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

MEMORANDUM

Agenda Item No. 8(N)(1)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: July 1, 2014

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

SUBJECT: Resolution authorizing the conveyance of a Non-Exclusive Easement to Florida Power and Light Company for the construction, operation and maintenance of the new Metrorail dedicated service feeders and appurtenant equipment
Resolution No. R-617-14

The accompanying resolution was prepared by the Miami-Dade Transit Department and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum

MIAMI-DADE COUNTY

Date: July 1, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Resolution Authorizing the Conveyance of a Non-Exclusive Easement to Florida Power and Light Company for the Construction, Operation and Maintenance of the New Metrorail Dedicated Service Feeders and Appurtenant Equipment, to be Installed from Time-to-Time on Property Owned by Miami-Dade County, located at 7701 NW 79Th Avenue, and in Conjunction with the Palmetto Traction Power Sub-Station Project

---

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing conveyance of a Non-Exclusive Easement to Florida Power and Light Company (FPL) for the construction, operation and maintenance of underground cables, underground conduits, and appurtenant equipment, to be installed from time-to-time, on property owned by Miami-Dade County (County), located at 7701 NW 79th Avenue, and in conjunction with the Palmetto Traction Power Sub-Station Project.

This easement area, legally described and illustrated in Exhibit "A" of the attached Underground Easement instrument, contains (was constructed earlier) the new 13.2 KV dedicated service feeder cables which provide electrical power to the new Palmetto TPSS.

SCOPE

This easement is physically located within Commission District 12 (Diaz).

FISCAL IMPACT/FUNDING SOURCE

There is no fiscal impact to Miami-Dade County for the conveyance of this Easement.

TRACK RECORD/MONITOR

The County has previously granted easements to FPL. The Right of Way, Utilities and Property Management (ROW) Division of Miami-Dade Transit (MDT) will process the easement document for execution and recordation of the Easement Document. The person responsible for administering the task is Froilan I. Baez, Chief, MDT ROW Division.

BACKGROUND

Resolution R-217-13, (April 2, 2013) ratified the actions of the County Mayor in authorizing various capital improvement contract awards through the American Recovery and Reinvestment Act of 2009, pursuant to Section 2-8.2.7 of the County Code. In addition, the Resolution included an amendment to the original FPL Metrorail Phase 1 Contribution Administration Agreement with issuance of a Work Order in the amount of up to $2,621,085 which allowed FPL to proceed with the construction of the electrical service requirements for the Palmetto Station Traction Power Sub-Station Project.

The installation work has been completed and FPL installed two (2) 13.2 KV dedicated electrical service feeders. Prior to the installation, Palmetto Metrorail Station third rail electrical power needs were being supplied by the Okeechobee Traction Power Sub-Station. However, the Okeechobee Station does not have sufficient electrical capacity to continue providing electrical power for the Palmetto Station and the anticipated new Metrorail vehicles. This new Sub-Station at Palmetto has been equipped with greater

electrical capacity which is required to be available and operable prior to the arrival of the new vehicles beginning in 2017. FPL requires this new Easement to be granted starting from the west end of the property and along the south side of the Palmetto Station property and terminating at the west side of the building of the new TPSS. A layout of the Easement is attached - see Exhibit "B".

MDT recommends approval of this Easement conveyance for FPL to have the right to access the County property to upgrade / maintain its facilities after serving written notice to MDT.

Alina T. Hudak
Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: July 1, 2014

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

SUBJECT: Agenda Item No. 8(N)(1)

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 Mayor'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. 8(N)(1)
7-1-14

RESOLUTION NO. R-617-14

RESOLUTION AUTHORIZING THE CONVEYANCE OF A NON-EXCLUSIVE EASEMENT TO FLORIDA POWER AND LIGHT COMPANY FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE NEW METRORAIL DEDICATED SERVICE FEEDERS AND APPURTENANT EQUIPMENT, TO BE INSTALLED FROM TIME-TO-TIME, ON PROPERTY OWNED BY MIAMI-DADE COUNTY, LOCATED AT 7701 NW 79th AVENUE, IN CONJUNCTION WITH THE PALMETTO STATION TRACTION POWER SUB-STATION PROJECT; AND AUTHORIZING COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE EASEMENT INSTRUMENT

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 authorizes the conveyance of a Non-Exclusive Easement to Florida Power and Light Company (FPL) for the construction, operation and maintenance of electrical facilities, as described in the attached FPL easement, in substantially the form attached hereto and made a part hereof; and authorizes the County Mayor or Mayor's designee to execute said easement for and on behalf of Miami-Dade County and to exercise all provisions therein; and pursuant to Resolution R-974-09, record the instrument of the easement conveyance accepted herein in the Public Records of Miami-Dade County, Florida; and to provide a recorded copy of the instrument to the Clerk of the Board within thirty (30) days of execution of said instrument; and directs the Clerk of the Board to attach and permanently store a recorded copy together with this resolution.

