

MEMORANDUM

Agenda Item No. 8(O)(1)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: September 6, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution authorizing conveyance of a 23,954 square foot non-exclusive easement to Florida Power & Light Company for a nominal amount of \$1.00 to provide electrical services to the County's Central District Wastewater Treatment Plant's new Electrical Building No. 2, located at 3989 Rickenbacker Causeway, Miami, Florida; authorizing the County Mayor to execute and record the non-exclusive easement and to exercise all provisions contained therein

Resolution No. R-765-23

The accompanying resolution was prepared by the Water and Sewer Department and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/gh

Memorandum



Date: September 6, 2023

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

Subject: Resolution Authorizing the Conveyance of a Non-Exclusive Easement to Florida Power and Light Company for the Installation and Maintenance of Electrical Services for the Miami-Dade Water and Sewer Department's Central District Wastewater Treatment Plant Electrical Building No. 2 – Folio No. 01-4216-000-0010

EXECUTIVE SUMMARY

This item seeks authorization from the Board of County Commissioners (the "Board") for the conveyance of a non-exclusive easement to Florida Power & Light Company ("FPL") for the provision of electrical services to the Miami-Dade Water and Sewer Department's ("WASD") Central District Wastewater Treatment Plant's ("CDWWTP") new Electrical Distribution Building No. 2. ("EDB2").

RECOMMENDATION

It is recommended that the Board approve the attached resolution authorizing the conveyance of a 23,954 square foot non-exclusive easement on County-owned property under Folio No. 01-4216-000-0010 to FPL that is needed to provide electrical services to the EDB2 to be constructed under WASD's Construction Contract No. S-949A. The non-exclusive easement will allow FPL to construct, maintain, and operate its underground electrical utility facilities, including a 13.2 KV underground electrical feeder, an FPL metering vault, wires, cables, and conduits as well as above-ground electrical switch and metering cabinets to serve EDB2. The Easement is attached hereto as Exhibit 1.

SCOPE

The CDWWTP is located at 3989 Rickenbacker Causeway, Miami, Florida, in Commission District 7, which is represented by Commissioner Raquel A. Regalado. See Property Appraiser's Report, attached hereto as Exhibit 2.

FISCAL IMPACT / FUNDING SOURCE

FPL will pay a nominal sum of \$1.00 for the non-exclusive easement and will be responsible for the construction, operation and maintenance of the underground electrical utilities and metering equipment, including wiring, cables conduits and related metering vault equipment.

TRACK RECORD/MONITOR

Juan Curiel, P.E., Assistant Director of Utility Construction, will oversee the conveyance of this non-exclusive utility easement to FPL.

DELEGATION OF AUTHORITY

The item authorizes the County Mayor or County Mayor's designee to execute the non-exclusive easement, to record the necessary documents in the public records of Miami-Dade County, and to exercise any and all other rights conferred in the Easement.

BACKGROUND

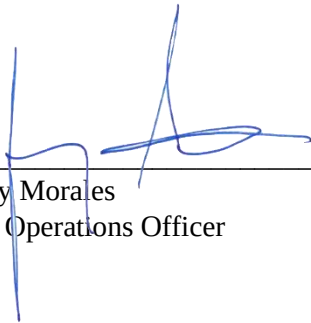
WASD is constructing EDB2 at CDWWTP under WASD's Construction Contract No. S-949AA. The

proposed electrical upgrades are needed to support the treatment process improvements being provided to comply with the Ocean Outfall Legislation and existing facilities. The non-exclusive easement will allow the construction of a new FPL duct bank that will provide service to the EDB2. The EDB2 will provide electrical power and back-up power to new and existing facilities and reduce reliance on the existing electrical distribution building that is at the end of its service life.

In order to provide underground electrical power to the future EDB2, FPL has requested that WASD provide it with a non-exclusive easement to install the EDB2 electrical switch and metering cabinets and to install a 13.2 KV electrical feeder. The non-exclusive easement will allow FPL the right to access the site and the ability to maintain these facilities.

In accordance with Resolution No. R-504-15, the only visible elements within the easements will be electrical manholes and an aboveground switch and metering cabinet mounted on a concrete pad entirely within the CDWWTP.

In accordance with Resolution No. R-380-17, written notice was provided to the District Commissioner.



