

# MEMORANDUM

Agenda Item No. 11(A)(14)

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**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**DATE:** May 3, 2022

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Resolution directing the County Mayor to negotiate and execute an agreement with LJ Yodock & Associates, LLC for a pilot project or product demonstration at no cost to the County relating to the JoJo Block flood barrier in accordance with Implementing Order 3-38, to identify an appropriate location, and to provide a report

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



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Geri Bonzon-Keenan  
County Attorney

GBK/uw



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

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Gen Bonzon-Keenan  
County Attorney

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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)(14)  
5-3-22

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

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH LJ YODOCK & ASSOCIATES, LLC FOR A PILOT PROJECT OR PRODUCT DEMONSTRATION AT NO COST TO THE COUNTY RELATING TO THE JOJO BLOCK FLOOD BARRIER IN ACCORDANCE WITH IMPLEMENTING ORDER 3-38, TO IDENTIFY AN APPROPRIATE LOCATION, AND TO PROVIDE A REPORT

**WHEREAS**, Implementing Order 3-38 authorizes the County Mayor to enter into pilot projects and product demonstration agreements with prospective County vendors for the purpose of testing and evaluating technology, products, and services; and

**WHEREAS**, such agreements must: (1) be for a period not to exceed 12 months from the initiation of the pilot project or demonstration; (2) be provided at no cost to the County with the exception of any ordinary cost for County employees or consultants to review such technology, products or services; (3) not contain any exclusive dealing, in-kind or advertising commitments by the County; (4) provide for indemnification of the County; (5) provide for County ownership of any data generated during the testing and observation period; and (6) be terminable at will by the County; and

**WHEREAS**, Miami-Dade County is committed to understanding, evaluating, and implementing innovative technology, emerging products, and efficient services to modernize the County's various systems and services to the public; and

**WHEREAS**, vendors frequently offer their innovative processes, products, and services at no charge to the County on a trial basis; and

**WHEREAS**, LJ Yodock & Associates, LLC (“Yodock”) is a company that has developed products, such as the JoJo Block, for flood prevention and shoreline stabilization; and

**WHEREAS**, Yodock claims that the JoJo Block is a flood barrier that is easily assembled and cleaned, and can be deployed rapidly; and

**WHEREAS**, Yodock further claims that the JoJo Block flood barrier is available in various configurations, including a configuration that reduces the amount of sand that blows from shorelines into populated areas; and

**WHEREAS**, additionally, Yodock claims that the JoJo Block can stabilize or create marshes and wetlands; and

**WHEREAS**, this Board desires for the County administration to test and observe the JoJo Block offered by Yodock on a short-term basis in accordance with Implementing Order 3-38 to determine whether this product would be beneficial to Miami-Dade County and its residents; and

**WHEREAS**, this Board also desires that the County administration determine the best location within the County for the JoJo Block to be tested,

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

**Section 1.** Approves the foregoing recitals, which are incorporated herein by reference.

**Section 2.** Directs the County Mayor or County Mayor’s designee to negotiate and, if successful, execute an agreement with Yodock for a pilot project or product demonstration at no cost to the County relating to the JoJo Block, including identification of a testing site location within Miami-Dade County, within 60 days of the effective date of this resolution. The terms of the agreement shall be in accordance with the requirements for pilot projects and product

demonstration agreements set forth in Implementing Order 3-38 and, accordingly, such agreement may not serve as a basis for any non-competitive purchase other than a bid waiver or sole source purchase and may not serve as the sole basis of the public interest justification of any bid waiver. However, if no agreement can be negotiated under terms agreeable to Miami-Dade County, then the County Mayor or County Mayor's designee shall provide a report to the Board within 30 days after the conclusion of negotiations describing why an agreement could not be reached. The completed report shall be placed on an agenda of the full Board without committee review pursuant to Ordinance No. 14-65.

**Section 3.** The County Mayor or County Mayor's designee is further directed to provide a report to the Board, within 90 days of the effective date of this resolution, describing the results of the pilot project or product demonstration and any relevant recommendations. In the event that no major flooding event occurs, and the pilot project or product demonstration cannot be conducted within 90 days of this resolution, the County Mayor or County Mayor's designee shall provide such report within 30 days after the conclusion of the pilot project or product demonstration. The completed report shall be placed on an agenda of the full Board without committee review pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Jean Monestime. It 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:

Jose "Pepe" Diaz, Chairman  
Oliver G. Gilbert, III, Vice-Chairman  
Sen. René García  
Sally A. Heyman  
Eileen Higgins  
Kionne L. McGhee  
Raquel A. Regalado  
Sen. Javier D. Souto  
Keon Hardemon  
Danielle Cohen Higgins  
Joe A. Martinez  
Jean Monestime  
Rebeca Sosa

The Chairperson thereupon declared this resolution duly passed and adopted this 3<sup>rd</sup> day of May, 2022. 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.



Cristina M. Rabionet