

# MEMORANDUM

Agenda Item No. 8(0)(1)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** May 21, 2013

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution approving and  
authorizing execution of Consent  
Decree between Miami-Dade  
County, the United States of  
America, State of Florida and  
Florida Department of  
Environmental Protection

The accompanying resolution was prepared by the Water and Sewer Department and placed on the agenda at the request of Co-Prime Sponsors Commissioner Audrey M. Edmonson and Commissioner Juan C. Zapata.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/jls

# Memorandum



**Date:** May 21, 2013

**To:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

R. A. Cuevas, Jr.  
County Attorney

Two handwritten signatures are present. The first signature, in dark ink, appears to be "Carlos A. Gimenez" and is written over the name of the Mayor. The second signature, in blue ink, appears to be "R. A. Cuevas, Jr." and is written over the name of the County Attorney.

**Subject:** Resolution Authorizing the Execution of a New Consent Decree Between Miami-Dade County, the United States of America, the State of Florida and Florida Department of Environmental Protection

## **RECOMMENDATION**

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing the execution of the attached Consent Decree between Miami-Dade County, the United States of America, the State of Florida and Florida Department of Environmental Protection, requiring the County to undertake and complete the Compliance Requirements specified in the new Consent Decree in order to comply with the Federal Clean Water Act and federal and state laws, regulations, and permits, with the goal of eliminating sanitary sewer overflows and prohibited bypasses. Approval of the Consent Decree by the Board will enable the parties to file the Consent Decree with the Court as the proposed resolution of all issues in the lawsuit. Project schedules commence when the Consent Decree is filed with the Court.

Upon Board approval, I, Mayor Carlos A. Gimenez, will effectuate this resolution by approving and filing it with the Clerk of the Board. This will allow the attached resolution to become effective immediately.

## **SCOPE**

This item has county wide significance as it consists of repairing and rehabilitating sewer facilities throughout the County.

## **FISCAL IMPACT/FUNDING SOURCE**

The fiscal impact to the County consists of the following estimated amounts over a 15-year period: (1) approximately \$1.6 billion in capital improvement expenditures to the sewer system that includes project management, design, permitting, procurement and construction of the capital improvements; (2) \$15 million for upgrading the Water and Sewer Department's (WASD) operations maintenance, management and reporting programs funded from WASD's operating revenues; (3) \$825,000.00 for outside monitoring of the new Consent Decree by the Florida Department of Environmental Protection paid from WASD's operating revenues; 4) a one-time civil penalty payment of \$978,100.00 paid from WASD's operating revenues and 5) approximately \$2 million over a five-year period for the cost of a supplemental environmental project paid from General Obligation Bonds (GOB).

## **TRACK RECORD/MONITOR**

WASD's Deputy Director of Regulatory Compliance and Capital Improvements, Douglas Yoder, and Juan Carlos Arteaga, Assistant Director for Capital Improvements and Development will oversee the fulfillment of the new Consent Decree requirements.

### **BACKGROUND**

On January 13, 1994, a First Partial Consent Decree was entered by the United States District Court for the Southern District of Florida to resolve claims involving compliance with the Clean Water Act that were brought by the United States against the County in Case Number 93:1109 CIV-Moreno. The First Partial Consent Decree required, among other things, construction of the 102-inch force main that conveys untreated sewage beneath Biscayne Bay from the mainland to the Central District Wastewater Treatment Plant. On September 12, 1995, a Second and Final Partial Consent Decree was entered into by the United States and the County to resolve all remaining issues in the case. The requirements of the First Partial Consent Decree and Second and Final Partial Consent Decree ("Existing Consent Decrees") focused on providing additional capacity in the sewer collection system to prevent capacity-related sewage overflows.

From Fiscal Year 1995 to Fiscal Year 2011, WASD has spent approximately \$1.8 billion upgrading its wastewater infrastructure and achieving significant progress in implementing and improving Capacity, Management, Operations and Maintenance Programs in order to comply with the requirements of the Existing Consent Decrees. As a result, the number and volume of capacity-related sewage overflows have been reduced. Specifically, there were no capacity-related overflows between 2002 and October 2011, even though the service area population increased and Hurricanes Rita, Wilma and Katrina struck South Florida.