Jimmy Morales
Chief Operations Officer

Work Request No. _____

**UNDERGROUND EASEMENT
(BUSINESS)**

Sec. 16, TWN 54S, RGE 42E

Parcel I.D. 01-4216-000-0010
(Maintained by County
Appraiser)

By: This Instrument Prepared
Miami-Dade Water and Sewer
Department
Address: 3071 SW 38 Avenue, #152
Miami, Florida 33146

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 wires, cables, conduits, as well as enclosed electrical switch and metering cabinets) to be installed from time to time to provide electric service to the County's Central District Waste Water Treatment Plant's Electrical Building No. 2 identified on Exhibit "A"; 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 the easement area described on:

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 for the Central District Waste Water Treatment Plant's Electrical Building No. 2 identified on Exhibit "A"; 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; while still maintaining vegetative screening around the above ground electrical transformer in accordance with Resolution No. R-504-15; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights herein 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 _____ day of _____, 20____,

ATTEST: LUIS G. MONTALDO
Clerk Ad Interim

By: _____
Deputy Clerk

Approved as to Form and
Legal Sufficiency:

Assistant County Attorney

The foregoing was authorized and approved by Resolution _____ of the Board of
County Commissioners of Miami-Dade County, Florida, on the _____ day of _____, 20____,

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online
notarization, this _____ day of _____, 20____, by _____ who is personally known
to me or who has produced _____ as identification.

NOTARY PUBLIC:

sign _____

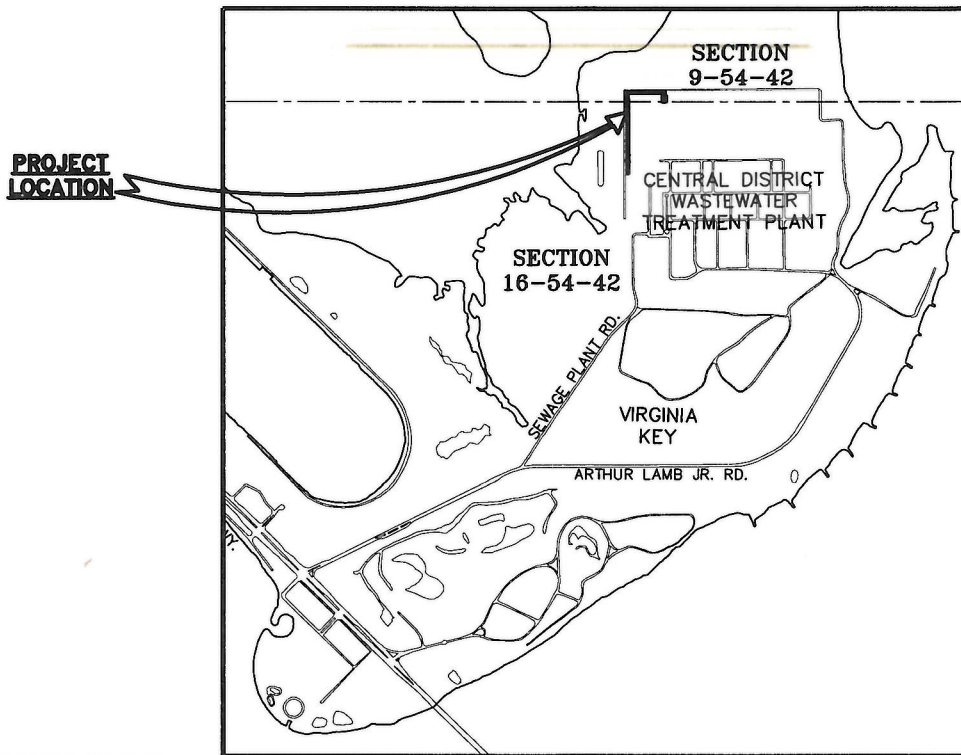
print _____

State of Florida at Large (Seal)

My Commission Expires: _____

**SKETCH TO ACCOMPANY A LEGAL DESCRIPTION
LOCATION MAP
MIAMI-DADE COUNTY
SEC.9-TWN.54S-RGE.42E
SEC.16-TWN.54S-RGE.42E**

**EXHIBIT 'A'
THIS DOCUMENT IS
NOT VALID WITHOUT
ALL SHEETS**



SURVEYOR NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THIS "SKETCH & LEGAL DESCRIPTION" HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON.
4. DATA SHOWN HEREON DOES NOT CONSTITUTE A BOUNDARY SURVEY.
5. BEARINGS ARE BASED ON AN ASSUMED MERIDIAN, WHERE THE NORTH LINE OF THE NW 1/4 OF SECTION 16, TOWNSHIP 54 S, RANGE 42 E BEARS N 89°35'46" E. ALL DISTANCES AS SHOWN ARE BASED ON THE US SURVEY FOOT.
6. SURVEY REFERENCES:
 - a. O.R.B. 9001, PAGE 1426 (MIAMI DADE PUBLIC RECORDS)
 - b. O.R.B. 9001, PAGE 1437 (MIAMI DADE PUBLIC RECORDS)
 - c. O.R.B. 9001, PAGES 1439 (MIAMI DADE PUBLIC RECORDS)
 - d. CONTRACT No. S-949A-PROJECT CT-3C-A OCEAN OUTFALL LEGISLATION PROGRAM PER A&P ENGINEERS.
7. SINCE NO OTHER INFORMATION WAS FURNISHED OTHER THAN WHAT IS CITED IN THE SOURCES OF DATA, THE CLIENT IS HEREBY ADVISED THAT THERE MAY BE LEGAL RESTRICTIONS ON THE SUBJECT PROPERTY THAT ARE NOT SHOWN ON THIS SKETCH OR CONTAINED WITHIN THIS REPORT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

