

MEMORANDUM

Agenda Item No. 8(N)(2)

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

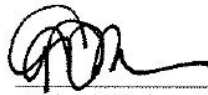
DATE: July 8, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution approving an
Amendment to the Interlocal
Agency and License Agreement
between Miami-Dade County
and the City of Coral Gables for
the use of a portion of the
Metrorail corridor located
between Coral Gables Fire
Station No. 2 and Ponce de
Leon Boulevard, Riviera Avenue
and Rosaro Avenue, for
improvements to Fire Station No.
2, allowing for the relocation of
the license area for construction
of driveways and authorizing the
County Mayor to execute the
Agreement and to exercise all
other rights conferred therein

Resolution No. R-658-20

The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Commissioner Xavier L. Suarez.



Abigail Price-Williams
County Attorney

APW/smm

Memorandum



Date: July 8, 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: Amendment to the Interlocal Agency and License Agreement between Miami-Dade County and the City of Coral Gables

Recommendation

It is recommended that the Board of County Commissioners (Board) approve an amendment to the Interlocal Agency and License Agreement between Miami-Dade County and the City of Coral Gables (City) for the use of a portion of the Metrorail Corridor located between Coral Gables Fire Station No. 2 (Fire Station) and Ponce de Leon Boulevard, Riviera Avenue and Rosaro Avenue for two driveways and modification of a force main and electrical power service lines.

Scope

Fire Station No. 2 is located within Commission District 7, represented by Commissioner Xavier L. Suarez.

Fiscal Impact/Funding Source

There is no fiscal impact to Miami-Dade County associated with this Interlocal Agency and License Agreement.

Track Record/Monitor

Javier Bustamante, Chief of Right of Way, Utilities and Joint Development, Department of Transportation and Public Works will be responsible for monitoring the Interlocal Agency and License Agreement.

Background

The City is constructing improvements to and around the Fire Station that include a new trolley garage and repair facility to serve the City's trolley fleet. Due to its physical location between US-1 and the Metrorail corridor, the driveways, force main and electrical service required as part of the improvements can only be constructed within the Metrorail corridor.

On October 3, 2019, the Board adopted Resolution No. R-1066-19, which approved a 30-year Interlocal agency and License Agreement between the County and the City for use of a portion of the Metrorail Corridor for two driveways and modification of a force main and electrical service. This amendment provides for the change in one driveway location to approximately 250 feet east of the previously approved southernly location, Exhibit A.

A handwritten signature in blue ink, appearing to read "Jennifer Moon", written over the name in the signature block.

Jennifer Moon
Deputy Mayor



MEMORANDUM

(Revised)

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

DATE: July 8, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(N)(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(N)(2)
7-8-20

RESOLUTION NO. R-658-20

RESOLUTION APPROVING AN AMENDMENT TO THE INTERLOCAL AGENCY AND LICENSE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF CORAL GABLES FOR THE USE OF A PORTION OF THE METRORAIL CORRIDOR LOCATED BETWEEN CORAL GABLES FIRE STATION NO. 2 AND PONCE DE LEON BOULEVARD, RIVIERA AVENUE AND ROSARO AVENUE, FOR IMPROVEMENTS TO FIRE STATION NO. 2, ALLOWING FOR THE RELOCATION OF THE LICENSE AREA FOR CONSTRUCTION OF DRIVEWAYS AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE ALL OTHER RIGHTS CONFERRED THEREIN

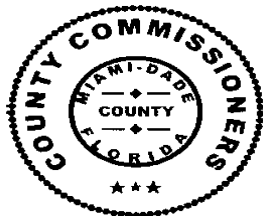
WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the Amendment to the previously approved Interlocal Agency and License Agreement with the City of Coral Gables, in substantially the form attached hereto and made part hereof. This Board further (a) authorizes the County Mayor or County Mayor's designee to execute said Amendment to the Interlocal Agency and License Agreement for and on behalf of Miami-Dade County and exercise all provisions contained therein; and (b) pursuant to Resolution No. R-974-09, directs the County Mayor or the County Mayor's designee to record the Agreement in the Public Records of the County and provide a recorded copy to the Clerk of the Board within 30 days of execution of said instrument and directs the Clerk of the Board and permanently store the recorded copy with the resolution.

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

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

The Chairperson thereupon declared this resolution duly passed and adopted this 8th day of July, 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: **Melissa Adames**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in dark ink, appearing to read "B. Libhaber".

Bruce Libhaber

**AMENDMENT TO INTERLOCAL AGENCY AGREEMENT BETWEEN
MIAMI-DADE COUNTY AND CITY OF CORAL GABLES**

THIS AMENDMENT TO INTERLOCAL AGENCY AGREEMENT ("Amendment") is made as of this _____ day of _____, 2020, between Miami-Dade County (the "County") and City of Coral Gables (the "City").

RECITALS

WHEREAS, the County and the City entered into an Interlocal Agency and License Agreement on July 9, 2019 ("Interlocal Agreement"), for the use of the Metrorail South Corridor for Construction of Two Driveways and Installation of a Force Main and Electrical Service; and

WHEREAS, the City has changed the proposed location of the egress driveway and the City and the County have agreed to amend the Interlocal Agreement to replace Exhibit "A" to indicate the new driveway access as identified on and more fully described on Exhibit "A" attached to this Amendment and therefore modifying the "License Area(s)" accordingly.

