

# MEMORANDUM

Agenda Item No. 13(A)(3)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

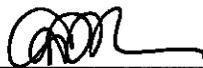
**DATE:** June 7, 2016

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

**SUBJECT:** Resolution authorizing certain settlement in the amount of \$15,000.00 in County eminent domain proceedings by County Attorney in connection with the acquisition of land referred to as Parcel 15 for the right-of-way needed for improvements along SW 157 Avenue from SW 152 Street to SW 184 Street and authorizing the use of Charter County Transportation Surtax Funds

Resolution No. R-526-16

The accompanying resolution was placed on the agenda by the County Attorney's Office.

  
\_\_\_\_\_  
Abigail Price-Williams  
County Attorney 

APW/lmp



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** June 7, 2016

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

**SUBJECT:** Agenda Item No. 13(A)(3)

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 \_\_\_\_, 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. 13(A)(3)  
6-7-16

RESOLUTION NO. R-526-16

RESOLUTION AUTHORIZING CERTAIN SETTLEMENT IN THE AMOUNT OF \$15,000 IN COUNTY EMINENT DOMAIN PROCEEDINGS BY COUNTY ATTORNEY IN CONNECTION WITH THE ACQUISITION OF LAND REFERRED TO AS PARCEL 15 FOR THE RIGHT-OF-WAY NEEDED FOR IMPROVEMENTS ALONG SW 157 AVENUE FROM SW 152 STREET TO SW 184 STREET AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS

**WHEREAS**, this Board by Resolution No. R-537-09, dated May 5, 2009 previously declared the acquisition of land for the right-of-way needed for the road widening and right-of-way improvements to SW 157 Avenue from SW 152 Street to SW 184 Street in Miami-Dade County, Florida, to be a public necessity and authorized the acquisition of land therefor by eminent domain proceedings; and

**WHEREAS**, the owner of Parcel 15, as set forth in the attached land acquisition summary sheet, has offered to settle for the figures specified therein; and

**WHEREAS**, this project is being funded by the use of Charter County Transportation Surtax Funds, and this settlement thus must be submitted for the review and recommendation of the Citizens' Independent Transportation Trust; and

**WHEREAS**, the County Attorney hereby recommends the settlement amounts as set forth in the attached land acquisition summary sheet,

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

**Section 1.** This Board ratifies and adopts the matters set forth in the foregoing recitals.

**Section 2.** This Board authorizes the County Attorney to compromise and settle on behalf of the County claims against the County in eminent domain proceedings for Parcel 15 on the terms and in the amount specified in the attached land acquisition summary sheet, and authorizes the use of Charter County Transportation Surtax Funds.

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

Jean Monestime, Chairman	<b>aye</b>		
Esteban L. Bovo, Jr., Vice Chairman	<b>aye</b>		
Bruno A. Barreiro	<b>aye</b>	Daniella Levine Cava	<b>aye</b>
Jose "Pepe" Diaz	<b>aye</b>	Audrey M. Edmonson	<b>aye</b>
Sally A. Heyman	<b>aye</b>	Barbara J. Jordan	<b>aye</b>
Dennis C. Moss	<b>aye</b>	Rebeca Sosa	<b>aye</b>
Sen. Javier D. Souto	<b>aye</b>	Xavier L. Suarez	<b>aye</b>
Juan C. Zapata	<b>aye</b>		

The Chairperson thereupon declared the resolution duly passed and adopted this 7<sup>th</sup> day of June, 2016. 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: **Christopher Agrippa**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "LAM", is written over a horizontal line.

