

MEMORANDUM

Agenda Item No. 8(F)(2)

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

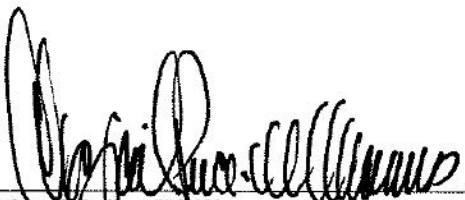
DATE: October 6, 2020

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

Resolution No. R-947-20

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", is written over the name and title 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

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

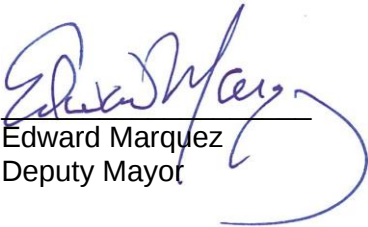
This item authorizes the County Mayor or County Mayor's designee to execute the easement and to exercise all other rights conferred therein.

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. R-947-20

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.

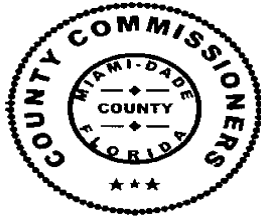
Section 2. This Board authorizes the conveyance of a 4,667 square foot easement to FPL for a nominal sum of \$1.00, for the installation and maintenance of electric utility facilities to the Institute, and authorizes the County Mayor or County Mayor's designee to execute the Underground Easement in substantially 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 **Rebeca Sosa** , who moved its adoption. The motion was seconded by Commissioner **José "Pepe" Diaz** 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	absent	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 6th 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: **Melissa Adames**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

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

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: _____



CFN 2021R0136594
OR BK 32365 Pgs 166-170 (5Pgs)
RECORDED 02/23/2021 12:37:29
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

Work Request No. _____

Sec. 16, Twp 53S, Rge 40E

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

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IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on January 21,
~~2020~~ 2021.

ATTEST: HARVEY RUVIN
Clerk of Said Board

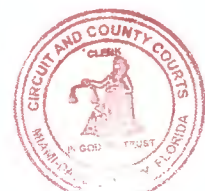
By: _____
Deputy Clerk

Approved as to Form and
Legal Sufficiency:

Assistant County Attorney

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

By: _____
Daniella Levine Cava
Mayor



The foregoing was authorized and approved by Resolution R-947-20 of the Board of County Commissioners of Miami-Dade County, Florida, on the 6th day of October 2020.

