

MEMORANDUM

Amended
Agenda Item No. 11(A)(7)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: October 5, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to amend the Water and Sewer Department's rules and regulations, approved by the Board through Implementing Order 10-8, to allow certain new affordable and workforce housing developments to connect to existing water infrastructure in lieu of installing new water infrastructure

Resolution No. R-855-21

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Eileen Higgins, and Co-Sponsors Senator René García, Commissioner Jean Monestime and Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/smm



MEMORANDUM (Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: October 5, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Amended
Agenda Item No. 11(A)(7)

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)(7)
Override	_____		10-5-21

RESOLUTION NO. R-855-21

RESOLUTION DIRECTING THE COUNTY MAYOR OR
COUNTY MAYOR'S DESIGNEE TO AMEND THE WATER
AND SEWER DEPARTMENT'S RULES AND REGULATIONS,
APPROVED BY THE BOARD THROUGH IMPLEMENTING
ORDER 10-8, TO ALLOW CERTAIN NEW AFFORDABLE
AND WORKFORCE HOUSING DEVELOPMENTS TO
CONNECT TO EXISTING WATER INFRASTRUCTURE IN
LIEU OF INSTALLING NEW WATER INFRASTRUCTURE

WHEREAS, it is of great importance to this Board that an adequate stock of housing exists for the residents of Miami-Dade County (the "County") at sales prices and rents that are affordable and attainable; and

WHEREAS, there is currently a shortage of such housing available throughout the County; and

WHEREAS, to assist in the creation of more affordable and workforce housing, this Board wants to make the development of such properties as easy and economical as possible for those willing to develop affordable and workforce housing projects; and

WHEREAS, based on the Rules and Regulations of the County's Water and Sewer Department, developers who intend to build affordable and workforce housing projects with densities over 50 units per acre are often required to install new larger capacity water infrastructure in order to accommodate their new developments; and

WHEREAS, installation of such new water infrastructure can be cost-prohibitive for affordable and workforce housing projects, particularly for small developers and/or small parcels, and, as a result, may cause developers to abandon their efforts to build such housing; and

WHEREAS, in some instances, water infrastructure of eight inches in diameter may already exist in the vicinity of a new affordable or workforce housing development, which can accommodate the addition of the new development and, at the same time, continue to provide adequate water distribution and fire protection for all properties served by the existing water infrastructure; and

WHEREAS, in such cases, this Board desires to allow such new affordable or workforce housing developments with a maximum of 50 total units to connect to the existing 8-inch water infrastructure in lieu of being required to build new 12-inch diameter water infrastructure for the development; and

WHEREAS, to implement this Board's wishes to allow new affordable or workforce housing projects with a maximum of 50 total units, when available, to connect to existing 8-inch diameter water infrastructure in lieu of building new 12-inch diameter water infrastructure, the Rules and Regulations of the County's Water and Sewer Department must be amended to adopt this change in the Department's standards,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board directs the County Mayor or County Mayor's designee to amend the Rules and Regulations of the County's Water and Sewer Department, which are set forth in Implementing Order 10-8, to allow new affordable and workforce housing developments with a maximum of 50 total units to utilize existing 8-inch diameter water infrastructure in lieu of building new 12-inch diameter water infrastructure so long as adequate water service can be provided, there is sufficient fire flow capacity available, and the developer has provided the Water and Sewer Department with a copy of a Covenant approved by the County or another governing jurisdiction that has been or will be

recorded on its property, which commits the developer to building the required amount of affordable or workforce housing to obtain an incentive, bonus or benefit under the governing jurisdiction's Code or regulations. In the event a Covenant related to affordable or workforce housing is not required by a governing jurisdiction for a particular development, the Water and Sewer Department will require any developers that intend to utilize this new Rule to enter into a Covenant with the County that commits the developer to building affordable or workforce housing. The Board further directs the County Mayor or County Mayor's designee to prepare a report concerning the potential impact this Rule change may have on the pipe capacity of the water system and place such report on an agenda of the Board within six months pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Eileen Higgins, and the Co-Sponsors are Senator René García, Commissioner Jean Monestime and Commissioner Raquel A. Regalado. It was offered by Commissioner **Eileen Higgins**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

Jose "Pepe" Diaz, Chairman	aye		
Oliver G. Gilbert, III, Vice-Chairman	aye		
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 5th day of October, 2021. 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.

SED

Sarah E. Davis