

Memorandum



Date: May 3, 2011

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

Agenda Item No. 1(F)3

From: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "G. Burgess", written over the printed name of the County Manager.

Subject: Sunset Review of County Boards for 2011 – Miami-Dade County Environmental
Quality Control Board

In accordance with the provisions of Section 2-11.40 of the Code of Miami-Dade County, I am transmitting the 2011 Sunset Review of County Boards Report for the Miami-Dade County Environmental Quality Control Board. The Environmental Quality Control Board approved the attached report at its meeting of November 4, 2010 and has recommended the continuation of its board.

A handwritten signature in black ink, appearing to read "Susanne M. Torriente", written over a horizontal line.

Susanne M. Torriente
Sustainability Director

cmo03611

Date: November 4, 2010
To: George M. Burgess, County Manager
Claire M. Bradshaw Sidran
From: Claire M. Bradshaw-Sidran, Ph.D.
Chairperson, Environmental Quality Control Board
Subject: Sunset Review of County Boards for 2011 – Environmental Quality Control Board

Pursuant to Section 2-11.40 of the Code of Miami-Dade County, I am submitting the 2011 Sunset Review of County Boards Report for the Environmental Quality Control Board for transmittal to the Board of County Commissioners (BCC). The Board approved the attached report at its meeting of November 4, 2010.

It is recommended that the BCC approve the continuation of the Environmental Quality Control Board.

BACKGROUND

The Environmental Quality Control Board was created on December 19, 1967.

The purpose of the Board is to hear appeals by any person aggrieved by any action or decision of the DERM as provided in Section 24-11. To hear and pass upon all applications for variances and extensions of time in the manner provided by Sections 24-13 and 24-14, except for compliance with Federal Pretreatment Regulations set forth in 40 CFR 403 as incorporated in this chapter. To hear and pass upon all applications for extension of time for compliance with the provisions of Chapter 24. To hear and pass upon all applications pursuant to Section 24-15 for approval of interim package sewage treatment plants. To provide additional notice to the public, by posting application in such a manner that shall provide notice of the purpose, time and place of such hearing. To hear and pass upon applications by private and/or public water or sewer utilities for a statement of approved water quality or approved sewage service filed pursuant to the requirements of Section 24-15 of the Code. To issue subpoena to compel the presence of a witness or documents at any hearing authorized above. To review decisions of the Dade County Fire Department or other Fire Department having jurisdiction, pursuant to Section 2-103.23 of the Code.

The Board should continue to function because it is the only entity permitted by law to grant variances or extensions of time or appeals from the requirements of Chapter 24 subject to the limitations therein.

Claire M. Bradshaw Sidran

Claire M. Bradshaw-Sidran, Ph.D.
Board Chairperson

**SUNSET REVIEW QUESTIONNAIRE
MIAMI-DADE COUNTY BOARDS
2011**

I. GENERAL INFORMATION

1. Name of Board reporting:

Miami-Dade County Environmental Quality Control Board

2. Indicate number of board members, terms of office, and number of vacancies:

Number of Board Members: Five (5) Board Members

Terms of Office: Each serving a three (3) year term

Number of Vacancies: There are no vacancies

3. Identify number of meetings and members' attendance (Attach records reflecting activity from **Jan. 1, 2009** through **November 30, 2010**):

Number of Meetings: 21

Number of Meetings with a Quorum: 20

Attendance Records: See Attachment Dates of Attendance

4. What is the source of your funding? EQCB application fees

5. Date of Board Creation: December 19, 1967 created the Pollution Control Board which became the Environmental Quality Control Board on May 7, 1975

6. Attach a copy of the ordinance creating the Board (Please include all subsequent amendments). See Attached Ordinance 75-27

7. Include the Board's Mission Statement or state its purpose:

As outlined in Section 24-08 of the Code of Miami-Dade County, Florida

8. Attach the Board's standard operating procedures, if any.

See Attached: Procedure Before the Metropolitan Dade County Environmental Quality Control Board Appeal Procedure