However, in the past five years, a number of failures of aging pipelines have resulted in numerous sanitary sewer overflows. Additionally, the treatment standards have not been met on several occasions at the wastewater treatment plants due to equipment failures. Moreover, the Environmental Protection Agency conducted compliance evaluation inspections of the Central District Wastewater Treatment Plant and found several violations of the Clean Water Act Permit. Each of these violations is either a violation of the Clean Water Act or of the respective permit.

### **PROPOSED FEDERAL AND STATE ENFORCEMENT ACTION**

In order to address these more recent compliance issues, on February 29, 2012, the United States, through the Environmental Protection Agency and the Department of Justice, presented the County with a draft proposal for a new Consent Decree and advised the County that a complaint would be filed against it in federal court. On December 13, 2012, the United States, the State of Florida and the Florida Department of Environmental Protection filed a complaint against the County for violations of the Clean Water Act and other federal and state laws, regulations and permits, Case Number 12-CV-24400-FAM.

WASD staff and representatives from the Department of Regulatory and Economic Resources (RER) and the County Attorney's Office have been engaged in extensive, good faith negotiations with representatives from the Environmental Protection Agency, the Department of Justice, and the Florida Department of Environmental Protection in order to establish the terms of the new Consent Decree to satisfy the complaint and address compliance issues. Updates regarding the progress and drafts of the new Consent Decree were sent to the Board on November 21, 2012 and on May 3, 2013 (copies of updates attached). The new Consent Decree will entirely replace and supersede the terms and provisions of the Existing Consent Decrees, which will both be terminated at the same time the new Consent Decree is approved by the Court. In light of the foregoing, the County

believes that the new Consent Decree is the best course of action. In the absence of an agreement, the United States and the Florida Department of Environmental Protection could seek a court order imposing more stringent requirements and timetables than those contained in the new Consent Decree.

#### THE NEW CONSENT DECREE

The requirements of the new Consent Decree include a number of operational and maintenance improvements in accordance with the Environmental Protection Agency's Capacity, Management, Operations and Maintenance Program guidelines that update existing WASD programs, such as operations and maintenance procedures and staffing, overflow response plans, spare parts inventories, information management systems, and financial assurance. The guidelines are attached to the Consent Decree in Appendix C. These requirements, known as deliverables, will involve submission of a series of plans and reports and the implementation of those plans.

The new Consent Decree also requires the Board to approve three ordinances following review and approval by the Environmental Protection Agency and Florida Department of Environmental Protection. The required ordinances are as follows:

The first ordinance is an amendment to Section 24-42.3 of the County Code to incorporate the criteria in Appendix A of the new Consent Decree relating to certification of sanitary sewer system collection, transmission and treatment capacity. This amendment will provide greater flexibility in managing capacity at pump stations and will support development. The WASD system has more than 1000 pump stations, more than any other sewer system in the continental United States. These stations convey sewage from the collection basins to the treatment plants. Under the Second and Final Partial Consent Decree and the Code of Miami-Dade County, whenever the pumps at a given station run for 10 hours or more per day averaged monthly over the course of a year, the pump station is considered to be "over capacity" and is placed in moratorium, so that no additional flows are permitted to be introduced into that collection basin until repairs or upgrades are completed. This restriction prevents new connections or even increased usage of existing connections. In basins where no actual overflows have occurred, the required amendment will allow approval of development projects, whether new connections or increased usage of an existing connection, that would result in small additional flows to the basin above the current limit of 10 hours while necessary upgrades to the pump station facilities are being made. These provisions will reduce the potential adverse impacts to Cities and the unincorporated areas under the current consent decree.

