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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: March 3, 2009

Agenda Item No. 5(B)

Resolution No. R-148-09

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

From: George M. Burgess
County Manager

Subject: Resolution Authorizing the Disbursement of $8,000,000 from the Wetlands Trust Fund to the Environmentally Endangered Lands (EEL) Program for Land Acquisitions in the EEL South Dade Wetlands Project

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Recommendation
It is recommended that the Board of County Commissioners (BCC) approve the attached resolution to authorize the disbursement of $8,000,000 from the Wetlands Trust Fund to the EEL Program for land acquisitions in the EEL South Dade Wetlands Project for the reasons set forth below.

Scope
The properties to be acquired from willing sellers are located in the EEL South Dade Wetlands Project, which is located in County Commission District 9 (Commissioner Moss).

Fiscal Impact/Funding Source
Not applicable.

Track Record/Monitor
Not applicable.

Background
In July 1985, the BCC expanded the Urban Development Boundary to include 1,600 acres of wetlands within the Bird Drive Everglades and the North Trail Wetlands Basins. In 1992, the BCC established the Wetlands Trust Fund and executed interagency agreements with federal and state environmental agencies for the collection of monetary contributions by developers as mitigation for impacts within the Bird Drive Everglades and the North Trail Wetland Basins.

Pursuant to Section 24-37 of the County Code, funds in the Wetlands Trust Fund can only be disbursed for the purposes of acquisition, restoration, enhancement, management or monitoring of wetland properties in southeast Florida. Disbursements from the fund are collectively agreed upon by the Special Area Management Plan (SAMP) Implementation Committee, which is comprised of the US Army Corps of Engineers, the US Fish and Wildlife Service, the Florida Department of Environmental Protection, the Florida Game and Fresh Water Fish Commission, the South Florida Water Management District and the Miami-Dade Department of Environmental Resources Management. Wetlands Trust Fund disbursements to be used for land acquisitions also require approval by the BCC following a public hearing.

On August 28, 2008, the SAMP Implementation Committee met and unanimously approved the $8,000,000 proposal to acquire listed wetlands in Miami-Dade County with funds from the Wetlands Trust Fund. Once approved by the BCC, these funds will provide up to 50% of the costs for land acquisition from willing sellers within the EEL South Dade Wetlands Project (see Attachment A) that will contribute to the goal of restoring the greater Everglades ecosystem. Allowable costs include land costs, environmental audits, title insurance, surveys, and other costs associated with the EEL Program's due diligence for such acquisitions. These funds may be used for the purchase of parcels recently approved for acquisition by the BCC.

Assistance County Manager

NOTICE OF PUBLIC HEARING TO AUTHORIZE THE DISBURSEMENT OF $8,000,000 FROM THE WETLANDS TRUST FUND TO THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM FOR LAND ACQUISITIONS IN THE SOUTH DADE WETLANDS PROJECT

BOARD OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

NOTICE IS HEREBY GIVEN pursuant to Article IV, Division 1 of Chapter 24 of the Code of Miami-Dade County that the Board of County Commissioners of Miami-Dade County will hold and conduct a Public Hearing to authorize the disbursement of $8,000,000 from the Wetlands Trust Fund to the Miami-Dade County Environmentally Endangered Lands (EEL) Program for land acquisitions in the South Dade Wetlands Project. Such Public Hearing will be held on the 10th day of February 2009 at 2:00 PM in the County Commission Chambers on the 2nd Floor of the Stephen P. Clark Center at 111 NW 1st Street in Miami, Florida.

Details concerning the disbursement of $8,000,000 from the Wetlands Trust Fund to the EEL Program for land acquisitions in the South Dade Wetlands Project may be reviewed by interested persons at the office of the Miami-Dade County Department of Environmental Resources Management, 701 NW 1st Court, Suite 400, Miami, Florida 33136-3912.

Oral statements will be heard and appropriate records made. For accuracy of records, all important facts and arguments should be prepared in writing in triplicate, with two copies being submitted to the Deputy Clerk of the County Commission at the hearing or mailed to her beforehand (Kay Sullivan, Deputy Clerk), 111 NW 1st Street, Stephen P. Clark Center, Suite 17-202, Miami, Florida 33128; and with one copy being submitted beforehand to the Miami-Dade County Department of Environmental Resources Management, 701 NW 1st Court, Suite 400, Miami, Florida 33136.

A person who decides to appeal any decision made by any Board, Agency, or Commission with respect to any matter considered at its meeting or hearing, will need a record of proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

BOARD OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

HARVEY RUVIN, CLERK

BY: _____
Kay Sullivan, Deputy Clerk

MEMORANDUM

(Revised)

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

DATE: March 3, 2009

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

SUBJECT: Agenda Item No. 5 (B)

Please note any items checked.

_____ **"4-Day Rule" ("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**

_____ **Bid waiver requiring County Mayor's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(B)
3-3-09

RESOLUTION NO. **R-148-09**

RESOLUTION AUTHORIZING THE DISBURSEMENT OF $8,000,000 FROM THE WETLANDS TRUST FUND TO THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM FOR LAND ACQUISITIONS IN THE SOUTH DADE WETLANDS PROJECT

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 having considered all the applicable factors contained within Section 24-37 of the Code of Miami-Dade County hereby approves the disbursement of $8,000,000 from the Wetlands Trust Fund to the Miami-Dade County Department of Environmental Resources Management (DERM) Environmentally Endangered Lands Program for land acquisitions in the South Dade Wetlands Project, subject to the conditions set forth in the memorandum from the Director of DERM, a copy of which is attached hereto and made a part hereof.

