Memorandum

MIAMI-DADE COUNTY

Date: June 17, 2008

Agenda Item No. 10(A)(1)

To: Honorable Chairman, Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Resolution Authorizing the Conveyance of an Easement to Florida Power and Light Company (FPL) for the construction, operation and maintenance of underground electric transmission and distribution lines, located at Jackson South Community Hospital

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The attached item is being placed on the Board of County Commissioner's agenda at the request of Marvin O'Quinn, President/CEO of the Public Health Trust (PHT). The Board of Trustees of the PHT adopted the attached Resolution No. PHT 05/08-036 on May 27, 2008 authorizing the negotiation of the relocation of an easement in favor of FPL to service Jackson South Community Hospital.

Assistant County Manager

Attachments

Jackson HEALTH SYSTEM
PUBLIC HEALTH TRUST

MARVIN O'QUINN
President / CEO

Executive Office
Jackson Health System
1611 N.W. 12th Avenue
Miami, Florida 33136-1096

MEMORANDUM

DATE: June 17, 2008

TO: George M. Burgess
County Manager

FROM: Marvin O'Quinn
President/CEO
Public Health Trust

RE: Resolution Authorizing the Conveyance of an Easement to Florida Power and Light Company (FPL) for the construction, operation and maintenance of underground electric transmission and distribution lines, located at Jackson South Community Hospital.

At its May 27, 2008 meeting, the Board of Trustees of the Public Health Trust adopted Resolution No. PHT 05/08-036 authorizing the negotiation of the relocation of an easement in favor of Florida Power & Light Company (FPL) to service Jackson South Community Hospital and authorizing me to seek approval of the Board of County Commissioners of the easement to FPL. I would appreciate having this item placed on the appropriate Commission and Committee agenda as soon as possible.

Marvin O'Quinn

Marvin O'Quinn
President/CEO
Public Health Trust

An Equal Opportunity Employer

Jackson HEALTH SYSTEM
PUBLIC HEALTH TRUST

MARVIN O'QUINN
President / CEO

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1611 N.W. 12th Avenue
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MEMORANDUM

Date: June 17, 2008

To: Honorable Chairperson Bruno A. Barreiro
and Members, Board of County Commissioners

From: Marvin O'Quinn
President/CEO
Public Health Trust

Subject: Resolution Authorizing the Conveyance of an Easement to Florida Power and Light Company (FPL) for the construction, operation and maintenance of underground electric transmission and distribution lines, located at Jackson South Community Hospital.

RECOMMENDATION

It is recommended that the Board approve the attached resolution authorizing the conveyance of an easement to Florida Power and Light Company (FPL) for the installation of underground electric transmission and distribution lines to service Jackson South Community Hospital ("Jackson South").

OWNER: Public Health Trust of Miami-Dade County, User Agency

TAX FOLIO NUMBER: A portion of Folio No. 30-5021-000-0240

LOCATION: 9333 S.W. 152nd Street, Miami, Florida

COMMISSION DISTRICT: 8

COMMISSION DISTRICT IMPACTED: Countywide

BACKGROUND: On May 27, 2008, the Board of Trustees of the Public Health Trust approved Resolution No. PHT 05/08-036, authorizing the negotiation for relocation of an easement in favor of Florida Power & Light Company ("FPL"). A copy of Resolution No. PHT 05/08-036 is attached and incorporated herein. FPL currently provides utility services by means of an easement on the western boundary of the Jackson South property. Jackson South

An Equal Opportunity Employer

Community Hospital is being expanded and renovated and the expansion and renovation work would require construction on such easement therefore the existing FPL easement must be abandoned and replaced with a new utility easement in favor of FPL.

FACILITY DESCRIPTION: Jackson South is a 199-bed full service acute care hospital that generally operates at full or above capacity. Expansion of Jackson South has been approved by the Board of Trustees and the General Plan for the Expansion and Renovation of Jackson South was approved by the Commission on September 18, 2007 by Resolution No. R-1022-07. The plan for expansion and renovation includes approximately 180,000 square feet of new construction and 72,000 square feet of renovated space that will improve services provided by the Intensive Care, Surgery, Emergency, Diagnostic Imaging, Pharmacy, Admissions, Psychiatric Services, Observation Beds, Lab, Dietary, Materials Management and Miscellaneous Support Services Units. This facility is part of the countywide network of care that comprises the Jackson Health System.

