

MEMORANDUM

Agenda Item No. 11(A)(5)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: June 26, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution authorizing conveyance of a non-exclusive perpetual easement to Florida Power and Light Company on a portion of County-owned property under Folio No. 01-3135-104-0010 in exchange for \$1.00 to construct, operate and maintain electrical utility facilities at the Jackson Memorial Hospital campus located in the City of Miami; and authorizing the County Mayor to execute the easement and to exercise all provisions contained therein

Resolution No. R-623-25

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Keon Hardemon.



Geri Bonzon-Keenan
County Attorney

GBK/ks



MEMORANDUM

(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: June 26, 2025

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(5)

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
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ 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)(5)
6-26-25

RESOLUTION NO. _____ R-623-25

RESOLUTION AUTHORIZING CONVEYANCE OF A NON-EXCLUSIVE PERPETUAL EASEMENT TO FLORIDA POWER AND LIGHT COMPANY ON A PORTION OF COUNTY-OWNED PROPERTY UNDER FOLIO NO. 01-3135-104-0010 IN EXCHANGE FOR \$1.00 TO CONSTRUCT, OPERATE AND MAINTAIN ELECTRICAL UTILITY FACILITIES AT THE JACKSON MEMORIAL HOSPITAL CAMPUS LOCATED IN THE CITY OF MIAMI; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE EASEMENT AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN

WHEREAS, the Public Health Trust of Miami-Dade County ("Trust") is an agency and instrumentality of Miami-Dade County which is responsible for the operation, maintenance and governance of its "designated facilities" as such term is defined in chapter 154, Part II, Florida Statutes, and chapter 25A of the Code of Miami-Dade County ("Code"); and

WHEREAS, section 25A-4(d) of the Code provides that title to real property must be vested in Miami-Dade County, and as such, the Trust does not have authority to convey easements on its designated facilities; and

WHEREAS, the Trust has commenced construction on a new 178,000 square-foot emergency department expansion project (the "Project") at the Jackson Memorial Hospital campus located at 1611 NW 12th Avenue, Miami, Florida; and

WHEREAS, the Project requires installation of a new duct bank and vault to allow a structured pathway for multiple conduits to run new underground electrical cables; and

WHEREAS, the new electrical service requires an easement to Florida Power & Light Company (“FP&L”) to allow FP&L to construct, operate and maintain electrical utility facilities required as part of the Project; and

WHEREAS, Jackson Memorial Hospital is a designated facility of the Trust; and

WHEREAS, pursuant to Resolution No. R-504-15, the Trust has negotiated with FP&L in an effort to minimize any negative visual impact to the public of the easement and will require that the electric power facilities be concealed to the extent practical and feasible; and

WHEREAS, on April 25, 2025, the Board of Trustees of the Trust adopted resolution Number PHT 04/2025-023, attached hereto as Attachment “A”, seeking authority to convey a non-exclusive perpetual utility easement to FP&L for the construction, operation and maintenance of electric power facilities for the Project at the Trust’s Jackson Memorial Hospital campus; and

WHEREAS, this Board believes it is in the County’s best interest to convey a non-exclusive perpetual easement to FP&L to ensure that power is supplied to the Trust’s new emergency department at Jackson Memorial Hospital,

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

Section 1. This Board adopts the foregoing recitals as if fully set forth herein.

Section 2. This Board authorizes the conveyance of a non-exclusive perpetual easement on a portion of County-owned property under Folio No. 01-3135-104-0010 to FP&L in exchange for \$1.00 to construct, operate and maintain electrical utility facilities at the Trust’s Jackson Memorial Hospital campus.

Section 3. This Board authorizes the County Mayor or County Mayor’s designee to execute the easement in substantially the form attached hereto as Attachment “B” and incorporated herein by reference, and to exercise all provisions contained therein.

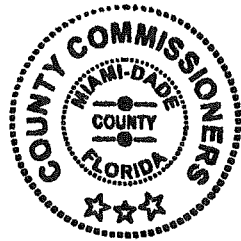
Section 4. This Board requires, pursuant to Resolution No. R-504-15, reasonable measures be used to minimize any negative aesthetic impact to the public from the installation of the FP&L services.

