
DCS: E-5.0.0 F2
REL SL
MOT: 603, 660

6 A DPX

113'