

MEMORANDUM

Agenda Item No. 11(A)(22)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: October 5, 2010

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging Florida
Fish and Wildlife Conservation
Commission to remove derelict
vessels from Biscayne Bay in
and near Pelican Harbor

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.



R. A. Cuevas, Jr.
County Attorney

RAC/up



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss **DATE:** October 5, 2010
and Members, Board of County Commissioners

FROM: R. A. Cuevas, Jr. **SUBJECT:** Agenda Item No. 11(A)(22)
County Attorney

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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) 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)(22)
10-5-10

RESOLUTION NO. _____

RESOLUTION URGING FLORIDA FISH AND WILDLIFE
CONSERVATION COMMISSION TO REMOVE DERELICT
VESSELS FROM BISCAYNE BAY IN AND NEAR PELICAN
HARBOR

WHEREAS, Florida Statutes provide for the removal of derelict vessels stored, left or abandoned in public waters of this State by the Florida Fish and Wildlife Conservation Commission with the costs of removal recoverable against the owner of the vessel; and

WHEREAS, the current difficult economy has contributed significantly to an increased number of derelict vessels locally and nationally; and

WHEREAS, the Florida Fish and Wildlife Conservation Commission is starting an “At Risk Vessel Program” to contact vessel owners before vessels become derelict in the near future; and

WHEREAS, the problem of derelict vessels in and near Pelican Harbor in Biscayne Bay is serious and growing,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby urges the Florida Fish and Wildlife Conservation Commission to increase significantly the enforcement of the State derelict vessel law in and near Pelican Harbor in Biscayne Bay and remove all of the derelict vessels at this location as soon as possible in accordance with state law and furthermore directs the Clerk of the Board to transmit certified copies of this Resolution to

the Florida Fish and Wildlife Conservation Commission as well as to the Chair and Members of the Miami-Dade County state legislative delegation.

The Prime Sponsor of the foregoing resolution is Commissioner Audrey M. Edmonson. 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:

- | | |
|----------------------|---------------------------------|
| | Dennis C. Moss, Chairman |
| | Jose "Pepe" Diaz, Vice-Chairman |
| Bruno A. Barreiro | Audrey M. Edmonson |
| Carlos A. Gimenez | Sally A. Heyman |
| Barbara J. Jordan | Joe A. Martinez |
| Dorrin D. Rolle | Natacha Seijas |
| Katy Sorenson | Rebeca Sosa |
| Sen. Javier D. Souto | |

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of October, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this 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.



Peter S. Tell

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