JUSTIFICATION: Because construction for the expansion and renovation project will impair the current FPL easement which serves Jackson South, FPL has requested an easement to construct, maintain and operate the underground electrical lines that will continue to provide electrical services to Jackson South through an easement relocated from its current location.

MONITOR: Richard Morgan, Vice President for Support Services, Public Health Trust

DELEGATED AUTHORITY: Authorizes the County Mayor to execute the easement.

Marvin O'Quinn

Marvin O'Quinn
President/CEO
Public Health Trust

MEMORANDUM
(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: June 17, 2008

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 10(A)(1)

Please note any items checked.

_____ **"4-Day Rule" ("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**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

✓ **Housekeeping item (no policy decision required)**

✓ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 10(A)(1)
6-17-08

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE CONVEYANCE OF AN EASEMENT TO FLORIDA POWER & LIGHT COMPANY (FPL) FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF UNDERGROUND ELECTRIC TRANSMISSION AND DISTRIBUTION LINES, LOCATED AT JACKSON SOUTH COMMUNITY HOSPITAL

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby authorizes the conveyance of an Easement to Florida Power & Light Company (FPL), as described in the FPL Easement attached, in substantially the form attached hereto and made a part hereof, and authorizes the County Mayor to execute said Easement on behalf of Miami-Dade County; and authorizes the County Mayor to exercise any and all other rights conferred therein.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman
Barbara J. Jordan, Vice-Chairwoman

Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of June, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. ES

Eugene Shy

FACILITIES DEVELOPMENT COMMITTEE
AGENDA ITEM
FISCAL AFFAIRS

05-07-08
ADD-ON
05-13-08

REQUEST

Staff requests authorization for the President or his designee to negotiate the relocation of an easement in favor of Florida Power & Light Company for the provision of electrical services to Jackson South Community Hospital and to negotiate such other easements necessary or required for the provision of utility services to Jackson South and authorizing the President to seek Board of County Commissioners' approval of such easements and execution thereof. (Funding: Funding from General Obligation & JMH Revenue Bonds).

BACKGROUND

In July 2001, the Public Health Trust purchased the former Deering Hospital located at 9333 S.W. 152nd Street, Miami, Florida and renamed it " Jackson South Community Hospital."

In 2003, the Board of Trustees of the Public Health Trust approved the expansion and renovation of Jackson South Community Hospital. On August 23, 2005, the Board of County Commissioners approved Resolution No. R-907-05 Resolution authorizing the execution of a contract for sale and purchase between Robert J, Shelley IV and Douglas F. Landsea, as sellers, and Miami-Dade County, as buyer, for four (4) million dollars for approximately 5.673 acres of vacant land located on the north side of 152 street, east of 95th avenue, Miami, Florida and adjacent to Jackson South Community Hospital to allow for facility expansion by the Public Health Trust; authorizing the County Manager to execute the contract for and on behalf of Miami-Dade County; and authorizing the County Manager to exercise any and all rights conferred therein.

Florida Power & Light Company ("FPL") currently provides utility services by means of an easement on the western boundary of the Jackson South property. The renovation work would require construction on such easement therefore the existing FPL easement must be abandoned and replaced with a new utility easement in favor of FPL. In addition, other utility easements may be impacted by the renovations, thus, the President seeks the additional authority to negotiate the relocation of those easement so that the President can seek the Board of County Commissioners without having to come again before the Board of Trustees.

RECOMMENDATION

I concur with Staff's recommendation to authorize the President or his designee to negotiate the relocation of an easement in favor of Florida Power & Light Company for the provision of electrical services to Jackson South Community Hospital and to negotiate such other easements necessary or required for the provision of utility services to Jackson South and authorizing the President to seek Board of County Commissioners' approval of such easements and execution thereof. (Funding: Funding from General Obligation & JMH Revenue Bonds).

Marvin O'Quinn

Marvin O'Quinn, President
The Public Health Trust

Add-on Agenda Item (5)
Executive Committee
May 27, 2008

RESOLUTION NO. PHT 05/08- 036

RESOLUTION AUTHORIZING THE PRESIDENT OR HIS DESIGNEE TO NEGOTIATE RELOCATION OF AN EASEMENT IN FAVOR OF FLORIDA POWER & LIGHT COMPANY FOR THE PROVISION OF ELECTRICAL SERVICES TO JACKSON SOUTH COMMUNITY HOSPITAL AND TO NEGOTIATE SUCH OTHER EASEMENTS NECESSARY OR REQUIRED FOR THE PROVISION OF UTILITY SERVICES TO JACKSON SOUTH; AND AUTHORIZING THE PRESIDENT TO SEEK BOARD OF COUNTY COMMISSIONERS' APPROVAL OF SUCH EASEMENTS AND EXECUTION THEREOF.

