		morandum county				
Date:	October 5, 2021					
To: From:	Honorable Chairman Jose "Pepe" Diaz and Members, Board of County Commissioners Lourdes M. Gomez, Director June Department of Regulatory and Economic Resources	Agenda Item No. 5(U)				
Subject:	Class I Permit Application by Miami-Dade County, Open Spaces Department	through its Parks, Recreation and				

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MIAMIDADE

Recommendation

I have reviewed the attached application for a Class I permit by Miami-Dade County, through its Parks, Recreation and Opens Spaces Department and based upon the applicable evaluation factors set forth in Section 24-48.3 of the Code of Miami-Dade County (Code), I recommend that the Board of County Commissioners (Board) approve the issuance of a Class I permit for the reasons set forth below.

Pursuant to Ordinance No. 16-73, this quasi-judicial matter may be submitted directly for placement on the Board's meeting agenda by the Director of the Department of Regulatory and Economic Resources.

Scope

The project site is within Haulover Park located at 10800 Collins Avenue, unincorporated Miami-Dade County, Florida, in Commission District 4, which is represented by Commissioner Sally Heyman.

Delegation of Authority

This item has no delegation of authority. Upon approval of this item, Section 24-48.2(C)(2) of the Code authorizes the Department to issue the permit, provided that other Code requirements are satisfied, such as submittal of final plans and bonds, and to require additional conditions, limitations, and restrictions if consistent with this Board's approval.

Fiscal Impact/Funding Source

This resolution is a regulatory approval and does not have a fiscal impact.

Track Record/Monitor

The Coastal Resources Section Manager, McKee Gray, in the Department of Regulatory and Economic Resources, Division of Environmental Resources Management (DERM), will be responsible for monitoring the proposed permit.

Background

The subject Class I permit application requests authorization for the redevelopment of the existing County-owned Haulover Park boat ramp to include the filling of 7,810 square feet of tidal waters and the filling of approximately 12,808 square feet of wetlands supporting halophytic (salt tolerant) vegetation in order to elevate and expand the associated parking lot. The proposed scope of work also includes the installation of a footer and riprap along the perimeter of the new ramp and the replacement of six fixed and floating piers to facilitate the loading and unloading of vessels launched at the facility. To be approved, this application must be reviewed and decided by the Board after a

Honorable Chairman Jose "Pepe" Diaz and Members, Board of County Commissioners Page 2

public hearing because the filling of tidal waters and wetlands supporting halophytic vegetation are specifically referenced in Section 24-48.2 of the Code as work that shall be processed with a standard form application, including a public hearing.

The subject County-owned park is located adjacent to Biscayne Bay and contains a boat ramp and associated parking lot both of which consistently flood due to their low elevation. Furthermore, the existing paved parking lot is not adequately meeting the needs of the facility and as a result, a nearby unpaved area is being used for overflow parking. In order to address the flooding and to make the facility more functional and resilient the County is proposing to replace the boat ramp through the filling of tidal waters and to expand and elevate the existing parking lot which includes the filling of adjacent, isolated pockets of wetlands supporting halophytic vegetation including mangroves.

According to Section 24-48.3(2) of the Code, dredging and filling work proposed in a Class I permit application shall comply with at least one of the criteria listed in that section of the Code. In order to accommodate the appropriate pitch and slope necessary for the new ramp, the substrate would need to be leveled through the filling of the existing boat ramp footprint. The proposed filling is the minimum necessary to maintain the ramp and access to the ramp, specifically to adequately and safely facilitate the launching and retrieval of vessels and therefore complies with the criteria listed in Section 24-48.3(2)(c) of the Code because it is the minimum necessary for the creation and maintenance of marinas, piers, docks and attendant navigational channels.

In addition to the above proposed filling, the County is also proposing to replace six fixed and floating piers that would be used to facilitate the loading and unloading of vessels to be launched at the facility. Furthermore, in order to stabilize the toe of the new ramp the County is proposing to install a sheetpile footer and riprap around the perimeter of the new ramp. The proposed piers, footer, and placement of riprap are identified by the Code as work that can be processed administratively and are only coming before the Board because the proposed dredging and filling work is included in the subject application.

The proposed parking lot improvements would impact mangroves that have been designated by the Miami-Dade County Comprehensive Development Master Plan (CDMP) as part of a Mangrove Protection Area. Cutting, trimming, pruning or other alteration including dredging or filling of mangroves within a Mangrove Protection Area must be consistent with the criteria outlined in the Coastal Management Element of the CDMP. Furthermore, the project must also be consistent with the criteria outlined in the Conservation, Aquifer Recharge, and Drainage Element of the CDMP. As stated in the Project Report and in this memorandum the proposed work is water dependent and meets the applicable requirements of the CDMP.

The proposed work would improve public access to the boat ramp by providing a stable and resilient parking area that meets applicable Code requirements while also more efficiently managing the launching and retrieval of vessels at the facility. The majority of the expanded parking lot would be within the same footprint as the existing lot or within an unpaved area currently used for overflow parking that does not contain wetlands. In the areas where impacts to wetlands could not be avoided, the footprint of the expanded parking lot has been designed to only result in the filling of two isolated pockets of wetland adjacent to the existing parking areas that are not connected to the larger wetland system. Therefore, the proposed boat ramp and parking lot improvements are consistent with the

Honorable Chairman Jose "Pepe" Diaz and Members, Board of County Commissioners Page 3

CDMP as the work is water dependent and is in a location where no reasonable upland alternative exists.

The proposed project has been evaluated for consistency with the Miami-Dade County Manatee Protection Plan. The project is not located within an area designated as essential habitat for the Florida manatee and the Miami-Dade County Manatee Protection Plan recommends the site be utilized for commercial marinas, dry storage, boat ramps, transitory docks, or boatyards. The proposed boat ramp renovations are consistent with the historic use of the facility and with the marine facility siting recommendations of the Manatee Protection Plan. Furthermore, the Class I permit would require that all standard construction permit conditions regarding manatee protection be followed during all in-water operations.

Pursuant to Section 24-48.4 of the Code, potential adverse environmental impacts and cumulative adverse environmental impacts for a proposed project must be avoided and minimized. Section 24-48.4 of the Code also requires mitigation for permittable projects that otherwise result in unavoidable environmental impacts. In an effort to avoid and minimize impacts to benthic resources, the majority of the proposed ramp and piers would be installed within the footprint of the existing ramp and piers. Furthermore, no federally or State-designated threatened or endangered species of seagrasses or corals were documented within the footprint of the proposed ramp work and the submerged bottom does not provide significant habitat. The majority of the expanded parking lot would be within the same footprint as the existing or within an unpaved area currently used for overflow parking that does not contain wetlands. As discussed above, in the areas where impacts to wetlands could not be avoided, the footprint of the expanded parking lot has been designed to only result in the filling of two isolated pockets of wetlands adjacent to the existing parking areas that are not connected to the larger wetland system. In order to ensure that the remaining adjacent wetlands would not be impacted by the parking lot improvements or the use of the parking lot, the County proposes to install a concrete retaining wall between the parking area and the larger wetland system. No temporary impacts to wetlands are expected as a result of the proposed work.

Furthermore, the proposed work is not reasonably expected to result in cumulative environmental impacts to water quality. Currently, the existing unpaved overflow parking area does not contain any erosion controls or drainage features to prevent runoff in to the adjacent surface waters. The direct runoff associated with both the paved and unpaved parking areas would be eliminated through the installation of retaining walls along the edges of the newly constructed parking lot and the construction of a drainage system thereby eliminating direct water runoff. While the construction phase of the proposed project may result in temporary water quality impacts, the Class I permit would require that turbidity controls be utilized during all phases of construction to ensure compliance with State and County water quality standards. Mitigation for unavoidable temporary impacts to water quality associated with the filling of tidal waters would be satisfied through the placement of riprap. Any portion of the required mitigation that cannot be accommodated on-site would be satisfied through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund. To mitigate for otherwise permittable impacts to wetlands associated with the parking lot improvements, the County has proposed the purchase of saltwater mitigation bank credits from the Florida Power and Light Company's Everglades Mitigation Bank (FPL EMB).

Please note that there are no riparian owners within 300 feet of the proposed project. Therefore, no courtesy notices were sent out for this application.

Based on the reasons herein and in the Project Report, DERM recommends approval for the filling of tidal waters and wetlands in association with improvements to the boat ramp and parking lot, and the installation of the piers, footer, and riprap.

The project has been designed in accordance with all relevant Miami-Dade County coastal construction criteria and is consistent with all other Miami-Dade County coastal protection provisions. Please find attached a DERM Project Report which also sets forth the reasons the proposed project is recommended for approval by DERM pursuant to the applicable evaluation factors and criteria as set forth in Section 24-48.3 of the Code. The conditions, limitations, and restrictions set forth in the Project Report attached hereto are incorporated herein by references hereto.

Attachments

Attachment A:Class I Permit ApplicationAttachment B:Owner/Agent Letter, Engineer Letter and Project SketchesAttachment C:DERM Project Report

Attachment A

Class I Permit Application

Class I Permit Application

FOR DEPARTMENTAL USE ONLY						
Date Received:	Application Number: Application Fee:					
Application must be filled out in its entirety. Please indicate N	/A for non-applicable fields.					
1. Applicant Information: Name: Miami-Dade Co. Parks, Rec. & Open Spaces Dept Address: 275 NW 2nd Street Miami, FL Zip Code: 33128 Phone #: 305-755-7912 Fax#: Email: Joe.Cornely@miamidade.gov * Table steaded be the applicant's information for context purposes.	2. Applicant's Authorized Permit Agent: Agent is allowed to process the application, furnish supplemental information relating to the application and bind the application of the application. Name: Karen D. Brandon, P.E. Address: 2090 Palm Beach Lakes Blvd. Suite 600 West Palm Beach Zip Code: 33409 Phone #: Fax #: N/A Email: karen.brandon@aecom.com					
3. Location where proposed activity exists or will occur (latitud Folio #(s): 30-2214-008-0010 Street Address: 10800 Collins Avenue In City or Town: Miami-Dade County Name of waterway at location of the activity: Biscayne Bay	e and longitude are only necessary for properties without address or folio #): Latitude: 25 55'00.88"N Longitude: 80 07'25.11" W Section: 14,23 Township: 52S Range: 42E Near City or Town: North Miami Beach Image: City or Town: 100 minutes of the second seco					
	nder Piles New Maintenance Mangrove Removal					
Other: renovate boat ramp						
Estimated project cost = \$_2,794,071 Are you seeking an after-the-fact approval (ATF)?	No If "Yes", describe the ATF work:					
□ Single Family (please also indicate i □ Multi-Family Proposed Vessel Type □ Private Vessel Make/Model (I	es.): 12-36 Length (s)(range in feet.): 12-40					
7. List all permits or certifications that have been applied for o Issuing Agency Type of Approval Identificat	or obtained for the above referenced work: tion Number Application Date Approval Date					
FDEP - ERP, USACE -NWP TBD	N/A					

8. Contractor Informat	ion (If known):		
Name: N/A		License # (County/State):
Address:			Zip Code:
Phone #:	Fax #:	E-mail:	
be considered complet	e. Your application WILI	L NOT BE PROCESSED unless the	rty owner is required for all applications to e Applicant and Owner Consent portion of ent of any changes to information provided

Application is hereby made for a Miami-Dade County Class I permit to authorize the activities described herein. I agree to or affirm the following:

- I possess the authority to authorize the proposed activities at the subject property, and
- I am familiar with the information, data and plans contained in this application, and
- To the best of my knowledge and belief, the information, data and plans submitted are true, complete and accurate, and
- I will provide any additional information, evidence or data necessary to provide reasonable assurance that the proposed project will
 comply with the applicable State and County water quality standards both during construction and after the project is completed, and
- I am authorizing the permit agent listed in Section 2 of this application to process the application, furnish supplemental information relating to this application and bind the applicant to all requirements of this application, and
- I agree to provide access and allow entry to the project site to inspectors and authorized representatives of Miami-Dade County for the purpose of making the preliminary analyses of the site and to monitor permitted activities and adherence to all permit conditions.

