

Date: May 5, 2009
To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

Agenda Item No. 8(P)(1)(G)

From: George M. Burgess
County Manager

Resolution No. R-519-09

Subject: Resolution Authorizing Execution of an Intergovernmental Agreement between Miami-Dade County and the Homestead Air Reserve Base

RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) approve the attached resolution authorizing execution of an Intergovernmental Agreement between Miami-Dade County and the Homestead Air Reserve Base (HARB), providing for the development and operation of an aerial spray program for mosquito control.

SCOPE

This Agreement will provide for the potential spraying of areas comprised of HARB plus the inclusion of up to 100,000 acres of the County per aerial spray mission.

FISCAL IMPACT/FUNDING SOURCE

This Agreement will realize significant cost savings as the County will save up to \$76,000 for each mission that would normally be paid to a contractor for aerial spraying of the same amount of acreage. The expense for the County to supply and transport the insecticide to be used on each mission would be incurred whether this Agreement is executed or if the spraying is to be performed by a contractor.

DELEGATION OF AUTHORITY

The resolution authorizes the County Mayor or the County Mayor's designee to execute the agreement and to exercise its modification and cancellation provisions.

TRACK RECORD/MONITOR

Implementation and administration of all aspects this agreement will be assigned to Sandra Fisher, MPH, Chief, Mosquito Control Division, who will oversee coordination and administration with HARB.

BACKGROUND

HARB is developing an aerial spray program using the Air Force Spray Flight (757th Airlift Squadron) as the primary applicator. Aerial spray applications will become part of the integrated pest management strategies utilized by HARB for the control of mosquitoes.

Following a model that has been highly successful in other parts of the country, HARB has proposed an opportunity for Miami-Dade County Mosquito Control to formalize a potential relationship with HARB and receive spray applications during Air Force spray operations. The basic model, which has functioned extremely well at various locations across the Country, allows for the Spray Flight to

complete training requirements for their wartime and peacetime missions while making applications at HARB.

Before each mission, Miami-Dade County Mosquito Control will coordinate application schedules with HARB and provide the appropriate amount of pesticide to cover the requested spray areas. While individual mosquito spray missions are flown at HARB's initiation, Miami-Dade County Mosquito Control does not have to participate on the pre-set date if they feel a specific application is not warranted due to the current mosquito landing rates. In addition, Miami-Dade County Mosquito Control would not be under a continuing obligation to participate but may do so as long as the program is viewed as advantageous. An environmental assessment for the effects of Air Force mosquito spray operations is being prepared and will likely cap the maximum number of applications by the Air Force to three (3) or four (4) during a normal year. Rather than require an approval and a new resolution every year, the resolution includes language that allows the Interlocal Agreement to be renewed administratively on an annual basis as long as both parties accord with the terms set forth in the proposed agreement and wish to continue participation in this program.

The obvious benefit of pooling mosquito infested areas together to be sprayed at relatively the same time is that it takes advantage of the efficient nature of aerial applications. This increases community protection from disease transmitting and nuisance mosquitoes.

Mission dates for Miami-Dade County and HARB are tentatively scheduled prior to the start of mosquito season every year and include at least three (3) missions over the course of the season.



Assistant County Manager




MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: May 5, 2009

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

SUBJECT: Agenda Item No. 8(P)(1)(G)

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 Mayor'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. 8(P)(1)(G)
5-5-09

RESOLUTION NO. R-519-09

RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE HOMESTEAD AIR RESERVE BASE TO PERFORM AERIAL SPRAY OPERATIONS FOR MOSQUITO CONTROL

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

WHEREAS, both the Homestead Air Reserve Base and Miami-Dade County wish to facilitate the development and operation of an aerial spray program for mosquito control using the Air Force Spray Flight (757th Airlift Squadron),

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the Interlocal Agreement between Miami-Dade County and the Homestead Air Reserve Base to facilitate the development and operation of an aerial spray program for mosquito control, in substantially the form attached hereto and made a part of hereof; and authorizing the County Mayor or County Mayor's designee to execute same for and on behalf of Miami-Dade County and to exercise the provisions contained therein.

Resolution No. R-519-09

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The foregoing resolution was offered by Commissioner **Jose "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Carlos A. Gimenez** and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman	aye		
Jose "Pepe" Diaz, Vice-Chairman	aye		
Bruno A. Barreiro	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	absent
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of May, 2009. 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: **Diane Collins**
Deputy Clerk



Approved by County Attorney as to form and legal sufficiency.

