

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** July 7, 2011

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

**SUBJECT:** Resolution direct County Mayor  
to investigate the feasibility of filling  
in the inlet of water located between  
American Airlines Arena and  
Museum Park and to report to this  
Board on results of such investigation

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.

  
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R. A. Cuevas, Jr.  
County Attorney

RAC/cp



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** July 7, 2011

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

**SUBJECT:** Agenda Item No. 11(A)(15)

**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)(15)  
7-7-11

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DIRECTING COUNTY MAYOR OR MAYOR'S  
DESIGNEE TO INVESTIGATE THE FEASIBILITY OF  
FILLING IN THE INLET OF WATER LOCATED BETWEEN  
AMERICAN AIRLINES ARENA AND MUSEUM PARK AND  
TO REPORT TO THIS BOARD ON RESULTS OF SUCH  
INVESTIGATION

**WHEREAS**, currently there exists, east of Biscayne Boulevard between Museum Park (located on NE 9th Street), the future site of the Museum of Science and Miami Art Museum (collectively, the "Museums"), and American Airlines Arena and adjacent park (located on NE 8th Street) an inlet of water that divides these two valuable, community assets; and

**WHEREAS**, if this inlet of water could be filled, it would provide a natural, continuous flow between the Museums and the American Airlines Arena and likewise provide the community with additional amenities, to possibly include a park, area upon which the Museums could expand in the future, and retail and restaurant space to service visitors to the area; and

**WHEREAS**, this Board desires to have the County Mayor or Mayor's designee investigate the feasibility of filling in the inlet located east of Biscayne Boulevard between NE 9th Street and NE 8th Street; and

**WHEREAS**, in studying the feasibility of filling in the inlet, the County Mayor or Mayor's designee should engage stakeholders of the area, such as the City of Miami, the Downtown Development Authority, the Florida Department of Transportation, the Museums, the Miami Heat, and the US Army Corps of Engineers (collectively referred to herein as the "Stakeholders"); and

**WHEREAS**, such investigation and study on the feasibility of filling in the inlet should include consideration of (a) whether the inlet can, from an environmental and regulatory standpoint, actually be filled, (b) whether materials dredged from the Port of Miami tunnel and/or deep dredge channel projects could be used as natural fill for the inlet, (c) the kind of use that would be appropriate for the inlet once filled, and (d) the funding that may be available to undertake the filling in of the inlet, including grants, federal funds, state funds, local funds, Florida Inland Navigation funds, Community Redevelopment Agency funds, and private funds; and

**WHEREAS**, this Board directs the County Mayor or Mayor's designee to report back to this Board on the results of such feasibility investigation within 120 days of the effective date of this resolution,

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

Section 1. The recitals contained in the foregoing "WHEREAS" clauses are incorporated as part of this Resolution.

Section 2. This Board directs the County Mayor or Mayor's designee to investigate the feasibility of filling in the inlet of water located east of Biscayne Boulevard between Museum Park (located on NE 9th Street) and American Airlines Arena (located on NE 8th Street) and to report to this Board within 120 days on the results of such feasibility investigation.

Section 3. The aforementioned feasibility investigation should include discussions with the Stakeholders and consideration of (a) whether the inlet can, from an environmental and regulatory standpoint, actually be filled, (b) whether materials dredged from the Port of Miami tunnel and/or deep dredge channel projects could be used as natural fill for the inlet, (c) the kind

of use that would be appropriate for the inlet once filled, and (d) the funding that may be available to undertake the filling in of the inlet, including grants, federal funds, state funds, local funds, Florida Inland Navigation funds, Community Redevelopment Agency funds, and private funds.

The Prime Sponsor of the foregoing resolution is Commissioner Dennis C. Moss. 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:

- |                                     |                      |
|-------------------------------------|----------------------|
| Joe A. Martinez, Chairman           |                      |
| Audrey M. Edmonson, Vice Chairwoman |                      |
| Bruno A. Barreiro                   | Lynda Bell           |
| Esteban L. Bovo, Jr.                | Jose "Pepe" Diaz     |
| Sally A. Heyman                     | Barbara J. Jordan    |
| Jean Monestime                      | Dennis C. Moss       |
| Rebeca Sosa                         | Sen. Javier D. Souto |
| Xavier L. Suarez                    |                      |

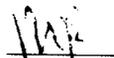
The Chairperson thereupon declared the resolution duly passed and adopted this 7<sup>th</sup> day of July, 2011. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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.



Monica Rizo

