Memorandum

MIAMI-DADE COUNTY

(Second Reading 02-05-08)

Date: November 6, 2007

Agenda Item No. 7(G)

To: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

From: George M. Burgess, County Manager

Subject: Ordinance Amending the Miami-Dade County Map of Designated Brownfield Areas Within Certain Unincorporated Areas of Miami-Dade County

Recommendation

It is recommended that the Board of County Commissioners approve the attached ordinance amending the map of designated brownfield areas within certain unincorporated areas of Miami-Dade County.

Scope

This ordinance will be applicable to designated brownfield areas countywide.

Fiscal Impact/Funding Source

There will be no immediate fiscal impact due to the changes to designated brownfield areas, however, as properties in these areas are developed, new businesses will be created and will provide jobs and economic growth.

Track Record/Monitor

N/A

Background

On July 13, 1999, the Board of County Commissioners approved Resolution Number R-767-99 and Ordinance Number 99-85 designating as brownfield areas all unincorporated areas of Miami-Dade County which are located inside the Urban Development Boundary, within Enterprise Zones, Enterprise Communities, Empowerment Zones, Developable Areas, Targeted Urban Areas, and unincorporated areas eligible for Community Development Block Grants. Both the ordinance and resolution had a brownfield area map attached and incorporated by reference. Since that date there have been changes to boundaries on the Miami-Dade County brownfield area map.

On November 15, 2005, the Board of County Commissioners approved Resolution Number R-1305-05, amending the boundaries of Miami-Dade County's Enterprise Zone. Further, the incorporation of the municipalities of Cutler Bay, Palmetto Bay, and Miami Gardens, requires changing the boundaries on the existing brownfield area map because several of the previously designated brownfields are no longer located in unincorporated Miami-Dade County. Boundaries for areas eligible for Community Development Block Grants have also changed based upon new census data. The required changes are attached hereto as Exhibit A to the proposed ordinance.

Section 376.80(1), Florida Statutes, requires a local government with jurisdiction over brownfield areas to notify the Florida Department of Environmental Protection of the local government's decision to designate a brownfield area for rehabilitation pursuant to Sections 376.77-376.85, Florida Statutes. The required notification shall include a resolution by the local government body, to which is attached a map to delineate which parcels are to be included in the brownfield area. Changes to Chapter 24 of the Code of Miami-Dade County, Florida, require an ordinance. Consistency with state law and incorporation of the changes into Chapter 24 of the Code of Miami-Dade County, Florida, require that both a resolution and an ordinance be presented to the Board for approval and enactment.

Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: February 5, 2008

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

SUBJECT: Agenda Item No. 7(G)

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

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Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 7(G)
02-05-08

ORDINANCE NO. _____

ORDINANCE AMENDING THE MIAMI-DADE COUNTY MAP OF DESIGNATED BROWNFIELD AREAS WITHIN CERTAIN UNINCORPORATED AREAS OF MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

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

Section 1. That this Board hereby designates as brownfield areas those areas set forth on the map dated September 1, 2007, attached hereto as Exhibit A and incorporated herein by reference, which includes all of the unincorporated areas of Miami-Dade County within Enterprise Zones, Enterprise Communities, Empowerment Zones, Developable Areas, Targeted Urban Areas, and unincorporated areas eligible for Community Development Block Grants.

Section 2. The Director of the Department of Environmental Resources Management shall maintain the map of the aforesaid designated brownfield areas. The brownfield area map dated September 1, 2007, as may be amended from time to time, prepared by the Department of Environmental Resources Management, as set forth in the attached Exhibit A, is hereby adopted and incorporated herein by reference. Any changes, additions or deletions to said map shall be approved by the Board of County Commissioners by resolution and 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.

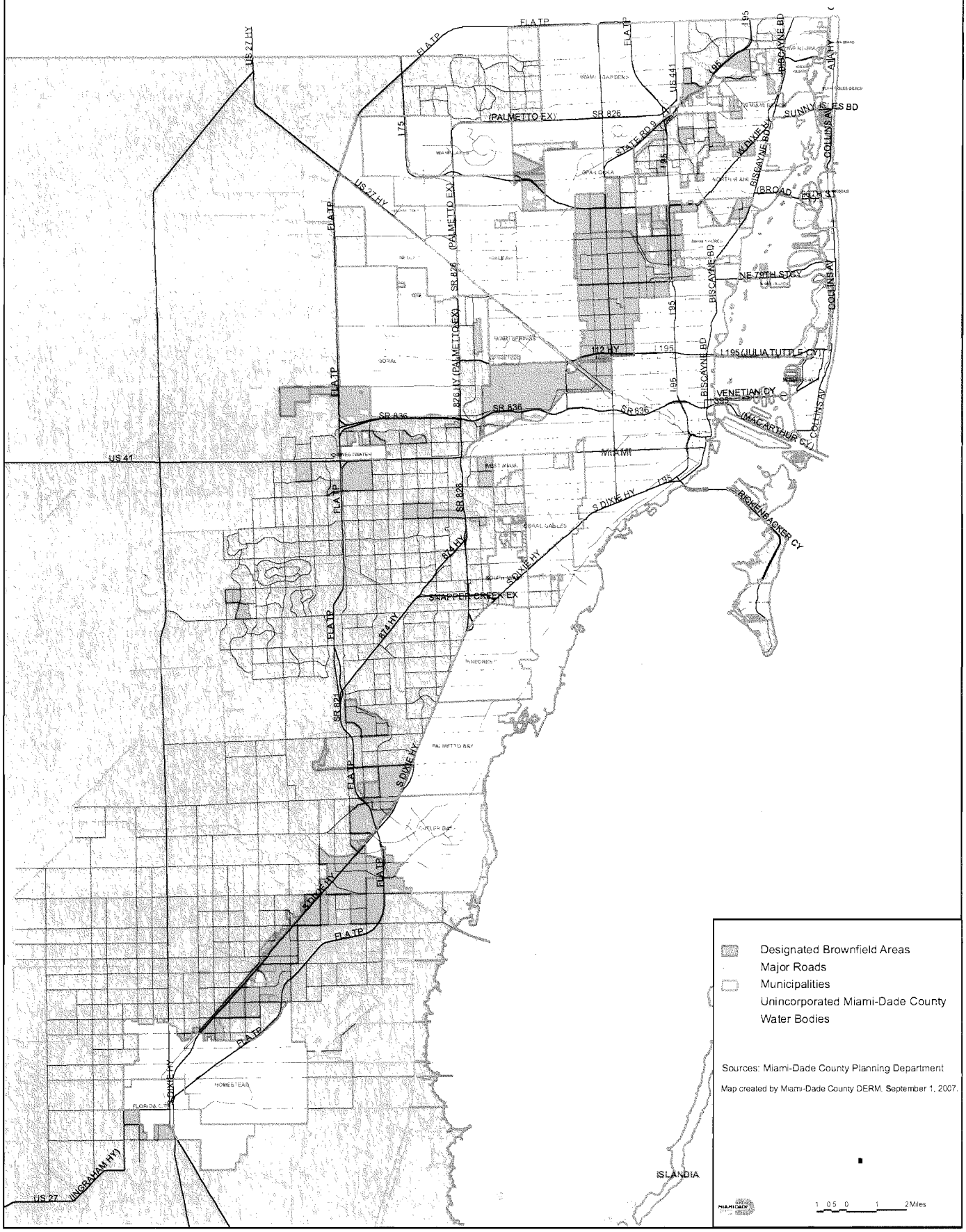
Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Peter S. Tell

EXHIBIT A

Miami-Dade County Brownfields
September 1, 2007