



MEMORANDUM

Agenda Item No. 11(A)(4)


TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: June 5, 2012

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

SUBJECT: Resolution delegating to the
Public Health Trust the authority
to consent to leases and
amendments to leases relating
to the medical office building
known as Northpark Professional
Building, which is located on the
campus of Jackson North Medical
Center, and ratifying those
consents and amendments
previously approved and executed
by the Public Health Trust

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.



R. A. Cuevas, Jr.
County Attorney

RAC/cp



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: June 5, 2012

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County Attorney

SUBJECT: Agenda Item No. 11(A)(4)

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**
- Ordinance creating a new board requires detailed County Manager's report for public hearing**
- No committee review**
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve**
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(4)
6-5-12

RESOLUTION NO. _____

RESOLUTION DELEGATING TO THE PUBLIC HEALTH TRUST THE AUTHORITY TO CONSENT TO LEASES AND AMENDMENTS TO LEASES RELATING TO THE MEDICAL OFFICE BUILDING KNOWN AS NORTHPARK PROFESSIONAL BUILDING, WHICH IS LOCATED ON THE CAMPUS OF JACKSON NORTH MEDICAL CENTER, AND RATIFYING THOSE CONSENTS AND AMENDMENTS PREVIOUSLY APPROVED AND EXECUTED BY THE PUBLIC HEALTH TRUST

WHEREAS, the Public Health Trust ("Trust") is an agency and instrumentality of Miami-Dade County which is responsible for the operation, maintenance and governance of Jackson Memorial Hospital, Jackson South Community Hospital, Jackson North Medical Center and other "designated facilities" as such term is defined in Chapter 154, Part II, Florida Statutes, and Chapter 25A of the Code of Miami-Dade County; and

WHEREAS, Section 25A-4(d) of the Code provides that the Trust is authorized to purchase real property but further provides that title to such real property must be vested in Miami-Dade County; and

WHEREAS, in 2006, the Commission approved the Trust's purchase of Parkway Regional Medical Center and related real property interests, which is now included as part of the designated facilities of the Trust and known as Jackson North Medical Center; and

WHEREAS, the acquisition of Jackson North Medical Center, f/k/a Parkway Regional Medical Center, included acquisition of certain long term Ground Leases and a Ground Sublease (the "Ground Leases"), pursuant to which Ground Leases Miami-Dade County, as fee-simple title holder, is the Ground Lessor; and

WHEREAS, since the 2006 acquisition of Jackson North Medical Center and the Ground Leases, the Trust has managed Miami-Dade County's interest as Ground Lessor, including approving and executing consents to leases and amendments to leases of tenant spaces in the Northpark Professional Building (owned by Northpark Professional Group, L.L.C., Ground Lessee), located on the Jackson North Medical Center campus, as required under the Ground Leases, but without the necessary delegation of authority from the Commission to do so; and

WHEREAS, to resolve the issue of lack of authority, on February 27, 2012, the Financial Recovery Board of the Public Health Trust, passed and adopted the attached Resolution No. PHT 2/12-020, directing the Trust President to seek the appropriate Commission delegation of authority to the Trust for the Trust to consent to leases and amendments to leases of tenant spaces at the Northpark Professional Building on behalf of Miami-Dade County, as Ground Lessor, and to seek Commission ratification of the consents and amendments reflected in Exhibit "A" to the attached Financial Recovery Board Resolution No. PHT 2/12-020,

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

Section 1. Delegates to the Public Health Trust the authority to consent to leases and amendments to leases at Northpark Professional Building on behalf of Miami-Dade County, as Ground Lessor under the Ground Leases at the Jackson North Medical Center campus.

Section 2. Ratifies those consents to leases and amendments to leases previously approved and executed by the Public Health Trust, as such consents and amendments are reflected in the attached Financial Recovery Board Resolution No. PHT 2/12-020.

The Prime Sponsor of the foregoing resolution is Commissioner Jose "Pepe" Diaz. It 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:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of June, 2012. 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, Jr.

