

MEMORANDUM

Agenda Item No. 11(A)(27)

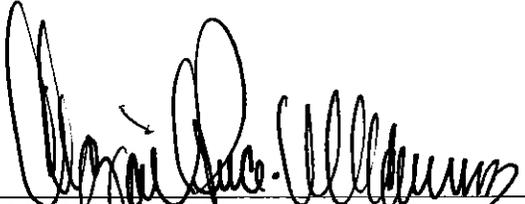
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: December 1, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution urging the Florida Legislature to enact SB 530, HB 295, or similar legislation that would create the Calder Sloan Swimming Pool Electrical-Safety Task Force to study and consider standards for grounding, bonding, lighting, wiring, and all other electrical aspects in and around public and private swimming pools in order to help minimize the risk of swimming pool electrocutions

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.



Abigail Price-Williams
County Attorney

APW/cp



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: December 1, 2015

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County Attorney

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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 ____, 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

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Veto _____

12-1-15

Override _____

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT SB 530, HB 295, OR SIMILAR LEGISLATION THAT WOULD CREATE THE CALDER SLOAN SWIMMING POOL ELECTRICAL-SAFETY TASK FORCE TO STUDY AND CONSIDER STANDARDS FOR GROUNDING, BONDING, LIGHTING, WIRING, AND ALL OTHER ELECTRICAL ASPECTS IN AND AROUND PUBLIC AND PRIVATE SWIMMING POOLS IN ORDER TO HELP MINIMIZE THE RISK OF SWIMMING POOL ELECTROCUTIONS

WHEREAS, faulty underwater lighting, improperly maintained electrical wiring, and the use of sump pumps, power washers and vacuums that are not grounded have led to some swimming pool electrocutions throughout the state; and

WHEREAS, recognizing the grave danger associated with swimming pool lighting, wiring and grounding, this Board, on October 7, 2014, passed Ordinance No. 14-95, which provides a local technical amendment to the Florida Building Code to require low voltage lighting in newly built residential pools, and for permitted construction work on existing residential pools; and

WHEREAS, on May 5, 2015, this Board passed Ordinance No. 15-27 amending a section of the Miami-Dade County Code pertaining to underwater pool lighting to conform to the provisions in the updated Florida Building Code; and

WHEREAS, this Board has also urged the Florida Legislature to enact legislation that would amend the Florida Building Code to prohibit high voltage underwater lighting in residential swimming pools throughout the state; and

WHEREAS, to date, there is no statewide prohibition against high voltage underwater lighting in residential swimming pools; and

WHEREAS, Senate Bill (SB) 530 has been filed by Senator Eleanor Sobel (D – Hollywood) and House Bill (HB) 295 has been filed by Representative Erik Fresen (R – Miami) for consideration during the 2016 session of the Florida Legislature; and

WHEREAS, SB 530 and HB 295 would:

(1) create the Calder Sloan Swimming Pool Electrical-Safety Task Force to study the need for the adoption of standards for grounding, bonding, lighting, wiring, and all other electrical aspects in and around public and private swimming pools; and

(2) require the task force to submit a report of its findings and recommended statutory revisions to the Governor, the President of the Senate, and the Speaker of the House of Representatives; and

WHEREAS, SB 704 has been filed by Senator Travis Hutson (R – Palm Coast) and HB 535 has been filed by Representative Dane Eagle (R – Cape Coral) for consideration during the 2016 session of the Florida Legislature; and

WHEREAS, among other things, SB 704 and HB 535 would:

(1) create the Calder Sloan Swimming Pool Electrical Task Force to study the need for the adoption of standards for grounding, bonding, lighting, wiring, and all electrical aspects for safety in and around public and private swimming pools; and

(2) require the task force to submit a report of its findings and recommended statutory revisions to the Governor, the President of the Senate, and the Speaker of the House of Representatives; and

WHEREAS, the creation of the Calder Sloan Swimming Pool Electrical-Safety Task Force would be a major step towards helping minimize swimming pool electrocutions,

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

Section 1. Urges the Florida Legislature to enact SB 530, HB 295, or similar legislation that would create the Calder Sloan Swimming Pool Electrical-Safety Task Force to study and consider standards for grounding, bonding, lighting, wiring, and all other electrical aspects in and around public and private swimming pools in order to help minimize the risk of swimming pool electrocutions.

Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, the Senate President, the House Speaker, Senator Eleanor Sobel, Senator Travis Hutson, Representative Erik Fresen, Representative Dane Eagle, and the Chair and remaining Members of the Miami-Dade State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the legislation described in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2016 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Audrey M. Edmonson. 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of December, 2015. 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

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



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