A. IF APPLICANT IS AN INDIVIDUAL

s	ignature of Applicant	j	Print Applicant'	s Name			Date
B.	IF APPLICANT IS OTHER THAN (Examples: Corporation, Partnership,			ATURAL PE	RSON		
	Miami-Dade Parks,Rec & Open		County	/		Flor	ida
	rint Name of Applicant (Enter the complete name a egistration/Incorporation	s registered)	Т	ype (Corp, LLC, i	LLP, etc.)	State of	
Ap au	der the penalty of perjury, I certify that I l plicant, and if so required to authorize the thority to the Department). <u>***Please No</u> erating agreements, or other applicable age	issuance of a te: If addition	bond on beha	If of the Applic are required, p	ant. (If ask oursuant to	ed, you must p	rovide proof of such
	An	Joe Corr		attacto aquition	100 C	Director	3/24/2020
S	ignature of Authorized Represent ever		rized Represent	ative's Name	Title		 Date
c.	IF APPLICANT IS A JOINT VENT	URE Each	party must sig	n below(If mo	re than two	o members, lis	t on attached page)
	int Name of Applicant (Enter the complete name as egistration/Incorporation	s registered)	Т	ype (Corp, LLC, I	LLP, etc.)	State of	
	int Name of Applicant (Enter the complete name a egistration/Incorporation	s registered)	т	ype (Corp, LLC, I	LLP, etc.)	State of	
Ap aut	der the penalty of perjury, I certify that I h plicant, and if so required to authorize the thority to the Department). <u>***Please Not</u> erating agreements, or other applicable agr	issuance of a te: If additio	bond on beha nal signatures	if of the Applic are required, p	ant. (If ask oursuant to	ed, you must p your governin	rovide proof of such
Si	gnature of Authorized Representative	Print Author	rized Represent	ative's Name	Title		Date
Si	gnature of Authorized Representative	Print Author	rized Represent	ative's Name	Title		Date

10. WRITTEN CONSENT OF TI	HE PROPERTY OWNER OF	THE AREA OF THE	PROPOSED WORK						
I/We are the fee simple owner(s) of the real property located at 10800 Collins Avenue (Deed No. 30052) Miami-Dade									
	County, Florida, otherwise identified in the public records of Miami-Dade County as Folio No. 30-2214-008-0010								
I am aware and familiar with the conter		-							
to the subject property, as described in		-							
applicable) and hereby consent to the w			o the area of the proposed work (if						
applicable) and neleby consent to me w	ork identified in this Class I Permit	appneation.							
A. IF THE OWNER(S) IS AN I	NDIVIDUAL								
Signature of Owner	Print Owner's Name		Date						
Signature of Owner	Print Owner's Name		Date						
	THAN AN INDIVIDUAL OR ip, Joint Venture, Trust, LLC, LLP, (S, Rec.& Open Space	etc.)	Florida						
Print Name of Owner (Enter the complete n	ame as registered)	Type (Corp, LLC, LLP, etc.)	State of Registration/Incorporation						
275 NW 2nd St., 4th floor, M	1iami, FL 33128								
Address of Owner									
Under the penalty of perjury, I certify Owner, and if so required to authoriz authority to the Department). <u>***Ple</u> operating appendix, or other applie	e the issuance of a bond on behalf ase Note: If additional signature	of the Owner. (If asked, y are required, pursuant	ou must provide proof of such to your governing documents.						
Hory you.	Joe Cornely	Asst. Direct							
Signature of Authorized Representative	Print Authorized Representative's N		Date						
		Asst. Director							
Signature of Authorized Representative									
	Print Authorized Representative's N	ame Title	Date						
	Print Authorized Representative's N	ame Title	Date						

Please Review Above

Appropriate signature(s) must be included in:

Box 9: either A, B or C

<u>AND</u>

Box 10: either A or B

<u>Class I Permit Application Additional Signatures Page</u> (Please attach to Class I permit application)

Applicant Name:	N/A		
Owner Name:			
Project Location:			
Additional signatures f	for: Applicant		
Additional signatures	Owner		
1. IF THE APPLICAN	T/OWNER IS AN INDIVIDUAL		
Signature of Applicant/O	Jwner	Print Name of Applicant/Owner	Date
Signature of Applicant/O)wner	Print Name of Applicant/Owner	Date
	T/OWNER IS OTHER THAN AN IN on, Partnership, Trust, LLC, LLP, etc.)	DIVIDUAL OR NATURAL PE	RSON
	ner (Enter the complete name as registered)	Type (Corp, LLC, LLP, etc.)	State of Registration/Incorporation
bind the Applicant/Owner must provide proof of suc	ury, we certify that we have the autho r, and if so required to authorize the is h authority to the Department). <u>***P</u> is, operating agreements, or other app	ssuance of a bond on behalf of th lease Note: If additional signat	e Applicant/Owner. (If asked, you ures are required, pursuant to
Signature	Print Name	Title	Date
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Signature	Print Name	Title	Date
Signature	Print Name	Title	Date
Signature	Print Name	Title	
			Date
Signature	Print Name	Title	Date

Attachment B

Owner/Agent Letter, Engineer Letter and Project Sketch



AECOM 2090 Palm Beach Lakes Blvd Suite 600 West Palm Beach, FL 33409 www.aecom.com

PERMIT APPLICANT / AUTHORIZED AGENT STATEMENT

March 10, 2021

Miami Dade County Department of Regulatory and Economic Resources Class I Permitting Program 701 NW 1st Court Miami, FL 33136

Re: Class I Standard Form Permit Application Number CLI-2020-0149

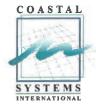
By the attached Class I Standard Form permit application with supporting documents, I, Karen Brandon, am the authorized permit agent and hereby request permission to perform the work associated with Class I Permit Application CLI-2020-0149. I understand that a Miami-Dade County Class I Standard Form Permit is required to perform this work.

If approval is granted for the proposed work by the Board of County Commissioners, complete and detailed plans and calculations of the proposed work shall be prepared by an engineer licensed in the State of Florida in accordance with the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida. Said plans and calculations shall be subject to the review and approval of the Department. The permit applicant will secure the services of an engineer licensed in the State of Florida to conduct inspections throughout the construction period, and said engineer shall prepare all required drawings of record. In the event that the proposed work which is the subject of this Class I Permit application involves the cutting or trimming of a mangrove tree(s), a detailed plan of the proposed cutting or trimming shall be prepared by a licensed landscape architect and submitted to the Department for review and approval, and the permit applicant will secure the services of a licensed landscape architect to supervise the trimming or cutting.

Respectfully submitted,

Van Brandon

Karen D. Brandon, PE Associate Vice President



COASTAL SYSTEMS INTERNATIONAL, INC. 464 South Dixie Highway • Coral Gables, Florida 33146 Tel: 305-661-3655 • Fax: 305-661-1914 www.coastalsystemsint.com

March 18, 2021

ENGINEER LETTER OF CERTIFICATION

Miami Dade County Department of Regulatory and Economic Resources Class I Permitting Program 701 NW 1st Court Miami, FL 33136

RE: Class I Permit Application Number CLI-2020-0149

Ladies and Gentlemen:

This letter will certify that I am an engineer licensed in the State of Florida, qualified by education and experience in the area of engineering design and inspection, and that to the best of my knowledge and belief, the proposed work does not violate any laws, rules, or regulations of the State of Florida or any provisions of the Code of Miami-Dade County which may be applicable; that diligence and recognized standard practices of the engineering profession have been exercised in the engineer's design of the proposed work; and in my opinion based upon my knowledge and belief, the following will not occur:

- a. Harmful obstruction or undesirable alteration of the natural flow of the water within the area of the proposed work.
- b. Harmful or increased erosion, shoaling of channels or stagnant areas of water. (Not applicable to class IV permits)
- c. Material injury to adjacent property.
- d. Adverse environmental impacts from changes in water quality or quantity. (Applicable to class IV permits only)

Further, I have been retained by the applicant to provide inspections throughout the construction period and to prepare a set of reproducible record prints of drawings showing changes made during the construction process based upon the marked-up prints, certified surveys, drawings, and other data furnished by the contractor to me.

Sincerely, **COASTAL SYST** INC. Andres Perez P.E. # 6650



BOAT RAMP CONSTRUCTION PLANS HAULOVER PARK

MIAMI - DADE COUNTY, FLORIDA **10800 Collins Avenue, Miami, FL**

INDEX OF DRAWINGS

NG NAME SHEET NUMB

PROS PROJECT NUMBER 222302-17-005 AUGUST 2020

ED RAMP DETAULS SED DOCK DETAULS SMARER POLLUTION PREVENTION PLAN DET MMATTER POLLUTION PREVENTION PLAN DET

CIVIL PLANS IERAL NOTES

VAGE PLAN (PHASE : VAGE PLAN (PHASE : VAGE PLAN (PHASE :



Honorable Carlos A. Gimenez Mayor

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BOARD OF COUNTY COMMISSIONERS

Honorable Audrey M. Edmonson, Chairv District 3 Rebeca Sosa, Vice-Chairwoman

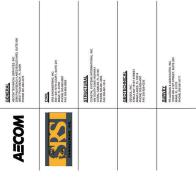
District 6	Honorable Daniella Levine Cava	District 8	Honorable Dennis C. Moss	District 9	Honorable Javier D. Souto	District 10	Honorable Joe A. Martinez	District 11	Honorable José "Pepe" Diaz	District 12	
Dist	Honorable Barbara J. Jordan	District 1	Honorable Jean Monestime	District 2	Honorable Sally A. Heyman	District 4	Honorable Eileen Higgins	District 5	Honorable Xavier L. Suarez	District 7	

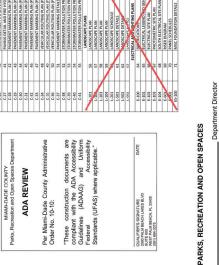
Harvey Ruvin Clerk of Courts Pedro J. Garcia Property Appraiser Abigail Price-Williams County Attorney

MIAMI-DADE COUNTY provides equal access and equal opportunity in employment and services and does not discriminate on the basis of disability.