The foregoing resolution was offered by Commissioner **Sally A. Heyman**, 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:

Rebeca Sosa, Chairwoman	**aye**		
Lynda Bell, Vice Chair	**aye**		
Bruno A. Barreiro	**aye**	Esteban L. Bovo, Jr.	**absent**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Jean Monestime	**aye**	Dennis C. Moss	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of July, 2014. 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

By: ***Christopher Agrippa***
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Bruce Libhaber

EXHIBIT "A"

SKETCH AND DESCRIPTION
10' FPL EASEMENT
PALMETTO STATION PROPERTY
MIAMI-DADE COUNTY, FLORIDA

LAND DESCRIPTION:

A portion of the Southeast 1/4 of Section 10, Township 53 South, Range 40 East, Miami-Dade County, Florida, described as follows:

COMMENCE at the Southeast corner of Tract "A", PALMETTO STATION, according to the Plat thereof as recorded in Plat Book 167, Page 60 of the Public Records of Miami-Dade County, Florida; thence N 01°47'22" W along the Easterly right-of-way line of N.W. 79th Place, a distance of 9.80 feet to the POINT OF BEGINNING; thence continue N 01°47'22" W along said right-of-way line, a distance of 10.00 feet; thence departing said right-of-way line N 89°37'29" E, a distance of 805.36 feet; thence N 89°47'36" E, a distance of 170.04 feet; thence N 89°52'52" E, a distance of 380.11 feet; thence S 88°55'24" E, a distance of 70.67 feet; thence N 81°22'03" E, a distance of 30.16 feet; thence N 00°22'31" W, a distance of 33.76 feet; thence N 89°37'29" E, a distance of 10.00 feet; thence S 00°22'31" E, a distance of 42.41 feet; thence S 81°22'03" W, a distance of 39.66 feet; thence N 88°55'24" W, a distance of 71.41 feet; thence S 89°52'52" W, a distance of 380.00 feet; thence S 89°47'36" W, a distance of 170.02 feet; thence S 89°37'29" W, a distance of 805.10 feet to the POINT OF BEGINNING.

Said lands situate in Miami-Dade County, Florida and containing 14,994 square feet.(0.344 acres) more or less.

SURVEYOR'S REPORT:

1. Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
3. The land description shown hereon was prepared by the Surveyor.
4. No underground improvements were located.
5. Bearings and Coordinates shown hereon are assumed based on the centerline of N.W. 79th Place having a bearing of N 01°47'22" W.
6. Abbreviation Legend: A= Arc distance; ℄ = Centerline; L.B. = Licensed Business; D.C.R.= Miami-Dade County Records; FPL= Florida Power and Light; PT.= Point; P.S.M. = Professional Surveyor and Mapper; P.O.B.=Point of Beginning; P.O.C.= Point of Commencement; P.O.T.= Point of Termination; P.I.= Point of Intersection.

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Minimum Technical Standards set forth in Chapter 5J-17.05, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 08/12/2013

ALAN M. REYNOLDS, P.S.M.
Florida Registration No. 6346
AVIROM & ASSOCIATES, INC.
L.B. No. 3300

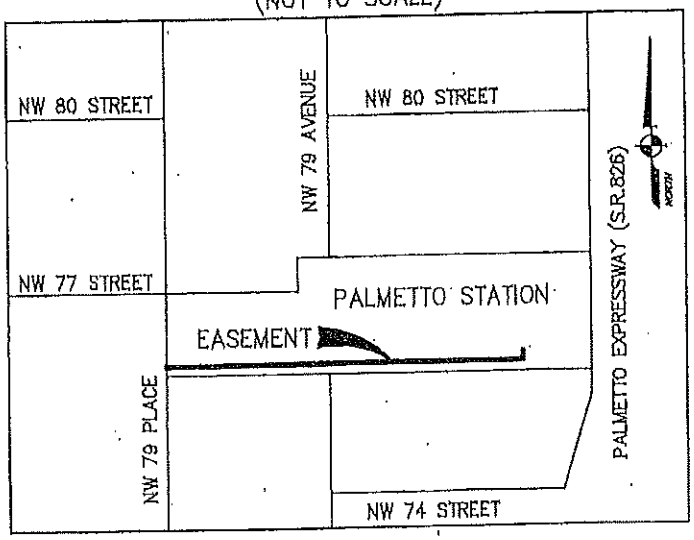
REVISIONS
REVISIONS PER MDT LETTER 08/19/2013

AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
60 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 392-2594, FAX (561) 394-7125
www.AVIROM-SURVEY.com
©2013 AVIROM & ASSOCIATES, INC. all rights reserved.
This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.

