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

MEMORANDUM

Agenda Item No. 8(N)(10)

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

DATE: November 1, 2016

FROM: Abigail Price-Williams County Attorney

SUBJECT: Resolution rescinding resolution Nos. R-523-13, R-526-13, R-530-13, R-531-13, R-532-13, R-533-13, R-534-13, R-535-13, R-536-13, R-538-13, R-539-13, R-541-13, R-545-13, R-546-13, R-547-13, R-550-13, R-551-13, R-552-13, R-553-13, R-557-13, R-558-13, R-559-13, R-560-13, R-561-13, R-562-13, R-563-13, R-564-13, R-565-13 and R-568-13, eliminating the acquisition of designated Parcels 100, 105, 111, 115, 116, 117, 118, 119, 120, 124, 125, 127, 133, 134, 136, 139, 140, 143, 144, 151, 152, 154, 155, 156, 157, 158, 160, 161, and 167 for the Original Project Entitled Improvements to SW 137 Avenue from US-1 (SR5) to SW 200 Street

Resolution No. R-1001-16

This item was amended from the original version as stated in the County Mayor's memorandum.

The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava.

Abigail Price-Williams
County Attorney

APW/smm

Memorandum

MIAMI-DADE COUNTY

Date: November 1, 2016

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

From: Carlos A. Gimenez
Mayor

Subject: Authorizing the Elimination of the Designated Properties Known as Parcels 100, 105, 111, 115, 116, 117, 118, 119, 120, 124, 125, 127, 133, 134, 136, 139, 140, 143, 144, 151, 152, 154, 155, 156, 157, 158, 160, 161, and 167 from the Right-of-Way Needed for the People's Transportation Plan Project Entitled Improvements to SW 137 Avenue from US-1 (SR5) to SW 200 Street as Originally Designed

---

This item was amended at the October 13, 2016 Transit and Mobility Services Committee to delete the rescission of the resolutions for Parcels 129, 130, and 131, and to include the rescission of the resolutions for parcels 143, 144, 151, 152, 154, 155, 156, 157, 158, 160 and 161.

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) rescind previously adopted Resolution Nos. R-523-13, R-526-13, R-530-13, R-531-13, R-532-13, R-533-13, R-534-13, R-535-13, R-536-13, R-538-13, R-539-13, R-541-13, R-545-13, R-546-13, R-547-13, R-550-13, R-551-13, R-552-13, R-553-13, R-557-13, R-558-13, R-559-13, R-560-13, R-561-13, R-562-13, R-563-13, R-564-13, R-565-13 and R-568-13. Said Resolutions authorized the acquisitions of Parcels 100, 105, 111, 115, 116, 117, 118, 119, 120, 124, 125, 127, 133, 134, 136, 139, 140, 143, 144, 151, 152, 154, 155, 156, 157, 158, 160, 161, and 167 needed for the roadway expansion, along SW 137 Avenue from US-1 (SR5) to SW 200 Street as originally designed (Original Project). Approval of the attached Resolution authorizes the elimination of these properties from acquisition in connection with the Original Project, many of which will be eliminated or modified in connection with a redesigned project (Redesigned Project).

SCOPE

The properties are located within Commissioner Daniella Levine Cava's District 8.

FISCAL IMPACT/FUNDING SOURCE

Funding for the right-of-way acquisition, design and construction of the Redesigned Project will be provided by the Charter County Transportation Surtax Bond Fund proceeds, and may be supplemented by other eligible funding sources. Funding is programmed within the adopted 2015-16 Right-of-Way Acquisition for Construction Projects Countywide (P2000000537) Site 76078 in Commission District 8. There is no negative fiscal impact from the elimination of these parcels.

TRACK MONITOR

The Department of Transportation and Public Works (DTPW) is the entity overseeing this item and the person responsible is Mr. Francisco Fernandez, Chief Real Estate Officer, DTPW, Roadway Engineering and Right-of Way Division.

BACKGROUND

In an effort to reduce costs, the Original Project was re-evaluated for cost effectiveness and subjected to value engineering. These efforts resulted in the redesign of the Original Project, yielding cost savings, and minimizing the amount of right-of-way to be acquired, while maintaining the integrity of the project and adhering to the objectives set forth by the Board.