Hugo Benitez

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
MIAMI-DADE COUNTY
AND
HOMESTEAD AIR RESERVE BASE**

THIS INTERGOVERNMENTAL AGREEMENT (this "Agreement") is made and entered into this ____ day of _____ 2009, by and between **MIAMI-DADE COUNTY** a political subdivision of the STATE OF FLORIDA, hereinafter referred to as the "County", and the **UNITED STATES OF AMERICA**, acting by and through the United States Air Force, Homestead Air Reserve Base "HARB".

WITNESSETH

WHEREAS, both parties herein wish to facilitate the development of an aerial spray program using the Air Force Spray Flight (757th Airlift Squadron) as the primary applicator; and

WHEREAS, the extension of this spray program would include areas of Miami-Dade County where HARB members live;

NOW, THEREFORE, in respect of the mutual promises contained herein, the County and HARB agree as follows:

1. Subject to the limitations set forth in Section 768.28 of the Florida Statutes, the County agrees to save HARB, including but not limited to, the defense of any claim or lawsuit, for loss or damage to property or in connection with the performance of this Agreement, including but not limited to, claims arising from the possible invasion of property rights by low altitude flying and any and all claims arising out of or occasioned by any trespass over or upon public or private property whether such be for the purpose of spraying or

inspecting, but specifically excluding claims arising from aerial crash, collision, or from objects accidentally falling from the aircraft dispensing the pesticide.

2. The County, through the Miami-Dade County Public Works Department Mosquito Control Division, will coordinate applications with HARB, and provide the appropriate amount of pesticide to cover the requested spray areas under County jurisdiction.
3. HARB will issue public service announcements 24 hours in advance of applications.
4. That for and in consideration of the above set forth Agreement, HARB agrees to spray for the eradication of mosquitoes by airplane within the County in a predetermined combination of spray blocks as outlined in "EXHIBIT A," attached to and made a part of this Agreement, for the term from the date of this instrument through 31 December 2009.
5. That this Agreement shall be binding upon said parties during the period from the date of this instrument for an initial term which shall expire December 31, 2009. This Agreement may be administratively extended for twelve (12) month periods after December 31, 2009 thereafter upon written notice from HARB to the County.
6. No statements, representations, warranties, either written or oral, from whatever source arising, except as expressly stated in this Agreement, shall have any legal validity between the parties or be binding upon any of them. The parties acknowledge that this Agreement contains the entire understanding and agreement of the parties with respect to the subject matter hereof.
7. Any and all notices required to be given under this Agreement shall be sent by first class mail, addressed as follows:

To the County:

Sandra L. Fisher, MPH, Chief
Miami-Dade County Public Works Department
Mosquito Control Division
8901 NW 58 Street
Miami, Florida 33178
(305) 592-1187

To HARB:

Michael J. Andrejko, EIAP/Natural Resources Program Manager
482 MSG/CEV
29350 Westover Street
Bldg. 232
Homestead ARB, FL 33019-1299
Comm: (305) 224-7344
DSN: 791-7344

IN WITNESS WHEREOF, the parties hereto set their hands and official seals the day and year first above written.

ATTEST:

HARVEY RUVIN
CLERK OF THE BOARD

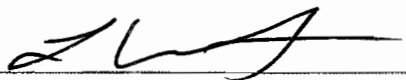
MIAMI-DADE COUNTY, FLORIDA,
BY ITS BOARD OF
COUNTY COMMISSIONERS

BY: _____
Deputy Clerk

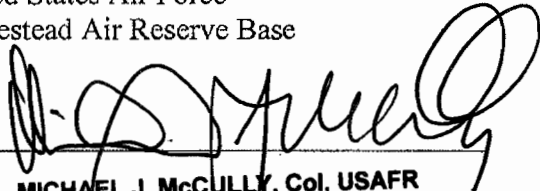
BY: _____
County Mayor or County Mayor's Designee

Approved by County Attorney
as to form and legal sufficiency _____
County Attorney

ATTEST:

BY: 
6 APR 09

United States Air Force
Homestead Air Reserve Base

BY: 
MICHAEL J. McCULLY, Col, USAFR
Commander, 482nd Mission Support Group
6 APR 09