9. Attach a copy of the Board's By-Laws, if any.

As outlined in Section 24-08 of the Code of Miami-Dade County, Florida

10. Attach a copy of the Board minutes approving the Sunset Review Questionnaire, including a vote of the membership.

See Attached

II. EVALUATION CRITERIA

1. Is the Board serving the purpose for which it was created? (Please provide detailed information) Yes

2. Is the Board serving current community needs? (Please provide detailed information)

Yes, the Board is currently providing a technically-based hearing procedure primarily for appeals of decisions of the Director of DERM and requests for variances and extensions of time with respect to the provisions of Chapter 24 of the Code of Miami-Dade County, Florida.

3. What are the Board's major accomplishments?

a. Last 23 months: The Board, as a quasi-judicial body, has had 456 items advertised in the agenda. Of the 456 items, 37 were withdrawn, 0 were transferred to the Board of County Commission and 109 Board Orders were issued following public hearings.

b. Since established: The Board has been as administrative mechanism which has resolved disputes between public/private entities and DERM regarding the interpretation of Chapter 24 of the Code of Miami-Dade County, Florida. Additionally, The Board grants variances to various provisions of Chapter of the Code of Miami-Dade County, Florida.

4. Is there any other board, either public or private, which would better serve the function of this board? No

5. Should the ordinance creating the Board be amended to better enable the Board to serve the purpose for which it was created? (If "Yes", attach proposed changes)

No

6. Should the Board's membership requirements be modified?

No

7. What is the operating cost of the Board, both direct and indirect? (Report on FY 2009 and FY 2010)

See attached: Report Miami- Dade County, Environmental Quality Control Board

8. Describe the Board's performance measures developed to determine its own effectiveness in achieving its stated goals.

During this period the Board has rule on 109 cases and one (1) has been overturned by the courts.

**SUNSET REVIEW QUESTIONNAIRE
MIAMI-DADE COUNTY BOARDS
2011**

Dates of Attendance

Meetings and Members of Attendance for period
January 1, 2009 through November 4, 2010

Dates for 2009

01/08/09 (All Present)
02/12/09 (All Present)
03/12/09 (Absent-Robert Pope)
(Absent – Claire Bradshaw-Sidran)
03/19/09 (Absent-William Hopper)
04/02/09 (All Present)
05/14/09 (All Present)
06/11/09 (All Present)
07/09/09 (All Present)
08/09 (No Meeting)
09/10/09 (All Present)
10/08/09 (All Present)
11/12/09 (Absent – Luis A. Prieto-Portar)
12/10/09 (Absent – Luis A. Prieto-Portar)

Dates for 2010

01/14/10 (Absent-Robert Pope)
02/11/10 (Absent-Robert Pope)
03/11/10(Absent- Claire Bradshaw-Sidran)
04/08/10 (Absent-Robert Pope)
05/13/10 (Absent-Robert Pope)
(Absent- William Hopper)
06/10/10 (All Present)
07/08/10 (All Present)
08/10 (No Meeting)
09/02/10 (All Present)
10/14/10 (No Meeting/No Quorum)
11/04/2010 (Absent – William Hopper)



Claire M. Bradshaw-Sidran, Ph.D.
Chairperson

Members Attendance 2009-2010
Miami-Dade County
Environmental Quality Control Board

2009

<u>Name</u>	<u>Present</u>	<u>Excused</u>
Claire M. Bradshaw-Sidran, Ph.D.	10	1
Robert S. Pope, Ph.D.	10	1
William Hopper, Ph.D.	9	2
Luis A. Prieto-Portar, Ph.D., P.E.	9	2
David A. Chin, Ph.D., P.E.	11	0

2010

<u>Name</u>	<u>Present</u>	<u>Excused</u>
Claire M. Bradshaw-Sidran, Ph.D.	7	2
Robert S. Pope, Ph.D.	4	4
William Hopper, Ph.D.	7	2
Luis A. Prieto-Portar, Ph.D., P.E.	8	1
David A. Chin, Ph.D., P.E.	8	1

