

# MEMORANDUM

Agenda Item No. 8(L)(4)

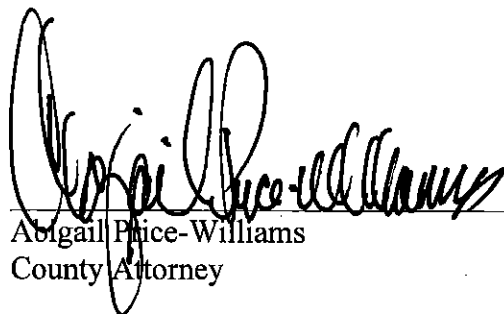
**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** January 22, 2020

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution approving an Amendment to Grant Agreement between Miami-Dade County and the Miami River Commission whereby Miami-Dade County provides an additional \$140,000.00 to the Miami River Commission for litter and debris removal and disposal from the waters of the Miami River in unincorporated Miami-Dade County in the FY 2019-20 Adopted Budget; authorizing the County Mayor to execute same and exercise all rights contained herein; and delegating authority to the County Mayor to execute corresponding future amendments when additional funding has been allocated by the Board

The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Commissioner Eileen Higgins.



Abigail Price-Williams  
County Attorney

APW/uw

# Memorandum



**Date:** January 22, 2020

Agenda Item No. 8(L)(4)

**To:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez".

**Subject:** Resolution Approving an Amendment to a Grant Agreement with Miami River Commission for Litter and Debris Removal and Disposal from the Miami River, and Authorizing the Execution of the Amendment

## **Recommendation**

It is recommended that the Board of County Commissioners (Board) approve the attached Amendment to a Grant Agreement with the Miami River Commission for litter and debris removal and disposal from the waters of the Miami River within unincorporated Miami-Dade County (Grant Agreement), and authorize the execution of the Amendment. Amendment No. 1 is attached as Exhibit 1 to the resolution.

## **Scope**

The work will be conducted in Commission District 2, represented by Commissioner Jean Monestime; District 5, represented by Commissioner Eileen Higgins; and District 6, represented by Vice Chairwoman Rebeca Sosa.

## **Fiscal Impact/Funding Source**

In the Fiscal Year 2018-19 Budget, the County allocated \$140,000.00 from the Countywide General Fund for the Miami River Commission, on a cost reimbursement basis, to provide debris removal and water purification services. The Fiscal Year 2019-20 County Budget again allocated \$140,000.00 for the same purpose to continue for a 12-month period upon completion of the initial 12-month period.

## **Track Record/Monitor**

The Assistant Director of the Department of Regulatory and Economic Resources, Division of Environmental Resources Management, Lee Hefty, will monitor the proposed Amendment.

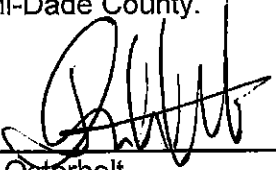
## **Background**

The Miami River Commission was created by Chapter 98-402, Laws of Florida, as the official coordinating clearinghouse for all public policy and projects related to the Miami River, and to coordinate on the development of plans, priorities, programs, projects, and budgets that might substantially improve the river area. The Miami River Commission is also tasked with ensuring that river projects are funded and implemented. The Miami River Commission, the City of Miami, and Miami-Dade County have cooperated on various projects to improve the health and aesthetic value of the Miami River and its watershed, including the funding of projects to remove debris and contamination from the Miami River.

The Miami River Commission, through contractors, collects and removes litter and debris from the Miami River within the City of Miami, from the NW 27 Avenue Bridge eastward to Biscayne Bay. On February 20, 2019, by Resolution No. R-222-19, the Board approved a Grant Agreement under which the County would reimburse the Miami River Commission up to \$140,000.00 over a 12-month period for the collection and removal of litter and debris on the waters of the Miami River within unincorporated Miami-Dade County, from the NW 27 Avenue Bridge westward to the S-26 Salinity Structure at NW 36 Street.