The second ordinance will amend Section 24-42.2 of the County Code as outlined in Appendix B to the new Consent Decree and applies the Capacity, Management, Operations and Maintenance Program requirements to "Volume Sewer Customers," which are municipal utilities served by WASD. The Volume Sewer Customers will be required to submit a Plan of Compliance that must include: a sewer overflow response plan; information management system program; sewer system asset management plan; gravity sewer system operation and maintenance program; pump station operations and preventative maintenance program; and force main operations, preventative maintenance and assessment/rehabilitative program. WASD and RER staff met with the Volume Sewer Customers in October of 2012 to discuss the requirements of the new Consent Decree that affect the Volume Sewer Customers and Appendix B.



The third ordinance is an amendment to the County's grease trap ordinance, Sections 24-15.3 and 24-18 of the County Code. The amendment will implement the requirements in Paragraph 19(a) of the new Consent Decree relating to the discharge of grease into the sewer systems. The ordinance will require, among other things, a characterization study to identify sources of fats, oil and grease that cause problems in the wastewater collection and transmission system and establish various standards including control device management, operations and maintenance standards that address onsite record keeping requirements, cleaning frequency and cleaning standards. The ordinance will also establish compliance inspection protocols and a fats, oil and grease disposal manifest system that prohibits commingling of fats, oil and grease with septic tank waste. The County will be responsible for enforcing each of these ordinances.

#### SYSTEM UPGRADES

The new Consent Decree includes a list of upgrades to the sewer collection system, pump stations, and treatment plants that are necessary to improve the reliability of the entire system as described in Appendix D of the new Consent Decree. These capital projects span a 15-year time frame, with initial emphasis on pipelines and pump stations. Work at the treatment plants must be carefully sequenced to ensure that sewage flows can be handled while the repairs are made. The total cost of these improvements is estimated to be about \$1.6 billion. The removal of a project identified in bold in Appendix D will require court approval. In September 2012, WASD held three public workshops to inform and receive input from the community and environmental justice groups regarding the capital improvement projects listed in Appendix D of the new Consent Decree.

#### IMPLEMENTATION

The County will need to retain consultants to assist in program management, planning, design, construction, and construction management of the capital improvement projects listed in Appendix D of the Consent Decree. These costs are typically 8 percent to 10 percent of construction costs and are included within the \$1.6 billion amount identified for capital improvements. This public/private partnership model has been very effective in the past for timely delivery of WASD's largest single capital project, the High Level Disinfection project at the South District Plant. To provide greater transparency in the implementation of the new Consent Decree, every document submitted to the Environmental Protection Agency and the Florida Department of Environmental Protection will be posted on WASD's website and kept in a public document repository. Additionally, any person may register with WASD to receive an electronic notice of the submissions.

#### FINANCING

The new Consent Decree includes required work that will have a clear financial impact on the system. The County agrees to fund each of the upgrades and programs required by the new Consent Decree. This is expected to require rate increases at various intervals beginning with an eight (8) percent water and sewer retail rate increase. Additionally, financing of the requirements of this Consent Decree will be achieved by a combination of WASD's Sewer Renewal and Replacement Fund, Building Better Communities General Obligation Bonds and WASD Revenue Bonds. The new Consent Decree requires a financial analysis program to effectively track the sufficiency of funds to implement the Compliance Requirements. Such program shall also track and report any transfer of sewer funds for any purpose not related to management, operation, maintenance or capital improvement of the sewer system. The County must provide thirty (30) days advanced written notice to the United States and the Florida Department of Environmental Protection of the intent to transfer such funds. However, such transfers to be tracked and reported do not apply to administrative reimbursements or funds internally used within WASD.

#### CIVIL PENALTIES

Following court approval of the new Consent Decree, the County shall pay a cash civil penalty of \$978,100.00 to be shared between the Department of Justice and the Florida Department of Environmental Protection.