Claire M. Bradshaw Sidran

Claire M. Bradshaw-Sidran, Ph.D.
Chairperson

ORDINANCE NO. 75-27

ORDINANCE AMENDING CHAPTER 24 OF THE CODE OF METROPOLITAN DADE COUNTY, FLORIDA, KNOWN AS "THE METROPOLITAN DADE COUNTY POLLUTION CONTROL ORDINANCE"; MODIFYING THE DECLARATION OF LEGISLATIVE INTENT; PROVIDING ADDITIONAL DEFINITIONS; PROVIDING FOR THE DIRECTOR OF ENVIRONMENTAL RESOURCES MANAGEMENT; PROVIDING POWERS AND DUTIES FOR THE DIRECTOR OF ENVIRONMENTAL RESOURCES MANAGEMENT; PROVIDING APPEALS FROM THE ACTIONS OR DECISIONS OF THE DIRECTOR OF ENVIRONMENTAL RESOURCES MANAGEMENT; CREATING AN ENVIRONMENTAL QUALITY CONTROL BOARD AND PROVIDING FOR DUTIES AND POWERS OF THE BOARD; PROVIDING CONTEMPT POWER FOR THE BOARD; PROVIDING PROVISIONS AGAINST WATER POLLUTION; PROVIDING POTABLE WATER SUPPLY STANDARDS; PROVIDING SEPTIC TANK REGULATION; PROHIBITING NUISANCES; PROHIBITING AIR POLLUTION; REGULATING SULFUR DIOXIDE; PROVIDING EXCEPTIONS TO PROHIBITION AGAINST OPEN BURNING; REGULATING INCINERATOR BURNING; REGULATING REDUCTION OF ANIMAL MATTER; PROVIDING SAMPLING AND TESTING; PROHIBITING UNSANITARY NUISANCES INJURIOUS TO HEALTH; PROHIBITING THE SPRAYING OF SUBSTANCES CONTAINING ASBESTOS; PROVIDING STATEMENTS OF APPROVED WATER OR SEWER SERVICE; PROVIDING FOR EMERGENCY WATER RATE REQUESTS; PROVIDING PLAN APPROVAL REQUIRED; PROVIDING PROCEDURE FOR APPROVAL OF PLANS; PROVIDING REGISTERED ENGINEER REQUIRED; PROVIDING STANDARDS FOR PREPARATION OF PLANS; PROVIDING INSTRUCTION OF WASTE FACILITIES OR AIR POLLUTION ABATEMENT FACILITIES; PROVIDING FOR ABNORMAL OCCURRENCES; PROVIDING FOR OPERATING RECORDS; PROVIDING

Section 5. Section 24-7 of the Code is hereby amended

to read as follows:

Sec. 24-7. ~~Pollution-control-hearing-board~~ Environmental Quality Control Board.

A Metropolitan Dade County ~~Pollution-Control-Hearing-Board~~ Environmental Quality Control Board is hereby created and established, consisting of five members appointed by the county commission.

(1) *Qualifications of members.* Members of the board shall be residents of Dade County who possess outstanding reputations for civic pride, interest, integrity, responsibility and business or professional ability. Appointments shall be made by the county commission on the basis of experience or interest in the field of air and water pollution. The composition and representative membership of the board shall be as follows:

- (a) Two (2) members shall be scientists possessing Ph. D. degrees in biology.
- (b) One member shall be a scientist ~~possessing~~ a Ph. D. degree in biochemistry.
- (c) Two members shall be professional engineers with experience in the field of sanitary engineering, who may be recommended by the Miami Chapter of the Florida Engineering Society.