JOB #:	9427
SCALE:	1" = 50'
DATE:	08/12/2013
BY:	AMR
CHECKED:	MDA
F.B. -	PG. -
SHEET	1 OF 7

SKETCH AND DESCRIPTION
10' FPL EASEMENT
PALMETTO STATION PROPERTY
MIAMI-DADE COUNTY, FLORIDA

LOCATION MAP
(NOT TO SCALE)



LINE TABLE

NUMBER	BEARING	DISTANCE	SHEET
L1	N 01°47'22" W	9.80'	3
L2	N 01°47'22" W	10.00'	3
L3	N 89°37'29" E	805.36'	3, 4 & 5
L4	N 89°47'36" E	170.04'	5 & 6
L5	N 89°52'52" E	380.11'	6 & 7
L6	S 88°55'24" E	70.67'	7
L7	N 81°22'03" E	30.16'	7
L8	N 00°22'31" W	33.76'	7
L9	N 89°37'29" E	10.00'	7
L10	S 00°22'31" E	42.41'	7
L11	S 81°22'03" W	39.66'	7
L12	N 88°55'24" W	71.41'	7
L13	S 89°52'52" W	380.00'	6 & 7
L14	S 89°47'36" W	170.02'	5
L15	S 89°37'29" W	805.10'	3, 4 & 5

REVISIONS
REVISIONS PER MDT LETTER 08/10/2013

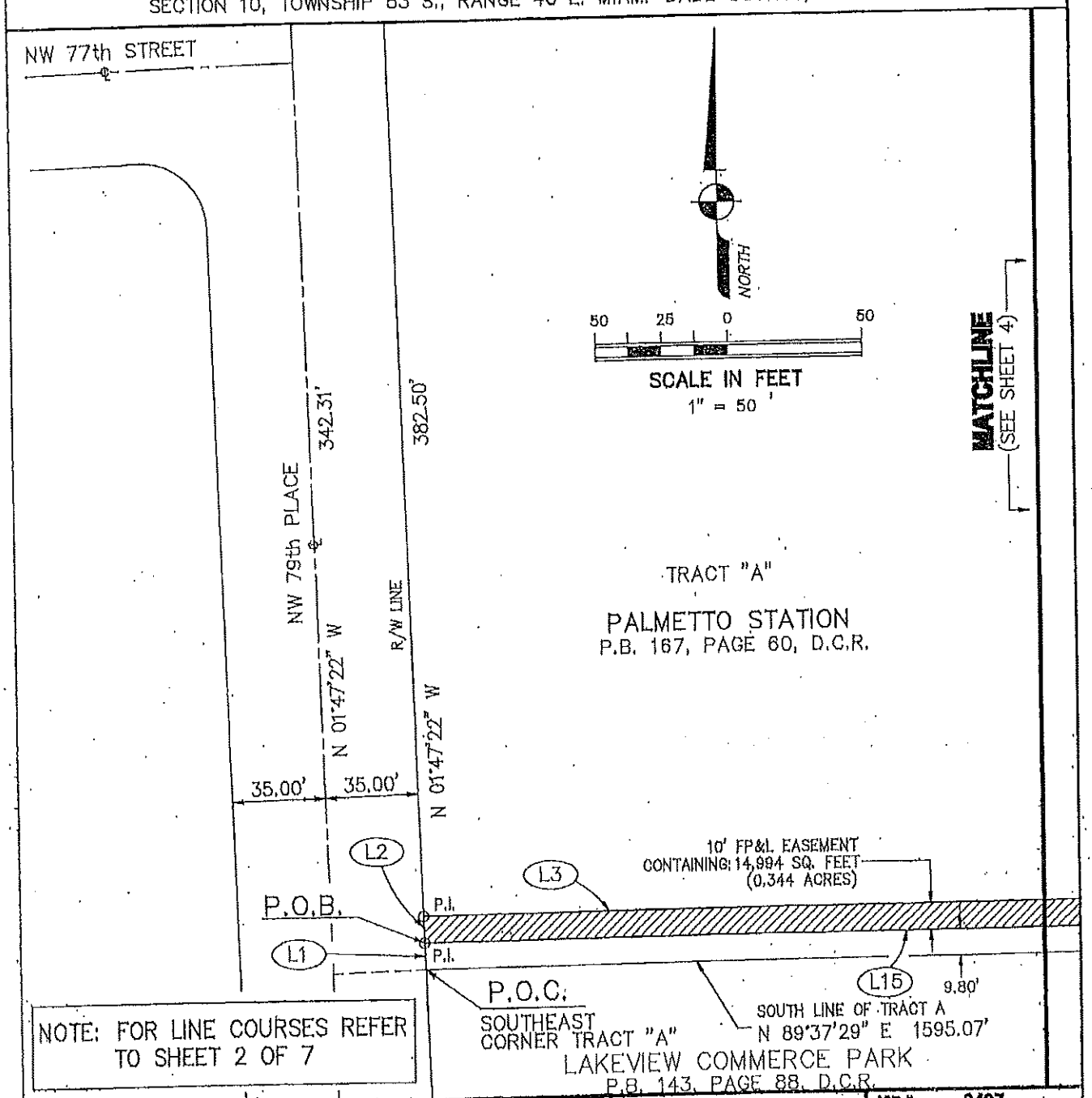
AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
50 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 392-2594, FAX (561) 394-7125
www.AVIROM-SURVEY.com

©2013 AVIROM & ASSOCIATES, INC. all rights reserved.
This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.