(FUNDING: GENERAL OBLIGATION AND JMH REVENUE BONDS)

(Richard Morgan, Vice President, Support Services)

WHEREAS, this Board desires to accomplish the purposes outlined in the attached agenda item;

and

WHEREAS, the President, Strategic Planning & Program Planning Committee, Facilities Development Committee, Fiscal Affairs, Procurement & Budget Committee recommend approval.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE PUBLIC HEALTH TRUST OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby authorizes the President or his designee to negotiate the relocation of an easement in favor of Florida Power & Light Company for the provision of electrical services to Jackson South Community Hospital and to negotiate such other easements necessary or required for the provision of utility services to Jackson South and authorizing the President to seek Board of County Commissioners' approval of such easements and execution thereof (Funding: Funding from General Obligation & JMH Revenue Bonds) in accordance with the recommendation se forth in the agenda item attached hereto and incorporated herein by reference.

Richard Morgan, Vice President
Support Services

The foregoing resolution was offered by Ms. Cancela. The motion was seconded by Mr. Arrizurieta as follows:

Stanley H. Arkin	Absent
Jorge L. Arrizurieta	Aye
Rosy Cancela	Aye
John H. Copeland, III	Aye
Ernesto A. de la Fe	Aye
Joaquin del Cueto	Aye
Georgena D. Ford, R.N.	Absent
Abraham A. Galbut	Aye
Armando Gutierrez, Jr.	Aye
Walter James Harvey, Esq.	Aye
Saif Yamani Ishoff	Aye
Marcos J. Lapciuc	Mr. Lapciuc was not present for the vote.
Angel Medina, Jr.	Absent
Diego L. Mella	Absent
Kathie Sigler, Ed.D.	Aye
Martin G. Zilber, Esq.	Aye
Commissioner Dorrin Rolle	Absent
Commissioner Javier Souto	Aye

The Chairperson thereupon declared the resolution duly passed and adopted this 27th day of May 2008.

PUBLIC HEALTH TRUST OF MIAMI-DADE COUNTY, FLORIDA

BY: _____
Rosy Cancela, Secretary

Approved by the County Attorney as to form
and legal sufficiency ES

Work Order No. _____

Sec.21 , Twp 55 S, Rge 40 E

Parcel I.D.30-5021-000-0240
(Maintained by County Appraiser)

Form 3722 (Stocked) Rev. 7/94

EASEMENT

This Instrument Prepared By

Name: _____

Co. Name: FLORIDA POWER & LIGHT COMPANY

Address _____

_____

pg _____ of _____.

Reserved for Circuit Court

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 overhead and underground electric utility facilities (including wires, poles, guys, 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 ranging from 10 to 25 feet in width described as follows:

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION AND SKETCH

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; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the easement area; 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; 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:

By: Miami-Dade County, a political subdivision of the State of Florida

(Witness' Signature)

Print Name

(Witness)

_____
Carlos Alvarez, County Mayor

(Witness' Signature)

Attest: Harvey Ruvin, Clerk

Print Name

(Witness)

By: _____
Deputy Clerk

(Corporate Seal)

STATE OF Florida AND COUNTY OF Miami-Dade. The foregoing instrument was acknowledged before me this __day of _____, 20 08, by Carlos Alvarez and _____, respectively the County Mayor and Deputy Clerk of Miami-Dade County, a political subdivision of the State of Florida, 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

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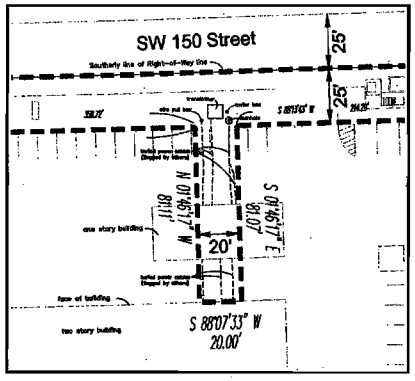
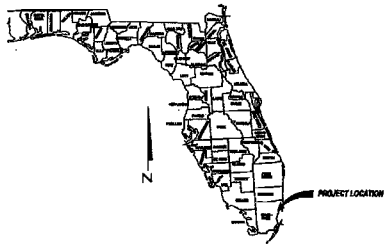
PROPOSED FLORIDA POWER AND LIGHT (FPL) COMPANY EASEMENT:

