

# MEMORANDUM

Agenda Item No. 8(N)(6)

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

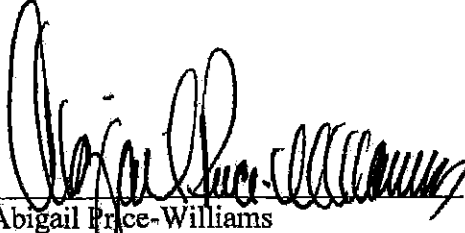
**DATE:** May 5, 2020

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

**SUBJECT:** Resolution approving a maintenance map for a portion of SW 136 Street between 199.85 feet East of SW 83 Avenue and 168.10 feet West of SW 82 Avenue, in section 15, Township 55 South, Range 40 East; authorizing the Chairperson and the Clerk of the Board to certify the Maintenance Map; authorizing the County Mayor to take all actions necessary to effectuate the same

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The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Infrastructure and Capital Improvements Committee.

  
Abigail Price-Williams  
County Attorney

APW/uw

# Memorandum



**Date:** May 5, 2020

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

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over a horizontal line.

**Subject:** Resolution Approving a Maintenance Map for a Portion of SW 136 Street Between 199.85 feet East of SW 83 Avenue and 168.10 feet West of SW 82 Avenue, in Section 15, Township 55 South, Range 40 East, Miami-Dade County, Florida

## RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the attached resolution approving a Maintenance Map for a portion of SW 136 Street between SW 83 Avenue and SW 82 Avenue, authorizing the Chairwoman and the Clerk of the Board to certify same, and authorizing the recordation thereof in the Public Records of Miami-Dade County, Florida.

## SCOPE

The subject property is located within District 7, which is represented by Commissioner Xavier L. Suarez.

## FISCAL IMPACT

There is no fiscal impact associated with this resolution. Miami-Dade County has been maintaining this portion of right of way for more than seven years.

## TRACK RECORD/MONITOR

The Department of Transportation and Public Works (DTPW) is the entity overseeing this project and the person responsible for monitoring is Leandro Oña, P.E., Chief, Roadway Engineering and Right-of-Way Division.

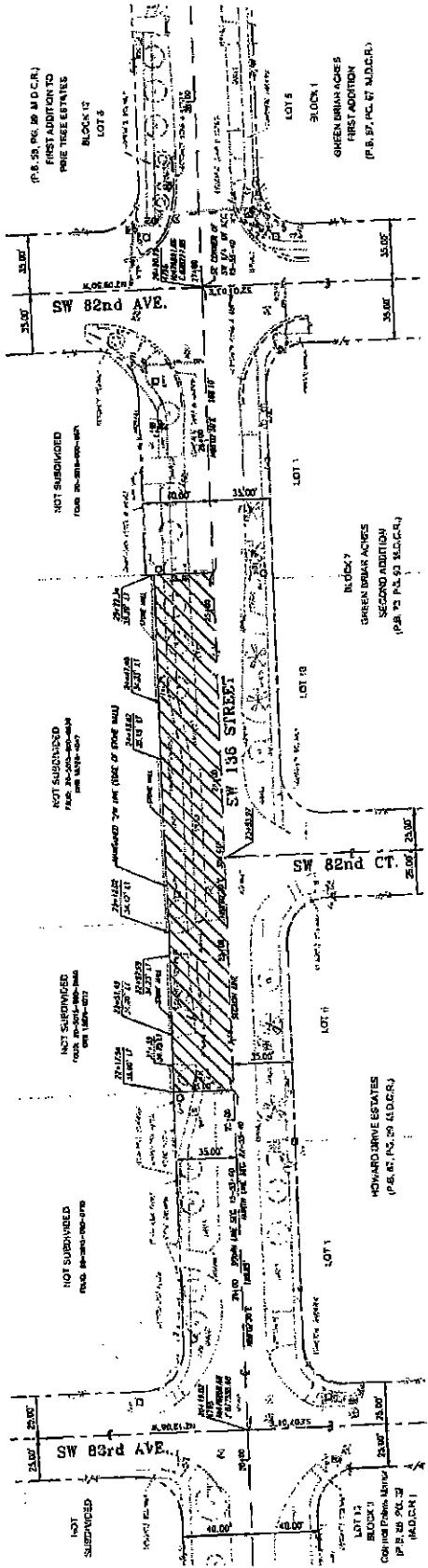
## BACKGROUND

The subject road has been maintained continuously by DTPW for over seven years. In accordance with Section 95.351, Florida Statutes, title to a road maintained by the County for over four years vests in the County. The filing of a Maintenance Map in the Office of the Clerk of the Court, which has been certified by the Chairwoman and the Clerk of the Board, is deemed prima facie evidence of ownership by the County. The subject Maintenance Map has been executed by the Assistant Director of Construction and Maintenance of the DTPW, certifying that the County has maintained this road for seven years. It is recommended the Maintenance Map, provided as Attachment 1, be approved by the Board after which it will be certified by the Chairwoman and the Clerk of the Board and recorded in the Public Records of Miami-Dade County, Florida.

