

Condensed Title:

A Resolution authorizing the City to record an easement in favor of FPL for the placement of a switch cabinet, two transformers, and electrical conduits to serve the 10th Street Auditorium / Beach Patrol Headquarters.

Key Intended Outcome Supported:

Ensure Well-Designed, Quality Capital Projects

Supporting Data (Surveys, Environmental Scan, etc.):
 In the 2007 Community Satisfaction Survey, safety during the day / evening was rated as important by the residents; 92% of residents rated the overall quality of City ocean rescue/lifeguard/beach patrol as excellent or good. The completion of Capital Improvement Projects is a key driver of City services for tax dollars paid and contributes to residents' overall Quality of Life; 81% of Residents rated the appearance and maintenance of City's public buildings as excellent or good.

Issue:

Shall the City Commission adopt the Resolution?

Item Summary/Recommendation:

The 10th Street Auditorium / Beach Patrol Headquarters Project entails the restoration of the existing Beach Patrol Headquarters, as well as the western portion of the existing 10th Street Auditorium; the primary structures of historical significance. The remaining portion of the Auditorium building has been demolished to accommodate a new two-story addition to the retained and preserved western portion, which will service the needs and requirements of both the Beach Patrol Headquarters and the Miami Design Preservation League (MDPL). The new Auditorium addition will be detached from the Beach Patrol Headquarters, allowing for its substantial restoration, including the west elevation. The design restores the historic north-south pedestrian connection within Lummus Park that was lost when the two buildings were attached, as part of the Auditorium construction.

A Florida Power and Light (FPL) vault, which services the facility as well as Lummus Park lights, is located within the area to be demolished. This requires the removal of the FPL electrical service equipment from the existing electric service vault room, as well as the installation of a new underground duct bank and new pad-mounted switching station and transformers within Lummus Park.

As a result, FPL requires the City to record a utility easement in order to service these transformers and associated electric conduits. The CIP Office had a survey prepared that describes the easement to be recorded per FPL requirements, attached as Attachment I. The Administration recommends that the City record the easement for FPL in order to power the proposed buildings and adjacent areas.

Advisory Board Recommendation:

N/A

Financial Information: Not applicable, no funding required.

Source of Funds:	Amount	Account	Approved
1			
2			
3			
4			
Total			

Financial Impact Summary:

City Clerk's Office Legislative Tracking:

Thais Vieira x2702

Sign-Offs:

Department Director	Assistant City Manager	City Manager
JECH 	TH 	JMG 

T:\AGENDA\2008\October-7\Consent\S-10AUBPHQ_02-FPL easement SUMMARY.doc





MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: October 7, 2008

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, GRANTING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN EASEMENT IN FAVOR OF FLORIDA POWER AND LIGHT (FPL), FOR THE PLACEMENT OF A SWITCH CABINET, TWO TRANSFORMERS, AND ASSOCIATED UNDERGROUND ELECTRICAL CONDUITS THAT WILL SERVE THE 10TH STREET AUDITORIUM / BEACH PATROL HEADQUARTERS.**

ADMINISTRATION RECOMMENDATION

Record a utility easement.

FUNDING

No funding is required in order to record the utility easement.

ANALYSIS

The work at the 10th Street Auditorium / Beach Patrol Headquarters Project entails the restoration of the existing Beach Patrol Headquarters, as well as the western portion of the existing 10th Street Auditorium; the primary structures of historical significance. The remaining portion of the Auditorium building has been demolished to accommodate a new two-story addition to the retained and preserved western portion, which will service the needs and requirements of both the Beach Patrol Headquarters and the Miami Design Preservation League (MDPL). The new Auditorium addition will be detached from the Beach Patrol Headquarters, allowing for its substantial restoration. The design restores the historic north-south pedestrian connection within Lummus Park that was lost when the two buildings were attached, as part of the Auditorium construction.

