

MEMORANDUM

Agenda Item No. 8(N)(3)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: May 4, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution authorizing the
elimination of the designated
properties known as Parcels 12,
15, 16, 28 and 29 which are no
longer needed for Right-of-Way
improvements to SW 328 Street,
from Redland Road/SW 187
Avenue to US 1/SR 5; and
rescinding Resolution Nos.: R-
128-20, R-129-20, R-130-20, R-
138-20 and R-139-20

Resolution No. R-435-21

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



Geri Bonzon-Keenan
County Attorney

GBK/jp

Memorandum



Date: May 4, 2021

To: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor 

Subject: Resolution Authorizing the Elimination of the Designated Properties Known as
Parcels 12, 15, 16, 28 and 29 from the Right-of-Way Needed for the Project
Entitled Improvements to SW 328 Street, from Redland Road/SW 187 Avenue to
US1/SR5

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing the elimination of the following Parcels: 12, 15, 16, 28 and 29 which are no longer needed for roadway expansion, beautification and general improvements along SW 328 Street from SW 187 Avenue to US1 (Project). On February 4, 2020, the Board previously adopted Resolution numbers: R-128-20, R-129-20, R-130-20, R-138-20 and R-139-20 authorizing the acquisition of these parcels.

SCOPE

This project is located within District 9, represented by Commissioner Kionne L. McGhee; however, the impact is Countywide.

FISCAL IMPACT/FUNDING SOURCE

Funding for the construction and right-of-way acquisition of all parcels is estimated at \$9,746,000.00 and is funded by Road Impact Fees programmed within the FY 20-21 Proposed Budget and Multi-Year Capital Plan.

TRACK RECORD/MONITOR

The Department of Transportation and Public Works (DTPW) is the entity overseeing this item and the person responsible is Mr. Alejandro Barrios, Manager, Stormwater Engineering and Right-of-Way Division.

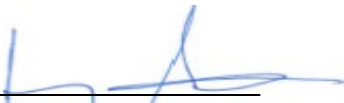
DELEGATED AUTHORITY

There is no delegation of authority associated with this item.

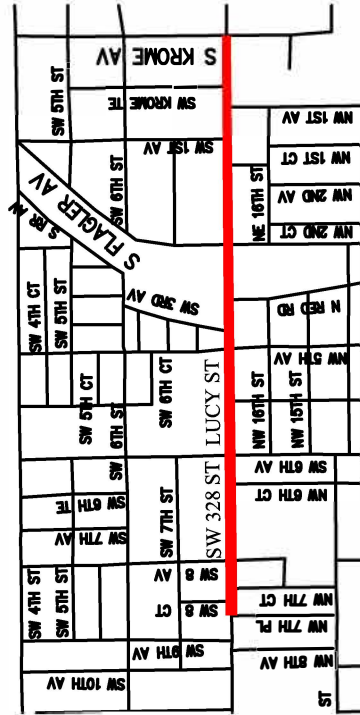
BACKGROUND

In an effort to reduce costs, the SW 328 Street Project was reevaluated for cost effectiveness & subjected to value engineering. These efforts resulted in the redesign of a segment of the project, yielding cost savings, minimizing the amount of right-of-way to be acquired, and maintaining the integrity of the project, while adhering to the goals of the Board. This resolution withdraws Parcels: 12, 15, 16, 28 and 29 described therein from the right-of-way needed by DTPW for roadway expansion of the aforementioned Project. The parcels to be withdrawn are illustrated in the parcel location map in Exhibit “A” attached hereto.

Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners
Page 2



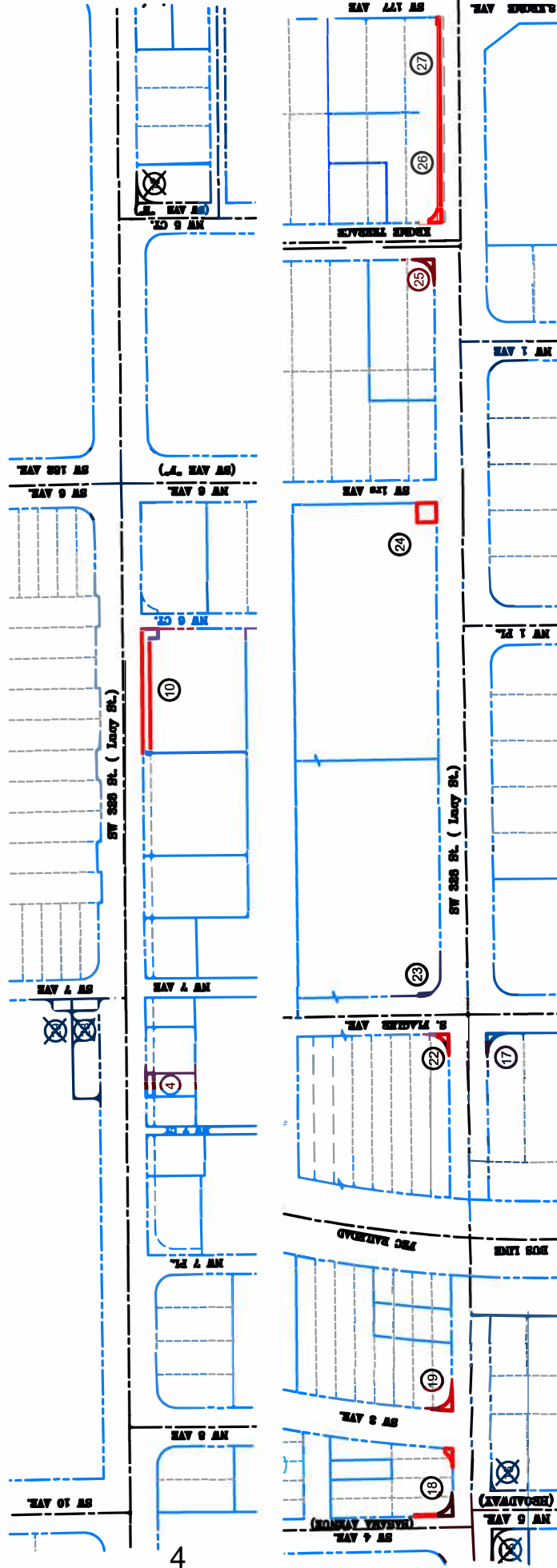
Jimmy Morales
Chief Operating Officer



SEC 24
TWP 57 S
RGE 38 E

LOCATION MAP

NOT TO SCALE



R/W TO BE ACQUIRED BY THE COUNTY



PARCELS CANCELLED BY ENGINEER'S REDESIGN

EXHIBIT "A"

MIAMI-DADE COUNTY DEPARTMENT
OF TRANSPORTATION AND PUBLIC WORKS
RIGHT OF WAY DIVISION/ENGINEERING SECTION

SW 328 Street



SCALE 1" = 200'
PROJECT: 20100505
PREPARED BY: C.D.S.
DATED: 08-19-20



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: May 4, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(N)(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 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)(3)
5-4-21

RESOLUTION NO. _____ R-435-21

RESOLUTION AUTHORIZING THE ELIMINATION OF THE DESIGNATED PROPERTIES KNOWN AS PARCELS 12, 15, 16, 28 AND 29 WHICH ARE NO LONGER NEEDED FOR RIGHT-OF-WAY IMPROVEMENTS TO SW 328 STREET, FROM REDLAND ROAD/SW 187 AVENUE TO US 1/SR 5; AND RESCINDING RESOLUTION NOS.: R-128-20, R-129-20, R-130-20, R-138-20 AND R-139-20

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

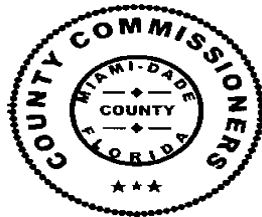
WHEREAS, this Board finds and declares the acquisition of Parcels 12, 15, 16, 28 and 29, illustrated in the parcel location map in Exhibit "A" attached hereto and made a part hereof, are no longer required and necessary to accomplish the construction for the project entitled Roadway Expansion and Improvements to SW 328 Street, from Redland Road/SW 187 Avenue to US 1/SR 5,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board ratifies and adopts the foregoing recital and hereby rescinds Resolution numbers: R-128-20, R-129-20, R-130-20, R-138-20 and R-139-20 dated February 4, 2020 eliminating the acquisition of the designated properties known as Parcels: 12, 15, 16, 28, and 29.

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

Jose "Pepe" Diaz, Chairman	aye		
Oliver G. Gilbert, III, Vice-Chairman	aye		
Sen. René García	aye	Keon Hardemon	absent
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of May, 2021. 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

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Lauren E. Morse