



MEMORANDUM

BPS --- December 8, 2009

Agenda Item No. 1G1

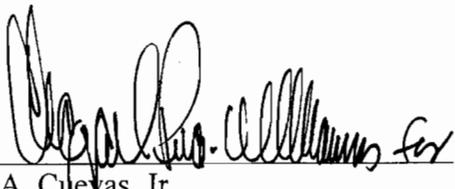
TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE:

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

SUBJECT: Ordinance relating to municipal
boundary change requests;
suspending the processing and
consideration of municipal
boundary requests; creating
Section 20-4.1 of the Code

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan and Co-Sponsors Commissioner Joe A. Martinez and Commissioner Natacha Seijas.



R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum



Date:

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

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

Subject: Ordinance amending Section 20-4.1 of the Code; to suspend processing and consideration of municipal boundary change requests

The proposed amendment provides no municipal boundary change requests shall be processed, heard, considered, or approved until such time as the current economic crisis has passed and action by the Board is taken by ordinance. Implementation of this legislation will result in no further processing of annexations and a potential fiscal impact to Miami-Dade County that is dependent upon the boundaries, revenue, and expense of the particular area associated with such a request.

A handwritten signature in black ink, appearing to read "Jennifer Glazer-Moon", written over a horizontal line.

Jennifer Glazer-Moon
Special Assistant/Director, Office of Strategic Business Management

fis01710



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: October 20, 2009

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

SUBJECT: Agenda Item No. 4(D)

Please note any items checked.

- "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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4 (D)
10-20-09

ORDINANCE NO. _____

ORDINANCE RELATING TO MUNICIPAL BOUNDARY CHANGE REQUESTS; SUSPENDING THE PROCESSING AND CONSIDERATION OF MUNICIPAL BOUNDARY REQUESTS; CREATING SECTION 20-4.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"); PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, Miami-Dade County is experiencing a period of serious economic hardship;
and

WHEREAS, the economic slowdown is having a severe impact on the ability of the County to deliver services to the unincorporated area; and

WHEREAS, annexations have the potential to diminish the ability of the County to provide such services; and

WHEREAS, the disruption to the real estate market and other markets due to the economic slowdown also makes it difficult to accurately assess both the short and long term economic consequences of proposed annexations; and

WHEREAS, it is this Board's determination that it is prudent to suspend processing and consideration of annexation requests until such time as the economic crisis has passed and the Board can more accurately evaluate the impact of municipal boundary changes on the unincorporated area,

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

Section 1. Section 20-4.1 of the Code of Miami-Dade County, Florida, is hereby created to read as follows:

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Sec. 20-4.1. Exception to consideration of municipal boundary change requests.

Notwithstanding anything in this article to the contrary, no municipal boundary change request shall be processed, heard, considered, or approved. Such suspension of the consideration of municipal boundary changes shall continue until such time as the current economic crisis has passed and the Board of County Commissioners has had an opportunity to evaluate the impact on further municipal boundary changes on the unincorporated area. Such suspension shall only be lifted upon the effective date of an ordinance adopted by the Board of County Commissioners.

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 become and 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 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:

APW/RAC
CYC/CJS

Prepared by:

Craig H. Coller
Cynthia Johnson-Stacks

Prime Sponsor: Commissioner Barbara J. Jordan
Co-Sponsor: Commissioner Joe A. Martinez
Co-Sponsor: Commissioner Natacha Seijas

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