ABBREVIATIONS:

PB = PLAT BOOK
 PG. = PAGE
 SEC. = SECTION
 TWP. = TOWNSHIP
 RGE. = RANGE
 R/W = RIGHT OF WAY
 PL = PROPERTY LINE
 P.O.C. = POINT OF COMMENCEMENT
 P.O.B. = POINT OF BEGINNING
 FPL = FLORIDA POWER AND LIGHT
 CL = CENTER LINE
 O.R.B. = OFFICIAL RECORDS BOOK

I HEREBY CERTIFY THAT THIS "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" WAS PERFORMED UNDER MY DIRECTION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEVE AND FURTHER, THAT SAID SKETCH MEETS THE INTENT OF THE APPLICABLE PROVISIONS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA PURSUANT TO RULE 54-17, FLORIDA ADMINISTRATIVE CODE AND ITS IMPLEMENTING LAW CHAPTER 472.027 OF THE FLORIDA STATUTES.

JOSE R. BATISTA, P.S.M.
 Professional Surveyor and Mapper
 State of Florida - License No. 6777
 3575 S. E. Jean Rd. Miami, FL
 33146-4150 (786) 268-5196
 Date: 12/22/2022

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

**THIS IS NOT A BOUNDARY SURVEY
 FPL EASEMENT CT-3C-A AT
 CENTRAL DISTRICT WASTEWATER TREATMENT PLANT
 MIAMI-DADE COUNTY, FLORIDA**

MIAMI-DADE WATER AND SEWER DEPARTMENT

DATE: DECEMBER 22, 2022

SCALE: N.T.S.

DRAWN BY: E.M.P.

JOB#: S-471 SHEET 1 of 6

SKETCH TO ACCOMPANY A LEGAL DESCRIPTION
MIAMI-DADE COUNTY
SEC.9-TWN.54S-RGE.42E
SEC.16-TWN.54S-RGE.42E

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LEGAL DESCRIPTION:

A CONTINUOUS STRIP OF LAND BEING A PORTION OF THE NW 1/4 OF SECTION 16, TOWNSHIP 54 SOUTH, RANGE 42 EAST AND THE SW 1/4 OF SECTION 9, TOWNSHIP 54 SOUTH, RANGE 42 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT STRIP OF LAND BEING A PORTION OF THE NW 1/4 OF SECTION 16, TOWNSHIP 54 SOUTH, RANGE 42 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 16; THENCE N 89°35'46" E ALONG THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 16, A DISTANCE OF 1,264.40 FEET TO POINT "A", WHICH IS THE POINT OF BEGINNING OF A 10 FOOT WIDE STRIP OF LAND LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE; THENCE S 00°24'14" E, A DISTANCE OF 553.97 FEET; THENCE S 35°45'11" E, A DISTANCE OF 20.83 FEET; THENCE S 01°25'52" W, A DISTANCE OF 358.18 FEET; THENCE S 00°24'14" E, A DISTANCE OF 311.38 FEET TO THE POINT OF TERMINATION NUMBER 1.

TOGETHER WITH:

A 10 FOOT STRIP OF LAND BEING A PORTION OF THE SW 1/4 OF SECTION 9, TOWNSHIP 54 SOUTH, RANGE 42 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10.00 FEET WIDE STRIP OF LAND LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE; BEGIN AT THE ABOVE MENTIONED POINT "A"; THENCE N 00°24'14" W, A DISTANCE OF 130.20 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 15.00 FEET AND A CENTRAL ANGLE OF 89°40'23"; THENCE NORTHEASTERLY ALONG THE ARC A DISTANCE OF 23.48 FEET; THENCE N 89°16'09" E, A DISTANCE OF 749.79 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 10.00 FEET AND A CENTRAL ANGLE OF 90°19'37"; THENCE SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 15.77 FEET; THENCE S 00°24'14" E, A DISTANCE OF 62.52 FEET TO POINT "B".

TOGETHER WITH:

A 22 FOOT STRIP OF LAND BEING A PORTION OF THE SW 1/4 OF SECTION 9, TOWNSHIP 54 SOUTH, RANGE 42 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 22.00 FOOT WIDE STRIP OF LAND LYING 11.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE; BEGIN AT THE ABOVE MENTIONED POINT "B"; THENCE S 00°24'14" E, A DISTANCE OF 76.96 FEET TO THE POINT OF TERMINATION NUMBER 2.