NOW, THEREFORE, in consideration of ten dollars (\$10.00) and other good and valuable consideration, the Parties agree, understand, accept, and acknowledge that through this Amendment, the Interlocal Agreement is hereby modified as follows:

1. Exhibit A of the Interlocal Agreement is hereby replaced with Exhibit A to this Amendment such that the improvements to be constructed and the License Areas shall be as identified in Exhibit A to this Amendment.
2. The County Mayor or County Mayor's designee may approve modifications to the License Areas so long as said License Areas remain between Riviera Avenue and Rosaro Avenue.
3. Except as otherwise provided herein, all terms and conditions of the Interlocal Agreement shall remain unchanged and in full force and effect.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties have executed this Amendment as of the day and year first above written.

Party of the First Part:

MIAMI-DADE COUNTY, a political
subdivision of the State of Florida

ATTEST:

By: _____

Name: _____

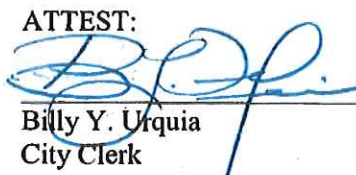
Title: _____

Legal Sufficiency:

Party of the Second Part:

City of Coral Gables, a municipality of
the State of Florida

ATTEST:


Billy Y. Urquia
City Clerk

By: 
Peter J. Iglesias
City Manager

Approved as to form and legal
sufficiency:

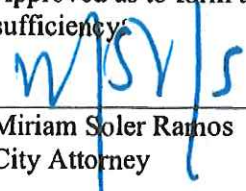

Miriam Soler Ramos
City Attorney

EXHIBIT "A"
NEW DRIVEWAY ACCESS

LEGAL DESCRIPTION:

AN ACCESS FOR DRIVEWAY LYING OVER AND ACROSS A PORTION OF FORMER F.E.C. R.R. (NOW MIAMI-DADE COUNTY, METRORAIL SOUTH CORRIDOR), ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 124, AT PAGE 7, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE CENTERLINE OF RIVIERA DRIVE AND THE FORMER F.E.C. R.R. NORTHERLY RIGHT OF WAY LINE; AS SHOWN ON SAID PLAT BOOK 124, PAGE 7; THENCE RUN S89°49'26"E ALONG SAID F.E.C. R.R. NORTHERLY RIGHT OF WAY LINE FOR A DISTANCE OF 857.28 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S89°49'26"E ALONG PREVIOUSLY DESCRIBED LINE FOR A DISTANCE OF 16.00 FEET; THENCE RUN S00°00'22"E FOR A DISTANCE OF 20.01 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 14.86 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°54'48", A CHORD DISTANCE OF 9.16 FEET THROUGH A CHORD BEARING OF S17°30'00"E, AN ARC DISTANCE OF 9.32 FEET TO A POINT OF REVERSE CURVATURE ON A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 16.84; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°27'31", A CHORD DISTANCE OF 10.26 FEET THROUGH A CHORD BEARING OF S17°43'39"E, AN ARC DISTANCE OF 10.42 FEET TO A POINT OF TANGENCY; THENCE RUN S00°00'07"W FOR A DISTANCE OF 61.50 TO A POINT ON THE EXISTING SOUTHERLY RIGHT OF WAY LINE OF SAID FORMER F.E.C. R.R. AS SHOWN ON SAID PLAT BOOK 124, PAGE 7; THENCE RUN N89°49'26"W ALONG PREVIOUSLY DESCRIBED LINE FOR A DISTANCE OF 37.01 FEET TO A POINT OF CUSP ON A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 17.50 FEET; THENCE RUN NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 82°13'35", A CHORD DISTANCE OF 23.01 FEET THROUGH A CHORD BEARING OF N41°06'55"E, AN ARC DISTANCE OF 25.11 FEET TO A POINT OF TANGENCY; THENCE RUN N00°00'07"E FOR A DISTANCE OF 82.62 FEET TO THE POINT OF BEGINNING.

ALL OF THE ABOVE DESCRIBED LANDS CONTAINING 2080 SQUARE FEET MORE OR LESS.

3097A - Coral Gables Fire Station & Trunkley Building - Unit Construction/Survey/Design/18003097A Driveway Sketch and Legal-RL Jang/PROPOSED EAST DRIVEWAY LEGAL

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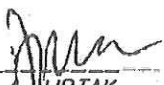
NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. THIS DESCRIPTION AND SKETCH ARE NOT VALID ONE WITHOUT THE OTHER.
3. BEARINGS ARE BASED ON AN ASSUMED SYSTEM.

SURVEYOR'S CERTIFICATION:

THIS IS TO CERTIFY TO THE HEREIN NAMED FIRM AND/OR PERSONS THAT THE "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" OF THE HEREIN DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF AS SURVEYED AND PLATTED UNDER OUR DIRECTION ON OCTOBER 28TH, 2019. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE REQUIREMENTS AS SET FORTH IN RULE 5J-17.051 AND 5J-17.052 AS ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTER 472.027 FLORIDA STATUTES.

MASER CONSULTING P.A.


JOHN A. LIPTAK
PROFESSIONAL SURVEYOR AND MAPPER #5664
STATE OF FLORIDA

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER.

3077A - Coral Gables Fire Station & Trolley Building - Link Construction(Survey) 1003077A Driveway Sketch and Legal-FL.dwg/PROPOSED EAST DRIVEWAY NOTES Bp-JRNO

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