PARKS, RECREATION AND OPEN SPACES Maria I. Nardi, Director



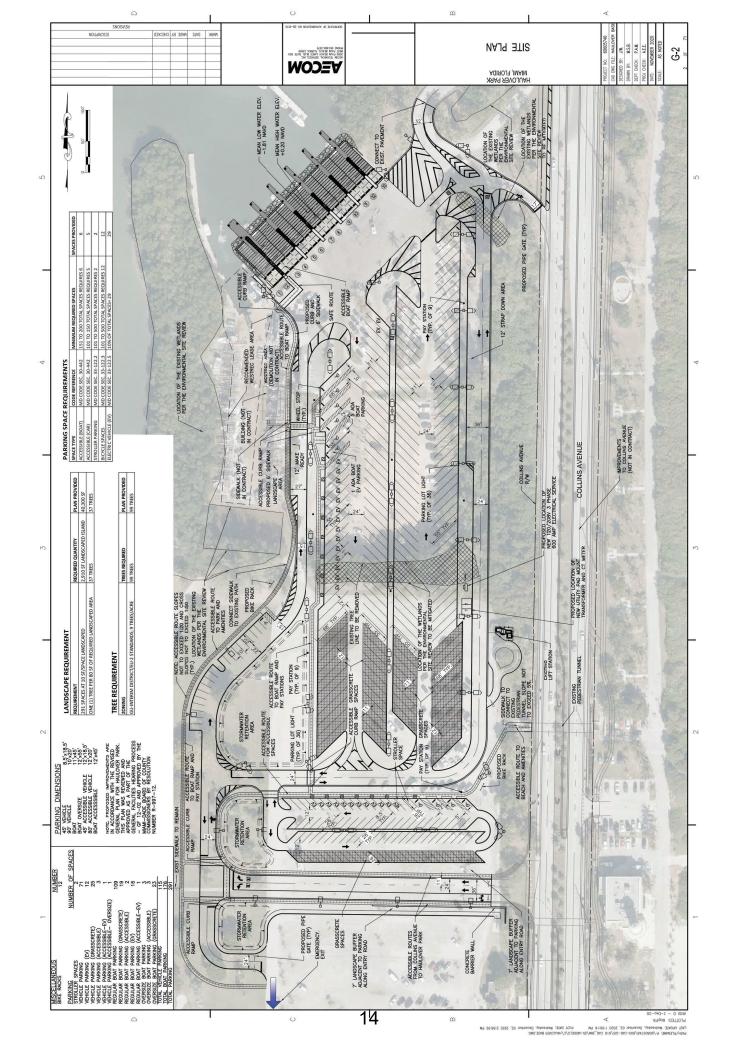




Assistant Director of Planning, Design and Construction Excellence

Chief-Design and Construction Excellence

Assistant Director of Operations Management Division



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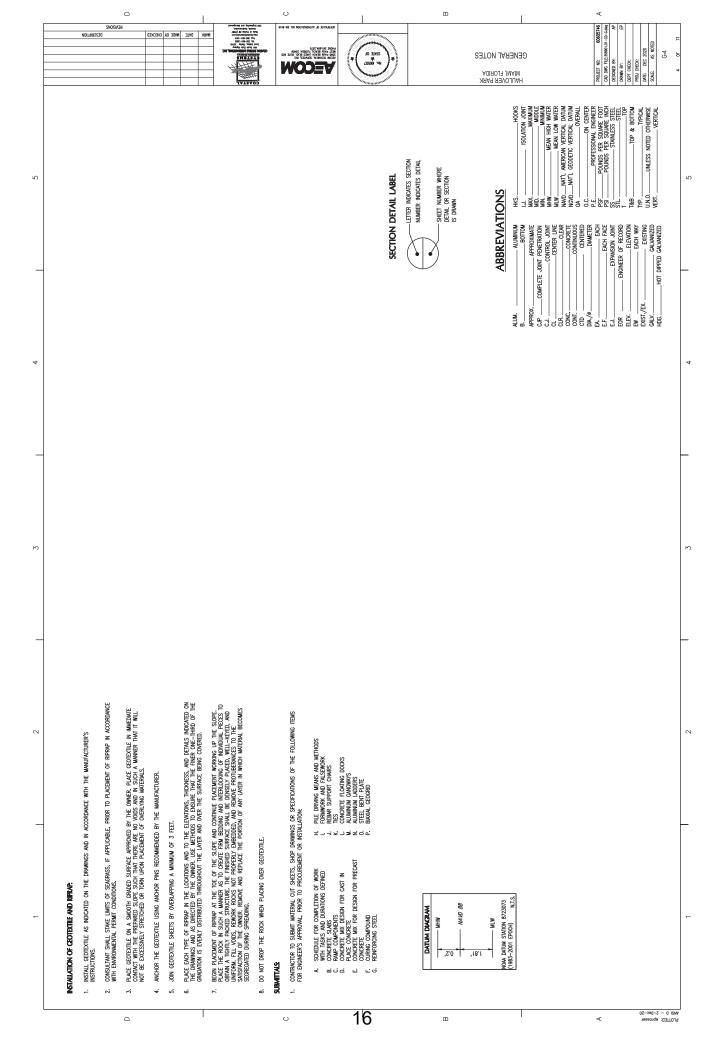
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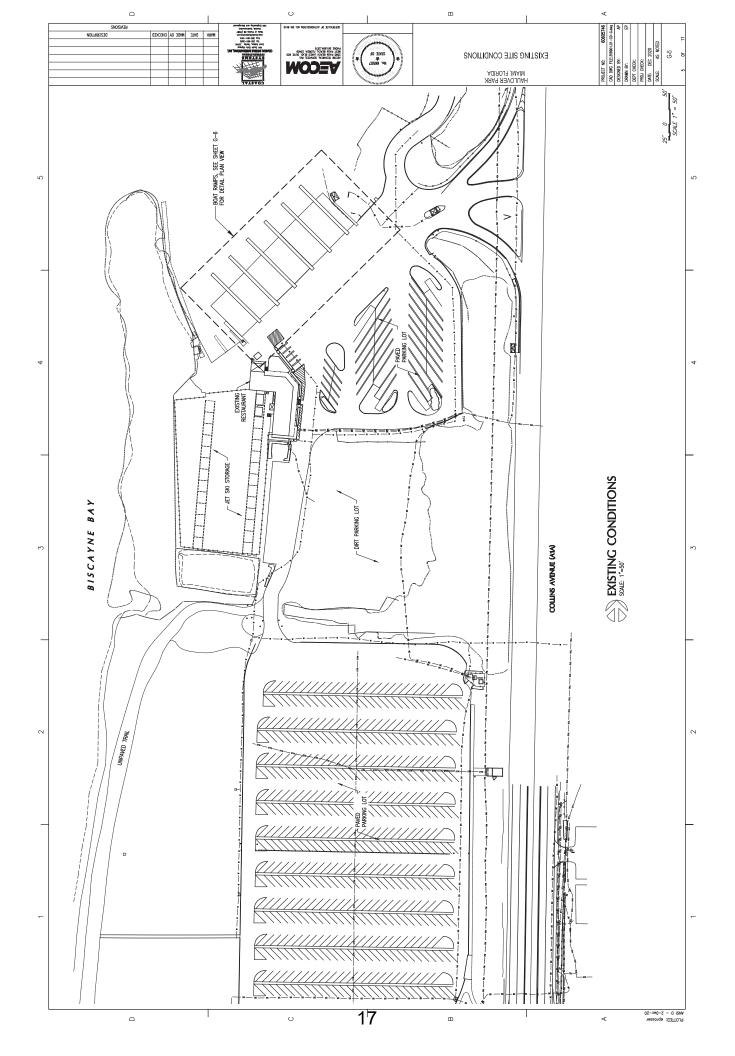
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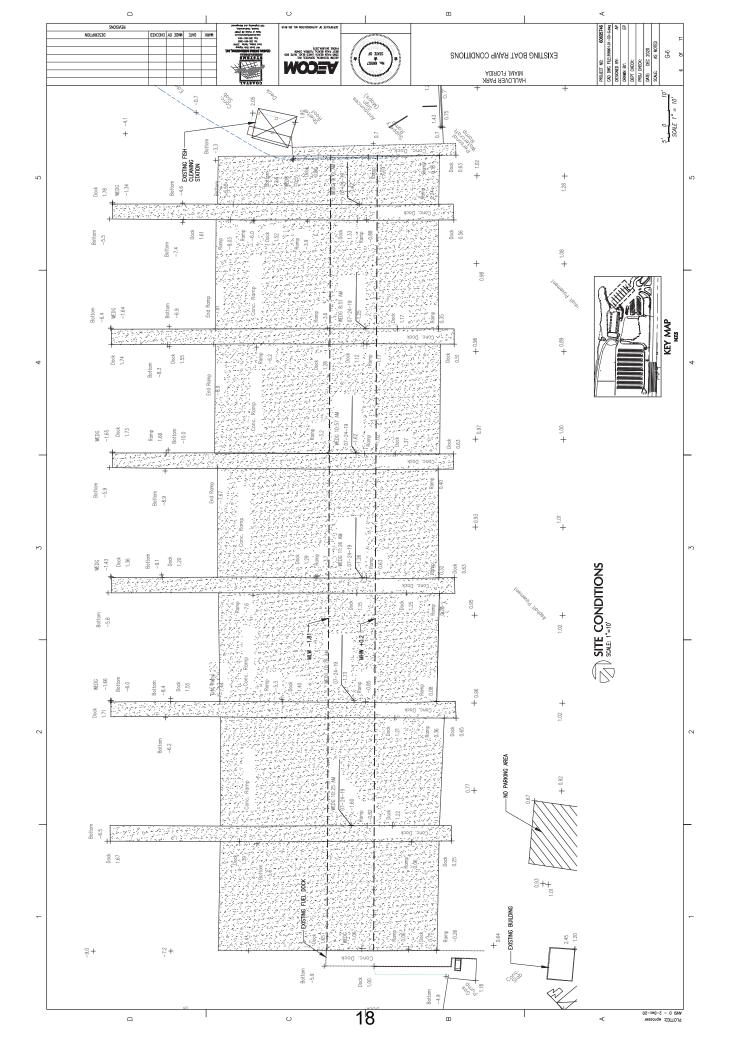
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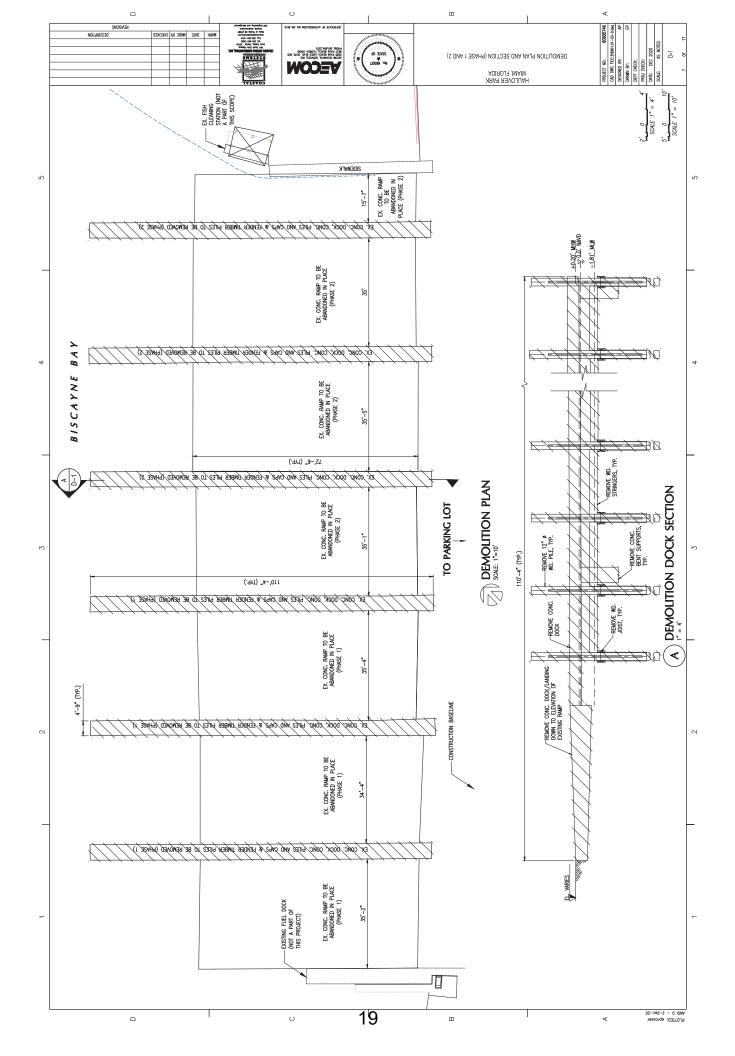
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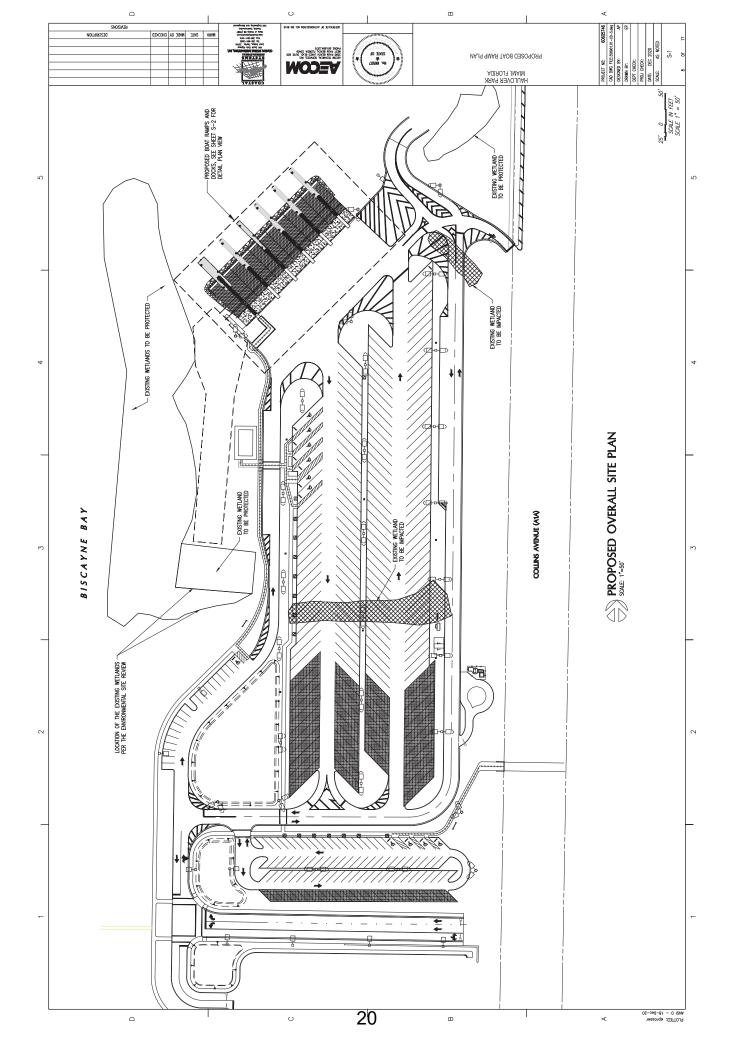
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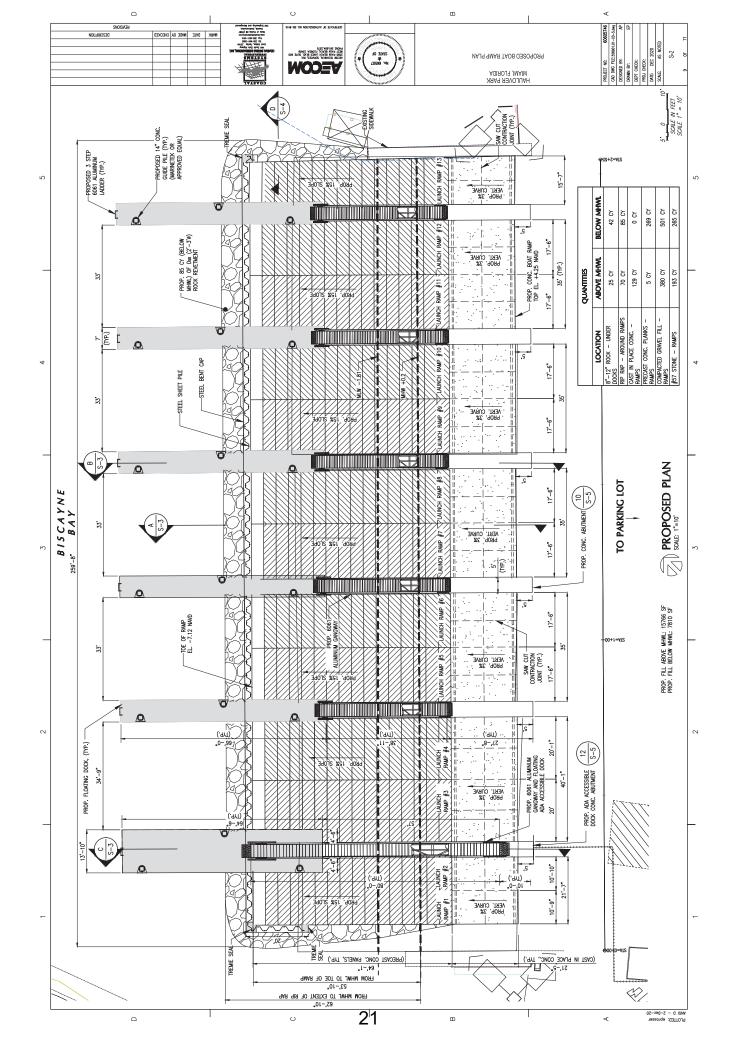


