

MEMORANDUM

Agenda Item No. 8(L)(4)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: January 22, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution authorizing the
disbursement of up to \$40,000.00
from the Biscayne Bay
Environmental Enhancement
Trust Fund to be used for
enhancement of coastal band
mangrove habitat within the
foreshore of Biscayne Bay at the
Cocoplum Mangrove Preserve in
the City of Coral Gables, Miami-
Dade County, Florida, through
the removal and disposal of
marine debris, the eradication of
invasive exotic vegetation, and
the planting of native coastal
vegetation

Resolution No. R-50-25

The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/ks

Memorandum



Date: January 22, 2025

To: Honorable Chairman Anthony Rodriguez
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 \$40,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund to Conduct Environmental Enhancement in Biscayne Bay

Executive Summary

The attached resolution seeks authorization from the Board of County Commissioners (Board) for the disbursement of up to \$40,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund (BBEETF) for the removal and disposal of marine debris, the eradication of invasive exotic vegetation, and the planting of native coastal vegetation within the foreshore of Biscayne Bay at the Cocoplum Mangrove Preserve, in the City of Coral Gables, Miami-Dade County, FL, in association with the County's ongoing Biscayne Bay Restoration and Enhancement Program, consistent with Chapter 24 of the Code of Miami-Dade County (Code).

Recommendation

It is recommended that the Board approve the attached resolution authorizing the disbursement of up to \$40,000.00 from the BBEETF for the removal and disposal of marine debris, the eradication of invasive exotic vegetation, and the planting of native coastal vegetation within the foreshore of Biscayne Bay at the Cocoplum Mangrove Preserve. These activities are for the sole purpose of increasing the net habitat value of the bay, its tidal tributaries, and foreshore in association with the County's ongoing Biscayne Bay Restoration and Enhancement Program, consistent with Chapter 24 of the Code and pursuant to the recommendations in the Biscayne Bay Task Force Report that is the subject of Resolution No. R-888-20 adopted by the Board on August 31, 2020.

Scope

This disbursement request will directly benefit coastal band mangrove wetlands bordering Biscayne Bay, as well as adjacent surface waters, within District 7, which is represented by Commissioner Raquel A. Regalado.

Delegation of Authority

This item has no delegation of authority.

Fiscal Impact/Funding Source

This resolution authorizes the disbursement of up to \$40,000.00 from the BBEETF, \$18,080.00 of this sum was generated by a Department of Regulatory and Economic Resources (RER) enforcement action and was deposited into the BBEETF for the expressed purpose of "the creation, restoration, or enhancement of coastal wetlands within the State-owned Cocoplum Mangrove Preserve."

The \$21,920.00 balance will be drawn from unencumbered funds in the BBEETF. This disbursement is consistent with Section 24-40 of the Code, which allows BBEETF funds to be used for the restoration and enhancement of Biscayne Bay and its foreshore. The amount of available funds within the BBEETF as of August 31, 2024, is \$19,095,401.49. Please note that this balance does not reflect anticipated expenditures related the Reasonable Assurance Plan, which are currently estimated at \$3,500,000.00, and other projects related to DERM planned environmental enhancement projects estimated at \$9,050,000.

Track Record/Monitor

The Manager of the Restoration & Enhancement Section within the Department of Regulatory and Economic Resources, Division of Environmental Resources Management (DERM), Laura Eldredge, will monitor activities performed using these funds.

Background

The Cocoplum Mangrove Preserve consists of approximately 77 contiguous acres of high-quality mangrove forest that were set aside for preservation as part of the Cocoplum development in the City of Coral Gables. The approximately fourteen acres of the preserve that abut Biscayne Bay comprise roughly one-quarter mile of living shoreline and are owned by the State of Florida but are not actively managed. The site contains a large quantity of marine debris and invasive exotic vegetation due to this lack of management. RER-DERM proposes to address these issues using funding from the BBEETF. The County has been coordinating with the State on this project. The State of Florida owns the land as a mangrove preserve and FDEP has advised the County that no state permits or other authorizations from the state will be required to perform this work. The County does not have a formal written agreement with the state for the restoration work and does not anticipate pursuing one at this time.

On February 1, 2024, an \$18,080.00 bond associated with an RER-DERM enforcement action involving a neighboring property was deposited into the BBEETF for the specific purpose of “the creation, restoration, or enhancement of coastal wetlands within the State-owned Cocoplum Mangrove Preserve.” RER-DERM staff have developed a plan to enhance coastal wetlands within the publicly owned portion of the preserve via the removal and disposal of accumulated marine debris, the eradication of invasive exotic vegetation, and the planting of native coastal vegetation. The work will be performed by County staff, volunteers, and by outside contractors selected through a competitive bidding process if necessary. These activities are for the sole purpose of increasing the net habitat value of the bay, its tidal tributaries, and foreshore in association with the County’s ongoing Biscayne Bay Restoration and Enhancement Program, consistent with Chapter 24 of the Code.