(2) *Terms of office.* In order that the terms of office of all members of the board shall not expire at the same time, the initial appointments to the board shall be as follows: Two members shall be appointed for the term of one year, two members shall be appointed for the term of two years, and one member shall be appointed for the term of three years. Thereafter all appointments shall be made for the term of three years. Appointments to fill any vacancy on the board shall be for the remainder of the unexpired term of office. A member may be removed with or without cause by the affirmative vote of not less than a majority of the entire county commission. Should any member of the board fail to attend three consecutive meetings without due cause, the chairman shall certify the same to the county commission. Upon such certification, the member shall be deemed to have been removed and the county commission shall fill the vacancy by appointment.

(3) *Organization of the board; quorum; secretary; compensation of members; meetings; personnel.* The members of the board shall elect a chairman and such other officers as may be deemed necessary or desirable, who shall serve at the will of the board. A majority vote of the entire membership of the board shall be necessary to take any action. Three (3) members of the board shall constitute a quorum necessary to hold a meeting and take any action. ~~The-pollution-control-officer~~ The Director, Environmental Resources Management, shall be an ~~ex-officio member~~ Secretary of the board and shall be responsible for the custody of all minutes and records of the board, but he shall not be entitled to vote on any matter before the board. Members shall serve without compensation, but shall be reimbursed for necessary expenses incurred in

the performance of their official duties, upon approval of the county commission. The chairman may call meetings of the board, and meetings may be called by written notice signed by three (3) members, and the board at any meeting may fix and call a meeting on a future date. Minutes shall be kept of all meetings of the board. All meetings shall be public. The county manager shall provide adequate and competent clerical administrative personnel as may be reasonably required by the board for the proper performance of its duties, subject to budget limitations.

(4) *Technical advisory panel.* The board may designate from time to time one or more citizens of the community to sit as one or more technical advisory panels. The members of such panels shall be persons technically skilled and qualified to render advice on particular matters of pollution control then before the board. The members shall serve at the will of the board and shall furnish advice and information of a technical nature to the board for so long a period of time as the board may request it. All such advice and information given by the panel or any member thereof shall be in the form of testimony before the board at a regularly scheduled meeting and subject to cross examination by any interested party. The members of the panels shall not be deemed county officers or employees within the purview of sections 2-10.2, 2-11.1, or otherwise.

(5) Duties and powers of the hearing board- Environmental Quality Control Board. The hearing board- Environmental Quality Control Board shall have the following duties, functions, powers and responsibilities:

- (a) To hear appeals by any person aggrieved by any action or decision of the pollution control officer- DERM as provided in section 24-6.
- (b) To hear and pass upon all applications for variances and extensions of time in the manner provided by section 24-48 and 24-49.
- (c) To hear and pass upon all applications for extension of time for compliance with the provisions of this chapter. All such applications shall be filed in accordance with the provisions of this chapter and shall be heard and considered by the hearing board Environmental Quality Control Board at a public hear-

ing pursuant to notice. In considering such applications, the board shall take into account such factors as practicability, availability of equipment, and relative benefits to the community. The board shall not have the power and authority to grant any application for extension of time to comply with the prohibitions against open burning (section 24-18), or the prohibitions against reduction of animal matter (section 24-23), or the prohibitions against a nuisance (section 24-3(14)), or the prohibitions against the discharge of cyanides or other toxic chemicals into the waters in excess of the standards fixed by section 24-11(3). Applications for extension of time for compliance shall be considered on the basis of public interest and not merely on economic benefit to the applicant; applications shall be granted only when it is established that the requested extension of time for compliance will not be detrimental to the public health, welfare and safety, and will not create or permit the continuation of a nuisance, or that no technically feasible, economically reasonable means of compliance are readily available to the applicant. Any person aggrieved by any decision

of the hearing-board Environmental Quality Control Board shall be entitled to apply to the Circuit Court of Dade County for a review thereof by writ of certiorari in accordance with the applicable court rules.