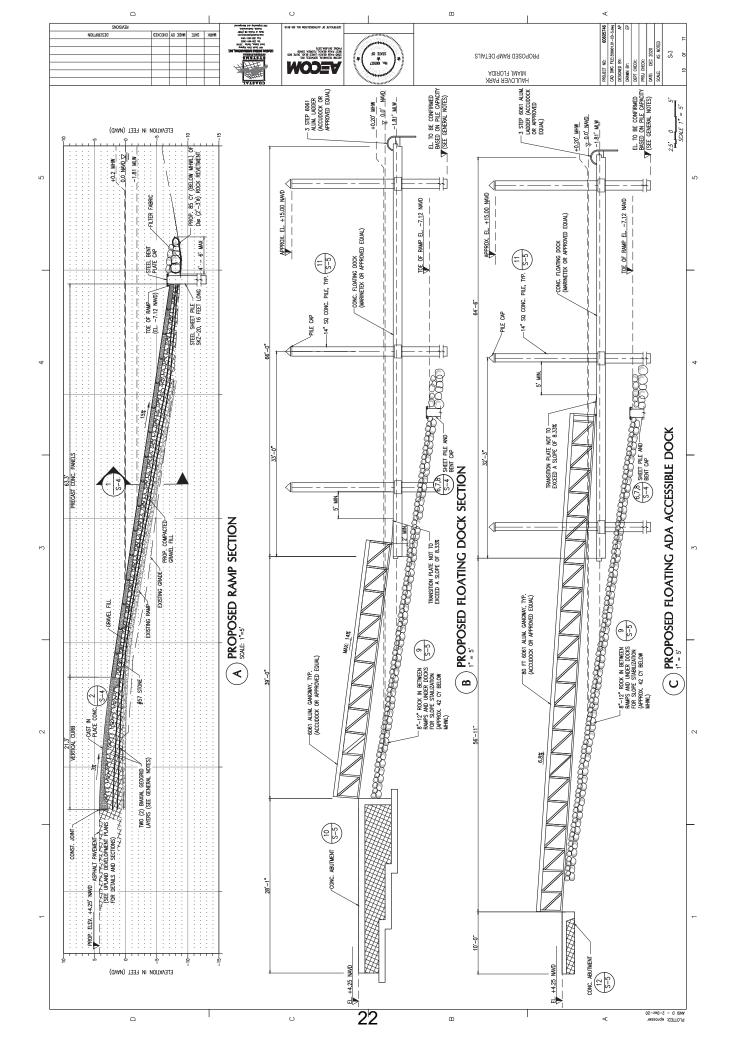


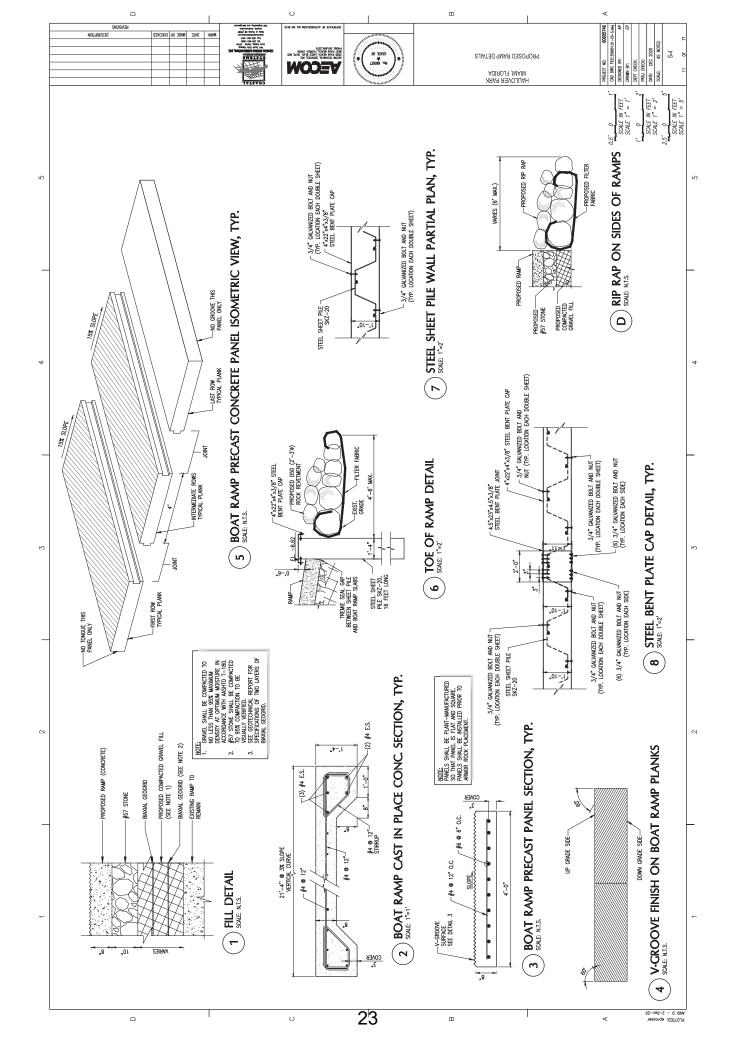


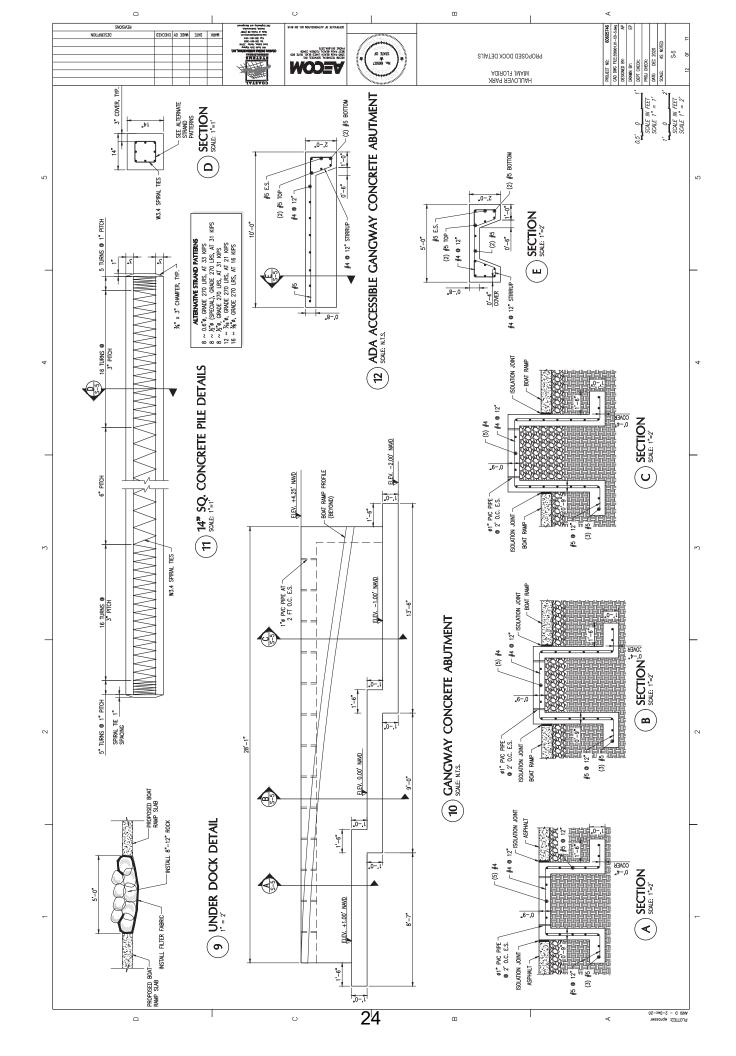




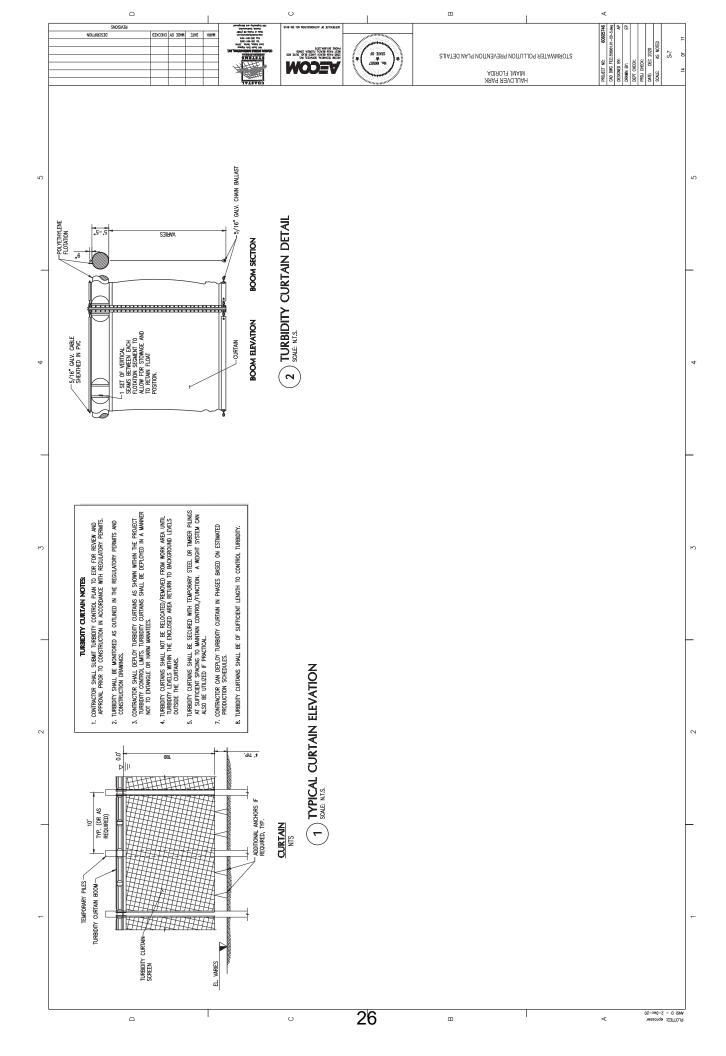


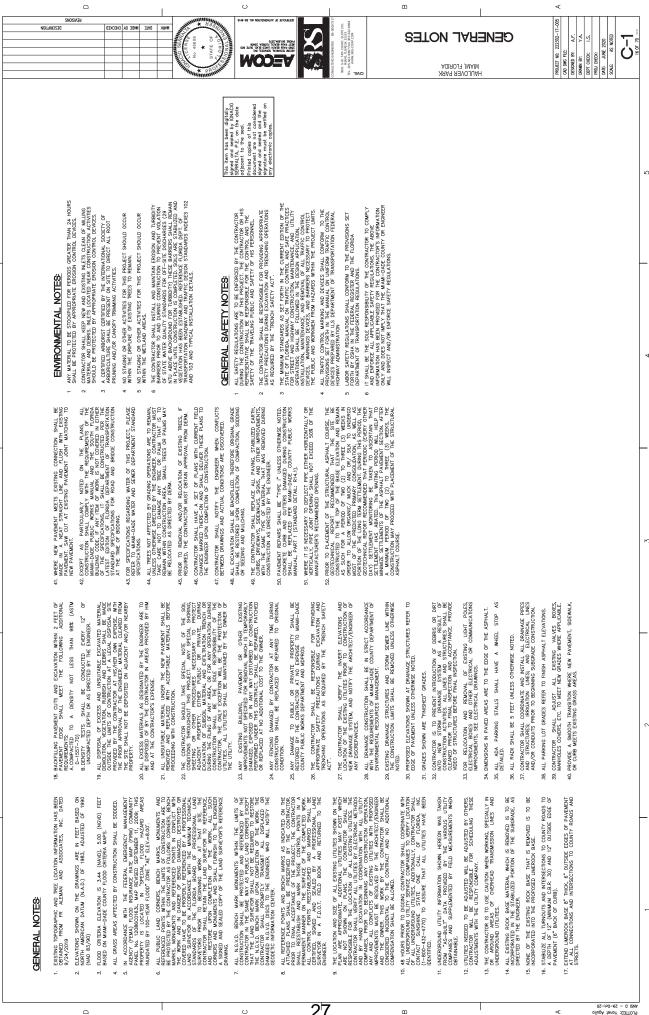












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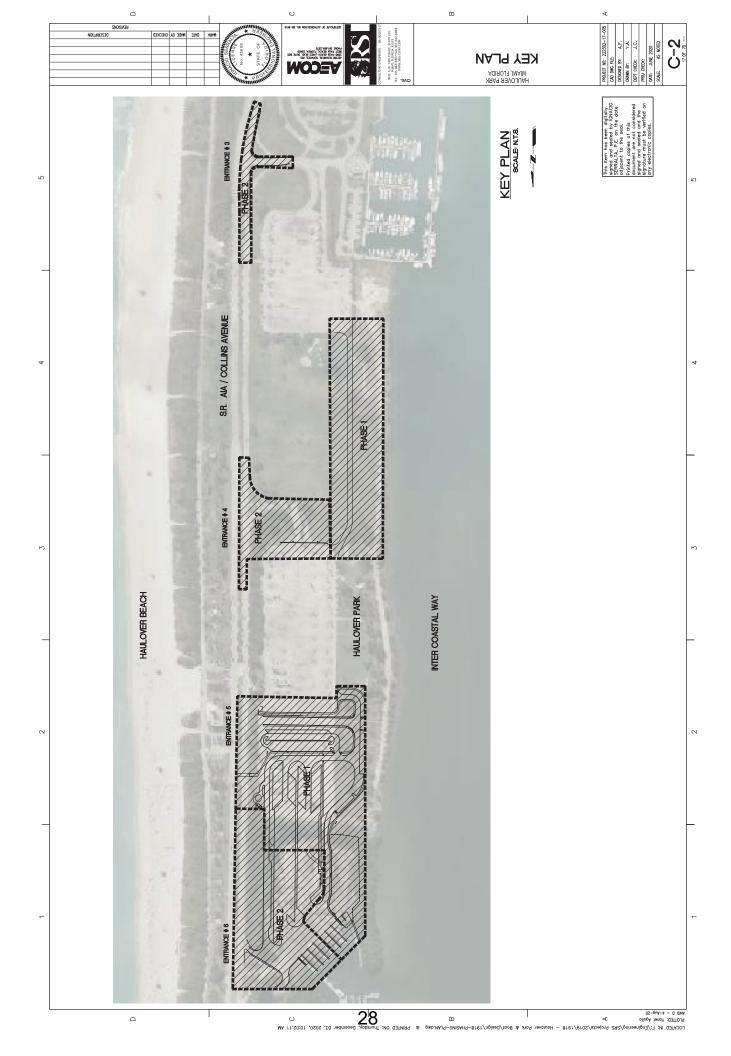
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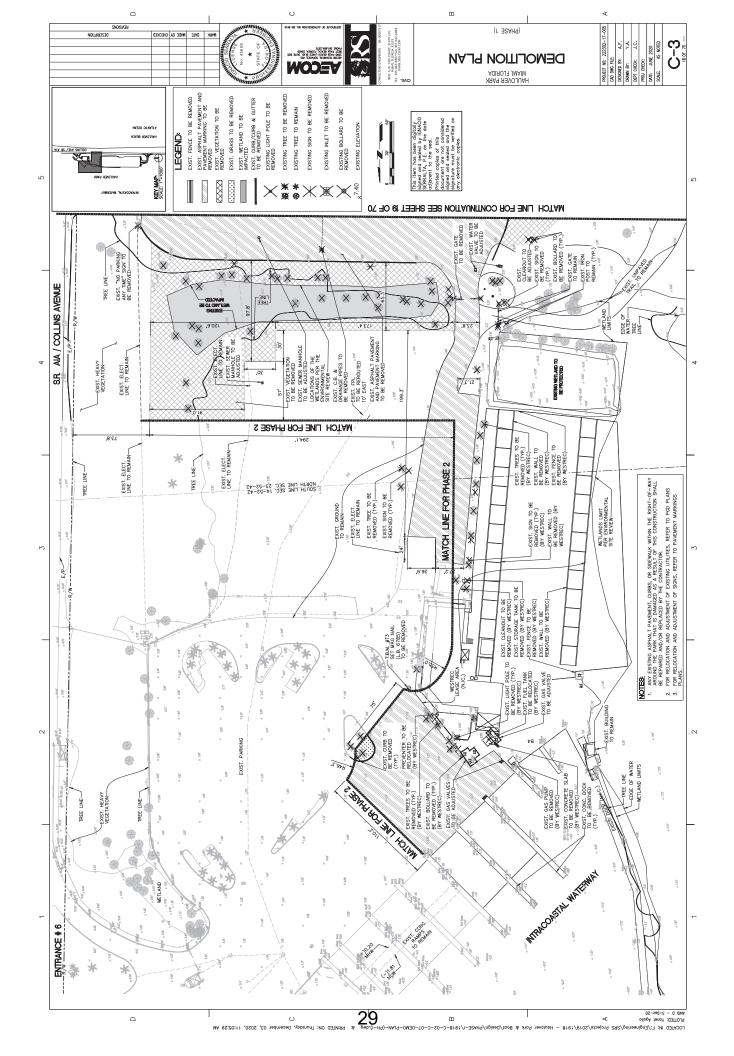