JOB #:	9427
SCALE:	1" = 60'
DATE:	06/12/2013
BY:	AMR
CHECKED:	MDA
F.B.	PG.
SHEET	2 OF 7

SKETCH AND DESCRIPTION
10' FPL EASEMENT
PALMETTO STATION PROPERTY
MIAMI-DADE COUNTY, FLORIDA

SECTION 10, TOWNSHIP 53 S., RANGE 40 E. MIAMI-DADE COUNTY, FLORIDA



NOTE: FOR LINE COURSES REFER TO SHEET 2 OF 7

REVISIONS
REVISIONS PER MDT LETTER 06/19/2013

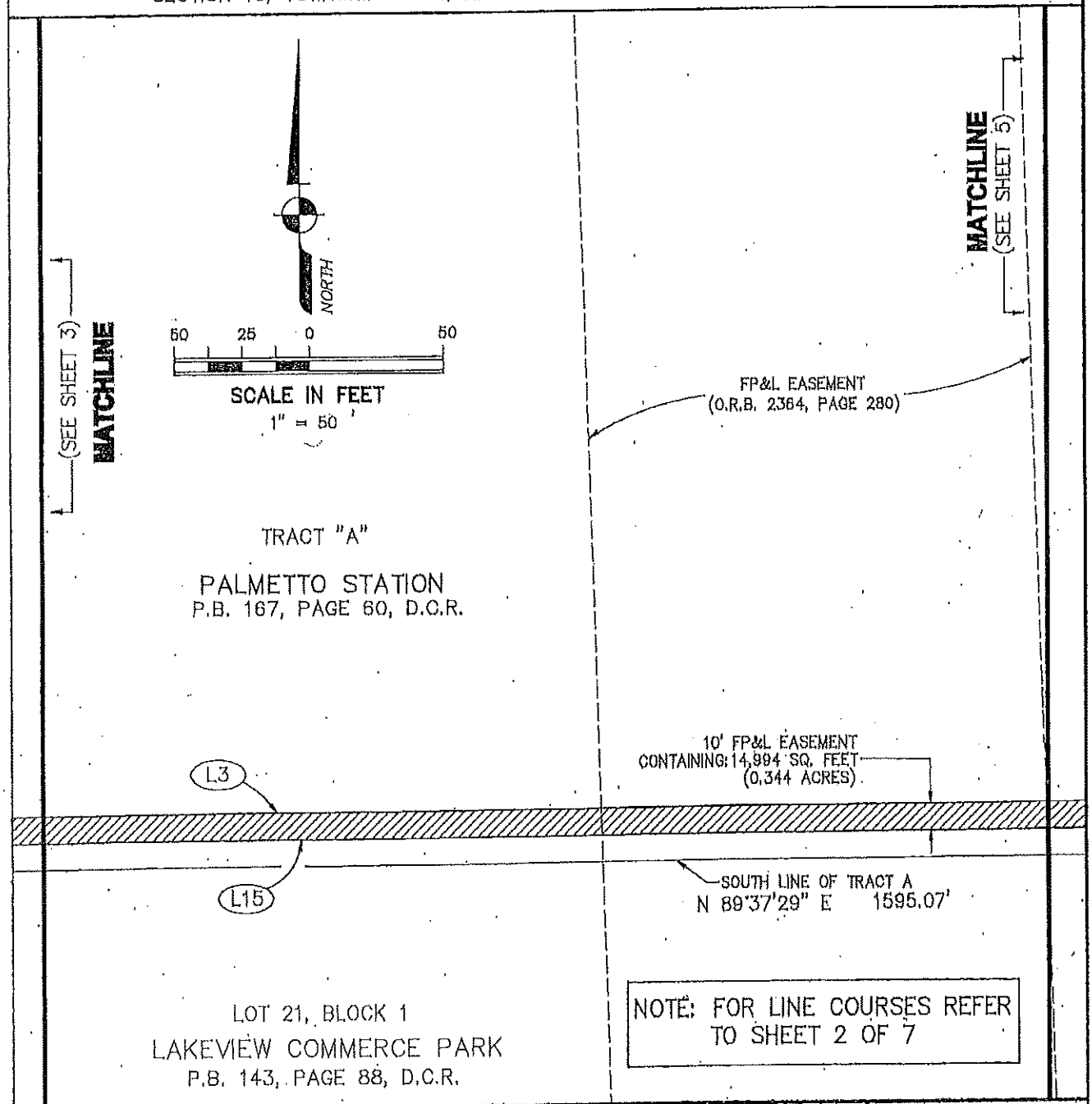
AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
80 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 392-2504, FAX (561) 394-7125
www.AVIROM-SURVEY.com

© 2011 AVIROM & ASSOCIATES, INC. all rights reserved.
This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.