#### SUPPLEMENTAL ENVIRONMENTAL PROJECT

In lieu of a higher cash civil penalty, the County will perform a supplemental environmental project that involves the installation of sewers in an industrial and commercial area within the Green Technology Corridor east of N.W. 37 Avenue and north of the Miami River. The amount of the project is approximately \$2 million and will be funded with Building Better Communities General Obligation Bonds designated for sewer projects. This project will reduce contamination potentially reaching the Miami River, and it will provide economic development opportunities in an area in great need of jobs. Since the subject area is designated as an Enterprise Zone, companies located within the Green Technology Corridor that employ at least 25 percent of their workforce from residents of the Enterprise Zone may be eligible to seek a refund of connection charges pursuant to Section 2-348 of the County Code.

#### COMPLIANCE MONITORING

Under an existing State Consent Order requiring the County to upgrade the South District Wastewater Treatment Plant to meet high level disinfection criteria, WASD is currently supporting a position at the Florida Department of Environmental Protection to monitor WASD's compliance with the terms of the agreement. Under the new Consent Decree, WASD will continue to support a position at the Florida Department of Environmental Protection to monitor compliance with the new Consent Decree at a maximum rate of \$55,000.00 per year for a total of \$825,000.00 over a 15-year period.

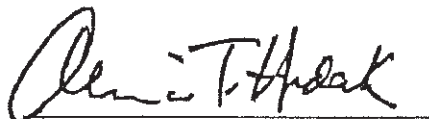
After execution by the County, the United States, and the State of Florida, the new Consent Decree will be filed in Case Number 12-CV-24400-FAM for approval by the U.S. District Court for the Southern District of Florida. The approval process includes a 30-day public comment period. The Court will consider comments received during the comment period and the arguments of the Intervening environmental group in deciding whether to approve the new Consent Decree.

If the Board approves this action, the County will be obligated to comply with the new Consent Decree as set forth above. Following approval by the U.S. District Court, the Court will provide oversight of the new Consent Decree, and failure to comply with the terms could result in Court enforcement including sanctions and orders. Additionally, any sewage discharges will subject the County to stipulated penalties, which range from \$500.00 to \$10,000.00 depending on overflow volumes and when the overflows occur during the duration of the new Consent Decree. Additional civil penalties could be required by the Environmental Protection Agency and Florida Department of Environmental Protection for sewage discharges, depending on the nature and consequence of the violations. Stipulated penalties on a daily basis may also be assessed for failure to timely submit deliverables or to meet deadlines to complete rehabilitation projects.

Based upon the County's potential liability exposure, the cost of litigation, and settlements reached in similar consent decrees across the country, the terms and penalty amounts provide a reasonable basis for settlement.

Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners  
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Therefore, it is in the best interest of Miami-Dade County to enter into this new Consent Decree, and it is respectfully requested that the attached resolution and the new Consent Decree with the United States, the State of Florida and the Florida Department of Environmental Protection be approved.

A handwritten signature in black ink, appearing to read "Alina T. Hudak", written over a horizontal line.


Alina T. Hudak  
Deputy Mayor

# Memorandum



**Date:** November 20, 2012

**To:** Honorable Chairman Joe A. Martinez and Members  
Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor 

**Subject:** Draft Consent Decree

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As you are aware, the Miami-Dade Water and Sewer Department (WASD) and the County Attorney's Office have been in negotiations with representatives of the United States Environmental Protection Agency, the United States Department of Justice, and the Florida Department of Environmental Protection to settle allegations of violations of the Clean Water Act as a result of the operation of the County's sewer system. Attached is the most recent draft of the consent decree by which this matter is proposed to be settled. We expect the final document to be provided by the Department of Justice soon, perhaps in time to be considered by the Board of County Commissioners at its December 4, 2012 meeting. A possible settlement agreement from myself and the County Attorney will summarize the key aspects of the consent decree as part of the agenda package, but due to the timing and significance of this issue, I want you to have the draft materials to review well in advance of any formal action.

Please feel free to contact me directly or John Renfrow, Director of WASD, at 786-552-8086 if you have any further questions.

