

MEMORANDUM

Agenda Item No. 11(A)(17)

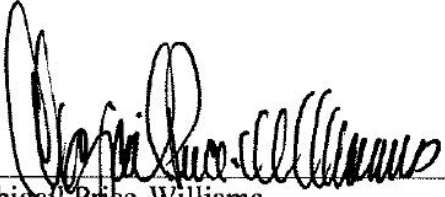
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: August 31, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution urging the United States Congress and the Florida Legislature to provide funding to assist local communities with eliminating septic systems and converting to sewer system connections; preliminarily identifying this issue as a federal and state legislative priority for 2021

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairwoman Rebeca Sosa.


Abigail Price-Williams
County Attorney

APW/Imp



MEMORANDUM
(Revised)

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and Members, Board of County Commissioners

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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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) 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)(17)
8-31-20

RESOLUTION NO. _____

RESOLUTION URGING THE UNITED STATES CONGRESS AND THE FLORIDA LEGISLATURE TO PROVIDE FUNDING TO ASSIST LOCAL COMMUNITIES WITH ELIMINATING SEPTIC SYSTEMS AND CONVERTING TO SEWER SYSTEM CONNECTIONS; PRELIMINARILY IDENTIFYING THIS ISSUE AS A 2021 FEDERAL AND STATE LEGISLATIVE PRIORITY

WHEREAS, an onsite sewage treatment and disposal system, commonly referred to as a septic system, is a type of onsite sewage facility that treats wastewater from individual properties; and

WHEREAS, a key component of a septic system is the significant treatment of wastewater in an underground drainfield; and

WHEREAS, some portions of the County, particularly rural and suburban areas, lack public sanitary sewer systems and therefore rely on septic systems to treat and dispose of wastewater from toilets, showers, sinks, and dishwashers; and

WHEREAS, there are approximately 108,000 properties within the County that still use septic tanks, about 105,000 of which are residential, with more than 65,000 of the septic systems located in unincorporated Miami-Dade; and

WHEREAS, an estimated 2.3 million septic systems serve 31 percent of Florida residents and visitors, discharging over 426 million gallons of treated effluent per day into the subsurface soil environment; and

WHEREAS, wherever located, septic systems may present environmental concerns and are potentially vulnerable to the effects of sea level rise; and

WHEREAS, sea level rise poses particular concern to septic systems because, among other problems, when sea levels rise, water tables rise, diminishing the treatment capacity of drainfields and resulting in elevated levels of ground water pollution; and

WHEREAS, rising water tables associated with sea level rise may present additional concerns, as this may lead to flooding and pooling of sewage in people's yards and neighborhoods, which in turn presents serious public health and safety concerns; and

WHEREAS, a report presented to this Board in November 2018 by the Miami-Dade County Department of Regulatory and Economic Resources, the Miami-Dade County Water and Sewer Department, and the Florida Department of Health in Miami-Dade County (the "report") found that nearly half of the septic tanks in Miami-Dade County break down yearly, a number that is expected to increase to 64 percent by 2040; and

WHEREAS, the report recommended that the most effective way to address the long-term risks associated with rising groundwater levels is to extend sewer connections to new and existing structures where feasible and to reduce the number of new septic systems installed in vulnerable areas; and

WHEREAS, the report estimated that the cost to connect the remaining residential neighborhoods that do not have County or municipal water and/or sewer service and that are within a certain proximity of wastewater infrastructure to the regional wastewater system would be approximately \$3.3 billion; and

WHEREAS, as such, Miami-Dade County could benefit significantly from funding to, at a minimum, help eliminate septic systems and install sewer system connections in areas where such systems are currently feasible; and

WHEREAS, the importance of eliminating septic systems and converting to sewer system connections extends beyond the local and state level, with the federal government playing an active role in water quality issues; and

WHEREAS, on October 29, 2019, this Board adopted Resolution No. R-1160-19 urging the United States Congress and the Florida Legislature to provide funding to assist local communities with eliminating septic systems and converting to sewer system connections, and preliminarily identifying this issue as a 2020 federal legislative priority; and

WHEREAS, while the state budget for Fiscal Year 2020-2021 passed by the Florida Legislature and approved by the Governor included \$25 million for water quality improvement projects including septic to sewer grants, many appropriations for septic to sewer conversions in individual counties and cities, including El Portal and North Miami, were vetoed; and

WHEREAS, this Board would again like to urge the United States Congress as well as the Florida Legislature to provide funding to assist local communities with eliminating septic systems and replacing them with sewer system connections for the betterment of our environment and water quality, and to preliminary identify this issue as a 2021 federal and state legislative priority,

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

Section 1. Urges the United States Congress and the Florida Legislature to provide funding to assist local communities with eliminating septic systems and converting to sewer system connections.

Section 2. Preliminarily identifies this item as a 2021 federal and state legislative priority.

Section 3. Directs the Clerk of the Board to transmit a certified copy of this resolution to the President of the United States, the members of the Florida Congressional Delegation, the Governor, Senate President, and House Speaker of the State of Florida, and the Chair and members of the Miami-Dade County State Legislative Delegation.

Section 4. Directs the County’s federal and state lobbyists to advocate for the action set forth in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to: (a) include this item in the 2021 Federal Legislative Package and 2021 State Legislative Package when they are presented to the Board; (b) preliminarily identify this item as a priority when the Board determines federal legislative priorities for 2021 as provided in Resolution Nos. R-764-13 and R-1267-18; and (c) preliminarily identify this item as a priority when the Board determines state legislative priorities for the 2021 state legislative session as provided in Resolution No. R-764-13.

The Prime Sponsor of the foregoing resolution is Vice Chairwoman Rebeca Sosa. 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:

Audrey M. Edmonson, Chairwoman	
Rebeca Sosa, Vice Chairwoman	
Esteban L. Bovo, Jr.	Daniella Levine Cava
Jose “Pepe” Diaz	Sally A. Heyman
Eileen Higgins	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 31st day of August, 2020. 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.

MSM

Michael J. Mastrucci