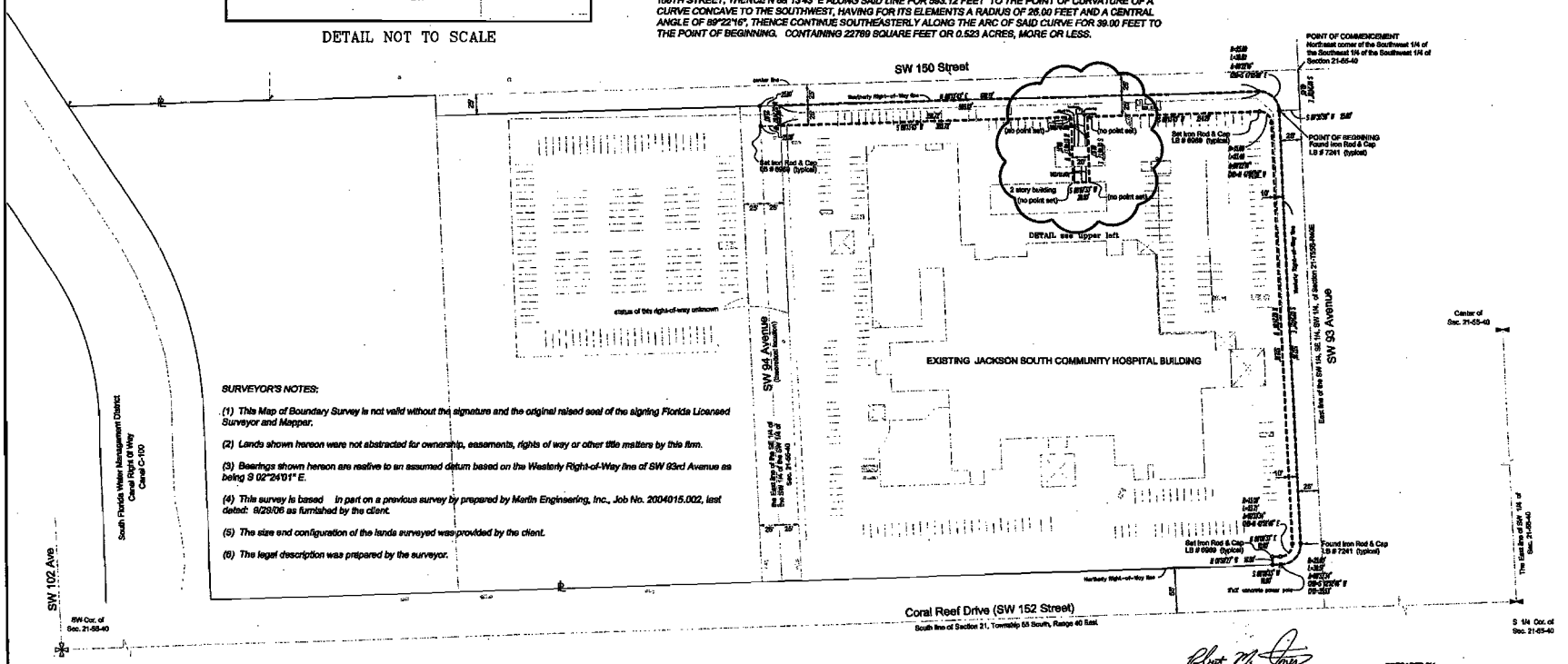
A PARCEL OF LAND LYING IN SECTION 21, TOWNSHIP 55 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NE CORNER OF THE SW 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 21-55-40; THENCE S 02°24'01" E, ALONG THE EAST LINE OF THE SW 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 21-55-40 FOR 49.45 FEET; THENCE S 87°35'59" W FOR 25.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SW 93RD AVENUE AND 25 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SW 1/4 OF THE SE 1/4 OF THE SW 1/4 SECTION 21-55-40, SAID POINT BEING THE POINT OF BEGINNING; THENCE S 02°24'01" E ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SW 93RD AVENUE FOR 537.16 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, HAVING FOR ITS ELEMENTS A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°33'34", THENCE CONTINUE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE FOR 39.51 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SW 152ND STREET SAID POINT LYING ON A LINE 55.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SECTION 21-55-40; THENCE S 88°09'33" W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR 10.00 FEET; THENCE N 01°50'27" W LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE FOR 10.00 FEET; THENCE N 88°09'33" E ALONG A LINE 10.00 FEET NORTH OF AND PARALLEL WITH SAID NORTHERLY RIGHT-OF-WAY LINE FOR 10.