THE SIDE LINES OF THE THREE PREVIOUSLY MENTIONED STRIP OF LANDS ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT A LINE PERPENDICULAR TO THE CENTER LINE OF THE EASEMENT THAT PASSESS THROUGH THE AFOREMENTIONED POINT OF TERMINATION NUMBER 1, TO INTERSECT A LINE PERPENDICULAR TO THE CENTER LINE OF THE EASEMENT THAT PASSESS THROUGH THE AFOREMENTIONED POINT "B"; AND TO INTERSECT A LINE PERPENDICULAR TO THE CENTER LINE OF THE EASEMENT THAT PASSESS THROUGH THE AFOREMENTIONED POINT OF TERMINATION NUMBER 2.

CONTAINING A NET AGGREGATE AREA OF 23,954 SQUARE FEET OR 0.550 ACRES, MORE OR LESS, BY COMPUTATION.



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

THIS IS NOT A BOUNDARY SURVEY

FPL EASEMENT CT-3C-A AT
CENTRAL DISTRICT WASTEWATER TREATMENT PLANT
MIAMI-DADE COUNTY, FLORIDA

MIAMI-DADE WATER AND SEWER DEPARTMENT

DATE: DECEMBER 22, 2022

SCALE: N.T.S.

DRAWN BY: E.M.P.

JOB#: S-471 SHEET 2 of 6

MDC007

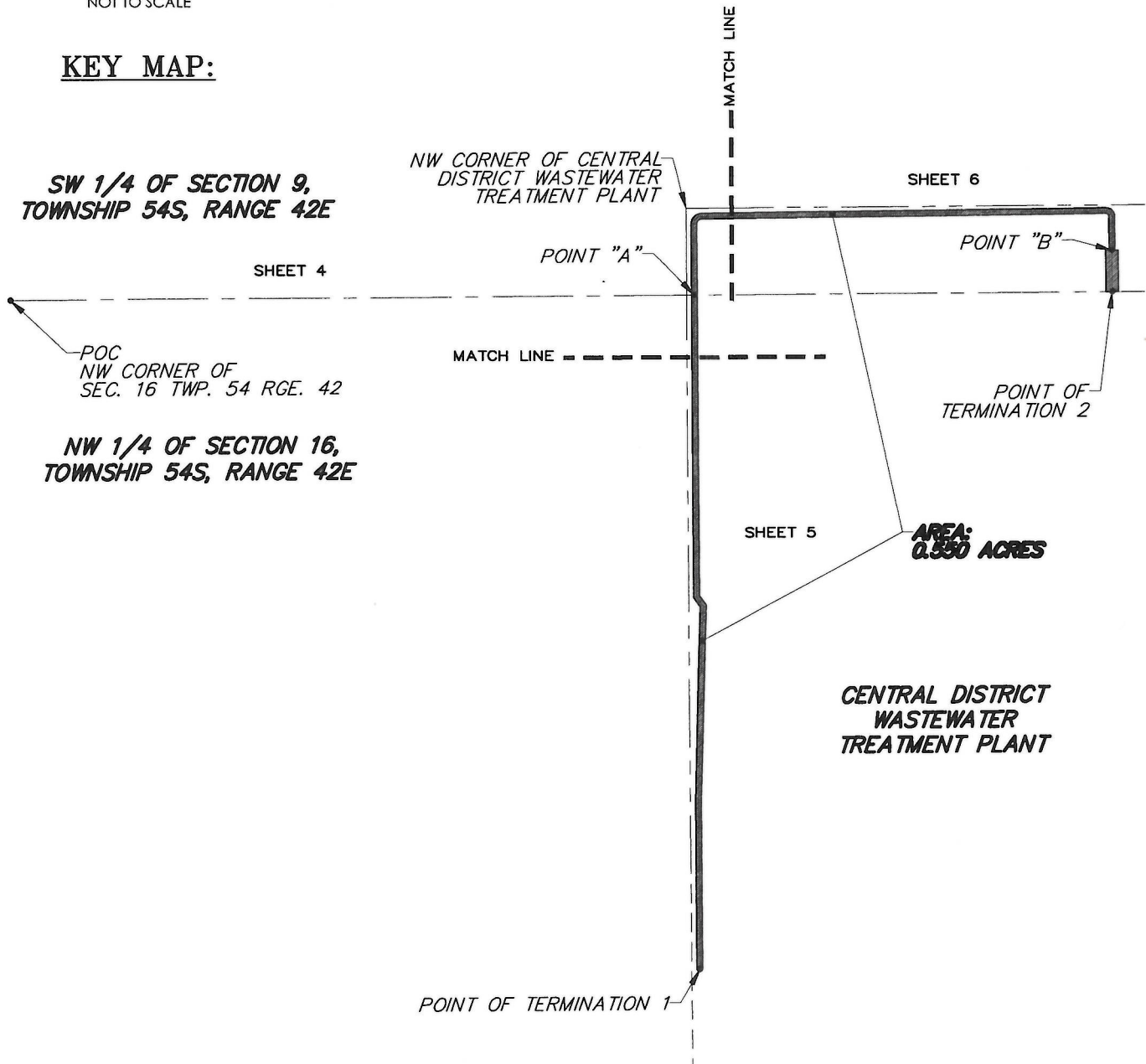
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 SEC.9-TWN.54S-RGE.42E
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NOT TO SCALE

