

MEMORANDUM

Non-Agenda Item No.15(F)(2)

TO: Honorable Chairman Anthony Rodríguez
and Members, Board of County Commissioners

DATE: December 3, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution authorizing the conveyance of an easement to Florida Power and Light (FPL) for \$1.00 to install, operate, and maintain electrical power facilities for the purpose of providing electrical service to the joint development located at or near the South Miami Metrorail Station property at or near 5940 SW 72nd Street; further authorizing the County Mayor to finalize and execute the easement for and on behalf of Miami-Dade County, exercise all provisions contained therein, to take all actions to effectuate same, and to finalize and modify as may be necessary the exhibit to the easement providing the sketch and legal description of the proposed easement area; and directing the County Mayor, pursuant to Resolution No. R-974-09, to record the easement and any amendments thereto

Resolution No. R-1038-24

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



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM

(Revised)

TO: Honorable Chairman Anthony Rodríguez
and Members, Board of County Commissioners

DATE: December 3, 2024

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Non-Agenda Item No. 15(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 ____, majority plus one ____, 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) ____, 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 *Daniella Lane* Mayor
Veto _____
Override _____

Non-Agenda Item No. 15(F)(2)
12-3-24

RESOLUTION NO. R-1038-24

RESOLUTION AUTHORIZING THE CONVEYANCE OF AN EASEMENT TO FLORIDA POWER AND LIGHT (FPL) FOR \$1.00 TO INSTALL, OPERATE, AND MAINTAIN ELECTRICAL POWER FACILITIES FOR THE PURPOSE OF PROVIDING ELECTRICAL SERVICE TO THE JOINT DEVELOPMENT LOCATED AT OR NEAR THE SOUTH MIAMI METRORAIL STATION PROPERTY AT OR NEAR 5940 SW 72ND STREET; FURTHER AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO FINALIZE AND EXECUTE THE EASEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY, EXERCISE ALL PROVISIONS CONTAINED THEREIN, TO TAKE ALL ACTIONS TO EFFECTUATE SAME, AND TO FINALIZE AND MODIFY AS MAY BE NECESSARY THE EXHIBIT TO THE EASEMENT PROVIDING THE SKETCH AND LEGAL DESCRIPTION OF THE PROPOSED EASEMENT AREA; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE, PURSUANT TO RESOLUTION NO. R-974-09, TO RECORD THE EASEMENT AND ANY AMENDMENTS THERETO

WHEREAS, at the December 3, 2024 Board of County Commissioners meeting, a motion was made authorizing the conveyance of an easement to Florida Power and Light (FPL) for \$1.00 to install, operate, and maintain electrical power facilities for the purpose of providing electrical service to the joint development located at or near the South Miami Metrorail Station property at or near 5940 SW 72nd Street,

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

Section 1. Authorizes the conveyance of an easement to Florida Power and Light (FPL) for \$1.00 to install, operate, and maintain electrical power facilities for the purpose of providing electrical service to the joint development located at or near the South Miami Metrorail Station property at or near 5940 SW 72nd Street (the "Easement").

Section 2. Authorizes the County Mayor or County Mayor's designee to finalize and execute the Easement for and on behalf of Miami-Dade County, exercise all provisions contained therein, to take all actions to effectuate same, and to finalize and modify as may be necessary the exhibit to the Easement providing the sketch and legal description of the proposed easement area to provide the as-built location of the utility facilities so long as the utility facilities have been positioned within 25 feet of the originally proposed locations and the total area is no larger than 25 percent of the originally proposed easement area.

Section 3. Directs the County Mayor or County Mayor's designee, pursuant to Resolution No. R-974-09, to record the Easement and any amendments thereto, as referenced in section 2 above, 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 instruments, and directs the Clerk of the Board to permanently store the recorded copies with this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Raquel A. Regalado. It was offered by Commissioner **Raquel A. Regalado** , who moved its adoption. The motion was seconded by Commissioner **Eileen Higgins** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 3rd day of December, 2024. 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 black ink, appearing to be "Annery Pulgar Alfonso", written over a horizontal line.

Annery Pulgar Alfonso
Bruce Libhaber