

MEMORANDUM

Agenda Item No. 11(A)(5)

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

DATE: November 15, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution urging the United States Congress and the United States Environmental Protection Agency to provide funding for the protection and enhancement of Biscayne Bay and for septic-to-sewer conversion projects; urging the Florida Legislature to provide funding for the protection and enhancement of Biscayne Bay and for septic-to-sewer conversion projects and to modify the state wastewater grant program to enable Miami-Dade County to obtain wastewater grant funding; identifying these issues as federal and state legislative priorities

Resolution No. R-1118-22

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Danielle Cohen Higgins.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM

(Revised)

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

DATE: November 15, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(5)

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)(5)
11-15-22

RESOLUTION NO. R-1118-22

RESOLUTION URGING THE UNITED STATES CONGRESS AND THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO PROVIDE FUNDING FOR THE PROTECTION AND ENHANCEMENT OF BISCAYNE BAY AND FOR SEPTIC-TO-SEWER CONVERSION PROJECTS; URGING THE FLORIDA LEGISLATURE TO PROVIDE FUNDING FOR THE PROTECTION AND ENHANCEMENT OF BISCAYNE BAY AND FOR SEPTIC-TO-SEWER CONVERSION PROJECTS AND TO MODIFY THE STATE WASTEWATER GRANT PROGRAM TO ENABLE MIAMI-DADE COUNTY TO OBTAIN WASTEWATER GRANT FUNDING; IDENTIFYING THESE ISSUES AS FEDERAL AND STATE LEGISLATIVE PRIORITIES

WHEREAS, Biscayne Bay is a vital and irreplaceable component of the environment, culture, and economy of Miami-Dade County; and

WHEREAS, certain events in recent years, including but not limited to seagrass die-offs, fish kills, and coral bleaching, have indicated that Biscayne Bay's health is in a precarious state and that urgent action must be taken to protect Biscayne Bay; and

WHEREAS, this Board has a long record of taking action and formulating plans to protect Biscayne Bay; and

WHEREAS, this Board also recently established the Biscayne Bay Watershed Management Advisory Board to assist this Board's efforts; and

WHEREAS, more funding is urgently needed to enable the County to bring to fruition the various projects the County has planned for the benefit of Biscayne Bay; and

WHEREAS, the Florida Legislature has been supporting the County's efforts to protect Biscayne Bay by, among other things, appropriating funding for that purpose and establishing the Biscayne Bay Commission; and

WHEREAS, in the 2020 legislative session, the Florida Legislature adopted chapter 2020-150, Laws of Florida, which, among other things, established the state wastewater grant program codified in section 403.0673, Florida Statutes; and

WHEREAS, the state wastewater grant program is another potential source of funding for projects that could help protect Biscayne Bay; and

WHEREAS, the Florida Legislature has also recently provided funding for septic-to-sewer conversion projects; and

WHEREAS, additional state funding for septic-to-sewer conversion projects in Miami-Dade County could also help improve Biscayne Bay's health; and

WHEREAS, this Board wishes to urge both the federal government and the State of Florida to provide funding for the protection and enhancement of Biscayne Bay and for septic-to-sewer conversion projects, and to make this issue a federal and state legislative priority,

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

Section 1. Urges the United States Congress and the United States Environmental Protection Agency to provide funding for the protection and enhancement of Biscayne Bay and for septic-to-sewer conversion projects.

Section 2. Urges the Florida Legislature to provide funding for the protection and enhancement of Biscayne Bay and for septic-to-sewer conversion projects and to modify the state wastewater grant program to enable Miami-Dade County to obtain wastewater grant funding,

whether by an amendment to section 403.0673, Florida Statutes, by a provision in the budget proviso or in the budget implementing bill for the upcoming state fiscal year, or by other appropriate means.

Section 3. Waives requirements of Resolution No. R-764-13, as necessary, and: (a) identifies the issue in section 1 of this resolution as a 2023 federal legislative priority in addition to any 2023 federal legislative priorities determined by this Board pursuant to Resolution No. R-764-13 or otherwise; and (b) identifies the issue in section 2 of this resolution as a 2023 state legislative priority in addition to any 2023 state legislative priorities determined by this Board pursuant to Resolution No. R-764-13 or otherwise.

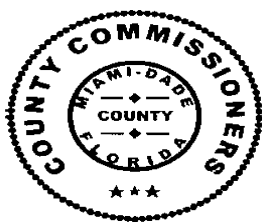
Section 4. Directs the Clerk of the Board to transmit a certified copy of this resolution to the President of the United States, the Members of the Florida Congressional Delegation, the Secretary of the United States Environmental Protection Agency, the Governor, the Senate President, the House Speaker of the State of Florida, and the Chair and Members of the Miami-Dade State Legislative Delegation.

Section 5. Directs the County's federal and state lobbyists to advocate for the actions set forth in sections 1 and 2 above, and authorizes and directs the Office of Intergovernmental Affairs to: (a) include this item in the 2023 Federal Legislative Package when it is presented to the Board; (b) amend the 2023 State Legislative Package to include this item; (c) identify this item as a 2023 federal legislative priority in addition to any 2023 federal legislative priorities determined by this Board pursuant to Resolution No. R-764-13 or otherwise; and (d) identify this item as a 2023 state legislative priority in addition to any 2023 state legislative priorities determined by this Board pursuant to Resolution No. R-764-13 or otherwise.

The Prime Sponsor of the foregoing resolution is Commissioner Danielle Cohen Higgins. It was offered by Commissioner **Rebeca Sosa**, 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	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Kionne L. McGhee	aye
Jean Monestime	aye	Raquel A. Regalado	aye
Rebeca Sosa	aye	Sen. Javier D. Souto	absent

The Chairperson thereupon declared this resolution duly passed and adopted this 15th day of November, 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

Basia Pruna

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

CJW

Christopher J. Wahl