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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

# Memorandum

MIAMI-DADE COUNTY

**Date:** June 15, 2010

Agenda Item No. 14(A)(5)

**To:** Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

**From:** George M. Burgess
County Manager

Resolution No. R-673-10

**Subject:** Resolution Declaring the Acquisition of Parcel 102A Required for the Construction of a New Park and Ride Facility, Located at the Southern Terminus of the Busway Extension to Florida City, Adjacent to the North Side of Palm Avenue (Southwest 344 Street) between Northwest 2 Avenue and Northwest 3 Avenue in Florida City to be a Public Necessity

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## RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the attached resolution declaring the acquisition of Parcel 102A required for the construction of a new Park and Ride facility, located at the southern terminus of the Busway Extension to Florida City adjacent to the north side of Palm Drive (Southwest 344 Street) between Northwest 2 Avenue and Northwest 3 Avenue in Florida City to be a public necessity; and to employ appraisers, expert witnesses, obtain required environmental audits, and authorizing the County Mayor or the County Mayor's Designee and County Attorney to take any and all appropriate action to acquire the subject parcel in fee simple, either by negotiation, purchase at values established by appraisals, donation, or eminent domain court proceedings including declaration of taking as necessary for and on behalf of Miami-Dade County. Proceeds from future Charter County Transit System Sales Surtax (the Surtax) bond sales will be used to fund this project, therefore, approval by the Board of County Commissioners (BCC) and Citizens' Independent Transportation Trust (CITT) is required.

## SCOPE

While this park and ride lot is physically located within Commission District 9, the impact of the project benefits the riding public, and is therefore, Countywide.

## FISCAL IMPACT/FUNDING SOURCE

The total cost of the project (inclusive of construction and right-of-way acquisition of all parcels), is estimated at $10,140,000 and is funded in the Miami-Dade Transit (MDT) budget through a combination of grants and Joint Participation Agreements providing federal, state and local funding, including Charter County Transit System Surtax (Surtax) funds. Once the project is built out, an annual cost of approximately $90,000 is anticipated to maintain and operate the Park and Ride facility and will be funded through the MDT Operating budget.

## TRACK RECORD/MONITOR

Miami-Dade County has built several other park and rides along the Busway. The person responsible for managing this project is Froilan I. Baez, Acting Chief, MDT Right of Way, Utilities & Property Management Division.

## DELEGATED AUTHORITY

In accordance with Section 2-8.3 of the Miami-Dade County code related to identifying delegation of Board authority, there are no authorities beyond that specified in the resolution.

## BACKGROUND

The State of Florida's Park and Ride Lot Program was initiated in 1982 to provide organized, safe parking for vehicles. Initially, park and ride facilities were constructed on publicly owned land such

as rights of way, park lands and state owned land. Chapter 341 of the Florida Statutes (F.S.) provides for the purchase and/or leasing of private land for the construction of park and ride lots, the promotion of these lots, and the monitoring of their usage. This program is an integral part of the commuter assistance program efforts to encourage the use of transit, carpools, vanpools, and other high occupancy modes of transportation. In adherence of such law, Miami-Dade County is encouraged to provide such services.

MDT has identified the need to provide a new Park and Ride facility to serve patrons traveling to and from Monroe County and the lower keys in respect to other parts of the County and particularly to employment centers in downtown Miami and the Civic Center area. Moreover, the Park and Ride will serve South Miami-Dade residents wanting to travel within Miami-Dade County. In order to construct this Park and Ride facility, MDT shall acquire this parcel as well as 13 more parcels of land. This parcel is legally described in Exhibit "A", and illustrated on the project location map in Exhibit "B", attached hereto and made a part hereof, located on the north side of Palm Drive (Southwest 344 Street), and between Northwest 2nd Avenue and Northwest 3rd Avenue, in Florida City.

MDT has completed the planning phase for the project, with FTA's issuance of the approved Finding of No Significant Impact (FONSI) on April 7, 2010. MDT is ready to begin the acquisition process. The Park and Ride Facility improvements will provide transit users surface parking, a "kiss and ride" drop off area, passenger wait area, bus bays, roundabout for buses using the Busway, rest/break facility for bus drivers including restrooms, and other ancillary improvements standard for a Park and Ride facility.

The MDT routes which will service this park and ride include 34, 35, 38, 70, 344, Card Sound Express and Dade-Monroe Express. This lot is forecasted to accommodate approximately 260 parking spaces. Construction of this project is scheduled to begin in November 2011 and be completed by November 2012.

