

MEMORANDUM

Non-Agenda Item No. 15(F)(1)

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

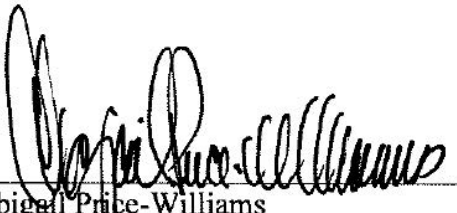
DATE: October 20, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution authorizing the County Mayor to finalize and execute an agreement between Miami-Dade County and FDG Countyline LLC for the purchase of up to 20 wetland mitigation credits, together with the cost of modifying FDG's permits to permit all wetland impacts for the 107 Avenue roadway and canal project between NW 138 Street and NW 170 Street, where such cost shall not exceed \$895,000.00 and FDG Countyline LLC's remedies shall be limited to the purchase price and prompt payment remedies under the code; and directing the County Mayor to report back to this Board at the November 19, 2020 Board of County Commissioners meeting regarding execution of this agreement

Resolution No. R-1130-20

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



Abigail Price-Williams
County Attorney

APW/uw

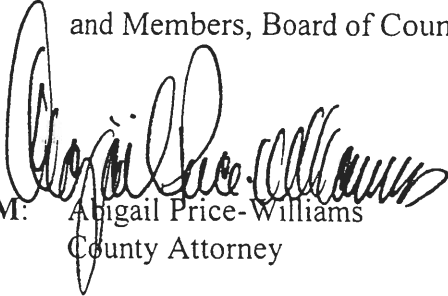


MEMORANDUM

(Revised)

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

DATE: October 20, 2020

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Non-Agenda Item No. 15(F)(1)

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 _____

Non-Agenda Item No. 15(F)(1)
10-20-20

RESOLUTION NO. R-1130-20

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO FINALIZE AND EXECUTE AN AGREEMENT BETWEEN MIAMI-DADE COUNTY AND FDG COUNTYLINE LLC FOR THE PURCHASE OF UP TO 20 WETLAND MITIGATION CREDITS, TOGETHER WITH THE COST OF MODIFYING FDG'S PERMITS TO PERMIT ALL WETLAND IMPACTS FOR THE 107 AVENUE ROADWAY AND CANAL PROJECT BETWEEN NW 138 STREET AND NW 170 STREET, WHERE SUCH COST SHALL NOT EXCEED \$895,000.00 AND FDG COUNTYLINE LLC'S REMEDIES SHALL BE LIMITED TO THE PURCHASE PRICE AND PROMPT PAYMENT REMEDIES UNDER THE CODE; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO REPORT BACK TO THIS BOARD AT THE NOVEMBER 19, 2020 BOARD OF COUNTY COMMISSIONERS MEETING REGARDING EXECUTION OF THIS AGREEMENT

WHEREAS, at the October 20, 2020 Board of County Commissioners meeting, a motion was made relating to wetland mitigation credits that are necessary to construct the 107 Avenue roadway and canal project between NW 138 Street and NW 170 Street that was previously approved by this Board,

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

Section 1. In order to construct the 107 Avenue roadway and canal project between NW 138 Street and NW 170 Street that was previously approved by this Board, this Board authorizes the County Mayor or County Mayor's designee to finalize and execute, following approval by the County Attorney's Office for legal form and sufficiency, an agreement between the County and FDG Countyline LLC for the purchase of up to 20 wetland mitigation credits, together with the cost of modifying FDG's permits to permit all wetland impacts for this project,

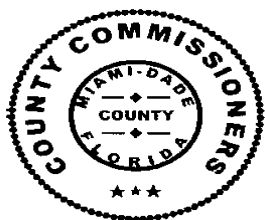
where such cost, as provided by staff, shall not exceed \$895,000.00, and FDG's remedies under the contract shall be limited to the purchase price and prompt payment remedies under the Code.

Section 2. This Board directs the County Mayor or County Mayor's designee to report back to this Board at the November 19, 2020 Board of County Commissioners meeting regarding execution of this agreement. The required report shall be placed on an agenda of this Board pursuant to Ordinance No. 14-65.

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

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

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of October, 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: Melissa Adames
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "ASR", is written over a horizontal line.

Abbie Schwaderer-Raurell