

# MEMORANDUM

Agenda Item No. 11(A)(6)

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

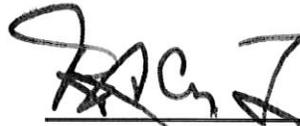
**DATE:** December 18, 2007

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

**SUBJECT:** Resolution requesting  
additional time to adopt  
Interlocal Agreement and  
amendments to CDMP  
to establish concurrency  
management system for  
public school facilities

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The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Natacha Seijas.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/bw



# MEMORANDUM

(Revised)

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

DATE: December 18, 2007

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

SUBJECT: Agenda Item No. 11(A)(6)

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. 11(A)(6)  
12-18-07

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION REQUESTING ADDITIONAL TIME TO  
ADOPT INTERLOCAL AGREEMENT AND  
AMENDMENTS TO COMPREHENSIVE DEVELOPMENT  
MASTER PLAN NECESSARY TO ESTABLISH  
CONCURRENCY MANAGEMENT SYSTEM FOR  
PUBLIC SCHOOL FACILITIES AND AUTHORIZING  
COUNTY MAYOR TO COMMUNICATE REQUEST TO  
APPROPRIATE OFFICIALS OF THE STATE OF  
FLORIDA**

**WHEREAS**, the Florida Legislature amended sections 163.3177(12), 163.31777, and 163.3180(13), Florida Statutes, to require every county, school district, and affected municipality in the state to establish a concurrency management system to coordinate county and municipal residential development with the availability of public school facilities; and

**WHEREAS**, section 163.3177(12)(i) established the deadline for adoption of all public school concurrency management systems as December 1, 2008, but authorized the State of Florida Department of Community Affairs (“DCA”) to establish a phased schedule for each school district and local government to comply; and

**WHEREAS**, DCA established the deadline for Miami-Dade County (the “County”), Miami-Dade County Public Schools (the “School Board”), and the municipalities within the County to adopt a public school concurrency management system as January 1, 2008; and

**WHEREAS**, Miami-Dade County, with a population of 2,313,047, is the eighth largest county in the United States; and

**WHEREAS**, Miami-Dade County Public Schools is responsible for the nation's fourth largest school district; and

**WHEREAS**, Miami-Dade County contains 27 affected municipalities; and

**WHEREAS**, representatives of the County, School Board, and affected municipalities, along with representatives from the building industry, participated in a staff working group that attempted, over the course of more than 18 months, to develop a public school concurrency management system; and

**WHEREAS**, the School Board's capital facilities program, which establishes the timing of and financing for the construction and expansion of public school facilities, is the basis of the concurrency management system; and

**WHEREAS**, the Florida Legislature conducted two special sessions in 2007 to consider the reduction of local government and school ad valorem taxes, thereby calling into question the extent of ad valorem tax revenue available to fund the School Board's capital facilities program; and

**WHEREAS**, the uncertainty occasioned by the Legislature's consideration of the tax base has delayed final concurrence on the details of the public school concurrency management program, a complex undertaking that requires the coordination and approval of a multitude of independent governments in a diverse, vast, and populous metropolitan area,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board requests that the State of Florida Department of Community Affairs grant an extension of time up to and including March 31, 2008, for Miami-Dade County, Miami-Dade County Public Schools, and affected municipalities to adopt the interlocal agreement and comprehensive plan amendments

required by sections 163.3177(12), 163.31777, and 163.3180(13) of the Florida Statutes. This Board further authorizes the County Mayor or designee to communicate this request to all appropriate officials of the State of Florida.

The foregoing resolution was sponsored by Commissioner Natacha Seijas and offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

- |                                    |                    |
|------------------------------------|--------------------|
| Bruno A. Barreiro, Chairman        |                    |
| Barbara J. Jordan, Vice-Chairwoman |                    |
| Jose "Pepe" Diaz                   | Audrey M. Edmonson |
| Carlos A. Gimenez                  | Sally A. Heyman    |
| Joe A. Martinez                    | Dennis C. Moss     |
| Dorrin D. Rolle                    | Natacha Seijas     |
| Katy Sorenson                      | Rebeca Sosa        |
| Sen. Javier D. Souto               |                    |

The Chairperson thereupon declared the resolution duly passed and adopted this 18<sup>th</sup> day of December, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Dennis A. Kerbel