Lauren E. Morse

**LAND ACQUISITION SUMMARY SHEET**

**PROJECT LOCATION:** Needed right-of way improvements to SW 157<sup>th</sup> Avenue from SW 152 Street to SW 184 Street in Miami-Dade County, Florida

**PARCEL NUMBER AND PROPERTY ACQUIRED:** Parcel No. 15 – see attached sketch (land)

**OWNERSHIP INTEREST:** The Revocable Inter-Vivos Trust Agreement of Roberto I. Valdesuso

**COUNTY'S APPRAISAL AND DAMAGES:** \$9,340.00 (fee simple land)  
Howard J. Delahanty, MAI

**OWNER'S ESTIMATE OF VALUE:** \$16,000.00

**ATTORNEYS' FEES AND COSTS** See Comments

**SETTLEMENT AMOUNT:** The settlement amount is \$15,000.  
(See Comments below – includes attorneys' fees experts' fees and costs)

**EXPOSURE TO COUNTY:** \$6,660.00  
(Difference between owner's estimate of value and County's appraisal)

**COMMENTS:** A proposed settlement was reached in the amount stated above. In order for the County to obtain clear title to this parcel, eminent domain proceedings had to be instituted. The settlement amount of \$15,000.00 represents full compensation for this parcel, and includes \$12,000.00 for the property acquired, and \$3,000.00 for the owner's statutory attorneys' fees and costs and expert fees incurred by the owner. Staff has confirmed that this project is listed in Exhibit 1 of the PTP Ordinance under Major Roadway and Neighborhood Improvement Projects. The landowner is represented by the law firm of Hinshaw & Culbertson, LLP.

PLANS FOR PROPOSED  
IMPROVEMENTS TO

SW 157 AVENUE

FROM SW 184 STREET TO SW 152 STREET

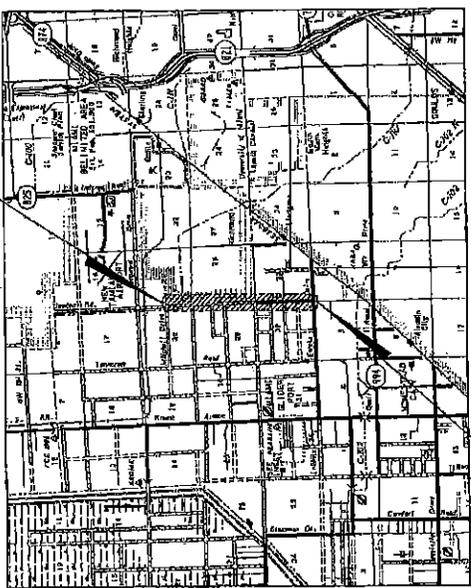
MIAMI-DADE COUNTY PROJECT NO. 20040372

PTP FUNDS

NOTE:  
ATTENDING IS ADVISED TO THE FACT THAT THESE PLANS MAY HAVE BEEN REVISION IN  
SIZE BY INTRODUCTION. THIS MUST BE CONSIDERED WHEN RETURNING READ DATA.



END PROJECT  
STA 120+76.00



BEGIN PROJECT  
STA 94+59.00

LENGTH OF JOB		
ROADWAY	LN. FT.	MILES
ROADWAY	11522.21	2.18
BRIDGE		
GROSS LENGTH OF JOB		
EXCEPTIONS		
NET LENGTH OF JOB	11522.21	2.18

INDEX OF SHEETS

SHT. NO.	SHEET DESCRIPTION
1	COVER SHEET
2	TYPICAL SECTION
3	GENERAL NOTES
4	STORMWATER POLLUTION PREVENTION PLAN
5	SUMMARY OF QUANTITIES
6	TREE SURVEY / ACTION PLAN
7-27	ROADWAY PLAN & PROFILES
28-31	SIDE STREET PROFILES
32-33	INTERSECTION DETAILS
34-74	DRAINAGE STRUCTURE CROSS SECTIONS
75-88	ROADWAY CROSS SECTIONS
89	TRAFFIC CONTROL PLAN GENERAL NOTES
91-92	TRAFFIC CONTROL PLAN TYPICAL SECTION
93-115	SIGNING AND PAVEMENT MARKINGS PLANS
116-117	SIGNALIZATION PLANS
118-119	LIGHTING PLANS