JOB #:	8427
SCALE:	1" = 50'
DATE:	06/12/2013
BY:	AMR
CHECKED:	MDA
F.B.	- PG. -
SHEET	3 OF 7

SKETCH AND DESCRIPTION
10' FPL EASEMENT
PALMETTO STATION PROPERTY
MIAMI-DADE COUNTY, FLORIDA

SECTION 10, TOWNSHIP 53 S., RANGE 40 E. MIAMI-DADE COUNTY, FLORIDA



NOTE: FOR LINE COURSES REFER TO SHEET 2 OF 7

REVISIONS
REVISIONS PER MDT LETTER 08/19/2013

AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
60 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 392-2594, FAX (561) 394-7125
www.AVIROM-SURVEY.com

© 2013 AVIROM & ASSOCIATES, INC. all rights reserved.
This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.

JOB #:	9427
SCALE:	1" = 50'
DATE:	08/12/2013
BY:	AMR
CHECKED:	MDA
F.B.	PG.
SHEET	4 OF 7

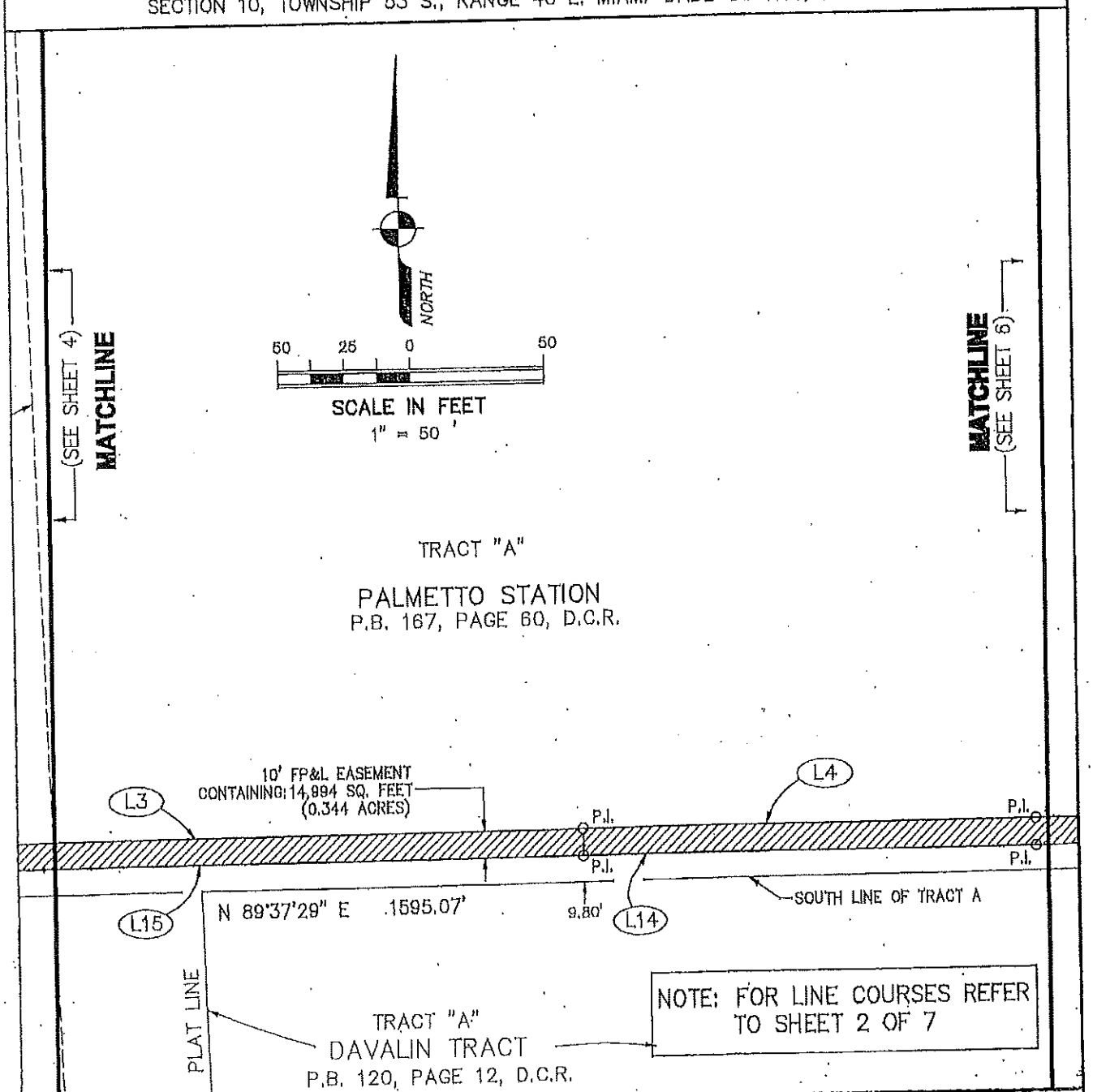
SKETCH AND DESCRIPTION

10' FPL EASEMENT

PALMETTO STATION PROPERTY

MIAMI-DADE COUNTY, FLORIDA

SECTION 10, TOWNSHIP 53 S., RANGE 40 E. MIAMI-DADE COUNTY, FLORIDA



REVISIONS
REVISIONS PER MDT LETTER 08/19/2013

AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
80 S.W. 8ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 392-2594, FAX (561) 394-7126
www.AVIROM-SURVEY.com

©2013 AVIROM & ASSOCIATES, INC. all rights reserved. This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.