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, HAVING FOR ITS ELEMENTS A RADIUS OF 15.00 FEET AND A CENTRAL ANGLE OF 90°33'34", THENCE CONTINUE NORTHEASTERLY ALONG THE ARC OF SAID CURVE FOR 23.71 FEET; THENCE N 02°24'01" W ALONG A LINE 15.00 FEET WEST OF AND PARALLEL WITH THE WESTERLY RIGHT-OF-WAY LINE OF SAID SW 93RD AVENUE FOR 522.16 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING FOR ITS ELEMENTS A RADIUS OF 15.00 FEET AND A CENTRAL ANGLE OF 89°22'16", THENCE CONTINUE NORTHWESTERLY ALONG THE ARC OF SAID CURVE FOR 23.40 FEET TO A POINT LYING ON A LINE 25.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SW 150TH STREET; THENCE S 88°13'43" W ALONG SAID LINE FOR 214.29 FEET; THENCE S 01°46'17" E, LEAVING SAID LINE, FOR 81.07 FEET TO THE FACE OF A 2 STORY BUILDING; THENCE S 88°07'33 W ALONG SAID BUILDING FACE FOR 20.00 FEET; THENCE N 01°46'17" W, LEAVING SAID BUILDING FACE, FOR 81.11 FEET TO A POINT LYING ON A LINE 25.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SW 150TH STREET; THENCE S 88°13'43" W ALONG SAID LINE FOR 383.72 FEET TO A POINT LYING 25.00 FEET EAST OF THE EAST LINE OF THE SE 1/4 OF THE SW 1/4 OF THE SW 1/4 OF SECTION 21-55-40; THENCE N 02°24'02" W ALONG A LINE 25.00 FEET EAST OF AND PARALLEL WITH SAID EAST LINE OF THE SE 1/4 OF THE SW 1/4 OF THE SW 1/4 FOR 25.00 FEET TO A POINT LYING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SW 150TH STREET; THENCE N 88°13'43" E ALONG SAID LINE FOR 593.12 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING FOR ITS ELEMENTS A RADIUS OF 26.00 FEET AND A CENTRAL ANGLE OF 89°22'16", THENCE CONTINUE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE FOR 39.00 FEET TO THE POINT OF BEGINNING. CONTAINING 22769 SQUARE FEET OR 0.523 ACRES, MORE OR LESS.



