

ING 00-09



Memo

To: Commissioner Pedro Reberedo
District Six

From: Robert Meyers, Executive Director
Commission on Ethics and Public Trust

Date: 03/09/00

Re: Everglades Restoration and Flood Protection Resolution

I received your memorandum earlier today in which you indicated that you are in need of an opinion regarding the abovementioned resolution. I can confirm that Bob Ginsburg, you and I met in your office last month and we spoke about your sponsorship of this particular resolution. Mr. Ginsburg and I had that same initial reaction; that is, there seemed to be no conflict of interest for you to sponsor this item. However, please understand that I do not have the legal authority to issue you a formal and binding written opinion on this matter; this power solely rests with the Ethics Commission.

The Ethics Commission ordinance describes the process by which formal opinions are given. It requires a written request submitted to our office. Once the written request is received, staff prepares a draft opinion and the item is scheduled for an Ethics Commission meeting. Once the Ethics Commission has had the opportunity to review the draft opinion at a public meeting, a written opinion will be issued. As soon as the Ethics Commission renders an opinion, I will immediately make it available for you. The Ethics Commission meets again on Wednesday, March 29th at 9:30 a.m.

It is conceivable that a special meeting of the Ethics Commission could be called to address this question. If you would like me to attempt to arrange a special meeting prior to March 29th, please contact me at your earliest convenience.



PEDRO REBOREDO
COUNTY COMMISSIONER
District 6

METRO-DADE
BOARD OF COUNTY COMMISSIONERS
111 N.W. FIRST STREET
MIAMI, FLORIDA 33128

DATE:

3/9/00

FAX TO:

Mr. R. Meyers

Phone:

579-

COMPANY:

Ethics Commission

FROM: Board of County Commissioners/Pedro Reboredo - District #6

Total number of pages, including this page:

6

FAX NUMBER DIALED:

579-2656

MY PHONE NUMBER: (305) 375-5696

OUR FAX NUMBER: (305) 372-6027

COMMENTS:

MEMORANDUM

**TO: Robert Meyers
Executive Director
Ethics Commission**

DATE: 3/09/00

**FROM: Pedro Reboredo
Commissioner**

**SUBJECT: Proposed Resolution
concerning Everglades
Restoration and Flood
Protection in western
Dade County**

Would you please render a written opinion as to whether or not there is a conflict of interest if I sponsor the attached Resolution? You have already verbally indicated to Bob Ginsberg and myself that there is no conflict. I would very much appreciate this in writing today, as it is on today's BCC Agenda.

Thank you.

**Attachment: Resolution Supporting the Restoration
of the Everglades (Agenda Item 6D2A)**

RESOLUTION NO.

6 D 2 A

**RESOLUTION SUPPORTING THE RESTORATION OF THE
EVERGLADES, THE FAIR DISTRIBUTION OF WATER TO
URBAN AND AGRICULTURAL USERS AND THE
EQUITABLE ALLOCATION OF NON-FEDERAL COSTS
AMONG STATE AND REGIONAL INTERESTS**

WHEREAS, the Governor's Commission for the Everglades is overseeing the Comprehensive Everglades Restoration Project (CERP), concerning the restoration of the Everglades and ensuring future water supplies for urban and agricultural users, and

WHEREAS, Miami-Dade County wholeheartedly recognizes the importance of a restored Everglades as a national, state and regional priority, along with the fair distribution of water to urban users and agriculture; and

WHEREAS, current funding proposals for the CERP do not allocate costs equitably among all state, regional and local interests, and require adjustment, and

WHEREAS, the impact of implementation of the CERP on flooding is not known at this time and significant areas of South Florida are subject to frequent and severe flooding,

WHEREAS, flood protection is part of the mission of the South Florida Water Management District, and limited evaluation of flooding impacts in urban and agricultural areas was conducted in the development of the CERP, and

