

MEMORANDUM

Amended
Agenda Item No. 11(A)(4)

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

DATE: October 1, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County
Mayor to make recommendations
related to areas in Biscayne Bay
where anchoring of vessels may
be most appropriate and related
to future mooring fields; and
providing for reports

Resolution No. R-886-24

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator René García and Co-Sponsors Commissioner Kevin Marino Cabrera, Commissioner Danielle Cohen Higgins and Commissioner Micky Steinberg.



Geri Bonzon-Keenan
County Attorney

GBK/ks



MEMORANDUM

(Revised)

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

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Glen Bonzon-Keenan
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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 ____, majority plus one ____, 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) ____, 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 _____

Amended
Agenda Item No. 11(A)(4)
10-1-24

RESOLUTION NO. **R-886-24**

RESOLUTION DIRECTING THE COUNTY MAYOR OR
COUNTY MAYOR'S DESIGNEE TO MAKE
RECOMMENDATIONS RELATED TO AREAS IN BISCAYNE
BAY WHERE ANCHORING OF VESSELS MAY BE MOST
APPROPRIATE AND RELATED TO FUTURE MOORING
FIELDS; AND PROVIDING FOR REPORTS

WHEREAS, Biscayne Bay is a valuable natural resource that provides environmental benefits, supports industries such as tourism and fishing, and provides recreational opportunities to residents and visitors in Miami-Dade County; and

WHEREAS, since the pandemic, County staff have reported that the number of boats and other vessels on Biscayne Bay has significantly increased; and

WHEREAS, although some vessels are docked at marinas or moored at permitted mooring fields, numerous vessels anchor throughout Biscayne Bay; and

WHEREAS, in 2022, this Board adopted Resolution No. R-722-22, which directed the County Mayor or County Mayor's designee to conduct a study and make recommendations regarding the establishment, pursuant to section 327.4108(2) of the Florida Statutes, of certain anchoring limitation areas in Miami-Dade County where anchoring for more than 45 days in one location would be prohibited; and

WHEREAS, the resulting County Mayor's report, which was accepted by this Board on December 12, 2023, outlined the administration's consideration of various issues related to anchoring and mooring in Biscayne Bay, including the current regulatory framework, the prevalence of derelict vessels, and the sensitivity of environmental resources, and ultimately

identified eleven areas that the County Mayor's report recommended for the establishment of anchoring limitation areas, seven in the northern part of Biscayne Bay and four in the southern part; and

WHEREAS, the County Mayor's report recommended that a pilot project anchoring limitation area be established to determine the efficacy, costs, timeline, and process necessary to implement 45-day anchoring limitation areas in Miami-Dade County; and

WHEREAS, in addition to this consideration of future anchoring limitation areas, it may also be appropriate for the County Mayor or County Mayor's designee to also assess where in Biscayne Bay anchoring may be most appropriate, considering, for example, environmental resources, potential impacts to residents, navigation, and other factors that may be relevant to such assessment; and

WHEREAS, subsequently, and potentially building upon such analysis as to where anchoring may be most appropriate, the County Mayor or County Mayor's designee should also assess and make recommendations as to future mooring fields where vessels could be moored in lieu of anchoring, proposed boundaries of such mooring fields, how such mooring fields could be managed, and the fiscal impact, if any; and

WHEREAS, such an analysis should also include, but not be limited to, information and recommendations related to whether the creation of additional mooring fields could reduce environmental impacts, reduce impacts to navigation, or reduce impacts to nearby residents; and

WHEREAS, therefore, this Board wishes to direct the County Mayor or County Mayor's designee to make an assessment and recommendations related to where in Biscayne Bay anchoring may be most appropriate and related to future mooring fields,

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 assess and make recommendations to this Board as to where in Biscayne Bay the anchoring of vessels may be most appropriate, considering for example, environmental resources, potential impacts to residents, navigation, and other factors that may be relevant to such assessment. Subsequently, and potentially building upon such analysis as to where anchoring may be most appropriate, the County Mayor or County Mayor's designee is directed to also assess and make recommendations as to future mooring fields where vessels could be moored in lieu of anchoring, proposed boundaries of such mooring fields, how such mooring fields could be managed, and the fiscal impact, if any. Such an analysis should also include, but not be limited to, information and recommendations related to whether the creation of additional mooring fields could reduce environmental impacts, reduce impacts to navigation, or reduce impacts to nearby residents. The study shall also examine how anchoring may impact manatees, seagrass beds, and mangroves, and shall consider the potential impacts of mooring and anchoring on seagrass and manatees in the Julia Tuttle basin.

In addition, with respect to any such recommendations for future mooring fields, the County Mayor or County Mayor's designee shall also assess and make recommendations as to the provision of various shore-side services or amenities which could incentivize boaters to use such mooring fields or provide other benefits, including, but not limited to, restrooms, laundry facilities, dinghy docks, drinking water, pump-out boat services, and provisioning. The County Mayor or

County Mayor’s designee may consider in such assessment whether such services or amenities could, or would, be provided by third parties or by the County, and the assessment shall include information as to any fiscal impact to the County.

Section 2. With respect to the analysis and recommendations required in section 1 of this resolution, the County Mayor or County Mayor’s designee shall prepare a written report and, pursuant to rule 5.06(j) of the Board’s Rules of Procedure, place the completed report on an agenda of the full Board without committee review within 30 days of the effective date of this resolution.

The Prime Sponsor of the foregoing resolution is Senator René Garcia and the Co-Sponsors are Commissioner Kevin Marino Cabrera, Commissioner Danielle Cohen Higgins and Commissioner Micky Steinberg. It was offered by Commissioner **Sen. René García** , who moved its adoption. The motion was seconded by Commissioner **Micky Steinberg** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 1st day of October, 2024. 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

JUAN FERNANDEZ-BARQUIN, 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", is written over a horizontal line.

Abbie Schwaderer-Raurell