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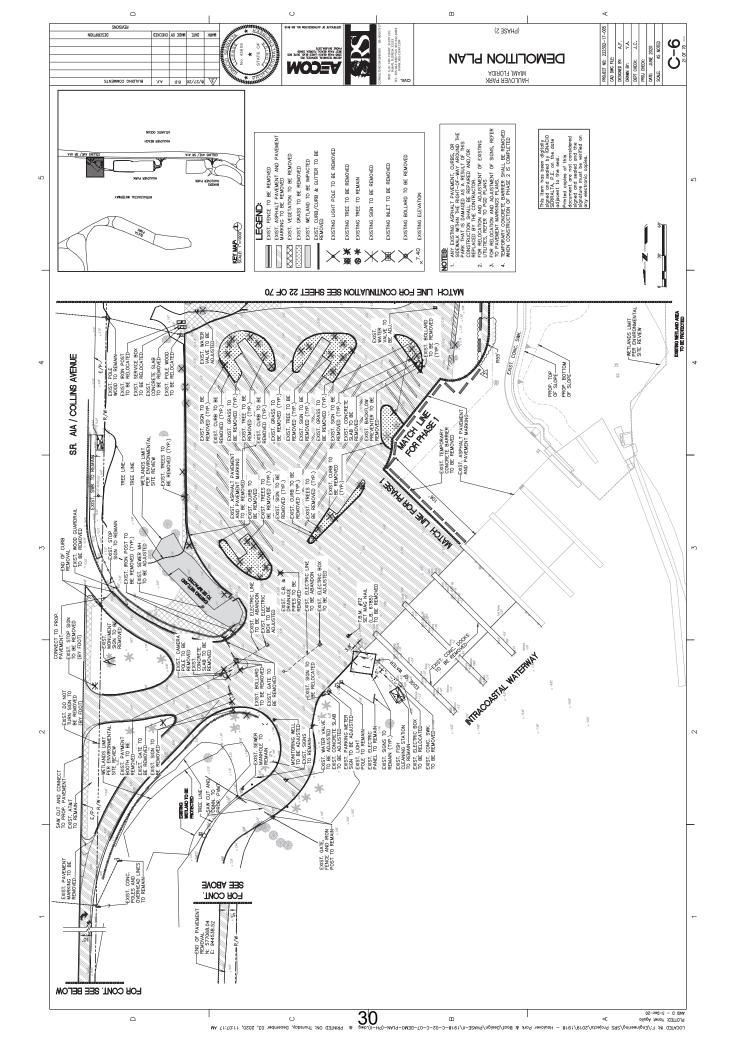
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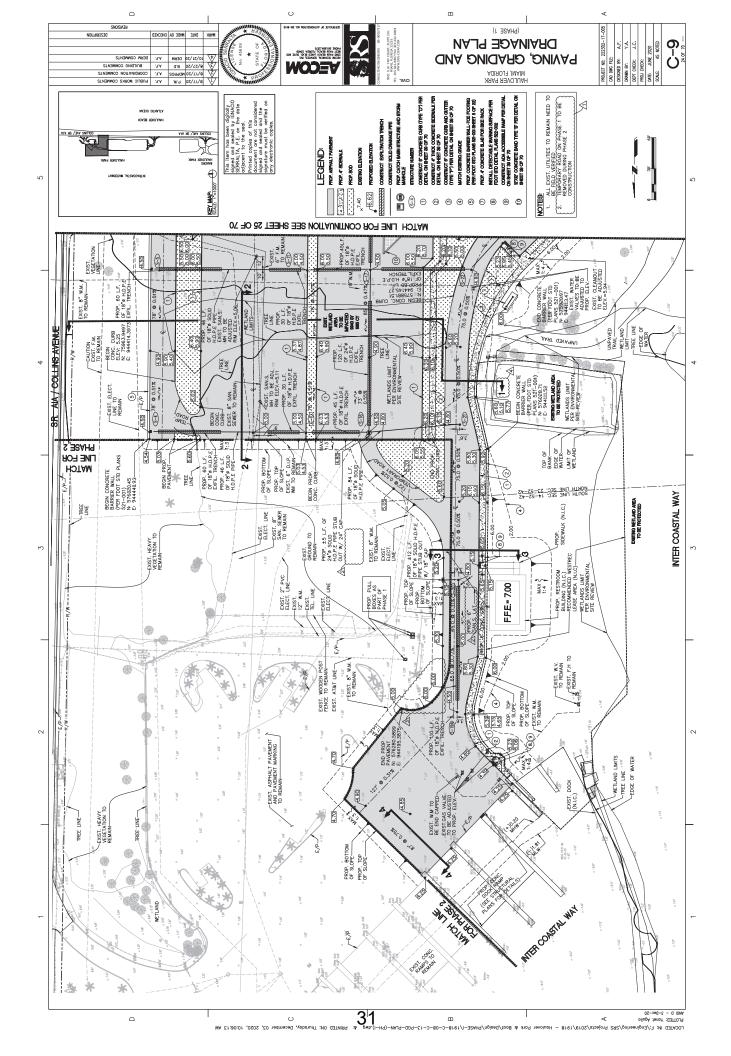
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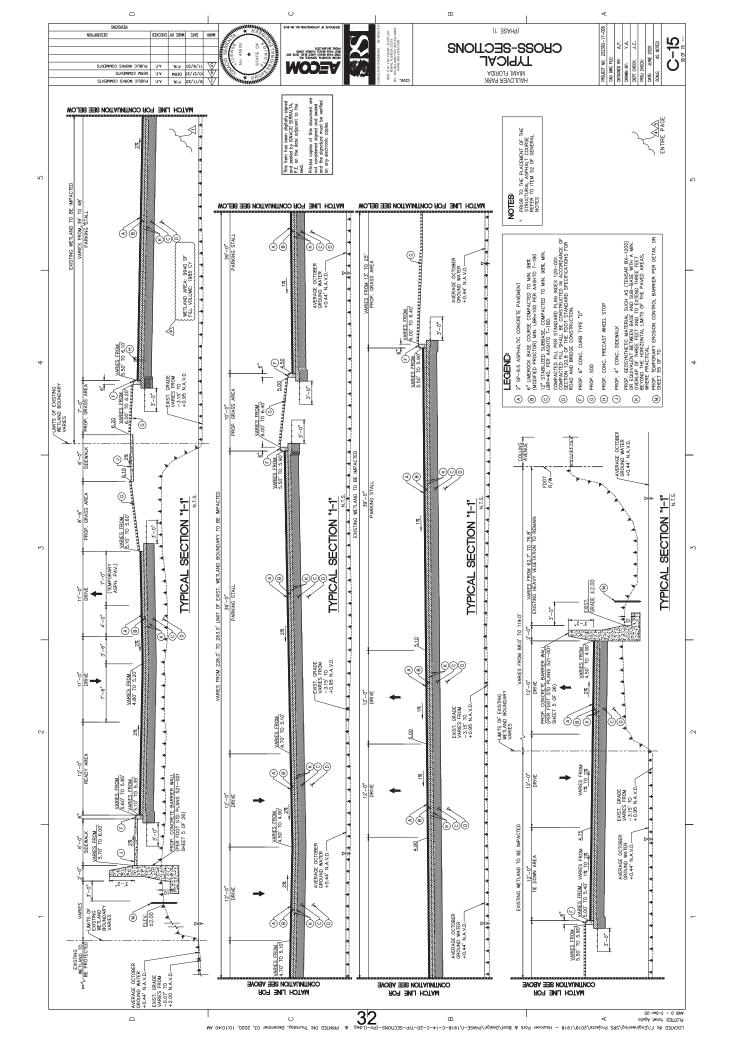
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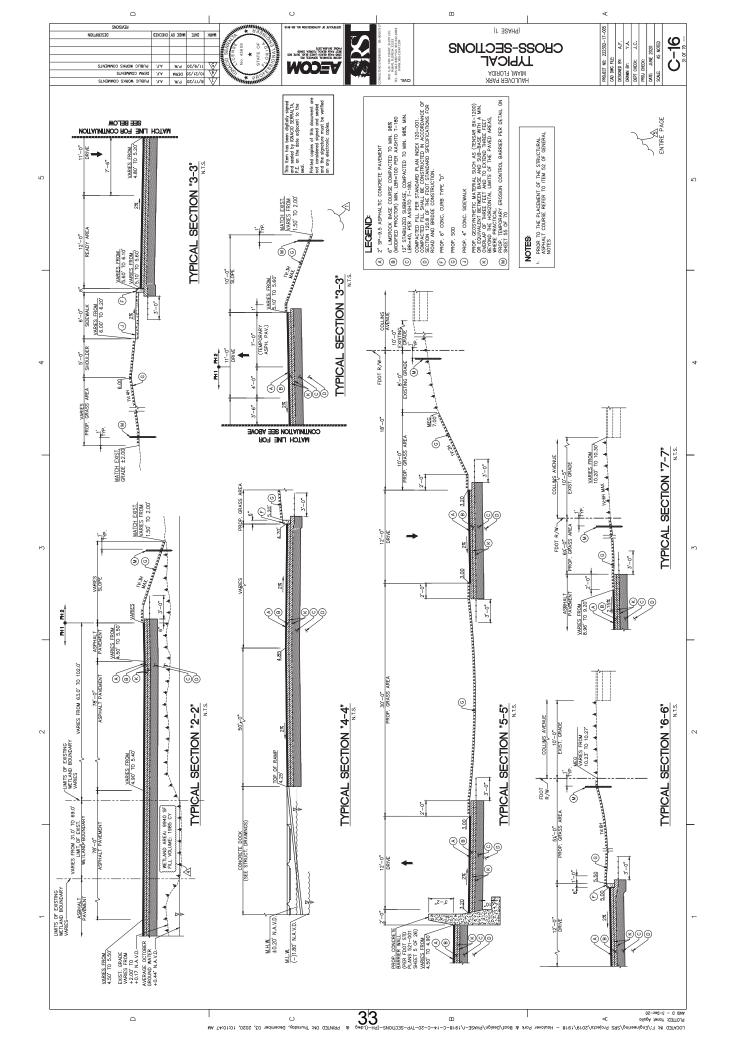


