

MEMORANDUM

Amended
Agenda Item No. 11(A)(24)

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

DATE: November 8, 2012

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

SUBJECT: Resolution directing County
Mayor to identify additional
sources of legally available
funds in order to expeditiously
fund repair and/or replacement of
most deteriorated water and
sewer infrastructure vulnerable to
failure and to report findings to
the Board
Resolution No. R-952-12

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa and Co-Sponsors Vice Chairwoman Audrey M. Edmonson, Commissioner Sally A. Heyman, and Commissioner Barbara J. Jordan.



R. A. Cuevas, Jr.
County Attorney

RAC/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
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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
- 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 _____

Amended
Agenda Item No. 11(A)(24)
11-8-12

RESOLUTION NO. R-952-12

RESOLUTION DIRECTING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO IDENTIFY ADDITIONAL SOURCES OF LEGALLY AVAILABLE FUNDS, INCLUDING BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS AND CONVENTION DEVELOPMENT TAX FUNDS, IN ORDER TO EXPEDITIOUSLY FUND REPAIR AND/OR REPLACEMENT OF MOST DETERIORATED WATER AND SEWER INFRASTRUCTURE VULNERABLE TO FAILURE AND TO REPORT FINDINGS TO THE BOARD

WHEREAS, the majority of the County's water and sewer infrastructure was constructed in the 1970s such that much of the system has deteriorated and is vulnerable to failure, in large part due to its age, manufacturing flaws in certain water pipes manufactured by Interpace Company, and the corrosive nature of sanitary sewage; and

WHEREAS, the current cost estimate to repair the most deteriorated sections of the County's water and sewer system that are vulnerable to failure is approximately \$1.1 billion, of which \$364,168,000 is the approximate cost to repair the water system and \$736,086,000 to repair the sewer system; and

WHEREAS, improvements to the most deteriorated sections of the water and sewer system vulnerable to failure include: (i) development of additional transmission pipelines, storage tanks and pump stations; (ii) improvements to the County's three regional water treatment plants, the John E. Preston Water Treatment Plant, the Alexander Orr, Jr. Water Treatment Plant and the Hialeah Water Treatment Plant; (iii) repair and/or replacement of those pipes and pump stations at greatest risk of failing; and (iv) necessary repairs and improvements to the County's three regional wastewater treatment plants, the North District Wastewater

Treatment Plant at Interama, the Central District Wastewater Treatment Plant at Virginia Key, and the South District Wastewater Treatment Plant at Black Point (collectively, the “Necessary Improvements”); and

WHEREAS, it is in the County’s best interest to accelerate the repair and/or replacement of the Necessary Improvements as expeditiously as possible; and

WHEREAS, generally, Necessary Improvements of this type are funded through revenue bonds secured by revenues of the water and sewer system, monies on deposit in the water and sewer system’s Renewal and Replacement Fund, and/or available federal and state grants; and

WHEREAS, in order to fund the Necessary Improvements using revenue bonds it is projected that current water and sewer rates and charges would need to increase by 9% in fiscal year 2013-14, and by 6% for each of the three subsequent fiscal years; and

WHEREAS, the County is still recovering from the financial crisis such that significant rate hikes in such a short time would be an economic hardship for many residents; and

WHEREAS, this Board wishes to direct the Mayor or the Mayor’s designee to identify additional sources of legally available revenues, including Building Better Communities General Obligation Bond program funds and convention development tax funds, to fund a portion of the Necessary Improvements so as to allow for a more gradual hike of water and sewer rates and thereby mitigating the financial impact to the County’s residents,

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

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. This Board hereby directs the County Mayor or the County Mayor’s designee to identify additional sources of legally available funds, including but not limited to,

Building Better Communities General Obligation Bond program funds and convention development tax funds, to fund a portion of the Necessary Improvements. A report utilizing such additional sources of funds and other legally available funds in a plan of finance that results in a gradual projected rate increase over the next several fiscal years shall be prepared and presented by the Mayor or his designee to the Board within ninety (90) days from the effective date of this Resolution. In preparing the report, the Mayor or his designee shall assume no adjustment to the amount and timing of distributions of Building Better Communities General Obligation Bond funds already allocated to municipal water and sewer projects. By exception, the Mayor's report may include a recommendation to accelerate such municipal projects. In addition, the report shall detail the impact to the timing of funding of other Building Better Communities General Obligation Bond Program projects as a result of the acceleration, if any, of water and sewer projects, and projections of resulting impacts to the construction industry and job creation in the community.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa and the Co-Sponsors are Vice Chairwoman Audrey M. Edmonson, Commissioner Sally A. Heyman, and Commissioner Barbara J. Jordan. It was offered by

Commissioner **Rebeca Sosa**, 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of November, 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.

ABK

Geri Bonzon-Keenan