

# Memorandum



**Date:** December 15, 2020

**To:** Honorable Acting Chairwoman Rebeca Sosa and Members, Board of County Commissioners

**From:** Daniella Levine Cava  
Mayor

**Subject:** Resolution Approving an Amendment for Time Extension to the Local Government Agreement with the South Florida Water Management District for Design of the Cutler Wetlands C-1 Flow Way Project

Agenda Item No. 14(A)(4)

A handwritten signature in blue ink that reads "Daniella Levine Cava".

**Recommendation**

It is recommended that the Board of County Commissioners (Board) approve Amendment No. 1 for time extension to the Local Government Agreement No. 4600004032 between Miami-Dade County and the South Florida Water Management District (SFWMD) for design of the Cutler Wetlands C-1 Flow Way Project, and authorize the County Mayor or County Mayor’s designee to execute Amendment No. 1 and execute any additional amendments for extensions of time only. The Amendment is attached as Exhibit A to the resolution.

**Scope**

The project will be constructed in undeveloped wetlands along the east side of the C-1 Canal beginning south of SW 224 Street and east of Old Cutler Road in Commission District 8, represented by Commissioner Daniella Levine Cava.

**Fiscal Impact/Funding Source**

The Amendment will have no additional fiscal impact to the County. Under the original Agreement, Miami-Dade County will reimburse the SFWMD up to \$289,012.00 from the Biscayne Bay Environmental Enhancement Trust Fund to fund 50 percent of the final design of specific elements of the project in order to restore the sheet flow of water through wetlands to Biscayne Bay. This Amendment is for extension of time only and therefore has no additional fiscal impact.

**Track Record/Monitor**

The Chief of Water Resources in the Department of Regulatory and Economic Resources, Division of Environmental Resources Management, Craig Grossenbacher, will monitor the agreement and amendment.

**Background**

The Cutler Wetlands C-1 Flow Way is a project element of the Biscayne Bay Coastal Wetlands (BBCW) Project, a component of the Comprehensive Everglades Restoration Plan (CERP). The objective of this project element is to improve the distribution of freshwater to Biscayne Bay and Biscayne National Park by redirecting water from the C-1 Canal to the coastal wetlands along Biscayne Bay. The Cutler Flow Way Project includes the design and construction of a pump station on the C-1 Canal, 7,000 linear feet of lined conveyance canal, 13,160 linear feet of spreader canal, controlled and uncontrolled box culverts under SW 87 and SW 97 Avenues and through the L-31E levee, and the plugging of ditches within the wetlands area east of SW 87 Avenue to discourage the unnatural channelization of the water delivered to the area by the spreader canal. The SFWMD will construct this project and requested funding assistance from Miami-Dade County to complete the

final project design. On October 3, 2019, under Resolution No. R-1060-19, the Board of County Commissioners approved a Local Government Agreement with the South Florida Water Management District whereby Miami-Dade County would provide funding assistance for design of specific elements of the Cutler Wetlands C-1 Flow Way Project, and authorized the disbursement of up to \$289,012 .00 from the Biscayne Bay Environmental Enhancement Trust Fund for those purposes.

On October 22, 2019, the County and the SFWMD executed the Local Government Agreement. Although substantial progress has been made on the design, the SFWMD's contractor has not yet completed any reimbursable tasks under the Agreement which is scheduled to expire on December 31, 2020. It is anticipated that these tasks will be completed by early 2021. Accordingly, the SFWMD has proposed an amendment to extend the terms of the Agreement by six (6) months and the new expiration date, as amended, would be June 30, 2021. The proposed Amendment No. 1 shall be effective upon the date of execution by both parties. All other terms and conditions of the Local Government Agreement would remain unchanged.

This resolution would also delegate to the County Mayor or County Mayor's designee the authority to execute future amendments to the Local Government Agreement for extensions of time only.


It is recommended that the attached resolution be approved authorizing execution of Amendment No. 1 to Local Government Agreement No. 4600004032.



**MEMORANDUM**  
(Revised)

**TO:** Honorable Acting Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** December 15, 2020

**FROM:**   
Gen Bonzon-Keenan  
Successor County Attorney

**SUBJECT:** Agenda Item No. 14(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
- 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. 14(A)(4)  
12-15-20

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

RESOLUTION APPROVING AMENDMENT FOR TIME EXTENSION TO THE LOCAL GOVERNMENT AGREEMENT NO. 4600004032 BETWEEN MIAMI-DADE COUNTY AND THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT FOR DESIGN OF THE CUTLER WETLANDS C-1 FLOW WAY PROJECT; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE ADDITIONAL AMENDMENTS FOR EXTENSIONS OF TIME

**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:

**Section 1.** This Board hereby approves Amendment No. 1, in substantially the form attached hereto and made a part hereof as Exhibit A, to Grant Agreement No. 4600004032 between Miami-Dade County and the South Florida Water Management District.

**Section 2.** This Board hereby authorizes the County Mayor or County Mayor's designee to execute Amendment No. 1.

**Section 3.** This Board hereby authorizes the County Mayor or County Mayor's designee to execute additional amendments to Grant Agreement No. 1 for extensions of time only.

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:

Rebeca Sosa, Acting Chairwoman

Jose "Pepe" Diaz

Oliver G. Gilbert, III

Sally A. Heyman

Eileen Higgins

Kionne L. McGhee

Raquel A. Regalado

Sen. René García

Keon Hardemon

Danielle Cohen Higgins

Joe A. Martinez

Jean Monestime

Sen. Javier D. Souto

The Chairperson thereupon declared this resolution duly passed and adopted this 15<sup>th</sup> day of December, 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 A



## SOUTH FLORIDA WATER MANAGEMENT DISTRICT AMENDMENT

4600004032-A01

AMENDMENT NO. 01

TO AGREEMENT NO. 4600004032

BETWEEN THE

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

AND

MIAMI-DADE COUNTY

This **AMENDMENT NO. 01**, is entered into on \_\_\_\_\_ to that Agreement dated October 22, 2019, between "the Parties," the South Florida Water Management District (District), and Miami-Dade County (County).

### Background

1. The Parties entered into the Agreement on October 22, 2019 for the County to provide financial assistance to the District for the Cutler Wetlands C-1 Flow Way Project in Miami Dade County, Florida.
2. The term of the Agreement is October 22, 2019 through December 31, 2020.
3. The Parties wish to amend the Agreement to extend the period of performance, of the Agreement.

### Terms and Conditions

4. The term of the Agreement is hereby extended by six (6) months and the expiration date, as amended, is June 30, 2021. This **AMENDMENT NO. 01** shall be effective upon the date of execution by the Parties.
5. This **AMENDMENT NO. 01** shall be at no additional cost to the District.
6. All other terms and conditions of the Agreement remain unchanged.



# SOUTH FLORIDA WATER MANAGEMENT DISTRICT AMENDMENT

IN WITNESS WHEREOF, the Parties or their duly authorized representatives hereby execute this **AMENDMENT NO. 01** on the date first written above.

## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

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

**Candida Heater, Director**  
Administrative Services Division

Date: \_\_\_\_\_

### SFWMD PROCUREMENT APPROVED

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

## MIAMI-DADE COUNTY

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

Title: \_\_\_\_\_

**County Mayor or County Mayor's Designee**