

MEMORANDUM

Agenda Item No. 7(C)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE:

(Second Reading: 10-9-25)
July 1, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance relating to security at
Miami-Dade Water and Sewer
Department; amending sections
32-171 and 32-172 of the Code;
adding definitions; extending
time period for identification
cards; amending information
provided with application;
authorizing security division to
obtain fingerprints for
submission to federal and local
law enforcement agencies for
background checks on
employees, contractors and
vendors requiring access to
restricted areas of the Miami-
Dade Water and Sewer
Department; approving the plan
of issuance

Ordinance No. 25-106

The accompanying ordinance was prepared by the Water and Sewer Department and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regaldo and Co-Sponsor Senator René García.


Geri Bonzon-Keenan
County Attorney

GBK/gh

Memorandum



Date: October 9, 2025

To: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor 

Subject: Ordinance Amending Article IX of Chapter 32 of the Code of Miami-Dade County
Regarding Security Protocols at the Miami-Dade Water and Sewer Department

Executive Summary

This item recommends that the Board of County Commissioners (the Board) adopt the proposed amendments to Article IX of Chapter 32 of the Code of Miami-Dade County, Florida (the Code) related to Security Protocols at the Miami-Dade County Water and Sewer Department (WASD). The proposed amendments incorporate revisions to Section 32-171 through Section 32-172.7 that are aimed at updating definitions, clarifying terminology, and modernizing security protocols.

The proposed amendments include the creation of new Identification Card (ID Card) classifications, clearer distinctions between WASD and non-WASD personnel, and the implementation of security clearance levels tied to facility sensitivity. ID Card issuance procedures have been streamlined, and background screening requirements, particularly for security-sensitive positions, have been enhanced. The amendments also incorporate Miami-Dade County's "Ban the Box" policy, which will ensure uniformity with current County practices. Obsolete provisions have been deleted to modernize and improve administrative efficiency and ensure regulatory compliance. The changes also reinforce cardholder responsibilities, mandate timely reporting of arrests or data changes, and reaffirm that all ID Cards remain County property.

Approval of this item will result in an estimated cost savings of \$300,000 over the next ten years. These updates align with my Administration's WISE 305 Agenda, to continue driving efficiency and streamlining operations to cut red tape and create a more future-ready Miami-Dade.

Recommendation

It is recommended that the Board adopt the attached ordinance amending Article IX of Chapter 32 of the Code, which relates to Security Protocols at WASD.

Scope

The impact of this item is countywide as WASD has facilities throughout the County where security measures are necessary.

Fiscal Impact / Funding Source

The revisions proposed to Article IX of Chapter 32 will have a positive fiscal impact to the County, which are estimated to result in cost savings of approximately \$30,000 per year. Currently, WASD ID Cards are printed once a year for WASD employees and contractors employed by WASD. If the amendments proposed are adopted, WASD ID Cards would only be issued once at the commencement of employment for employees and once for the approved term of the contract for

contractors. These changes in procedure will lead to cost savings of approximately \$300,000 over the next ten years.

Social Equity

This ordinance is not anticipated to have a specific social equity benefit or burden as described under Ordinance No. 15-83.

Track Record/Monitor

WASD's Deputy Director of Internal and Administrative Services, Mariela Alvarez, will oversee the implementation of the proposed changes to Article IX of Chapter 32.

Delegation of Authority

This item authorizes the County Mayor or County Mayor's designee to implement the Plan of Issuance (the Plan), which is attached hereto as Exhibit A.

Background

In 2002, the Board approved Ordinance 02-68, which amended Article IX of Chapter 32 of the Code. Ordinance 02-68 was intended to improve security; set certain identification procedures; and protect public health, safety, and welfare by preventing crimes within WASD facilities.

In 2015, the Board adopted Ordinance No.15-118, the "Ban the Box" Ordinance, which eliminated inquiries into someone's past criminal background when they are applying for a position within the County. Instead, pursuant to the Ban the Box Ordinance, criminal history is not considered until after an individual has made it through the interview process and is being considered for employment.

The proposed revisions to Article IX of Chapter 32 would make WASD employment practices uniform with the current County Human Resources practices that have been standardized by the People and Internal Operations Department (PIOD). Additionally, these proposed changes eliminate outdated language and practices and update the process for distribution of WASD ID Cards to employees.