An existing Florida Power and Light (FPL) vault, which now provides services to the facility as well as the Lummus Park lights, is located within the area to be demolished. This requires the removal of the FPL electrical service equipment from the existing electric service vault room, as well as the installation of a new underground electrical duct bank, new pad-mounted switching station and transformers within Lummus Park. As a result, FPL requires the City to record a utility easement in their favor in order to service these transformers and associated electric conduits. The CIP Office had a survey prepared that describes the legal description of said easement to be recorded per FPL requirements (see attached as Attachment I).

CONCLUSION

The Administration recommends that the Mayor and City Commission of the City of Miami Beach, Florida, approve and authorize the Mayor and City Clerk to record an easement in favor of Florida Power and Light (FPL), for the placement of a switch cabinet, two transformers, and associated underground electrical conduits that will serve the 10th Street Auditorium / Beach Patrol Headquarters.

Attachment

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, GRANTING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN EASEMENT IN FAVOR OF FLORIDA POWER AND LIGHT FOR THE PLACEMENT OF A SWITCH CABINET, TWO TRANSFORMERS, AND ASSOCIATED UNDERGROUND ELECTRICAL CONDUITS THAT WILL SERVE THE 10TH STREET AUDITORIUM / BEACH PATROL HEADQUARTERS.

WHEREAS, the 10th Street Auditorium / Beach Patrol Headquarters Project entails the restoration of the historic Beach Patrol Headquarters, as well as the western portion of the existing 10th Street Auditorium; and

WHEREAS, the remaining portion of the Auditorium building has been demolished to accommodate a new two-story addition to the retained and preserved western portion, which will service the needs and requirements of both the Beach Patrol Headquarters and the Miami Design Preservation League (MDPL); and

WHEREAS, the new Auditorium addition will be detached from the Beach Patrol Headquarters, allowing for its substantial restoration; and

WHEREAS, the Project design restores the historic north-south pedestrian connection within Lummus Park that was lost when the two buildings were attached, as part of the previous Auditorium construction; and

WHEREAS, a Florida Power and Light (FPL) vault, which provides services to the facility as well as the Lummus Park lights, is located within the area to be demolished; and

WHEREAS, this requires the installation of a new underground electrical duct bank, and new pad-mounted switching station and transformers within Lummus Park; and

WHEREAS, FPL requires that the City grant a utility easement in order to service this transformer and its associated electric conduits.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby grant and authorize the Mayor and City Clerk to execute an easement in favor of Florida Power and Light (FPL) for a transformer and electrical conduits to serve the new buildings included as part of the 10th Street Auditorium / Beach Patrol Headquarters Project.

PASSED and ADOPTED this ____ day of _____, 2008.

ATTEST:

Robert Parcher, City Clerk

Matti Herrera Bower, Mayor

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

[Handwritten Signature]

City Attorney

9-30-08
Date

Work Request No. 2989894

EASEMENT

This Instrument Prepared By

Sec. 3, Twp 54 S, Rge 42 E

Name: _____
Co. Name: Florida Power & Light Company
Address: _____

Parcel I.D. 02-3203-000-0030
(Maintained by County Appraiser)

Form 3722 (Stocked) Rev. 7/94

pg _____ of _____.

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 licensees, agents, successors, and assigns, an easement forever for the construction, operation and maintenance of underground electric utility facilities (including transformers, cables, conduits and appurtenant 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 as described in the following pages.

Reserved for Circuit Court

See Exhibit "A" for easement description

Together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes; the right of ingress and egress to said premises at all times; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on _____, 20__.

Signed, sealed and delivered in the presence of:

(Witness' Signature)

Print Name: _____
(Witness)

(Witness' Signature)

Print Name: _____
(Witness)

(Corporate's name)

By: _____
(President's signature)

Print Name: _____

Print Address: _____

Attest: _____
(Secretary's signature)

Print Name: _____

Print Address: _____

(Corporate Seal)

STATE OF _____ AND COUNTY OF _____. The foregoing instrument was acknowledged before me this _____ day of _____, 20__, by _____, and _____ respectively the _____ President and _____ Secretary of _____, a _____ corporation, on behalf of said corporation, who are personally known to me or have produced _____ as identification, and who did (did not) take an oath. (Type of Identification)