A handwritten signature in black ink, appearing to read "Jennifer Moon", written over a horizontal line.  
Jennifer Moon  
Deputy Mayor

ATTACHMENT 1

SECTION 15-55-40



SECTION 22-55-40

LEGEND

- SYMBOLS FOR: 100% BUILT, 100% UNBUILT, 47% COVERED, PROPERTY LINE, SECTION LINE, LOT LINE, CENTER LINE, MANTHONY, INC.

PLANS, SPECIFICATIONS, BLOCKS, AND LOTS SHOWN ARE OBTAINED FROM PLATS OF RECORD, FIELD SURVEY AND RECORD TITLES...

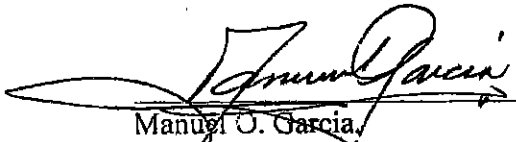
THE IS TO CERTIFY THAT THE MAP SUBMITTED AND ONE (1) OF THE ORIGINALS...

ACCEPTED FOR FILE and recorded in the Public Records in Allegheny County, Pennsylvania...

Maintenance Map header containing: MIAMI-DADE COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS, ENGINEERING SECTION, and various administrative fields.

**AFFIDAVIT**

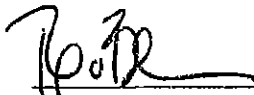
THIS IS TO CERTIFY THAT I, Manuel O. Garcia, Assistant Director of Construction and Maintenance of the Miami-Dade County Department of Transportation and Public Works have determined, to the best of my knowledge, that Miami-Dade County road forces have maintained along SW 136 Street between 199.85 feet East of SW 83 Avenue and 168.10 feet West of SW 82 Avenue, the pavement, signing, drainage, and swales of the road thereof, in Miami-Dade County, Florida, for at least four (4) years.



Manuel O. Garcia,  
Assistant Director of  
Construction and Maintenance  
Department of Transportation and Public Works  
Miami-Dade County

STATE OF FLORIDA  
COUNTY OF DADE

The foregoing instrument was acknowledged before me this 19<sup>TH</sup> day of NOVEMBER, 2019 by Manuel O. Garcia, who is personally known to me and who did take and oath.



RAULO O. BALLINA  
Commission # GG 241087  
Expires July 23, 2022  
Bonded thru Budget Notary Services

NOTARY PUBLIC STATE OF FLORIDA

7/23/2022  
MY COMMISSION EXPIRES: \_\_\_\_\_

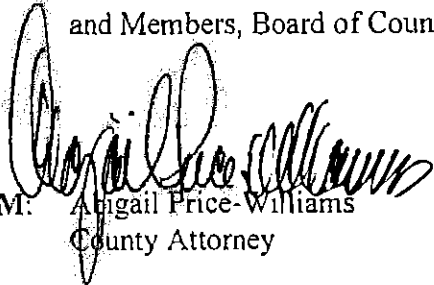
COMMISSION/SERIAL NO. GG 241087



**MEMORANDUM**  
(Revised)

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

**DATE:** May 5, 2020

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

**SUBJECT:** Agenda Item No. 8(N)(6)

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)(6)  
5-5-20

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

RESOLUTION APPROVING A MAINTENANCE MAP FOR A PORTION OF SW 136 STREET BETWEEN 199.85 FEET EAST OF SW 83 AVENUE AND 168.10 FEET WEST OF SW 82 AVENUE, IN SECTION 15, TOWNSHIP 55 SOUTH, RANGE 40 EAST; AUTHORIZING THE CHAIRPERSON AND THE CLERK OF THE BOARD TO CERTIFY THE MAINTENANCE MAP; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE SAME

**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 Director of the Department of Transportation and Public Works has recommended that an Official Maintenance Map, stating that such road has vested in the County, be filed of record to indicate prima facie evidence of ownership, pursuant to the provisions of Section 95.361 of the Florida Statutes and the County Mayor has concurred with such recommendation,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that:

**Section 1.** This Board incorporates and adopts the foregoing recitals.

**Section 2.** This Board approves the Maintenance Map for a portion of SW 136 Street between 199.85 feet East of SW 83 Avenue and 168.10 feet West of SW 82 Avenue, in Section 15, Township 55 South, Range 40 East, depicted in Attachment 1 to the Mayor's Memorandum. This Board authorizes the Chairperson and the Clerk of the Board to certify the same pursuant to Section 95.361 of the Florida Statutes and authorizes the County Mayor or Mayor's designee to take all actions necessary to effectuate the same.

**Section 3.** Pursuant to Resolution No. R-974-09, this Board (a) directs the County Mayor or Mayor's designee to record any instruments executed in connection herewith which create or reserve a property interest in favor of the County, in the Public Records of Miami-Dade County, Florida; and to provide a recorded copy of instruments to the Clerk of the Board within thirty (30) days of execution of said instruments; and (b) directs the Clerk of the Board to attach and permanently store a recorded copy of said instruments 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.	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 5<sup>th</sup> day of May, 2020. 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.



Lauren E. Morse