

MEMORANDUM

Agenda Item No. 11(A)(11)

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

DATE: April 20, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution urging the Florida Legislature to appropriate funding for stormwater-related projects to protect Biscayne Bay, including the upgrading of stormwater infrastructure, installation of additional stormwater grates, smart sensors, baffle boxes, and similar mechanisms and technologies, pilot projects, and research projects; directing the County Mayor to expand upon existing collaboration and coordination with municipalities with respect to the above-mentioned stormwater-related projects that municipalities may have already implemented, determine which of those projects have been most successful and could be successfully implemented by the County, recommend three stormwater-related pilot projects, and provide a report

Resolution No. R-361-21

The accompanying resolution was prepared 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/uw



MEMORANDUM

(Revised)

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

DATE: April 20, 2021

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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
- _____ 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)(11)
4-20-21

RESOLUTION NO. _____ R-361-21

RESOLUTION URGING THE FLORIDA LEGISLATURE TO APPROPRIATE FUNDING FOR STORMWATER-RELATED PROJECTS TO PROTECT BISCAYNE BAY, INCLUDING THE UPGRADING OF STORMWATER INFRASTRUCTURE, INSTALLATION OF ADDITIONAL STORMWATER GRATES, SMART SENSORS, BAFFLE BOXES, AND SIMILAR MECHANISMS AND TECHNOLOGIES, PILOT PROJECTS, AND RESEARCH PROJECTS; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXPAND UPON EXISTING COLLABORATION AND COORDINATION WITH MUNICIPALITIES WITH RESPECT TO THE ABOVE-MENTIONED STORMWATER-RELATED PROJECTS THAT MUNICIPALITIES MAY HAVE ALREADY IMPLEMENTED, DETERMINE WHICH OF THOSE PROJECTS HAVE BEEN MOST SUCCESSFUL AND COULD BE SUCCESSFULLY IMPLEMENTED BY THE COUNTY, RECOMMEND THREE STORMWATER-RELATED PILOT PROJECTS, AND PROVIDE A REPORT

WHEREAS, in 2020, the Biscayne Bay Task Force, which this Board created through Resolution No. R-165-19, issued its Report and Recommendations, entitled "A Unified Approach to Recovery for a Healthy & Resilient Biscayne Bay" (hereinafter, the "Report"); and

WHEREAS, the Biscayne Bay Task Force relied on scientific studies, data, and input from stakeholders to issue a series of recommendations relating to the health and management of Biscayne Bay, which the Report describes as "Miami-Dade County's most vital quality of life asset and the mainstay of our economy"; and

WHEREAS, the Biscayne Bay Task Force considered stormwater systems to be one of the main potential sources of pollutant discharge into Biscayne Bay; and

WHEREAS, the Biscayne Bay Task Force also found that stormwater systems, when used more effectively, could help prevent pollutant discharges into Biscayne Bay; and

WHEREAS, the Biscayne Bay Task Force identified investment in infrastructure, including stormwater systems, as a way to both boost the health of Biscayne Bay and stimulate the local economy; and

WHEREAS, specifically, the Biscayne Bay Task Force advised that “[a]ll stormwater systems should be upgraded to maximize protection of water quality,” particularly “within basins with the most substantial water quality and/or habitat degradation issues”; and

WHEREAS, the Biscayne Bay Task Force recommended that the County should “[e]liminate direct and indirect stormwater discharges to Biscayne Bay through a combination of infrastructure modifications (e.g., treatment technologies) to retain more stormwater at the property-level via increased stormwater management in retention and infiltration and to conduct monitoring to verify, identify and secure funding through community based and/or public private partnerships while leveraging private working capital for implementation”; and

WHEREAS, in addition, the Biscayne Bay Task Force recommended that the County ensure that “basic design criteria for stormwater system management are met,” including “grates to block debris from entering the storm drains and smart water sensors”; and

WHEREAS, the Biscayne Bay Task Force also recommended that the County undertake new pilot projects and research projects focused on reducing pollutant loads, including projects relating to stormwater; and

WHEREAS, municipalities within Miami-Dade County, along with Miami-Dade County, may have already implemented some of these stormwater-related projects, including, but not limited to, the upgrading of stormwater infrastructure, stormwater-related pilot projects and research projects, and the installation of additional stormwater grates and smart sensors, as well as

other technologies and mechanisms such as baffle boxes, which filter out sediment and were recommended in the 2019 Final Report of the Miami-Dade County Grand Jury, entitled “The Health of Biscayne Bay: Water Flows and Water Woes”; and

WHEREAS, with respect to stormwater, the County could expand upon existing collaboration and communication with municipalities to learn which stormwater-related projects the various municipalities have implemented, how successful those projects have been, and whether such stormwater-related projects could be successfully implemented on a larger scale by Miami-Dade County; and

WHEREAS, Miami-Dade County will need substantial financial resources to implement the Biscayne Bay Task Force’s recommendations related to stormwater; and

WHEREAS, the Biscayne Bay Task Force recommended that Miami-Dade County seek additional funding for such stormwater-related projects, given the importance of these issues and the potential costs of such projects; and

WHEREAS, improving the health of Biscayne Bay is vital not just to the environment and economy of Miami-Dade County, but also to the environment and economy of the entire State of Florida; and

WHEREAS, this Board therefore wishes to urge the Florida Legislature to appropriate funding for stormwater-related projects to protect Biscayne Bay, including: the upgrading of stormwater infrastructure; the installation of additional stormwater grates, smart sensors, baffle boxes, and similar mechanisms and technologies; pilot projects; and research projects; and

WHEREAS, this Board also wishes to direct the County Mayor to: expand upon existing collaboration and coordination with municipalities with respect to stormwater-related projects that they may have already implemented; determine which of those projects have been most successful and could be successfully implemented by the County, potentially on a larger scale; and recommend to this Board three specific stormwater-related pilot projects to be prioritized,

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

Section 1. Urges the Florida Legislature to appropriate funding for stormwater-related projects to protect Biscayne Bay, including: the upgrading of stormwater infrastructure; the installation of additional stormwater grates, smart sensors, baffle boxes, and similar mechanisms and technologies; pilot projects; and research projects.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Senate President, the House Speaker, and the Chair and Members of the Miami-Dade State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the legislative action set forth in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2021 State Legislative Package to include this item.

Section 4. Directs the County Mayor or County Mayor's designee to: expand upon existing collaboration and coordination with municipalities within Miami-Dade County with respect to stormwater-related projects referenced in section 1 above that municipalities may have already implemented; determine which of those projects have been most successful and could

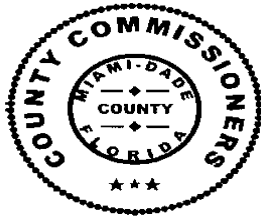
be successfully implemented by Miami-Dade County, potentially on a larger scale; and recommend to this Board three specific stormwater-related pilot projects to be prioritized, including details of how such projects could be implemented, estimated costs, and a proposed funding source or sources.

Section 5. Directs the County Mayor or County Mayor’s designee to prepare a written report to this Board with the information and recommendations required by section 4 above. The completed report shall be placed on an agenda of this Board pursuant to Ordinance No. 14-65 within 120 days of the effective date of this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa and the Co-Sponsor is Commissioner Sally A. Heyman. It 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

By: Melissa Adames
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

CJW

Christopher J. Wahl
Abbie Schwaderer-Raurell