



MEMORANDUM

Agenda Item No. 6(I)

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

(Second Reading 3-16-04)
DATE: October 21, 2003

FROM: George M. Burgess
County Manager

SUBJECT: Ordinance Amending
South Miami-Dade
Watershed Plan
Advisory Committee

RECOMMENDATION

It is recommended that the Board of County Commissioners approve the attached ordinance adding a representative of the Miami-Dade Water and Sewer Department to the membership of the Advisory Committee for the South Miami-Dade Watershed Plan and waiving the requirement that Committee members be residents and electors of Miami-Dade County.

BACKGROUND

Section 2.115.12, Code of Miami-Dade County, establishes the South Miami-Dade Watershed Plan Advisory Committee. The Committee is charged with assisting in the formulation of an integrated land use and water management plan for southeastern Miami-Dade County, commonly referred to as the South Dade Watershed Plan, to be prepared pursuant to policy established in the Comprehensive Development Master Plan. The Watershed Plan is derived from the need to protect Biscayne Bay from impacts caused by altered timing and volumes of freshwater flow, stormwater runoff from urban and agricultural land uses, and impending population growth and land development.

At its May 22 meeting, the Committee discussed a request from the Water and Sewer Department (WASD) to join the Committee as a non-voting member and the Committee consensus was to honor this request. At its August 28 meeting, the Committee discussed the Code requirement that all members of County boards be residents of Miami-Dade County. The Committee consensus was to request a waiver of this requirement for two reasons. First, several organizations represented on the Committee have jurisdictions and interests that extend beyond the borders of Miami-Dade County. Secondly, successful completion of the watershed planning project will require the inclusion of Committee members with the required level of knowledge on various aspects of the project, regardless of their residency status.

FISCAL IMPACT

The proposed ordinance will create no fiscal impact on Miami-Dade County.

Assistant County Manager



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: March 16, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 6(I)

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor

Agenda Item No. 6(I)

Veto _____

3-16-04

Override _____

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 2-115.12 (2) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, CONCERNING THE ADVISORY COMMITTEE FOR THE SOUTH MIAMI-DADE WATERSHED PLAN ("COMMITTEE"); REVISING COMMITTEE MEMBERSHIP; PROVIDING THAT SECTION 2-11.38 OF THE CODE OF MIAMI-DADE COUNTY PERTAINING TO MIAMI-DADE COUNTY RESIDENCY SHALL NOT APPLY TO COMMITTEE MEMBERS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

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

Section 1. Section 2-115.12(2) of the Code of Miami-Dade County, Florida is hereby amended as follows:

* * *

(2) *South Miami-Dade Watershed Plan Advisory Committee:*

(a) There is hereby established an advisory committee to be known as the South Miami-Dade Watershed Plan Advisory Committee. The Committee shall be comprised of voting and nonvoting members as follows:

¹ Words ~~stricken through~~ and/or ~~[[double bracketed]]~~ shall be deleted. Underscored words and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and shall remain unchanged.

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(ii) Non-voting members shall be representatives of the Miami-Dade Department of Planning and Zoning, the Miami-Dade Department of Environmental Resources Management, >>the Miami-Dade Water and Sewer Department,<<the South Florida Water Management District, the South Florida Regional Planning Council, and the Florida Department of Environmental Protection.

(b) Each member shall be appointed by the County Manager and approved by the Board of County Commissioners to serve until the Board of County Commissioners takes final action on the proposed Watershed Plan, or until replaced by the County Manager with the approval of the Board of County Commissioners. >>The provision in Section 2-11.38 of this Code requiring that members be permanent residents and electors of Miami-Dade County shall not apply to the members of the Committee, and the provision<< [[~~The provision in Section 2-11.38 of this Code~~]] prohibiting simultaneous membership on more than one County board shall not apply to those members of the Miami-Dade County Agricultural Practices Study Advisory Board, the Floodplain Management Task Force, the Redland Area Municipal Advisory Committee, and the Biscayne National Park Buffer Development Review Committee who are appointed to the Committee.

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Section 2. 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 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days from 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:

Approved by County Attorney as
to form and legal sufficiency:

RAG

Prepared by:

JAC

Joni Armstrong Coffey