The Plan outlines the procedures for the issuance of:

- Permanent ID cards for Employees
- Permanent ID cards for Non-Employees
- Temporary ID cards and Visitor Passes

The Plan also outlines the application process for issuing Permanent ID Cards to both Employees and Non-Employees, including WASD's color-coded system to distinguish between the two groups. Employees will receive a blue ID Card upon hire, while Non-Employees will be issued a yellow ID Card at the start of their contract period; the latter will remain valid for the duration of the contract.

Fingerprinting will be conducted by the WASD Security and Emergency Communications ID Room for all Non-Employees as well as for Employees who require access to restricted WASD areas. Access to specific facilities, floors, and other high-security zones will be determined by the appropriate hiring authority—either the WASD Division Chief or WASD Project Manager—who will convey that information to the WASD Security and Emergency Communications Identification Room via a "Restricted Access Form."

Attachment



Roy Coley
Chief Utilities and Regulatory Services Officer

Exhibit A

Plan for Issuance & Replacement of Identification Cards: Miami-Dade Water & Sewer Department Employees and Non-Employees

Issuance of WASD Identification Cards:

1. Employees:

- Permanent identification cards (ID cards) shall be issued once upon the hiring of an employee. Employees will receive a new ID card only under the following conditions:
 - The ID card is lost or stolen.
 - The ID card holder's picture no longer accurately represents the bearer.
 - The ID card becomes worn, damaged, or the photo fades.
 - The verbiage and/or nomenclature on the ID card becomes unobservable or unreadable.
- A replacement fee will be charged for a new ID card in accordance with the approved fee schedule

2. Non-WASD Employees:

- Permanent ID cards shall be issued to non-WASD employees (such as contractors, consultants and their employees, temporary employees or employees of other County departments or any other persons defined as such by Miami-Dade County Ordinance 02-68) once and are valid for the duration of the contract. Contractors will receive a new ID card only under the following conditions:
 - The ID card is lost or stolen.
 - The ID card holder's picture no longer accurately represents the bearer.
 - The ID card becomes worn, damaged, or the photo fades.
 - The verbiage and/or nomenclature on the ID card becomes unobservable or unreadable.
- A replacement fee will be charged for a new ID card in accordance with the approved fee schedule.

3. Temporary ID Cards:

- Temporary ID Cards shall be issued for a period not to exceed 30 calendar days for individuals applying for and awaiting approval for a permanent ID card. Those issued a temporary ID Card will be escorted to and from the project site by the Project Manager assigned to the project.

4. Visitor Passes:

- Visitor passes may be issued daily to individuals who have an appointment at any WASD administrative building or plant. Visitors will be escorted during the duration of their visit.
- Visitor passes are valid for the duration of the visit. Visitors requiring access for multiple days must check in with security staff daily and will receive a new visitor pass on each day of their visit.

Application for Permanent ID Cards:

1. Employees:

- The Application for a permanent identification for WASD Employees shall contain information such as the applicants full name, date and place of birth, along with a valid form of identification.
- A valid form of identification, which must have a photo of the applicant from the following list:

“List of Acceptable Documents for Identity Verification”

- Driver’s license or ID card issued by a United State State or Territory provided it contains a photograph or information such as name, date of birth, gender, height, eye color and address.
 - ID Card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color and address.
 - U.S. Passport or U.S. Passport card
 - School ID card
 - U.S. Military card or draft record
 - Military dependent’s ID card
 - U.S. Coast Guard Merchant Mariner card
 - Native American tribal document
 - Driver’s license issued by a Canadian government authority
- Documents presented must be original, unexpired, and issued by government authority. Copies of each of the documents presented must be made by WASD Security and Emergency Communication ID Room personnel.