In accordance with Section 24-40(4) of the Code, I have received and considered the attached recommendation of the Director of the Department of Regulatory and Economic Resources for the disbursement of up to \$40,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund to be used for the stated purposes.



Jimmy Morales
Chief Operating Officer

MDC003

Memorandum



Date: September 10, 2024

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 the printed name of the sender.

Subject: Resolution Authorizing the Disbursement of up to \$40,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund to the Miami-Dade County Department of Regulatory and Economic Resources to Conduct Environmental Enhancement in Biscayne Bay

Pursuant to Section 24-40 of the Code of Miami-Dade County (Code), I am recommending the disbursement of up to \$40,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund (BBEETF) to be used for the subject project.

These funds will allow the Department of Regulatory and Economic Resources' Division of Environmental Resources Management (RER-DERM) to perform environmental enhancement activities within the publicly owned portion of the Cocoplum Mangrove Preserve.

The Cocoplum Mangrove Preserve consists of approximately 77 contiguous acres of high-quality mangrove forest that were set aside for preservation as part of the Cocoplum development in the City of Coral Gables. The approximately 14 acres of the preserve that abut Biscayne Bay are owned by the State of Florida but have suffered due to a lack of active management. On February 1, 2024, an \$18,080.00 bond associated with an RER-DERM enforcement action involving a neighboring property was deposited into the BBEETF for the purposes of "the creation, restoration, or enhancement of coastal wetlands within the State-owned Cocoplum Mangrove Preserve."

The State has no current or future plans for the management of the subject area, therefore RER-DERM staff have developed such a plan. Environmental enhancement activities will include the removal and disposal of marine debris, the eradication of invasive exotic vegetation, and the planting of native coastal vegetation within the foreshore of Biscayne Bay. Work will be conducted by County staff, by volunteers when appropriate, and, if necessary, by contractors selected through a competitive bidding process.

The \$40,000.00 disbursement will be drawn from funds deposited into the BBEETF for the purpose of restoration and enhancement of Biscayne Bay and its foreshore. This sum will include the aforementioned \$18,080.00 and an additional \$21,920.00 of unencumbered funds from the BBEETF. The proposed activities for which this disbursement will be used are consistent with the goals and intent of the Biscayne Bay Task Force report and with the BBEETF related provisions in Section 24-40 of the Code.

There are sufficient unencumbered funds currently available in the BBEETF to fulfill this request.



MEMORANDUM

(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: January 22, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(L)(4)

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 _____

Agenda Item No. 8(L)(4)
1-22-25

RESOLUTION NO. _____ R-50-25

RESOLUTION AUTHORIZING THE DISBURSEMENT OF UP TO \$40,000.00 FROM THE BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND TO BE USED FOR ENHANCEMENT OF COASTAL BAND MANGROVE HABITAT WITHIN THE FORESHORE OF BISCAYNE BAY AT THE COCOPLUM MANGROVE PRESERVE IN THE CITY OF CORAL GABLES, MIAMI-DADE COUNTY, FLORIDA, THROUGH THE REMOVAL AND DISPOSAL OF MARINE DEBRIS, THE ERADICATION OF INVASIVE EXOTIC VEGETATION, AND THE PLANTING OF NATIVE COASTAL VEGETATION

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 24-40 of the Code of Miami-Dade County, Florida, hereby authorizes the disbursement of up to \$40,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund to be used for enhancement of publicly owned coastal band mangrove habitat within the foreshore of Biscayne Bay at the Cocoplum Mangrove Preserve in the City of Coral Gables, Miami-Dade County, Florida, through the removal and disposal of marine debris, the eradication of invasive exotic vegetation, and the planting of native coastal vegetation, which activities shall be for the sole purpose of increasing the net habitat value of the bay, its tidal tributaries, and foreshore in association with the County's ongoing Biscayne Bay Restoration and Enhancement Program, and shall further be consistent with chapter 24 of the Code of Miami-Dade County, Florida.

The foregoing resolution was offered by Commissioner **Danielle Cohen Higgins** ,
 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:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 22nd day of January, 2025. 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.

CJW

Abbie Schwaderer-Raurell
 Christopher J. Wahl