

MEMORANDUM

Agenda Item No. 11(A)(6)

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

DATE: February 1, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to create a short-term plan and a mid-term plan for flooding and traffic mitigation in Biscayne Gardens, to commence the implementation of the plans in Fiscal Year 2022–23, to include all funding necessary to commence the implementation of the plans in the County Mayor's proposed Fiscal Year 2022–23 budget, and to provide a report

Resolution No. R-134-22

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



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM

(Revised)

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

DATE: February 1, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(6)

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)(6)
2-1-22

RESOLUTION NO. _____ R-134-22

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CREATE A SHORT-TERM PLAN AND A MID-TERM PLAN FOR FLOODING AND TRAFFIC MITIGATION IN BISCAYNE GARDENS, TO COMMENCE THE IMPLEMENTATION OF THE PLANS IN FISCAL YEAR 2022-23, TO INCLUDE ALL FUNDING NECESSARY TO COMMENCE THE IMPLEMENTATION OF THE PLANS IN THE COUNTY MAYOR'S PROPOSED FISCAL YEAR 2022-23 BUDGET, AND TO PROVIDE A REPORT

WHEREAS, residents in the area generally known as Biscayne Gardens have expressed concerns regarding flooding and traffic impacts that could result from future development in Biscayne Gardens; and

WHEREAS, on July 8, 2021, this Board adopted Resolution No. R-668-21, directing the County Mayor or County Mayor's designee to (1) conduct an engineering study related to flooding in Biscayne Gardens to identify both short-term and long-term solutions; (2) conduct a traffic impact study with respect to any proposed or potential developments in the study area; and (3) prepare reports regarding these engineering and traffic impact studies; and

WHEREAS, on December 1, 2021, this Board accepted the County Mayor's Updated Biscayne Gardens Traffic Report, which identified and made recommendations to address negative impacts to traffic that could potentially result from new developments; and

WHEREAS, on December 1, 2021, this Board accepted the County Mayor's Biscayne Gardens Engineering Study Related to Flooding to Identify Short-Term and Long-Term Solutions; and

WHEREAS, now that the County Mayor has presented reports to this Board with analysis and recommendations regarding flooding and traffic issues in Biscayne Gardens, this Board wishes to direct the County Mayor or County Mayor's designee to use the information and recommendations in the aforementioned reports to create a short-term plan and a mid-term plan for flooding and traffic mitigation in Biscayne Gardens and to commence the implementation of said plans in Fiscal Year 2022–23,

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

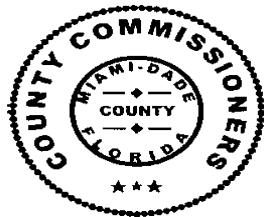
Section 1. This Board directs the County Mayor or County Mayor's designee to use the information and recommendations in the reports previously submitted to and accepted by the Board pursuant to Resolution No. R-668-21 to: (a) create a short-term plan and a mid-term plan for flooding and traffic mitigation in Biscayne Gardens, consistent with the aforementioned reports; (b) commence the implementation of the plans in Fiscal Year 2022–23; and (c) include all funding necessary to commence the implementation of the plans in the County Mayor's proposed Fiscal Year 2022–23 County budget.

Section 2. This Board directs the County Mayor or County Mayor's designee to prepare a report setting forth the plans required by subsection 1(a) of this resolution along with the estimated costs and timelines for the implementation thereof. The report shall include, but not be limited to, information relating to the funding sources for the plans, including the funding being considered for the County Mayor's proposed Fiscal Year 2022–23 County budget. The County Mayor or County Mayor's designee shall provide the report to this Board within 90 days of the effective date of this resolution and place the completed report on an agenda of the full Board without committee review pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Jean Monestime. It was offered by Commissioner **Joe A. Martinez**, who moved its adoption. The motion was seconded by Commissioner **Kionne L. McGhee** 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	absent	Rebeca Sosa	absent
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared this resolution duly passed and adopted this 1st day of February, 2022. 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.

CJW

Christopher J. Wahl
Andrea Gonzalez Mateo