2. Non-WASD Employees

- The Application for a permanent identification card for Non-WASD Employees shall contain the applicant’s full name, current residence, date and place of birth, along with a valid form of identification and Social Security number or other qualifying document.
- The applicant must produce either a social security number or other qualifying document from the following list:

List of Acceptable Documents for Employment Authorization

- U.S. Passport or U.S. Passport card
 - Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal
 - Certification of report of birth issued by the Department of State (Forms DS-1350, FS-545, FS-240)
 - U.S. Citizen ID card (Form I-197)
 - Identification card for Use of Resident Citizen in the United States (Form I-179)
 - Permanent Resident card or Alien Registration Receipt card (Form I-551)
 - Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa
 - Employment authorization Document that contains a photograph (form I-766)
 - For an individual temporarily authorized to work for a specific employer because of his or her status or parole:
 - Foreign passport: and
 - Form I-94 or Form I-94A that has the following:
 - The same name as the passport; and
 - An endorsement of the individual's status or parole as long as that period of endorsement has not yet expired, and the proposed employment is not in conflict with any restrictions or limitations identified on the form.
 - Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Associations Between the United States and the FSM or RMI
- The applicant must produce two valid forms of identification, one of which must have a photo of the applicant from the following list:

List of Acceptable Documents for Identity Verification

- Driver's license or ID card issued by a United State State or Territory provided it contains a photograph or information such as name, date of birth, gender, height, eye color and address.
- ID card issues by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color and address.
- School ID card
- U.S. Military card or draft record
- Military dependent's ID card

- U.S. Coast Guard Merchant Mariner card
 - Native American tribal document
 - Driver's license issued by a Canadian government authority
- Documents presented must be original, unexpired, and issued by government authority. Copies of each of the documents presented must be made by WASD Security and Emergency Communication ID Room personnel.

Process for Background Checks and Fingerprinting

1. Employees:

- In the event an employee will be accessing a restricted area, the Director will have the discretion to conduct a secondary background check on the employee.
- Fingerprints will be collected by the WASD Security and Emergency Communication ID Room and routed to the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation ("FBI") through the Miami-Dade County Human Resources Downtown (HRD) for a criminal background check.
- Upon receipt of the FDLE report from HRD, the report is forwarded to the Water and Sewer Department's Human Resources Division (WASD Human Resources Division) for review in accordance with the "ban the box" Policy, established by Miami-Dade County Ordinance 15-118.
- In the event that an employee does not meet the threshold to be granted access to a restricted area within WASD, the Director or the Director's designee will review the background in conjunction with the WASD Human Resources Department.
- The WASD Human Resources Division shall contact the individual if they are not eligible to access a restricted area within WASD.

2. Non-WASD Employees:

- During the onboarding process for a non-employee, the non- WASD employee fingerprints will be collected by the WASD Security and Emergency Communication ID Room.
- The collected fingerprints will then be routed to FDLE and the FBI through HRD for a criminal background check.
- HRD and the WASD Human Resources Division are authorized to review results obtained from the Background Checks conducted by the FDLE and the FBI to determine eligibility for ID card issuance. Upon receipt of the FDLE report from HRD, the report is forwarded

to the WASD Human Resources Division. The WASD Human Resources Division shall review the report and make a hiring determination based on the "ban the box" Policy, established by Miami-Dade County Ordinance 15-118.

- In the event that a non-WASD Employee does not meet the threshold to be granted access to one or all of our WASD Facilities, the Director or the Director's designee will review the background in conjunction with the WASD Human Resources Department.
- The Water and Sewer Human Resources Division shall contact the individual if they are not eligible to perform work in our facilities.

Access Control and Restricted Areas:

1. Employees:

- All employee ID cards are blue in color.
- Access to specific areas is determined through the access control system. Upon the hiring of an employee, the hiring Division Chief or their designee must fill out the "Restricted Access Form" specifying the areas the employee is to access. This form shall be processed by the WASD Security and Emergency Communication ID Room, which will program the ID Cards to allow access to the areas designated on the approved form.
- If an employee changes positions within WASD, the employee's new Division Chief or their designee must review and submit a new form detailing the areas for which access should be retained and any new areas for which access is required. This change does not necessitate the issuance of a new ID card.

2. Non-WASD Employees:

- All non-WASD employee ID cards are yellow in color.
- Once the contract and employee background has been approved, the WASD Project Manager overseeing the Project, shall submit a "Restricted Access Form" specifying which areas the Contractor should be granted access

3. Visitors:

- All visitor passes are white and green in color.
- Visitor passes provide general access to WASD administrative buildings and Plants. All WASD visitors must be escorted by staff at all times.