Section 5. This Board directs, pursuant to Resolution No. R-974-09, the County Mayor or County Mayor’s designee to record the easement in the public records of the County and provide a recorded copy to the Clerk of the Board within 30 days of execution, and further directs the Clerk of the Board to permanently store the recorded copy with this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Keon Hardemon. It was offered by Commissioner **Kionne L. McGhee** , who moved its adoption. The motion was seconded by Commissioner **Marleine Bastien** and upon being put to a vote, the vote was as follows:

Anthony Rodriguez, Chairman	aye		
Kionne L. McGhee, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Sen. René García	aye	Oliver G. Gilbert, III	aye
Roberto J. Gonzalez	aye	Keon Hardemon	absent
Danielle Cohen Higgins	aye	Eileen Higgins	absent
Natalie Milian Orbis	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 26th day of June, 2025. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



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

JUAN FERNANDEZ-BARQUIN, CLERK

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

KMM

Kevin Marker

RESOLUTION NO. PHT 04/2025 - 023

RESOLUTION CONSENTING TO THE GRANT OF A NON-EXCLUSIVE PERPETUAL EASEMENT AGREEMENT TO FLORIDA POWER AND LIGHT FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF ELECTRIC UTILITY FACILITIES REQUIRED AS PART OF THE NEW JACKSON MEMORIAL HOSPITAL EMERGENCY DEPARTMENT EXPANSION PROJECT; AUTHORIZING THE CHIEF EXECUTIVE OFFICER, OR HIS DESIGNEE, TO NEGOTIATE A NON-EXCLUSIVE EASEMENT AGREEMENT WITH FLORIDA POWER AND LIGHT AND TO OBTAIN ALL NECESSARY APPROVALS FROM THE BOARD OF COUNTY COMMISSIONERS FOR THE EXECUTION AND RECORDING OF SAID EASEMENT

(Daniel J. Chatlos, Director Real Estate Services, Jackson Health System)

WHEREAS, Section 25A-2(a) of the Code of Miami-Dade County, Florida ("Code") delegates to the Public Health Trust ("Trust"), the responsibility to operate, maintain and govern designated facilities, including Jackson Memorial Hospital; and

WHEREAS, the construction of Jackson Memorial Hospital's new Emergency Department expansion project ("Project") has commenced; and

WHEREAS, the Project requires installation of a new duct bank and vault to allow a structured pathway for multiple conduits to run new underground electrical cables; and

WHEREAS, the new electrical service requires an easement to Florida Power & Light (FP&L) to allow FP&L to the construct, operate, and maintain electrical utility facilities required as part of the Project; and

WHEREAS, title to the Jackson Memorial Hospital property is in the name of Miami-Dade County, Florida and the execution and recording of the easement requires the approval of the Board of County Commissioners pursuant to Chapter 25A of the Code of Miami-Dade County, Florida; and

WHEREAS, the Chief Executive Officer of the Trust recommends approval of this resolution,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE PUBLIC HEALTH TRUST OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board hereby approves the foregoing recitals in this resolution and approves the same.

Agenda Item: 4.e
Special Meeting of Public Health Trust Board of Trustees
April 25, 2025

-Page 2-

Section 2. This Board consents to the grant of a non-exclusive perpetual easement to FP&L to allow the construction, operation, and maintenance of overhead and underground electrical facilities necessary for the emergency department expansion project

Section 3. This Board authorizes the Chief Executive Officer, or his designee, to negotiate a non-exclusive easement agreement with FP&L and to obtain all necessary approvals from the Board of County Commissioners for the execution and recording of said easement and to take all actions necessary to effectuate the same.

Agenda Item: 4.c
Special Meeting of Public Health Trust Board of Trustees
April 25, 2025

-Page 3-

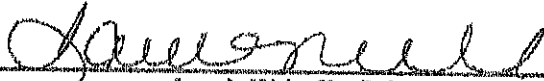
The foregoing resolution was offered by Mojdeh L. Khaghan and the motion was seconded by Laurie Weiss Nuell as follows:

Amadeo Lopez-Castro, III	Aye
Carmen M. Sabater	Aye
Antonio L. Argiz	Aye
Senator Alexis Calatayud	Excused
Laurie Weiss Nuell	Aye
Walter T. Richardson	Excused
Mojdeh L. Khaghan	Aye

The Chairperson thereupon declared the resolution as duly passed and adopted this 25th day of April 2025.

