

## MEMORANDUM

Agenda Item No. 8(M) (1)

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**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** March 5, 2013

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

**SUBJECT:** Resolution authorizing the  
disbursement of \$350,000 from  
the Biscayne Bay Environmental  
Enhancement Trust Fund to  
conduct environmental  
enhancement in Biscayne Bay  
Resolution No. R-168-13

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The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/smm

**Date:** March 5, 2013  
**To:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners  
**From:** Carlos A. Gimenez  
Mayor   
**Subject:** Resolution Authorizing the Disbursement of \$350,000 from the Biscayne Bay Environmental Enhancement Trust Fund to Conduct Environmental Enhancement in Biscayne Bay through the Miami-Dade County Biscayne Bay Restoration and Enhancement Program

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### Recommendation

It is recommended that the Board of County Commissioners approve the attached resolution authorizing the disbursement of \$350,000 from the Biscayne Bay Environmental Enhancement Trust Fund for removal of trash from restored bay islands, bay environmental restoration, habitat maintenance, and biological monitoring in connection with the ongoing Miami-Dade County Biscayne Bay Restoration and Enhancement Program.

### Scope

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

### Fiscal Impact/Funding Source

This resolution authorizes the disbursement of funds from the Biscayne Bay Environmental Enhancement Trust Fund for Biscayne Bay restoration and enhancement activities. This disbursement is consistent with Section 24-40 of the Code of Miami-Dade County that allows the Biscayne Bay Environmental Enhancement Trust Fund to be used for the restoration and enhancement of Biscayne Bay and its foreshore. The available balance of the Biscayne Bay Environmental Enhancement Trust (Index Code: TFPE400010, Subobject: 22430) as of 11/30/2012: \$1,284,000.

### Track Record/Monitor

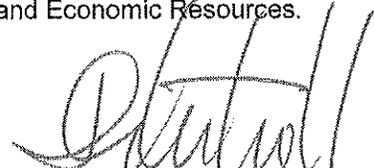
The Restoration and Enhancement Section Chief, Stephen Blair, within the Department of Regulatory and Economic Resources, Division of Environmental Resources Management, will monitor the activities performed with these funds.

### Background

The Department of Regulatory and Economic Resources conducts various environmental restoration and enhancement activities throughout Biscayne Bay as part of the Biscayne Bay Restoration and Enhancement Program. These environmental enhancement projects are assisted financially by agencies such as the South Florida Water Management District and the Florida Inland Navigation District.

The project agreements between Miami-Dade County and the funding agencies require that sites restored under the Biscayne Bay Restoration and Enhancement Program be maintained. This disbursement will provide funding for maintenance activities at such sites to include removing and disposing of trash and solid waste from bay islands, and planting native plants and controlling exotic plant species in restored areas of Biscayne Bay and its foreshore. These restoration activities will be conducted over the next two years by County staff and by outside contractors under a competitive bidding process.

I have received and considered the attached recommendation from the Director of the Department of Regulatory and Economic Resources.

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

# Memorandum



**Date:** January 16, 2013

**To:** Carlos A. Gimenez  
Mayor

**From:** Jack Osterholt, Deputy Mayor, Director  
Department of Regulatory and Economic Resources

**Subject:** Recommendation for Disbursement of \$350,000 from the Biscayne Bay Environmental Enhancement Trust Fund to Conduct Environmental Enhancement in Biscayne Bay through the Miami-Dade County Biscayne Bay Restoration and Enhancement Program

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Pursuant to Section 24-40 of the Code of Miami-Dade County, I am recommending the disbursement of \$350,000 from the Biscayne Bay Environmental Enhancement Trust Fund for maintenance and monitoring of environmental restoration areas pursuant to project agreements between Miami-Dade County and various funding partners. These restoration activities are conducted by the Department of Regulatory and Economic Resources at previously restored sites in connection with the County's ongoing Biscayne Bay Restoration and Enhancement Program.

The coastal environments in Biscayne Bay face many challenges and threats to their present and future health. This disbursement request will provide funding for maintenance activities at sites restored under the Biscayne Bay Restoration and Enhancement Program to include removing and disposing of trash and solid waste from bay islands, and planting native plants and controlling exotic plant species in restored areas of Biscayne Bay and its foreshore. These restoration activities will be conducted over the next two years by County staff and by outside contractors under a competitive bidding process.

The \$350,000 requested for disbursement will be drawn from funds deposited into the Biscayne Bay Environmental Enhancement Trust Fund for the purpose of restoring and enhancing Biscayne Bay and its foreshore. The proposed activities are consistent with the goals and intent of the Biscayne Bay Environmental Enhancement Trust Fund Ordinance as codified in Section 24-40 of the Code of Miami-Dade County.

Attachment: Biscayne Bay Environmental Enhancement Trust Fund Resolution



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** March 5, 2013

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

**SUBJECT:** Agenda Item No. 8(M) (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
- 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. 8(M)(1)  
3-5-13

RESOLUTION NO. R-168-13

RESOLUTION AUTHORIZING THE DISBURSEMENT OF \$350,000 FROM THE BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND TO CONDUCT ENVIRONMENTAL ENHANCEMENT IN BISCAYNE BAY THROUGH THE MIAMI-DADE COUNTY BISCAYNE BAY RESTORATION AND ENHANCEMENT PROGRAM

**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 \$350,000 from the Biscayne Bay Environmental Enhancement Trust Fund to provide funding for environmental enhancement and restoration activities within Biscayne Bay such as the removal and disposal of trash and solid waste from restored bay islands, and the planting of native wetland plants and the control of exotic plants at other sites restored through the Miami-Dade County Biscayne Bay Restoration and Enhancement Program.

The foregoing resolution was offered by Commissioner

**Lynda Bell**

who moved its adoption. The motion was seconded by Commissioner

**Esteban L. Bovo, Jr.**

and upon being put to a vote, the vote was as follows:

	Rebeca Sosa, Chairwoman	<b>aye</b>
	Lynda Bell, Vice Chair	<b>aye</b>
Bruno A. Barreiro	<b>aye</b>	Esteban L. Bovo, Jr. <b>aye</b>
Jose "Pepe" Diaz	<b>absent</b>	Audrey M. Edmonson <b>aye</b>
Sally A. Heyman	<b>absent</b>	Barbara J. Jordan <b>aye</b>
Jean Monestime	<b>aye</b>	Dennis C. Moss <b>aye</b>
Sen. Javier D. Souto	<b>aye</b>	Xavier L. Suarez <b>aye</b>
Juan C. Zapata	<b>aye</b>	

The Chairperson thereupon declared the resolution duly passed and adopted this 5<sup>th</sup> day of March, 2013. 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: **Christopher Agrippa**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

Abbie Schwaderer-Raurell