MEMORANDUM (Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: October 9, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 7(C)

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 ____, majority plus one ____, 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) ____, 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. 7(C)
10-9-25

ORDINANCE NO. 25-106

ORDINANCE RELATING TO SECURITY AT MIAMI-DADE WATER AND SEWER DEPARTMENT; AMENDING SECTIONS 32-171 AND 32-172 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; ADDING DEFINITIONS; EXTENDING TIME PERIOD FOR IDENTIFICATION CARDS; AMENDING INFORMATION PROVIDED WITH APPLICATION; AUTHORIZING SECURITY DIVISION TO OBTAIN FINGERPRINTS FOR SUBMISSION TO FEDERAL AND LOCAL LAW ENFORCEMENT AGENCIES FOR BACKGROUND CHECKS ON EMPLOYEES, CONTRACTORS AND VENDORS REQUIRING ACCESS TO RESTRICTED AREAS OF THE MIAMI-DADE WATER AND SEWER DEPARTMENT; APPROVING THE PLAN OF ISSUANCE; AND PROVIDING SEVERABILITY, INCLUSION IN AND EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

WHEREAS, certain areas of the Miami-Dade Water and Sewer Department (“WASD”) have been designated by the Director of WASD as restricted areas that are critical to security and public safety and should not be accessible to individuals who might pose a risk to security or public safety; and

WHEREAS, Article IX of Chapter 32 of the Code of Miami-Dade County, Florida (the “Code”)—Security at the Miami-Dade Water and Sewer Department—lays out various security procedures that have been developed and implemented by WASD, and adopted by this Board, in order to improve security at WASD’s facilities and to protect the public health, safety and welfare; and

WHEREAS, it is recommended that certain sections of Article IX of Chapter 32 of the Code be updated to address new policies and protocols that WASD would like to implement related to security at WASD facilities, including revisions to sections 32-171 and 32-172,

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
MIAMI-DADE COUNTY, FLORIDA:**

Section 1. The foregoing recitals are incorporated into this ordinance and are approved.

Section 2. Section 32-171 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 32-171. – Definitions; applicability of Article provisions; disclaimer of liability; right of access of public officers and employees; offenses and penalties.

The following definitions shall apply in this Article:

- (1) *Authorized* shall mean acting under or pursuant to a written contract, license, permit instruction or other evidence of right issued by the Board or the ~~[[Manager]]~~ >>Mayor<< ~~[[his]]~~ or >>Mayor's<< designee.
- (2) *Board* shall mean the Board of County Commissioners of Miami-Dade County, Florida.
- >>(3) Cardholder shall mean a person to whom a permanent or Non-WASD Employee identification card has been issued.<<
- ~~[[3]]~~ >>(4)<< *Department* shall mean the Miami-Dade Water and Sewer Department.
- (5) *Director* shall mean the administrative head of the Miami-Dade Water and Sewer Department and/or the assistant or acting Director, appointed by the County ~~[[Manager]]~~ >>Mayor<<.
- (6) *Law Enforcement Officer* shall mean any person employed and vested with the police power of arrest under federal, State or County authority.
- >>(7) Visitor's Pass shall mean a card issued to a person who is visiting a WASD facility for one day or less and can use the card to access restricted or non-restricted areas at a WASD facility with an escort.
- (8) Non-WASD Employee shall refer to people (such as contractors or consultants and their employees, temporary employees or employees of other County departments) who are not employed by WASD but may need access to WASD facilities for a period of time.<<

¹ Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

~~[[7]]~~>>(9)<< *Operational directives* shall refer to instructions, directives, rules >>and<< regulations pertaining to the operation of the Miami-Dade Water and Sewer Department prepared and promulgated from time to time by the Director. When approved by the Board of County Commissioners, these operational directives shall have the same force and effect as County ordinances.

>>(10) *Permanent identification card* shall mean a card issued to a person allowed to access restricted or non-restricted areas for the term identified herein.<<

~~[[8]]~~>>(11)<< *Person* shall be defined in Section 1.01(3), Florida Statutes, and shall *include* municipal, governmental and public bodies and their agents, when such bodies or agents are using the water and sewer facilities.

~~[[9]]~~>>(12)<<*Restricted area* shall mean any sensitive area operated, maintained or *occupied* by WASD that is deemed to have critical security or public safety status by the Director.