PUBLIC HEALTH TRUST OF MIAMI-DADE COUNTY, FLORIDA

BY: _____


Laurie Weiss Nuell, Secretary

Approved by the Miami-Dade County Attorney's Office as to form
And legal sufficiency _____



Jackson

HEALTH SYSTEM

Miracles made daily.

TO: Amadeo Lopez-Castro III, Chairman
and Members, Public Health Trust Board of Trustees

FROM: Daniel J. Chatlos
Director, Real Estate Services

DATE: April 25, 2025

RE: Grant of a Non-Exclusive Perpetual Easement to Florida Power & Light for Jackson Memorial Hospital
Emergency Department Expansion Project

Recommendation

Staff recommends that the Board of Trustees ("Board") consent to granting a non-exclusive perpetual easement to Florida Power & Light for the construction, operation and maintenance of electric utility facilities required as part of the new Emergency Department project.

Approval by the Board of County Commissioners is required for easements to be granted on county-owned land. Staff further recommends that the Board of Trustees directs the Chief Executive Officer to negotiate the non-exclusive easement agreement with FP&L and to obtain all approvals required from the Board of County Commissioners for the execution and recording of said easement.

Scope

The easement allows FP&L to construct, operate, and maintain overhead and underground electrical facilities installed to serve the emergency department expansion.

Fiscal Impact

There is no fiscal impact associated with this recommendation.

Track Record/Monitor

Real Estate Services staff would be responsible and tasked with facilitating negotiations, execution and recording of the easement.

Background

On January 23, 2024 the Trust broke ground on Jackson Memorial Hospital's new 178,800 square feet Emergency Department expansion project ("Project"). The Project will include 200 patient rooms, 50 observation rooms, and 6 resuscitation rooms to improve patient care.

Installation of a new duct bank, vault, and related facilities by FP&L is necessary to provide service required for the Project. The easement requested by FP&L will grant FP&L non-exclusive access to a designated portion of the Trust's property to install, operate, and maintain overhead and underground electric utility facilities that will support the increased power demands for the Project.

Accordingly, staff recommends that the Board consent to granting a non-exclusive perpetual easement to Florida Power & Light and authorize the Chief Executive Officer, or his designee, to negotiate and finalize the easement agreement, seek approval from the Board of County Commissioners, and to take any action required to effectuate the same.

Work Request No. _____

Sec. __, Twp __ S, Rge __ E

Parcel I.D. _____
(Maintained by County Appraiser)

EASEMENT (BUSINESS)

This Instrument Prepared By

Name: _____

Co. Name: _____

Address: _____

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 affiliates, licensees, agents, successors, and assigns ("FPL"), a non-exclusive 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 described as follows:

Reserved for Circuit Court

See Exhibit "A" ("Easement Area")

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 Area and to operate the same for communications purposes; the right of ingress and egress to the Easement Area at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area; the right 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 Easement Area heretofore described, over, along, under and across the roads, streets or highways adjoining or through said Easement Area.

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

Signed, sealed and delivered in the presence of:

Entity name

(Witness' Signature)

Print Name: _____

(Witness)

Print Address: _____

By: _____

Print Name: _____

Print Address: _____

(Witness' Signature)

Print Name: _____

(Witness)

Print Address: _____

STATE OF _____ AND COUNTY OF _____. The foregoing instrument was acknowledged before me by [] physical presence or [] on-line notarization, this _____ day of _____, 20__, by _____, the _____ of _____ a _____, who is personally known to me or has produced _____ as identification, and who did (did not) take an oath. (Type of Identification)

