

MEMORANDUM

Agenda Item No. 11(A)(27)

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

DATE: May 4, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to develop proactive long-term measures that may help prevent fish kills, oxygen loss, and algal blooms in Biscayne Bay, develop an action plan to mitigate the negative consequences of any future fish kills, oxygen loss, or algal blooms in Biscayne Bay, collaborate with municipalities and universities, and provide reports

Resolution No. R-472-21

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.


Geri Bonzon-Keenan
County Attorney

GBK/smm



MEMORANDUM

(Revised)

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

DATE: May 4, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(27)

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)(27)
5-4-21

RESOLUTION NO. _____ R-472-21

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO DEVELOP PROACTIVE LONG-TERM MEASURES THAT MAY HELP PREVENT FISH KILLS, OXYGEN LOSS, AND ALGAL BLOOMS IN BISCAYNE BAY, DEVELOP AN ACTION PLAN TO MITIGATE THE NEGATIVE CONSEQUENCES OF ANY FUTURE FISH KILLS, OXYGEN LOSS, OR ALGAL BLOOMS IN BISCAYNE BAY, COLLABORATE WITH MUNICIPALITIES AND UNIVERSITIES, AND PROVIDE REPORTS

WHEREAS, the health of Biscayne Bay is inextricably linked to the environmental and economic well-being of Miami-Dade County; and

WHEREAS, Biscayne Bay is a community treasure and provides residents and visitors of Miami-Dade County with ecological and environmental benefits, beauty, and serenity, and Biscayne Bay also supports industries and employment in tourism, commercial and recreational fishing, and other water-based recreational activities; and

WHEREAS, during the summer of 2020, a combination of multiple physical and environmental factors led to an unprecedented fish kill in Biscayne Bay; and

WHEREAS, in order to prevent or reduce the likelihood of a reoccurrence of fish kills in Biscayne Bay and related issues, the County Mayor or County Mayor's designee should develop proactive long-term measures that may help prevent fish kills, oxygen loss, and algal blooms in Biscayne Bay; and

WHEREAS, such proactive long-term measures may include, but are not limited to, measures to address water quality impacts affecting the health of the Bay, actions to help reduce the negative water quality impacts that can result from a fish kill, and additional water quality monitoring as may be necessary to better track conditions that may lead to a fish kill or algal bloom; and

WHEREAS, in addition, the County Mayor or County Mayor's designee should develop an action plan to mitigate the negative consequences of any such future fish kills, oxygen loss, or algal blooms in Biscayne Bay; and

WHEREAS, in developing these proactive long-term measures and action plan, the County Mayor or County Mayor's designee should consult with the County's environmental professionals, including the County's Division of Environmental Resources Management, the County's Chief Bay Officer, and the County's Office of Resilience; and

WHEREAS, in Resolution No. R-1030-20, this Board previously urged municipalities to provide additional funding for Biscayne Bay, including habitat restoration and water quality improvement projects, and, where feasible, the County Mayor or County Mayor's designee should also collaborate on these proactive long-term measures and action plan with municipalities that border Biscayne Bay; and

WHEREAS, the County Mayor or County Mayor's designee should also collaborate, where feasible, with universities such as Florida International University and the University of Miami; and

WHEREAS, these proactive long-term measures may also further various goals and recommendations from the Biscayne Bay Task Force, which this Board created through Resolution No. R-165-19, and the Task Force’s resulting Report and Recommendations, entitled “A Unified Approach to Recovery for a Healthy & Resilient Biscayne Bay”; and

WHEREAS, as such, in advance of summer 2021, this Board wishes to direct the County Mayor or County Mayor’s designee to develop such proactive long-term measures that may help prevent the fish kills, oxygen loss, and algal blooms in Biscayne Bay from reoccurring to the greatest extent possible, and also develop an action plan to mitigate the negative consequences of any future fish kills, oxygen loss, or algal blooms in Biscayne Bay,

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

Section 1. Directs the County Mayor or County Mayor’s designee to (1) develop proactive long-term measures that may help prevent fish kills, oxygen loss, and algal blooms in Biscayne Bay from reoccurring to the greatest extent possible and (2) develop an action plan to mitigate the negative consequences of any future fish kills, oxygen loss, or algal blooms in Biscayne Bay. In developing these measures and the action plan, the County Mayor or County Mayor’s designee shall collaborate, where feasible, with municipalities that border Biscayne Bay and with universities such as Florida International University and University of Miami.

Section 2. Directs the County Mayor or County Mayor’s designee to prepare an oral status report to the Miami-Dade County Port and Resilience Committee at its June 2021 meeting, or if such meeting is cancelled, at the next earliest meeting of said committee. Such oral status report shall include participation by the County’s Division of Environmental Resources Management (DERM) Director and Chief Bay Officer, or other qualified County staff as directed

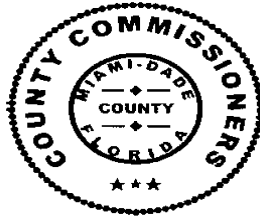
by the County Mayor. This oral status report shall address what the County Mayor or County Mayor's designee has developed thus far pursuant to section 1 of this resolution, and shall also address expectations, challenges, and limitations with respect to summer 2021 and the possibility of future fish kills, oxygen loss, and algal blooms in Biscayne Bay.

Section 3. Directs the County Mayor or County Mayor's designee, at the end of summer 2021, to prepare a written report to this Board as to (a) the proactive long-term measures and action plan required pursuant to section 1 of this resolution and (b) information as to the health of Biscayne Bay during summer 2021. The completed report shall be placed on an agenda of this Board pursuant to Ordinance No. 14-65 within 180 days of the effective date of this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was offered by Commissioner **Jean Monestime**, who moved its adoption. The motion was seconded by Commissioner **Oliver G. Gilbert, III** 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
Sally A. Heyman	aye	Danielle Cohen Higgins
Eileen Higgins	aye	Joe A. Martinez
Kionne L. McGhee	aye	Jean Monestime
Raquel A. Regalado	aye	Rebeca Sosa
Sen. Javier D. Souto	aye	aye

The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of May, 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.

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

Abbie Schwaderer-Raurell