

MEMORANDUM

Agenda Item No. 4(E)

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

DATE: July 21, 2026

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance creating the Miami-Dade County Boater Safety and Bay Education Advisory Board; creating article CLXXII of chapter 2 of the Code; providing for the composition and duties of the board and other related matters

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Micky Steinberg.



Geri Bonzon-Keenan
County Attorney

GBK/smm

MDC001



MEMORANDUM

(Revised)

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

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FROM: 
Gen Bonzon-Keenan
County Attorney

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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
- ☐ Requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, majority plus one ____, CDMP 7 votes (majority of membership) ____, CDMP 2/3 members present but not less than 7 votes (majority of membership) ____, CDMP 9 votes (2/3 membership) ____) 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. 4(E)
7-21-26

ORDINANCE NO. _____

ORDINANCE CREATING THE MIAMI-DADE COUNTY
BOATER SAFETY AND BAY EDUCATION ADVISORY
BOARD; CREATING ARTICLE CLXXII OF CHAPTER 2 OF
THE CODE OF MIAMI-DADE COUNTY, FLORIDA;
PROVIDING FOR THE COMPOSITION AND DUTIES OF THE
BOARD AND OTHER RELATED MATTERS; PROVIDING
SEVERABILITY, INCLUSION IN THE CODE, AND AN
EFFECTIVE DATE

WHEREAS, on April 17, 2025, the Miami-Dade County Mayor established a temporary Boater Safety and Bay Education Task Force to advise the Administration on issues related to boater safety in Biscayne Bay, including, but not limited to, boater education, improved enforcement of vessel safety laws, collaboration among governmental entities tasked with promoting boater safety, and measures that may be taken by the County to reduce accidents on the water; and

WHEREAS, the Boater Safety and Bay Education Task Force, comprised of several maritime industry participants, local nonprofit leaders, the State Attorney for Miami-Dade County, and other individuals with expertise in the underlying subject matter, conducted public meetings for several months and issued a report with numerous recommendations to the County Mayor; and

WHEREAS, the first of the above-mentioned recommendations was the creation of a permanent advisory board that could make recommendations to the Board of County Commissioners (the “Board” or the “County Commission”) in order to continue review of these critical issues and provide the County Commission with recommendations and advice on a variety of boater safety issues as well as a local perspective on boater safety problems, issues, and solutions; and

WHEREAS, this Board finds it necessary and appropriate to establish such an advisory board, particularly in light of recent boating-related fatalities and injuries on Biscayne Bay and other South Florida waters; and

WHEREAS, such a new advisory board should include representatives from a variety of local entities and groups, all of whom shall have demonstrated an interest in and commitment to boater safety, and who shall represent different local perspectives to amplify the voices of various community groups who are passionate about boater safety; and

WHEREAS, through the collective experience and knowledge of the members, who may also be able to tap into additional knowledge, expertise, and other resources from their respective organizations, this new board could make significant contributions towards increasing boater safety in the County; and

WHEREAS, accordingly, this Board wishes to create an advisory board to be known as the Miami-Dade County Boater Safety and Bay Education Advisory Board, to provide recommendations and advice to the Board of County Commissioners and County Mayor on matters related to boater safety,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. The foregoing recitals are approved and incorporated herein.

Section 2. Article CLXXII of chapter 2 of the Code of Miami-Dade County, Florida, is hereby created to read as follows:

ARTICLE CLXXII

**MIAMI-DADE COUNTY BOATER SAFETY AND BAY
EDUCATION ADVISORY BOARD**

Sec. 2-2476. Creation.

There is hereby created and established the Miami-Dade County Boater Safety and Bay Education Advisory Board.

Sec. 2-2477. Composition; membership.

- (a) *Composition.* The Boater Safety and Bay Education Advisory Board shall be composed of nine voting members, all of whom shall have expertise and familiarity with issues related to boater safety, as follows:
- (i) One member who is regarded as a community leader on boater safety and Biscayne Bay education, appointed by the Board of County Commissioners to serve a four-year term;
 - (ii) One member who is regarded as a community leader on boater safety and Biscayne Bay education, appointed by the County Mayor and ratified by the Board of County Commissioners to serve a two-year term;
 - (iii) One member who represents local law enforcement, appointed by the County Mayor and ratified by the Board of County Commissioners to serve a two-year term;
 - (iv) One member who represents the local recreational boating industry, appointed by the County Mayor and ratified by the Board of County Commissioners to serve a four-year term;
 - (v) One member who represents the local commercial vessel operator industry, appointed by the County Mayor and ratified by the Board of County Commissioners to serve a four-year term;
 - (vi) One member who possesses expertise in community and economic vitality, appointed by the County Mayor and ratified by the Board of County Commissioners to serve a four-year term;
 - (vii) One member who possesses expertise in environmental protection, appointed by the County Mayor and ratified by the Board of County Commissioners to serve a four-year term;
 - (viii) One member who represents the community at large, appointed by the Board of County Commissioners to serve a four-year term; and

- (ix) One member who represents the community at large, appointed by the County Mayor and ratified by the Board of County Commissioners to serve a two-year term.
- (b) *Qualifications.*
 - (i) Members of the Boater Safety and Bay Education Advisory Board shall have experience and familiarity with issues related to boater safety in Miami-Dade County and on Biscayne Bay in particular.
 - (ii) Each member of the Boater Safety and Bay Education Advisory Board shall be a permanent resident and duly qualified elector of Miami-Dade County, unless the Board of County Commissioners waives the residency requirement by a two-thirds vote of its membership, and shall be of an outstanding reputation of integrity, responsibility, and commitment to serving the community.
 - (iii) Unless the Board of County Commissioners by a two-thirds vote of its membership waives the residency requirement, any member of the Boater Safety and Bay Education Advisory Board who ceases to be a resident of Miami-Dade County during the term of his or her office shall immediately advise the Clerk of the Board of County Commissioners, and upon such notice to the Clerk, the position shall be deemed vacant.
 - (iv) To ensure that members of the Boater Safety and Bay Education Advisory Board are as familiar as possible with Biscayne Bay and Miami-Dade County, every effort shall be made to appoint members who are permanent residents and duly qualified electors of Miami-Dade County.
- (c) *Compensation.* Boater Safety and Bay Education Advisory Board members shall serve without compensation.
- (d) *Vacancies.* Vacancies shall be filled in the same manner by which the original members were appointed.
- (e) *Attendance.* Attendance requirements for members shall be in accordance with section 2-11.39.