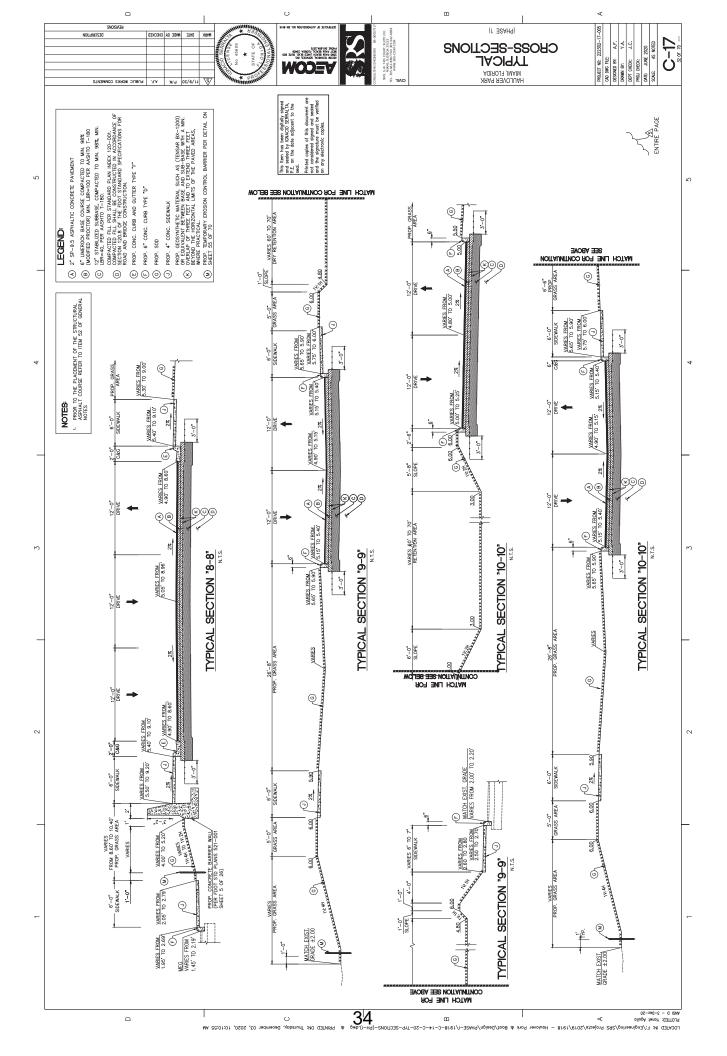


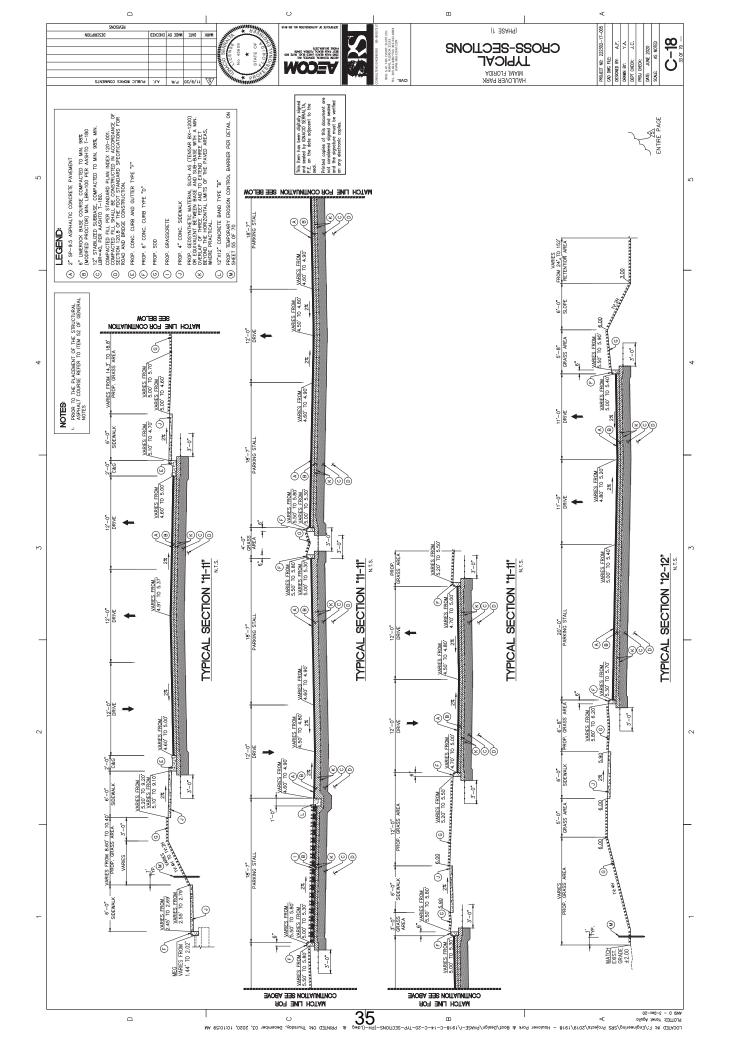


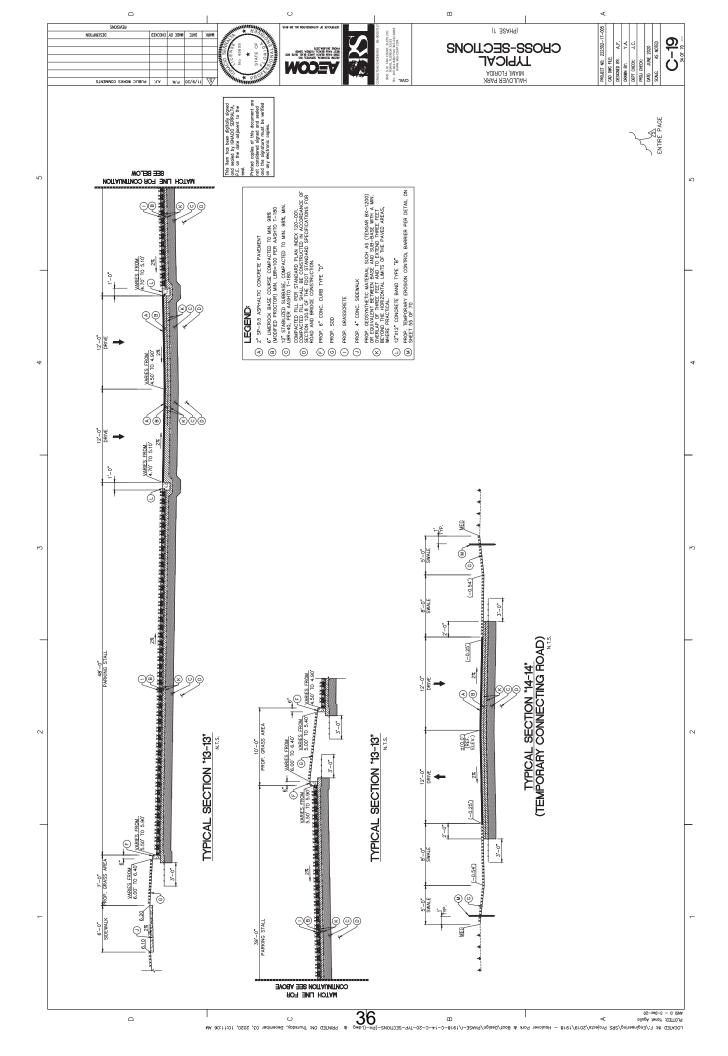


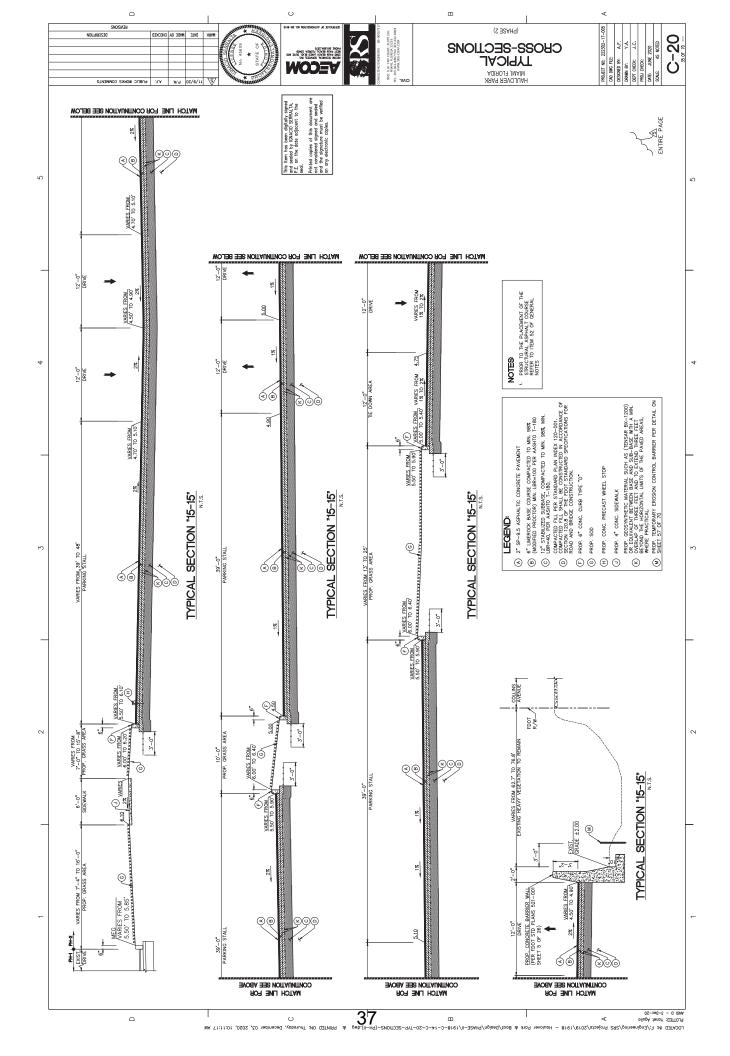


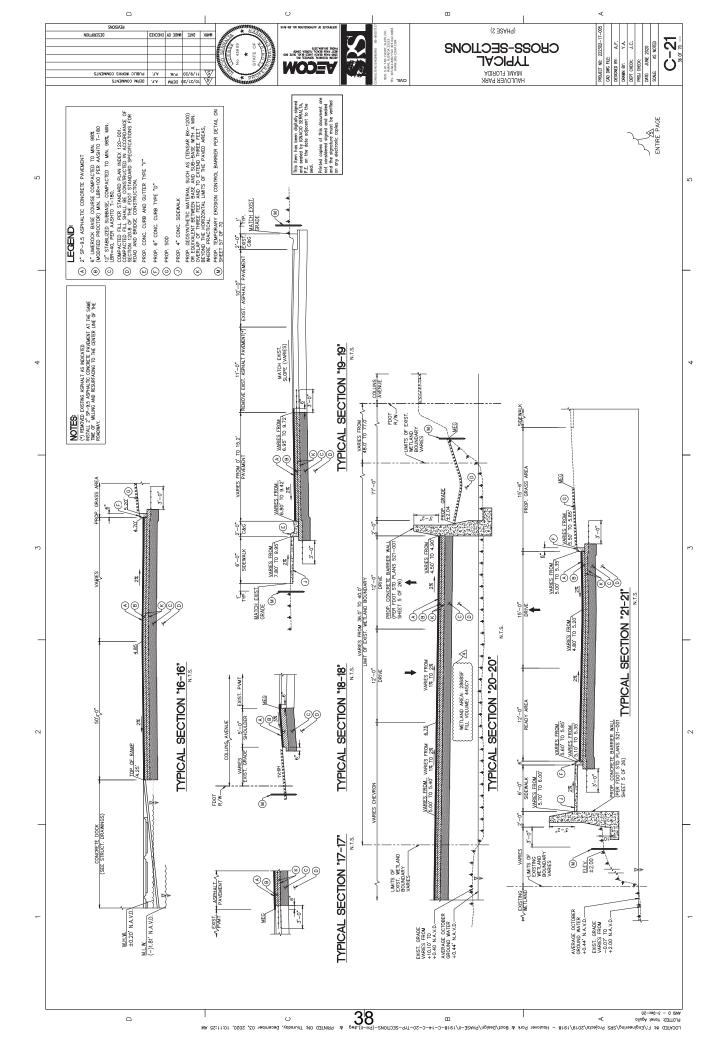


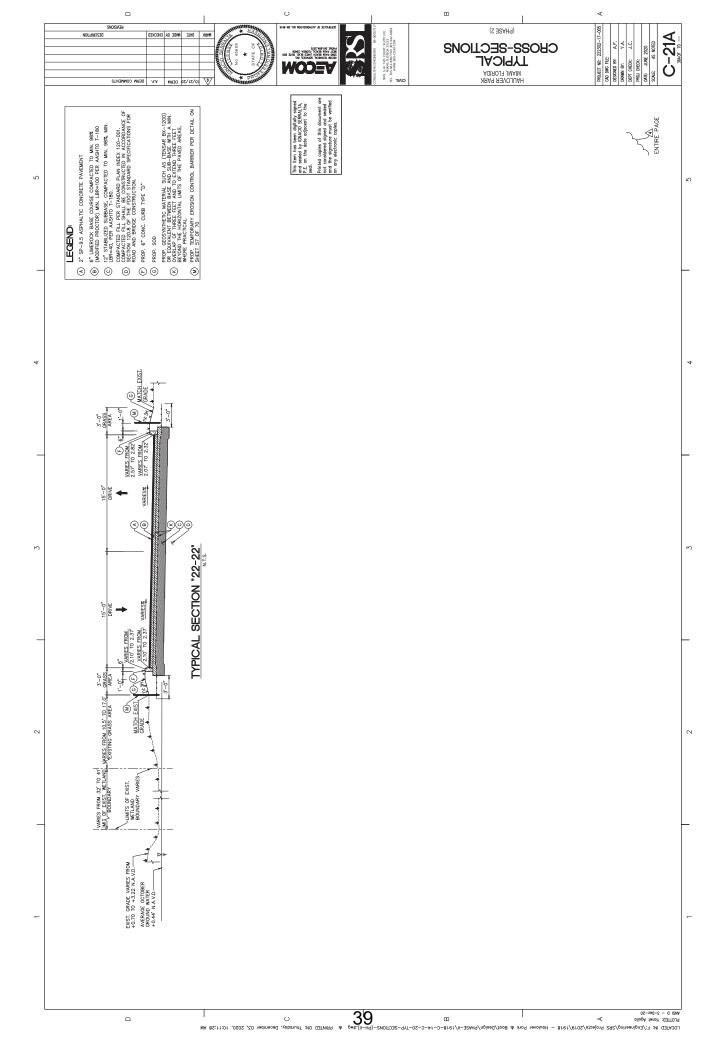












Attachment C

DERM Project Report

CLASS I PERMIT APPLICATION NO. CLI-2020-0149

Class I Permit Application by Miami-Dade County, through its Parks, Recreation and Open Spaces for the Filling of Tidal Waters in Association with the Redevelopment of an Existing Boat Ramp, the Filling of Wetlands Supporting Halophytic Vegetation in Association with Improvements to a Parking Lot and the Installation of Finger Piers, a Footer, and Riprap within Haulover Park located at 10800 Collins Avenue, in Unincorporated Miami-Dade County, Florida.

DATE: June 9, 2021

Staff's recommendation of approval for the above-referenced permit application is based on the applicable evaluation factors under Section 24-48.3 of the Code of Miami-Dade County, Florida (Code). The following is a summary of the proposed project and staff's opinion to its conformance with respect to each applicable evaluation factor:

1. <u>Potential Adverse Environmental Impact</u> –Pursuant to Section 24-48.4 of the Code, potential adverse environmental impacts and cumulative adverse environmental impacts for a proposed project must be avoided and minimized. Section 24-48.4 of the Code also requires mitigation for permittable projects that otherwise result in unavoidable environmental impacts. In an effort to avoid and minimize impacts to benthic resources, the majority of the proposed ramp and piers would be installed within the footprint of the existing ramp and piers. Furthermore, no federally or State-designated threatened or endangered species of seagrasses or corals were documented within the footprint of the proposed ramp work and the submerged bottom does not provide significant habitat.

The majority of the expanded parking lot would be within the same footprint as the existing or within an unpaved area currently used for overflow parking that does not contain wetlands. In the areas where impacts to wetlands could not be avoided the footprint of the expanded parking lot has been designed to only result in the filling of two isolated pockets of wetlands adjacent to the existing parking areas that are not connected to the larger wetland system. In order to ensure that the remaining adjacent wetlands would not be impacted by the parking lot improvements or the use of the parking lot, the County proposes to install a concrete retaining wall between the parking area and the larger wetland system. No temporary impacts to wetlands are expected as a result of the proposed work.

Furthermore, the proposed work is not reasonably expected to result in cumulative environmental impacts to water quality. Currently, the existing unpaved overflow parking area does not contain any erosion controls or drainage features to prevent runoff in to the adjacent surface waters. The direct runoff associated with both the paved and unpaved parking areas would be eliminated through the installation of retaining walls along the edges of the newly constructed parking lot and the construction of a drainage system thereby eliminating direct water runoff. While the construction phase of the proposed project may result in temporary water quality impacts, the Class I permit would require that turbidity controls be utilized during all phases of construction to ensure compliance with State and County water quality standards.