Assistant County Manager

# MEMORANDUM
(Revised)

**TO:** Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

**DATE:** June 15, 2010

**FROM:** R. A. Cuevas, Jr. County Attorney

**SUBJECT:** Agenda Item No. 14(A)(5) Resolution R-673-10

**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**

_____ **Ordinance creating a new board requires detailed County Manager'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
Veto _____
Override _____

Agenda Item No. 14(A)(5)
6-15-10

RESOLUTION NO. R-673-10

RESOLUTION DECLARING THE ACQUISITION OF PARCEL 102A REQUIRED FOR THE CONSTRUCTION OF A NEW PARK AND RIDE FACILITY, LOCATED AT THE SOUTHERN TERMINUS OF THE BUSWAY EXTENSION TO FLORIDA CITY, ADJACENT TO THE NORTH SIDE OF PALM AVENUE (SOUTHWEST 344 STREET) BETWEEN NORTHWEST 2 AVENUE AND NORTHWEST 3 AVENUE IN FLORIDA CITY TO BE A PUBLIC NECESSITY; AND TO EMPLOY APPRAISERS, EXPERT WITNESSES, OBTAIN REQUIRED ENVIRONMENTAL AUDITS, AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE AND COUNTY ATTORNEY TO TAKE ANY AND ALL APPROPRIATE ACTION TO ACQUIRE THE SUBJECT PARCEL IN FEE SIMPLE, EITHER BY NEGOTIATION, PURCHASE AT VALUES ESTABLISHED BY APPRAISALS, DONATION, OR EMINENT DOMAIN COURT PROCEEDINGS INCLUDING DECLARATION OF TAKING AS NECESSARY; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS

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

**WHEREAS**, this Board finds and declares the acquisition of Parcel 102A as one of the parcels needed to be a public necessity and in the best interest of Miami-Dade County required for the construction of a new Park and Ride facility, located in the vicinity of the Southern Terminus of the Busway Extension to Florida City, legally described in Exhibit "A" and illustrated on the project location map in Exhibit "B", both attached hereto and made a part hereof; and

**WHEREAS**, Miami-Dade County is authorized under the Constitution and laws of Florida, including Chapters 73, 74, 125, 127 and 341, Florida Statutes, and Sections 1.01 (A) (1), (2) and (21), of the Home Rule charter of Miami-Dade County, to acquire said property by eminent domain proceedings,

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

Section 1. This Board ratifies and adopts these matters set forth in the foregoing recital.

Section 2. This Board finds and declares that the acquisition of the subject parcel as legally described in "Exhibit A" attached hereto and incorporated herein by reference, is needed for the public purpose.

Section 3. This Board authorizes and directs the County Mayor or County Mayor's designee and County Attorney to employ appraisers, review appraisers and expert witnesses, to obtain required environmental audits and to take any action to acquire the subject parcel, as legally described in Exhibit "A" in fee simple, either by purchase at values established by appraisals, donation, or eminent domain court proceedings including declaration of taking as necessary for and on behalf of Miami-Dade County.

Section 4. Pursuant to Resolution R-974-09, this Board directs the County Mayor or County Mayor's designee to record the instruments of conveyances accepted herein in the Public Records of Miami-Dade County, Florida; and provide a recorded copy of the instrument to the Clerk of the Board within thirty (30) days of execution of said instrument; and (b) direct the Clerk of the Board to attach and permanently store a recorded copy together with this resolution.

The foregoing resolution was offered by Commissioner **Dorrin D. Rolle**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of June, 2010. This resolution shall become effective as follows: (1) 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, and (2) either i) the Citizens' Independent Transportation Trust (CITT) has approved same, or ii) in response to the CITT's disapproval, the County Commission re-affirms its award by two-thirds (2/3) vote of the Commission's membership and such reaffirmation becomes final.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

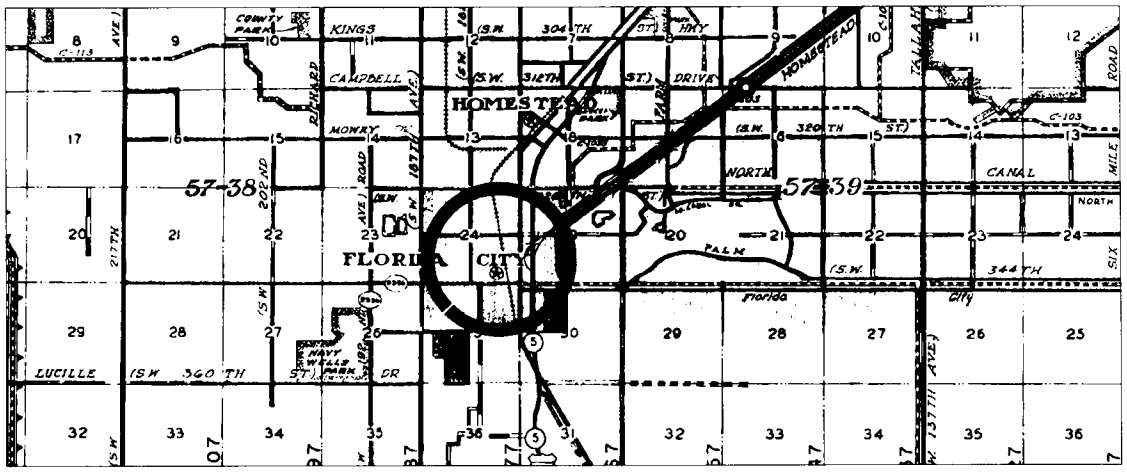
Debra Herman

Legal Description
(Fee Simple)

