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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**

MEMORANDUM

Agenda Item No. 11(A)(5)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

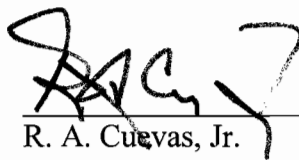
DATE: October 6, 2009

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

SUBJECT: Resolution directing the
County Mayor to prepare a
plan to address the problem of
water shut-off in occupied
multi-family buildings
Resolution No. R-1171-09

This resolution was amended by the Government Operations Committee to add the words underlined, as indicated in the item.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Katy Sorenson, and Co-Sponsors Vice-Chairman Jose "Pepe" Diaz, Commissioner Audrey M. Edmonson and Commissioner Rebeca Sosa.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss **DATE:** October 6, 2009
and Members, Board of County Commissioners

FROM: R. A. Cuevas, Jr. **SUBJECT:** Agenda Item No. 11(A)(5)
County Attorney

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 Manager'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)(5)
10-6-09

RESOLUTION NO. R-1171-09

RESOLUTION DIRECTING THE COUNTY MAYOR TO
PREPARE A PLAN TO ADDRESS THE PROBLEM OF
WATER SHUT-OFF IN OCCUPIED MULTI-FAMILY
BUILDINGS

WHEREAS, the County through the Water and Sewer Department faces a continuing problem with unpaid bills and subsequent water shut-off to multi-family units that are occupied; and

WHEREAS, tenants in good standing in these multi-family buildings can have their water service shut-off through no fault of their own if their landlord stops paying water bills in anticipation of foreclosure; and

WHEREAS, because the courts are backed up with foreclosure cases, it is often several months before a foreclosure sale is completed and possession of these properties is transferred, and in the interim period tenants in good standing can be left without water service thus rendering otherwise adequate housing inhabitable; and

WHEREAS, this problem will continue to grow as the foreclosure rates continue to rise; and

WHEREAS, other states and municipalities have taken action to prevent water shut-offs in such situations; and

WHEREAS it is advantageous to the County and its residents to develop a consistent policy that seeks the recovery of past due revenues while recognizing that it is no one's interest for tenants in good standing to be forced out of their homes,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the County Mayor is directed to prepare a plan to address the issue of water shut-off in occupied multi-family buildings. This plan should strive to maintain water service for tenants in good standing and include various strategies including early notification to tenants and/or mortgage holders concerning the default in water payments. >>The plan shall separately address condominium or similar buildings with common meter where the association is not paying the water bill, but individual unit owners may be paying required assessments.¹<< This plan should be returned to this Board of County Commissioners within ninety (90) days the date hereof.

The Prime Sponsor of the foregoing resolution is Commissioner Katy Sorenson, and the Co-Sponsors are Vice-Chairman Jose "Pepe" Diaz, Commissioner Audrey M. Edmonson and Commissioner Rebeca Sosa. It was offered by Commissioner **Jose "Pepe" Diaz** , who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

	Dennis C. Moss, Chairman	aye	
	Jose "Pepe" Diaz, Vice-Chairman	aye	
Bruno A. Barreiro	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	aye
Dorrin D. Rolle	aye	Natacha Seijas	absent
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

¹ Committee amendments are indicated as follows: words double stricken through and/or [[double bracketed]] shall be deleted, words double underlined and/or >>double arrowed<< constitute the amendment proposed.

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of October, 2009. 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: **DIANE COLLINS**

Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Thomas H. Robertson