

Memorandum



Date: June 3, 2010

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 the County Manager.

Subject: Supplemental Information for Proposed Change to the Miami-Dade Home Rule
Charter Regarding Municipalities

Supplement to
Agenda Item No.
8(L)1a

This item provides supplemental information to the proposed amendment to the Miami-Dade Home Rule Charter to allow the Miami-Dade County Board of County Commissioners (BCC) to abolish a municipality with twenty or fewer electors.

As noted in the original item, at the request of the Florida Legislative Joint Legislative Auditing Committee, the item was prepared for BCC consideration. County staff has informed the League of Cities of the item and the reason for the item. Attached are both the letter from the State and our letter to the League of Cities.

A handwritten signature in black ink, appearing to read "M. Burgess", written over a horizontal line.

Special Assistant to the County Manager

Attachment

cmo13710



Carlos Alvarez, Mayor

County Executive Office
County Manager
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May 3, 2010

Honorable Michael Blynn
President
Miami-Dade County League of Cities
226 East Flagler Street, Suite 200
Miami, FL 33131

Dear Councilman Blynn,

I want to bring to the League of Cities' attention a bill currently before the Board of County Commissioners that will likely have little real impact but could be misconstrued by residents and leaders of our municipalities.

Earlier this year, we received the attached letter from the Florida Legislature's Joint Legislative Auditing Committee, encouraging us to dissolve the City of Islandia. The Committee concluded Islandia exists "on paper only," with no real activity or other indication that it operates as a going concern.

Miami-Dade currently has no simple legal mechanism to dissolve a city that has, for all practical matters, ceased to exist. On May 11, the Board's Budget, Planning and Sustainability Committee will consider a bill that would ask voters to amend the County's Home Rule Charter to allow the Board to dissolve cities with fewer than 20 electors. A draft copy of that bill is attached, and I expect the Committee Chair Katy Sorenson would welcome input from municipal leaders, either in advance or at its public meeting.

If recommended by the committee, a final vote on the bill would likely be scheduled for early this summer.

There are numerous administrative benefits to removing Islandia from the books of both Miami-Dade and Florida. In no way, however, would Mayor Alvarez and I want this to be perceived as a sign of disrespect for municipal government, its leaders or its residents. To the contrary, we have redoubled our efforts in recent years to work more effectively with our municipalities as partners, governing together to serve the same constituents during this uniquely challenging time. I look forward to continuing that partnership into the future, with individual cities and the League of Cities. We would be pleased to send a member of the administration to explain the Islandia proposal at an upcoming League of Cities meeting, as well as making staff available to discuss the bill with individual municipalities.

Honorable Michael Blynn
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If you have any questions about this issue, please feel free to contact Matthew I. Pinzur, special assistant to the County Manager, at 305-375-5373, or me directly.

Sincerely,



George M. Burgess
County Manager

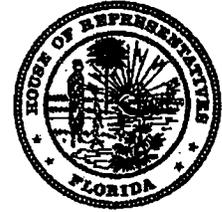
Attachments

- C: Honorable Carlos Alvarez, Mayor
 Honorable Dennis C. Moss, Chairman
 and Members, Board of County Commissioners
 Jennifer Glazer-Moon, Special Assistant/Director, Strategic Business Management
 Matthew I. Pinzur, Special Assistant
 Jorge Fernandez, Program Coordinator, Strategic Business Management
 Charles Anderson, Commission Auditor
 Richard Kuper, Executive Director, Miami-Dade League of Cities

JEFF ATWATER
President



LARRY CRETUL
Speaker



THE FLORIDA LEGISLATURE
JOINT LEGISLATIVE AUDITING COMMITTEE

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January 13, 2010

The Honorable Carlos Alvarez, Mayor
Miami-Dade County
Stephen P. Clark Center
111 N.W. 1st Street, 29th Floor
Miami, Florida 33128

The Honorable Dennis C. Moss, Chairman
Miami-Dade Board of County Commissioners
Stephen P. Clark Center
111 N.W. 1st Street, Suite 320
Miami, Florida 33128

Dear Mayor Alvarez and Chairman Moss:

During the meeting of the Joint Legislative Auditing Committee on January 11, 2010, the members of the committee adopted a motion to encourage officials of Miami-Dade County to proceed with dissolution of the City of Islandia (City).

The City, created by Dade County Ordinance Number 60-45, has failed to file reports required by the State of Florida for a number of years. The Department of Revenue (DOR) has indicated that the city has failed to submit TRIM compliance since 1995, and each year DOR cites the City for noncompliance. The Department of Financial Services has repeatedly notified our committee of the City's failure to file an Annual Financial Report (AFR). As a result, the committee has repeatedly received notification from the Office of the Auditor General that it cannot be determined whether the City is required to file an audit report in accordance with s. 218.39, F.S. The last AFR filed for the City was for FY 1997-98. On March 16, 2009, the Joint Legislative Auditing Committee voted to take action against four municipalities, including the City, for failure to file required financial reports in accordance with the provisions of Section 11.40(5)(a), F.S. As a result, committee staff contacted DOR and directed them to withhold any funds due to the City that were not pledged for bond debt service satisfaction. DOR, however, notified the committee that the City does not currently receive any funds from them and that the City has not been eligible for any state shared revenues or applied for participation in over 15 years.

Kathryn H. DuBose, Staff Director
111 West Madison Street, Room 876, Claude Pepper Building, Tallahassee, Florida 32399-1400
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The Honorable Carlos Alvarez, Mayor
The Honorable Dennis C. Moss, Chairman
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Also, the City appears to be a city on paper only. There is no longer any known activity or contact person for the City. The Florida League of Cities has listed the City as inactive for a decade. Per conversation with staff of the Miami-Dade County Tax Collector's Office, the City did not file the required documents for collection of the 2009 millage; however, ad valorem tax revenue had been collected from property within the City for the previous years. Some of the revenue collected has not been distributed to the City as contact information is not available. The Tax Collector's Office is currently holding the funds in a trust account.

Committee staff are not aware of any opposition to dissolution of the City. On behalf of the members of the committee, I would appreciate your willingness to proceed with what appears to be a housekeeping issue. Numerous state offices spend considerable time determining local government compliance with state laws. Dissolution of the City would assist in this effort. Should you have any questions, please contact the committee's Staff Director, Kathy DuBose, at 850-487-4110. Please keep me advised of your effort.

Sincerely,



Representative Greg Evers
Chairman

cc: George Burgess, County Manager
R.A. Cuevas, Jr., County Attorney
Representative Juan C. Zapata, Chair, Miami-Dade County Legislative Delegation

GE:KD:cb Letters/2010/Letter to Miami-Dade re Dissolution of Islandia