

RESOLUTION No. 13-139

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA APPROVING THE ADOPT-A-STREET LITTER REMOVAL AGREEMENT WITH TOYS FOR KIDS MIAMI FOUNDATION FOR THE PROVISION OF LITTER-REMOVAL ACTIVITIES ALONG N.W. 41ST STREET FROM N.W. 79TH AVENUE TO N.W. 87TH AVENUE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Doral through Resolution No. 05-12 established an “Adopt-A-Street” Program permitting local organizations, private corporations and volunteer groups to beautify City-maintained roads through litter-removal activities and landscaping efforts; and

WHEREAS, Toys For Kids Miami Foundation wishes to adopt N.W. 79th Avenue from N.W. 25th Street to N.W. 36th Street; and

WHEREAS, Staff respectfully requests that the City Council approve the Adopt-A-Street Program Litter Removal Agreement with Toys For Kids Miami Foundation for the provision of litter-removal services along N.W. 79th Avenue from N.W. 25th Street to N.W. 36th Street.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true, correct, and incorporated herein by this reference.

Section 2. Approval. The Adopt-A-Street Program Litter Removal Agreement between the City and Toys for Kids Miami Foundation for the provision of litter-removal services along N.W. 79th Avenue from N.W. 25th Street to N.W. 36th Street, a copy of which is attached hereto as Exhibit “A” is hereby approved.

Section 3. Effective Date. This Resolution shall take effect immediately upon adoption.

The foregoing resolution was offered by Vice Mayor Fraga who moved its adoption. The motion was seconded by Councilmember Rodriguez and upon being put to a vote, the vote was as follows:

| | |
|---|-----|
| Mayor Luigi Boria | Yes |
| Vice Mayor Christi Fraga | Yes |
| Councilwoman Ana Maria Rodriguez | Yes |
| Councilwoman Bettina Rodriguez-Aguilera | Yes |
| Councilwoman Sandra Ruiz | Yes |

PASSED and ADOPTED this 11th day of December, 2013.



LUIGI BORIA, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



JOHN HERIN, ESQ., CITY ATTORNEY

EXHIBIT “A”



Memorandum

Date: November 19, 2013

To: Honorable Mayor and Council Members

From: Jose Olivo, Public Works Director *JO*

Subject: Adopt-a-Street Application: "Toys for Kids Miami Foundation"

Background

The City of Doral as part of our "Keep Doral Beautiful" campaign established the "Adopt-a-Street" program where different groups volunteer to clean and remove litter from public right-of-way for two years.

Recommendation

The Public Works Department (PWD) has received the attached new application from a qualified applicant for the adoption of NW 79th Avenue from NW 25th Street to NW 36th Street. We respectfully request City Council's approval; attached please find the litter removal agreement and brief biography of the group.



Public Works Department
"ADOPT-A-STREET" PROGRAM

LITTER REMOVAL AGREEMENT

I. THIS AGREEMENT, made and entered in this 10 day of AUGUST, 20 13, by and between The City of Doral, hereinafter called the "City" through its Public Works Department, hereinafter called the "Department" and

Toys for Kids Miami Foundation

hereinafter called "Group".

WITNESSETH

WHEREAS, NW 79th Ave from NW 25th St to 36th St is a part of the City roadway system in City of Doral, Florida; and

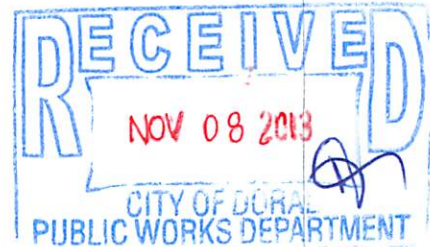
WHEREAS, the Department has responsibility for operation and maintenance of the City roadway system; and

WHEREAS, the City Council, through Resolution No. 05-12, has established an "Adopt-a-Street Program" permitting local organizations, private corporations and volunteer groups to beautify City maintained roads through litter-removal activities and landscaping efforts; and

WHEREAS, the Group wishes to adopt a minimum of one mile of roadway to remove litter at

NW 41st Street from 79th Ave to NW 87th Ave
or: NW 79th Ave from NW 25th St to 36th St

NOW THEREFORE, the parties agree as follow:



A. THE GROUP SHALL:

1. Remove litter at least 4 (four) times a year in the public right-of-way adjacent to the roadway and on the medians along the minimum one-mile section of the road right-of-way adopted by the Group.
2. Perform litter removal in strict accordance with the guidelines of the Department's "Adopt-a-Street Program".
3. Conduct and attend safety meetings and pre-task briefings prior to litter removal.
4. Remove litter during daylight hours only.
5. Remove litter under good weather conditions only.
6. Contact the "Adopt-a-Street Program" to arrange an appropriate litter removal schedule which will not conflict with the Department's mowing schedules.
7. Ensure that all participants wear safety vests at all times during the litter-removal activity. The "Adopt-a-Street Program" should be contacted to obtain safety vests, traffic control signs and large plastics bags prior to litter-removal activity and return same when the activity is complete.
8. No litter pick up at construction or maintenance sites.
9. Only allow such persons to participate as are determined by the Group to be responsible enough to safely participate in the litter-removal activities. Participating youths must be at least 12 years of age, and the Group shall provide at least one adult supervisor to supervise every five youth ages 12 – 15 who are participating in the litter-removal activity.
10. Do not bring persons to observe the activity if the person is under the age of 16 and is not an official participant.
11. Do not wear clothing which will hinder the sight of participants.
12. Do not allow any individual, director, officer, member or volunteer within the Group who has been convicted of a felony or misdemeanor within the past five (5) years or who is currently the subject of a criminal investigation to participate.
13. Do not discriminate on the basis of race, religion, color, age, sex, marital status, handicap or national origin in violation of any state or federal law.

