

MEMORANDUM

Amended
Agenda Item No. 11(A)(18)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

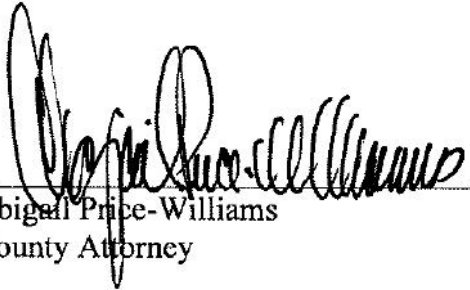
DATE: April 7, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the
County Mayor to suspend
the disconnection of water
service by the Miami-Dade
Water and Sewer Department
for 60 days after termination
of the local state of emergency
to protect the public's health,
safety and welfare relating to
coronavirus 2019 (COVID-19)

Resolution No. R-322-20

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez, and Co-Sponsors Commissioner Esteban L. Bovo, Jr., Commissioner Daniella Levine Cava, Commissioner Jose "Pepe" Diaz, Chairwoman Audrey M. Edmonson, Commissioner Sally A. Heyman, Commissioner Eileen Higgins, Commissioner Barbara J. Jordan, Commissioner Jean Monestime, Commissioner Dennis C. Moss, Vice Chairwoman Rebeca Sosa and Senator Javier D. Souto.



Abigail Price-Williams
County Attorney

APW/smm

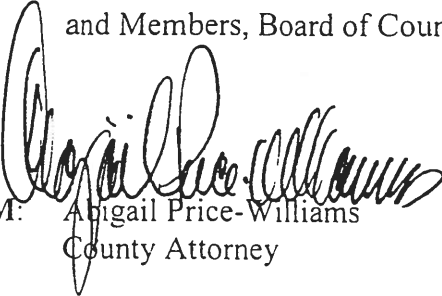


MEMORANDUM

(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
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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
- ☐ 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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved	_____	Mayor	Amended
Veto	_____		Agenda Item No. 11(A)(18)
Override	_____		4-7-20

RESOLUTION NO. **R-322-20**

RESOLUTION DIRECTING THE COUNTY MAYOR TO SUSPEND THE DISCONNECTION OF WATER SERVICE BY THE MIAMI-DADE WATER AND SEWER DEPARTMENT FOR 60 DAYS AFTER TERMINATION OF THE LOCAL STATE OF EMERGENCY TO PROTECT THE PUBLIC'S HEALTH, SAFETY AND WELFARE RELATING TO CORONAVIRUS 2019 (COVID-19)

WHEREAS, the Miami-Dade Water and Sewer Department (WASD) has approximately 444,000 retail customers for which it provides clean, safe and potable water; and

WHEREAS, WASD's Rules and Regulations provides WASD with the right to disconnect water service to customers who fail to pay in full the total amount due on their bills; and

WHEREAS, on March 9, 2020, the Governor of Florida declared a State of Emergency for the State of Florida related to the coronavirus disease 2019 (COVID-19); and

WHEREAS, on March 11, 2020, the County Mayor declared a Local State of Emergency in order to protect the public's health, safety and welfare; and

WHEREAS, all health officials including the United States Centers for Disease Control and Prevention have emphasized the importance of washing your hands frequently and refraining from shaking hands and other forms of contact to protect human health and minimize the chances of either being exposed to or spreading COVID-19; and

WHEREAS, the County Mayor ordered WASD to suspend the disconnection of water service during the Local State of Emergency; and

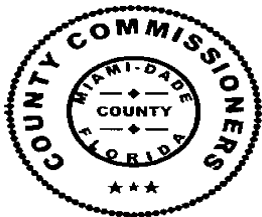
WHEREAS, this Board finds that the access to potable water during this health threat is of paramount importance and should stay in place for 60 days after the Local State of Emergency has terminated to further protect the public's health, safety and welfare,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board directs the County Mayor to order the Miami-Dade Water and Sewer Department to suspend for 60 days any disconnection of water service for nonpayment from the effective date of the termination of the Local State of Emergency in order to protect the public's health, safety and welfare relating to coronavirus 2019 (COVID-19). Prior to expiration of the 60-day period, this Board shall consider whether to further extend this directive. This temporary stay shall not act as a waiver, release or amnesty from payment for water services that are due or any liability for tampering with the water meter during the thirty-day period. This temporary stay shall also not affect the Department's other procedures for collection such as entering into payment arrangements and placement of liens.

The Prime Sponsor of the foregoing resolution is Commissioner Joe A. Martinez, and the Co-Sponsors are Commissioner Esteban L. Bovo, Jr., Commissioner Daniella Levine Cava, Commissioner Jose "Pepe" Diaz, Chairwoman Audrey M. Edmonson, Commissioner Sally A. Heyman, Commissioner Eileen Higgins, Commissioner Barbara J. Jordan, Commissioner Jean Monestime, Commissioner Dennis C. Moss, Vice Chairwoman Rebeca Sosa and Senator Javier D. Souto. It was offered by Commissioner **Joe A. Martinez** , who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Chairwoman	aye		
Rebeca Sosa, Vice Chairwoman	aye		
Esteban L. Bovo, Jr.	aye	Daniella Levine Cava	aye
Jose "Pepe" Diaz	aye	Sally A. Heyman	aye
Eileen Higgins	aye	Barbara J. Jordan	aye
Joe A. Martinez	aye	Jean Monestime	aye
Dennis C. Moss	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of April, 2020. 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

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "H. N. Gillman", is written over a horizontal line.

Henry N. Gillman