

MEMORANDUM

Agenda Item No. 8(L)(3)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: February 7, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution authorizing the
disbursement of up to
\$100,000.00 from the Wetlands
Trust Fund to install a fence and
remove solid waste from wetland
properties owned by Miami-
Dade County in the East
Everglades

Resolution No. R-69-23

The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Commissioner Kionne L. McGhee.



Geri Bonzon-Keenan
County Attorney

GBK/jp

Memorandum



Date: February 7, 2023

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

Subject: Resolution Authorizing the Disbursement of Up to \$100,000.00 from the Wetlands Trust Fund to Install a Fence and Remove Solid Waste from Wetland Properties Owned by Miami-Dade County in the East Everglades

Executive Summary

The purpose of this item is to seek approval from the Board of County Commissioners for the disbursement of up to \$100,000.00 from the Wetlands Trust Fund to the Miami-Dade County Department of Regulatory and Economic Resources, Division of Environmental Resources Management (DERM), for the installation of a protective fence and the removal of solid waste illegally dumped on two wetland properties owned by Miami-Dade County (Folios 30-5821-000-0013 and 30-5821-000-0014) and located at SW 152 Street and SW 212 Avenue (see Exhibit A) in the East Everglades.

Recommendation

It is recommended that the Board of County Commissioners approve the attached resolution authorizing the disbursement of up to \$100,000.00 from the Wetlands Trust Fund to the Miami-Dade County Department of Regulatory and Economic Resources, Division of Environmental Resources Management (DERM), for the installation of a protective fence and the removal of solid waste illegally dumped on two wetland properties owned by Miami-Dade County in the East Everglades. Solid waste dumping is a significant issue in the East Everglades and this disbursement would remove the existing solid waste and protect the wetland properties from future illegal dumping.

Scope

The wetland properties are vacant land located at SW 152 Street and SW 212 Avenue in Commission District 9, which is represented by Commissioner Kionne L. McGhee.

Delegation of Authority

This resolution does not delegate authority to the County Mayor or County Mayor's designee.

Fiscal Impact/Funding Source

This resolution authorizes the disbursement of funds from the Wetlands Trust Fund for installation of a fence to protect wetland properties owned by Miami-Dade County and remove solid waste illegally dumped on these wetland properties. This disbursement is consistent with the Wetlands Trust Fund Ordinance codified in Section 24-37 of the Code of Miami-Dade County (Code) that allows these funds to be used for the purpose of acquiring, restoring, enhancing, managing or monitoring wetlands within Miami-Dade County. The unencumbered balance of the Wetlands Trust Fund as of September 30, 2022, is \$473,551.73.

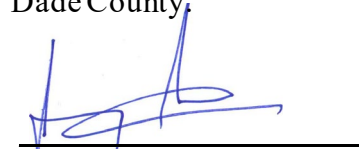
Track Record/Monitor

The Senior Manager of Natural Resources in the Department of Regulatory and Economic Resources, Division of Environmental Resources Management (DERM), Michael Spinelli, will monitor the Agreement.

MDC002

Background

Solid waste dumping is a significant issue in the East Everglades and throughout Miami-Dade County. This disbursement would allow DERM to remove the existing solid waste that has been illegally dumped on two wetland properties located at SW 152 Street and SW 212 Avenue (Folios 30-5821-000-0013 and 30-5821-000-0014) which are owned by Miami-Dade County. In addition, this disbursement would install approximately 1,320 linear feet of fence, including one gate, along the western and southern boundaries to protect these wetland properties from future dumping. These restoration activities will be conducted over the next six to twelve months by County staff or by outside contractor selected under a competitive bidding process. The Wetlands Trust Fund Ordinance codified in Section 24-37 of the Code allows these funds to be used for the purpose of acquiring, restoring, enhancing, managing, or monitoring wetlands within Miami-Dade County.



Jimmy Morales
Chief Operations Officer

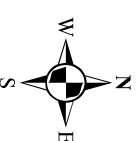
**Exhibit A: East Everglades
Miami-Dade County Owned Parcels**



 **Property
Boundary**

MDC004

2021 Aerial



SCALE: 1 inch = 125 feet

Memorandum



Date: February 7, 2023

To: Daniella Levine Cava
Mayor

From: Lourdes M. Gomez, Director
Department of Regulatory and Economic Resources

A handwritten signature in blue ink, appearing to read "L. Gomez", written over a horizontal line.

Subject: Recommendation for the Disbursement of Up to \$100,000.00 from the Wetlands Trust Fund to the Miami-Dade County Department of Regulatory and Economic Resources to Install a Fence and Remove Solid Waste from two Wetland Properties Owned by Miami-Dade County in the East Everglades

I am recommending the disbursement of up to \$100,000.00 from the Wetlands Trust Fund to the Miami-Dade Department of Regulatory and Economic Resources, Division of Environmental Resources Management (DERM), for the installation of a protective fence and the removal of solid waste illegally dumped on two wetland properties located at SW 152 Street and SW 212 Avenue in the East Everglades which are owned by Miami-Dade County (Folios 30-5821-000-0013 and 30-5821-000-0014). Solid waste dumping is a significant issue in the East Everglades and this disbursement would remove the existing solid waste and install approximately 1,320 linear feet of fence, including one gate, along the western and southern boundaries to protect the two wetland properties from future dumping.

The up to \$100,000.00 requested for disbursement will be drawn from funds deposited into the Wetlands Trust Fund for the purpose of acquiring, restoring, enhancing, managing or monitoring wetlands within Miami-Dade County. The proposed activities are consistent with the goals and intent of the Wetlands Trust Fund as codified in Section 24-37 of the Code.

In addition, there are sufficient unencumbered funds currently available in the Wetlands Trust Fund to fulfill this request.



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: February 7, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(L)(3)

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. 8(L)(3)
2-7-23

RESOLUTION NO. R-69-23

RESOLUTION AUTHORIZING THE DISBURSEMENT OF
UP TO \$100,000.00 FROM THE WETLANDS TRUST FUND
TO INSTALL A FENCE AND REMOVE SOLID WASTE
FROM WETLAND PROPERTIES OWNED BY MIAMI-
DADE COUNTY IN THE EAST EVERGLADES

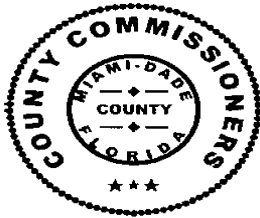
WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board, pursuant to section 24-37 of the Code of Miami-Dade County, authorizes the disbursement of up to \$100,000.00 from the Wetlands Trust Fund to provide funding for the installation of a fence and the removal and disposal of solid waste from two wetland properties, located at SW 152 Street and SW 212 Avenue in the East Everglades owned by Miami-Dade County, consistent with Chapter 24 of the Code of Miami-Dade County.

The foregoing resolution was offered by Commissioner **Anthony Rodriguez**, 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:

Oliver G. Gilbert, III, Chairman	aye		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 7th day of February, 2023. 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

LUIS G. MONTALDO, CLERK AD INTERIM

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney
as to form and legal sufficiency.

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

Cristina M. Rabionet