

MEMORANDUM

Agenda Item No. 11(A)(2)

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

DATE: December 3, 2019

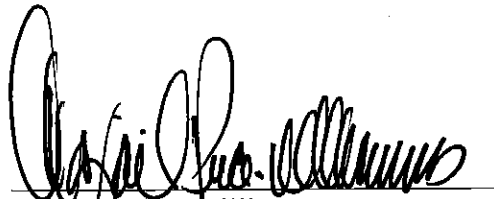
FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the
County Mayor to establish a
prequalification pool of vendors
to aid in the cleanup of
abandoned personal property
on County swales and rights-of-
way in circumstances specified
in the October 1, 2018 Illegal
Dumping Task Force Report;
and to prepare a report

Resolution No. R-1327-19

This item was amended at the 11-15-19 Health Care and County Operations Committee to remove the references in section 2 to the Department of Solid Waste Management's budget and bond covenants.

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



Abigail Price-Williams
County Attorney

APW/lmp

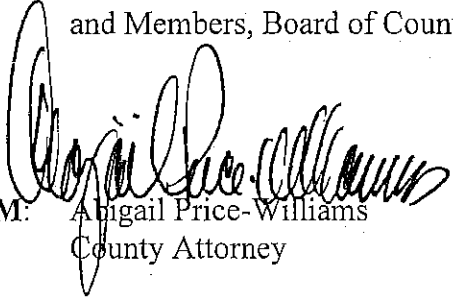


MEMORANDUM

(Revised)

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

DATE: December 3, 2019

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(2)

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

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Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(2)

12-3-19

RESOLUTION NO. _____ R-1327-19

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ESTABLISH A PREQUALIFICATION POOL OF VENDORS TO AID IN THE CLEANUP OF ABANDONED PERSONAL PROPERTY ON COUNTY SWALES AND RIGHTS-OF-WAY IN CIRCUMSTANCES SPECIFIED IN THE OCTOBER 1, 2018 ILLEGAL DUMPING TASK FORCE REPORT; AND TO PREPARE A REPORT

WHEREAS, illegal dumping in Miami-Dade County is a serious issue that creates a wide range of problems; and

WHEREAS, illegal dumping may pose serious environmental challenges and sometimes occurs on environmentally sensitive areas, such as wetlands; and

WHEREAS, illegal dumping may also be an economic threat to the County and its residents; and

WHEREAS, illegal dumping is a problem in the County's residential areas, such as when violators illegally dump materials on a resident's otherwise legal bulky waste pick-up pile; and

WHEREAS, illegal dumping is a problem in the County's rural, agricultural areas, such as when violators illegally dump materials on the right-of-way or on another person's real property; and

WHEREAS, this Board previously adopted Resolution No. R-1201-17 and directed the administration to create the Miami-Dade County 2017 Illegal Dumping Task Force ("the Task Force"); and

WHEREAS, the Task Force was created to investigate the causes and effects of illegal dumping in the County, and the applicable laws and regulations, enforcement, and punishment

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relating to illegal dumping, and to make recommendations to the County's Board of County Commissioners (the "Board") and the County Mayor to better address and combat illegal dumping; and

WHEREAS, the Task Force issued its Illegal Dumping Task Force Report ("the Report") on October 1, 2018; and

WHEREAS, at its December 4, 2018 meeting, the Board accepted the Report; and

WHEREAS, in an effort to prevent illegal dumping, the Report recommended, among other things, the establishment of a prequalification pool of vendors (the "pool") to aid in the cleanup of personal property, such as boats and tractor truck trailers, that is abandoned on the County's swales and rights-of-way; and

WHEREAS, more specifically, the Report recommended the pool only be used when the County does not have the resources or equipment to remove the personal property from the swales and rights-of-way; and

WHEREAS, the Report did not recommend the appropriate term for the pool, the aggregate expenditure authority for the pool, or whether there exists another more effective way to competitively procure such services,

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

Section 1. The foregoing recitals are approved and incorporated as if fully set forth here.

Section 2. Directs the County Mayor or County Mayor's designee to establish a prequalification pool of vendors (the "pool") to aid in the cleanup of abandoned personal property on County swales or rights-of-way when the County does not have the resources or equipment to

remove the abandoned personal property as determined at the discretion of the County Mayor or designee, with consideration of, at a minimum, the following:

- (a) The appropriate term for the pool;
- (b) The aggregate expenditure authority for the pool;
- (c) ~~[[The Department of Solid Waste Management's budget, legally]]~~¹ >>Legally<< available funds ~~[[, and bond covenants]]~~; and
- (d) Whether another more effective competitive procurement method exists to establish services to aid in the cleanup of personal property on the County's swales and rights-of-way.

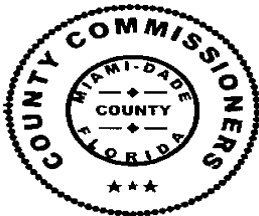
Section 3. Directs the County Mayor or County Mayor's designee, within 60 days of the effective date of this resolution, either to propose to the Board the establishment of the pool, or, in the alternative, to provide a report to this Board detailing the findings as to why the pool is not the most effective competitive procurement method to establish services to aid in the cleanup of abandoned personal property in the County's swales or rights-of-way. Either the proposal establishing the pool or the report shall be placed on an agenda of the Board as required by Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Jose "Pepe" Diaz and the Co-Sponsor is Commissioner Sally A. Heyman. It was offered by Commissioner **Rebeca Sosa** , who moved its adoption. The motion was seconded by Commissioner **Xavier L. Suarez** and upon being put to a vote, the vote was as follows:

¹ Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

Audrey M. Edmonson, Chairwoman	aye		
Rebeca Sosa, Vice Chairwoman	aye		
Esteban L. Bovo, Jr.	aye	Daniella Levine Cava	aye
Jose "Pepe" Diaz	aye	Sally A. Heyman	absent
Eileen Higgins	aye	Barbara J. Jordan	absent
Joe A. Martinez	absent	Jean Monestime	aye
Dennis C. Moss	absent	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 3rd day of December, 2019. 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

Linda L. Cave

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Angela Benjamin