KEY MAP:



JOSE R. BATISTA, P.S.M.
 Professional Surveyor and Mapper
 State of Florida - License No. 6777
 3575 S. Le Jeune Rd. Miami, FL
 33146 WASH (786) 238-5196
 Date: 12/26/2022

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FPL EASEMENT CT-3C-A AT
 CENTRAL DISTRICT WASTEWATER TREATMENT PLANT
 MIAMI-DADE COUNTY, FLORIDA

MIAMI-DADE WATER AND SEWER DEPARTMENT

DATE: DECEMBER 22, 2022

SCALE: N.T.S.

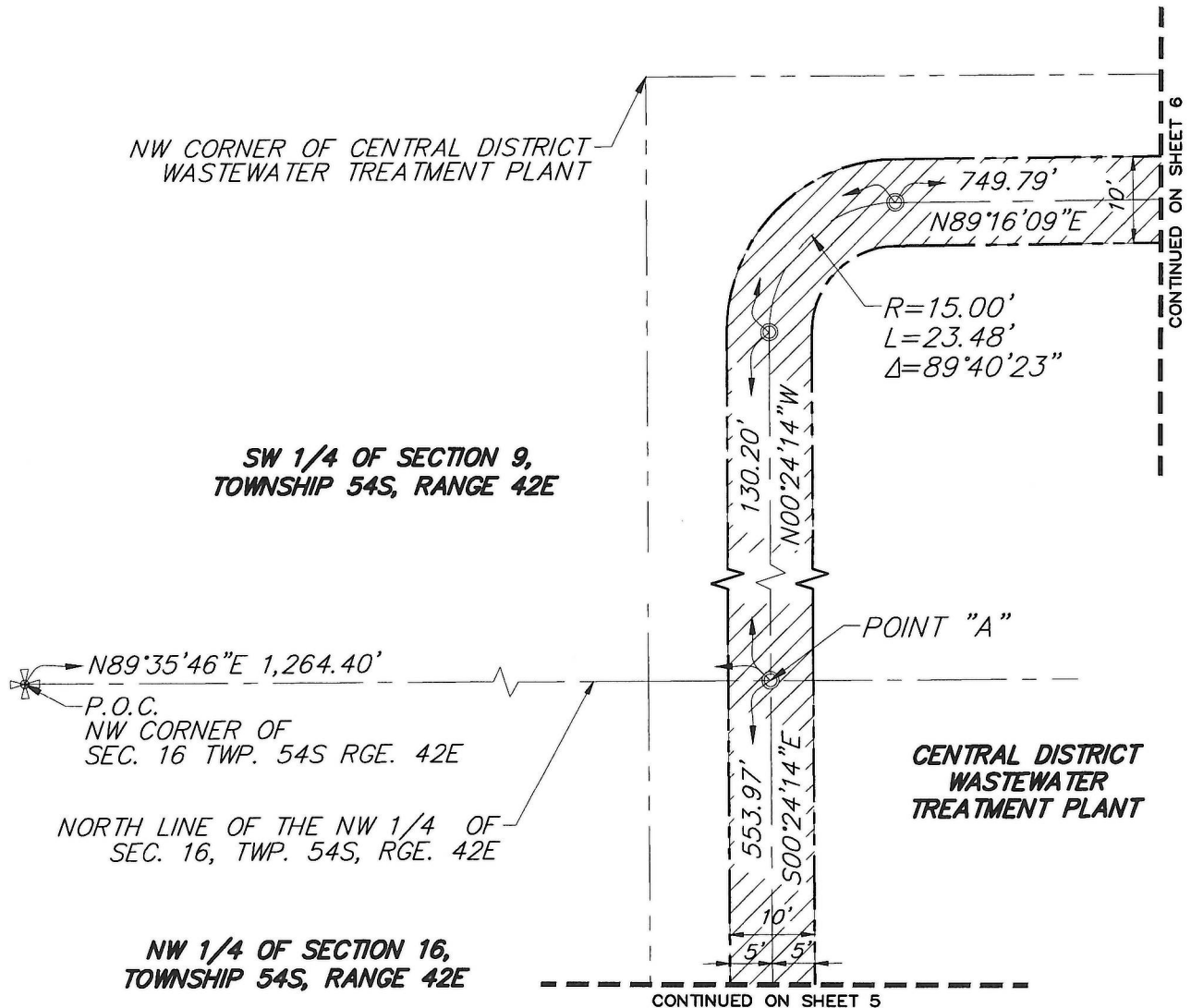
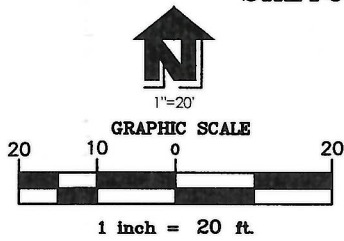
DRAWN BY: E.M.P.

