

**RESOLUTION NO. 2023-R-96**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE A SECOND AMENDMENT TO THE LICENSE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES, TO EXTEND THE TERM OF THE AGREEMENT AND AUTHORIZE THE CITY TO OPERATE A TRANSFER STATION AT THE BISCAYNE BAY CAMPUS; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.**

**WHEREAS**, the City of North Miami (“City”) and the Florida International University Board of Trustees (“FIU”) wish to make the most efficient use of their powers by entering into a Second Amendment to License Agreement allowing for the City’s continued operation of a Transfer Station at the Biscayne Bay Campus; and

**WHEREAS**, the City and FIU are currently parties to a License Agreement with a term beginning June 27, 2019, and ending June 26, 2021; and

**WHEREAS**, on June 22, 2021, the Mayor and City Council adopted Resolution No. 2021-R-65 authorizing the execution of a First Amendment to the License Agreement which extended to term to June 26, 2023; and

**WHEREAS**, the City is responsible for the collection and disposal of vegetative matter resulting from landscaping maintenance or land clearing or clean-up operations which includes items such as leaves, grass clippings, palm fronds, limbs, hedge trimming and shrubbery (“Yard Trash”) as defined in section 403.703, Florida Statutes; and

**WHEREAS**, the City is in need of operating a transfer station to temporarily store Yard Trash prior to disposal; and

**WHEREAS**, FIU has agreed to continue the use of a portion of the Biscayne Bay Campus to provide for the operation of the City’s transfer station; and

**WHEREAS**, the proposed Second Amendment to the License Agreement will extend the term of the agreement through November 30, 2025; and


**WHEREAS**, the City administration respectfully requests that the Mayor and City Council authorize the execution of an extension to the agreement, in substantially the attached form, authorizing the operation of a Transfer Station at the Biscayne Bay Campus.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:**


**Section 1.**      **Authority to execute an agreement.** The Mayor and City Council of the City of North Miami, Florida, hereby authorize the City Manager and City Attorney to execute a Second Amendment to the License Agreement, in substantially the attached form, between the City of North Miami and the Florida International University Board of Trustees, to extend the term of the agreement and authorize the City to operate a transfer station at the Biscayne Bay Campus.

**Section 2.**      **Effective Date.**      This Resolution shall be effective upon adoption.

**PASSED AND ADOPTED** by a 5 - 0 vote of the Mayor and City Council of the City of North Miami, Florida, this 13th day of June, 2023.

  
ALIX DESULME, Ed.D.  
MAYOR

ATTEST:

  
\_\_\_\_\_  
VANESSA JOSEPH, ESQ.  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
JEFF P. H. CAZEAU, ESQ.  
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Estimé-Irvin

Seconded by: Charles

**Vote:**

Mayor Alix Desulme, Ed.D.	<u>X</u>	(Yes)	<u>        </u>	(No)
Vice-Mayor Mary Estimé-Irvin	<u>X</u>	(Yes)	<u>        </u>	(No)
Councilman Scott Galvin	<u>X</u>	(Yes)	<u>        </u>	(No)
Councilwoman Kassandra Timothe, MPA	<u>X</u>	(Yes)	<u>        </u>	(No)
Councilman Pierre Frantz Charles	<u>X</u>	(Yes)	<u>        </u>	(No)