MEMORANDUM

Agenda Item No. 11(A)(2)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	March 5, 2013
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution directing the Mayor to conduct a study on the quality of the air and water in Miami-Dade County and make recommendations to improve air and water quality

This item was amended at the Land Use & Development Committee meeting on February 14, 2013 to expand the geographic boundaries of the proposed environmental study so that it would include the entire County.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: March 5, 2013

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

SUBJECT: Agenda Item No. 11(A)(2)

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 Mayor'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
Veto _____
Override _____

Agenda Item No. 11(A)(2)
3-5-13

RESOLUTION NO. _____

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO CONDUCT A STUDY ON THE QUALITY OF THE AIR AND WATER IN MIAMI-DADE COUNTY AND MAKE RECOMMENDATIONS TO IMPROVE AIR AND WATER QUALITY

WHEREAS, [[~~the area of~~]][1] Miami-Dade County [[~~located west of Miami International Airport, east of the Turnpike, south of State Road 836, and north of Kendall~~]] has experienced a great deal of growth over the years, resulting in a concentration of people, automobiles, and airplanes; and

WHEREAS, residents and visitors in Miami-Dade County may be concerned about the effects of such growth on the air quality and water quality of the area; and

WHEREAS, Miami-Dade County currently has a number of ambient groundwater monitoring wells and surface water sampling stations located throughout the County, and these samples are used to monitor levels of pollutants in the water; and

WHEREAS, Miami-Dade County also currently has a network of air monitors which measure levels of pollutants in the air; and

WHEREAS, in addition to these ambient groundwater monitoring wells, surface water stations and the network of air monitors, certain facilities are required to have their own groundwater monitoring wells and conduct their own air quality testing, and this data is submitted to Miami-Dade County; and

[1] Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

WHEREAS, County technical staff can analyze this data [[~~, focusing on the geographic area defined in this Resolution,~~]] in order to determine if there are matters of concern for air quality and water quality in the area; and

WHEREAS, even if the data show that pollutant levels are within the allowable federal, state, or local standards, it is possible that the data could reveal increasing trends in levels of certain pollutants that have not yet violated those federal, state, or local standards; and

WHEREAS, a report which focuses on water quality and air quality in the geographic area defined above may help address any environmental issues that may affect [[~~this area of~~]] Miami-Dade County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Mayor or Mayor's designee is hereby directed to conduct a study on the air quality and water quality of >>Miami-Dade County<<[[~~the geographic area west of Miami International Airport, east of the Turnpike, south of State Road 836, and north of Kendall~~]]. Such a study shall include, but not be limited to, an analysis of the data available for this geographic area from ambient groundwater monitoring wells and surface water stations, air monitors, and water quality and air quality data from those facilities that have conducted such testing pursuant to County permits and existing County requirements. The study shall also address whether there are increasing trends in levels of pollutants in this geographic area, even if such levels do not violate federal, state, or local standards, and this study shall include recommendations for improving the quality of the air and water in this geographic area. The Mayor or Mayor's designee shall provide a report on this study and the recommendations to the Board of County Commissioners within six months of the effective date of this Resolution.

The Prime Sponsor of the foregoing resolution is Senator Javier D. Souto. 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:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

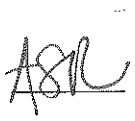
The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of March, 2013. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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.



Abbie Schwaderer-Raurell