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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 7(G)

(Second Reading 5-5-15)

TO: Honorable Chairman Jean Monestime and Members, Board of County Commissioners

DATE: February 3, 2015

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

SUBJECT: Ordinance relating to the North Central Dade Municipal Advisory Committee created to study the possible incorporation of a municipality in the North Central Dade area; providing that notwithstanding any other Miami-Dade County Ordinance or Code section to the contrary, the North Central Dade Municipal Advisory Committee shall continue in existence for a prescribed period of time to complete its responsibilities; providing for retroactivity

Ordinance No. 15-32

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Chairman Jean Monestime.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum

MIAMI-DADE COUNTY

Date: May 5, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Ordinance relating to the North Central Dade Municipal Advisory Committee

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The proposed ordinance allows the North Central Dade Municipal Advisory Committee to complete the incorporation study and hold the required public hearings in order to forward the incorporation petition to the Board of County Commissioners (Board) for consideration. The North Central Dade Municipal Advisory Committee shall remain in existence until the latter of: a) the Board votes to defer, approve or deny a resolution submitting the incorporation question to the residents electors of the North Central Dade area, or b) one (1) year from the effective date of this ordinance.

Since May of 2013, County staff has been meeting with the North Central Dade Municipal Advisory Committee. Implementation of this ordinance will not have a fiscal impact to the County.

Edward Marquez
Deputy Mayor

Fis3115

MEMORANDUM
(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: May 5, 2015

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

SUBJECT: Agenda Item No. 7(G)

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. 7(G)
5-5-15

ORDINANCE NO. 15-32

ORDINANCE RELATING TO THE NORTH CENTRAL DADE MUNICIPAL ADVISORY COMMITTEE CREATED TO STUDY THE POSSIBLE INCORPORATION OF A MUNICIPALITY IN THE NORTH CENTRAL DADE AREA; PROVIDING THAT NOTWITHSTANDING ANY OTHER MIAMI-DADE COUNTY ORDINANCE OR CODE SECTION TO THE CONTRARY, THE NORTH CENTRAL DADE MUNICIPAL ADVISORY COMMITTEE SHALL CONTINUE IN EXISTENCE FOR A PRESCRIBED PERIOD OF TIME TO COMPLETE ITS RESPONSIBILITIES; PROVIDING FOR RETROACTIVITY; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

WHEREAS, on December 18, 2001, the Board of County Commissioners (the "Board") adopted Resolution No. R-1445-01, which created the North Central Dade Municipal Advisory Committee and directed the committee to study the possible incorporation of a municipality in the North Central Dade area; and

WHEREAS, due to the anticipated existence of this committee beyond one year, the Board adopted Ordinance No. 03-42 on March 11, 2003, establishing the North Central Dade Municipal Advisory Committee; and

WHEREAS, on November 1, 2005, the Board adopted Ordinance No. 05-192, and on September 4, 2007, the Board adopted Ordinance No. 07-120, which, in relevant part, resulted in the suspension of the processing of incorporation proposals; and

WHEREAS, on January 24, 2012, the Board adopted Ordinance No. 12-24, which repealed Ordinance No. 07-120; and

WHEREAS, in June of 2013, the North Central Dade Municipal Advisory Committee was reorganized and began to meet again; and

WHEREAS, pursuant to Section 20-29(E) of the Code of Miami-Dade County, Florida, municipal advisory committees have a 24 month period to complete their study; and

WHEREAS, additional time is needed for the North Central Dade Municipal Advisory Committee to conduct required public hearings and complete its study and moreover, after completing its report, to remain in existence to be able to respond to inquiries from the Board,

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

Section 1. The foregoing recitals are incorporated in this ordinance.

Section 2. Notwithstanding any ordinance or provision of the Code of Miami-Dade County, Florida to the contrary, the North Central Dade Municipal Advisory Committee shall remain in existence until the latter of (i) the date that the Board of County Commissioners votes to defer, approve or deny a resolution submitting the incorporation question to the resident electors of the North Central area, or (ii) one year from the effective date of this ordinance, which provision shall be retroactive from the date of sunset of the North Central Dade Municipal Advisory Committee thereby ratifying all previous actions. It is provided, however, that in no event shall the North Central Dade Municipal Advisory Committee exist for more than two years from the effective date of this ordinance.

Section 3. 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 4. 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 be excluded from the Code of Miami-Dade County, Florida.

Section 5. 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: May 5, 2015

Approved by County Attorney as
to form and legal sufficiency: RAC

Prepared by: CHC/CJS

Craig H. Coller
Cynthia Johnson-Stacks
Abbie Schwaderer-Raurell

Prime Sponsor: Chairman Jean Monestime