

**MEMORANDUM**

Agenda Item No. 8(D)(1)(D)

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

**DATE:** October 4, 2011

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

**SUBJECT:** Resolution authorizing the  
disbursement of \$200,000 from the  
Biscayne Bay Environmental  
Enhancement Trust Fund for manatee  
protection and preservation activities

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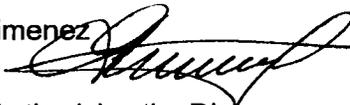
The accompanying resolution was prepared by the Department of Environmental Resources Management and placed on the agenda at the request of Prime Sponsor Vice Chairwoman Audrey M. Edmonson.



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R. A. Cuevas, Jr.  
County Attorney

RAC/cp

**Date:** October 4, 2011  
**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners  
**From:** Carlos A. Gimenez  
Mayor   
**Subject:** Resolution Authorizing the Disbursement of \$200,000 from the Biscayne Bay Environmental Enhancement Trust Fund For Manatee Protection and Preservation Activities

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**Recommendation**

It is recommended that the Board of County Commissioners authorize the disbursement of \$200,000 from the Biscayne Bay Environmental Enhancement Trust Fund (BBEETF) for manatee protection and preservation activities.

**Scope**

This disbursement request will primarily benefit coastal areas of Commission Districts 3, 4, 5, 7, 8 and 9.

**Fiscal Impact/Funding Source**

This disbursement is consistent with the goals and intent of the Biscayne Bay Trust Fund Ordinance as described in Section 7-22 of the Code of Miami-Dade County. The BBEETF available balance (minus other pending disbursements): \$372,000 as of June 30, 2011. Index Code: TFDE400010, Subobject: 22430.

**Track Record/Monitor**

The Restoration and Enhancement Section of the Department of Environmental Resources Management (DERM) will monitor the activities performed with the BBEETF funds.

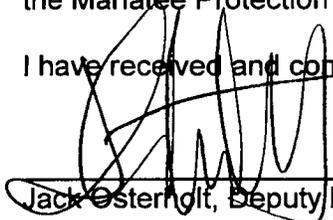
**Background**

The BBEETF was established by Ord. 04-214 to fund environmental enhancement of Biscayne Bay and its foreshore, as defined in Ch. 24-40 and Ch. 7-22 of the Code. The BBEETF is funded from (1) vessel registration fees collected by the County; (2) enforcement actions involving the Bay; (3) environmental mitigation assessments for permitted work in the Bay; and (4) donations or grants for environmental enhancement of the Bay. These sources generate approximately \$800,000 annually for the BBEETF (approximately \$70,000 per month) and deposited into the BBEETF, therefore, the Fund continues to accrue on a monthly basis.

DERM conducts various manatee protection and preservation activities using County and outside resources. This \$200,000 disbursement from the BBEETF is for ongoing protection and preservation activities for the West Indian Manatee, an indigenous endangered species, as called for in the Miami-Dade Manatee Protection Plan.

Manatee-related activities include responding to sightings and requests for assistance with manatee rescue and carcass verification; conducting periodic surveys of manatee distribution throughout Biscayne Bay and tidal tributaries; responding to public inquiries; updating and maintaining a comprehensive database on manatee distribution; promoting public awareness of manatee presence, protection and boating regulations; and implementing recommendations associated with the review of the Manatee Protection Plan.

I have received and considered the attached recommendation from the Director of DERM.

  
\_\_\_\_\_  
Jack Osterholt, Deputy Mayor

**Date:** August 3, 2011

**To:** Carlos A. Gimenez  
Mayor

**From:** Lee N. Hefty, Assistant Director  
Department of Environmental Resources Management

**Subject:** Request for disbursement from the Biscayne Bay Environmental Enhancement Trust Fund for Manatee Protection Activities

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Attached please find, for consideration by the Board of County Commissioners, a Resolution for a disbursement of \$200,000 from the Biscayne Bay Environmental Enhancement Trust Fund (BBEETF) to conduct ongoing and necessary activities related to manatee protection.

As you may know, DERM conducts various manatee protection and preservation activities using County and outside resources. These activities include responding to sightings and requests for assistance with manatee rescue and carcass verification; periodic surveys of manatee distribution throughout Biscayne Bay and tidal tributaries; responding to public inquiries and sightings of manatees in canals throughout the County; updating and maintaining a comprehensive database on manatee distribution; promoting public awareness of manatee presence, protection and boating regulations; and activities required by recommendations associated with the review of the Manatee Protection Plan.

This disbursement is consistent with the goals and intent of the Biscayne Bay Trust Fund Ordinance as described in Section 7-22 of the Code of Miami-Dade County.

Please contact me at (305) 372-6750 as needed.

Attachment:  
BBEETF Resolution



# MEMORANDUM

(Revised)

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

**DATE:** October 4, 2011

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

**SUBJECT:** Agenda Item No. 8(D)(1)(D)

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. 8(D)(1)(D)  
10-4-11

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

RESOLUTION AUTHORIZING THE DISBURSEMENT  
OF \$200,000 FROM THE BISCAYNE BAY  
ENVIRONMENTAL ENHANCEMENT TRUST FUND  
FOR MANATEE PROTECTION AND PRESERVATION  
ACTIVITIES

**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, pursuant to Section 24-40 of the Code of Miami-Dade County, authorizes the disbursement of funds not to exceed \$200,000 from the Biscayne Bay Environmental Enhancement Trust Fund for manatee protection and preservation activities.

The foregoing resolution 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 4<sup>th</sup> day of October, 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.



Abbie Schwaderer-Raurell