**Parcel 102A**

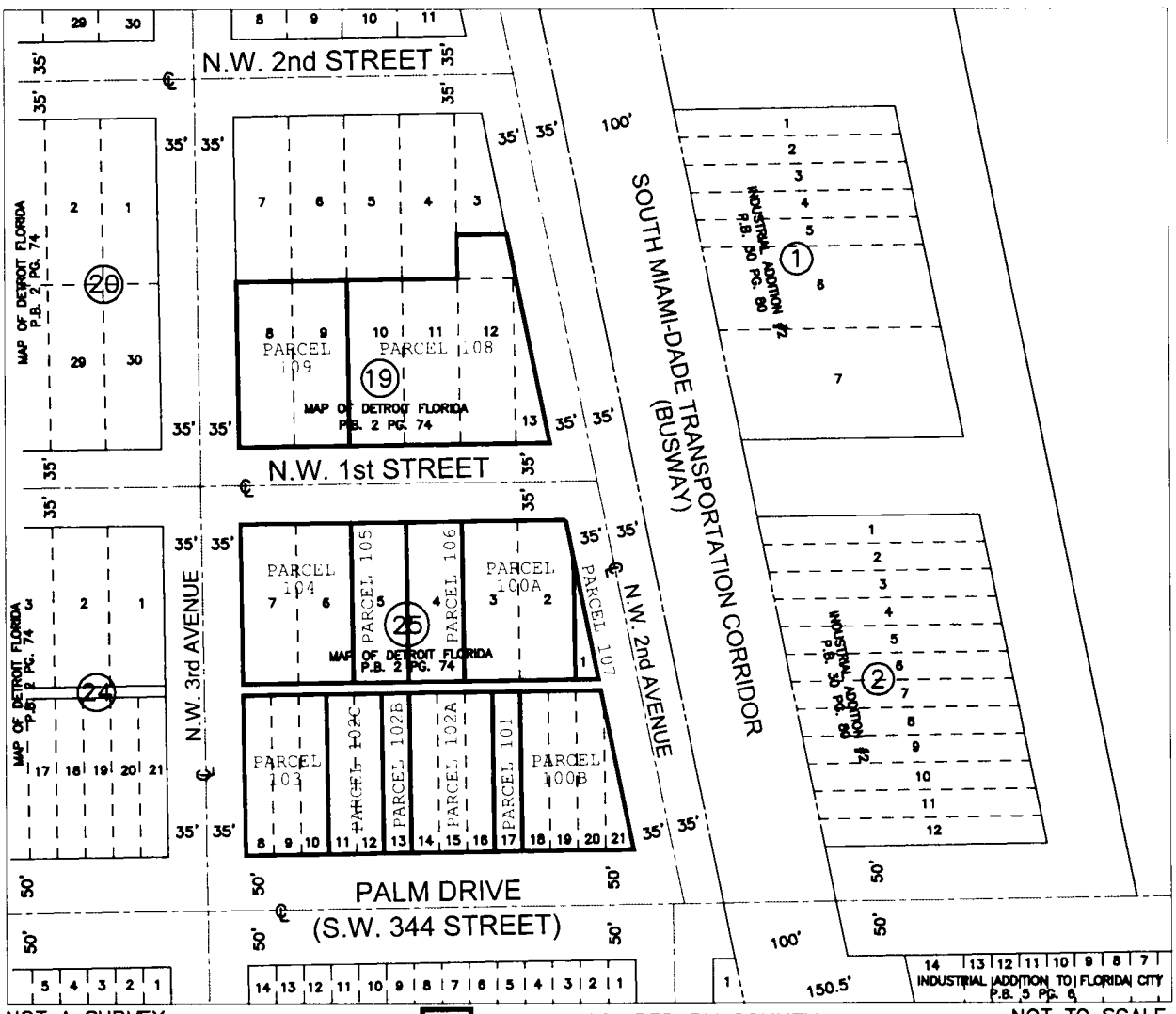
Lots 14, 15, and 16, in Block 25, of TOWN OF FLORIDA CITY (MAP OF DETROIT, FLORIDA), according to the plat thereof as recorded in Plat Book 2, at Page 74, of the Public Records of Miami-Dade County, Florida.

**EXHIBIT "A"**
(1 of 1)




SEC 24
TWP 57 S
RGE 38 E

LOCATION MAP Not to Scale




NOT A SURVEY

TO BE ACQUIRED BY COUNTY

NOT TO SCALE

PARK & RIDE AT SW 344 ST. & BUSWAY
PROJECT NO. 663008

MIAMI-DADE

*MIAMI-DADE COUNTY PUBLIC WORKS DEPT.*
*RIGHT-OF-WAY ENGINEERING DIVISION*
*111 N.W. 1ST ST. 16TH FLR.*
*MIAMI, FL. 33128*

EXHIBIT "B"

Municipality: Florida City
Commission District: Dennis C. Moss, 9
Miami-Dade Mayor: Carlos Alvarez

Prepared by: Steven B. Burton
Professional Land Surveyor
Fla. Reg. No. 4982
Date: 5/07/10