- (d) To hear and pass upon all applications pursuant to section 24-30 for approval of interim package sewage treatment plants. In considering such applications the board shall take into account such factors as the public interest, compliance with the technical requirements of this chapter, factors of practicability and availability of equipment, alternative methods of sewage disposal and the likelihood of creating a present or future nuisance. If the board approves such application it shall direct the ~~pollution control officer~~ Director, Environmental Resources Management to issue his approval subject to any reasonable conditions that the board finds to be in the public interest. Provided, however, that no action on the application shall be taken by the board until a public hearing has been held upon at least ten (10) days notice of the time and place of such hearing published in a newspaper of general circulation in Dade County.
- (e) To provide additional notice to the public, property that may be affected by the application shall be posted in a manner as shall provide notice of the purpose, time and place of such hearing. Failure to post such property shall not affect any action taken by the board. Provided, however, that the board may, upon application of any city or any governmental water and sewer authority existing on the effective date of this subsection and chartered pursuant to state law, waive the requirement for a public hearing on interim package sewage treatment plant applications where such proposed plant is to be located within a city that requires by law a public hearing before granting approval of such a plant where such applications are considered under standards equal to or stricter than those provided by Chapter 24 of the Code of Metropolitan Dade County, as amended from time to time.
- (f) To hear and pass upon applications by private and/or public water or sewer utilities for a statement of approved water quality or approved sewage service filed pursuant to the requirements of Section 24-28 of the Code.
- (g) To issue subpoenas to compel the presence of a witness or documents at any hearing authorized above, such subpoenas to be issued by the Chairman of the Board and enforced pursuant to the provisions of Section 24-10 of this Chapter.
- (h) The powers enumerated in this Section shall be in addition to and not a limitation of any other power specifically granted to the Environmental Quality Control Board by any other provision of this Chapter.

Section 6. Section 24-10 of the Code is hereby established

to read as follows:

Section 24-10. Contempt Powers.

The board is empowered and authorized to hold any individual, corporation, or public utility which refuses to obey any legal order, mandate, decree or instruction issued by the board during any proceeding before the board, in contempt of the board. The board, through two-thirds (2/3) of those members who are present, may fine any individual, corporation, or public utility which is in contempt of the board a sum of up to one hundred dollars (\$100.00) for each contemptuous act, payable to the Dade County Finance Director within fifteen (15) days of the board's ruling.

Section 7. Section 24-11 of the Code is hereby amended

to read as follows:

Sec. 24-11. Prohibitions against water pollution.

(1) General PROHIBITIONS AGAINST DISCHARGE. It shall be unlawful for any person to throw, drain, run or otherwise discharge into any of the waters of this county, or to cause, permit or suffer to be thrown, run, drained, allowed to seep, or otherwise discharged into such water any organic or inorganic matter which shall (a) breach the values set forth in section 24-11(2) or ; (b) ~~which may~~ cause water pollution ~~or a nuisance as herein defined~~ as herein defined; or (c) cause a nuisance or sanitary nuisance as herein defined.

(2) EFFLUENT STANDARDS FOR DADE COUNTY. All sewage treatment plants and industrial waste treatment plants (except those discharging to approved ocean outfalls) shall effect ninety per cent (90%) treatment or better at the defined sampling point (24-11(5)(a)). However, in no case shall the following effluent standards be exceeded (except where the standard is noted to be a minimum).

<i>Chemical, physical, or biological characteristic</i>	
Dissolved oxygen	Not less than 2.0 mg/l
Suspended solids	40 mg/l
Biochemical oxygen demand	30 mg/l
Floating solids	None visible to the naked eye
pH	6.0—8.5
Settleable solids	Not greater than 0.1 ml/l on Imhoff cone 1 hr. test
Oil and grease	30 mg/l
Odor producing substances	None attributable to sewage or industrial wastes

PROCEDURE BEFORE THE
METROPOLITAN DADE COUNTY
ENVIRONMENTAL QUALITY CONTROL BOARD
APPEAL PROCEDURE

RULE 1. GENERAL

This regulation shall apply to all matters before the Metropolitan Dade County Environmental Quality Control Board.

