



MEMORANDUM

Agenda Item No. 6(B)

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

(Second Reading 4-13-04)
DATE: February 17, 2004

FROM: George M. Burgess
County Manager

SUBJECT: Ordinance dissolving the
East Kendall Municipal
Advisory Committee

A handwritten signature in black ink, appearing to read "Burgess", is written over the printed name of George M. Burgess.

RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) approve the attached Ordinance repealing Ordinance 03-108 establishing the East Kendall Municipal Advisory Committee (EKMAC).

BACKGROUND

On May 21, 2002, the BCC approved Resolution 545-02, establishing the EKMAC to study the possibility of incorporating the East Kendall area. The Committee was charged with reviewing the possible incorporation of the East Kendall area as described in the attached map. The Committee was further charged with preparing a report to address the incorporation concerns of both members of the Board of County Commissioners and County staff in the event that the East Kendall area was incorporated as a new municipality. The EKMAC did not complete the study in the first year, therefore, the BCC sponsored Ordinance 03-108 to allow the study to continue.

The Committee began meeting on a regular basis starting June 25, 2002. The Committee reviewed fiscal impact of the area's incorporation on the Unincorporated Municipal Services Area (UMSA) budget, the functions and responsibilities of municipal governments, the obligations of new municipalities to the County and to its municipal residents, and developed a pro-forma budget for the proposed municipality. Pursuant to sunshine in government requirements, all meetings were open to the public and advertised. The Committee also conducted a duly advertised public hearing in the area that was attended by approximately 300 residents from the area. The prevailing sentiment was against incorporation of the area.

After considering the pros and cons of incorporation and the area residents' input, the Committee unanimously voted not to proceed with incorporation of the area. On January 7, 2004, the East Kendall Municipal Advisory Committee approved a motion to request the BCC dissolve the Committee and include the pro-forma budget as an attachment to the memorandum.

This report satisfies the duties and responsibilities of the Committee as outlined in the enabling ordinance.



Alex Muñoz
Assistant County Manager



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D. and Members, Board of County Commissioners **DATE:** April 13, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 6(B)

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
Veto _____
Override _____

Agenda Item No. 6(B)

4-13-04

ORDINANCE NO. _____

ORDINANCE REPEALING ORDINANCE NO. 03-108 OF MIAMI-DADE COUNTY ESTABLISHING THE EAST KENDALL MUNICIPAL ADVISORY COMMITTEE; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

WHEREAS, a group of residents from the Kendall area were appointed by Commissioner Katy Sorenson, District 8 and Commissioner Jimmy Morales, District 7, East Kendall Municipal Advisory Committee; and

WHEREAS, since May of 2002, the East Kendall Municipal Advisory Committee has been studying the possible incorporation of the East Kendall area; and

WHEREAS, the East Kendall Municipal Advisory Committee conducted a duly advertised public hearing in the area; and

WHEREAS, after considering the pros and cons of incorporation and the area residents' input, the East Kendall Municipal Advisory Committee voted not to proceed with the incorporation study of the area; and;

WHEREAS, on January 7, 2004, the East Kendall Municipal Advisory Committee voted unanimously to request the sponsoring Commissioners dissolve the Committee,

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

Section 1. Ordinance No. 03-108 of Miami-Dade County establishing the East Kendall Municipal Advisory Committee is hereby repealed in its entirety.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance

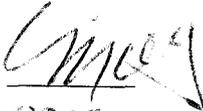
is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall be excluded from the Code of Miami-Dade County, Florida.

Section 4. 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:

Approved by County Attorney as to form and legal sufficiency:



Prepared by:



Craig H. Coller

**The Committee for the Incorporation of Kendall
City of Kendall Draft Revenues and Expenditures Analysis
Estimated Revenues**

Executive Summary

Revenues	County Provided	MAC Proposed City of Kendall Analysis
Ad Valorem (Property) Taxes		
Operating Levy	\$ 9,006,000	\$ 9,006,000
Delinquent with Penalties & Interest	n/a	
Tax Certificate Redemption	n/a	
Sub-Total Ad Valorem Taxes	9,006,000	9,006,000
Franchise Fees		
Electric	n/a	4,154,000
Gas	n/a	71,000
Towing	n/a	
Refuse (Solid Waste)	n/a	167,000
Sub-Total Franchise Fees	1,897,000	4,392,000
Utility Taxes		
Electric	n/a	5,455,000
Gas	n/a	92,600
Water	n/a	427,000
Sub-Total Utility Taxes	4,857,000	5,974,600
Communications Services Tax		
Communications Services Tax	3,961,000	3,961,000
Occupational License Taxes		
County Occupational License Tax	225,000	225,000
Unincorporated/City Occ. Lic. Tax		
Sub-total Occupational License Taxes	\$ 225,000	\$ 225,000

**The Committee for the Incorporation of Kendall
City of Kendall Draft Revenues and Expenditures Analysis
Estimated Revenues**

Revenues	County Draft Budget	MAC Proposed City of Kendall Analysis
Building Permit Fees		
Bldg Permits and Processing Fees		4,100,000
Other Licenses, Fees & Permits		
Other Licenses, Fees & Permits		425,000
Intergovernmental Revenues		
Alcoholic Beverage Licenses	15,000	150,000
State Revenue Sharing		1,537,000
Local Gov. Half-cent Sales Tax	4,150,000	4,139,000
Motor Fuel Tax Refunds		
Sub-total Intergovernmental Revenues	4,165,000	5,826,000
Charges for Services		
Photocopy Fees		
Park Prog. & Facility Rental Fees		
Lien Search Fees		
Sub-total Charges for Services	57,000	57,000
Fines & Forfeitures		
County Court Fines		
Violations-Local Ordinance		
Sub-total Fines & Forfeitures	465,000	465,000
Other Revenues		
Off-Duty Revenues		
Impact Fees for Police & Parks		
Miscellaneous		700,000
Bus Bench Permit Fees		
Interest Earnings	131,000	131,000
Sub-Total Other Revenues	131,000	831,000
Stormwater Utility Fees		
Stormwater Utility Fees		848,000
Local Option Gas Taxes		
Local Option Gas Tax (6%)		1,000,000
New Local Option Gas Tax (3%)		424,000
Sub-total Local Option Gas Taxes	n/a	1,424,000
Grants		
Federal, State, Local		4,100,000
Capital Expenditures		(4,100,000)
Total Revenues	\$ 24,764,000	\$ 37,534,600

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**The Committee for the Incorporation of Kendall
City of Kendall Draft Revenues and Expenditures Analysis
Estimated Expenditures**

Expenditures	County Draft Budget	MAC Proposed City of Kendall Analysis
General Fund		
City Council	\$ -	\$ 274,000
Office of the City Manager	(1) 752,278	818,000
Office of the City Clerk		613,000
Office of the City Attorney		290,000
General Government	(2) 1,320,035	3,813,000
Finance Department		1,294,000
Police Department	13,482,141	12,422,000
Building and Planning Department	(3) 1,660,689	4,525,000
Public Works Department	378,934	2,800,000
Parks and Recreation Department	332,847	900,000
Total General Fund	<u>17,926,924</u>	<u>27,749,000</u>
Other Funds		
Total Stormwater Utility Fund		848,000
Total Transportation Fund		1,424,000
Total Other Funds		2,272,000
Total All Fund Expenditures		<u>30,021,000</u>
Total Surplus	<u>\$ 6,837,076</u>	<u>\$ 7,513,600</u>

(1) Policy formation/Internal support

(2) Planning, team metro & others

(3) QNIP/Debt & pay as you go