## Attachment

c: R. A. Cuevas, Jr., County Attorney  
Allina T. Hudak, Deputy Mayor/County Manager  
John Renfrow, Director, Water and Sewer Department  
Jennifer Moon, Director, Office of Management and Budget



# Memorandum



**Date:** May 3, 2013

**To:** Honorable Chairwoman Rebeca Sosa and Members  
Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Update Water and Sewer Consent Decree

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over a horizontal line.

On November 21, 2012, I circulated to the Board of County Commissioners (BCC) a draft copy of a consent decree that was being negotiated by County staff, the U.S. Environmental Protection Agency (EPA), the U.S. Department of Justice (DOJ), and the Florida Department of Environmental Protection (DEP) to address alleged violations of the Clean Water Act that are caused by the County's operation of its sewer system. It was intended at the time for DOJ to simultaneously file a lawsuit and the agreed consent decree to address these alleged County violations of the Clean Water Act and other environmental regulations and permits. About that time, a local environmental organization provided notice that it intended to file a citizen suit against the County pursuant to the Clean Water Act. The organization did file its lawsuit, but it has since been dismissed in favor of the lawsuit filed by the DOJ.

On December 13, 2012, DOJ filed its lawsuit in federal court. The environmental organization has moved to intervene in that action in order to participate. A hearing on the motion to intervene is scheduled for May 14, 2013. Irrespective of any intervention, a consent decree between the County, the EPA, the DOJ, and the DEP has been finalized and an agenda item is being prepared to be submitted to the next available Board of County Commissioners (BCC) meeting. The final consent decree is attached for your review.

Approval of the consent decree by the BCC will enable the execution of the agreement and the parties to lodge the consent decree with the Court as the proposed resolution of all issues in the lawsuit. There will be a 30-day period for any person to provide comments to the DOJ Assistant Attorney General, Environment and Natural Resources Division. Any person, including the environmental organization that has placed us on notice, may state why the consent decree, as lodged, is either appropriate or inappropriate to address the violations alleged in the complaint. Although the Court will ultimately decide to either approve or disapprove the consent decree, certain obligations begin upon execution by the parties which would occur after approval by the BCC, but before it is lodged with the Court. Approval of the consent decree would avoid the time, cost, resources and risks of a trial. This approach to resolving Clean Water Act issues has been used extensively throughout the country. Failure to comply with the consent decree may result in stipulated penalties and sanctions by the Court.

The priority capital projects for restoring the reliability of the sewer plants and the collection system have not changed, totaling in cost about \$1.6 billion over a project period of 15 years. These are projects that are essential for the proper operation and maintenance of the sewer system and to otherwise comply with the environmental laws and permits.

As we have previously informed you, there are many water and sewer infrastructure needs beyond those identified in the consent decree. For that reason, you will soon be considering measures to increase Water and Sewer Department's (WASD) bonding capacity, increasing the reserve requirements for borrowing to stabilize and enhance WASD's bond rating, authorizing the initial bond sale to yield the first \$300 million to be applied to infrastructure requirements, and authorizing an overall increase in water and sewer rates of 8% beginning October 1, 2013, to finance the bond sale. The proposed rate increase is less than the 9% forecast that was included in the current year budget. Future year rate increases to support the capital program will be projected over a five year planning period as part of WASD's budget proposal.

Solicitations for program managers to operate as an extension of Department staff to execute the priority capital projects, pump station upgrades, and critical water main assessments have now been advertised so that we can initiate the necessary work on schedule. These solicitations are now under the Cone of Silence. Once selections have been made, solicitations for design contractors will be offered so that repairs and construction work can begin at the earliest possible time. Two of the priority projects are already well underway. The replacement of the 54 inch sewer line from Miami Beach to Virginia Key is proceeding on schedule. A new pipeline has been installed 100 feet below the water surface from Fisher Island to a point just off South Beach. A tunnel to enable the final connection of this line is under construction and the connection should be made in August of 2013, on schedule to facilitate the Port dredging project. The final phase of pipeline replacement from Fisher Island to Virginia Key will be a design/build project and is currently in the selection process. Also in process is the renewal and replacement of the 72 inch sewer line adjacent to the Biscayne Canal that is a primary feed to the North District Wastewater Treatment Plant. This is the line that failed in 2010, discharging an estimated 20 million gallons of wastewater into the canal.

