

MEMORANDUM

Agenda Item No. 11(A)(8)

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

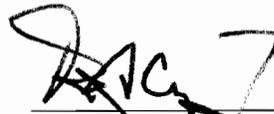
DATE: February 2, 2010

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

SUBJECT: Resolution directing the Mayor to prepare a plan to provide financial assistance to homeowners and small businesses for expenses relating to Palmetto Bay Water and Sewer Improvement Project

This resolution was amended by the Budget Planning and Sustainability Committee to require that the plan identify all areas throughout the county that do not have water and sewer infrastructure; identify properties where water and sewer infrastructure is installed or is being installed but such properties have not connected, and identify any grants available to provide financial assistance to property owners.

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



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM
(Revised)

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

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SUBJECT: Agenda Item No. 11(A)(8)

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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Agenda Item No. 11(A)(8)

Veto _____

2-2-10

Override _____

RESOLUTION NO. _____

RESOLUTION DIRECTING COUNTY MAYOR OR HIS
DESIGNEE TO PREPARE A PLAN TO PROVIDE
FINANCIAL ASSISTANCE TO HOMEOWNERS AND
SMALL BUSINESSES FOR EXPENSES RELATING TO
CONNECTION TO THE COUNTY WATER AND
SEWER SYSTEM INCLUDING PROPERTIES
AFFECTED BY THE PALMETTO BAY WATER AND
SEWER IMPROVEMENT PROJECT

WHEREAS, Section 32-77 of the Code of Miami-Dade County provides that the continuation of the use of individual wells and septic tanks constitutes a danger to the public health and requires the extension of the public water supply and public sewage disposal system wherever it is physically feasible; and

WHEREAS, although the County has extended the public water system and public sewage disposal system to many areas of the County, there are still areas where the water and sewer system has not been extended; and

WHEREAS, Miami-Dade County's Water and Sewer Department is spending in excess of \$15 million under General Obligation Bond Projects No. 71791, 71799, 70229, 71165, 71792 and 71800 to bring the County's water and sanitary sewer system to an area designated for smart growth redevelopment along US 1; and

WHEREAS, Section 32-78 of the Code of Miami-Dade County requires that all buildings abutting streets with water and sewer mains must connect to such water and sewer mains; and

WHEREAS, there are costs associated with connecting to the water and sewer mains including abandonment of septic tanks and wells and payment of connection charges; and

WHEREAS, there are many small businesses and residences located in the area where new water and sewer mains are being installed; and

WHEREAS, due to the economy, these small businesses and homeowners may not be able to obtain the private financing necessary to pay for the costs associated with connecting to the new water and sewer mains; and

WHEREAS, this Board is desirous of ensuring that all properties affected by the water and sewer improvements connect to the water and sewer mains in a timely manner as required by County Code; and

WHEREAS, this Board believes that certain small businesses and homeowners may not be able to connect without public assistance,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board directs the County Mayor or Mayor's designee to prepare a plan to include the following:

(1) >>identify areas in both incorporated and unincorporated areas that do not have water and sewer infrastructure; (2)<<¹ identify the total number of properties >>in both unincorporated and incorporated areas<< that currently do not have water and sewer service and will be required to connect to the County's water and sewer system as a result of >>water and sewer improvement projects, including without limitation,<< the

¹ Committee amendments are indicated as follows: words stricken through and/or [[double bracketed]] shall be deleted, words underscored and/or >>double arrowed<< constitute the amendment proposed.

Palmetto Bay Water and Sewer Improvement Project >>₁<< and define those properties as eligible for County assistance; ~~[[and (2)]]~~ >>(3)<< provide for a loan program to assist eligible small businesses and homeowners that are unable to obtain private financing through standard means or obtain alternative financing with reasonable interest rates to pay for expenses associated with connecting to the County's water and sewer system: >>and (4) identify any grants including community development block grants that are available to provide financial assistance to property owners.<< The plan shall be submitted to this Board within 90 days of the effective date of this Resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Katy Sorenson.

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

Carlos A. Gimenez

Barbara J. Jordan

Dorin D. Rolle

Katy Sorenson

Sen. Javier D. Souto

Audrey M. Edmonson

Sally A. Heyman

Joe A. Martinez

Natacha Seijas

Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of February, 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.



Henry N. Gillman