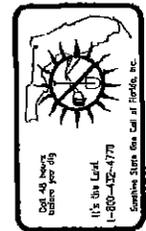
STANDARD INDEX DRAWINGS

SHT. NO.	SHEET DESCRIPTION
300	CURB & CURB AND CUTTER (FOOT STD. 1 SHEET)
301	FOOT STANDARDS & SECTIONS
310	CONCRETE SIDEWALK
	(FOOT STANDARDS 2 SHEETS)
PTS 01	CONCRETE TRAFFIC SEPARATORS
515	TRAFFIC SIGNALS (FOOT STD. 6 SHEETS)
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THESE PLANS HAVE BEEN PREPARED IN ACCORDANCE WITH AND AS GOVERNED BY THE MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT STANDARDS AND SPECIFICATIONS PART 1, 2 AND 3. THE STANDARDS AND SPECIFICATIONS PART 1, 2 AND 3 ARE AVAILABLE AT THE MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT, TRANSPORTATION DIVISION, 1101 N.W. 1ST STREET, MIAMI, FLORIDA 33136. THE FLORIDA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS, AND THE FLORIDA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS, AS AMENDED BY CORRECTIVE ORDINANCES.

ENGINEERING THAT PLANS FOR ALL NEW CONSTRUCTION AND ALTERATIONS TO EXISTING CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE ADA ACCESSIBILITY GUIDELINES (44CFR) AND USDOH FEDERAL ACCESSIBILITY STANDARDS (28CFR), WHERE APPLICABLE.

PREPARED FOR  
**MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT**  
HIGHWAY DIVISION  
STEPHEN P. CLARK, CENTER  
1101 N.W. 1ST STREET  
MIAMI, FLORIDA 33136



Keith and Schnars, P.A.  
115 S.W. 1st St.  
Miami, FL 33136  
1-800-452-4773  
Suzanne Stone, Inc. Est. of Florida, Inc.

