

MEMORANDUM

Agenda Item No. 11(A)(14)


TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: December 2, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution urging the State of Florida to purchase Bird Key, to have it held in perpetuity as a conservation area, and to enter into an agreement for Miami-Dade County to manage Bird Key as a conservation area on behalf of the State

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



Geri Bonzon-Keenan
County Attorney

GBK/smm

MDC001



MEMORANDUM
(Revised)

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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 ____, majority plus one ____, 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) ____, 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)(14)
12-2-25

RESOLUTION NO. _____

RESOLUTION URGING THE STATE OF FLORIDA TO PURCHASE BIRD KEY, TO HAVE IT HELD IN PERPETUITY AS A CONSERVATION AREA, AND TO ENTER INTO AN AGREEMENT FOR MIAMI-DADE COUNTY TO MANAGE BIRD KEY AS A CONSERVATION AREA ON BEHALF OF THE STATE

WHEREAS, Bird Key is an approximately 37-acre privately owned, uninhabited island property in Biscayne Bay within the limits of the City of Miami that consists of both uplands and submerged lands; and

WHEREAS, Bird Key is composed of mangroves and similar coastal vegetation that provide habitat for numerous marine plant and animal species; and

WHEREAS, for example, the trees on Bird Key serve as a rookery for brown pelicans and double-crested cormorants and a roost for bald eagles and other ecologically significant birds; and

WHEREAS, the submerged lands around Bird Key also host significant seagrass communities and serve as a mating area for the horseshoe crab; and

WHEREAS, due to its ecological sensitivity and location in the heart of Biscayne Bay, Bird Key has long been listed on the County's acquisition list for inclusion in the County's Environmentally Endangered Lands (EEL) Program, codified in chapter 24 of the Code of Miami-Dade County, Florida; and

WHEREAS, indeed, Bird Key is on the EEL Program's Priority A List, which this Board selected as the highest priority projects for acquisition into the EEL Program; and

WHEREAS, the owner of Bird Key recently put Bird Key on the market for purchase at a price that is significantly infeasible for the EEL Program's current funding levels; and

WHEREAS, it may, however, be financially feasible for the State of Florida to purchase Bird Key and hold it as a conservation area; and

WHEREAS, for example, the Florida Forever program, administered by the Florida Department of Environmental Protection, has purchased more than one million acres of land with approximately \$3.8 billion since the program's inception in July 2001; and

WHEREAS, additionally, section 259.032 of the Florida Statutes authorizes the Governor and Cabinet, sitting as the Board of Trustees of the Internal Improvement Trust Fund, to acquire lands for conservation purposes and requires that "a high priority be given to the acquisition, restoration, and management of . . . lands in or near counties exhibiting the greatest concentration of population" when such lands provide "native species habitat"; and

WHEREAS, Miami-Dade County is the most populous county in Florida, and Bird Key provides habitat to many different native plant and animal species; and

WHEREAS, section 259.032 further provides that the State may "enter into contracts or interagency agreements with other governmental entities . . . who have the expertise to perform specific management activities which a lead agency lacks, or which would cost more to provide in-house"; and

WHEREAS, the EEL Program has the expertise and resources available for the management of Bird Key as a conservation area, should the State entrust the County with the management of Bird Key; and

WHEREAS, County management of Bird Key as a conservation area would further not only the EEL Program's goals but also the County's broader initiatives for the protection of Biscayne Bay as an ecological, cultural, and economic resource; and

WHEREAS, this Board therefore wishes to urge the State of Florida to purchase Bird Key, to have it held in perpetuity as a conservation area, and to enter into an agreement for Miami-Dade County to manage Bird Key as a conservation area on behalf of the State,

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

Section 1. Urges the State of Florida to purchase Bird Key, to have it held in perpetuity as a conservation area, and to enter into an agreement for Miami-Dade County to manage Bird Key as a conservation area on behalf of the State.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, the Attorney General, the Chief Financial Officer, the Commissioner of Agriculture, the Senate President, the House Speaker, the Chair and remaining Members of the Miami-Dade State Legislative Delegation, and the Secretary of the Florida Department of Environmental Protection.

Section 3. Directs the County's state lobbyists to advocate for the action described in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2026 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Danielle Cohen Higgins. 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:

Anthony Rodriguez, Chairman
Kionne L. McGhee, Vice Chairman
Marleine Bastien
Sen. René García
Roberto J. Gonzalez
Danielle Cohen Higgins
Natalie Milian Orbis
Micky Steinberg
Juan Carlos Bermudez
Oliver G. Gilbert, III
Keon Hardemon
Vicki L. Lopez
Raquel A. Regalado

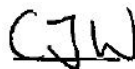
The Chairperson thereupon declared this resolution duly passed and adopted this 2nd day of December, 2025. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override 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.



Christopher J. Wahl