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

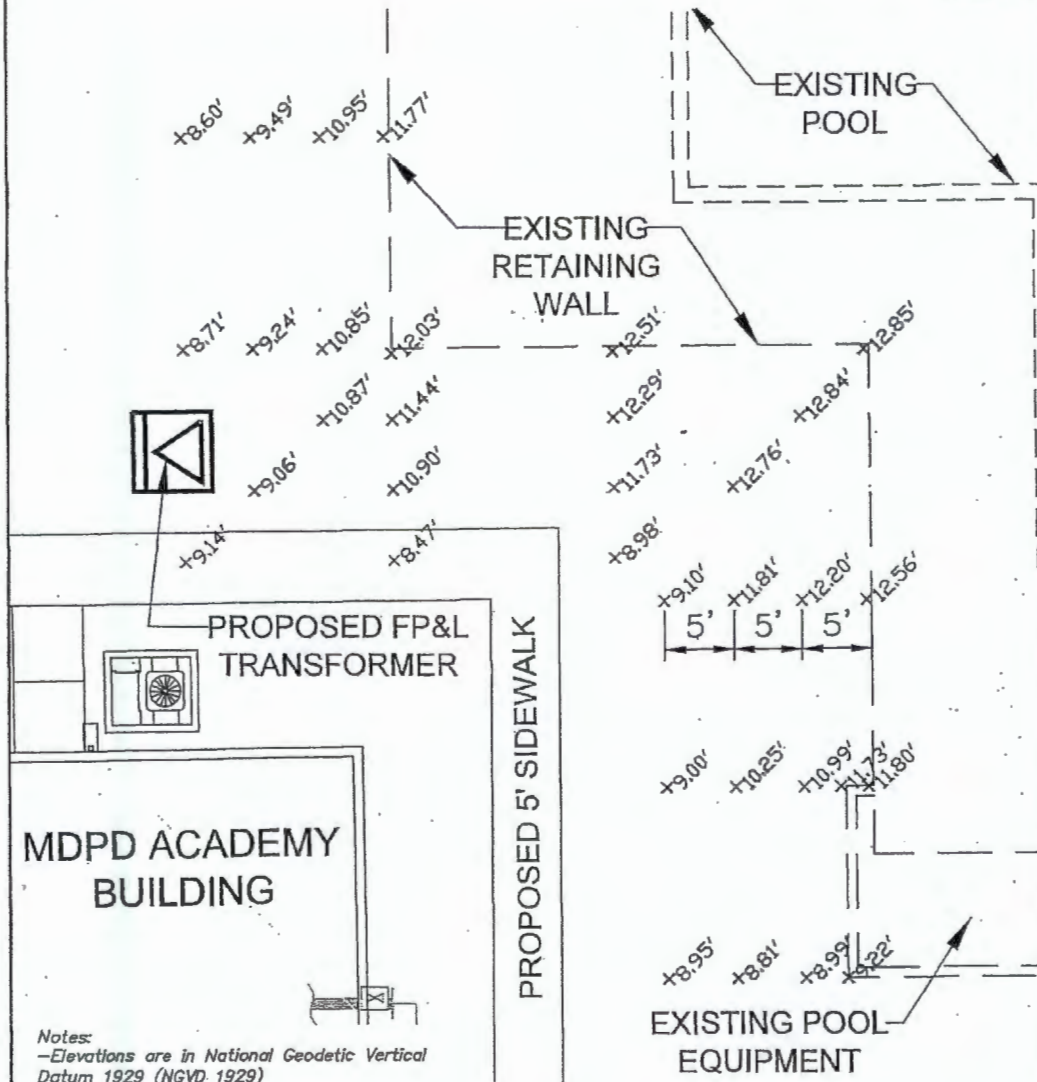
The foregoing instrument was acknowledged before me by means of: (check one) ☒ physical presence; or ☐ remote audio-visual means, this 21st day of January 2021, by Tara C. Smith, as _____ of Miami-Dade County is duly authorized to execute this document and is personally known to me or has produced _____ as identification.



Notary: Carolina Sola
Print Name: Carolina Sola
Notary Public, State of Florida
My commission expires: 06/10/22



SPECIFIC PURPOSE SURVEY



Notes:
-Elevations are in National Geodetic Vertical
Datum 1929 (NGVD 1929)

SURVEYORS NOTE:
THE SPECIFIC PURPOSE OF THIS SURVEY IS TO VERIFY EXISTING ELEVATIONS

SPECIFIC PURPOSE SURVEY	
PROJECT NAME: MIAMI DADE POLICE DEPARTMENT NEW ACADEMY	
PROJECT LOCATION: 9601 NW 58th ST, MIAMI FL 33178	
CONTRACTOR: D. Stephenson	SURVEYOR: MPG Technical Group Corp.
DATE: 01-23-2019	

[Signature] 1/23/19
BY: MICHAEL CAROZZA DATE
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA, No. 6965



SKETCH TO ACCOMPANY LEGAL DESCRIPTION

PREPARED BY:
MPG TECHNICAL GROUP CORP.

CERTIFICATE OF AUTH. # LB-6932

908 S.W. 141st Avenue, Miami, Florida 33184

Phone: (305) 559-9043

EXHIBIT A - SHEET 1 OF 2

10.00 Foot Wide Florida Power & Light Utility Easement

REFERENCE PROPERTY ADDRESS:

9601 NW 58th Street
Miami, Florida 33178

REFERENCE FOLIO NUMBER:

30-3016-000-0014 (Miami-Dade County Public Records/property Appraiser's Office)

EXHIBIT "A" / LEGAL DESCRIPTION FOR 10.00 FOOT WIDE FLORIDA POWER & LIGHT UTILITY EASEMENT.