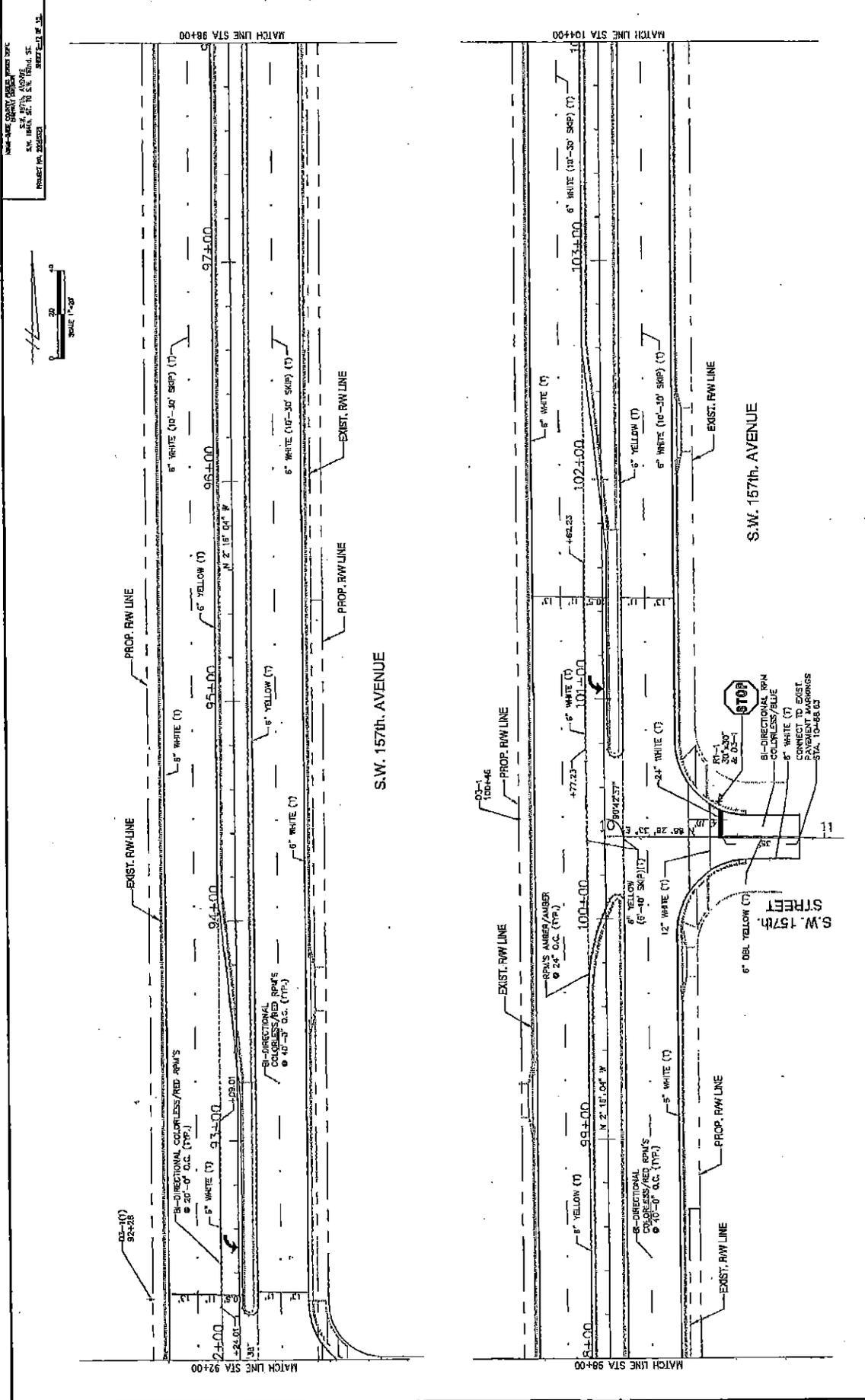
BY  
**KEITH and SCHNARS, P.A.**  
ENGINEERS, PLANNERS, SURVEYORS  
10305 N.W. 41ST ST.  
MIAMI, FL 33176  
CERTIFICATE OF AUTHORIZATION NO. 1337

APPROVED	DIRECTOR OF PUBLIC WORKS
RECOMMENDED	ASSISTANT DIRECTOR
SUBMITTED	HIGHWAY DIVISION
PROPOSED M.B.	CHECK R.G.
DESIGN JAMES	DRAWN JAMES
DATE	SHEET 1 OF 92

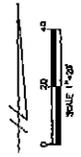
ENGINEER OF RECORD:

JUAN CARLOS ALDANTARA  
FLORIDA REGISTRATION P.E. No. 64786





157th AVE. IMPROVEMENT PROJECT  
 S.W. 157th Ave. from 157th Blvd. to  
 PROJECT NO. 2020020  
 SHEET 15 OF 15