These activities allow a comprehensive approach to beautifying both the incorporated and unincorporated portions of the navigable Miami River and attracting more investment. The scavenger boat operates by traversing the water while removing any non-hazardous floating material, within the first two feet of water, including paper and plastic litter, aluminum cans, vegetation, animal debris, wood, leaves, and other similar debris. The collected material is then disposed of off-site.

The Grant Agreement set forth the responsibilities of both the County and the Miami River Commission and provided, for the original 12-month period, a not-to-exceed amount of \$140,000.00, with up to \$125,000.00 for the scavenger boat operation and related tasks, and up to \$15,000.00 for management by the Miami River Commission. Amendment No. 1 to the Grant Agreement provides an additional amount of up to \$140,000.00 for an additional 12-month period following the initial 12-month period. Any such funds that remain unspent by the Miami River Commission shall be retained by Miami-Dade County.



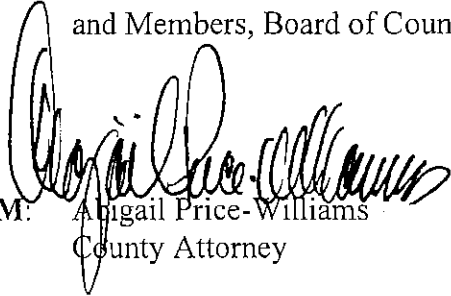
Jack Osterholt  
Deputy Mayor



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** January 22, 2020

**FROM:**   
Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 8(L)(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
- 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. 8(L)(4)  
1-22-20

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING AN AMENDMENT TO GRANT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE MIAMI RIVER COMMISSION WHEREBY MIAMI-DADE COUNTY PROVIDES AN ADDITIONAL \$140,000.00 TO THE MIAMI RIVER COMMISSION FOR LITTER AND DEBRIS REMOVAL AND DISPOSAL FROM THE WATERS OF THE MIAMI RIVER IN UNINCORPORATED MIAMI-DADE COUNTY IN THE FY 2019-20 ADOPTED BUDGET; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ALL RIGHTS CONTAINED HEREIN; AND DELEGATING AUTHORITY TO THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE CORRESPONDING FUTURE AMENDMENTS WHEN ADDITIONAL FUNDING HAS BEEN ALLOCATED BY THE BOARD

**WHEREAS**, the Board of County Commissioners ("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:

**Section 1.** This Board hereby approves Amendment No. 1 to the Grant Agreement, in substantially the form attached hereto and made a part hereof as Exhibit 1, between Miami-Dade County and the Miami River Commission which provides an additional \$140,000.00 allocated in the FY 2019-20 Adopted Budget to the Miami River Commission to conduct litter and debris removal and disposal from the waters of the Miami River within unincorporated Miami-Dade County, specifically from NW 27 Avenue to NW 36 Street along the Miami River.

**Section 2.** This Board hereby authorizes the County Mayor or County Mayor's designee to execute same and exercise all rights contained herein.

**Section 3.** This Board delegates authority to the County Mayor or the County Mayor's designee to execute corresponding future amendments to the Agreement, consistent with this amendment, when additional funding has been allocated by this Board to the Miami River Commission for litter and debris removal and disposal from the waters of the Miami River within unincorporated Miami-Dade County. Any such amendments shall be limited to the dollar amounts allocated by this Board to the Miami River Commission for litter and debris removal and disposal from the waters of the Miami River, and the amount authorized for administrative costs in any such amendment shall not exceed 15 percent of each allocation unless specifically provided in the adopted budget or resolution allocating additional funding.

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:

Audrey M. Edmonson, Chairwoman  
Rebeca Sosa, Vice Chairwoman

Esteban L. Bovo, Jr.	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Eileen Higgins	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 22<sup>nd</sup> day of January, 2020. 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

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Abbie Schwaderer-Raurell

# EXHIBIT 1

## AMENDMENT NO. 1

to

### Grant Agreement between Miami-Dade County, Florida, and the Miami River Commission

This Amendment No. 1 to the Agreement is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2020 by and between Miami-Dade County, Florida ("COUNTY"), a Political Subdivision of the State of Florida, and the Miami River Commission ("MRC").

