

Memorandum



Date: June 15, 2021

To: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

Agenda Item No. 8(J)(1)

From: Daniella Levine Cava
Mayor

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

Resolution No. R-598-21

Subject: Resolution Authorizing the Application, Receipt and Expenditure of Grant Funds for Seaport Capital Projects and/or Operating Costs from Available State or Federal Funding Sources and Authorizing the County Mayor or County Mayor’s Designee to Execute Grant Agreements, Supplemental Grant Agreements, and Related Amendments in Connection therewith

Recommendation

It is recommended that the Board of County Commissioners (“Board”) approve the accompanying resolution (1) authorizing the application, receipt and expenditure of grant funds for Seaport Department (“Seaport”) capital projects and/or operating costs from available state or federal funding sources, notwithstanding any limitations contained in Resolution No. R-1170-06 if any required matching funds are legally available for such use; (2) authorizing the County Mayor or County Mayor’s designee to execute grant agreements, supplemental grant agreements, and related amendments in connection therewith; and (3) directing the County Mayor or County Mayor’s designee to report to the Board on a quarterly basis if any Seaport-related grant agreements, supplemental grant agreements, or amendments are entered during the preceding quarter.

Scope

PortMiami is located within County Commission, which is represented by Commissioner Eileen Higgins. The impact of this agenda item is countywide, as the Port is a regional asset and generates employment for residents throughout Miami-Dade County.

Background

Throughout the years, the Seaport has been successful in securing grant funds from various state and federal programs. This funding has played a significant role in financing port transportation and port facilities projects which improve the movement and intermodal transportation of cargo and passengers. Funds from these various programs are utilized to fund projects on a matching basis.

In order to be eligible to apply for available grant funds, state and federal agencies typically require applicants to abide by strict application deadlines, which may not afford sufficient time for the administration to seek and obtain prior Board approval of each grant sought. To maximize the Seaport’s ability to timely apply for available state and federal grants, this Board has previously authorized the application, receipt and expenditure of grant funds for Port security and mitigation costs (Resolution No. R-390-05) and authorized the execution of certain standard form joint participation agreements and supplemental joint participation agreements with various departments of the State of Florida (Resolution No. R-1434-04).

Through the years, these prior Board delegations have enabled the Seaport Department to timely and successfully obtain millions of dollars of state and federal grant dollars.

Due to certain agencies recently changing the names of their respective grant agreements (i.e., Florida Department of Transportation’s standard form agreement, formerly known as a “Joint Participation Agreement” or “JPA,” is now a “Public Transportation Grant Agreement”), the above-described resolutions authorizing the Seaport to apply for, obtain, and expend state and federal grant funds need to be updated to comport with these recent changes in grant terminology. The proposed item reaffirms the intent of Resolution Nos. R-1434-04 and R-390-05, and further clarifies that, notwithstanding the limitations contained in Resolution No. R-1170-06, the County Mayor or County Mayor’s designee is authorized to apply for, receive, and expend grant funds for Seaport capital or operating costs from any available federal or state funding source and to enter into Seaport-related grant agreements, supplemental grant agreements, and related amendments on behalf of the County, after review and approval of same by the County Attorney’s Office. As did Resolution R-1434-04, this item also directs the administration to provide the Board with quarterly reports identifying each grant agreement, supplemental grant agreement, and related amendment entered into during the prior quarter.

Delegation of Authority

This resolution, delegates authority to the County Mayor or County Mayor’s designee to apply for, receive, and expend grant funds for Seaport capital projects and/or operating costs from any available state or federal funding sources, to execute Seaport-related grant agreements, supplemental grant agreements, and amendments thereto, and to exercise all rights conferred therein not otherwise reserved to the Board.

Fiscal Impact/Funding Source

This item authorizes the County Mayor or the County Mayor’s designee to enter into grant agreements, supplemental grant agreements, and amendments thereto for various PortMiami capital improvement projects and/or operating costs. Though each of the grants will have a positive fiscal impact, there is no anticipated new adverse fiscal impact associated with approval of this item as Seaport-related grant agreements and supplemental agreements authorized hereunder will be executed only after the Board approves each respective capital project for which funds are being requested.

Track Record/Monitor

The Seaport Department staff members responsible for monitoring the grant agreements Basil A. Binns, II, Assistant Port Director, Administration and Cruise Development, and Kelli V. Gay, Seaport Grants Administration.



Jimmy Morales
Chief Operations Officer



MEMORANDUM

(Revised)

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

DATE: June 15, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(J)(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 Daniella Lane Carr Mayor
Veto _____
Override _____

Agenda Item No. 8(J)(1)
6-15-21

RESOLUTION NO. _____ R-598-21

RESOLUTION AUTHORIZING THE APPLICATION, RECEIPT, AND EXPENDITURE OF GRANT FUNDS FOR SEAPORT DEPARTMENT CAPITAL PROJECTS AND/OR OPERATING COSTS FROM ANY AVAILABLE STATE OR FEDERAL FUNDING SOURCES, NOTWITHSTANDING ANY LIMITATIONS CONTAINED IN RESOLUTION NO. R-1170-06; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE GRANT AGREEMENTS, SUPPLEMENTAL GRANT AGREEMENTS, AND RELATED AMENDMENTS IN CONNECTION THEREWITH AND TO EXERCISE ALL RIGHTS CONFERRED THEREIN; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO REPORT TO THE BOARD ON A QUARTERLY BASIS ANY SEAPORT RELATED GRANT AGREEMENTS, SUPPLEMENTAL AGREEMENTS, OR AMENDMENTS ENTERED DURING THE PRECEDING QUARTER

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 this Board:

Section 1. Authorizes the application, receipt, and expenditure of grant funds for Seaport Department ("Seaport") capital projects, operating costs, or any combination thereof from any available state or federal funding sources, notwithstanding any limitations contained in Resolution No. R-1170-06 if any required matching funds are legally available for such use.

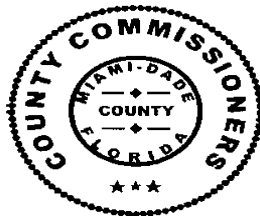
Section 2. Authorizes the County Mayor or County Mayor's designee to execute Seaport-related grant agreements, supplemental grant agreements, and amendments to either, after review and approval by the County Attorney's Office, and to exercise all rights conferred therein, including any rights of renewal, extension, or termination.

Section 3. Directs the County Mayor or County Mayor’s designee to report to the Board on a quarterly basis, in accordance with Ordinance No. 14-65, if Seaport-related grant agreements, supplemental agreements, or amendments are entered during the preceding quarter.

The foregoing resolution was offered by Commissioner **Rebeca Sosa** , 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:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 15th day of June, 2021. 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.

MAG

Miguel A. Gonzalez