REVISIONS		DESCRIPTION		DATE		BY		DATE		DESCRIPTION	

LINE	DATE	BY	DESCRIPTION

DATE	BY	DESCRIPTION

PUBLIC WORKS DEPARTMENT  
 HIGHWAY DIVISION  
 157th AVE. PROJECT  
 157th AVE. PROJECT

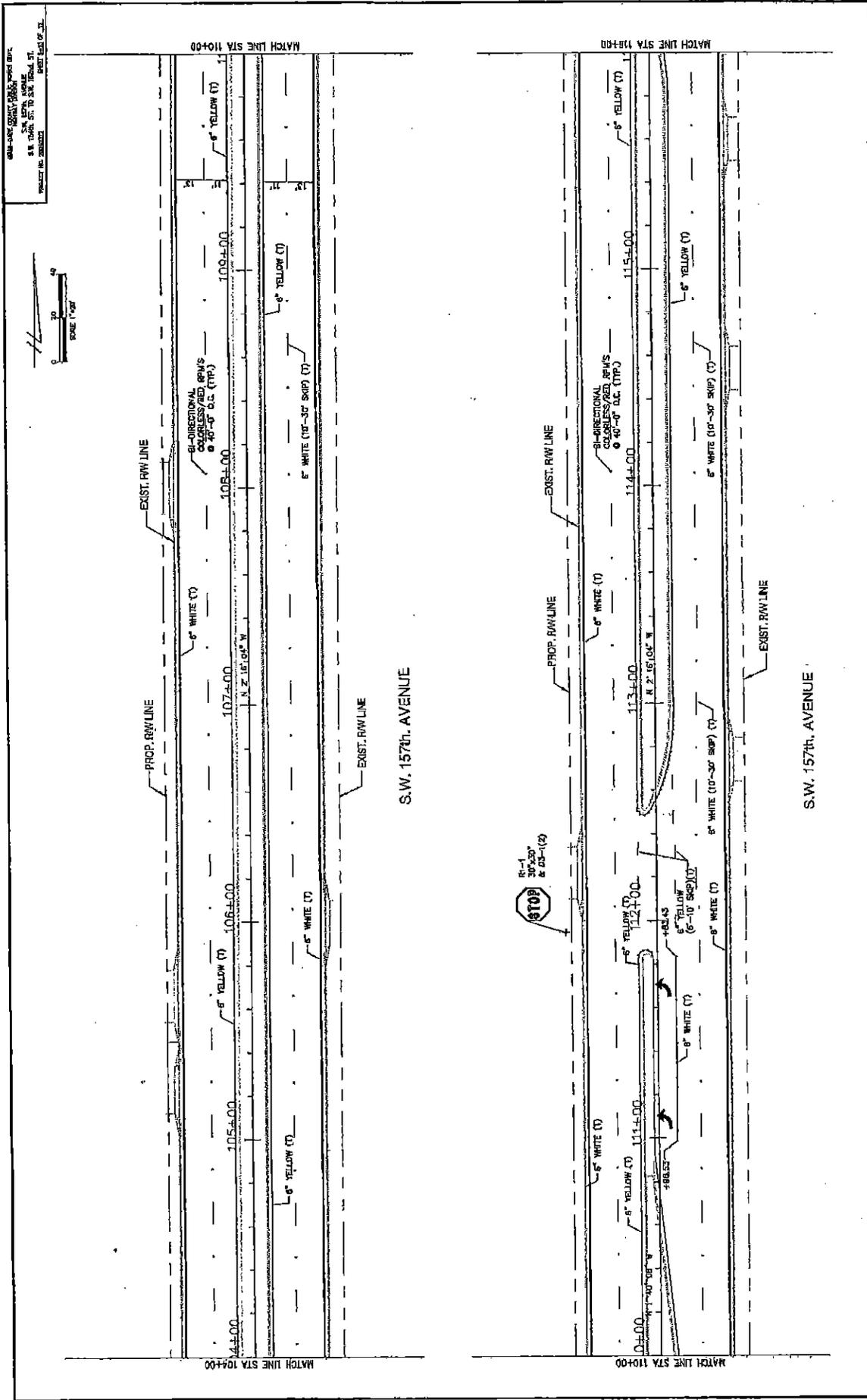


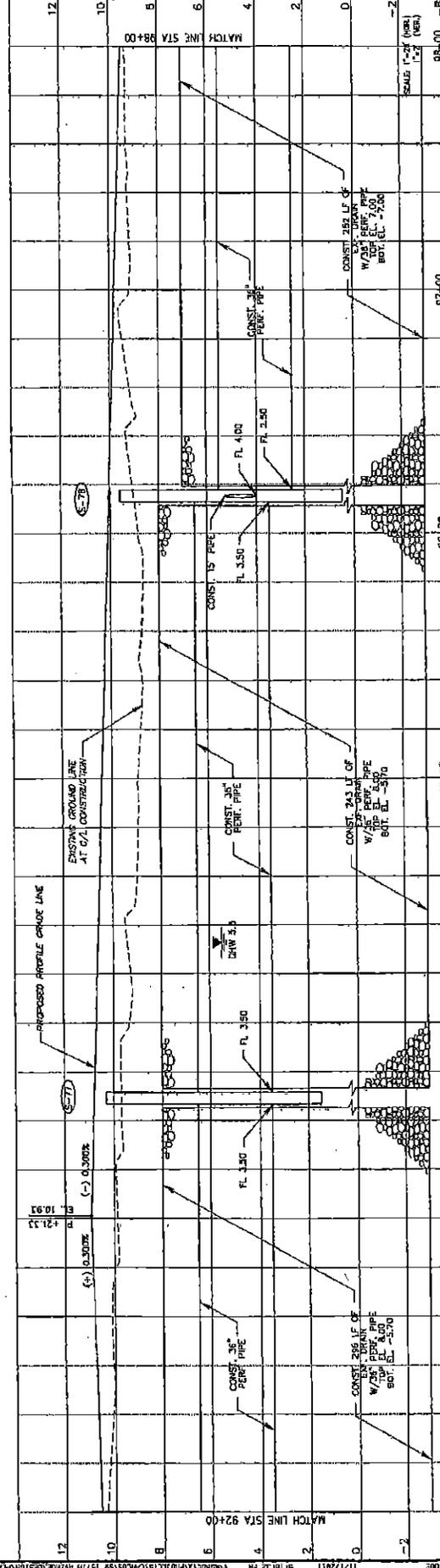
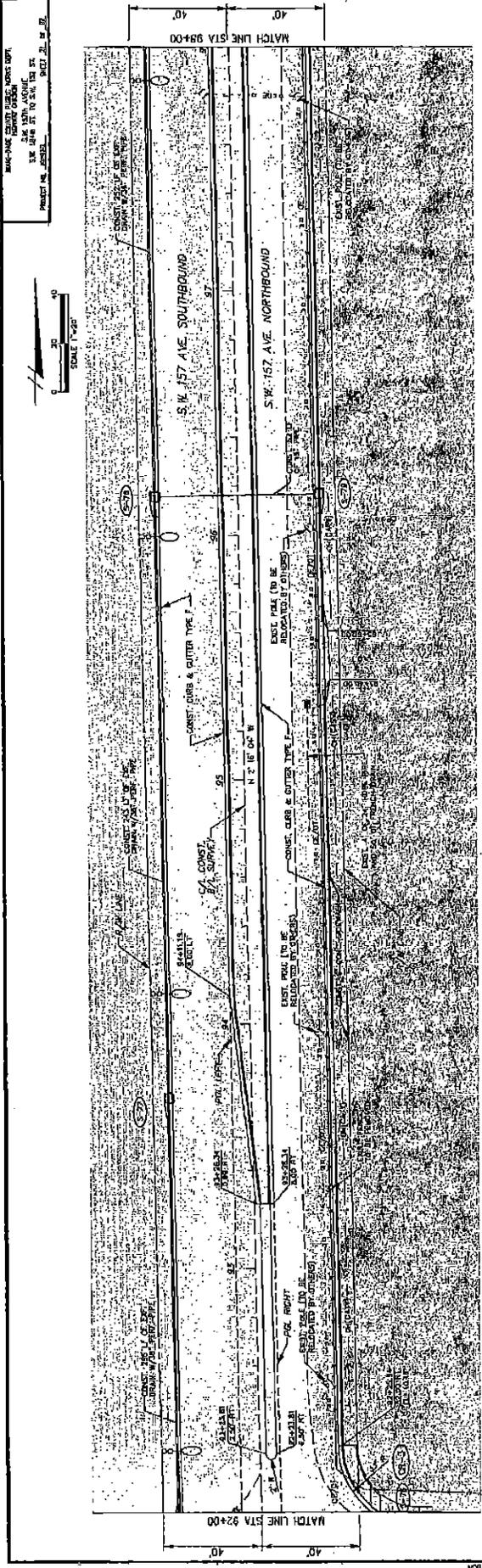
S.W. 157th Avenue  
 Stationing: 92+00 to 104+00