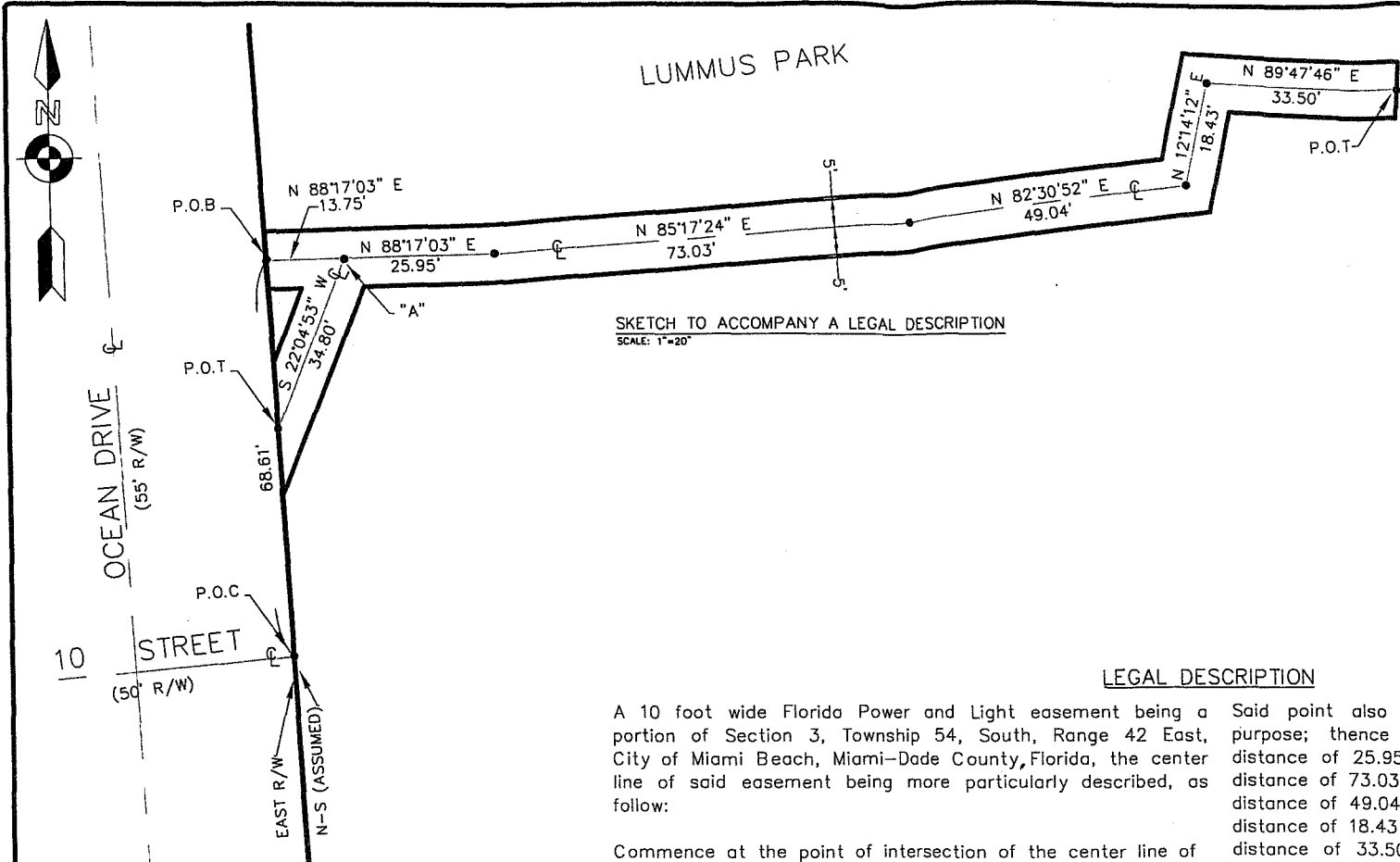
My Commission Expires:

Notary Public, Signature

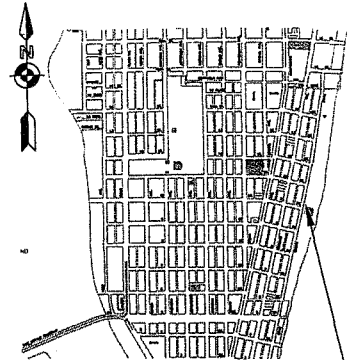
Print Name _____

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

[Signature] 9-30-08
City Attorney Date



SKETCH TO ACCOMPANY A LEGAL DESCRIPTION
SCALE: 1"=20'



LOCATION SKETCH
N.T.S.