Mitigation for unavoidable temporary impacts to water quality associated with the filling of tidal waters would be satisfied through the placement of riprap. Any portion of the required mitigation that cannot be accommodated on-site would be satisfied through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund. To mitigate for otherwise permittable impacts to wetlands associated with the parking lot improvements, the County has proposed the purchase of saltwater mitigation bank credits from the Florida Power and Light Company's Everglades Mitigation Bank (FPL EMB), which would restore, enhance and preserve coastal wetlands in accordance with federal, State and local regulations.

The proposed project has been evaluated for consistency with the Miami-Dade County Manatee Protection Plan. The project is not located within an area designated as essential habitat for the Florida manatee and the Manatee Protection Plan recommends the site be utilized for commercial marinas, dry storage, boat ramps, transitory docks, or boatyards. The proposed boat ramp renovations are consistent with the historic use of the facility and with the marine facility siting recommendations of the Manatee Protection Plan. Furthermore, the Class I permit would require

that all standard construction permit conditions regarding manatee protection be followed during all in-water operations.

- 2. <u>Potential Cumulative Adverse Environmental Impact</u> The proposed project is not reasonably expected to result in cumulative adverse environmental impacts as set forth in Number 1 above.
- 3. <u>**Hvdrology**</u> The proposed project is not reasonably expected to adversely affect surface water drainage or retention of stormwater.
- 4. <u>Water Quality</u> The proposed project may affect surface water quality on a temporary basis during construction operations as set forth in Number 1 above.
- 5. <u>Wellfields</u> The proposed project is not reasonably expected to adversely affect wellfields.
- 6. <u>Water Supply</u> The proposed project is not reasonably expected to adversely affect water supply.
- 7. <u>Aquifer Recharge</u> The proposed project is not reasonably expected to adversely affect aquifer recharge.
- 8. <u>Aesthetics</u> The proposed project is not reasonably expected to adversely affect aesthetics.
- 9. <u>Navigation</u> The proposed project is not reasonably expected to adversely affect navigation.
- 10. <u>Public Health</u> The proposed project is not reasonably expected to adversely affect public health.
- 11. <u>Historic Values</u> The proposed project is not reasonably expected to adversely affect historic values.
- 12. <u>Archaeological Values</u> The proposed project is not reasonably expected to adversely affect archaeological values.
- 13. <u>Air Quality</u> The proposed project is not reasonably expected to adversely affect air quality.
- 14. <u>Marine and Wildlife Habitats</u> The proposed project is not reasonably expected to adversely affect marine and wildlife habitats as set forth in Number 1 above.
- 15. <u>Wetland Soils Suitable for Habitat</u> –The proposed project involves the filling of wetlands which would be mitigated as set forth in Number 1 above.
- 16. <u>Floral Values</u> The proposed project involves the filling of wetlands which would be mitigated as set forth in Number 1 above.
- 17. <u>Fauna Values</u> The proposed project involves the filling of wetlands which would be mitigated as set forth in Number 1 above.
- 18. <u>Rare, Threatened and Endangered Species</u> The proposed project is not reasonably expected to adversely affect rare, threatened and endangered species.
- 19. <u>Natural Flood Damage Protection</u> The proposed project is not reasonably expected to adversely affect surface water drainage or retention of stormwater.

