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

MEMORANDUM

Agenda Item No. 11(A)(3)

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

DATE: July 21, 2009

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

SUBJECT: Resolution urging Congress to reimburse state and local funds advanced for the completion of Miami River dredging

Resolution No. R-1051-09

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

MEMORANDUM

(Revised)

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

DATE: July 21, 2009

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

SUBJECT: Agenda Item No. 11(A)(3)

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. 11(A)(3)
7-21-09

RESOLUTION NO. **R-1051-09**

RESOLUTION URGING CONGRESS TO REIMBURSE STATE AND LOCAL FUNDS ADVANCED FOR THE COMPLETION OF MIAMI RIVER DREDGING

WHEREAS, in October, 2008, an $88 million dredging effort to improve water quality and navigation on the Miami River was completed when the last sediment was removed from the Miami River after four years of work by federal, state and local partners; and

WHEREAS, during the dredging process about 750,000 cubic yards of sediment was removed, and pollutants that had long threatened the health of the river were isolated and disposed of safely; and

WHEREAS, dredging restored the river to its federally authorized 15-foot depth; and

WHEREAS, the Miami River had last been dredged in 1935 by the U.S. Army Corps of Engineers, and since then, sediment and debris have built up in the river, impeding shipping traffic around the City of Miami, Florida's fourth largest port; and

WHEREAS, the Miami River dredging project began in October 2004 and was completed within its five-year timeframe; and

WHEREAS, to complete the Miami River dredging project, $21 million was advanced for the project, including $15 million by the Florida Legislature; $3 million by the South Florida Water Management District, and $3 million by the the Florida Inland Navigational District; and

WHEREAS, these groups are now seeking reimbursements from the federal government for these amounts, per the attached letters,

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

Section 1. Urges Congress to reimburse state and local funds advanced for the completion of Miami River dredging.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the two U.S. Senators that represent Florida and the members of the Miami-Dade County Congressional Delegation.

Section 3. Directs the County's federal lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2009 and 2010 Federal Legislative Packages.

The Prime Sponsor of the foregoing resolution is Commissioner Bruno A. Barreiro. It was offered by Commissioner **Barbara J. Jordan**, who moved its adoption. The motion was seconded by Commissioner **Dennis C. Moss** and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman	**aye**		
Jose "Pepe" Diaz, Vice-Chairman	**nay**		
Bruno A. Barreiro	**aye**	Audrey M. Edmonson	**absent**
Carlos A. Gimenez	**absent**	Sally A. Heyman	**absent**
Barbara J. Jordan	**aye**	Joe A. Martinez	**absent**
Dorrin D. Rolle	**aye**	Natacha Seijas	**aye**
Katy Sorenson	**absent**	Rebeca Sosa	**absent**
Sen. Javier D. Souto	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this **23rd day** of July, 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: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

JMM

Jess M. McCarty

Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

June 10, 2009

The Honorable Dennis Moss, Chairman
Miami-Dade County Board of County Commissioners
Stephen P. Clark Center
111 NW 1st Street, Suite 220
Miami, Florida 33128

Dear Chairman Moss:

As you know, there was a $21 million federal funding shortfall to complete the Miami River Maintenance Dredging/Environmental Clean-Up Project on time and under budget. To help make up that shortfall, the Florida Legislature appropriated an additional $15 million, beyond its original $12.64 million appropriation, to support the project. Other supporters of the project also provided funding to help address the shortfall. Although the federal government did not guarantee reimbursement, it is my understanding that Miami-Dade County, as the local project sponsor, is making every effort to obtain reimbursement of the $21 million from the federal government.

I understand that Congress has appropriated $10 million toward reimbursement of the $21 million shortfall, but there is no guarantee at this time that Miami-Dade will obtain the full amount, and that you are requesting reimbursement of the remaining $11 million in your current federal legislative package for FY10. I support Miami-Dade County's efforts and urge you to continue to make this reimbursement request a "Critical Priority" in your federal legislative package until federal reimbursement of the full $21 million is secured. In addition, it is important that the County request Congressional report language directing that the $11 million be used for reimbursement to the entities that assisted in covering the federal funding shortfall.

I appreciate your continued support for cleanup and protection of the Miami River.

Sincerely,

Michael W. Sole
Secretary

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Honorable Chairman Dennis Moss
Stephen P. Clark Center
111 NW 1 ST
Miami, FL

May 18, 2009

Re: Miami River Maintenance Dredging and Environmental Clean Up Project

Dear Chairman Moss:

As you are aware, a partnership of Miami River Maintenance Dredging/Environmental Clean-Up Project contributors (State, SFWMD and FIND) funded an extra $21 million in the absence of adequate Congressional appropriations to complete the project on time and under budget. Part of our incentive to advance this extra $21 million was that Miami-Dade County, serving as the formal local project sponsor, would provide its best efforts to seek reimbursement of the $21 million reimbursement from the federal government.

We would deeply appreciate the County's Department of Intergovernmental Affairs making the County's federal FY '10 request for $11 million towards the $21 million a top priority. In previous Miami-Dade federal legislative packages the Miami River was noted as a "Critical Priority", and we believe it should remain so until the efforts to secure the federal reimbursement are completed. As part of the legislative request, it is important that the County request Congress include special language, with which your staff is familiar, authorizing any appropriated funds to be used for reimbursement purposes.

It was a pleasure meeting with you today. Your continued support and leadership is most appreciated.

Best regards,

Eric Biermann
Chairman, Board of Governors

EB:hm
cc. Mr. Tom Olliff - SFWMD
Mr. Ed Hernandez - SFWMD

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045
Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

FLORIDA INLAND NAVIGATION DISTRICT

May 29, 2009

Honorable Chairman Dennis Moss
Stephen P. Clark Center
111 NW 1st Street
Miami, FL 33128

Re: Miami River Maintenance Dredging and Environmental Clean Up Project

Dear Chairman Moss:

The Florida Inland Navigational District (FIND) contributed $9.68 million towards the Miami River Maintenance Dredging/Environmental Clean-Up Project, consisting of the originally pledged $6.68 million plus an extra $3 million towards the $21 million federal funding shortfall to complete the project on time and under budget. FIND understood Miami-Dade County, serving as the formal local project sponsor, would provide its best efforts to seek the $21 million non-guaranteed reimbursement from the federal government.

I would sincerely appreciate Miami-Dade County making the federal FY '10 requested $11 million towards the $21 million non-guaranteed reimbursement a "Critical Priority" In previous Miami-Dade federal legislative packages the Miami River Dredging appropriation requests were noted as a "Critical Priority", and I recommend it remain so until the efforts to secure the federal reimbursement are completed. In addition, I respectfully recommend that Miami-Dade County request report language which directs the FY '10 $11 million appropriation towards reimbursement of the extra funding provided by the locals to cover the $21 million federal funding shortfall.

Your time and consideration are sincerely appreciated.

Sincerely,

T. Spencer Crowley

cc: Mr. David Roach, FIND
Mr. Mark Crosley, FIND

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