

MEMORANDUM

Agenda Item No. 8(L)(3)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: April 20, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution authorizing the
disbursement of up to
\$500,000.00 from the Biscayne
Bay Environmental Enhancement
Trust Fund for environmental
enhancement in Biscayne Bay
through the removal and disposal
of bulky marine debris from
Biscayne Bay, its tidal
tributaries, and foreshore

Resolution No. R-299-21

The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa and Co-Sponsor Commissioner Sally A. Heyman.



Geri Bonzon-Keenan
County Attorney

GBK/smm

Memorandum



Date: April 20, 2021

To: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

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

Subject: Resolution Authorizing the Disbursement of up to \$500,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund for Environmental Enhancement in Biscayne Bay through the Removal and Disposal of Bulky Marine Debris from the Bay, its Tidal Tributaries and Foreshore

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing the disbursement of up to \$500,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund (BBEETF) for environmental enhancement in Biscayne Bay through the removal and disposal of derelict vessels, lost and abandoned fishing gear, illegal structures, and other bulky marine debris from the bay, its tidal tributaries, and foreshore. These activities will be conducted in association with the County's ongoing Biscayne Bay Restoration and Enhancement Program and pursuant to the recommendations in the recently completed Biscayne Bay Task Force Report attached as part of Resolution No. R-888-20.

Scope

This disbursement request will benefit coastal areas of Commission Districts 3, 4, 5, 7, 8 and 9, represented by Commissioner Keon Hardemon, Commissioner Sally A. Heyman, Commissioner Eileen Higgins, Commissioner Raquel A. Regalado, Commissioner Danielle Cohen Higgins, and Commissioner Kionne L. McGhee, respectively.

Fiscal Impact/Funding Source

This resolution authorizes the disbursement of up to \$500,000.00 from the BBEETF for environmental enhancement activities within Biscayne Bay, its tidal tributaries, and foreshore by removing and disposing of bulky marine debris. This disbursement is consistent with Section 24-40 of the Code of Miami-Dade County (Code), which allows BBEETF funds to be used for the restoration and enhancement of Biscayne Bay and its foreshore. The BBEETF available balance as of November 30, 2020 is \$8,019,425.30 (Index Code TFPEBBTF001).

Track Record/Monitor

Pamela Sweeney, Manager of the Restoration & Enhancement Section of the Department of Regulatory and Economic Resources, Division of Environmental Resources Management (DERM), will monitor activities performed using these funds.

Background

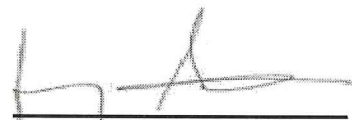
Through its Biscayne Bay Restoration and Enhancement Program, DERM has played an important and active role in the removal and disposal of bulky marine debris located in the tidal waters of Miami-Dade County. Since 2008, DERM has removed and disposed of over 300 derelict vessels and associated pollutants, tons of lost and abandoned fishing gear including over 3,000 crab and lobster

traps, numerous unauthorized and unsafe structures, and other bulky debris located in the marine environment of Miami-Dade County. This has provided many benefits to the County's residents, visitors, and businesses through the elimination of significant environmental and public safety hazards and the enhancement of the aesthetic and ecological quality of our coastal areas.

Since the last such disbursement of \$200,000.00 was authorized by the Board of County Commissioners in 2014 under Resolution No. R-614-14, DERM has removed and disposed of 121 derelict vessels and associated pollutants, over 1,700 abandoned crab and lobster traps, and numerous unauthorized and unsafe structures from the marine environment of Miami-Dade County. This work was accomplished using BBEETF funds and, in the case of derelict vessels, an additional \$290,122.76 in grant funds from the Florida Inland Navigation District and Florida Fish & Wildlife Conservation Commission for which BBEETF funds were sometimes used to meet matching fund requirements. Some of these grant awards would have been otherwise unobtainable had it not been for the availability of the BBEETF funds. DERM anticipates that it will continue to leverage BBEETF money to help secure outside funding opportunities when appropriate.

