

MEMORANDUM

Agenda Item No. 7(B)


TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: (Second Reading 12-6-11)
October 4, 2011

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

SUBJECT: Ordinance granting petition to
dissolve Pebblewalk Village
Community Development
District; repealing Ordinance
07-162 which established
Pebblewalk Village
Community Development
District

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.



R. A. Cuevas, Jr.
County Attorney


RAC/jls

Memorandum



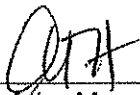
Date: December 6, 2011

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Ordinance granting petition to dissolve Pebblewalk Village Community Development District

The proposed ordinance granting the dissolution of the Pebblewalk Village Community Development District (CDD) will not have a fiscal impact to the County. The boundaries of this CDD are within the City of Doral.


Office of the Mayor

Fis0512

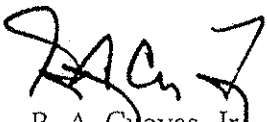


MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: December 6, 2011

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

SUBJECT: Agenda Item No. 7(B)

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. 7(B)
12-6-11

ORDINANCE NO. _____

ORDINANCE GRANTING PETITION TO DISSOLVE
PEBBLEWALK VILLAGE COMMUNITY DEVELOPMENT
DISTRICT; REPEALING ORDINANCE 07-162 WHICH
ESTABLISHED PEBBLEWALK VILLAGE COMMUNITY
DEVELOPMENT DISTRICT; PROVIDING SEVERABILITY,
EXCLUSION FROM THE CODE, AND EFFECTIVE DATE

WHEREAS, the Miami-Dade Board of County Commissioners approved the creation of the Pebblewalk Village Community Development District (the "District") by enacting Ordinance 07-162 on November 6, 2007; and

WHEREAS, pursuant to Section 190.046(9), if a community development district has no outstanding financial obligations and no operating or maintenance responsibilities, upon the petition of the district, the district may be dissolved by a nonemergency ordinance of the general-purpose local governmental entity that established the district; and

WHEREAS, the City of Doral, by Resolution 11-02, approved the dissolution of the District and requests that this Board grant final approval of the dissolution of the District; and

WHEREAS, the Board of Supervisors of the District, by Resolution 2011-03, authorized the filing of a petition to the Miami-Dade Board of County Commissioners requesting the termination of the District; and

WHEREAS, Gerald L. Knight, acting in his capacity as counsel to the District, on behalf of the District, has filed such a petition; and

WHEREAS, the District has no outstanding financial obligation and no operating or maintenance responsibilities,

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

Section 1. The foregoing findings are adopted and made part of this ordinance by reference.

Section 2. The Petition to terminate the Pebblewalk Village Community Development District is granted.

Section 3. As a result of the granting of the Petition, Ordinance No. 07-162 is repealed.

Section 4. The Mayor or his designee is authorized to execute a release of any restrictive covenants placed on the District by the County when it created the District.

Section 5. 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 6. It is the intention of the Board of County Commissioners, and it is ordained that the provisions of this ordinance, including any sunset provision, shall be excluded from the Code of Miami-Dade County, Florida.

Section 7. 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:
Juliette R. Antoine

A handwritten signature in black ink, appearing to be "Jose 'Pepe' Diaz", is written over a circular stamp. The stamp contains the number "9214".

Prime Sponsor: Commissioner Jose "Pepe" Diaz