- 20. <u>Wetland Values</u> The project involves the filling of wetland habitat which would be mitigated as set forth in Number 1 above.
- 21. <u>Land Use Classification</u> Pursuant to Section 24-48.2(II)(B)(7) of the Code of Miami-Dade County, Florida, applications by the County within its own jurisdiction shall not be required to submit a substantiating letter or plan approval from the local zoning authority.
- 22. <u>Recreation</u> The proposed project does not conflict with the recreation element of the Miami-Dade County Comprehensive Development Master Plan.
- 23. <u>Other Environmental Values Affecting the Public Interest</u> The proposed project is not reasonably expected to adversely affect other environmental values affecting the public interest. The proposed project would occur on lands owned by the applicant.
- 24. <u>Conformance with Standard Construction Procedures and Practices and Design and</u> <u>Performance Standards</u> – The proposed project complies with the standard construction procedures and practices and design and performance standards of the applicable portions of the Code of Miami-Dade County and the Miami-Dade County Public Works Manual.
- 25. <u>Comprehensive Environmental Impact Statement (CEIS)</u> In the opinion of the Director, the proposed project is not reasonably expected to result in significant adverse environmental impacts or cumulative adverse environmental impacts. Therefore, a CEIS was not required by DERM to evaluate the project.
- 26. <u>Conformance with All Applicable Federal, State and Local Laws and Regulations</u> The proposed project is in conformance with applicable State, Federal and local laws and regulations:
 - a) Chapter 24 of the Code of Miami-Dade County
 - b) United States Clean Water Act (US Army Corps of Engineers permit is required and must be obtained prior to performing work)
 - c) Florida Department of Environmental Protection (regulatory permit is required and must be obtained prior to performing work)
- 27. Conformance with the Miami-Dade County Comprehensive Development Master Plan (CDMP) In the opinion of the Director, the proposed project is consistent as required by CDMP policy LU-3A, with the goals, objectives and policies contained in the Conservation, Aquifer Recharge and Drainage and Coastal Management Elements of this Plan, and with all applicable environmental regulations, as well as other elements of the CDMP. The following is a summary of the proposed project as it relates to the CDMP:

LAND USE ELEMENT I:

<u>Objective 3/Policies 3A, 3B, 3C</u> - Protection of natural resources and systems. – The proposed project is consistent with all applicable environmental regulations, is compatible with surrounding land uses in Biscayne Bay and does not involve development in the Big Cypress area of Critical State Concern or the East Everglades.

TRANSPORTATION ELEMENT II

<u>Aviation Subelement/Objective AV-5A</u> - Aviation System Expansion - There is no aviation element to the proposed project.

<u>**Port of Miami River Subelement/Objective 3**</u> - Minimization of impacts to estuarine water quality and marine resources. The project is not located within the Miami River.

CONSERVATION, AQUIFER RECHARGES AND DRAINAGE ELEMENT IV:

- **Objective 3/Policies 3A, 3B, 3D** Wellfield protection area protection. The proposed project is not located within a wellfield protection area.
- **Objective 3/Policy 3E** Limestone mining within the area bounded by the Florida Turnpike, the Miami-Dade/ Broward Levee, N.W. 12 Street and Okeechobee Road. - The proposed project is not located within this area.
- <u>**Objective 4/Policies 4A, 4B, 4C</u>** Water storage, aquifer recharge potential and maintenance of natural surface water drainage. The proposed project is not reasonably expected to adversely affect water storage, aquifer recharge potential or natural surface water drainage.</u>
- <u>**Objective 5/Policies 5A, 5B, 5F</u>** Flood protection and cut and fill criteria The proposed project would not compromise flood protection.</u>
- <u>Objective 6/Policy 6A</u> Areas of highest suitability for mineral extraction. The proposed project is not located in an area proposed or suitable for mineral extraction.
- <u>Objective 6/Policy 6B</u> Guidelines for rock quarries for the re-establishment of native flora and fauna. – The proposed project is not located in a rock quarry.
- **Objective 7/Policy 7A** Wetland protection and restoration The proposed parking lot improvements are water dependent because the proposed work is necessary to more efficiently manage the launching and retrieval of vessels at the facility. No reasonable upland alternative exists as the facility is confined by Collins Avenue to the east and higher quality mangrove wetlands and Biscayne Bay to the west. To mitigate for otherwise permittable impacts to wetlands, the Applicant has proposed the purchase of saltwater mitigation bank credits from the Florida Power and Light Company's Everglades Mitigation Bank (FPL EMB), which would restore, enhance, and preserve coastal wetlands in accordance with federal, State and local regulations.

Objective 7/Policy 7C, 7D, 7J - Wetland protection and restoration. – Not applicable to this project.

<u>**Objective 9/Policies 9A, 9B, 9C</u>** - Protection of habitat critical to Federal or State-designated threatened or endangered species. – The proposed project is not reasonably expected to adversely affect habitat critical to Federal or State-designated threatened or endangered species.</u>

COASTAL MANAGEMENT ELEMENT VII:

Objective 1/Policy 1A – Mangrove wetlands within Mangrove Protection Areas – The proposed parking lot improvements would impact mangroves that have been designated by the Miami-Dade County Comprehensive Development Master Plan (CDMP) as a part of a Mangrove Protection Area. Cutting, trimming, pruning or other alteration including dredging or filling of mangroves within a Mangrove Protection Area must be consistent with the criteria outlined in the Coastal Management Element of the CDMP. The proposed work would improve public access to the boat ramp by providing a stable and resilient parking area that meets applicable Code requirements while also more efficiently managing the launching and retrieval of vessels at the facility. The majority

of the expanded parking lot would be within the same footprint as the existing or within an unpaved area currently used for overflow parking that does not contain wetlands. In the areas where impacts to wetlands could not be avoided the footprint of the expanded parking lot has been designed to only result in the filling of two isolated wetland pockets adjacent to the existing parking areas that are not connected to the larger wetland system. Therefore, the proposed boat ramp and parking lot improvements are consistent with the CDMP as the work is water dependent and is in a location where no reasonable upland alternative exists.

- <u>**Objective 1**/ Policy 1B</u> Natural surface flow into and through coastal wetlands. The proposed project would not affect natural surface flow into and through coastal wetlands.
- <u>**Objective 1/ Policy 1C</u>** Elevated boardwalk access through mangroves. The proposed project does not involve the construction of an elevated walkway through mangroves.</u>
- <u>Objective 1/Policy 1D</u> Protection and maintenance of mangrove forests and related natural vegetational communities. The project involves the removal of mangroves, which are not part of a Coastal Band Community, and would be mitigated as set forth in Number 1 above.
- <u>**Objective 1/Policy 1E</u>** Mitigation for the degradation and destruction of coastal wetlands. Monitoring and maintenance of mitigation areas. The project involves the filling of wetlands which would be mitigated as set forth in Number 1 above.</u>
- <u>Objective 1/Policy 1G</u> Prohibition on dredging or filling of grass/algal flats, hard bottom or other viable benthic communities, except as provided for in Chapter 24 of the Code of Miami-Dade County, Florida. The proposed project does not involve the dredging or filling of grass/algal flats, hard bottom, or other viable benthic communities.
- <u>**Objective 2/Policies 2A, 2B</u>** Beach restoration and renourishment objectives. The proposed project does not involve beach restoration or renourishment.</u>
- **Objective 3/Policies 3E, 3F** Location of new cut and spoil areas for proper stabilization and minimization of damages. The proposed project does not involve the development or identification of new cut or spoil areas.
- **Objective 4/Policy 4A, 4C, 4E, 4F** Protection of endangered or threatened animal species. The proposed project is not reasonably expected to result in impacts to endangered or threatened species.
- <u>**Objective 5/Policy 5B</u>** Existing and new areas for water-dependent uses. The proposed project would enhance the existing water-dependent use as set forth in Number 1.</u>
- <u>**Objective 5/Policy 5D</u>** Consistency with Chapter 33D, Miami-Dade County Code. (shoreline access, environmental compatibility of shoreline development) The thresholds for review under the Shoreline Ordinance do not apply and the proposed project is not subject to shoreline development review.</u>
- <u>**Objective 5**/Policy 5F</u> The siting of water dependent facilities. The proposed project does not involve the creation of new water dependent facilities.
- 28. <u>Conformance with Chapter 33B, Code of Miami-Dade County</u> (East Everglades Zoning Overlay Ordinance) The proposed project is not located within the East Everglades Area.

- 29. Conformance with Miami-Dade County Ordinance 81-19 (Biscayne Bay Management Plan Sections 33D-1 through 33D-4 of the Code of Miami-Dade County) - The proposed project is in conformance with the Biscayne Bay Management Plan.
- 30. Conformance with the Miami-Dade County Manatee Protection Plan (MPP) The proposed project is consistent with the MPP as set forth in Number 1 above.
- 31. Consistency with Miami-Dade County Criteria for Lake Excavation The proposed project does not involve lake excavation.
- 32. Zoning Recommendation Pursuant to Section 24-48.2(II)(B)(7) of the Code of Miami-Dade County, Florida, applications by the County within its own jurisdiction shall not be required to submit a substantiating letter or plan approval from the local zoning authority.
- 33. Coastal Resources Management Line A coastal resources management line was not required for the proposed project, pursuant to Section 24-48.2(II)(B)(10)(b) of the Code of Miami-Dade County.
- 34. Maximum Protection of a Wetland's Hydrological and Biological Functions The project involves the filling of wetlands which would be mitigated as set forth in Number 1 above.
- 35. Class I Permit Applications Proposing to Exceed the Boundaries Described in Section D-5.03(2)(a) of the Miami-Dade County Public Works Manual – Not applicable.

The proposed project was also evaluated for compliance with the standards contained in Sections 2448.3(2), (3), and (4) of the Code of Miami-Dade County, Florida. The following is a summary of how the standards relate to the proposed project:

24-48.3 (2) Dredging and Filling for Class I Permit – The proposed project complies with the

following criteria:

(c) The work is the minimum necessary for the creation and maintenance of marinas, piers, docks and attendant navigational channels.

24-48.3 (3) Minimum Water Depth Required for Boat Slips Created by the Construction or Placement of Fixed or Floating Docks and Piers, Piles and Other Structures Requiring a Permit Under Article IV, Division 1 of Chapter 24 of the Code of Miami-Dade County - The proposed project complies with the Code-required water depth criteria.

24-48.3 (4) Clean Fill in Wetlands – The project involves the filling of wetlands; all fill would meet the definition of clean fill as defined in Section 24-5 of the Code of Miami-Dade County.

BASED ON THE FOREGOING, IT IS RECOMMENDED THAT A CLASS I PERMIT BE APPROVED.

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McKee Gray, Manager Coastal Resources Section

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Tammy Burton, Biologist II Coastal Resources Section



MEMORANDUM (Revised)

TO: Honorable Chairman Jose "Pepe" Diaz and Members, Board of County Commissioners DATE: October 5, 2021

Bonzon-Keenan

FROM: Con Bonzon-Keer County Attorney SUBJECT: Agenda Item No. 5(U)

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 present, 2/3 membership, 3/5's, unanimous, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c), CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c), or CDMP 9 vote requirement per 2-116.1(4)(c)(2)) to approve		
 Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required		

Approved	N	layor A	Agenda Item No. 5(U)
Veto		1	10-5-21
Override			

<u>RESOLUTION NO</u>.

RESOLUTION TAKING ACTION ON A CLASS I PERMIT APPLICATION BY MIAMI-DADE COUNTY, THROUGH ITS PARKS, RECREATION AND OPEN SPACES DEPARTMENT FOR THE FILLING OF TIDAL WATERS IN ASSOCIATION WITH THE REDEVELOPMENT OF AN EXISTING BOAT RAMP, THE FILLING OF WETLANDS SUPPORTING HALOPHYTIC VEGETATION IN ASSOCIATION WITH IMPROVEMENTS TO A PARKING LOT AND THE INSTALLATION OF FINGER PIERS, A FOOTER, AND RIPRAP WITHIN HAULOVER PARK, LOCATED AT 10800 COLLINS AVENUE, UNINCORPORATED MIAMI-DADE COUNTY, FLORIDA

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 24-48.3 of the Code of Miami-Dade County, hereby approves the application by Miami-Dade County, through its Parks, Recreation and Open Spaces Department for the filling of tidal waters in association with the redevelopment of an existing boat ramp, the filling of wetlands supporting halophytic vegetation in association with improvements to a parking lot and the installation of finger piers, a footer, and riprap within Haulover Park, located at 10800 Collins Avenue, unincorporated Miami-Dade County, Florida, subject to the conditions set forth in the memorandum from the Miami-Dade County Department of Regulatory and Economic Resources, a copy of which is attached hereto and made a part hereof. The issuance of this approval does not relieve the applicant from obtaining all applicable Federal, State, and local permits.

Agenda Item No. 5(U)Page No. 2

The foregoing resolution was offered by Commissioner

moved its adoption. The motion was seconded by Commissioner

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

Jose "Pepe" Diaz, Chairman Oliver G. Gilbert, III, Vice-Chairman Sen. René García Keon Hardemon Sally A. Heyman Danielle Cohen Higgins **Eileen Higgins** Joe A. Martinez Kionne L. McGhee Jean Monestime Raquel A. Regalado Rebeca Sosa Sen. Javier D. Souto

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of October, 2021. 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.

Christopher J. Wahl Abbie Schwaderer-Raurell , who