RULE 2. FILING PETITION

Request for hearing shall be initiated by the filing of a petition with ten (10) copies with the Clerk of the Environmental Quality Control Board at Room 402, 909 S.E. First Avenue, Miami, Florida 33131, and the payment of a Seventy five (\$75.00) dollar filing fee for residential and Three hundred (\$300.00) dollar fee for commercial operations, made payable to "Metropolitan Dade County". Completed requests for hearings must be received by the Clerk at 909 S.E. First Avenue, Room 402, Miami, Florida 33131, a minimum of thirty (30) days prior to the hearing date. However, in accordance with a Board resolution which limits the total number of items to be heard, it would be to your advantage to submit early thereby avoiding possible postponement until a future agenda.

RULE 3. CONTENTS OF PETITIONS

Every petition shall state:

- a. The name, address and telephone number of the petitioner, or other person authorized by petitioner to receive service of papers.
- b. Whether the petitioner is an individual, co-partnership, corporation or other entity, the names and addresses of the officers, if a corporation, and the names and addresses of the persons in control, if other entity.
- c. The type of business or activity involved in the application and the street address at which it is conducted.
- d. A brief description of the article, machine equipment or other contrivance, if any, in the application.
- e. Include eight (8) copies of an aerial photo and one copy of section map showing the property related to the appeal.

NOTE: Copies of the above can be obtained at Dade County Reproductive Services, 909 S.E. 1st Avenue, Miami, FL 33131

- f. The section or rule under which the petition is filed, that is, whether petitioner desires a hearing:
- (1) to determine whether a suspended permit shall be reinstated;
 - (2) for a variance under Section 24-48 of the Metropolitan Dade County Pollution Control Ordinance;
 - (3) to revoke or modify a variance under Section 24-48 of the Metropolitan Dade County Pollution Control Ordinance; or
 - (4) to review the denial or conditional granting of an authority to construct or permit to operate under Section 24-31 of the Metropolitan Dade County Pollution Control Ordinance.
- g. Each petition shall be signed by the petitioner, or by some person on his behalf, and where the person signing is not the petitioner, it shall set forth his authority to sign.
- h. Petitions for revocation of permits shall allege in addition the rule under which permit was granted, the rule or section which is alleged to have been violated, together with a brief statement of the facts constituting such alleged violation.
- i. All petitions shall be typewritten, double spaced, on legal or letter size paper, on one side of the paper only, leaving a margin of at least one inch at the top and left side of each sheet.

RULE 4. PETITIONS FOR VARIANCE AND FOR EXTENSIONS OF TIME TO COMPLY

In addition to the matters required by Rule 3, petitions for variance shall state briefly:

- a. The section, rule or order complained of.
- b. The facts showing why compliance with the section, rule or order is unreasonable.
- c. For what period of time the variance or extension is sought and why.
- d. The damage or harm resulting or which would result to petitioner from a compliance to such requirements.
- e. The requirements which petitioner can meet and the date when petitioner can comply with such requirements.

- f. The advantages and disadvantages to the person and properties affected by requiring the compliance or resulting from granting a variance or extension of time.
- g. Whether or not operations under such variance or extension of time, if granted, would constitute a nuisance.
- h. Whether or not any case involving the identical property, equipment or process is pending in any court, civil or criminal.
- i. Whether or not the subject property, equipment or process is covered by a permit to operate issued by the Director, of Environmental Resources Management Department.

RULE 5. APPEAL FROM DENIAL

A petition to review a denial or conditional approval of authority to construct or permit to operate, in addition to the matters required by Rule 3, shall set forth a summary of the application or a copy thereof and a copy of order appealed from, and a basis for the appeal.

RULE 6. ANSWERS

Any person may file an answer within ten (10) days after service. All answers shall be served the same as petitions under Rule 2, (no fee).