JOB #:	9427
SCALE:	1" = 50'
DATE:	08/12/2013
BY:	AMR
CHECKED:	MDA
F.B.	PG.
SHEET	5 OF 7

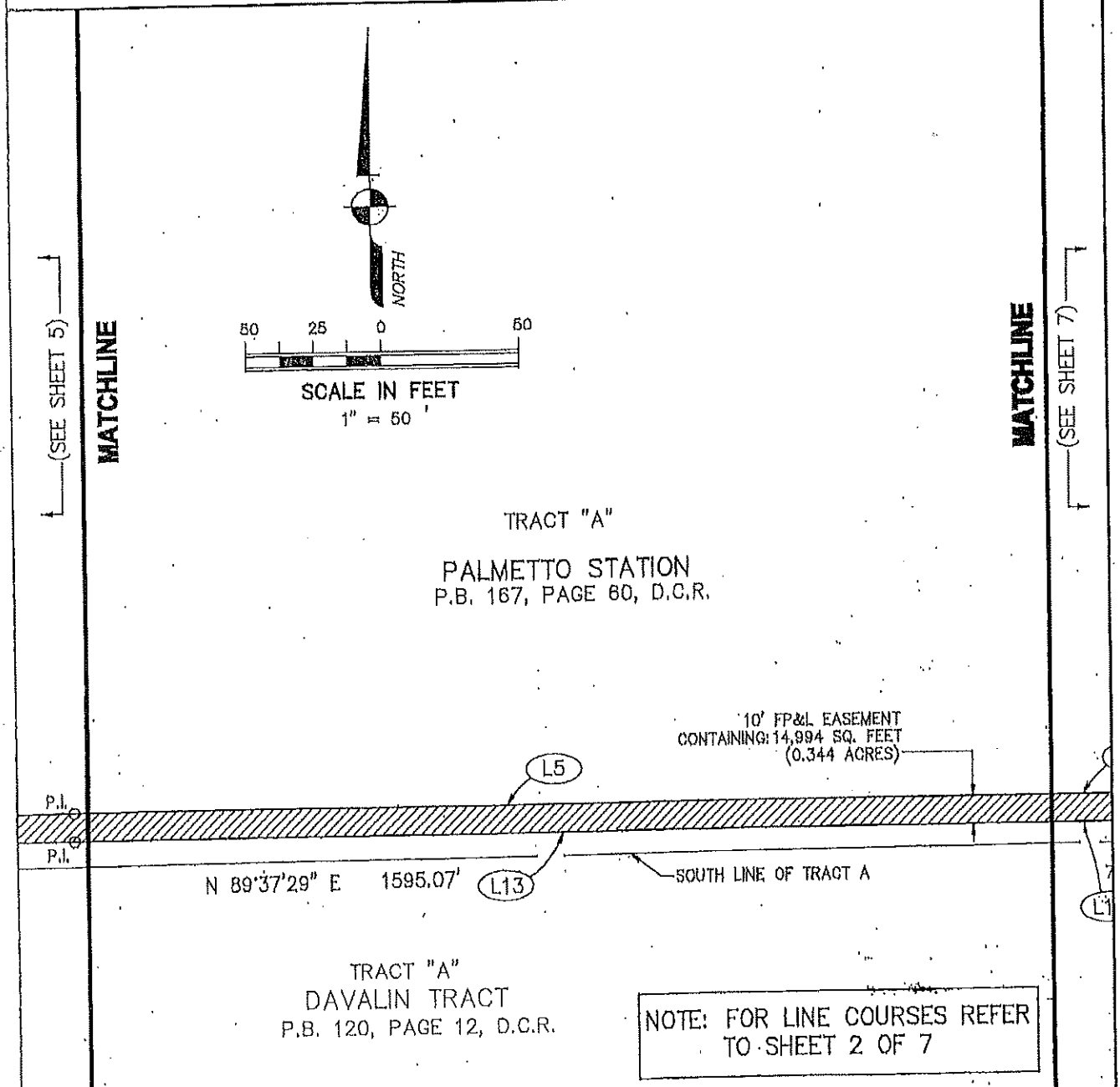
SKETCH AND DESCRIPTION

10' FPL EASEMENT

PALMETTO STATION PROPERTY

MIAMI-DADE COUNTY, FLORIDA

SECTION 10, TOWNSHIP 53 S., RANGE 40 E. MIAMI-DADE COUNTY, FLORIDA



NOTE: FOR LINE COURSES REFER TO SHEET 2 OF 7

REVISIONS