>>(13) *Temporary identification card* shall mean: (a) a card issued to an employee or contractor pending approval of a permanent identification card who is allowed to access restricted or non-restricted areas with an escort, or (b) a card issued to a person for no more than 30 business days, which can be renewed as necessary per the discretion of the WASD Director or WASD Director's designee, that will enable the person to have access to non-restricted areas at WASD facilities and/or access to restricted areas of WASD facilities with an escort.<<

~~[[10]]~~>>(14)<< WASD shall mean the Miami-Dade Water and Sewer Department.

~~[[11]]~~>>(15)<< *WASD Facility* shall include, but not be limited to, water treatment and supply plants, wastewater treatment plants, office buildings, wellfields, pump stations, and any other facility operated, maintained or occupied by WASD.

* * *

32-171.4 *Offenses and penalties.* >>Unless otherwise specifically provided herein, any<< ~~[[Every]]~~ person who violates any provision of this Article shall be >>subject to punishment<<~~[[punished by]]~~ >>of<< a fine not to exceed five hundred dollars (\$500.00), or >>by<< imprisonment in the Miami-Dade County Jail for a period of not more than sixty (60) days, or both. >>Such fine or imprisonment shall be determined by a judge or jury, as applicable, in the Eleventh Judicial Circuit in and for Miami-Dade County. <<

* * *

Section 3. Section 32-172 of the Code of Miami-Dade County, Florida, is hereby

amended to read as follows:

Sec. 32-172. - Identification cards for persons.

* * *

32-172.2 *Plan for Issuance.* The Director shall devise, maintain and, as required, revise a plan for the issuance of identification cards to all WASD employees and non-WASD employees ~~[[working in a restricted area]]~~ >>who require access to WASD restricted and non-restricted areas that shall provide various levels of security clearance for WASD and Non-WASD employees based on the security requirements of distinct areas of WASD properties.<<

Such plan shall >>further<< provide for ready identification of various clearance levels based on the most appropriate color scheme as determined by the Director. ~~[[Such color scheme shall specifically identify limited and unlimited security access for WASD employees, non-restricted public access, and distinguish various levels of access for consultants, contractors, contract employees, public officials, and other public employees.]]~~

With the exception of ~~[[temporary identification cards, each identification card shall:]]~~ >>visitor passes, the following will apply:<<

- ~~[(a) Be issued for a period not to exceed one (1) year;~~
- ~~(b) Contain a photo of the cardholder~~
- ~~(c) Contain a physical description of the cardholder, to include but not be limited to height, weight, and date of birth of cardholder;~~
- ~~(d) Contain the name, title, and employer, or in the case of a WASD employee the employing division or section, of cardholder; and~~
- ~~(e) Contain a unique serial number not to be repeated on any other identification card.]]~~

>>(1) Permanent identification cards for WASD employees shall be issued once to all employees at the time of hire. Permanent identification cards for non-WASD employees will be issued for the duration of the approved contract period or until the time that the Director or Director's designee deems necessary as outlined in the Plan of Issuance. Permanent identification cards shall contain a photo of the cardholder; title and employer, or in the case of a WASD employee, the employing division or section, of the cardholder; and a unique serial number not to be repeated on any other identification card.

(2) Temporary identification cards shall be issued for a period:

- (a) not to exceed (30) days for persons applying for and pending approval of a permanent identification card; and

(b) not to exceed thirty (30) days for persons requesting access to a WASD facility, but which may be renewed at the discretion of the WASD Director or Director's designee.<<

32-172.3 Employees who are required to maintain an operational license to operate, or have direct oversight or control over the operation of any Water or Wastewater Treatment Facility, ~~>>operation of heavy equipment,<<~~or who are critical to security or public safety at any Miami-Dade Water and Sewer Facility, shall be classified as exempt employees if agreed to in the applicable Collective Bargaining Agreement and to the extent allowed by law shall be required to submit to both a Federal and State Criminal Background Check and an annual Drug & Alcohol Screening test consistent with Miami-Dade County Personnel Policies and Procedures and applicable Collective Bargaining Agreements. Such positions shall include ~~>>but are not limited to<<~~: Water/Wastewater Division Chiefs, Assistant Superintendents, Chief Water Treatment Plant Operators, Chief Wastewater Treatment Plant Operators, Treatment Plant Operator 1, Treatment Plant Supervisors and Treatment Plant Operator 2. Said employees who fail the criminal or drug screening provisions shall be subject to existing Miami-Dade County Personnel Policies and Procedures.