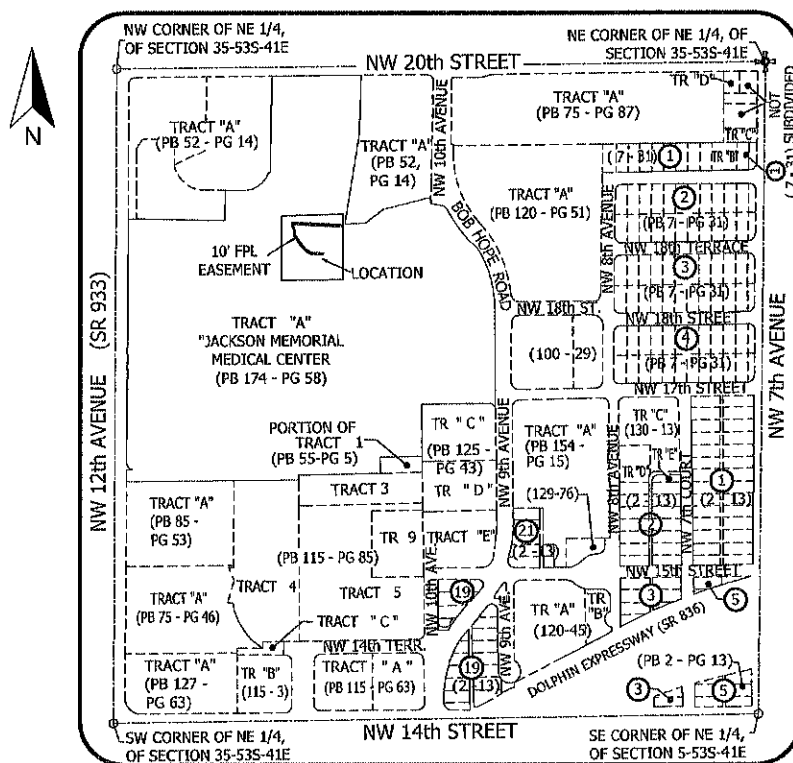
My Commission Expires:

Notary Public, Signature

Print Name _____

CITY OF MIAMI, MIAMI-DADE COUNTY
SEC. 35, TWP 53S, RGE 41E
PARCEL ID: 01-3135-104-0010

EXHIBIT "A"
FP & L EASEMENT



LOCATION SKETCH
Not to Scale

SURVEYOR'S NOTES

1. This is not a Boundary Survey.
2. Not valid without the signature and the original raised seal of a Florida Licensed Professional Surveyor and Mapper.
3. Bearings are referenced to the west line of the NE 1/4 of Section 35, Township 53 South, Range 41 East, also being the centerline of NW 12th Avenue (SR 933) with an assumed bearing of N01°25'17"W, said line to be considered a well-monumented line.
4. All dimensions as shown are based in US survey foot.
5. This Easement is based on the As Built Sketch provided by the client made by Leiter Perez & Associates, Inc. Signed and Sealed 02-18-2025.

LEGEND & ABBREVIATIONS

CL= Centerline	PB= Plat Book	RW= Right of Way	TWP= Township
EASMT= Easement	PG= Page	SEC= Section	RGE= Range
FP&L= Florida Power & Light	POB= Point of Beginning	POT= Point of Termination	UE= Utility Easement
ORB= Official Records Book	POC= Point of Commencement	SR= State Road	

SURVEYOR'S CERTIFICATE

I hereby certify that the sketch and legal description of the hereon described property is true and correct to the best of my knowledge and belief.

I further certify that this sketch and legal description meets the Standards of Practice as set forth by the Florida Board of Surveyors and Mappers pursuant to Rule Chapter 5J-17 of the Florida Administrative Code and its implementing law, Chapter 472.027 of the Florida Statutes.

Not valid without the signature and the original raised seal of a licensed Florida Surveyor and Mapper.