REVISIONS PER MDT LETTER 08/19/2013

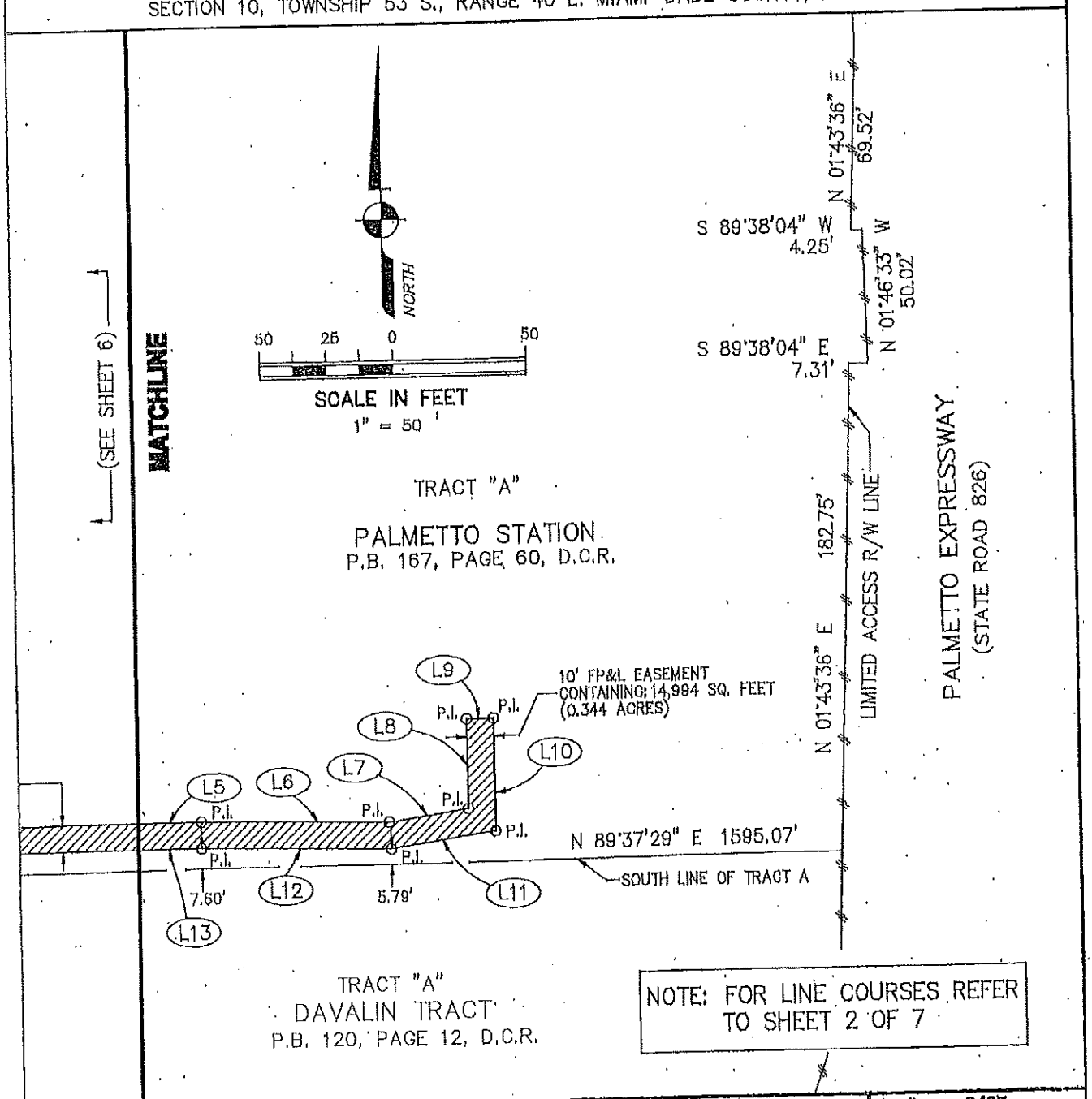
AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
50 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 392-2594, FAX (561) 394-7125
WWW.AVIROM-SURVEY.COM

©2013 AVIROM & ASSOCIATES, INC. all rights reserved. This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.

