

# MEMORANDUM

Agenda Item No. 8(H)(1)

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

**DATE:** April 16, 2024

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Resolution confirming Miami-Dade County's intent to maintain improvements within the Biscayne Trail Segment D along the South Florida Water Management District C-103 Canal between SW 127 Avenue and SW 137 Avenue for an annual estimated cost of \$35,000.00

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The accompanying resolution was prepared by the Parks, Recreation and Open Spaces Department and placed on the agenda at the request of Prime Sponsor Commissioner Kionne L. McGhee.



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Geri Bonzon-Keenan  
County Attorney

GBK/uw

MDC001

# Memorandum



**Date:** April 16, 2024

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

**From:** Daniella Levine Cava  
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

**Subject:** Resolution Confirming County Maintenance of Improvements to be Constructed Within the Biscayne Trail Segment D along the South Florida Water Management District's C-103 Canal

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## **Executive Summary**

This item confirms the Miami-Dade Parks, Recreation and Open Spaces Department's (PROS) maintenance of improvements to the Biscayne Trail, which will be constructed within the South Florida Water Management District's (the District) right-of-way. The improvements include a 12-foot-wide shared use asphalt trail, signage, and access control bollards. The estimated annual maintenance cost is \$35,000.00. This resolution satisfies a requirement of the District's permit-granting process.

## **Recommendation**

It is recommended that the Board adopt the attached resolution confirming the County shall, through PROS, maintain improvements on the Biscayne Trail Segment D (Attachment A to this Memorandum), within the District's C-103 Canal right-of-way.

## **Scope**

The Biscayne Trail Segment D is an asset of regional significance, located within the District's C-103 Canal right-of-way; therefore, the scope is countywide.

## **Fiscal Impact/Funding**

The estimated annual cost of maintaining the constructed trail improvements is \$35,000.00, to be funded by the PROS General Fund Budget. The County's estimate of the total project cost is \$5,675,000.00, of which \$1,521,849.00 was awarded to PROS by the Florida SUN Trail grant program.

## **Track Record/Monitor**

The PROS Right-of-Way Aesthetic & Assets Management Division's (RAAM) Chief will coordinate with the District to ensure the improvements are maintained to District and PROS standards.

## **Delegation of Authority**

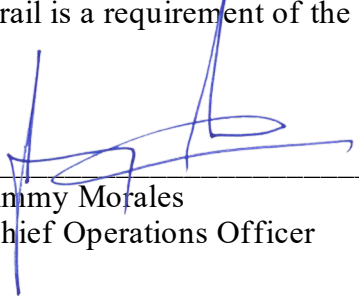
The County Mayor or County Mayor's Designee is authorized to take necessary actions for the maintenance of the improvements on the Biscayne Trail Segment D along the District's C-103 Canal.

## **Background**

The Biscayne Trail is part of the South Dade Greenways Master Plan and the Open Space Master Plan that the County, through PROS, is committed to build, operate, and maintain. The Biscayne Trail

Segment D Phase 2 project is a 2.5-mile segment of the larger 43-mile Biscayne-Everglades Greenway that will connect Everglades National Park and Biscayne National Park via shared-use trails. The project will be built along South Florida Water Management District canals and County-operated roadways in southern Miami-Dade County, east of Homestead.

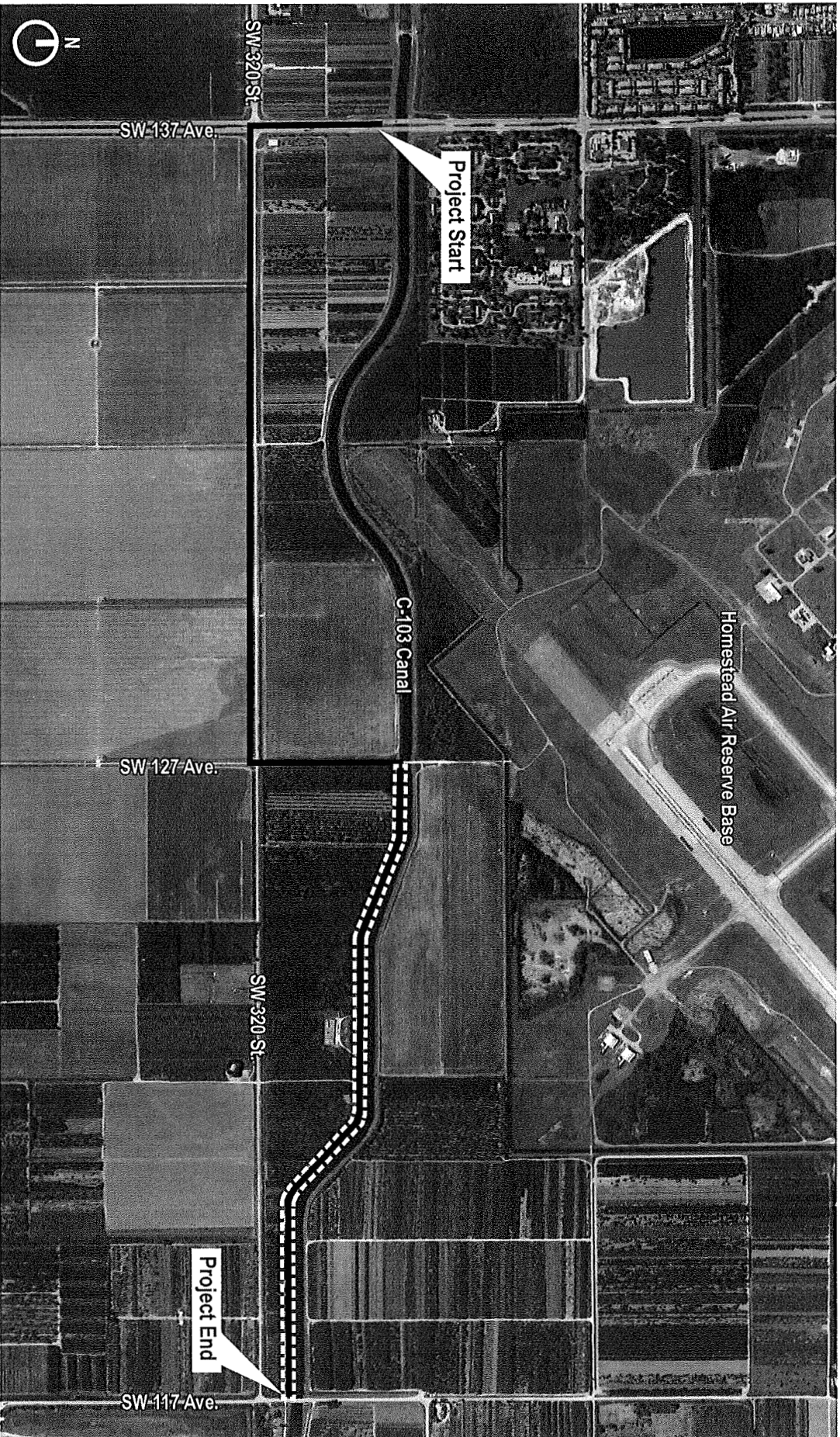
The County passed Resolution No. R-679-95 on May 16, 1995, adopting the South Dade Greenways Master Plan, of which the Biscayne Trail along the District's C-103 canal from SW 127 Avenue to SW 137 Avenue forms a part. PROS has Florida SUN Trail funding to construct improvements within the District's C-103 canal right of way. The District has required that the County affirm via resolution that the County shall perform maintenance on facilities that the County constructed or desires to construct on District properties. The County, through PROS, secures right of way occupancy permits to build, operate, and maintain trails and associated improvements within the District's rights of way. This confirmation by resolution of the County's maintenance of the improvements to the Biscayne Trail is a requirement of the District to obtain a right of way occupancy permit.