PROJECT LOCATION

LEGEND & ABBREVIATIONS:

- POB POINT OF BEGINNING
- POC POINT OF COMMENCE
- POT POINT OF TERMINUS
- ⊕ CENTER LINE
- R/W RIGHT-OF-WAY
- N.T.S. NOT TO SCALE

LEGAL DESCRIPTION

A 10 foot wide Florida Power and Light easement being a portion of Section 3, Township 54, South, Range 42 East, City of Miami Beach, Miami-Dade County, Florida, the center line of said easement being more particularly described, as follow:

Said point also being reference point "A" for description purpose; thence continue North 88° 17' 03" East for a distance of 25.95 feet; thence North 85° 17' 24" East for a distance of 73.03 feet; thence North 82° 30' 52" East for a distance of 49.04 feet; thence North 12° 14' 12" East for a distance of 18.43 feet; thence North 89° 47' 46" East for a distance of 33.50 feet to the POINT OF TERMINUS of said centerline of the herein described 10 foot easement.

Commence at the point of intersection of the center line of 10th Street and the east right-of-way line of Ocean Drive, as shown in ESTABLISHMENT OF EROSION CONTROL LINE, Plat Book 105, Page 62, Public Records of Miami-Dade County, Florida; thence north as a basis of bearings, along the east right-of-way line of said Ocean Drive for a distance of 68.61 feet to the POINT OF BEGINNING of the center line of the 10 foot wide easement herein described; thence North 88° 17' 03" East for a distance of 13.75 feet to a point

TOGETHER WITH:

Commence at the aforementioned reference point "A"; thence South 22° 04' 53" west for a distance of 34.80 feet to the POINT OF TERMINUS of the center line of the herein described easement. The side lines of said easement to be shortened or prolonged to meet the east right-of-way line of Ocean Drive.

I HEREBY CERTIFY: that this SKETCH TO ACCOMPANY A LEGAL DESCRIPTION is correct and meets the Minimum Technical Standards for Land Surveying in the State Florida as set forth in Chapter 472.027 (F.S.) and Chapter 61G17-6 of the Florida Administrative Code.
Not valid without the signature and raised seal of a Florida Licensed Surveyor and Mapper.

[Signature]
G. A. VARGAS
CITY SURVEYOR
P.S.M. No. 2916
STATE OF FLORIDA

FIELD WORK
09/11/2008
DATE

 1700 CONVENTION CENTER DRIVE, MIAMI BEACH, FL 33139	NEIGHBORHOOD: NEIGHBORHOOD #7 - OCEANFRONT	CITY MANAGER: JORGE GONZALEZ DIRECTOR: FRED H. BECKMANN, P.E. CITY ENGINEER: FERNANDO VAZQUEZ, P.E.	ENGINEER OF RECORD: J.V. DESIGNER ENGINEER: DRAWN BY: A.S. CHECKER: J.V. SCALE: AS SHOWN	ENGINEER OF RECORD: S NO. DATE REVISION	File name: F:\WORK\ALL\CAD-DWG\PROJECTS\SM\SM-2008\10 FOOT FPL ESEM Field Book: 1167 Page: N/A Job Order: N/A Date: 9-16-2008 Sheet: 1 of 1 Drawing: SM-2008X
	TITLE: 10 FOOT FPL EASEMENT; CENTER LINE OF 10 th STREET / EAST RIGHT-OF-WAY OF OCEAN DRIVE	APP'D BY:	NO. DATE REVISION	APP'D BY:	NO. DATE REVISION