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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**

MEMORANDUM

Agenda Item No. 11(A)(9)

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

DATE: September 6, 2023

FROM: Geri Bonzon-Keenan
County Mayor

SUBJECT: Resolution directing the County
Mayor to provide annual reports
with data and analysis regarding
onsite sewage treatment and
disposal systems in the County

Resolution No. R-787-23

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/gh

MDC001



MEMORANDUM

(Revised)

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

DATE: September 6, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(9)

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)(9)
9-6-23

RESOLUTION NO. _____ R-787-23

RESOLUTION DIRECTING THE COUNTY MAYOR OR
COUNTY MAYOR'S DESIGNEE TO PROVIDE ANNUAL
REPORTS WITH DATA AND ANALYSIS REGARDING
ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS
IN THE COUNTY

WHEREAS, onsite sewage treatment and disposal systems ("OSTDSs"), commonly referred to as "septic tanks" or "septic systems," treat domestic sewage, including wastewater from toilets, showers, sinks, and dishwashers, and are located either on the site from which the domestic sewage is generated or on an adjacent or nearby site; and

WHEREAS, in July 2022, the County Mayor estimated that about 110,000 properties in the County were using conventional OSTDSs as a means of sewage treatment and onsite disposal; and

WHEREAS, improperly maintained OSTDSs or OSTDSs that may otherwise be impaired, such as by rising groundwater levels, could cause substantial harm to human health and the environment by degrading groundwater and surface water quality, including water quality in Biscayne Bay; and

WHEREAS, on July 7, 2022, this Board adopted Ordinance No. 22-83, which institutes more rigorous standards for new and replacement OSTDSs by requiring the use of performance-based systems, rather than conventional systems, under certain circumstances; and

WHEREAS, Ordinance No. 22-83 classifies OSTDSs into four tiers, ranging from conventional systems (Type 1) to performance-based systems (Types 2, 3, and 4), with Type 4 producing effluent resulting in the most significant reduction in pollutants of the four types; and

WHEREAS, the requirements governing the type of OSTDSs to be installed became effective January 1, 2023, to allow for a proper transition by property owners, engineers, contractors, and the OSTDS industry; and

WHEREAS, Ordinance No. 22-83 also requires certain new or replacement OSTDSs to be registered with the County's Division of Environmental Resources Management (DERM) on and after January 1, 2023, and all other OSTDSs to be registered by January 1, 2024; and

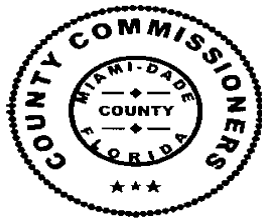
WHEREAS, to monitor compliance with Ordinance No. 22-83 and help guide this Board's future decision-making with respect to OSTDSs, this Board wishes to direct the County Mayor or County Mayor's designee to use the registration information obtained pursuant to the requirements in Ordinance No. 22-83 to prepare annual reports for this Board with data and analysis regarding the number of OSTDSs in the County by type (Types 1–4) and the number of OSTDSs that have been decommissioned since the submission of the prior year's report,

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 prepare annual written reports for this Board with data and analysis regarding the number of OSTDSs in the County by type (Types 1–4) and the number of OSTDSs that have been decommissioned since the submission of the prior year's report. The first such report shall be provided to this Board within 120 days of the effective date of this resolution, and each subsequent report shall be provided to this Board 365 days after the submission of the prior year's report. Pursuant to rule 5.06(j) of the Board's Rules of Procedure, the completed reports shall be placed on an agenda of the full Board without committee review.

The Prime Sponsor of the foregoing resolution is Commissioner Raquel A. Regalado. It was offered by Commissioner **Anthony Rodriguez**, who moved its adoption. The motion was seconded by Commissioner **Kionne L. McGhee** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 6th day of September, 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

CJW

Christopher J. Wahl