The foregoing resolution was offered by Commissioner **Joe A. Martinez**, who moved its adoption. The motion was seconded by Commissioner **Katy Sorenson** and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman **aye**
Jose "Pepe" Diaz, Vice-Chairman **aye**

Bruno A. Barreiro	**aye**	Audrey M. Edmonson	**aye**
Carlos A. Gimenez	**aye**	Sally A. Heyman	**aye**
Barbara J. Jordan	**aye**	Joe A. Martinez	**aye**
Dorrin D. Rolle	**aye**	Natacha Seijas	**aye**
Katy Sorenson	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of March, 2009. 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: **Kay Sullivan**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Robert A. Duvall

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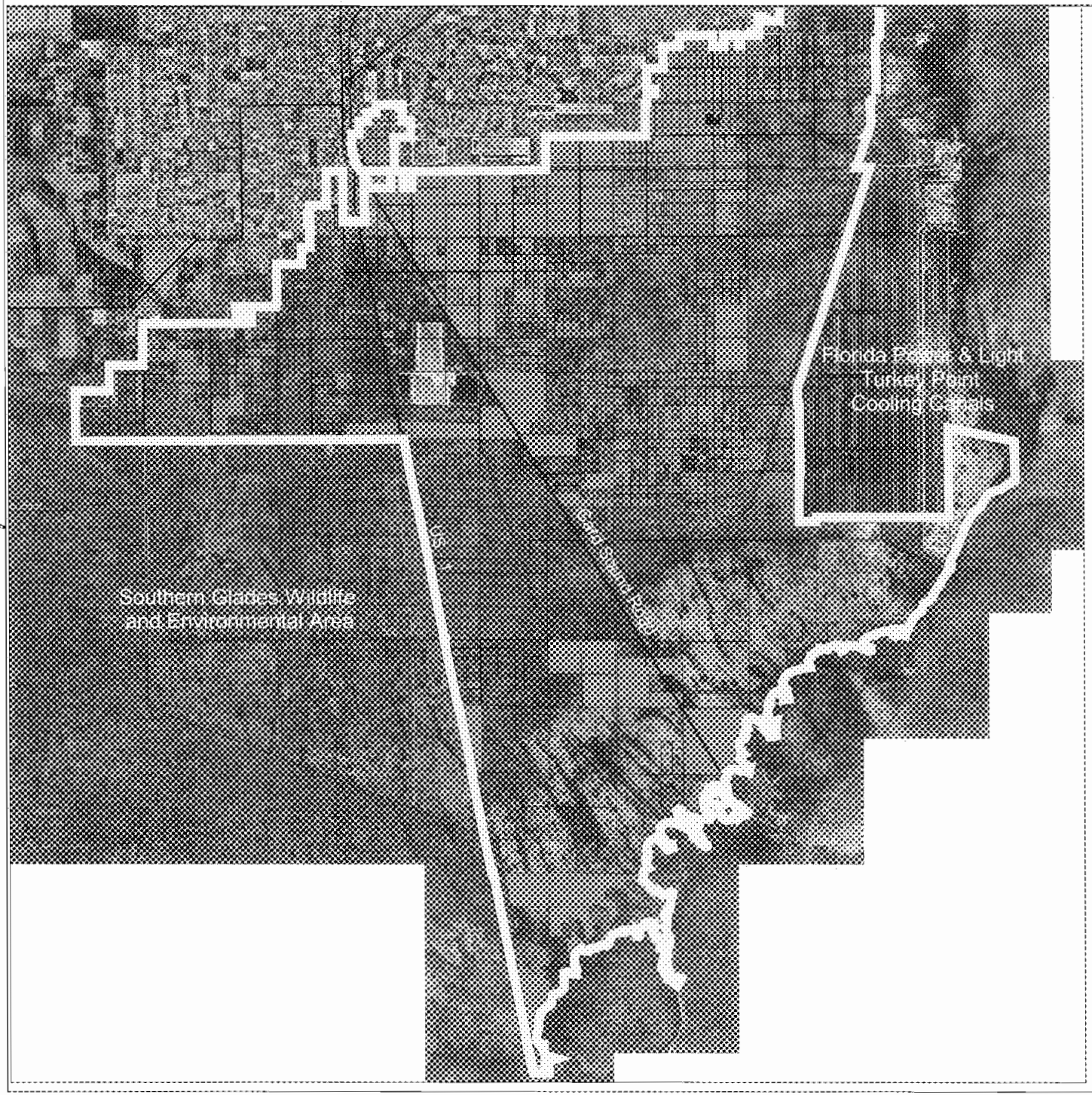
Attachment A Map of EEL South Dade Wetlands Project



South Dade Wetlands Project Boundary

Private Properties

N

P:\:EEL\EEL GIS Projects\SDW\sdwsamp2009.apr
RMG - 12/18/2008