- (f) *Terms.* Each member's term shall begin upon appointment. A member may serve until his or her successor has been duly appointed and qualified.

Sec. 2-2478. Organization.

- (a) *Bylaws and Rules.* The Boater Safety and Bay Education Advisory Board may establish, adopt, and amend bylaws and rules for its own governance. In the event that the Boater Safety and Bay Education Advisory Board does not adopt bylaws or rules, or its adopted bylaws or rules do not address a particular situation, then the applicable provisions of the Board of County Commissioners' Rules of Procedure, as such may be amended from time to time, shall apply.
- (b) *Officers.* The Boater Safety and Bay Education Advisory Board shall elect a chairperson and a vice-chairperson from among its members, who shall serve at the will of the Boater Safety and Bay Education Advisory Board. The chairperson shall preside at all meetings at which he or she is present. The vice-chairperson shall act as chairperson in the absence of the chairperson.
- (c) *Staff Support.* The Boater Safety and Bay Education Advisory Board shall have assistance from staff designated by the County Mayor or the County Mayor's designee. The staff shall:
 - (i) Maintain and keep the records of the Boater Safety and Bay Education Advisory Board;
 - (ii) Prepare, in cooperation with the chairperson, the agenda for each meeting;
 - (iii) Be responsible for the preparation of such reports, minutes, documents, resolutions, or correspondences as the Boater Safety and Bay Education Advisory Board may direct; and
 - (iv) Generally administer the business and affairs of the Boater Safety and Bay Education Advisory Board, subject to budgetary limitations.
- (d) *Quorum.* A quorum shall be required to transact any business or exercise any power vested in the Boater Safety and Bay Education Advisory Board. A quorum of the Boater Safety and Bay Education Advisory Board shall consist of a majority of those duly appointed to the board, provided that at least five members have been appointed.

Sec. 2-2479. Meetings.

The Boater Safety and Bay Education Advisory Board shall hold quarterly meetings or meetings at such other frequency as the board deems necessary. A special meeting may be called by the chairperson or by a written request of a majority of those persons duly appointed to the board.

Sec. 2-2480. Powers and duties.

The Boater Safety and Bay Education Advisory Board shall have the following powers, duties, functions, and responsibilities:

- (a) Make recommendations to the Board of County Commissioners and the County Mayor on any and all matters relating to boater safety in Miami-Dade County and particularly on Biscayne Bay, including, but not limited to, boater education, improved enforcement of vessel safety laws, collaboration among governmental entities tasked with promoting boater safety, and measures that may be taken to reduce accidents on the water;
- (b) Track the progress being made to implement the recommendations of the County Mayor's Boater Safety and Bay Education Task Force;
- (c) Track emergent issues and future trends related to boater safety on Biscayne Bay and other County waters and continuously monitor safety issues;
- (d) Consult and communicate with County staff;
- (e) Consult and communicate with other governmental entities and agencies, including, as appropriate, municipalities within Miami-Dade County, the Miami-Dade County Sheriff's Office, the Miami-Dade County State Attorney's Office, the Florida Fish and Wildlife Conservation Commission, the United States Coast Guard, academic institutions, and relevant non-profit organizations, so that the Boater Safety and Bay Education Advisory Board's recommendations build upon and consider the knowledge, strategies, and projects of such governmental entities, agencies, academic institutions, and non-profit organizations;

- (f) Participate in summits and conferences related to boater safety to promote the sharing of information and ideas and to raise community consciousness as to the importance of safe vessel operation;
- (g) Serve as a forum at which individuals and groups can express concerns and provide suggestions related to boater safety in the County; and
- (h) Perform such other duties as the Board of County Commissioners may from time to time assign.

Sec. 2-2481. Applicability of County rules and procedures.

- (a) All proceedings of the Boater Safety and Bay Education Advisory Board shall be conducted in accordance with Florida's open government laws, including, but not limited to, the Government in the Sunshine Law and the Citizens' Bill of Rights of the Miami-Dade Home Rule Charter.
- (b) Members of the public shall be given a reasonable opportunity to be heard on any proposition before the Boater Safety and Bay Education Advisory Board.
- (c) The Boater Safety and Bay Education Advisory Board shall be deemed an "agency" for the purposes of the State's public records laws and shall be governed by all State and County conflict of interest laws, as applicable, including the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, section 2-11.1 of this code.

Sec. 2-2482. Reports.

The chairperson or vice-chairperson shall present to the Board of County Commissioners on an annual basis a written report describing the Boater Safety and Bay Education Advisory Board's activities and shall appear as needed before the Board of County Commissioners to present any matters pertinent to the Boater Safety and Bay Education Advisory Board. The completed reports required by this section shall be placed on an agenda of the Board of County Commissioners without committee review pursuant to Rule 5.06(j) of the Board's Rules of Procedure.

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word “ordinance” may be changed to “section,” “article,” or other appropriate word.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Christian J. Fernandez-Andes
Christopher J. Wahl

MBV for
CJF

Prime Sponsor: Commissioner Micky Steinberg