JOB #:	9427
SCALE:	1" = 50'
DATE:	08/12/2013
BY:	AMR
CHECKED:	MDA
F.B.	- PG. -
SHEET	6 OF 7

SKETCH AND DESCRIPTION
10' FPL EASEMENT
PALMETTO STATION PROPERTY
MIAMI-DADE COUNTY, FLORIDA

SECTION 10, TOWNSHIP 53 S., RANGE 40 E. MIAMI-DADE COUNTY, FLORIDA



NOTE: FOR LINE COURSES REFER TO SHEET 2 OF 7

REVISIONS
REVISIONS PER MDT LETTER 08/19/2013

AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
80 S.W. 8ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 392-2594, FAX (561) 394-7125
www.AVIROM-SURVEY.com

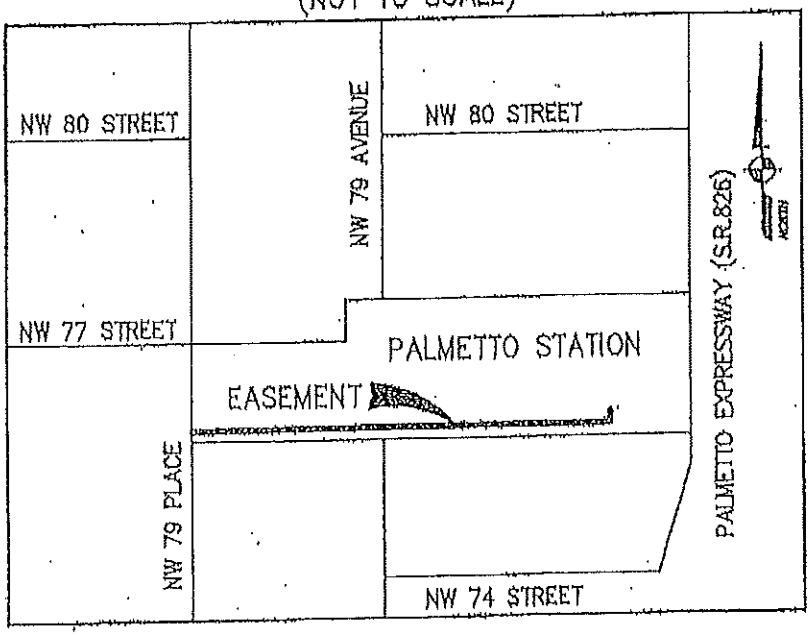
©2013 AVIROM & ASSOCIATES, INC. all rights reserved.
This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.

JOB #:	9427
SCALE:	1" = 50'
DATE:	08/12/2013
BY:	AMR
CHECKED:	MDA
F.B.	- PG. -
SHEET	7 OF 7

EXHIBIT "B"

SKETCH AND DESCRIPTION
10' FPL EASEMENT
PALMETTO STATION PROPERTY
MIAMI-DADE COUNTY, FLORIDA

LOCATION MAP
(NOT TO SCALE)



MIAMI-DADE COUNTY COMMISSION SKETCH

(NOT TO SCALE)

Work Request No. 3731443

Sec. 10, Twp 53 S, Rge 40 E

Parcel I.D. Folio: 2230100080191
(Maintained by County Appraiser)

UNDERGROUND EASEMENT (BUSINESS)

This Instrument Prepared By:
Name: Byron Sample
Co. Name: Florida Power & Light Company
Address: 7200 NW 4 ST
Plantation, FL 33317

Reserved for Circuit Court

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:

See Exhibit "A" ("Easement Area") attached sheets 1 to 7

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:

_____
(Witness' Signature)

Print Name: _____
(Witness)

_____
(Witness' Signature)

Print Name: _____
(Witness)

Entity Name: Miami-Dade County

By: _____

Print Name: _____

Print Address: _____

_____

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 _____

Memorandum

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Charles Scurr, Executive Director

Date: June 19, 2014

Re: **CITT AGENDA ITEM 5H:**
RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THAT THE BOARD OF COUNTY COMMISSIONERS (BCC), AUTHORIZE THE CONVEYANCE OF A NON-EXCLUSIVE EASEMENT TO FLORIDA POWER AND LIGHT COMPANY FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE NEW METRORAIL DEDICATED SERVICE FEEDERS AND APPURTENANT EQUIPMENT, TO BE INSTALLED FROM TIME-TO-TIME, ON PROPERTY OWNED BY MIAMI-DADE COUNTY, LOCATED AT 7701 NW 79th AVENUE, IN CONJUNCTION WITH THE PALMETTO STATION TRACTION POWER SUB-STATION PROJECT; AND AUTHORIZING COUNTY MAYOR, OR MAYOR'S DESIGNEE TO EXECUTE THE EASEMENT INSTRUMENT **(MDT – Legislative File No.141214)**

On June 19, 2014, the CITT voted (9-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 14-046. The vote was as follows:

Paul J. Schwiep, Esq., Chairperson – Aye
Hon. Anna E. Ward, Ph.D., 1st Vice Chairperson – Aye
Glenn J. Downing, CFP®, 2nd Vice Chairperson – Aye

Joseph Curbelo – Aye
Alfred J. Holzman – Absent
Jonathan Martinez – Aye
Miles E. Moss, P.E. – Aye
Marilyn Smith – Absent

Peter L. Forrest – Aye
Prakash Kumar – Aye
Alicia Menardy, Esq. – Absent
Hon. James A. Reeder – Aye
Hon. Linda Zilber – Absent

cc: Alina Hudak, Deputy Mayor/Interim Director Public Works & Waste Management Department
Bruce Libhaber, Assistant County Attorney