

MEMORANDUM

Agenda Item No. 11(A)(18)

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

DATE: January 19, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution urging the United
States Congress to enact S. 3031,
H.R. 5653, the Clean Water
Allotment Modernization Act of
2021, or similar legislation
reforming the Clean Water State
Revolving Fund

Resolution No. R-72-22

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM

(Revised)

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

DATE: January 19, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(18)

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)(18)
1-19-22

RESOLUTION NO. _____ R-72-22

RESOLUTION URGING THE UNITED STATES CONGRESS
TO ENACT S. 3031, H.R. 5653, THE CLEAN WATER
ALLOTMENT MODERNIZATION ACT OF 2021, OR SIMILAR
LEGISLATION REFORMING THE CLEAN WATER STATE
REVOLVING FUND

WHEREAS, protecting and restoring Florida’s water quality is of critical importance to Miami-Dade County; and

WHEREAS, the Clean Water State Revolving Fund (CWSRF) is a federal funding mechanism that provides low-interest loans to states to upgrade and construct wastewater infrastructure; and

WHEREAS, the current formula by which CWSRF monies are provided to the states has not been notably modified since 1987; and

WHEREAS, consequently, the current formula is inequitable, and it disadvantages states such as Florida with populations and infrastructure needs that have significantly increased since 1987; and

WHEREAS, on October 20, 2021, Senators Marco Rubio (R – Florida), Rick Scott (R – Florida), Mark Kelly (D – Arizona), and Richard Burr (R – North Carolina) introduced S. 3031, a bill entitled the Clean Water Allotment Modernization Act of 2021, for consideration during the 117th Congress; and

WHEREAS, on October 20, 2021, United States Representative Michael Waltz (R – Florida) introduced H.R. 5653, the companion bill to S. 3031; and

WHEREAS, the Clean Water Allotment Modernization Act of 2021 would amend the Federal Water Pollution Control Act to enact long-term reforms to the CWSRF, including the expansion of state participation in the Clean Watersheds Needs Survey by allowing each state to use a portion of their CWSRF allotment to assess their infrastructure needs; and

WHEREAS, the Clean Water Allotment Modernization Act of 2021 would also require the Environmental Protection Agency (EPA), starting in Fiscal Year 2027, to routinely develop an updated allotment formula based on a reformed Clean Watersheds Needs Survey, which would be regularly updated to reflect capital needs and population changes; and

WHEREAS, additionally, the Clean Water Allotment Modernization Act of 2021 would implement an interim allotment formula for Fiscal Years 2022 through 2026 to provide more equitable funding allotments; and

WHEREAS, under the interim formula, each state would receive an initial amount of funds that is equal to its Fiscal Year 2021 allotment, while any appropriations provided to the CWSRF above Fiscal Year 2021 levels would be allotted based on each state's share of the United States population; and

WHEREAS, this Board wishes to support the Clean Water Allotment Modernization Act of 2021 to ensure an equitable allotment of CWSRF funding and to help protect Florida's water quality,

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

Section 1. Urges the United States Congress to enact S. 3031, H.R. 5653, the Clean Water Allotment Modernization Act of 2021, or similar legislation reforming the Clean Water State Revolving Fund.

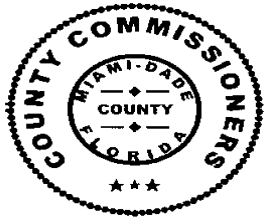
Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to Senator Marco Rubio, Senator Rick Scott, Senator Mark Kelly, Senator Richard Burr, Representative Michael Waltz, and the remaining Members of the Florida Congressional Delegation.

Section 3. Directs the County’s federal lobbyists to advocate for the passage of the legislation set forth in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2022 Federal Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **José "Pepe" Diaz** 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 19th day of January, 2022. 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 dark ink, appearing to read "CMR", is written over a horizontal line.

Cristina M. Rabionet