



MEMORANDUM

Agenda Item No. 14(A)(1)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

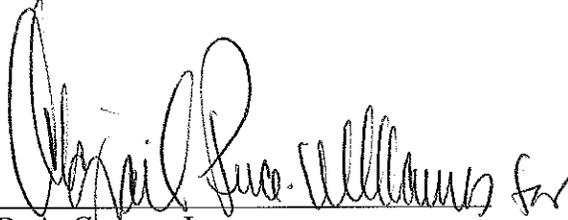
DATE: February 7, 2012

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

SUBJECT: Resolution directing County Mayor
to provide a report addressing the
County's water and sewer
infrastructure that is aged and
deteriorating

Resolution No. R-170-12

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan and Co-Sponsor Vice Chairwoman Audrey M. Edmonson.


R. A. Cuevas, Jr.
County Attorney

RAC/cp

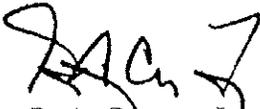


MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: February 7, 2012

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

SUBJECT: Agenda Item No. 14(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
- 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. 14(A)(1)
2-7-12

RESOLUTION NO. R-170-12

RESOLUTION DIRECTING COUNTY MAYOR OR MAYOR'S
DESIGNEE TO PROVIDE A REPORT ADDRESSING THE
COUNTY'S WATER AND SEWER INFRASTRUCTURE THAT
IS AGED AND DETERIORATING

WHEREAS, Miami-Dade County through the Miami-Dade Water and Sewer Department ("MDWASD") operates and maintains a countywide water and sewer system; and

WHEREAS, MDWASD operates three regional and five satellite water treatment plants that provides over 300 million gallons of safe clean drinking water every day to more than two million residents and visitors; and

WHEREAS, the water system consists of over 7700 miles of water mains ranging from 2 inches to 96 inches in diameter; and

WHEREAS, MDWASD operates 1039 sewage pump stations and three regional wastewater treatment plants that treat and dispose over 300 million gallons of effluent daily; and

WHEREAS, the sewer system consist of 6200 miles of collection and transmission pipelines ranging from 4 inches to 120 inches in diameter; and

WHEREAS, much of the water and sewer infrastructure was installed by private and municipal utilities that were subsequently acquired by the County or installed by developers that subsequently donated the infrastructure to the County; and

WHEREAS, over half of all water and sewer pipes were installed more than 50 years ago; and

WHEREAS, age, materials and saltwater intrusion all play factors in the deterioration of the infrastructure; and

WHEREAS, 18 years ago, the Environmental Protection Agency (“EPA”) brought an enforcement action against the County for alleged violations of the Clean Water Act after several large sanitary sewer overflows occurred because of capacity-related issues in the wastewater system; and

WHEREAS, in 1993 and 1995, the County entered into Consent Decrees with EPA and a Settlement Agreement with the Florida Department of Environmental Protection (“FDEP”) regarding the wastewater system; and

WHEREAS, to date, MDWASD has complied with all requirements of the Consent Decrees to improve the wastewater collection and transmission system and successfully completed the Settlement Agreement with FDEP; and

WHEREAS, MDWASD has completed over 1,589 milestones without incurring any penalties, implemented a renewal and replacement program of sewer mains and has upgraded many of the pump stations; and

WHEREAS, the Department has a Capital Improvement Program for the inspection, repair, renewal and replacement of water and sewer infrastructure; and

WHEREAS, although there has not been any capacity-related sewer overflows in 10 years, sewer overflows have recently occurred for other reasons including blockages, breaks, contractor-damage, pump station-related and system failures; and

WHEREAS, MDWASD and EPA are currently negotiating modifications to the Consent Decrees to implement a Capacity, Management, Operation and Maintenance Program to further improve performance of the wastewater system; and

WHEREAS, EPA recently conducted a compliance evaluation inspection of the Central District Wastewater Treatment Plant and found several violations of the Clean Water Act permit; and

WHEREAS, various County water mains have had catastrophic failures in recent years; and

WHEREAS, permit violations and the catastrophic failure of water and sewer mains adversely affect the public health, safety and welfare, causes damage to property and exposes the County to potential liability and enforcement action by regulatory agencies; and

WHEREAS, this Board desires to take appropriate measures to prevent and minimize the County's liability by ensuring that the repair and replacement of deteriorated infrastructure including treatment plants, pump stations and water and sewer mains are properly prioritized and funded,

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 provide a report addressing the County's water and sewer infrastructure that is aged and deteriorating. The report must identify the most deteriorated and vulnerable sections of the water and sewer infrastructure system, estimate the cost to repair and/or replace the identified sections of the system, whether pipes, treatment plants and/or pump stations, provide recommendations on whether to repair or replace the identified infrastructure and include sources of funding. The report shall be provided to this Board within 90 days of this Resolution.

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The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan and the Co-Sponsor is Vice Chairwoman Audrey M. Edmonson. It was offered by Commissioner **Barbara J. Jordan**, who moved its adoption. The motion was seconded by Commissioner **Audrey Edmonson** and upon being put to a vote, the vote was as follows:

	Joe A. Martinez, Chairman	absent	
	Audrey M. Edmonson, Vice Chairwoman	aye	
Bruno A. Barreiro	aye	Lynda Bell	aye
Esteban L. Bovo, Jr.	aye	Jose "Pepe" Diaz	aye
Sally A. Heyman	aye	Barbara J. Jordan	aye
Jean Monestime	aye	Dennis C. Moss	aye
Rebeca Sosa	aye	Sen. Javier D. Souto	absent
Xavier L. Suarez	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of February, 2012. 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: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Henry N. Gillman

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