JOB#: S-471 SHEET 3 of 6

MDC008

SKETCH TO ACCOMPANY A LEGAL DESCRIPTION
MIAMI-DADE COUNTY
SEC.9-TWN.54S-RGE.42E
SEC.16-TWN.54S-RGE.42E

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JOSE R. BATISTA, P.S.M.
Professional Surveyor and Mapper
State of Florida - License No. 6777
3575 S. Le Jeune Rd. Miami, FL
33146 WARD (786) 268-5196
Date: 12/22/2022

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CENTRAL DISTRICT WASTEWATER TREATMENT PLANT
MIAMI-DADE COUNTY, FLORIDA

MIAMI-DADE WATER AND SEWER DEPARTMENT

DATE: DECEMBER 22, 2022

SCALE: 1"=20'

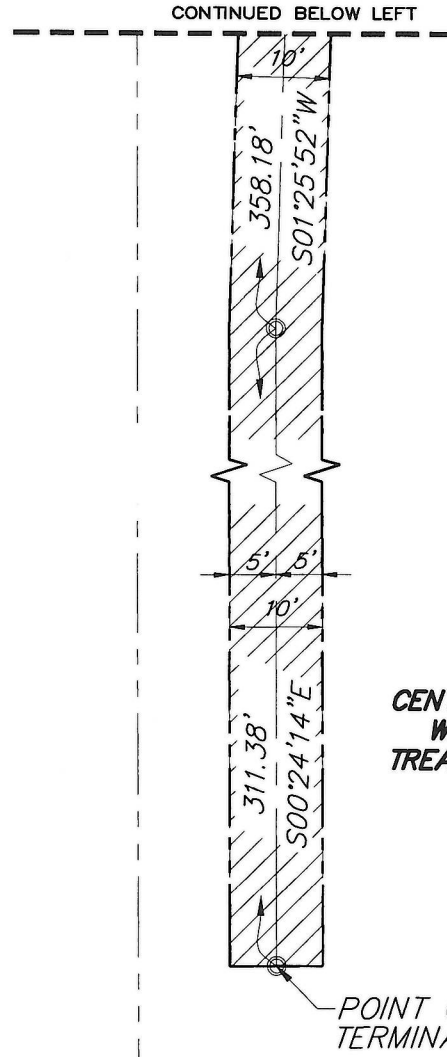
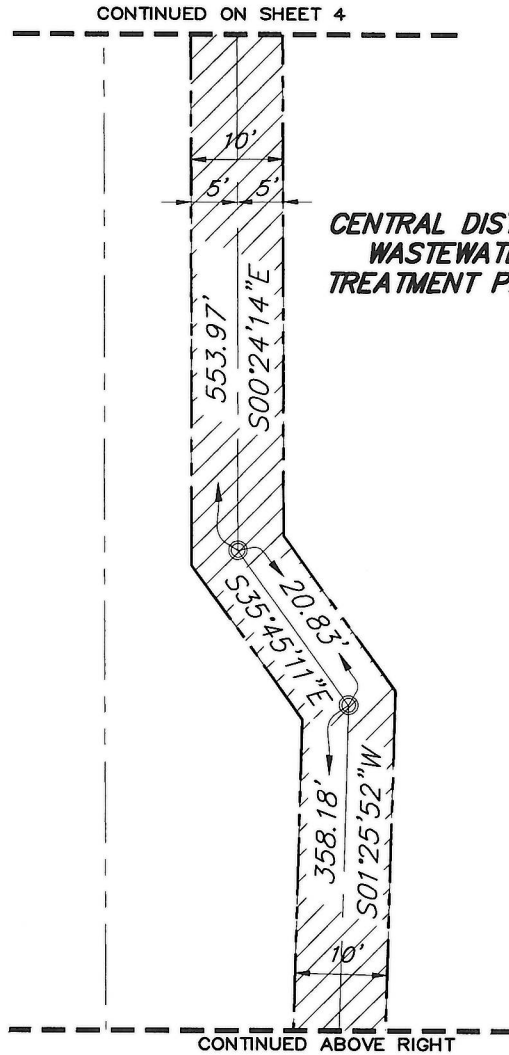
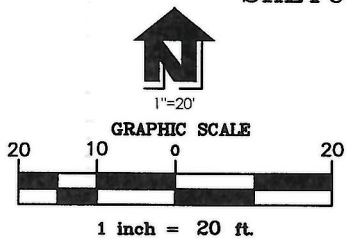
DRAWN BY: E.M.P.