**WHEREAS**, the Board of County Commissioners ("Board") allocated \$140,000 in the FY2018-19 Adopted Budget to MRC, acting through the Miami River Fund, Inc., for the specific purpose of supporting the annual costs of operating a scavenger boat for litter and debris removal from the waters of the Miami River within unincorporated Miami-Dade County, and

**WHEREAS**, the MRC, through contractors, performs maintenance and cleaning operations that include the aforementioned activities, and

**WHEREAS**, the Board approved the form, and authorized the execution, of a Grant Agreement between the COUNTY and MRC through Resolution No. R-222-19 for such aforementioned activities, and

**WHEREAS**, the COUNTY and MRC executed the Grant Agreement on March 27, 2019 for \$140,000, and

**WHEREAS**, the Board allocated an additional \$140,000 in the FY 2019-20 Adopted Budget to MRC for the same aforementioned activities.

**NOW, THEREFORE**, the Grant Agreement dated March 27, 2019 is hereby amended as follows:

1. In paragraph No. 1 to the Grant Agreement, the language is replaced with the following:

Subject to the provisions of this Agreement, the COUNTY shall reimburse the MRC for costs incurred for the management, and the collection and disposal of litter and debris along the Miami River in accordance with the below table.

Task	Task Description	Not-to Exceed Budget	Task Start Date	Task End Date
1	MRC Project Management, Administration and Invoicing	\$15,000	Upon execution of Agreement, which occurred on March 27, 2019	90 days after March 26, 2020
2	Scavenger boat contractual services	\$125,000	Upon execution of Agreement, which occurred on March 27, 2019	March 26, 2020
3	MRC Project Management, Administration and Invoicing	\$15,000	March 27, 2020	90 days after March 26, 2021
4	Scavenger boat contractual services	\$125,000	March 27, 2020	March 26, 2021
<b>TOTAL</b>	<b>Not-To-Exceed</b>	<b>\$280,000</b>		



Amendment No. 1 to the Grant Agreement between Miami-Dade County and the Miami River Commission

Page 2

Total payments to MRC by the COUNTY shall not exceed \$280,000. The COUNTY shall disburse these funds to MRC upon receipt and approval of quarterly invoices from the MRC detailing the task performed.

2. In paragraph No. 3 to the Grant Agreement, the language is replaced with the following:

For invoicing, MRC shall provide quarterly reports of costs incurred in the collection and disposal of litter and debris along Miami River during the term of this Agreement, as amended. The quarterly reports shall also document the debris removal activities conducted, the dates that debris and litter removal took place, volumes of material collected (reported in either volume or weight), and the location of waste material disposal. Any and all unspent funds remaining, after the quarterly invoice to be provided within 24 months of March 27, 2019, from the combined allocations totaling \$280,000, which is the subject of this Agreement, shall be retained by the COUNTY.

3. In paragraph No. 13 to the Grant Agreement, the language is replaced with the following:

Work contemplated under this Agreement, as amended, shall be completed within 24 months of March 27, 2019. Quarterly invoices shall be submitted to the COUNTY within 30 days of each quarter end and any remaining administrative costs shall be submitted to the COUNTY within the 90-day close-out period.

IN WITNESS WHEREOF, the Parties have caused this Amendment No. 1 to the Grant Agreement to be executed as of the date first above written.

ATTEST:

MIAMI RIVER COMMISSION

By: \_\_\_\_\_

By: \_\_\_\_\_  
BRETT BIBEAU, MANAGING DIRECTOR

ATTEST:

MIAMI-DADE COUNTY, FLORIDA

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
DEPUTY CLERK

By: \_\_\_\_\_  
CARLOS A. GIMENEZ, COUNTY MAYOR

Approved by County Attorney as to form and legal sufficiency: \_\_\_\_\_