Notwithstanding the ultimate outcome of the federal enforcement action and the consent decree, we must be proactive in addressing our water and sewer infrastructure needs. To that end, I have directed complete coordination among departments to ensure both speed and transparency in all aspects of the execution of WASD's infrastructure program, from planning through procurement and construction. This includes continuing attention to small and community business enterprises through all phases of the work, identification of opportunities for public/private partnerships, active involvement of the Inspector General's Office at the project level, and an emphasis on timely delivery of critical projects to support the economic recovery that has become increasingly evident. To assist in this effort, Mr. Juan Carlos Arteaga has joined the WASD senior management team, bringing his years of experience guiding the successful completion of the North Terminal project at the Airport. His insights will be invaluable as these critical projects unfold over the next several years. There may well be further opportunities to streamline our internal processes while maintaining the necessary levels of transparency and oversight so that we can complete this work as quickly as possible, thereby reducing the risks of a catastrophic failure and creating savings in the long run through effective asset management. This will require continued investment over the long term, not just to address an immediate crisis.

If you have any questions, please contact John W. Renfrow, P.E. at 786-552-8086 or me at 305-375-1880.

Attachment

c: R. A. Cuevas, Jr., County Attorney  
Alina T. Hudak, Deputy Mayor  
John W. Renfrow, Director, Water and Sewer Department  
Jennifer Moon, Director, Office of Management and Budget




# MEMORANDUM

(Revised)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** May 21, 2013

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 8(0)(1)

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
- ☒ 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 \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) 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. 8(0)(1)  
5-21-13

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF CONSENT DECREE BETWEEN MIAMI-DADE COUNTY, THE UNITED STATES OF AMERICA, STATE OF FLORIDA AND FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION; PROVIDING FOR SETTLEMENT OF ALLEGED VIOLATIONS OF FEDERAL AND STATE ENVIRONMENTAL LAWS RELATING TO THE COUNTY SEWAGE SYSTEM WITH AN ESTIMATED COST OF \$1.6 BILLION IN CAPITAL IMPROVEMENTS OVER A 15-YEAR PERIOD, \$15 MILLION FOR IMPLEMENTING MAINTENANCE AND MANAGEMENT PROGRAMS, \$2 MILLION FOR A SUPPLEMENTAL ENVIRONMENTAL PROJECT TO BE FUNDED IN WHOLE OR IN PART USING BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND FUNDS, \$825,000.00 FOR MONITORING BY FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND \$978,100.00 FOR CIVIL PENALTY

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board hereby approves the Consent Decree between Miami-Dade County, the United States of America, State of Florida and Florida Department of Environmental Protection for settlement of alleged violations of federal and state environmental laws related to the County's sewage system, with an estimated cost of \$1.6 billion in capital improvements over a 15-year period, \$15 million for implementing maintenance and management programs, \$2 million for a supplemental environmental project to be funded in whole or in part using Building Better Communities General Obligation Bond Funds, \$825,000.00 for monitoring by Florida Department of

Environmental Protection and payment of \$978,100.00 for a civil penalty; in substantially the form attached hereto and made a part hereof; and authorizes the Mayor and County Attorney to execute same for and on behalf of Miami-Dade County.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman  
Lynda Bell, Vice Chair

Bruno A. Barreiro  
Jose "Pepe" Diaz  
Sally A. Heyman  
Jean Monestime  
Sen. Javier D. Souto  
Juan C. Zapata

Esteban L. Bovo, Jr.  
Audrey M. Edmonson  
Barbara J. Jordan  
Dennis C. Moss  
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 21<sup>st</sup> day of May, 2013. This resolution shall become effective upon the earlier of (1) ten (10) days after the date of its adoption unless vetoed by the 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: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

Henry N. Gillman