JOB#: S-471 SHEET 4 of 6

MDC009

SKETCH TO ACCOMPANY A LEGAL DESCRIPTION
 MIAMI-DADE COUNTY
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JOSE R. BATISTA, P.S.M.
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 3575 S. Le Jeune Rd. Miami, FL
 33146 WASD (786) 268-5196
 Date: 12/22/2022

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 MIAMI-DADE COUNTY, FLORIDA

MIAMI-DADE WATER AND SEWER DEPARTMENT

DATE: DECEMBER 22, 2022

SCALE: 1"=20'

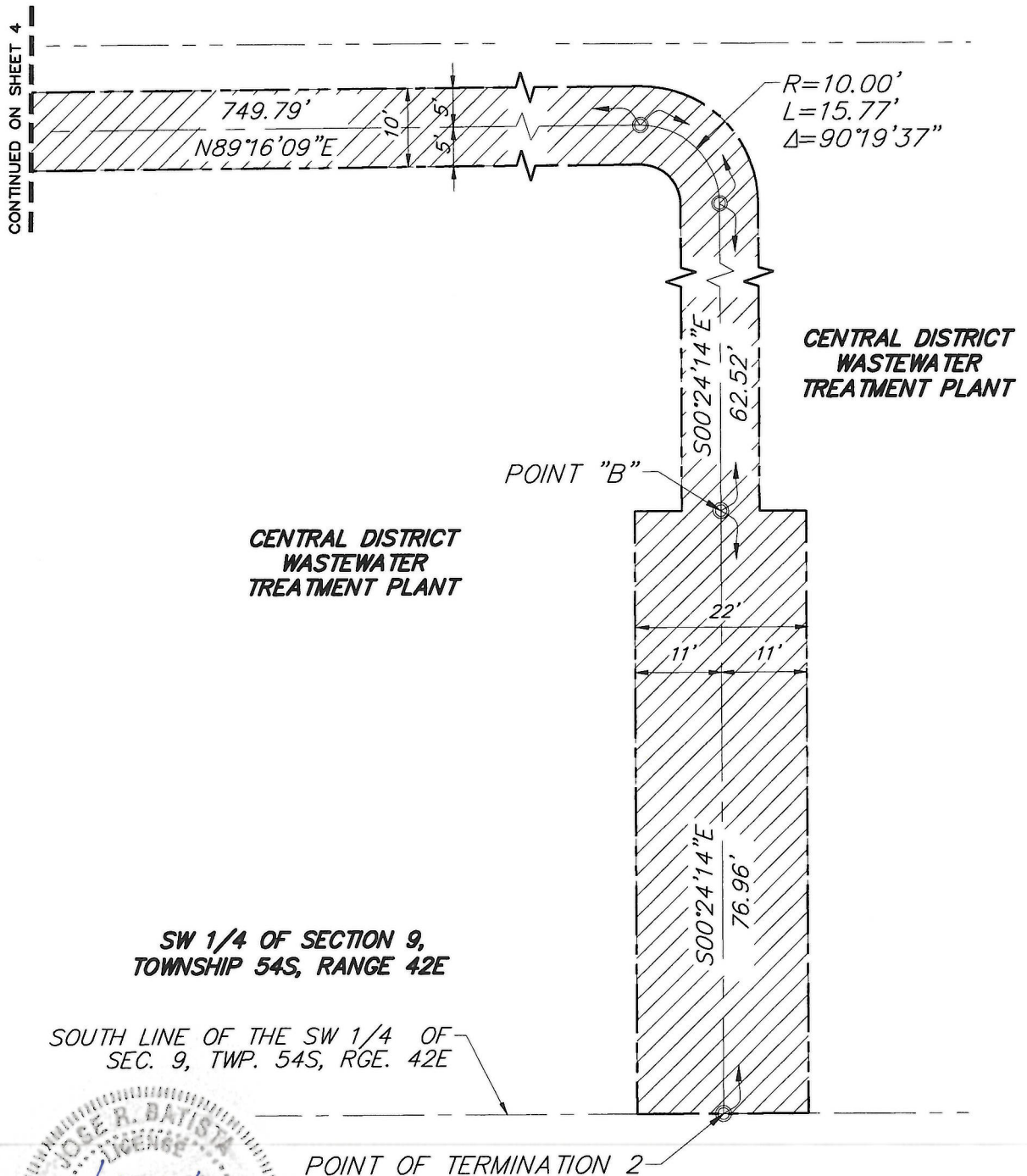
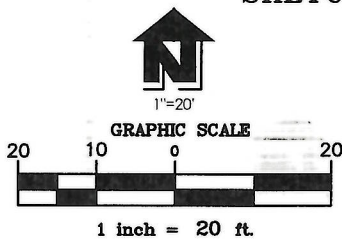
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JOB#: S-471 SHEET 5 of 6

MDC010

SKETCH TO ACCOMPANY A LEGAL DESCRIPTION
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CENTRAL DISTRICT WASTEWATER TREATMENT PLANT	
MIAMI-DADE COUNTY, FLORIDA	
MIAMI-DADE WATER AND SEWER DEPARTMENT	
DATE: DECEMBER 22, 2022	SCALE: 1"=20'
DRAWN BY: E.M.P.	JOB#: S-471 SHEET 6 of 6