32-172.4 *Application.*

(a) The Application for a permanent identification card for ~~>>WASD employees<<~~ is to be a public record filed in writing, maintained in ~~>>the records of the<<~~ WASD's ~~[[employment]]~~ ~~>>Security and Emergency Communications Division or any other Division identified by the Director<<~~ ~~[[records]]~~ and shall contain the applicant's:

(1) Full current name and any previous names and aliases used;

(2) ~~>>Date and place of birth;<<~~ ~~[[Current residential address and all residential addresses within the past (5) years;]]~~

~~>>(3) A valid form of identification, which must have a photo of the applicant. A list of qualifying identification documents is outlined in the Plan of Issuance under "List of Acceptable Documents for Identity Verification." Documents presented must be original, unexpired, and issued by a government authority. Copies of each of the documents presented must be made by WASD Security and Emergency Communications Division personnel;<<~~ ~~[[Date and place of birth;]]~~

(4) ~~>>"Restricted Access Form" or other department form, that specifies the areas to which the employee will have access, which form has been signed by the WASD Division Chief or their designee who will be supervising the employee;<<~~
~~[[Current employer and any previous employer within the past five (5) years;]]~~

~~[[(5) Social Security number and driver's license number as well as copies of each to be made by WASD Security Division personnel from original documents]]~~

~~[[(6) Specific reason for entry into the restricted areas;]]~~

~~[[(7)]]~~ >> (5) << A photo of >> the << applicant taken by the Department at the time of application submission;

~~[[(8) Fingerprints authenticated by the Miami-Dade Police Department on an identification record form furnished by the Director of the Miami-Dade Police Department;~~

~~(9) Prior felony convictions or entries of findings of guilt (whether pursuant to a plea of guilty or nolo contendere or a judgment of conviction entered by a court of competent jurisdiction);]]~~

>> (6) << ~~[[(10)]]~~ Signed authorization to conduct a criminal, financial or other background check on the applicant >> by WASD, or MDSO or any other County department or entity authorized to conduct background checks. <<

>> (7) << ~~[[(11)]]~~ Signatures of applicant and ~~[[employer for non-WASD employees or]]~~ immediate supervisor for ~~[[WASD]]~~ >> County << employees.

(b) ~~[[Pending final action on an application for an identification card or for individuals at a WASD facility for no more than five (5) days per calendar year, the Director or his or her designee may issue a temporary identification card to non-WASD employees.]]~~

>> The Application for a permanent identification card for Non-WASD Employees is to be a public record filed in writing, maintained in the records of the WASD Security and Emergency Communications Division and shall contain the applicant's:

(1) Full name and any previous names and aliases used;

(2) Current residential address and all residential addresses within the past five (5) years;

(3) Date and place of birth;

(4) Current employer and previous employer within the past five (5) years;

(5) Social Security Number or other qualifying documents that may be used to provide proof of a Social Security number as specified in the Plan of Issuance under "List of Acceptable Documents for Employment Authorization;

- (6) Two valid forms of identification, one of which must have a photo of the applicant. A list of qualifying identification documents is outlined in the Plan of Issuance under "List of Acceptable Documents for Identity Verification." Documents presented must be original, unexpired, and issued by a government authority. Copies of each of the documents presented must be made by WASD Security Division personnel;
- (7) "Restricted Access Form" or other department form, which specifies the areas of access for the Non-WASD Employee (if applicable);
- (8) A photo of the applicant taken by the Department at the time of application submission;
- (9) Signed authorization to conduct a criminal, financial or other background check on the applicant by WASD, or any other County department or entity authorized to conduct background checks, and
- (10) Signatures of applicant.<<

>>(c) Additional Background Checks.