March 18, 2025

SEAL

FRALEMAN

FR Aleman & Associates, Inc.
10305 NW 41 Street, Suite 200, Miami, FL 33178
Phone: 305.591.8777 Fax: 305.599.8749 LB: 6785

**JACKSON MEMORIAL
MEDICAL CENTER
UTILITY EASEMENT**

Gaspar A
Lobaina

Gaspar Lobaina, PLS
Professional Land Survey
NO. 2873, STATE OF FLORIDA

DRAWN BY: AP
CHECKED BY: GL
DATE: 03-18-25
SCALE: N/A

JOB No.: 3361W012

SHEET
1
OF 4 SHEETS

CITY OF MIAMI, MIAMI-DADE COUNTY
SEC. 35, TWP 53S, RGE 41E
PARCEL ID: 01-3135-104-0010

EXHIBIT "A"
FP&L EASEMENT

LEGAL DESCRIPTION

A strip of land 10 feet in with exclusive Utility Easement for the benefit of FPL lying 5 feet to either side and parallel with the described centerline from Point of Beginning to Point of Termination through a portion of Tract "A" of "Jackson Memorial Medical Center", according to the Plat thereof as recorded in Plat Book 174, at Page 58, of the Public Records of Miami-Dade County, Florida.

Commence at the northwest corner of said Tract "A"; thence S01°25'17"E along the west line of said Tract "A" for a distance of 42.95 feet to the south line of the N 1/2 of NW 1/4 of NE 1/4 of Section 35-53-41; thence N87°45'03"E along said section line for a distance 652.75 feet; thence N02°14'57"W for a distance of 21.95 feet to the **Point of Beginning** of said centerline; thence S09°28'42"W for a distance of 5.89 feet; thence S21°45'09"E for distance of 17.38 feet; thence S12°47'04"E for distance of 30.64 feet; thence S35°13'06"E for a distance of 37.13 feet; thence S40°34'50"E for a distance of 30.01 feet; thence S50°30'29"E for a distance of 11.93 feet; thence S58°52'18"E for a distance of 9.56 feet; thence S67°00'55"E for a distance of 11.60; thence S89°10'12"E for a distance of 48.33 feet to a **Point of Termination** of said centerline; and thence from said point of termination run N02°13'33"W for a distance 2.83 feet to a point at the Northwest corner of FPL Vault Room and **Point of Beginning** of said room; thence N87°53'50"E for a distance of 29.98 feet; thence S02°06'20"E for a distance of 24.77 feet; thence S87°53'40"W for a distance of 29.98 feet; thence N02°06'06"W for a distance of 24.77 feet to a **Point of Beginning**.

Containing 2768 square feet or 0.06 acres more or less, lying and being in City of Miami, Miami-Dade County, Florida.

This Sketch & Legal Description is not full and complete without all sheets.

FRALEMAN

FR Alaman & Associates, Inc.
10305 NW 41 Street, Suite 200, Miami, FL 33178
Phone: 305.591.8777 Fax: 305.599.8749 LB: 6785

