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

MEMORANDUM

Agenda Item No. 5(D)

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

DATE: April 19, 2016

FROM: Abigail Price-Williams County Attorney

SUBJECT: Resolution authorizing the County Mayor to use Miami-Dade Water and Sewer Department employees and equipment to design and install approximately 1,612 linear feet of 8-inch water pipelines for a project along SW 107th Street, between SW 87th Avenue and SW 84th Avenue, in the Continental Park area of Miami-Dade County in an amount not to exceed $322,000.00, to be funded from Building Better Communities General Obligation Bond Funding Project No. 17 – "Countywide Water and Sewer System Enhancements" in order to fund water service to homeowners affected by contaminated private water wells

Resolution No. R-313-16

A substitute was presented and forwarded to the BCC with a favorable recommendation at the 3-16-16 Metropolitan Services Committee. This substitute differs from the original item in that the substitute identifies the source of funding as GOB funds. The title was changed to include the source of funding and that the project is in the public's best interest.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Xavier L. Suarez.

Abigail Price-Williams
County Attorney

APW/lmp

MEMORANDUM

(Revised)

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

DATE: April 19, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 5(D)

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. 5(D)
4-19-16

RESOLUTION NO. R-313-16

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO USE MIAMI-DADE WATER AND SEWER DEPARTMENT EMPLOYEES AND EQUIPMENT TO DESIGN AND INSTALL APPROXIMATELY 1,612 LINEAR FEET OF 8-INCH WATER PIPELINES FOR A PROJECT ALONG SW 107TH STREET, BETWEEN SW 87TH AVENUE AND SW 84TH AVENUE, IN THE CONTINENTAL PARK AREA OF MIAMI-DADE COUNTY IN AN AMOUNT NOT TO EXCEED $322,000.00, TO BE FUNDED FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND FUNDING PROJECT NO. 17 – "COUNTYWIDE WATER AND SEWER SYSTEM ENHANCEMENTS" IN ORDER TO FUND WATER SERVICE TO HOMEOWNERS AFFECTED BY CONTAMINATED PRIVATE WATER WELLS; FINDING INSTALLATION OF WATER PIPELINES BY MIAMI-DADE WATER AND SEWER DEPARTMENT FORCES TO BE IN THE PUBLIC'S BEST INTEREST AND NECESSARY TO THE PUBLIC'S HEALTH, SAFETY AND WELFARE

WHEREAS, the Miami-Dade County Health Department recently discovered concentrations of a pesticide above the State of Florida drinking water maximum contaminant limit in certain homes that use private well water; and

WHEREAS, the Miami-Dade County Health Department has urged residents with concentrations above this limit to stop drinking or cooking with this water; and

WHEREAS, 24 homes may be affected by the pesticide in the area along SW 107th Street, between SW 87th Avenue and SW 84th Avenue in the Continental Park area of Miami-Dade County; and

WHEREAS, this Board finds that providing potable water from the County's water system to the residents of this area protects the public's health, safety and welfare; and

WHEREAS, the Miami-Dade Water and Sewer Department forces have the ability to quickly design and install the necessary water pipelines in the subject area; and

WHEREAS, the estimated cost of designing and installing the new water mains using generally accepted cost-accounting principles that fully account for all costs associated with performing and completing the work, including employee compensation and benefits, equipment cost and maintenance, insurance costs and materials is $322,000.00; and

>>**WHEREAS,** an amount not to exceed $322,000.00 shall be funded from Building Better Communities General Obligation Bond Program ("Bond Program") Project No. 17 – "Countywide Water and Sewer System Enhancements" ("Project No. 17"), which Project No. 17 has a project description that provides as follows "[c]onstruct main, pipeline and other enhancements to water delivery systems and to sewer collection systems to increase efficiency, capacity, quality of service, public health or fire protection"; and

WHEREAS, the Miami-Dade Water and Sewer Department has indicated that $3,296,519 of Project No. 17 funds remain available to be used and allocated to new projects; and<<[1]

WHEREAS, Section 255.20(1)(c)(9), Florida Statutes, authorizes a county to use its own services, employees and equipment to perform public improvements with an estimated cost in excess of $300,000.00 upon a majority vote of the Board members, after at least 21 days public notice and a public meeting, finding that it is in the public's best interest to perform the improvements using its own services, employees, and equipment; and

WHEREAS, as of the time of this Board's final action on this resolution, the County Mayor or Mayor's designee has provided the public notice required under Section 255.20(1)(c)(9), Florida Statutes,

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[1] The differences between the substitute and the original item are indicated as follows: Words stricken through and/or [[double bracketed]] shall be deleted, words underscored and/or >>double arrowed<< are added.

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

Section 1. Pursuant to Section 255.20(1)(c)(9), Florida Statutes, this Board has considered the Miami-Dade Water and Sewer Department's estimated cost of $322,000.00 and the accuracy of the estimated cost and finds by a majority vote of the Board members that it is necessary to design and install water pipelines in the area along SW 107th Street, between SW 87th Avenue and SW 84th Avenue; and that it is in the public's best interest for the Miami-Dade Water and Sewer Department, to utilize its own services, employees and equipment to design and install all improvements necessary to expeditiously provide county water to the subject area.

Section 2. This Board authorizes the County Mayor or Mayor's designee to use Miami-Dade Water and Sewer Department's services, employees and equipment to design and install approximately 1,612 linear feet of 8-inch water pipelines along SW 107th Street, between SW 87th Avenue and SW 84th Avenue. The cost of the project >>shall be funded from Project No. 17<< and shall not exceed $322,000.00 without further approval by this Board.

The Prime Sponsor of the foregoing resolution is Commissioner Xavier L. Suarez. It was offered by Commissioner **Daniella Levine Cava**, who moved its adoption. The motion was seconded by Commissioner **Barbara J. Jordan** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman **aye**
Esteban L. Bovo, Jr., Vice Chairman **aye**

Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**absent**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**absent**	Barbara J. Jordan	**aye**
Dennis C. Moss	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of April, 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: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Henry N. Gillman