

# **MEMORANDUM**

Amended  
Agenda Item No. 11(A)(5)

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**TO:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

**DATE:** January 17, 2023

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

**SUBJECT:** Resolution urging the Florida  
Legislature to provide  
funding to assist with septic-  
to-sewer conversions along  
State Road 976/Bird Road  
between SW 77th Avenue  
and SW 117th Avenue in  
Miami-Dade County

Resolution No. R-38-23

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairman Anthony Rodríguez and Co-Sponsor Senator René García.



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Geri Bonzon-Keenan  
County Attorney

GBK/ks



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

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Gen Bonzon-Keenan  
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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  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Amended  
Agenda Item No. 11(A)(5)  
1-17-23

**RESOLUTION NO. R-38-23**

**RESOLUTION URGING THE FLORIDA LEGISLATURE TO  
PROVIDE FUNDING TO ASSIST WITH SEPTIC-TO-SEWER  
CONVERSIONS ALONG STATE ROAD 976/BIRD ROAD  
BETWEEN SW 77TH AVENUE AND SW 117TH AVENUE IN  
MIAMI-DADE COUNTY**

**WHEREAS**, onsite sewage treatment and disposal systems, commonly referred to as septic systems, are a type of onsite sewage facility that treats wastewater from individual properties; and

**WHEREAS**, a significant component of the septic system is the treatment of wastewater in an underground drainfield; and

**WHEREAS**, septic systems may present environmental risks and are potentially vulnerable to the effects of rising groundwater tables, which diminish the treatment capacity of drainfields and result in elevated levels of groundwater pollution; and

**WHEREAS**, rising water tables in areas with septic systems may also lead to flooding and pooling of sewage in people's yards and neighborhoods, which presents serious public health and safety concerns; and

**WHEREAS**, a report presented to this Board in November 2018 by the Miami-Dade County Department of Regulatory and Economic Resources, the Miami-Dade County Water and Sewer Department, and the Florida Department of Health in Miami-Dade County (the "Report") found that nearly half of the septic tanks in Miami-Dade County break down yearly, a number that is expected to increase to 64 percent by 2040; and

**WHEREAS**, the Report recommended that the most effective way to address the long-term risks associated with rising groundwater levels is to extend sewer connections to new and existing structures where feasible and to reduce the number of new septic systems installed in vulnerable areas; and

**WHEREAS**, the septic-to-sewer conversion process, which may require the construction of new infrastructure, can be costly for both public and private entities; and

**WHEREAS**, some portions of the County, including certain areas with commercial development, lack public sanitary sewer systems and therefore rely on septic systems; and

**WHEREAS**, one such area is State Road 976/Bird Road between SW 77th Avenue and SW 117th Avenue, a vibrant commercial corridor with many local business owners; and

**WHEREAS**, to support business owners and promote economic development in Miami-Dade County, this Board wishes to urge the Florida Legislature to provide funding to assist with septic-to-sewer conversions along State Road 976/Bird Road between SW 77th Avenue and SW 117th Avenue; and

**WHEREAS**, the County's main priority for septic-to-sewer funding is still for residential development, but the County also desires to seek state funding for septic-to-sewer conversions along State Road 976/Bird Road between SW 77th Avenue and SW 117th Avenue because properties in this area are located along a state road and are also under enforcement by the County,

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

**Section 1.** Urges the Florida Legislature to provide funding to assist with septic-to-sewer conversions along State Road 976/Bird Road between SW 77th Avenue and SW 117th Avenue in Miami-Dade County.

**Section 2.** Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, the Senate President, the House Speaker, and the Chair and Members of the Miami-Dade State Legislative Delegation.

**Section 3.** Directs the County's state lobbyists to advocate for the action described in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2023 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Vice Chairman Anthony Rodríguez and the Co-Sponsor is Senator René García. It was offered by Commissioner **Anthony Rodriguez** , who moved its adoption. The motion was seconded by Commissioner **Oliver G. Gilbert, III** and upon being put to a vote, the vote was as follows:

|                                  |            |                      |               |
|----------------------------------|------------|----------------------|---------------|
| Oliver G. Gilbert, III, Chairman | <b>aye</b> |                      |               |
| Anthony Rodríguez, Vice Chairman | <b>aye</b> |                      |               |
| Marleine Bastien                 | <b>aye</b> | Juan Carlos Bermudez | <b>aye</b>    |
| Kevin Marino Cabrera             | <b>aye</b> | Sen. René García     | <b>aye</b>    |
| Roberto J. Gonzalez              | <b>aye</b> | Keon Hardemon        | <b>aye</b>    |
| Danielle Cohen Higgins           | <b>aye</b> | Eileen Higgins       | <b>absent</b> |
| Kionne L. McGhee                 | <b>aye</b> | Raquel A. Regalado   | <b>aye</b>    |
| Micky Steinberg                  | <b>aye</b> |                      |               |

The Chairperson thereupon declared this resolution duly passed and adopted this 17<sup>th</sup> day of January, 2023. 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

LUIS G. MONTALDO, CLERK AD INTERIM

By: Basia Pruna  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

CJW

Christopher J. Wahl