

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: April 23, 2025

TITLE: A RESOLUTION OF THE MAYOR AND COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE, IN THE FORM ATTACHED TO THIS RESOLUTION AS EXHIBIT A, THE SOVEREIGNTY SUBMERGED LANDS EASEMENT (EASEMENT NO. 43019), BY AND BETWEEN THE CITY (GRANTEE) AND THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA (GRANTOR), FOR A TERM OF FIFTY (50) YEARS, COMMENCING RETROACTIVELY ON JUNE 5, 2024, FOR USE OF AN EASEMENT AREA HAVING APPROXIMATELY 4,732.74 SQUARE FEET (EASEMENT AREA), LOCATED WITHIN A PORTION OF THE SUBMERGED LANDS OF INDIAN CREEK, UNDERNEATH 41ST STREET, FOR THE PURPOSE OF RELOCATING, AT THE REQUEST OF THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), THE CITY'S WATERMAIN FACILITIES FROM THE 41ST STREET BRIDGE TO THE EASEMENT AREA, AND THEREAFTER CONTINUING TO OPERATE AND MAINTAIN THE WATERMAIN FACILITIES WITHIN THE EASEMENT AREA.

RECOMMENDATION

The Administration recommends approving and authorizing the Sovereignty Submerged Lands Easement, in the form attached to the Resolution attached hereto.

BACKGROUND/HISTORY

On December 13, 2023, the Mayor and City Commission (City Commission) approved a request to award a contract, pursuant to Invitation To Bid (ITB) 2024-048-JP for water main aerial crossing along West 41st Street Bridge between Pine Tree Drive and Indian Creek Drive replacement.

The scope of work for this project was outlined in the City's Water System Master Plan (Master Plan) dated October 2019, project W-39. The work includes the complete replacement of the existing 16-inch cast-iron aerial water main crossing that is currently attached to the 41st Street Bridge between Indian Creek and Collins Avenue. The existing water main was approximately seventy (70) years old and was prioritized in the Master Plan due to the high probability and consequence of failure. In addition, the hydraulic modeling performed by the City determined that upsizing the system to a 20-inch diameter ductile iron pipe, would provide the required flow capacity to support the anticipated growth and increasing demands along Collins Avenue in the Mid-Beach area. The water main was replaced and moved to the 41st Street Bridge, with a route that had approximately 1,280 linear feet (LF) in length, with 920 LF HDPE DR 11 Pipe (20-inch), 300 LF Ductile Iron Pipe (20-inch), and 60 LF Ductile Iron Pipe (16-inch).

The Florida Department of Transportation (FDOT) thereafter planned a complete bridge rehabilitation project requiring the complete removal and relocation of the existing overhead water main.

The Florida Department of Environmental Protection (FDEP) has determined that the replacement qualifies for and requires a public Sovereignty Submerged Lands Easement in order to move the

existing water main to an easement area, located within a portion of the submerged lands of Indian Creek, underneath 41st Street, lying in the Southwest 1/4 Section 23, Township 53 South, Range 42 East, in Indian Creek, Miami-Dade County, Florida, as more particularly described in the easement. The easement, a copy of which is attached to this Resolution as Exhibit A, describes an easement area having approximately 4,733 square feet and use of the easement area for a term of 50 years, commencing retroactively from June 5, 2024.

The City has reviewed all documents provided and has determined that the City's property interests are not adversely affected, and that the easement would serve an important public purpose.

FISCAL IMPACT STATEMENT

No fiscal impact.

CONCLUSION

The Administration recommends approving and authorizing the Sovereignty Submerged Lands Easement, in the form attached to the Resolution attached hereto.

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?

No

Department

Public Works

Condensed Title

Execute Sovereignty Submerged Lands Easement w/ Board of Trustees (41st Street). PW

Previous Action (For City Clerk Use Only)