MEMORANDUM Agenda Item No. 11(A)(9)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: April 7, 2009

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Resolution suggesting South Florida Water Management District accept Miami-Dade County's recommended language regarding permanent irrigation restrictions of new landscaping for inclusion in district rule

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Natacha Seijas.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: April 7, 2009

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 11(A)(9)

Please note any items checked.

_____ **"4-Day Rule" ("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**

_____ **Bid waiver requiring County Mayor's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(9)
4-7-09

RESOLUTION NO. _____

RESOLUTION SUGGESTING SOUTH FLORIDA WATER MANAGEMENT DISTRICT ACCEPT MIAMI-DADE COUNTY'S RECOMMENDED LANGUAGE REGARDING PERMANENT IRRIGATION RESTRICTIONS OF NEW LANDSCAPING FOR INCLUSION IN DISTRICT RULE

WHEREAS, the South Florida Water Management District is conducting rule-making relating to a proposed rule for Mandatory Year-Round Landscape Irrigation Conservation Measures; and

WHEREAS, the proposed rule provides the two-day restriction does not apply to irrigation of new landscaping for 60 days; and

WHEREAS, the proposed rule specifically provides that new landscaping may be irrigated six days a week during the first 30 days and four days a week during the next 30 days; and

WHEREAS, the nursery industry asserts that the 60 day limitation will adversely affect the public's decision to purchase new landscaping and will have a negative economic impact on the industry; and

WHEREAS, this Board is considering an ordinance that allows irrigation of new landscaping six days a week for the first 90 days from the date the new landscaping is purchased; and

WHEREAS, this Board believes that allowing an additional 30 days to irrigate new landscaping will address the industry's concerns without impairing the goal of water conservation,

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

Section 1. Suggests the South Florida Water Management District accept and include in the District's Rule the County's recommended language that allows irrigation of new landscaping six days a week for 90 days from the date the new landscaping is purchased.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Board and Executive Director of the South Florida Water Management District.

The Prime Sponsor of the foregoing resolution is Commissioner Natacha Seijas. It was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of April, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. SED for

Henry N. Gillman