

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Rickelle Williams, Interim City Manager

DATE: July 24, 2024

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AN EASEMENT AGREEMENT IN FAVOR OF FLORIDA POWER & LIGHT (FPL), IN THE FORM ATTACHED TO THIS RESOLUTION AS EXHIBIT "A", FOR THE PERPETUAL, NON-EXCLUSIVE USE OF A TEN (10) FOOT WIDE EASEMENT AREA, LOCATED ON A PORTION OF BAYSHORE PARK, WEST OF PINE TREE DRIVE, ON A PARCEL OF LAND LOCATED IN MIAMI BEACH, LYING IN SECTION 27, TOWNSHIP 53 SOUTH, RANGE 42 EAST, IN MIAMI-DADE COUNTY, BEING MORE PARTICULARLY DESCRIBED IN THE EASEMENT AGREEMENT AS FOLLOWS: COMMENCE AT THE POINT OF INTERSECTION OF THE WESTERLY EXTENSION OF THE NORTH RIGHT-OF-WAY LINE OF WEST 25TH STREET WITH THE EAST RIGHT-OF-WAY LINE OF PINE TREE DRIVE AS SHOWN ON FLAMINGO TERRACE EXTENSION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 38, PAGE 61, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE S 90°00'00" W AS A BASIS OF BEARINGS FOR 100.00 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF SAID PINE TREE DRIVE; THENCE S 00°00'00" W ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF PINE TREE DRIVE AS SHOWN ON FLAMINGO TERRACE EXTENSION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 38, PAGE 61, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY AND ON FLAMINGO TERRACE ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 34, PAGE 68, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FOR 107.29 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE CONTINUE S 00°00'00" W FOR 10.00 FEET; THENCE S 90°00'00" W FOR 10.00 FEET; THENCE N 00°00'00" E FOR 10.00 FEET; THENCE N 90°00'00" E FOR 10.00 FEET TO THE POINT OF BEGINNING, CONTAINING 100 SQUARE FEET, FOR USE BY FPL TO ACCESS, CONSTRUCT, OPERATE AND MAINTAIN AN ABOVE-GROUND TRANSFORMER, TOGETHER WITH THE RELATED BELOW GROUND FACILITIES, TO PROVIDE ELECTRICITY FOR THE AMENITIES IN THE PARK.

RECOMMENDATION

The Administration recommends that the Mayor and City Commission (City Commission) adopt the Resolution.

BACKGROUND/HISTORY

In September 2015, pursuant to Request for Qualification (RFQ No. 2015-240-KB) the City of Miami Beach awarded a contract to Savino Miller Design Studio for the Landscaping, Architectural and Engineering Design Services and commenced the design and permitting phase for Bayshore Park (Project), to develop a new passive community park for the City's residents.

On December 14, 2022, the City Commission approved the award of a contract to Buslam Company Partners Inc., for the construction of the Project. The construction of the Project is currently ongoing, is approximately 40% complete, and is anticipated to be substantially complete in the fall, 2025.

The park, measuring approximately 19.4 acres in size, is located at 2300 Pine Tree Drive, on the north side of Miami Beach Senior High School and adjacent to the Scott Rakow Youth Center.

The Project will include a children's playground for different ages, exercise station, tennis courts, bathroom/office building, site furnishings, lake with infrastructure for future connection to the neighborhood's drainage system, lake circulation and ozone water treatment system, pathways, jogging trails, parking lot, dog park, lighting systems (sports lighting, walkway lighting and street lighting), entrance and park identification signs, landscaping including the butterfly garden, lake littoral zone, tree relocation and new trees, new hedges, shrubs and ground cover, irrigation system, replacement of the existing water and sanitary sewer force mains, and connection to the utilities and FPL system.

ANALYSIS

Connection to the FPL system will be required to provide electricity for the amenities under construction in Bayshore Park. This connection will require installation of an FPL transformer on city owned park property. FPL has requested a 10-ft by 10-ft, 100 S.F., perpetual non-exclusive easement within the limits of Bayshore Park, adjacent to Pine Tree Drive to accommodate the transformer. The City shall execute the proposed Easement Agreement (Exhibit A) in favor of FPL, as more particularly described in the Sketch to Accompany Legal Description, FPL Easement (Exhibit B), permitting FPL to access, construct, operate and maintain an above-ground transformer, together with the related below ground facilities, in order to provide electricity for the amenities in the park. The easement is required for unlimited access for the installation of the requested transformer, and future operation and maintenance of the FPL facility.

FISCAL IMPACT STATEMENT

Not applicable.

Does this Ordinance require a Business Impact Estimate? (FOR ORDINANCES ONLY)

FINANCIAL INFORMATION

N/A

CONCLUSION

The Administration recommends that the City Commission approve and authorize the City Manager and Clerk to execute the proposed Easement Agreement.

Applicable Area

Middle Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

Yes

Is this item related to a G.O. Bond Project?

Yes

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

Capital Improvement Projects

Sponsor(s)

Commissioner Alex Fernandez

Co-sponsor(s)

Condensed Title

Execute Easement Agreement, Bayshore Park. (Fernandez) CIP