A 10.00 Foot Wide Florida Power & Light Company Utility Easement across portions of "FLA FRUIT LAND CO SUB", according to the Plat thereof, as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida, the centerline of said Easement being more particularly described as follows:

Commence (P.O.C.) at the Southwest Corner of Section 16, Township 53 South, Range 40 East (AKA the Centerline intersection of NW 58th Street & NW 97th Avenue); thence run N 01° 44' 59.00" W along the Centerline of NW 97th Avenue for a distance of 334.41 feet; thence run N 89° 09' 29.06" E for a distance 55.00 feet to the Point of Beginning (P.O.B.) of the following described centerline of a 10.00 Foot Wide Florida Power & Light Company Utility Easement;

thence run N 89° 09' 29.06" E for a distance 466.70 feet to the Point of Terminus (P.O.T.) of said centerline.

Containing approximately 4,667 square feet more or less.

Said lands lying and being in Section 16, Township 53 South, Range 40 East, of Miami-Dade County, Florida.

SURVEYOR'S NOTES:

All distances as shown are based on the US Survey foot.

This is not a Boundary Survey, but only a graphic depiction of the description shown hereon.

This instrument was conducted for the purpose of a "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" only and is not intended to delineate the regulatory jurisdiction of any federal, state, regional or local agency, board, commission or other entity. This document does not reflect or determine ownership.

Bearings are based/referred to an assumed meridian where the Centerline of NW 97th Avenue bears N 01° 44' 59" W.

This survey is intended for the use of the parties to whom this survey is certified to and for. Any reproduction is not an original. This surveyor retains an original to verify these dated contents for validity. Not valid without the signature and raised seal of the Florida Surveyor and Mapper.

No title research has been performed to determine if there are any conflict existing or arising out of the creation of the easement.

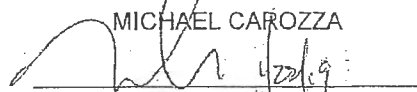
The "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" shown hereon is based on information provided by the client.

CERTIFIED TO:

MIAMI-DADE COUNTY & MIAMI DADE POLICE DEPARTMENT

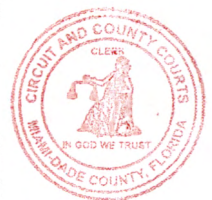
SURVEYOR'S CERTIFICATE:

This is to certify to the herein named firm and/or persons, that in my professional opinion, this "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" of the herein described property is true and correct as recently surveyed and platted under my direction. I further certify that this map or plat meets the Minimum Technical Standard Requirements, adopted by the Board of Professional Surveyors and Mappers, pursuant to Chapter 472.027 Florida Statutes, as set forth in Chapter 5J-17, Florida Administrative Code, under Sections 5J-17.051 and 5J-17.052 and is a "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" as defined in Section 5J-17.050.


MICHAEL CAROZZA
Professional Surveyor & Mapper, # 6965
State of Florida

NOT VALID WITHOUT SHEET 2 OF 2
(SHEET 1 OF 2 CONTAINS LEGAL DESCRIPTION & SURVEYORS NOTES)
This drawing are not valid unless Signed and embossed with the surveyor's seal.

CHECKED BY:	M.C.
DRAWN BY:	R.D.S
DATE:	01/22/2019
JOB No.	
Sheet	1 of 2



SKETCH TO ACCOMPANY LEGAL DESCRIPTION

PREPARED BY:
MPG TECHNICAL GROUP CORP.