B. The Department Shall:

1. Provide permanent "Adopt-a-Street Program" signs at the beginning and end of the adopted roadway section.
2. Provide safety vests, traffic control signs and large plastics bags for use by the Group when conducting a litter patrol.
3. Remove filled plastic bags from the adopted roadway section and dispose of them at an approved facility.
4. Remove certain litter under unusual circumstances (i.e., large, heavy or hazardous items).

II. No member, officer, director or volunteer of the Group shall be considered an employee or independent contractor of the Department or City for any reason whatsoever in carrying out its obligation under this agreement.

III. The Group covenants and agrees that it will indemnify and hold harmless the City of Doral and its Public Works Department, and all City and Departmental officers, agents and employees from any claims, loss, damage, cost, charge or expense arising out of any act, action, neglect or omission by the Group during the performance of the Agreement, whether direct or indirect, and whether to any person or property to which the City or said parties may be subject, except that neither Group nor any members shall be liable under this provision for damages arising out of injury or damage to person or property directly cause or resulting from the sole negligence of the City and its member agencies, any maintaining agencies and all their officers, agents and employees.

IV. The Agreement shall remain in effect for a two year period. The City or Group may terminate this agreement for any reason within the thirty days written notice.

V. This Agreement is non-transferable and non-assignable in whole or in part without the consent of the City.

VI. This agreement is mainly for litter removal activities. Beautification activities and graffiti-removal activities are encouraged, but must be coordinated and approved by the Department.

VII. The Department shall screen and select the sections of the City roadways to be adopted. The Department shall also decide all questions, difficulties and disputes of any nature whatsoever that may arise under or by reason of this Agreement, the prosecution of the fulfillment of the services hereunder and the character, quality, amount and value thereof; and its decision upon all claims, questions and disputes shall be final and conclusive upon the parties hereto.

VIII. The Department may suspend or revoke a Group's participation in the "Adopt-a-Street Program" if it finds:

1. The Group, any director, officer, member or volunteer has engaged in any deceptive or fraudulent practices.
2. Any representative of the Group made a false, deceptive or fraudulent statement or material misstatement or misrepresentation in its application or in any other information submitted to the Department.

IN WITNESS WHEREOF; the parties hereto have caused these present to be executed, the day and year first written above.

I CERTIFY that I am familiar with the information contained in this agreement and that I possess the authority to execute this Agreement on behalf of the Group.

NAME OF THE GROUP: Toys for Kids Miami Foundation

ADDRESS: 10181 NW 58 St #7 DORAL, FL 33178

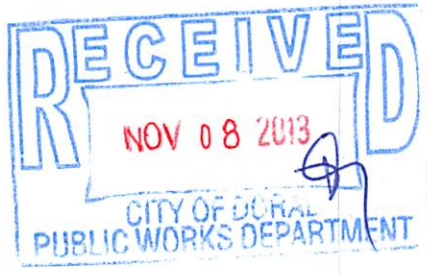
BY: *[Signature]* BY DATE: 08-10-2013

PRINTED NAME: GIOVANNY PEREYRA

CITY OF DORAL PUBLIC WORKS DEPARTMENT

BY: _____ DATE: _____
Department Director

ATTEST: _____ DATE: _____



Who We Are

Toys For Kids Miami Inc. was established by entrepreneur Giovanni Pereyra. He believed that there was a need for a local organization to help underprivileged kids in the community during the Christmas season. Although there are many organizations that help children during the Christmas season such as Toys for Tots, these national organizations are not best positioned to help the kids in the local impoverished communities. In addition, local charitable organization is better positioned to gain the participation of more individuals in said community since they understand the community. It also creates a real sense of community and goodwill around the surrounding area.

Mission Statement

Toys for Kids Miami is committed to helping end the cycle of poverty in local communities through works of charity aimed at helping children succeed in life. We believe that children who are living in low economic areas are at a disadvantage and our organization strives to make up for these disadvantages. Through the events held by Toys for Kids Miami we foster an atmosphere of community and belief that many of these kids have never experienced before. Having someone who believes in your ability to succeed is paramount to a child's development. We focus our efforts on children because we believe that helping children uplift themselves is the best way to break the cycle of poverty.

Past Events

The idea for the organization informally began in 2011 as a Christmas party that would provide a place for the children of the community to have fun, perform dances, and eat. The goodwill which outpoured from the community that year was magnificent. The Christmas party was a huge success and showed the community would respond well to such an event. It encouraged Giovanni to do one the next year.

In 2012 the event was far more organized and was a much larger success. The event was recognized by the city as a formal day of recognition for its contributions to a sense of goodwill in the community. This year Giovanni Pereyra has decided to take the next step. He formally has formed the organization in order to serve the community better. The event held annually had reached such a great level with more organization that the next logical step was a formal corporation to organize this event. The formation and recognition of Toys for Kids Miami Inc. as a nonprofit organization will allow the company to accept donations, offer transparency regarding these organizations, and begin building a brand which promotes goodwill and charity in the community.