This disbursement request is expected to provide funding for the removal and disposal of bulky marine debris for a period of up to three years and will allow DERM to expand and increase the effectiveness of its marine debris removal efforts. These funds may also be used to meet matching requirements for marine debris removal grants offered by State and Federal agencies. Debris removal work will be performed by County staff, by volunteers when appropriate, and by pre-qualified local contractors selected through a competitive bidding process.

In accordance with Section 24-40(4) of the Code, I have received and considered the attached recommendation of the Director of the Department of Regulatory and Economic Resources for the disbursement of up to \$500,000.00 from the BBEETF for environmental enhancement through the removal of derelict vessels and other types of bulky marine debris from Biscayne Bay, its tidal tributaries, and foreshore.

A handwritten signature in black ink, appearing to read "Jimmy Morales", is written over a horizontal line.

Jimmy Morales
Chief Operations Officer

Memorandum



Date: January 19, 2021

To: Daniella Levine Cava
Mayor

From: Lourdes M. Gomez, Director 
Department of Regulatory and Economic Resources

Subject: Recommendation for Disbursement of up to \$500,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund for Environmental Enhancement within Biscayne Bay through the Removal and Disposal of Various Types of Bulky Marine Debris from the Bay, its Tidal Tributaries and Foreshore

Pursuant to Section 24-40 of the Code of Miami-Dade County (Code), I am recommending the disbursement of up to \$500,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund (BBEETF) to be used for the removal and disposal of bulky marine debris located within Biscayne Bay, its tidal tributaries (e.g. Miami River, Little River, Oleta River), and its foreshore.

These funds will allow the Division of Environmental Resources Management (DERM) to continue conducting the removal of larger classes of marine debris such as derelict vessels, lost and abandoned fishing gear, dilapidated and illegal structures, and other bulky debris from the County's tidally-connected waterbodies and shorelines.

This disbursement is expected to provide funding for these activities for up to three years, or longer depending on the County's future success in obtaining additional grant funding. These activities will be conducted by County staff, by volunteers when appropriate, and by contractors selected through a competitive bidding process.

The \$500,000.00 will be drawn from funds deposited into the BBEETF for the purpose of restoration and enhancement of Biscayne Bay and its foreshore, which include annual vessel registration fees collected pursuant to Section 7-22.1 of the Code. The proposed activities for which this disbursement will be used are consistent with the goals and intent of the recently completed Biscayne Bay Task Force report and with the BBEETF related provisions in Section 24-40 of the Code. Proposed activities to be funded with annual vessel registration fees shall be consistent with the purposes enumerated in Section 7-22.1 of the Code and applicable State law, including Section 328.66(1), Florida Statutes.

There are sufficient unencumbered funds currently available in the BBEETF to fulfill this request.



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: April 20, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(L)(3)

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(L)(3)
4-20-21

RESOLUTION NO. R-299-21

RESOLUTION AUTHORIZING THE DISBURSEMENT OF UP TO \$500,000.00 FROM THE BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND FOR ENVIRONMENTAL ENHANCEMENT IN BISCAYNE BAY THROUGH THE REMOVAL AND DISPOSAL OF BULKY MARINE DEBRIS FROM BISCAYNE BAY, ITS TIDAL TRIBUTARIES, AND FORESHORE

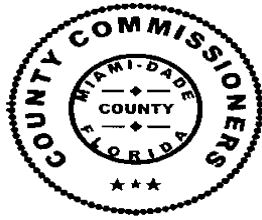
WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board, pursuant to Section 24-40 of the Code of Miami-Dade County, hereby authorizes the disbursement of up to \$500,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund to be used for environmental enhancement through the removal and disposal of bulky marine debris located in Biscayne Bay, its tidal tributaries, and foreshore.

The foregoing resolution was offered by Commissioner **Rebeca Sosa** , who moved its adoption. The motion was seconded by Commissioner **Eileen Higgins** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 20th day of April, 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

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "ASR", is written over a horizontal line.

Abbie Schwaderer-Raurell