RESOLUTION NO. PHT 2/12 - 020

RESOLUTION DIRECTING THE PRESIDENT TO SEEK FROM THE BOARD OF COUNTY COMMISSIONERS DELEGATION OF AUTHORITY TO THE PHT PRESIDENT OR HIS DESINGEE, TO CONSENT TO LEASES AT NORTHPARK PROFESSIONAL BUILDING ON BEHALF OF THE GROUND LESSOR, MIAMI-DADE COUNTY, AND RATIFYING THOSE CONSENTS AND AMENDMENTS PREVIOUSLY APPROVED BY JACKSON NORTH MEDICAL CENTER ADMINISTRATION

(Madeline Valdes, Corporate Director, Property Management Department, Jackson Health System)

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

WHEREAS, the President and the Facilities Subcommittee and Fiscal Committee's recommend approval.

NOW, THEREFORE, BE IT RESOLVED BY THE FINANCIAL RECOVERY BOARD OF THE PUBLIC HEALTH TRUST OF MIAMI-DADE COUNTY, FLORIDA, this Board directs the President to seek delegation of authority from the Board of County Commissioners to the PHT President or his designee to consent to leases on behalf of the Ground Lessor Miami-Dade County at the Northpark Professional Building and ratifying those consents and amendments previously approved by Jackson North Medical Center administration.

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The foregoing resolution was offered by Mr. Nuell and the motion was seconded by Mr. del Cueto as follows:

Joe R. Arriola	Aye
Michael Bileca	Absent
Joaquín del Cueto	Aye
Mojdeh L. Khaghan	Aye
Marcos J. Lapcinic	Aye
Stephen S. Nuell	Aye
Darryl K. Sharpton	Aye

The Chairperson thereupon declared the resolution duly passed and adopted this 27th day of February 2012.

PUBLIC HEALTH TRUST OF MIAMI-DADE COUNTY, FLORIDA

BY: _____


Joaquín del Cueto, Secretary

Approve by the County Attorney as to form
and legal sufficiency _____


FISCAL COMMITTEE

02-13-2012

REQUEST

Staff requests that The Financial Recovery Board direct the President to seek from the Board of County Commissioners the delegation of authority to the President or his designee to consent on behalf of the Ground Lessor Miami-Dade County to lease at the Northpark Professional Building and ratifying those consents and amendments previously approved by Jackson North Medical Center administration.

BACKGROUND

Upon the purchase of Parkway Regional Medical Center, Miami-Dade County became the Ground Lessor of a certain parcel of land adjacent to Jackson North Medical Center on which sits the office building commonly known as Northpark Professional Building. The ground lease between the Ground Lessor/Lessee requires the written approval of any prospective tenants within the Northpark Professional building.

Accordingly, the attached Resolution seeks the Board of County Commissioners delegation of authority to the PHT President or his designee for consent on behalf of Miami-Dade County to lease at the Northpark Professional Building and ratifying those consents and amendments (listed on Exhibit 'A' attached hereto) previously approved by Jackson North Medical Center administration.

RECOMMENDATION

I concur with Staff's recommendation to seek Board of County Commissioners delegated authority for the PHT President or his designee to consent on behalf of the County to lease at the Northpark Professional Building and ratifying those consents and amendments previously approved by Jackson North Medical Center administration.

EXHIBIT 'A'

Schedule 'A'

1. Dr. Gerner Delva January 30, 2007
2. Dr. Ronald A. Gray February 5, 2007
3. Miami-ARA, LLC May 2, 2008
4. Walgreen Co. September 17, 2008
5. Rozalyn Paschal, M.D. September 22, 2008
6. Aids Healthcare Foundation May 28, 2009
7. Kaplan, Reich & Zucker, M.D.'s PA, February 2, 2010
8. Sunrise Medical Group, Inc. February 2, 2010
9. Gary Kushner, M.D. May 25, 2010
10. Continucare MDHC, LLC June 20, 2010