MEMORANDUM

Agenda Item No. 11(A)(1)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	June 7, 2016
FROM:	Abigail Price-Williams County Attorney	**SUBJECT:**	Resolution directing the County Mayor to prepare a report analyzing the Miami-Dade Water and Sewer Department's water and sewer rate structure for buildings that have both commercial and residential uses, and to present such report to the Board within 180 days

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro.

Abigail Price-Williams
County Attorney

APW/smm

MEMORANDUM

(Revised)

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

DATE: June 7, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(1)

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
Veto _____
Override _____

Agenda Item No. 11(A)(1)
6-7-16

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PREPARE A REPORT ANALYZING THE MIAMI-DADE WATER AND SEWER DEPARTMENT'S WATER AND SEWER RATE STRUCTURE FOR BUILDINGS THAT HAVE BOTH COMMERCIAL AND RESIDENTIAL USES, AND TO PRESENT SUCH REPORT TO THE BOARD WITHIN 180 DAYS

WHEREAS, throughout Miami-Dade County, there are a number of buildings that receive water and/or sewer service from the Miami-Dade Water and Sewer Department (the "Department") that are used, in part, for residential purposes and, in part, for commercial purposes, such as, for example, a condominium with retail or restaurant space on the ground level of the building (hereinafter, "Mixed Use Buildings"); and

WHEREAS, many of these Mixed Use Buildings have only one water meter for the entire building, and, therefore, no way to determine what amount of water is being utilized by the commercial portions of the building and what amount of water is being utilized by the residential portions of the building; and

WHEREAS, it is often not physically or financially possible for these Mixed Use Buildings to alter their infrastructure to allow for separate water meters for the residential and commercial portions of these buildings; and

WHEREAS, in order to promote water conservation, the Department's rate schedule is based on an tiered rate structure that charges higher rates as the amount of water consumed increases; and

WHEREAS, because these Mixed Use Buildings include commercial uses, the entire building is billed for its water and sewer service at the rate charged for non-residential use; and

WHEREAS, this non-residential/tiered billing structure for Mixed Use Buildings has created a financial burden on many of the individuals residing within the residential portions of the buildings,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the County Mayor or County Mayor's designee is directed to prepare a report analyzing the water and sewer rate structure for Mixed Use Buildings in order to determine whether an alternate and less financially burdensome rate structure can be applied in such circumstances. The County Mayor or County Mayor's designee is directed to complete the report and place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65 within 180 days of the effective date of this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Bruno A. Barreiro. 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 7th day of June, 2016. 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. SED

Sarah E. Davis