

MEMORANDUM

Agenda Item No. 11(A)(11)

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

DATE: July 7, 2022


FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to develop and implement uniform goals with respect to the time periods for County reviews and decisions on environmental permit applications and requests for approvals; provide courtesy copies of certain correspondence to property owners; and to provide a report

Resolution No. R-658-22

This item was amended at the 6-7-22 PortMiami and Environmental Resilience Committee to require the report from the County Mayor or County Mayor's designee be presented to the Board within 60 days, instead of 30 days, from the effective date of the resolution.

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: July 7, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

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

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)
7-7-22

RESOLUTION NO. _____ R-658-22

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO DEVELOP AND IMPLEMENT UNIFORM GOALS WITH RESPECT TO THE TIME PERIODS FOR COUNTY REVIEWS AND DECISIONS ON ENVIRONMENTAL PERMIT APPLICATIONS AND REQUESTS FOR APPROVALS; PROVIDE COURTESY COPIES OF CERTAIN CORRESPONDENCE TO PROPERTY OWNERS; AND TO PROVIDE A REPORT

WHEREAS, Miami-Dade County's Division of Environmental Resources (DERM) reviews numerous types of applications and requests for approval for environmental matters that are governed under chapter 24 of the Code of Miami-Dade County; and

WHEREAS, such environmental permits and approvals include a wide variety of environmental matters, such as permits for tree removal, boat docks, and work in wetlands; and

WHEREAS, for all such environmental permits and approvals under the purview of DERM, it is important to establish uniform County goals with respect to the time periods for DERM's reviews; and

WHEREAS, the County should strive to make a final decision on such applications as expeditiously as possible; and

WHEREAS, although some DERM permit applications and requests for approvals may be complex, others may be relatively straightforward; and

WHEREAS, for those DERM applications and requests for approval that are relatively straightforward, this must be reflected in the goals with respect to the time periods for DERM's review, and such time period goals must be shorter, with the goal to provide a final decision within 21 days or less; and

WHEREAS, setting and meeting these goals will be particularly helpful to the Miami-Dade community, and especially for individual property owners who may not be familiar with the development process in general; and

WHEREAS, section 125.022 of the Florida Statutes already creates certain outer limits for timeframes for permit applications, such as DERM permits, including time frames for both the initial review of an application for completeness, as well as for the issuance of a final decision; and

WHEREAS, this Board, however, wishes to set uniform goals of reviewing and issuing final decisions that are more expeditious and contain shorter time frames than what may be required under state law; and

WHEREAS, sometimes the issuance of a DERM permit or approval may be delayed because the application itself is missing certain information or is otherwise incomplete, and in order to assist property owners and provide greater transparency, this Board wishes to direct the County Mayor or County Mayor's designee to send a copy of any such correspondence to the property owner as well as the applicant or applicant's permit agent; and

WHEREAS, this Board wishes to provide direction to the County Mayor or County Mayor's designee to improve the process for DERM permitting and approvals and provide greater transparency,

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

Section 1. The Board ratifies and adopts the foregoing recitals as if they were fully set forth herein.

Section 2. This Board directs the County Mayor or County Mayor's designee to develop and implement uniform goals for the review of DERM permit applications and requests for approval, that are generally shorter and more expeditious than what may be required by state law, consistent with the following: providing an initial review within 10 calendar days for all such DERM permit applications and requests for approval; for DERM permit applications and requests for approval that are relatively straightforward, providing a final decision within 21 days or less; and for those DERM permit applications and requests for approval that are more complex, providing a final decision as expeditiously as possible and well within the statutory limits. For the purposes of compliance with this resolution, the County Mayor or County's Mayor's designee shall create categories of DERM permit applications and requests for approval, which are based on complexity versus straightforwardness, along with how quickly the DERM reviews can be conducted once an application is complete, and all DERM permit applications and requests for approval shall be included in at least one category. The County Mayor or County Mayor's designee shall create clear guidelines and training for DERM staff as to these uniform goals and policy changes referenced in this resolution. In addition, the County Mayor or County Mayor's designee shall review the current processes in place for such DERM reviews in order to create greater efficiency wherever possible, and shall make recommendations as to how to streamline all DERM permitting and approval processes and reduce all time frames to below the time limits allowed by section 125.022, Florida Statutes. All aspects of section 2 of this resolution relate to and shall encompass all DERM divisions and all aspects of DERM reviews.

Section 3. The Board directs the County Mayor or County Mayor’s designee to provide a courtesy copy to property owners of DERM’s correspondence on permit applications and requests for approval, related to missing or incomplete information in the respective permit application or request for approval.

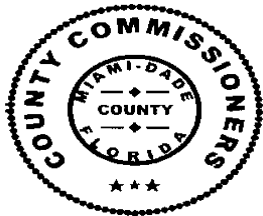
Section 4. This Board hereby directs the County Mayor or County Mayor’s designee to prepare a written report as to the matters described in sections 2 and 3, to present such report to this Board within >>60<<¹ ~~[[30]]~~ days of the effective date of this resolution, and to place the completed report 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 Rebeca Sosa. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Danielle Cohen 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	absent	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

¹ Committee amendments are indicated as follows: Words stricken through and/or ~~[[double bracketed]]~~ are deleted, words underscored and/or >>double arrowed<< are added.

The Chairperson thereupon declared this resolution duly passed and adopted this 7th day of July, 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

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

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

Abbie Schwaderer-Raurell