RULE 7. DISMISSAL OF PETITION

The petitioner may dismiss his petition, in writing, at any time before submission of the case to the Environmental Quality Control Board, without a hearing or meeting of the Environmental Quality Control Board. The Clerk of the Environmental Quality Control Board shall notify all interested persons of such dismissal.

RULE 8. NOTICE OF HEARING

The Clerk of the Environmental Quality Control Board shall mail or deliver a notice of hearing to the petitioner, Director, Department of Environmental Resources Management, the holder of the permit or variance involved, if any, and to any person entitled to notice under Rules 3 and 4. Said notice of hearing shall be published in a local newspaper at least ten (10) days prior to the hearing.

RULE 9. EVIDENCE

Rules of Evidence contained in Chapter 120, Part II of Florida Statutes shall be followed (by reference).

RULE 10. OFFICIAL NOTICE

The Environmental Quality Control Board may take judicial notice of any matter which may be judicially noticed by the courts of this state.

RULE 11. LACK OF PERMIT

The Environmental Quality Control Board shall not receive or accept a petition for variance or extension of time for the operation or use of any article, machine, equipment or other contrivance until a permit to operate has been granted or denied by the Director, Department of Environmental Resources Management; except that an appeal from a denial of a permit to operate and a petition for a variance or extension of time may be filed with the Environmental Quality Control Board in a single petition.

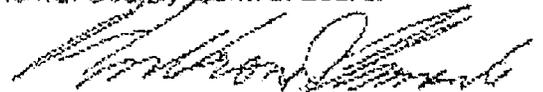
A variance or extension of time granted by the Environmental Quality Control Board after a denial of a permit to operate by the Director, Department of Environmental Resources Management may include a permit to operate for the duration of the variance or extension of time.

Where procedures are not specifically covered herein, the Florida Rules of Civil Procedure and the Florida Appellate Rules shall apply.

RULE 12. LEGAL REPRESENTATION

The petitioner or his attorney must be present at the hearing. Engineers, architects and other persons may speak on petitioner's behalf as experts, but may not legally represent the petitioner.

I, ANTHONY J. CLEMENTE, Acting Director of the Department of Environmental Resources Management of Dade County, Florida and Acting Secretary of the Environmental Quality Control Board, certify that the above is a true and correct copy of the original on file with the Environmental Quality Control Board.


Anthony J. Clemente

STATE OF FLORIDA)
) ss,
COUNTY OF DADE)

Before me, personally appeared ANTHONY J. CLEMENTE, Acting Director of the Department of Environmental Resources Management of Dade County, Florida and Acting Secretary of the Environmental Quality Control Board, to me well known, described in and executed the foregoing certification and acknowledged to and before me that he executed said certification under oath and for the purposes therein expressed.

Witness my hand and official seal this *23* day of *Sept.* 1981.

Simon M. Chidester
Notary Public

NOTARY PUBLIC STATE OF FLORIDA #7 0228
MY COMMISSION EXPIRES SEPT. 15 1982
BONDED THAT GENERAL INS. LIABILITIES

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MIAMI-DADE COUNTY, FLORIDA
DEPARTMENT OF ENVIRONMENTAL RESOURCES
MANAGEMENT
Overtown Transit Village Building
701 N.W. 1 Court
Miami, Florida
DERM Training Room, 2nd Floor
Thursday, November 4, 2010

ENVIRONMENTAL QUALITY CONTROL BOARD

MEMBERS OF THE BOARD

Claire M. Bradshaw-Sidran, PhD
Robert S. Pope, PhD
Luis A. Prieto-Portar, PhD, P.D.
David A. Chin, PhD, P.E., DEE