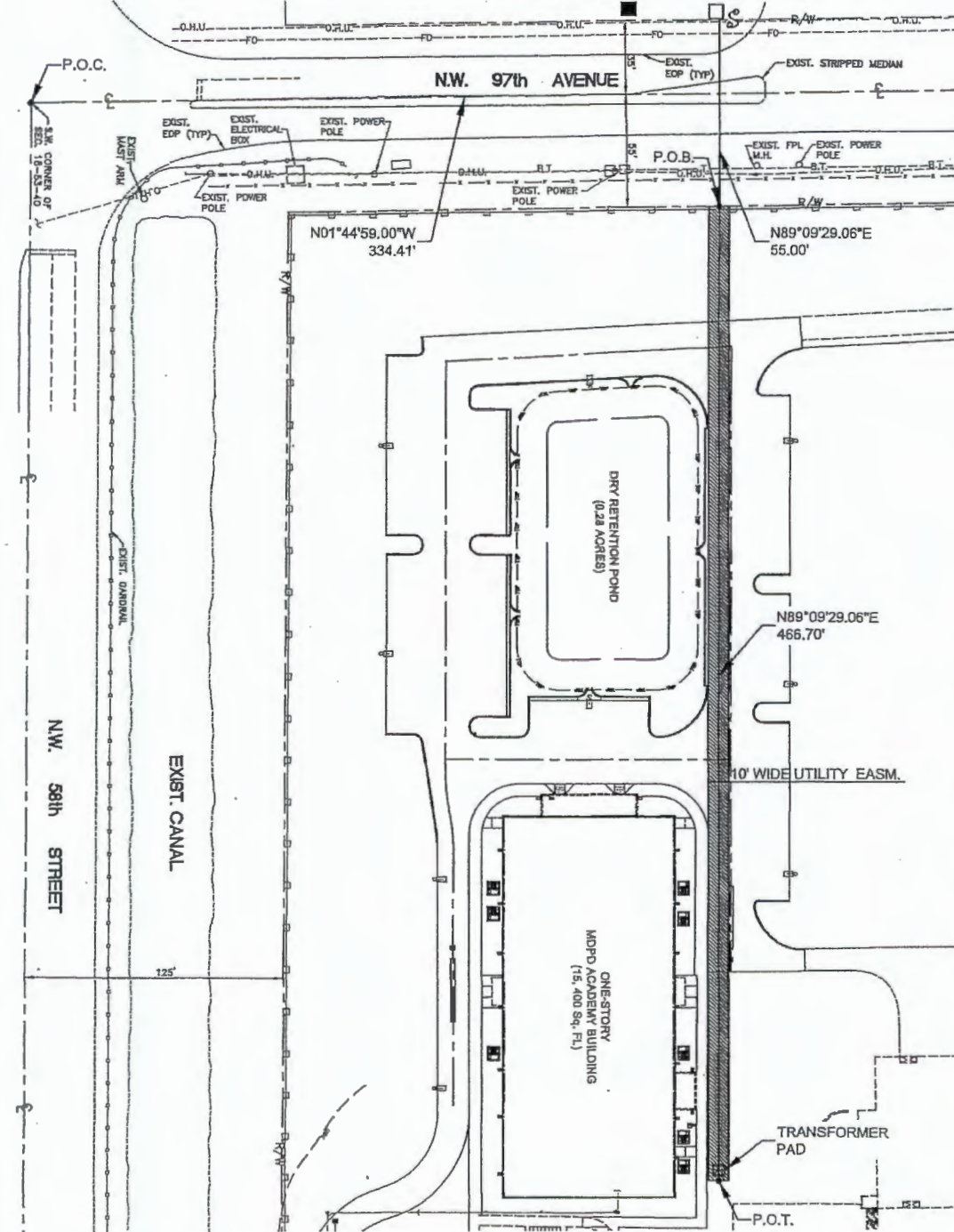
CERTIFICATE OF AUTH. # LB-6932

908 S.W. 141st Avenue, Miami, Florida 33184

Phone: (305) 559-9043

EXHIBIT A - SHEET 2 OF 2

10.00 Foot Wide Florida Power & Light Utility Easement



LEGEND

CL = CENTERLINE
FPL = FLORIDA POWER & LIGHT
P.B. = PLAT BOOK
PG. = PAGE
R/W. = RIGHT OF WAY
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCE
P.O.T. = POINT OF TERMINUS

EASEMENT DETAIL

SCALE: 1" = 60'

NOT VALID WITHOUT SHEET 1 OF 2
(SHEET 2 OF 2 CONTAINS EASEMENT DETAIL)

Sheet 2 of 2



STATE OF FLORIDA, COUNTY OF MIAMI-DADE

I HEREBY CERTIFY that this is a true copy of the original filed in this office on FEB 23 2021 day of AD 20

WITNESS my hand and Official Seal.
HARVEY MOON, Clerk of Circuit and County Courts

NICOLE DAVIS #79943