WHEREAS, Congressman Dante Fascell's PL 101-229 of 1989 authorized the Modified Water Deliveries Project for the purpose of improving natural water flows to the Everglades and providing flood protection to residents in ^{W/c} West Miami-Dade County, and this Act was based upon the recommendations of two Governor's Commissions in which Miami-Dade County

participated and concurred (Gov. Graham, 1985, and Governor Martinez, 1988), including one of which was chaired by Miami-Dade County Manager Ray Goode (1988); and

WHEREAS, the CERP has numerous projects proposed within the area of the Lower East Coast which benefit the overall system, but are expensive to construct, operate and maintain, e.g., two wastewater re-use plants planned to be located in Miami-Dade County.

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

Section 1. Miami-Dade County fully supports the restoration of the Everglades ecosystem, along with the fair distribution of water to urban and agricultural users, and that

Section 2. The Governor's Commission for the Everglades should reaffirm that the fundamental guiding principle for the entire Everglades restoration effort shall be "Shared Benefit, Shared Burden", and that

Section 3. The non-Federal capital funding of the CERP should be equitably shared throughout all of the State of Florida, however, if the Governor's proposal for funding is approved, the regional share of capital funding should be equitably shared among the sixteen counties under the jurisdiction of the South Florida Water Management District, and that

Section 4. The costs of operations, maintenance and monitoring of all plan components, including "new technology at this scale" (e.g. re-use plants, Aquifer Storage and Retrieval (ASR), etc.), must be shared with the federal government, as well, and that

Section 5. The availability of the regional water resources for all users be equitably distributed and the location of "new technology at this scale" facilities be spread equitably

throughout the entire watershed, providing additional available water upstream for equitable distribution to all downstream users, and that

Section 6. The Army Corps of Engineers and the South Florida Water Management District must act to ensure that proposed components of the plan will maintain or enhance existing levels of flood protection in all urban, agricultural and environmental preservation areas, and that

Section 7. The Army Corps of Engineers and the South Florida Water Management District must commit to the people of South Florida that the various related projects under consideration will not result in adverse water quality or flooding impacts anywhere in Miami-Dade County, and that

Section 8. The Army Corps of Engineers and the South Florida Water Management District should act to expeditiously implement the Modified Water Deliveries Project, which was authorized by Congressman Dante Fascell's PL 101-229 in 1989 for the purpose of improving natural water flows to the Everglades and providing flood protection to residents of ^{W/c} West Miami-Dade County, including the protections required by section 104(c), PL 101-229.

The foregoing resolution was sponsored by Commissioner Pedro Reboredo and 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:

Dr. Miriam Alonso
Dr. Barbara M. Carey
Betty T. Ferguson
Natacha Seijas Millan
Dennis C. Moss
Dorin D. Rolle

Bruno A. Barreiro
Miguel Diaz de la Portilla
Gwen Margolis
Jimmy L. Morales
Pedro Reboredo
Katy Sorenson

Javier D. Souto

The Chairperson thereupon declared the resolution duly passed and adopted this
2000. This resolution shall become effective 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.

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.

*** TX REPORT ***

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Courthouse Center Building
175 N.W. 1st Avenue
Suite 1101
Miami, Florida 33128
Telephone: (305) 579-2594
Facsimile: (305) 579-2656

**Miami-Dade County
Commission on Ethics &
Office of the Inspector
General**

Fax

To: Commissioner Pedro Reberedo From: Robert Meyers, Executive Director

Fax: (305) 372-6027 Pages: 2, including coversheet

Phone: _____ Date: 3/9/00

Re: Request for opinion CC:

Urgent For Review Please Comment Please Reply Please Recycle

Per ~~over~~ ^{my} discussions ^{conversations} with
Dr. Janet Lancelott.

Robert Meyers

Courthouse Center Building
175 N.W. 1st Avenue
Suite 1101
Miami, Florida 33128
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Per ~~over~~ ^{my} ~~discussions~~ ^{conversations} with
Dr. Janet Lancelott.

Robert Meyers

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