

# MEMORANDUM

Agenda Item No. 8(F)(2)

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**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

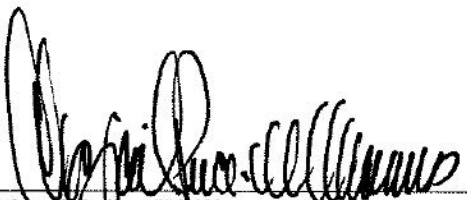
**DATE:** October 6, 2020

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

**SUBJECT:** Resolution authorizing the conveyance of a 4,667 square foot easement to Florida Power and Light Company, for a nominal sum of \$1.00 to install and maintain electrical utility facilities on a portion of County-owned property, located at 9601 NW 58 Street, Miami, Florida, known as the Miami-Dade Public Safety Training Institute for the purpose of providing electrical service to such County-owned property; and authorizing the County Mayor to execute the Underground Easement and to exercise all rights conferred therein

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The accompanying resolution was prepared by the Internal Services Department and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.

  
Abigail Price-Williams  
County Attorney

APW/uw

# Memorandum



**Date:** October 6, 2020

**To:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in blue ink, appearing to read "Carlos A. Gimenez", written over the name in the "From:" field.

**Subject:** Resolution Authorizing the Conveyance of an Easement to Florida Power and Light Company to Provide Electrical Service to the Miami-Dade Police Department's Public Safety Training Institute on a Portion of County-owned Property Located at 9601 NW 58 Street, Miami, Florida  
Folio No.: A Portion of 30-3016-000-0014

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## **Recommendation**

It is recommended that the Board of County Commissioners (Board) authorize the conveyance of an easement which provides electrical service to a portion of County-owned property under the oversight of the Miami-Dade Police Department. More specifically, the resolution does the following:

- Authorizes the conveyance of a 4,667 square foot easement to Florida Power and Light Company (FPL) for a nominal sum of \$1.00 for the construction, operation and maintenance of underground electrical utility facilities, including wires, poles, cables, conduits and related equipment to service the Miami-Dade Public Safety Training Institute located at 9601 NW 58 Street, Miami, Florida (Folio No.: A Portion of 30-3016-000-0014); and
- Authorizes the County Mayor or County Mayor's designee to execute the Underground Easement (Attachment 1), to record the instrument of conveyance in the public records of Miami-Dade County, and to exercise all provisions contained therein.

## **Scope**

The property is located in Commission District 12, which is represented by Commissioner Jose "Pepe" Diaz. Written notice of the easement was provided to the District Commissioner.

## **Fiscal Impact/Funding Source**

FPL will pay a nominal sum of \$1.00 for the easement and is responsible for the construction, operation and maintenance of the underground electrical utility facilities, including wires, poles, cables conduits and related equipment servicing the building.

## **Track Record/Monitoring**

Idania Barroso of the Internal Services Department is responsible for tasks related to this transaction. Edwin Pantoja of the Miami-Dade Police Department Management Building is responsible for the ongoing operation of the facility.

## **Delegation of Authority**

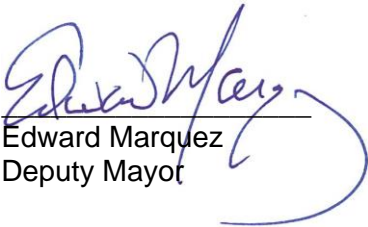
This item authorizes the County Mayor or County Mayor's designee to execute the easement and to exercise all other rights conferred therein.

## **Background**

The conveyance of an easement to FPL is required for the underground power service which is currently being provided to the newly constructed Miami-Dade Public Safety Training Institute. The facility is a necessary component of Miami-Dade Police Department's effort to graduate Police Officers, Correctional Officers, and FBI Personnel, and to meet the County's public safety and training requirements. The new electrical service originated from overhead service poles along NW 97 Avenue. The 4,667 square foot

Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners  
Page 2

easement allows FPL the right to access and provide service to operate the facility. As required by Resolution No. R-504-15, the transformer is mounted on a concrete pad which is screened from view by landscaping in order to minimize any impact to the surrounding area. The easement area will not adversely impact the surrounding area or the operation of the facility.



