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

MEMORANDUM

Agenda Item No. 14(A)(3)

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

DATE: February 17, 2009

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

SUBJECT: Resolution waiving Miami-Dade Water and Sewer Department's requirement for installation of a 12-inch water main extension for a dentist office at 504 Biltmore Way

Resolution No. R-143-09

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Carlos A. Gimenez.

R. A. Cuevas, Jr.
County Attorney

RAC/up

MEMORANDUM

(Revised)

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

DATE: February 17, 2009

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

SUBJECT: Agenda Item No. 14(A)(3)

Please note any items checked.

✓	**"4-Day Rule" ("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**
_____	**Bid waiver requiring County Mayor's written recommendation**
_____	**Ordinance creating a new board requires detailed County Manager's report for public hearing**
_____	**Housekeeping item (no policy decision required)**
_____	**No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 14(A)(3)
2-17-09

RESOLUTION NO. R-143-09

RESOLUTION WAIVING MIAMI-DADE WATER AND SEWER DEPARTMENT'S REQUIREMENT FOR INSTALLATION OF A 12-INCH WATER MAIN EXTENSION FOR A DENTIST OFFICE AT 504 BILTMORE WAY

WHEREAS, the Miami-Dade County Water and Sewer Department's ("Department") Rules and Regulations for Water and Sewer Service provides that service requests to existing structures where the change in use increases the existing total daily rated gallonage by 50 percent or more must improve the water facilities by installing a 12-inch water main extension; and

WHEREAS, Dr. Jose Abadin has applied for a new Certificate of Use intending to reuse a retail space for a dental office within an existing building located at 504 Biltmore Way, Coral Gables; and

WHEREAS, the Department applies a rate of flows of 5 gallons per day for every 100 square feet for shopping centers (dry use) and 275 gallons per day for dentist offices pursuant to the Department's Schedule of Rates, Fees and Charges; and

WHEREAS, said rate of flows causes the calculated flows for the existing building to increase by more than fifty percent over the existing flows which requires the installation of a new 12-inch water main extension; and

WHEREAS, the subject dentist office will be constructed to meet new flow reductions specified in Section 8-31 of the Code of Miami-Dade County through the installation of water efficient fixtures, including water conserving toilets and waterless dental equipment, that result in significant reductions in flows; and

WHEREAS, the Department is in the process of submitting for this Board's approval revised and updated language to the Rules and Regulations which will not require the installation of a 12-inch water main in situations such as the dentist office in the instant case,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board waives the Miami-Dade Water and Sewer Department's Rules and Regulations requiring a 12-inch water main extension for a dentist office at 504 Biltmore Way, Coral Gables.

The Prime Sponsor of the foregoing resolution is Commissioner Carlos A. Gimenez. It was offered by Commissioner Carlos A. Gimenez, who moved its adoption. The motion was seconded by Commissioner Rebeca Sosa 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	absent
Barbara J. Jordan	aye	Joe A. Martinez	absent
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of February, 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: **Kay Sullivan**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Henry N. Gillman