

MEMORANDUM

Amended
Agenda Item No.11(A)(15)

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

DATE: July 16, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to: (1) prior to issuance of a permit to a municipal utility to conduct water and/or sewer construction, obtain proof in writing that all municipalities within which the construction will take place have been informed of the timing of such work being performed; (2) create a standard form; and (3) prior to conducting water and/or sewer construction, inform all municipalities within which the construction will take place of the timing of such work being performed, providing an exception

Resolution No. R-787-25

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Oliver G. Gilbert, III.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM (Revised)

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

DATE: July 16, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

Amended
SUBJECT: Agenda Item No. 11(A)(15)

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 _____

Amended
Agenda Item No. 11(A)(15)
7-16-25

RESOLUTION NO. R-787-25

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO: (1) PRIOR TO ISSUANCE OF A PERMIT TO A MUNICIPAL UTILITY TO CONDUCT WATER AND/OR SEWER CONSTRUCTION, OBTAIN PROOF IN WRITING THAT ALL MUNICIPALITIES WITHIN WHICH THE CONSTRUCTION WILL TAKE PLACE HAVE BEEN INFORMED OF THE TIMING OF SUCH WORK BEING PERFORMED; (2) CREATE A STANDARD FORM; AND (3) PRIOR TO CONDUCTING WATER AND/OR SEWER CONSTRUCTION, INFORM ALL MUNICIPALITIES WITHIN WHICH THE CONSTRUCTION WILL TAKE PLACE OF THE TIMING OF SUCH WORK BEING PERFORMED, PROVIDING AN EXCEPTION

WHEREAS, the Miami-Dade Water and Sewer Department ("WASD") operates the largest water and sewer utility in the Southeastern United States and provides water and sewer services to millions of residents throughout Miami-Dade County (the "County"); and

WHEREAS, some municipalities within the County operate their own municipal utilities as authorized by Chapter 180 of the Florida Statutes; and

WHEREAS, Section 180.19 of the Florida Statutes allows municipalities to permit any other municipality to connect with or use its utilities upon such terms and conditions as may be agreed between such municipalities; and

WHEREAS, as a result, municipal utilities may have utility infrastructure located outside the corporate limits of their own municipality and may also have infrastructure within unincorporated portions of Miami-Dade County, which provide service to residents outside the corporate limits of the municipality that owns the utility; and

WHEREAS, in certain instances, if a municipal utility intends to perform construction on its infrastructure, the municipal utility must obtain a permit and approval of a maintenance of traffic plan from the County; and

WHEREAS, for example, Section 2-103.1 of the Code of Miami-Dade County (the “Code”) sets out permit requirements for when a governmental agency performs construction work in County-owned right of way relating to utilities or other public works; and

WHEREAS, local legislation, however, may not currently require coordination or communication between the municipal utility and the affected municipality as to the timing of such construction work; and

WHEREAS, the municipality in which the construction may occur may not agree with the timing of the construction because it may cause traffic delays and other obstructions; and

WHEREAS, this Board wishes to further promote coordination between itself and the municipalities within the County that may be affected whenever the County is issuing any permit for water and sewer construction work and wishes to facilitate communication and coordination,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Board directs the County Mayor or County Mayor’s designee to:

Section 1. With the exception of emergency repairs, prior to the issuance of any permit to a municipal utility to conduct water and/or sewer construction, obtain proof in writing that all municipalities within which the construction will take place have been informed of the timing of such work being performed;

Section 2. Create a standard form that shall serve as such written proof from municipalities affected by such construction work; and

Section 3. With the exception of emergency repairs, prior to conducting water and/or sewer construction, inform all municipalities within which the construction will take place of the timing of such work being performed.

The Prime Sponsor of the foregoing resolution is Commissioner Oliver G. Gilbert, III. It was offered by Commissioner **Oliver G. Gilbert, III**, who moved its adoption. The motion was seconded by Commissioner **Micky Steinberg** and upon being put to a vote, the vote was as follows:

Anthony Rodriguez, Chairman	aye		
Kionne L. McGhee, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Sen. René García	aye	Oliver G. Gilbert, III	aye
Roberto J. Gonzalez	aye	Keon Hardemon	absent
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Natalie Milian Orbis	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 16th day of July, 2025. 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.

A handwritten signature in dark ink, appearing to be "SD", is written over a horizontal line.

Sarah Davis
Jose I. Ortega