

MEMORANDUM

Agenda Item No. 14(A)(10)

TO: Honorable Chairman Esteban L. Bovó, Jr.
and Members, Board of County Commissioners

DATE: July 18, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor to study the feasibility of allowing the installation and use of a boat conveyer system over the County-owned Salinity Control Earthen Dam in the vicinity of 1320 Lugo Avenue, in Section 18, Township 55 South, Range 41 East, Coral Gables, Miami-Dade County

This item was amended at the 7-13-17 Economic Development and Tourism Committee to specify that the Office of Resiliency, Miami-Dade Division of Environmental Resources Management, and the Water and Sewer Department were to be consulted in the creation of the feasibility study. In addition, the item was further amended to provide that the feasibility study would also include an analysis of (1) the costs to County staff for any on-going operations of the boat conveyer system, (2) whether said boat conveyer system and neighboring waterway would be available for public use and access if the funding of said installation were provided by owners of property in Section C of the Gables by the Sea community; and (3) whether the installation of said boat conveyer system would create a need for additional marine patrol staffing and resources.

The accompanying resolution was prepared and placed on the agenda at the request Prime Sponsor Commissioner Xavier L. Suarez.


Abigail Price-Williams
County Attorney

APW/lmp



MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

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FROM: Abigail Price-Williams
County Attorney

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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
Veto _____
Override _____

Agenda Item No. 14(A)(10)
7-18-17

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO STUDY THE FEASIBILITY OF ALLOWING THE INSTALLATION AND USE OF A BOAT CONVEYOR SYSTEM OVER THE COUNTY-OWNED SALINITY CONTROL EARTHEN DAM IN THE VICINITY OF 1320 LUGO AVENUE, IN SECTION 18, TOWNSHIP 55 SOUTH, RANGE 41 EAST, CORAL GABLES, MIAMI-DADE COUNTY

WHEREAS, the Biscayne Aquifer serves as the source of potable water for millions of Miami-Dade County residents and visitors; and

WHEREAS, inland migration of salt intrusion threatens the quality and utility of freshwater in the Biscayne Aquifer; and

WHEREAS, the Board established a Salt Barrier Line which constitutes the westerly or inland limit beyond which no new uncontrolled canals, channels, or continuous excavations from salt contaminated areas easterly thereof shall be excavated or constructed; and

WHEREAS, allowing new or expanded continuous excavations west of the Salt Barrier Line may result in undesirable water quality impacts through further inland migration of salt intrusion in the Biscayne Aquifer; and

WHEREAS, the Gables by the Sea community developed in the 1960's included excavation of canals behind most of the residential lots in the development; and

WHEREAS, the canals behind those properties in the Gables by the Sea community that lie east of the Salt Barrier Line are comprised of saltwater, are tidally connected to Biscayne Bay, and allow for boat access to the Bay; and

WHEREAS, the canals behind properties in Section C of the Gables by the Sea community that lie west of the Salt Barrier Line are comprised of freshwater, are not tidally connected to Biscayne Bay, and do not allow for boat access to the Bay; and

WHEREAS, the County owns an existing earthen dam at the location of the Salt Barrier Line in the vicinity of 1320 Lugo Avenue in Coral Gables that separates tidal saltwater canals from freshwater non-tidal canals in the Gables by the Sea community; and

WHEREAS, some property owners in Section C Gables by the Sea on the upstream side of the earthen dam have expressed a desire and willingness to pay for installation of a boat conveyor system on the County owned earthen dam in order to provide boat access to the Bay by way of the local waterway behind their properties,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board directs the County Mayor or County Mayor's designee to >>consult with the Office of Resiliency, Miami-Dade County Division of Environmental Resources Management, and the Water and Sewer Department to<<¹ study the feasibility of allowing owners of property in Section C of the Gables by the Sea community to install and use a boat conveyor system to cross over the County-owned earthen dam located in the vicinity of 1320 Lugo Avenue, in Section 18, Township 55 South, Range 41 East, Coral Gables, Miami-Dade County. The report shall, at a minimum, (1) consider the feasibility of installing a boat conveyor system in a manner that preserves the critical function of the earthen dam and Salt Barrier Line, (2) determine whether there are any infrastructure concerns or additional infrastructure needs that would arise from the installation of a boat conveyor

¹ Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed are deleted, words underscored and/or >> double arrowed<< are added.

system in this area; (3) analyze the methods that can be used to provide for the funding of said installation by owners of property in Section C of the Gables by the Sea community; >>(4) analyze the costs to County staff for any on-going operations of the boat conveyer system; (5) provide whether said boat conveyer system and neighboring waterway would be available for public use and access if the funding of said installation were provided by owners of property in Section C of the Gables by the Sea community; (6) determine and analyze whether the installation of said boat conveyer system would create a need for additional marine patrol staffing and resources;<< and >>(4) (7)<< considerations with respect to the property deeds, including but not limiting to use restrictions, and any particular proposals. The Board further directs the County Mayor or County Mayor's designee to provide the requested feasibility study to the Board within 120 days of the effective date of this resolution, and such study shall be placed on an agenda of the Board pursuant to Ordinance 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Xavier L. Suarez. 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:

Esteban L. Bovo, Jr., Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
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 18th day of July, 2017. 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.

MBV

Michael B. Valdes

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