In light of the change in scope of the Original Project, the referenced resolutions for the Original Project are being rescinded in order to authorize new resolutions reflecting the proper scope of the Redesigned Project, including modification or elimination of many of the original parcels.

Alina T. Hudak
Deputy Mayor

MEMORANDUM

(Revised)

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

DATE: November 1, 2016

FROM: Abigail Price-Williams
County Attorney

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

_____ **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. 8(N)(10)
11-1-16

RESOLUTION NO. R-1001-16

RESOLUTION RESCINDING RESOLUTION NOS. R-523-13, R-526-13, R-530-13, R-531-13, R-532-13, R-533-13, R-534-13, R-535-13, R-536-13, R-538-13, R-539-13, R-541-13, R-545-13, R-546-13, R-547-13, R-550-13, R-551-13, R-552-13, R-553-13, R-557-13, R-558-13, R-559-13, R-560-13, R-561-13, R-562-13, R-563-13, R-564-13, R-565-13 AND R-568-13, ELIMINATING THE ACQUISITION OF DESIGNATED PARCELS 100, 105, 111, 115, 116, 117, 118, 119, 120, 124, 125, 127, 133, 134, 136, 139, 140, 143, 144, 151, 152, 154, 155, 156, 157, 158, 160, 161, AND 167 FOR THE ORIGINAL PROJECT ENTITLED IMPROVEMENTS TO SW 137 AVENUE FROM US-1 (SR5) TO SW 200 STREET

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 original SW 137th Avenue Project (the "Original Project") has been redesigned, resulting in a new project design (the "Redesigned Project") that has minimized the amount of right-of-way to be acquired, resulting in a cost savings while maintaining the integrity of the Original Project; and

WHEREAS, due to the changes to the scope of the Original Project, it is appropriate to rescind the prior resolutions authorizing acquisition of parcels for the Original Project, in order to authorize new resolutions which accurately reflect the scope of the Redesigned Project, including, in some instances, elimination or modification of [[~~many of~~]][1] certain parcels required for the Original Project; and

[1] Committee amendments are indicated as follows: words stricken through and/or [[double bracketed]] shall be deleted, words underscored and/or >>double arrowed<< constitute the amendment proposed.

WHEREAS, >>rescission of the resolutions authorizing<< [[~~this Board finds that~~]] the acquisition of Parcel >>Nos.<< 100, 105, 111, 115, 116, 117, 118, 119, 120, 124, 125, 127, [[~~129, 130, 131,~~]] 133, 134, 136, 139, 140, >>143, 144, 151, 152, 154, 155, 156, 157, 158, 160, 161,<< and 167 >>for the Original Project shall be replaced and superceded by new resolutions authorizing acquisition of parcels required for the Redesigned Project,<< [[~~illustrated in the parcel location map in "Exhibit A" attached hereto and made a part hereof, are no longer required and necessary to accomplish the construction for the project entitled Improvements to SW 137 Avenue from US-1 (SR5) to SW 200 Street.~~]]

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board ratifies and adopts these matters set forth in the foregoing recitals and hereby rescinds Resolution Nos. R-523-13, R-526-13, R-530-13, R-531-13, R-532-13, R-533-13, R-534-13, R-535-13, R-536-13, R-538-13, R-539-13, R-541-13, [[~~R-542-13, R-543-13, R-544-13,~~]] R-545-13, R-546-13, R-547-13, R-550-13, R-551-13, >>R-552-13, R-553-13, R-557-13, R-558-13, R-559-13, R-560-13, R-561-13, R-562-13, R-563-13, R-564-13, R-565-13<< and R-568-13 eliminating the acquisition of the designated parcels known as 100, 105, 111, 115, 116, 117, 118, 119, 120, 124, 125, 127, [[~~129, 130, 131,~~]] 133, 134, 136, 139, 140, >>143, 144, 151, 152, 154, 155, 156, 157, 158, 160, 161,<< and 167 >>for the Original Project.<<

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 **aye**
Esteban L. Bovo, Jr., Vice Chairman **aye**

Bruno A. Barreiro	**absent**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**absent**
Dennis C. Moss	**absent**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**absent**
Juan C. Zapata	**aye**		

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

James Eddie Kirtley