Edward Marquez  
Deputy Mayor



## MEMORANDUM (Revised)

**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** October 6, 2020

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

**SUBJECT:** Agenda Item No. 8(F)(2)

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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ 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(F)(2)  
10-6-20

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING THE CONVEYANCE OF A 4,667 SQUARE FOOT EASEMENT TO FLORIDA POWER AND LIGHT COMPANY, FOR A NOMINAL SUM OF \$1.00 TO INSTALL AND MAINTAIN ELECTRICAL UTILITY FACILITIES ON A PORTION OF COUNTY-OWNED PROPERTY, LOCATED AT 9601 NW 58 STREET, MIAMI, FLORIDA, KNOWN AS THE MIAMI-DADE PUBLIC SAFETY TRAINING INSTITUTE FOR THE PURPOSE OF PROVIDING ELECTRICAL SERVICE TO SUCH COUNTY-OWNED PROPERTY; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE THE UNDERGROUND EASEMENT AND TO EXERCISE ALL RIGHTS CONFERRED THEREIN

**WHEREAS**, on October 6, 2015, the County adopted Resolution No. R-832-15, which directed the County Mayor to add the new Miami-Dade Public Safety Training Institute Project to the approved project list of Economic Stimulus Projects pursuant to the County's Economic Stimulus Plan; and

**WHEREAS**, the County, through its Miami-Dade Police Department, constructed the Miami-Dade Public Safety Training Institute (Institute) to serve as Miami-Dade Police Department's training facility; and

**WHEREAS**, Florida Power and Light Company (FPL) has agreed to provide electric utility facilities to the Institute in exchange for an easement to allow access to install and maintain the facilities; and

**WHEREAS**, the easement is for electrical service that, in accordance with Resolution No. R-504-15, includes underground lines that does not adversely impact the surrounding area and screens any visible elements from public view; and

**WHEREAS**, the 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:

**Section 1.** The foregoing recitals are incorporated into this resolution and are approved.

**Section 2.** This Board authorizes the conveyance of a 4,667 square foot easement to FPL for a nominal sum of \$1.00, for the installation and maintenance of electric utility facilities to the Institute, and authorizes the County Mayor or County Mayor's designee to execute the Underground Easement in substantially the form attached hereto as "Attachment 1" and made part hereof, on behalf of Miami-Dade County and to exercise all provisions set forth therein.

**Section 3.** Pursuant to Resolution No. R-974-09, this Board (1) directs the County Mayor or the County Mayor's designee to record the easement 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 30 days of recordation of the easement, and (2) 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 \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Chairwoman	
Rebeca Sosa, Vice Chairwoman	
Esteban L. Bovo, Jr.	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Eileen Higgins	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 6<sup>th</sup> day of October, 2020. 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: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Lauren E. Morse

# Attachment 1

Work Request No. \_\_\_\_\_

Sec. 16, Twp 53S, Rge 40E

Parcel I.D. 30-3016-000-0014  
(Maintained by County Appraiser)

## UNDERGROUND EASEMENT (BUSINESS)

This Instrument Prepared By  
Name: Internal Services Department  
Co. Name: Miami Dade Police Department  
Address: 111 NW 1 Street, Suite 2460  
Miami, Florida 33128

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:

Reserved for Circuit Court

See Exhibit "A" ("Easement Area")

Together with the right to permit FPL 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 FPL's communications purposes in connection with electric service; 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 \_\_\_\_\_,  
2020.

ATTEST: HARVEY RUVIN,  
Clerk of Said Board

By: \_\_\_\_\_  
Deputy Clerk

Approved as to Form and  
Legal Sufficiency:

\_\_\_\_\_  
Assistant County Attorney

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

By \_\_\_\_\_  
Carlos A. Gimenez  
Mayor

The foregoing was authorized and approved by Resolution R-\_\_\_\_ of the Board of County Commissioners of Miami-Dade County, Florida, on the \_\_\_\_day of \_\_\_\_\_, 2020.

STATE OF \_\_\_\_\_ )  
 )  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, as \_\_\_\_\_ of Miami-Dade County is duly authorized to execute this document and is personally known to me or has produced \_\_\_\_\_ as identification.

[NOTARIAL SEAL]

Notary: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public, State of Florida  
My commission expires: \_\_\_\_\_