DETAIL NOT TO SCALE





SURVEYOR'S NOTES:

(1) This Map of Boundary Survey is not valid without the signature and the original raised seal of the signing Florida Licensed Surveyor and Mapper.

(2) Lands shown hereon were not abstracted for ownership, easements, rights of way or other title matters by this firm.

(3) Bearings shown hereon are relative to an assumed datum based on the Westerly Right-of-Way line of SW 93rd Avenue as being S 02°24'01" E.

(4) This survey is based in part on a previous survey by prepared by Martin Engineering, Inc., Job No. 2004015.002, last dated: 9/28/06 as furnished by the client.

(5) The size and configuration of the lands surveyed was provided by the client.

(6) The legal description was prepared by the surveyor.

ROBERT M. JONES
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER
LICENSE# No. LS 4201

FIELD BOOK: 697 (pg 64-70)

PREPARED BY:
MACTEC
MACTEC Engineering & Consulting, Inc.
4150 North John Young Parkway Orlando, Florida 32804-3820
Phone: 407.835.7070 Fax: 407.835.7075
CERTIFICATE OF AUTHORIZATION: LB 6988

PREPARED FOR:
MGE ARCHITECTS, INC
150 ALHAMBRA CIRCLE, SUITE 700
CORAL GABLES, FLORIDA 33134

REVISION	DATE

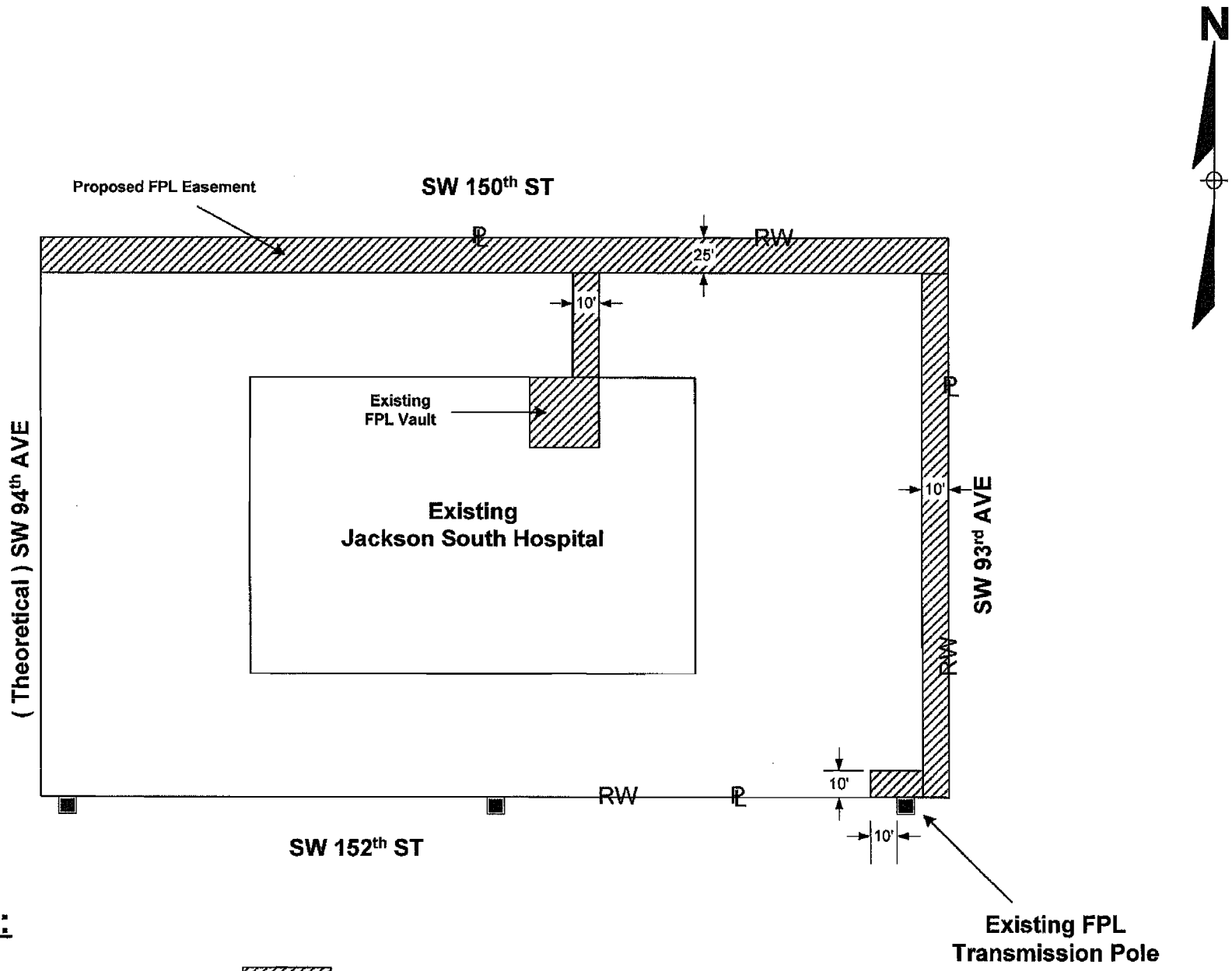
REVISION	DATE

COUNTY: ORANGE | DWG. DATE: 04/26/2006
Last Day in Field: 04/22/06 | PHOTO DATE: n/a
CRT. NO.: S1740T0208 | DRAWN BY: R.E.W.
JOB NO.: 2006-0000 (Survey Hours) | CHECKED BY: R.M.J.

PROJECT TITLE: MAP OF BOUNDARY SURVEY AND SUBJECT TO FLORIDA POWER & LIGHT EASEMENT
Jackson South Community Hospital
Expansion and Relocation Project
West of SW 93rd Avenue and South of SW 150th Street, Miami-Dade County, Florida

SHEET NO. 1 OF 1

EXHIBIT "A"



Legend:

Proposed FPL Easement

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