

RESOLUTION NO. 2019-1597

A RESOLUTION OF THE TOWN OF MIAMI LAKES, FLORIDA, ADOPTING THE RECOMMENDATIONS OF THE BLASTING ADVISORY BOARD; AMENDING THE LEGISLATIVE PRIORITIES FOR 2019-2020; AUTHORIZING TOWN CLERK TO REMIT A COPY OF THIS RESOLUTION TO THE TOWN'S LOBBYIST, SOUTHERN STRATEGIES GROUP; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 18, 2018, the Town of Miami Lakes (the "Town") Council passed resolution 2018-1567, which created the Town Blasting Advisory Board (the "Board") for the purpose of providing recommendations to mitigate and ease the effects of rock mining blasts; and

WHEREAS, throughout the past several months, the Board has met and deliberated on the effects of mine blasting throughout the Town, and mitigating actions that could be taken to reduce its effects; and

WHEREAS, it is the Town's understanding that State of Florida legislators are currently addressing new legislation in order to curtail the effects of mining on residential and commercial areas; and

WHEREAS, the Board after careful consideration desires the Town Council to adopt its recommendations contained herein as Exhibit "A"; and

WHEREAS, during the January 2019 Town Council Meeting, the Town adopted Resolution No. 19-1582 which memorialized the Town's legislative priorities; and

WHEREAS, in order to adopt and pursue the Board's recommendations, the Town Manager advises that the Town amend the Town's legislative priorities and forward a copy of the same to the Town's lobbyist; and

WHEREAS, the Town Council finds it in the Town's best interest to adopt the Board's recommendations contained herein as Exhibit "A," and forward a copy of the recommendations to the Town's lobbyist.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The foregoing Recitals are true and correct and incorporated herein by this reference.

Section 2. **Approval of Blasting Advisory Board’s Recommendations.** The Blasting Advisory Board’s recommendations set forth in Exhibit “A”, are hereby adopted by the Town Council.

Section 3. **Amendment of Legislative Priorities.** The Town of Miami Lakes adopts the Blasting Advisory Board’s Recommendation as detailed in Exhibit “A”, as a Legislative Priority for 2019-2020.








Section 4. **Authorization of Town Clerk.** The Town Clerk and/or her designee are authorized to submit a copy of the Town’s recommendations as set forth in Exhibit “A” to the Town’s lobbyist, Southern Strategies Group.


Section 5. **Effective Date.** This Resolution shall be effective immediately upon adoption.

THIS SPACE INTENTIONALLY LEFT BLANK

Passed and adopted this 12th day of March 2019

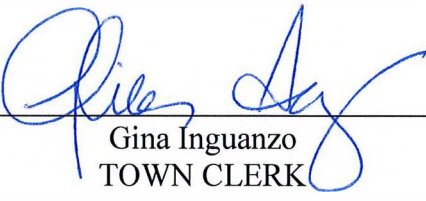
The foregoing resolution was offered by Councilman Dieguez who moved its adoption. The motion was seconded by Vice Mayor Rodriguez and upon being put to a vote, the vote was as follows:

| | |
|---------------------------------|---|
| Mayor Manny Cid |  |
| Vice Mayor Nelson Rodriguez |  |
| Councilmember Carlos O. Alvarez |  |
| Councilmember Luis Collazo |  |
| Councilmember Josh Dieguez |  |
| Councilmember Jeffrey Rodriguez |  |
| Councilmember Marilyn Ruano |  |



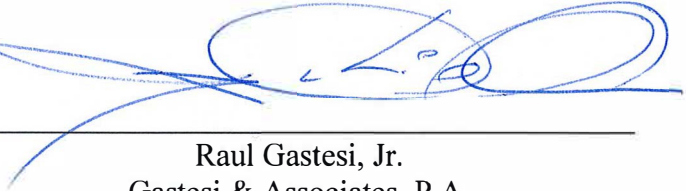
Manny Cid
MAYOR

Attest:



Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:



Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT "A"

BLASTING ADVISORY BOARD'S RECOMMENDATIONS

Miami Lakes Blasting Advisory Board Recommendation 2019

Recommendations:

- 1) Blast monitoring should be done by no less than three seismographic monitoring stations arranged in a non-linear array to properly characterize the wave intensity/properties.
 - a. These stations should be monitored by an independent entity as outlined by Regional Authority and the raw data and resultant interpretation be publicly reported/posted.
 - b. All sites should be standardized.
- 2) Blast intensity Peak Particle Velocity (PPV) should be reduced to no greater than 0.25 inches/second (0.635 cm/sec.).
- 3) Blast monitoring authority would be transferred from the Fire Marshall's Office to an entity/authority located in each of the 6 regions of the State as specified in the RESPEC Study (see addendum)
 - a. Each of these regions have a different sub-stratum and a Blast Wave will propagate differently through each region and affect (homeowner/business/government) structures differently.
 - b. Each Regional Authority will be responsible for the monitoring of wave intensity and set standards as to how that regional wave is affecting building (homeowner/business/government) structures.
- 4) As blast damage may not be readily apparent at the time of the blast it is this committee's recommendation that the Statute of Limitations to make a claim be extended to no less than 36 months.
 - a. While a large destructive blast would shatter windows and be readily apparent, lower intensity blast vibrations may accelerate "material fatigue failure" in building structures and hence the damage caused by "material blast fatigue" may not become immediately apparent.
 - b. Liquification of soil may also cause damage to structures over time outlined in the report entitled: REVIEW OF PRESENT PRACTICES USED IN PREDICTING THE EFFECTS OF BLASTING ON CORE PRESSURE. GR-85-9, November 7, 1985 Engineering and Research Center U.S. Department of the Interior Bureau of Reclamation Division of Research and Laboratory Services Geotechnical Branch, among others.
 - c. "Soil liquefaction occurs when a saturated or partially saturated soil substantially loses strength and stiffness in response to an applied stress such as shaking during an earthquake or other sudden change in stress condition, in which material that is ordinarily a solid behaves like a liquid."
- 5) Companies that carry out blasting operations will carry enough liability insurance coverage or provide proof of bond that would be posted on an annual basis to each of the 6 Regional Authorities in order to cover incidental damage to area structures caused by their blasting operations.
- 6) Each Regional Authority will use independent adjusters to determine alleged damages from blasting operations.
- 7) A specified surcharge (determined for each of the 6 specified Regional Authority) be placed per ton of aggregate removed, that would be used by each regional authority to assist in the repairing of incidental damages as percentage costs are based on specific area for cost of construction attributed to blasting operations.

- 8) Any legislation enacted shall not increase the responsibility or liability of Home Owner Insurance Companies to cover policies for home owners affected by rock mine blasts.