- (1) For WASD employees applying for access to restricted areas, the Director shall have the authority to conduct a secondary background check. Fingerprints shall be collected by the WASD Security and Emergency Communication ID Processing Center, Miami-Dade Sheriff's Office (MDSO) or any other County Department or entity authorized to conduct fingerprinting for background checks. Such fingerprints shall be recorded in the manner required by the Florida Department of Law Enforcement ("FDLE") and shall be submitted by WASD, MDSO, or other County Department or entity authorized to conduct background checks, to the FDLE for a state criminal history check. The FDLE shall forward the fingerprints to the Federal Bureau of Investigation ("FBI") for a national criminal history check. The Director or the Director's designee, may review results obtained from FDLE and the FBI to determine if an applicant meets the requirements before an employee is granted access to restricted areas.
- (2) For Non-WASD employees applying for access to restricted areas, fingerprints shall be collected by WASD Security and Emergency Communication ID Processing Center, Miami-Dade Sheriff's Office (MDSO) or any other County Department or entity authorized to conduct fingerprinting for background checks. Such fingerprints shall be recorded in the manner required by the Florida Department of Law Enforcement ("FDLE") and shall be submitted by WASD, MDSO, or other County Department or entity authorized to conduct background checks, to the FDLE for a state criminal history check. The FDLE shall forward the fingerprints to the Federal Bureau of Investigation ("FBI")

for a national criminal history check. The Director or the Director's designee, may review results obtained from FDLE and the FBI to determine if an applicant meets the requirements before an employee is granted access to restricted areas.<<

>>(d)<< [[(e)]] In addition to the information required in subsection (a) above, the Director may require the applicant to produce such further facts and evidence as may be necessary to determine whether or not the applicant possesses the qualifications necessary for an identification card.

>>(e)<< [[(d)]] The making of a false statement in the application for an identification card under this section shall be grounds for refusal to issue the card and also shall be a violation of this Article.

~~[[e)] The Director may conduct or request Miami Dade Police Department ("MDPD") to conduct a criminal and/or financial background check on any applicant and may conduct or require such other background checks as the Director deems necessary.~~

~~(f) Any applicant for a WASD identification card who, within the last five (5) years, (i) has had a felony conviction or (ii) against whom a finding of guilty has been entered on a felony charge shall not be issued an identification card for any restricted area except in the case of a Grandfathered Applicant, whose access shall be governed by subsection.~~

(g) Any Grandfathered Applicant for a WASD identification card who within the last two (2) years, (i) has had a felony conviction or (ii) against whom a finding of guilty has been entered on a felony charge for the following crimes: (a) theft, (b) smuggling, (c) the possession with intent to sell or distribute, sale, or trafficking of narcotics or any other controlled substance, (d) dishonesty, fraud, or misrepresentation, (e) felony theft under Chapter 812, Florida Statutes, or its federal counterpart, or (f) any violent crime committed with a weapon; or (g) any crime directly related to the Grandfathered Applicant's position of employment, shall not be issued an identification card for access to any restricted area. If a conviction or a finding of guilty on one of the above listed crimes has occurred more than two (2) years but less than five (5) years from the effective date of this article, the Director has the discretion to issue an identification card to a Grandfathered Applicant under such terms and conditions as the Director deems appropriate to meet the Department's security needs.

A "Grandfathered Applicant" for purposes of this subsection means a person employed at WASD as of the effective date of this article or who, prior to the effective date of this article, was employed at WASD.

~~(h) Any applicant denied an identification card based on subsection (f) or (g) above may appeal the decision to an appeals committee. The appeals~~

~~committee shall consist of five members, a member of the Miami-Dade Police Chiefs' Association, excluding the Director of the Miami-Dade Police Department, on a rotating basis, each member to serve for a period of one (1) year, a member of Miami-Dade County Inspector General's Office, a representative of the employee's employer or, at the employer's option, the association representing the employer, the WASD Director or his or her designee, and a union, labor or employee representative. The appeals committee shall determine whether the employee shall be issued an identification card based on procedures issued by the County Manager in an administrative order.]]~~

>>32-172.5 Background Check Screening and Appeals Process for Non-WASD Employees

- (a) Non-WASD Employees applying for a permanent identification card shall have the results of their background check vetted by the WASD Human Resources Division. The WASD Human Resources Division shall review the background check report and make a determination in accordance with the "Ban the Box" Policy established by Miami-Dade County Ordinance No. 15-118.
- (b) In cases where a Non-WASD Employee does not meet the threshold for access to WASD facilities, the Director or the Director's designee shall review the background check findings.
- (c) The WASD Human Resources Division shall notify the Non-WASD Employee of the outcome of the background check and provide an explanation regarding any denial of access.
- (d) The Miami-Dade County Human Resources Division must adhere to the notifications and appeals process outlined in Miami-Dade County Ordinance No. 15-118. This process includes providing written notification to the Non-WASD Employee regarding the adverse determination and the procedures for appeal, should the applicant wish to contest the decision.<<