**JACKSON MEMORIAL
MEDICAL CENTER
UTILITY EASEMENT**

DRAWN BY: AP

CHECKED BY: GL

DATE: 03-18-2025

SCALE: N/A

JOB No.: 3361W012

SHEET

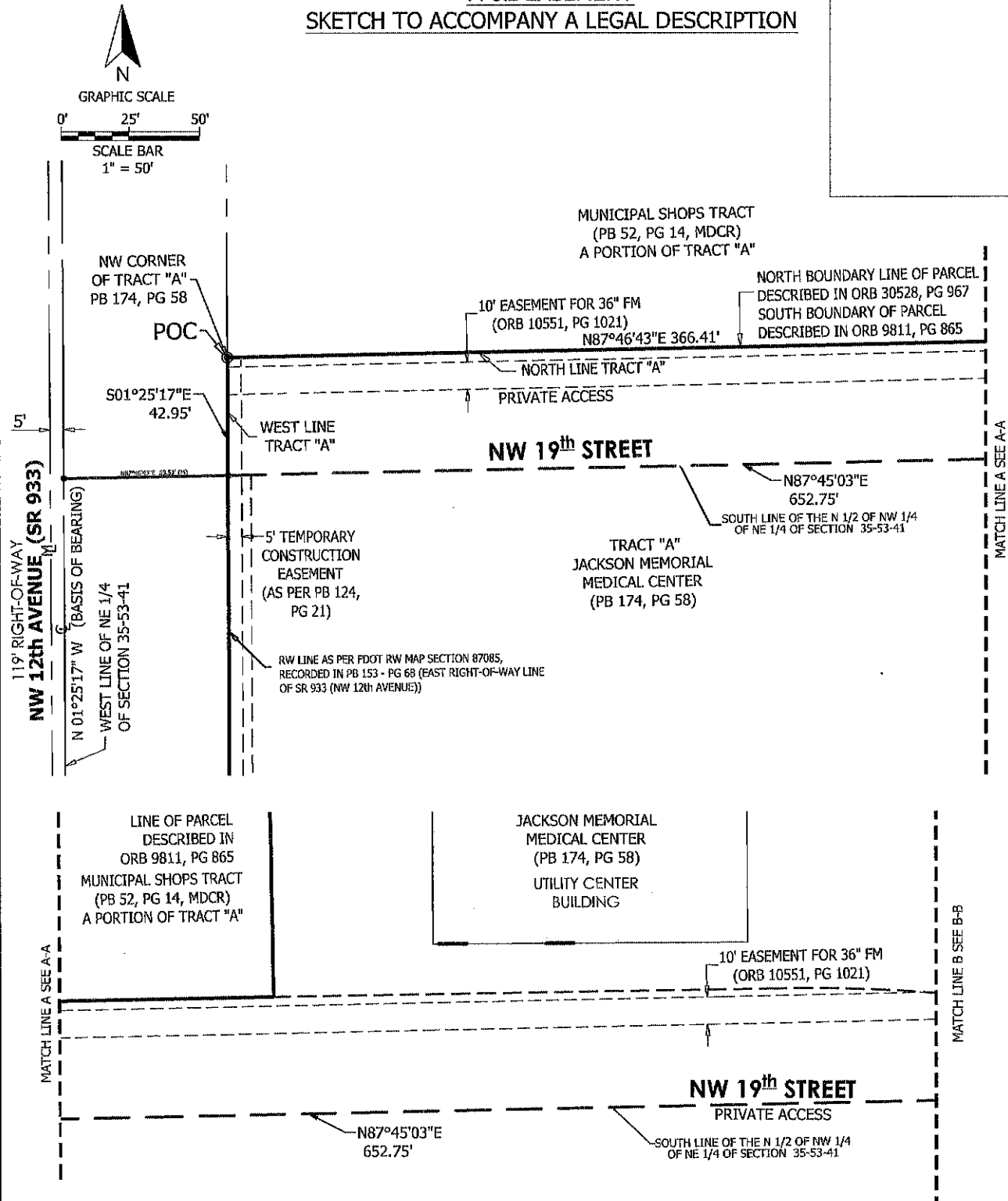
2

OF **4** SHEETS

ATTACHMENT "B"
MDC013

CITY OF MIAMI, MIAMI-DADE COUNTY
SEC. 35, TWP 53S, RGE 41E
PARCEL ID: 01-3135-104-0010

EXHIBIT "A"
FP&L EASEMENT
SKETCH TO ACCOMPANY A LEGAL DESCRIPTION



This Sketch & Legal Description is not full and complete without all sheets.

FRALEMAN

FR Aleman & Associates, Inc.
10305 NW 41 Street, Suite 200, Miami, FL 33178
Phone: 305.591.8777 Fax: 305.599.8749 LB: 6785

