Agenda Item No. 8(M)(1)(B)

04-24-07

Approved _____ Mayor

Veto _____

Override _____

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

RESOLUTION NO. R-411-07

RESOLUTION AUTHORIZING EXECUTION OF EASEMENT TO THE CITY OF NORTH MIAMI BEACH FOR THE INSTALLATION AND MAINTENANCE OF WATER FACILITIES WITHIN THE DOLPHIN CENTER SPECIAL TAXING DISTRICT AND AUTHORIZING THE MAYOR TO TAKE SUBSEQUENT ACTION

WHEREAS, Miami-Dade County owns and the Park and Recreation Department operates and maintains the Dolphin Center Special Taxing District; and

WHEREAS, the Home Depot, in order to construct a new store within the Special Taxing District must connect to the nearest water service, which in this case is provided by the City of North Miami Beach; and

WHEREAS, this necessitates connecting Home Depot water lines on the west side of the Dolphin Center Special Taxing District (Tract D) to North Miami Beach service on the east side; and

WHEREAS, the City has agreed to allow a utility service connection in exchange for an easement on land where the utility facilities will be located; and

WHEREAS, the Home Depot has proposed a general area where the water easement should be located within Dolphin Center Special Taxing District (Tract D) that will not impact the property; 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 approves the granting of an Easement to North Miami Beach Public Services Department for installation and maintenance of water facilities within Dolphin Center Special Taxing District (Tract D), located at NW 195 Street and 24 Avenue, in substantially the location attached hereto and made a

part hereof; authorizes the Mayor to take appropriate actions to accomplish same; and after installation is complete, authorizes the Mayor to execute the completed Easement in accordance with Florida Statute 125.411, same for and on behalf of Miami-Dade County.

The foregoing resolution was offered by Commissioner Carlos A. Gimenez, who moved its adoption. The motion was seconded by Commissioner Dennis C. Moss and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	aye		
Barbara J. Jordan, Vice-Chairwoman	aye		
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	absent
Carlos A. Gimenez	aye	Sally A. Heyman	absent
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	absent
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 24th day of April, 2007. 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

COUNTY COMMISSIONERS DADE COUNTY FLORIDA

KAY SULLIVAN
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. DDC

Diamela del Castillo

Memorandum

MIAMI-DADE COUNTY

Date: April 24, 2007

Agenda Item No. 8(M)(1)(B)

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Dolphin Center Special Taxing District – Tract D Utility Easement

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Recommendation

It is recommended that the Board authorize the execution of an Easement to the City of North Miami Beach for utility purposes at the Dolphin Center Special Taxing District.

Scope

The requested easement affects only a very small portion of Tract D of the Special Taxing District, located within Commission District 1.

Fiscal Impact/Funding Source

There is no fiscal impact on the County due to this project. All costs associated with installing utility lines within this easement are fully provided for by the adjacent development.

Track Record/Monitor

Home Depot, or its contractor, is responsible for installing the utility easement. The City of North Miami Beach Public Services Department is responsible for maintaining the water lines within the easement. Both entities have been involved in such easements in the past and have a good track record.

Background

The County-owned Dolphin Center Special Taxing District Tract D lies adjacent to a Home Depot property now undergoing development. It requires connection to the nearest water service, in this case operated by the City of North Miami Beach. The North Miami Beach Public Services Department has agreed to provide the service in exchange for an easement. The easement will not adversely impact resources, facilities or uses.

Alex Muñoz
Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: April 24, 2007

FROM: Murray A. Greenberg County Attorney

SUBJECT: Agenda Item No. 8(M)(1)(B)

Please note any items checked.

_____ **"4-Day Rule" ("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**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

MAP 1

MIAMI DADE COUNTY
PARK AND RECREATION DEPARTMENT
SPECIAL TAX DISTRICTS
DOLPHIN CENTER