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Jimmy Morales  
Chief Operations Officer

Attachment A



**BISCAYNE TRAIL - SEGMENT D PHASE 2**  
Project Extents and PROS Maintenance Areas

Biscayne Trail Segment D Phase 2 Project Extents ———  
PROS Maintenance Areas Within SFWMD Right of Way - - - - -

# Memorandum



**Date:** April 1, 2024

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

**From:** Maria I. Nardi *M.I.*  
Director  
*M* Parks, Recreation and Open Spaces Department


**Subject:** Request to Process Late Departmental Agenda Item

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Please accept this late item requesting that item 240100 be placed on the April 16, 2024 Board of County Commissioners meeting agenda. Placement of this item on the requested Board agenda is critical for the Parks, Recreation and Open Spaces Department to ensure receipt of Florida Department of Transportation (FDOT) funding for the Biscayne Trail Segment D project. FDOT recently notified PROS that this was required prior to a specific date and that PROS could potentially lose a total of \$4.1 million in grant funding for the SUNTrail - Biscayne Trail Segment D Phase 2 Construction project. Therefore, I am respectfully requesting that this item be placed on the the April 16, 2024 Board of County Commissioners meeting agenda.

Legistar No. 240100

RESOLUTION CONFIRMING COUNTY MAINTENANCE OF IMPROVEMENTS WITHIN THE BISCAYNE TRAIL SEGMENT D ALONG THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT C-103 CANAL BETWEEN SW 127 AVENUE AND SW 137 AVENUE FOR AN ANNUAL ESTIMATED COST OF \$35,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE SAME

  
\_\_\_\_\_  
**Approved by Mayor or Mayor's Designee**  
**Signature**

Jimmy Morales  
Print Name

  
\_\_\_\_\_  
**Approved by Policy Director or Designee**  
**Signature**

Demetria Henderson  
Print Name

\_\_\_\_\_  
Date



**MEMORANDUM**  
(Revised)

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

**DATE:** April 16, 2024

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

**SUBJECT:** Agenda Item No. 8(H)(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
- 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. 8(H)(1)  
4-16-24

RESOLUTION NO. \_\_\_\_\_

RESOLUTION CONFIRMING MIAMI-DADE COUNTY'S INTENT TO MAINTAIN IMPROVEMENTS WITHIN THE BISCAYNE TRAIL SEGMENT D ALONG THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT C-103 CANAL BETWEEN SW 127 AVENUE AND SW 137 AVENUE FOR AN ANNUAL ESTIMATED COST OF \$35,000.00

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein for reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board confirms Miami-Dade County's intent to maintain improvements constructed by Miami-Dade County to be constructed along sections of the C-103 Canal between SW 127 Avenue and 137 Avenue as shown on the map attached to the accompanying memorandum as Attachment A at an estimated annual cost of \$35,000.00; and authorizes the County Manager to take appropriate action to accomplish same for and on behalf of Miami-Dade County.

The foregoing resolution 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	

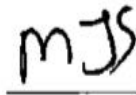
The Chairperson thereupon declared this resolution duly passed and adopted this 16<sup>th</sup> day of April, 2024. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon 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.

Handwritten signature of Melanie J. Spencer in black ink, consisting of the letters 'mjs' in a cursive style, positioned above a horizontal line.

Melanie J. Spencer