**JACKSON MEMORIAL
MEDICAL CENTER
UTILITY EASEMENT**

DRAWN BY: AP
CHECKED BY: GL
DATE: 03-18-2025
SCALE: 1" = 50'
JOB No.: 3361WO12

SHEET

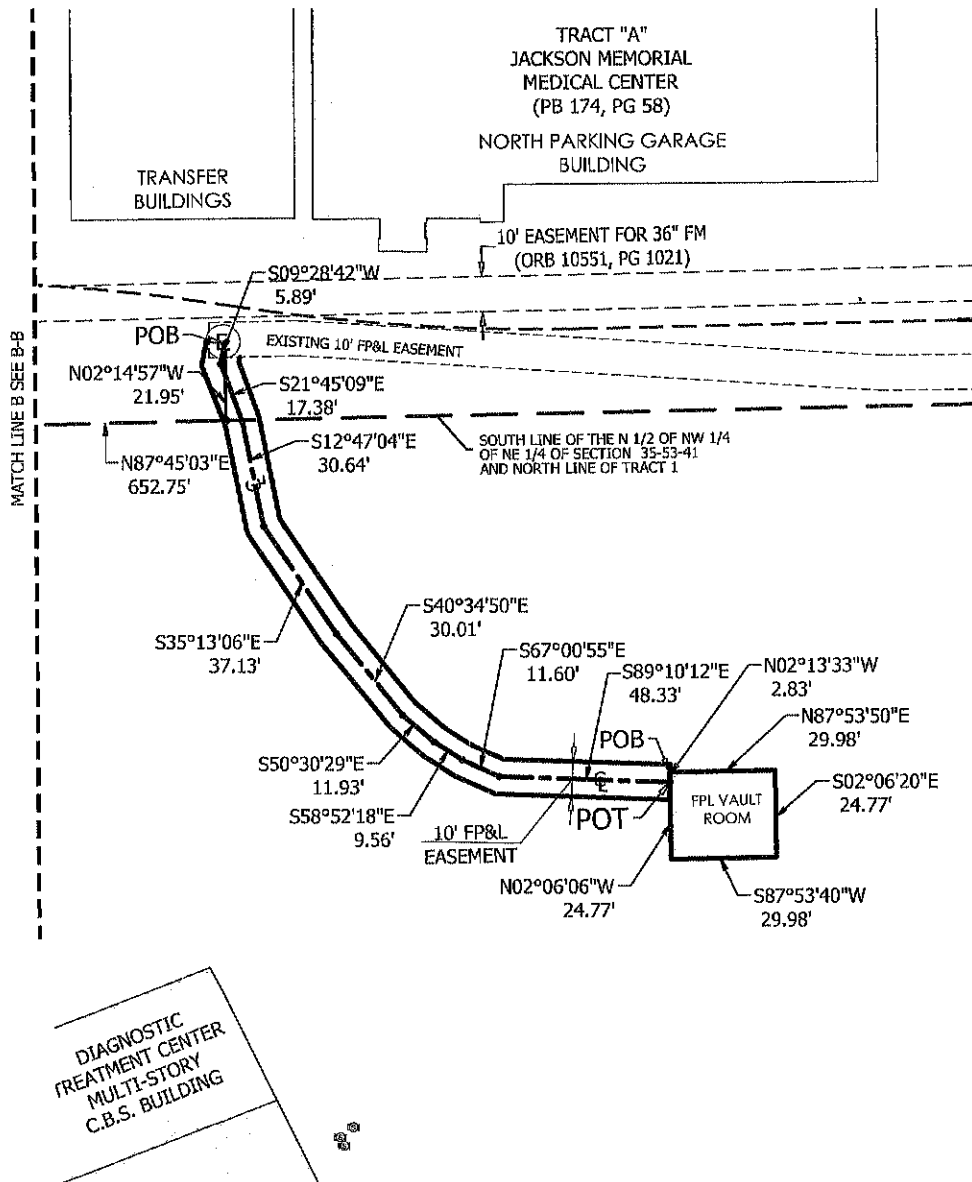
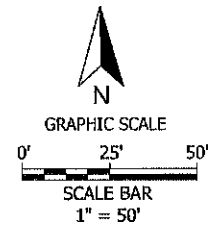
3

OF 4 SHEETS

ATTACHMENT "B"
MDC014

CITY OF MIAMI, MIAMI-DADE COUNTY
 SEC. 35, TWP 53S, RGE 41E
 PARCEL ID: 01-3135-104-0010

EXHIBIT "A"
FP&L EASEMENT
SKETCH TO ACCOMPANY A LEGAL DESCRIPTION



This Sketch & Legal Description is not full and complete without all sheets.

FRALEMAN

FR Aleman & Associates, Inc.
 10305 NW 41 Street, Suite 200, Miami, FL 33178
 Phone: 305.591.8777 Fax: 305.599.8749 LB: 6785

**JACKSON MEMORIAL
 MEDICAL CENTER
 UTILITY EASEMENT**

DRAWN BY: AP
 CHECKED BY: GL
 DATE: 03-18-2025
 SCALE: 1" = 50'
 JOB No.: 3361W012

SHEET

4

OF 4 SHEETS

ATTACHMENT "B"
 MDC015