COUNTY ATTORNEY'S OFFICE

Peter Tell
Assistant County Attorney

STAFF

Jose Gonzalez, P.E.,
DERM Assistant Director

Carlos Hernandez
Chief of Plans Review Section

1 CHAIRWOMAN DR. BRADSHAW-SIDRAN: Do I
2 hear a second?

3 BOARD MEMBER DR. CHIN: I second the
4 motion.

5 CHAIRWOMAN DR. BRADSHAW-SIDRAN: All
6 in favor?

7 BOARD MEMBERS COLLECTIVELY: Aye.

8 CHAIRWOMAN DR. BRADSHAW-SIDRAN: Aye.
9 Okay, that was one heavy duty thing
10 approved.

11 MS. VELAZQUEZ: The other item for
12 review and approval is the sunset report
13 that will be submitted to the Board of
14 County Commissioners in February of 2011.
15 The only information that changed from the
16 last time you reviewed this was the
17 attendance and the operating costs.
18 Everything else is the same as the
19 previous.

20 And, Madam Chair, if you so approve,
21 then you would need to sign --

22 CHAIRWOMAN DR. BRADSHAW-SIDRAN: All
23 where it says sign?

24 MS. VELAZQUEZ: Yes.

25 CHAIRWOMAN DR. BRADSHAW-SIDRAN: So

1 do we all vote on it?

2 MS. LEAL: Yes.

3 CHAIRWOMAN DR. BRADSHAW-SIDRAN: Do I
4 hear a motion?

5 BOARD MEMBER DR. POPE: I move we
6 approve the Sunset Review Questionnaire.
7 Is that it?

8 MS. VELAZQUEZ: Correct.

9 MS. LEAL: Packet.

10 BOARD MEMBER DR. POPE: Packet.

11 BOARD MEMBER DR. CHIN: I second.

12 CHAIRWOMAN DR. BRADSHAW-SIDRAN: Is
13 there a second?

14 BOARD MEMBER DR. CHIN: I second the
15 motion.

16 CHAIRWOMAN DR. BRADSHAW-SIDRAN: All
17 in favor?

18 BOARD MEMBERS COLLECTIVELY: Aye.

19 MS. VELAZQUEZ: Now, if you also
20 would like, you can attend the BCC meeting
21 in February. If not, then you can appoint
22 the Director to appear on your behalf to
23 present to the Board of County
24 Commissioners.

25 BOARD MEMBER DR. CHIN: Appoint the

1 Director.

2 CHAIRWOMAN DR. BRADSHAW-SIDRAN: Yes.

3 So do we need a motion? Yes, okay.

4 BOARD MEMBER DR. POPE: Motion.

5 CHAIRWOMAN DR. BRADSHAW-SIDRAN: So

6 we made the motion. It's been seconded.

7 And do we all approve?

8 BOARD MEMBERS COLLECTIVELY: Aye.

9 BOARD MEMBER DR. POPE: Do we need a
10 motion for adjournment?

11 CHAIRWOMAN DR. BRADSHAW-SIDRAN:

12 Sounds good.

13 BOARD MEMBER DR. CHIN: I make a
14 motion to adjourn.

15 CHAIRWOMAN DR. BRADSHAW-SIDRAN: All
16 in favor?

17 BOARD MEMBERS COLLECTIVELY: Aye.

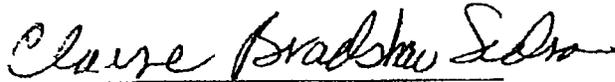
18 MS. VELAZQUEZ: We have one item that
19 we were going to discuss, but we cannot
20 set dates yet. We're still trying to
21 coordinate with all the staff, but that is
22 a special public hearing concerning the
23 remodeled west well field. We're trying
24 to coordinate with staff, and Board
25 members and the USGS that also would like

SUNSET REVIEW QUESTIONNAIRE
MIAMI-DADE COUNTY BOARDS
2011

Operating Costs
of the Miami-Dade County
Environmental Quality Control Board
2009-2010

ANNUAL COSTS

Staff	264,219
Newspaper	7,697
Computer Equipment	0
Court Reporting Services	26,690
Indirect	<u>99,257</u>
Total	397,863



Claire M. Bradshaw-Sidran, Ph.D.
Chairperson