

## MEMORANDUM

Agenda Item No. 11(A)(5)

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

**DATE:** November 2, 2021

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Resolution directing the County Mayor to create a plan, subject to Board approval, for seeking and allocating funds that the Infrastructure Investment and Jobs Act, H.R. 3684, or similar legislation makes available, and to provide a report

Resolution No. R-1055-21

**This item was amended at the 10-14-21 County Infrastructure, Operations and Innovations Committee to provide that: (1) the County Mayor's plan shall, at a minimum, provide for seeking and allocating funding that the Infrastructure Investment and Jobs Act, H.R. 3684, or similar legislation makes available for septic-to-sewer conversion; (2) the County Mayor's plan shall be placed on an agenda of this Board within 90 days after the federal legislation becomes law and the federal agency with jurisdiction over the legislation releases the guidance for the legislation; and (3) the Commission Auditor shall annually audit the use of the funds to ensure compliance with the federal legislation and corresponding guidance.**

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator René García.



Geri Bonzon-Keenan  
County Attorney

GBK/uw



# MEMORANDUM

(Revised)

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

**DATE:** November 2, 2021

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(5)

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  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(5)  
11-2-21

RESOLUTION NO. \_\_\_\_\_ R-1055-21

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CREATE A PLAN, SUBJECT TO BOARD APPROVAL, FOR SEEKING AND ALLOCATING FUNDS THAT THE INFRASTRUCTURE INVESTMENT AND JOBS ACT, H.R. 3684, OR SIMILAR LEGISLATION MAKES AVAILABLE, AND TO PROVIDE A REPORT

**WHEREAS**, the United States Congress is currently considering the Infrastructure Investment and Jobs Act, a bipartisan bill originally filed in the United States House of Representatives as the INVEST in America Act (H.R. 3684); and

**WHEREAS**, on August 10, 2021, the United States Senate passed the Infrastructure Investment and Jobs Act, which is now awaiting consideration in the House; and

**WHEREAS**, the Infrastructure Investment and Jobs Act is a lengthy, multifaceted bill that would fund a wide variety of infrastructure projects across the United States, including but not limited to the following:

- Repairing and replacing roads and bridges;
- Improving the United States passenger and freight rail network;
- Rehabilitating and expanding public transit systems;
- Funding traffic safety programs;
- Investing in airport and seaport projects;
- Bridging the digital divide by investing in broadband infrastructure;
- Enhancing the resiliency of energy and related cybersecurity infrastructure;
- Restoring ecosystems; and

- Mitigating flood risk, including improving the resiliency of coastal communities; and

**WHEREAS**, the Infrastructure Investment and Jobs Act would provide \$550 billion in new federal investment in American infrastructure and would be funded through multiple sources, such as redirected unspent funds and targeted corporate user fees; and

**WHEREAS**, to facilitate these projects, the Infrastructure Investment and Jobs Act would create various grant funds available to state and local governments; and

**WHEREAS**, the Infrastructure Investment and Jobs Act is intended to grow the United States economy, create millions of jobs for Americans, and make our economy more sustainable, resilient, and just; and

**WHEREAS**, Miami-Dade County infrastructure must keep pace as the Miami-Dade County economy continues to grow in dynamic ways; and

**WHEREAS**, consequently, Miami-Dade County could benefit greatly from funds that the Infrastructure Investment and Jobs Act would make available; and

**WHEREAS**, to ensure that the County is ready to quickly and effectively take advantage of these funding opportunities, this Board wishes to direct the County Mayor or County Mayor's designee to create a plan, subject to this Board's approval, for seeking and allocating funds that the Infrastructure Investment and Jobs Act makes available,

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

**Section 1.**     Directs<<<sup>1</sup> ~~[[directs]]~~ the County Mayor or County Mayor's designee to create a plan for seeking and allocating funds that the Infrastructure Investment and Jobs Act, H.R.

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<sup>1</sup> Committee amendments are indicated as follows: Words stricken through and/or ~~[[double bracketed]]~~ are deleted, words underscored and/or >>double arrowed<< are added.

3684, or similar legislation makes available, which plan shall be subject to this Board's approval.

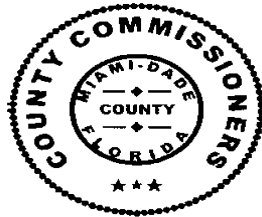
>>The plan shall, at a minimum, provide for seeking and allocating funding that the legislation makes available for septic-to-sewer conversion.<< The County Mayor or County Mayor's designee shall provide the plan to this Board in the form of a report, which shall be placed on an agenda of this Board pursuant to Ordinance No. 14-65 within ~~[[60]]~~>>90<< days after the Infrastructure Investment and Jobs Act or similar legislation becomes law >>and the federal agency with jurisdiction over the legislation releases the guidance for the legislation<<.

>>**Section 2.** Directs the Commission Auditor to annually audit the use of the funds to ensure compliance with the federal legislation and corresponding guidance.<<

The Prime Sponsor of the foregoing resolution is Senator René García. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Danielle Cohen Higgins** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 2<sup>nd</sup> day of November, 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

By: **Melissa Adames**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

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

Christopher J. Wahl