City of Aurora  
 Public Works Department

S.W. 157th Avenue  
 Stationing: 92+00 to 104+00



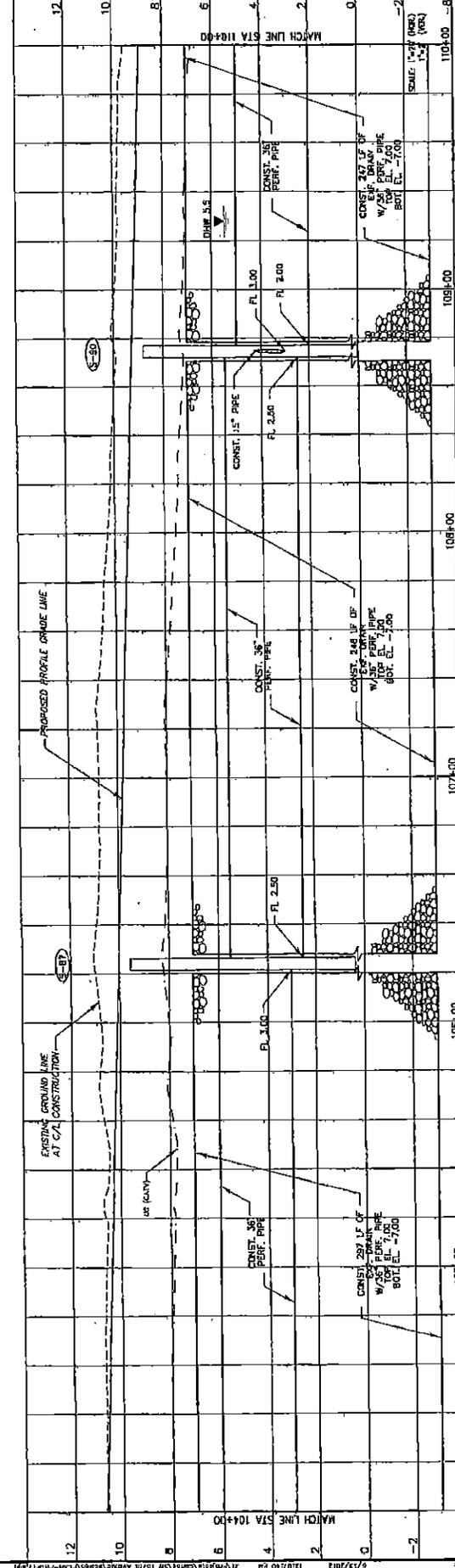
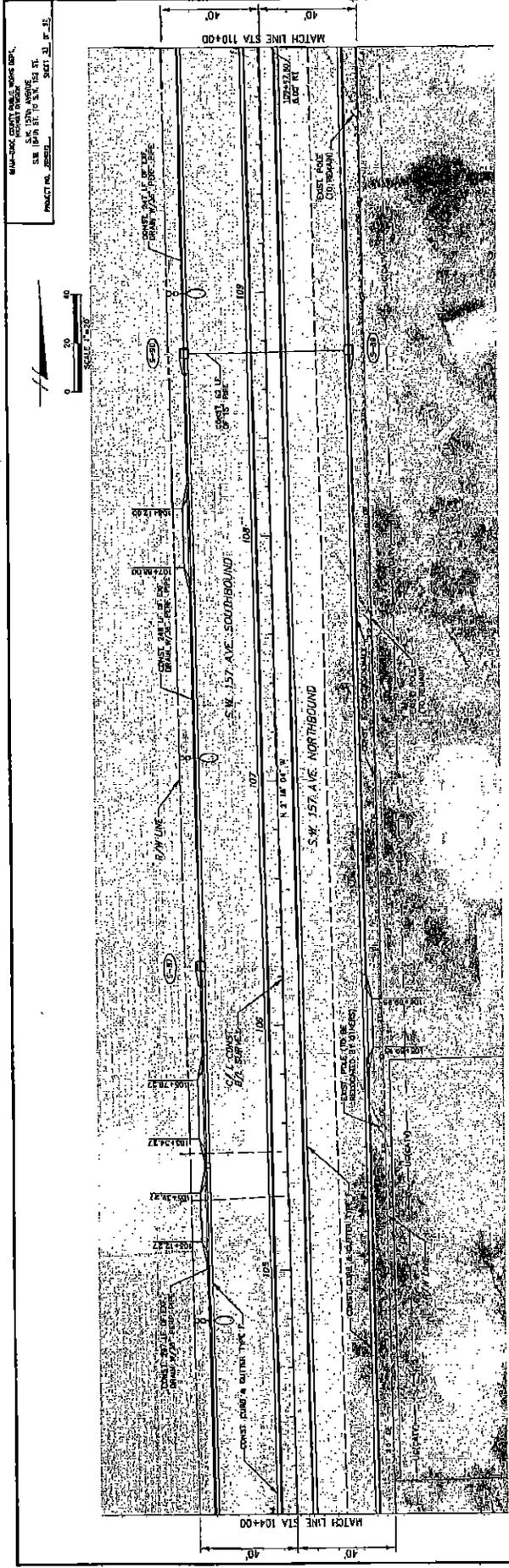


DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION
95-00	REVISOR		95-00	REVISOR	
95-00	DESIGNER		95-00	DESIGNER	

COUNTY OF HARRIS, TEXAS  
 PUBLIC WORKS DEPARTMENT  
 HIGHWAY DIVISION  
 PROJECT NO. 95-00  
 SHEET NO. 12 OF 12  
 SCALE 1"=20'  
 DRAWN BY: J. L. ...  
 CHECKED BY: ...  
 APPROVED BY: ...

PLAN AND PROFILE  
 MATCH LINE STA 92+00  
 MATCH LINE STA 98+00





DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION
10/26/13	REVISIONS				
6/19/13					
12/20/12					

PROJECT: SW 157th Ave. NORTHBOUND

DATE: 10/26/13

SCALE: 1" = 40'

PROJECT NO. 12-0000

DATE: 10/26/13

SCALE: 1" = 40'

PROJECT NO. 12-0000

REVISIONS

DATE

BY

DESCRIPTION

13



Memorandum

To: Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

From: Charles Scurr, Executive Director *Charles Scurr*

Date: May 12, 2016

Re: **CITT AGENDA ITEM 5D:**  
RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST  
RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS (BCC)  
AUTHORIZING CERTAIN SETTLEMENT IN THE AMOUNT OF **\$15,000.00** IN  
COUNTY EMINENT DOMAIN PROCEEDINGS BY COUNTY ATTORNEY IN  
CONNECTION WITH THE ACQUISITION OF LAND REFERRED TO AS PARCEL 15  
FOR THE RIGHT-OF-WAY NEEDED FOR IMPROVEMENTS ALONG SW 157  
AVENUE FROM SW 152 STREET TO SW 184 STREET AND AUTHORIZING THE  
USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (DTPW – BCC  
**Legislative File No. 161192**)

On May 12, 2016, the CITT voted (10-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 16-024. 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

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

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

cc: Alina Hudak, Deputy Mayor  
Bruce Libhaber, Assistant County Attorney