[[~~32-172.5~~]] >>32-172.6<< *Identification card for persons.* Identification cards issued by the Department shall at all times remain the property of the County. As such, the Department shall at all times have the right to confiscate or demand return of the identification card of any person who violates the provisions of this Article and to demand the return of the identification card of all persons employed by a company violating this Article or whose lease, contract, permit or license agreement with the County allowing use of a WASD facility has expired or has been canceled or is terminated. ~~[[The identification card shall be valid for one (1) year from the date of issuance, unless sooner canceled or surrendered. Application for or acceptance of a card or pass under Section 32-172 or entry into any restricted area by any person shall subject such person to the reporting requirements of Section 32-172.5.]]~~

[[~~32-172.6~~]] >>32-172.7<< *Report of changes in data on application for identification card for a person.* Any holder of a personal identification card shall report in writing to

the Director (i) immediately any felony arrests, convictions, or findings of guilt, and (ii) within ten (10) days of the change any other change of data in an application for a personal identification card. Failure to report such changes within the time provided or the making of a false statement in any change in information submitted shall constitute grounds for suspending the use of the card; false statements or material omissions in the change information shall be a violation of this Article. The Director or ~~[[his]]~~ >>the Director's<< designee may suspend or revoke the use of the card based on any felony arrest, conviction, finding of guilt or other just cause, and may reinstate the use of the card when, in ~~[[his]]~~ >>the Director's or designee's<< discretion, circumstances warrant ~~[[,provided, however, that such power to suspend, revoke or reinstate may not be exercised in conflict with a decision of the appeals committee as set forth in Section 32-172.3 (h). Any person whose identification card has been suspended or revoked may appeal the decision to the appeals committee set forth in Section 32-172.3 (h)]]~~.

~~[[32-172.7]]~~ >>32-172.8<< *Denial of identification card.* An application for an identification card to enter into any restricted area shall be denied by the Director >>or Director's designee<< if the applicant refuses to answer or falsely answers any questions listed in Section 32-172 or refuses to produce documents to verify statements made on the application >>or for any other non-conforming action as deemed by the Director or the Director's designee<<.

~~[[32-172.8]]~~ >>32-172.9<< *Identification card or pass for a person; Loss, transfer, alteration or possession of altered identification cards, passes or department documents.*

- (a) A person who has lost his or her valid identification card, after identifying himself or herself to the satisfaction of the WASD Security Division, shall be issued a new identification card after such person submits a completed application for a replacement card and, upon payment of a replacement charge as set by Administrative Order.
- (b) An identification card for a person shall not be transferable at any time for any purpose.
- (c) No person shall retain or have in his or her possession and shall promptly return to the Director or >>the Director's<< ~~[[his or her]]~~ designee, any card, permit, pass, badge or other means of identification issued by the Director after it has expired or when such person is no longer employed at the WASD facility or upon request by the Director or >>the Director's<< ~~[[his or her]]~~ designee that it be returned or when otherwise required by ordinance or otherwise. Such retention shall constitute a violation of this Article.
- (d) No person shall forge, counterfeit, alter, erase, obliterate or transfer any identification card, permit, pass, lease, record, form, badge or other instrument or document issued or maintained by the County ~~[[Manager]]~~ >>Mayor<< or Director, pursuant to this Article. No person shall

have in his possession any forged, counterfeited, altered, erased, obliterated or transferred identification card, permit, pass, lease, record, form, badge or other instrument or document issued or maintained by the County ~~[[Manager]]~~>>Mayor<< or Director pursuant to this Article. No person shall have in his possession the identification card of another individual.

- (e) In the event that any person who has an application on file for an identification card enters a restricted area without valid identification card or being otherwise authorized, such person may have the identification card or other authorization under this Article suspended or revoked.

Section 3. The Board approves of the Plan of Issuance (the Plan) attached to the accompanying memorandum as Exhibit A and authorizes the County Mayor or County Mayor's designee to implement the Plan.

Section 4. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 5. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word. The Plan referenced in Section 3 above will be excluded from the Code of Miami-Dade County, Florida.

Section 6. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

October 9, 2025

Approved by County Attorney as
to form and legal sufficiency:

MAG for GBK
SED

Prepared by:

Sarah E. Davis