MDC011



OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 1/25/2023

Property Information	
Folio:	01-4216-000-0010
Property Address:	3989 RICKENBACKER CSWY Miami, FL 33149-0000
Owner	MIAMI DADE COUNTY WATER AND SEWER
Mailing Address	3071 SW 38 AVE MIAMI, FL 33233
PA Primary Zone	8000 COMMUNITY FACILITIES
Primary Land Use	8647 COUNTY : DADE COUNTY
Beds / Baths / Half	0 / 0 / 0
Floors	2
Living Units	0
Actual Area	Sq.Ft
Living Area	Sq.Ft
Adjusted Area	59,973 Sq.Ft
Lot Size	5,100,876 Sq.Ft
Year Built	Multiple (See Building Info.)



Assessment Information			
Year	2022	2021	2020
Land Value	\$2,927,500	\$2,927,500	\$2,927,500
Building Value	\$35,837,250	\$35,837,250	\$35,837,250
XF Value	\$0	\$0	\$0
Market Value	\$38,764,750	\$38,764,750	\$38,764,750
Assessed Value	\$38,764,750	\$38,764,750	\$38,764,750

Benefits Information				
Benefit	Type	2022	2021	2020
County	Exemption	\$38,764,750	\$38,764,750	\$38,764,750

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description	
16 54 42 117.10 AC	
BEG 3450FTE OF NW COR OF SEC TH	
S 00 DEG E 2059.92FT S 53 DEG W	
473.27FT S 89 DEG W 1823.50FT	
N 00 DEG W 2340FT N 89 DEG E	

Taxable Value Information			
	2022	2021	2020
County			
Exemption Value	\$38,764,750	\$38,764,750	\$38,764,750
Taxable Value	\$0	\$0	\$0
School Board			
Exemption Value	\$38,764,750	\$38,764,750	\$38,764,750
Taxable Value	\$0	\$0	\$0
City			
Exemption Value	\$38,764,750	\$38,764,750	\$38,764,750
Taxable Value	\$0	\$0	\$0
Regional			
Exemption Value	\$38,764,750	\$38,764,750	\$38,764,750
Taxable Value	\$0	\$0	\$0

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: September 6, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(O)(1)

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(O)(1)
9-6-23

RESOLUTION NO. R-765-23

RESOLUTION AUTHORIZING CONVEYANCE OF A 23,954 SQUARE FOOT NON-EXCLUSIVE EASEMENT TO FLORIDA POWER & LIGHT COMPANY FOR A NOMINAL AMOUNT OF \$1.00 TO PROVIDE ELECTRICAL SERVICES TO THE COUNTY'S CENTRAL DISTRICT WASTEWATER TREATMENT PLANT'S NEW ELECTRICAL BUILDING NO. 2, LOCATED AT 3989 RICKENBACKER CAUSEWAY, MIAMI, FLORIDA; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AND RECORD THE NON-EXCLUSIVE EASEMENT AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN

WHEREAS, the County is upgrading the Central District Wastewater Treatment Plant's ("CDWWTP") new Electrical Distribution Building No. 2. ("EDB2") under Construction Contract No. S-949A; and

WHEREAS, the proposed electrical upgrades are needed to support the treatment process improvements being implemented at the CDWWTP to comply with the Ocean Outfall Legislation and existing facilities; and

WHEREAS, the non-exclusive easement will allow the construction of a new Florida Power & Light Company ("FPL") duct bank that will provide service to the new EDB2; and

WHEREAS, the new EDB2 will provide electrical power and back-up power to new and existing facilities and reduce reliance on the existing electrical distribution building that is at the end of its service life; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Board:

Section 1. Incorporates and approves the foregoing recitals, as if fully set forth herein.

Section 2. Authorizes the conveyance of a 23,954 square foot non-exclusive easement to FPL, in substantially the form attached to the accompanying Mayor's Memorandum as Exhibit 1, for a nominal amount of \$1.00 to provide electrical services to the Miami-Dade Water and Sewer Department's CDWWTP EDB2.

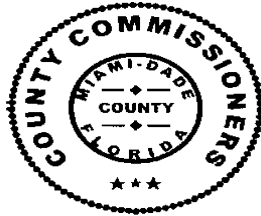
Section 3. Authorizes the County Mayor or County Mayor's designee to execute the easement and to exercise all provisions contained therein.

Section 4. Pursuant to Resolution No. R-974-09: (1) directs the County Mayor or County Mayor's designee to record the non-exclusive 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 **Anthony Rodriguez**, who moved its adoption. The motion was seconded by Commissioner **Kionne L. McGhee** and upon being put to a vote, the vote was as follows:

	Oliver G. Gilbert, III, Chairman	aye	
	Anthony Rodríguez, Vice Chairman	aye	
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 6th day of September, 2023. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in dark ink, appearing to be "AB", is written over a horizontal line.

Angela F. Benjamin