

MEMORANDUM

Agenda Item No. 11(A)(9)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: December 12, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County
Mayor to study and make
recommendations related to spoil
islands within Biscayne Bay and
prepare a report for this Board

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Danielle Cohen Higgins and Co-Sponsor Commissioner Micky Steinberg.


Geri Bonzon-Keenan
County Attorney

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MEMORANDUM
(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

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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 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 _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(9)
12-12-23

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO STUDY AND MAKE RECOMMENDATIONS RELATED TO SPOIL ISLANDS WITHIN BISCAYNE BAY AND PREPARE A REPORT FOR THIS BOARD

WHEREAS, Biscayne Bay is an important part of Miami-Dade County that provides ecological and environmental benefits, beauty, and serenity, and that also supports industries and employment in tourism, commercial and recreational fishing, and other water-based recreational activities related to Biscayne Bay; and

WHEREAS, this Board has taken numerous actions related to the protection of Biscayne Bay, including, but not limited to, adopting various policies and regulations, directing the administration to conduct educational campaigns, and creating the Miami-Dade County Biscayne Bay Watershed Management Advisory Board; and

WHEREAS, in addition, this Board has recently disbursed funding, for example via Resolution No. R-322-22 for marine debris removal in Biscayne Bay and particularly in mangrove habitats, and such marine debris, much of which is made up of plastics and other synthetic materials, is a pervasive problem in the water and in coastal habitats and can have negative impacts on wildlife and natural areas in general; and

WHEREAS, the spoil islands located in Biscayne Bay within Miami-Dade County may contain unique natural resources, such as wildlife, and may need particular attention; and

WHEREAS, some such spoil islands may be experiencing various issues, such as impacts from trash, marine debris, illegal dumping, and boating traffic; and

WHEREAS, furthermore, some spoil islands may be experiencing an overflow of garbage and debris, which may negatively impact tourism, recreation, and the environment in Biscayne Bay; and

WHEREAS, the individual spoil islands may each have different issues or challenges; and

WHEREAS, these spoil islands are located in various parts of Biscayne Bay and may be subject to different ownership and control, including by the City of Miami and the State of Florida; and

WHEREAS, there have been requests by members of the Miami-Dade community for greater marine patrol enforcement and other enforcement related to such spoil islands in particular; and

WHEREAS, in order to best address issues related to the spoil islands, it would be beneficial to consider additional policies and recommendations, including, but not limited to, the creation of a program to encourage or incentivize the reporting of illegal dumping on the spoil islands; and

WHEREAS, as such, this Board wishes to direct the County Mayor or County Mayor's designee to study information and data related to the spoil islands in Biscayne Bay within Miami-Dade County and make recommendations with respect to such spoil islands, which may include future policies, recommendations, uses, incentives, and municipal coordination, as appropriate; and

WHEREAS, such recommendations shall include, but shall not be limited to, recommendations on how best to coordinate and collaborate with the governmental entities that own or control the various spoil islands on issues and matters such as (a) informational campaigns related to trash such as "Pack it in, Pack it out" or "Leave No Trace," (b) the creation of a program

to encourage or incentivize the reporting of illegal dumping on spoil islands, (c) increasing land-based trash removal signage, trash cans, and dumpsters, and (d) engaging with and educating boaters as to regulations and the importance of these issues, and these recommendations shall also address how best to support and encourage each respective governmental entity to actively enforce such entity's existing restrictions and regulations with respect to its spoil islands,

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

Section 1. This Board hereby directs the County Mayor or County Mayor's designee to study information and data related to the spoil islands in Biscayne Bay within Miami-Dade County and make recommendations with respect to such spoil islands, which may include future policies, recommendations, uses, incentives, and municipal coordination, as appropriate. Such recommendations shall be focused on the various issues related to the spoil islands, such as trash, marine debris, boating traffic, protection of wildlife, the overflow of garbage and debris, and illegal dumping. These recommendations shall also include, but shall not be limited to, recommendations on how best to coordinate and collaborate with the governmental entities that own or control the various spoil islands on issues and matters such as (a) informational campaigns related to trash such as "Pack it in, Pack it out" or "Leave No Trace," (b) the creation of a program to encourage or incentivize the reporting of illegal dumping on spoil islands, (c) increasing land-based trash removal signage, trash cans, and dumpsters, and (d) engaging with and educating boaters as to regulations and the importance of these issues. In addition, these recommendations shall address how best to support and encourage each respective governmental entity to actively enforce such entity's existing restrictions and regulations with respect to its spoil islands.

Section 2. The County Mayor or County Mayor's designee shall prepare a written report as to the matters in section 1, and within 90 days of the effective date of this resolution, shall place the completed report on an agenda of the full Board without committee review pursuant to rule 5.06(j) of the Board's Rules of Procedure.

The Prime Sponsor of the foregoing resolution is Commissioner Danielle Cohen Higgins and the Co-Sponsor is Commissioner Micky Steinberg. 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:

Oliver G. Gilbert, III, Chairman	
Anthony Rodríguez, Vice Chairman	
Marleine Bastien	Juan Carlos Bermudez
Kevin Marino Cabrera	Sen. René García
Roberto J. Gonzalez	Keon Hardemon
Danielle Cohen Higgins	Eileen Higgins
Kionne L. McGhee	Raquel A. Regalado
Micky Steinberg	

The Chairperson thereupon declared this resolution duly passed and adopted this 12th day of December, 2023. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Abbie Schwaderer-Raurell