

Memorandum



Date: January 22, 2008

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

From: George M. Burgess
County Manager

Supplement to
Agenda Item No.

7(C)

Subject: Supplement to Ordinance Repealing Ordinances No. 04-136, 04-148 establishing the PLANT, and Goulds Municipal Advisory Committees

Recommendation

It is recommended that the Board of County Commissioners (BCC) approve the Ordinance requiring repealing Ordinances 04-136 and 04-148 establishing the PLANT (Princeton, Leisure City and Naranja) and Goulds Municipal Advisory Committee (MAC).

Scope

This agenda item will affect the areas of Princeton, Leisure City, Naranja and Goulds from continuing to study the feasibility and desirability of incorporating their respective areas.

Fiscal Impact / Funding Source

The accompanying ordinance will not have a fiscal impact on Miami-Dade County.

Track Record / Monitor

Not applicable.

Background

At the November 13, 2007, Government Operations and Environment Committee meeting, the ordinance repealing the Redland, Goulds and PLANT MACs was bifurcated and the ordinance to repeal the Redland MAC was forwarded with a favorable recommendation by the Committee to the BCC and appears as a separate item on this agenda. The ordinance to repeal the Goulds and PLANT MACs was forwarded without a recommendation to the BCC.

On March 29, 2007 the Government Operations and Environment Committee held an Incorporation/Annexation and Mitigation Workshop to address issues relating to incorporation and annexation. Staff presented policy recommendations for the Committee's consideration. The Committee instructed staff to prepare ordinances implementing the policy recommendations accepted at the committee workshop.

On June 5, 2001, July 13, 2004, and July 27, 2004, respectively, the Board approved the ordinances creating each of these MACs. The MACs were charged with reviewing the feasibility and desirability of incorporating their respective areas. The MACs reviewed fiscal impact of their areas' 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 in the case of Redland the MAC developed a pro-forma budget for the proposed municipality.

On November 20, 2001 the Board held a public hearing regarding the proposed incorporation of the Redland area. Based on testimony from Goulds and Princeton area residents regarding boundary disputes with the proposed Redland area incorporation, the Board deferred the proposed incorporation to a no-date certain in order to give the MAC and its neighboring communities the opportunity to resolve the boundary disputes. On January 20, 2004 the Board adopted Resolution R-116-04 directing the County Manager to enter into agreement with the Florida Conflict Resolution Consortium (FCRC) to assess the use of a collaborative process to resolve the boundary issues of incorporation proposals in South Miami-Dade County. The FCRC conducted a preliminary feasibility assessment on the use of a mediated process to resolve the existing boundary disputes. The FCRC report was presented to the Board on May 18, 2004 (Attachment 1).

The Board directed the County Manager to contract with the FCRC to conduct the mediation process. Between August and October 2004; the FCRC focused its mediation efforts on issues between Redland, PLANT, and Goulds MACs. However, in late October 2004 the mediation efforts were placed on hold to allow the PLANT and Goulds MACs time to understand the implications of a petition for incorporation filed with the Clerk of the Board by the Friends of Redland. The petition sought to incorporate boundaries that were part of the mediation process discussion. From November 2004 through May 2005 there was a pause in the mediation efforts, which created an indefinite impasse. The PLANT and Goulds MACs discontinued meetings based on the unresolved boundary disputes. On November 28, 2005 the FCRC submitted a final report identifying a change in the willingness of key parties to engage in a mediated resolution process (Attachment 2). As a result, the existing boundary disputes have not been resolved.

The Redland, PLANT, and Goulds MACs were unable to agree on boundaries throughout the mediation process sponsored by the Board and undertaken by the FCRC; as a result the three MACs should be dissolved.



Jennifer Glazer-Moon, Director
Office of Strategic Business Management