

MEMORANDUM

Agenda Item No. 8(L)(1)

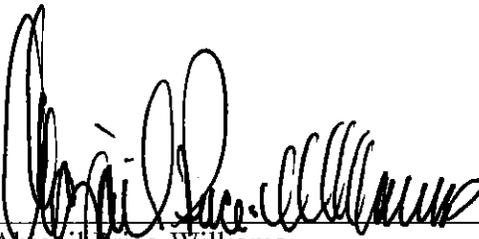
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: September 7, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution authorizing
the disbursement of up to
\$200,000.00 from the
Biscayne Bay Environmental
Enhancement Trust Fund for
manatee protection and
preservation activities

The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Metropolitan Services Committee.



Abigail Price-Williams
County Attorney

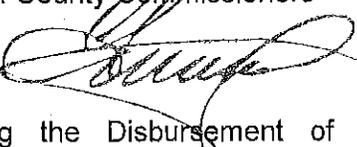
APW/smm

Memorandum



Date: September 7, 2016

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Resolution Authorizing the Disbursement of \$200,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund For Manatee Protection and Preservation Activities

Recommendation

It is recommended that the Board of County Commissioners (Board) authorize the disbursement of \$200,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund (Trust Fund) for manatee protection and preservation activities.

Scope

This disbursement request will benefit coastal areas of Commission District 3, represented by Commissioner Audrey Edmonson; District 4, represented by Commissioner Sally Heyman; District 5, represented by Commissioner Bruno A Barreiro; District 7, represented by Commissioner Xavier L. Suarez; District 8, represented by Commissioner Daniella Levine Cava; and District 9, represented by Commissioner Dennis C. Moss.

Fiscal Impact/Funding Source

This \$200,000.00 disbursement is consistent with the goals and intent of the Trust Fund, as described in Section 24-40 of the Code of Miami-Dade County (Code). The Trust Fund's available balance as of April 30, 2016 is \$3,633,000.00 Index Code: TFPEDMANATEE, Subobject: 22430.

Track Record/Monitor

The Restoration and Enhancement Section Manager within the Department of Regulatory and Economic Resources' Division of Environmental Resources Management, Jamie Monty, will monitor the activities performed with the disbursed funds.

Background

The Trust Fund was established by Ordinance No. 4-214 to fund environmental enhancement of Biscayne Bay and its shoreline, as defined in Section 24-40 of the Code. Revenue sources include: (1) vessel registration fees collected by the County; (2) enforcement actions involving the Bay; (3) environmental mitigation assessments for permitted work in Biscayne Bay; and (4) donations or grants for environmental enhancement of Biscayne Bay.

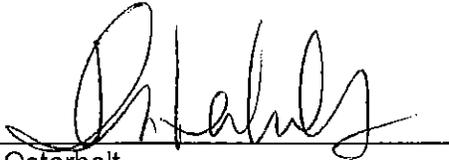
The Division of Environmental Resources Management conducts various manatee protection and preservation activities using County and outside resources. This \$200,000.00 disbursement from the Trust Fund will be used for ongoing protection and preservation activities for the West Indian Manatee, an indigenous 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.

Honorable Chairman Jean Monestime
and Members, Board of County Commissioners
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The previous disbursement from the Biscayne Bay Environmental Enhancement Trust Fund for manatee protection activities was approved by the Board under Resolution No. R-768-11 on October 4, 2011 for \$200,000.00. Those disbursed funds are nearly depleted.

In accordance with Section 24-40(4) of the Code, I have received and considered the attached recommendation from the Assistant Director of the Department of Regulatory and Economic Resources' Division of Environmental Resources Management.

A handwritten signature in black ink, appearing to read "J. Osterholt", written over a horizontal line.

Jack Osterholt
Deputy Mayor

Memorandum



Date: June 15, 2016

To: Carlos A. Gimenez
Mayor

From: Jack Osterhoff, Deputy Mayor/Director
Department of Regulatory and Economic Resources

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

Attached please find, for consideration by the Board of County Commissioners, a resolution for a disbursement of \$200,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund to conduct ongoing and necessary activities related to manatee protection.

The Division of Environmental Resources Management 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 Environmental Enhancement Trust Fund as described in Section 24-40 of the Code of Miami-Dade County.

Please contact me as needed.

Attachment:
Resolution authorizing disbursement

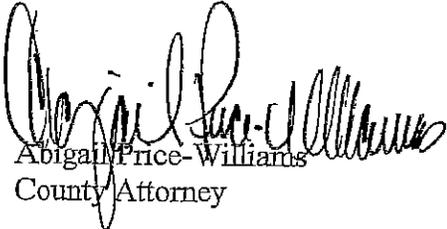


MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: September 7, 2016

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(L)(1)

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
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor'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

Agenda Item No. 8(L)(1)

Veto _____

9-7-16

Override _____

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE DISBURSEMENT OF UP TO \$200,000.00 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 memoranda, 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 \$200,000.00 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:

- | | |
|-------------------------------------|----------------------|
| Jean Monestime, Chairman | |
| Esteban L. Bovo, Jr., Vice Chairman | |
| Bruno A. Barreiro | Daniella Levine Cava |
| Jose "Pepe" Diaz | Audrey M. Edmonson |
| Sally A. Heyman | Barbara J. Jordan |
| Dennis C. Moss | Rebeca Sosa |
| Sen. Javier D. Souto | Xavier L. Suarez |
| Juan C. Zapata | |

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of September, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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