



MEMORANDUM

Agenda Item No. 7(A)
(Second Reading 5-15-12)
February 21, 2012

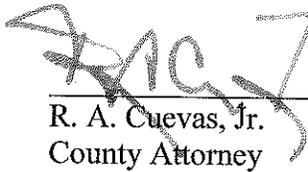
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE:

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

SUBJECT: Ordinance creating the Miami-Dade
County BRAC Task Force; providing
for purpose, membership, organization
responsibilities; facilities and staff

The accompanying ordinance was prepared and placed on the agenda at the request of Co-Prime Sponsors Commissioner Lynda Bell and Commissioner Dennis C. Moss and Co-Sponsor Commissioner Barbara J. Jordan.



R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum



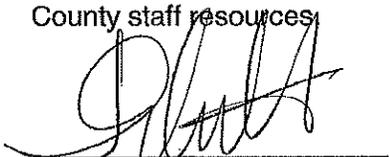
Date: May 15, 2012

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

From: Carlos A. Gimenez
Mayor 

Subject: Ordinance Creating the BRAC Task Force

The proposed ordinance creating the Miami-Dade County Base Realignment and Closure (BRAC) Task Force will not have a fiscal impact to the County. Support for the task force will be absorbed by existing County staff resources.


Office of the Mayor

Fis4512

Memorandum



Date: May 15, 2012

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

From: Carlos A. Gimenez
Mayor 

Subject: Ordinance creating the Miami-Dade County BRAC Task Force: providing for purpose; membership; organization; responsibilities; facilities and staff

At the February 21, 2012 Board of County Commission meeting, Agenda Item 4(A) was adopted on first reading to create the Miami-Dade County BRAC (Base Realignment and Closure) Task Force.

A requirement of Section 2-11.37(b) of the Code of Miami-Dade County stipulates that after passage on first reading of an ordinance creating a new board or task force, a report shall be submitted to the Board of County Commissioners providing the following information concerning the proposed board or taskforce:

- 1) Whether the establishment of the board will create sufficient betterment to the community to justify the Board of County Commissioners' delegation of a portion of its authority.
- 2) Whether another board or agency, either public or private, which is already in existence could serve the same purpose
- 3) The costs, both direct and indirect of establishing and maintaining the board
- 4) Whether the board is necessary to enable the County to obtain State or Federal grants or other financing
- 5) Whether the board should have bonding authority
- 6) Whether the board should have final authority to enter into contracts and spend County funds, or whether its contracts and expenditures must be ratified by the Board of County Commissioners
- 7) Whether the creation of a new board is in the best method of achieving the benefit desired.

The overall mission for the County's BRAC Task Force is to work with local, state and federal partners to ensure that Miami-Dade County's interests are represented and Homestead Air Reserve Base would continue to remain open as part of the federal governments' base realignment recommendations. Through the evaluation of infrastructure needs, land use, community support and the mission of the armed forces, this Task Force will be charged with the development of a comprehensive plan maximizing opportunities that may be realized from any potential realignment. Presently, no other Miami-Dade County board or agency serves this same purpose therefore creation of the BRAC Task Force is the best method for achieving the desired results.

Costs to establish and support a BRAC Task Force will be absorbed by existing County staff resources and members will serve without compensation. The Task Force will not have Bonding authority; cannot enter into contracts; expend County funds or, incur any financial obligations. Although not essential, the Task Force will formulate strategies to maximize federal, state and local government appropriations.



Deputy Mayor



MEMORANDUM

(Revised)

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

DATE: May 15, 2012

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

SUBJECT: Agenda Item No. 7(A)

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(A)
5-15-12

ORDINANCE NO. _____

ORDINANCE CREATING THE MIAMI-DADE COUNTY
BRAC TASK FORCE; PROVIDING FOR PURPOSE,
MEMBERSHIP, ORGANIZATION, RESPONSIBILITIES,
FACILITIES AND STAFF

WHEREAS, BRAC (or Base Realignment and Closure) is a process whereby the Federal Government has reorganized its military installations and realigned its infrastructure and resources in order to increase efficiency and reduce expenses; and

WHEREAS, as part of the BRAC process, the Department of Defense provides recommendations of base closures and realignments and then forwards them to a Commission that reviews and provides independent analysis of the recommendations, before forwarding them to the President and Congress for approval; and

WHEREAS, there have been several BRAC rounds including in 1988, 1991, 1993, 1995, and 2005; and

WHEREAS, past BRAC recommendations have resulted in base closings and realignments throughout the United States including in the State of Florida; and

WHEREAS, in 1993 the BRAC Commission specifically recommended that Homestead Air Force Base be realigned and as a result all operations other than Air Force Reserve activities were relocated from there; and

WHEREAS, in 1995 the BRAC Commission considered but ultimately decided against closing the base at Homestead and since then the number of F-16 aircrafts stationed at the base has been increased; and

WHEREAS, today the base is known as the Homestead Air Reserve Base and houses the 482nd Fighter Wing, Air Force Reserve Command; and

WHEREAS, having military bases in Miami-Dade County, such as the Homestead Air Reserve base, has helped fuel economic growth in Miami-Dade County; and

WHEREAS, as employers, military bases contribute millions of dollars to the local economy; and

WHEREAS, in 2005, the BRAC Commission recommended that Congress authorize another BRAC round in 2015; and

WHEREAS, this Board would like to create a task force that would work with other entities, such as federal and state agencies, to represent Miami-Dade County's interests by ensuring that local military bases, such as Homestead Air Reserve Base, remain open, maximizing any opportunities that may be realized from any potential realignment, minimizing any negative impacts to local communities, and advising and recommending to the Board of County Commissioners regarding any actions it may take to further the County's interests with relation to any future BRAC round,

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

Section 1. The Miami-Dade County BRAC Task Force is created and established as follows:

BRAC Task Force Creation and Purpose

The Miami-Dade County BRAC Task Force is created and established for the purpose of:

- (a) Working with other entities, such as federal and state agencies, to represent Miami-Dade County's interests by ensuring that local military bases, such as Homestead Air Reserve Base, remain open as part of the next BRAC round potentially scheduled for 2015.
- (b) Maximizing any opportunities for Miami-Dade County that may be realized from any potential realignment.
- (c) Minimizing any negative impacts to local communities.
- (d) Developing a comprehensive plan to be recommended to the Board of County Commissioners by evaluating infrastructure needs, land use needs, 21st century mission of the armed forces, and community support.
- (e) Working with military bases in South Florida in order to put together a vision for the future and a relevance plan.
- (f) Providing advice and recommendations to the Board of County Commissioners regarding any actions it may take to further Miami-Dade County's interests with relation to any future BRAC round.

Membership; appointment and removal

- (a) The BRAC Task Force shall have 7 members. Each member shall be a resident and elector of Miami-Dade County unless the Board of County Commissioners by a two-thirds vote waives this requirement. Members should have reputations for integrity and community service.
- (b) Each member of the Board of County Commissioners may nominate persons meeting the above qualifications and the Board will select six (6) persons.
- (c) The members of the Task Force shall serve without compensation and shall comply with the requirements of Section 2-11.38 of the Code of Miami-Dade County.

- (d) Of the seven (7) members, two (2) shall be business leaders, two (2) shall be either military or ex-military leaders, two (2) shall be community leaders and one (1) shall be a Mayoral appointment.

Quorum; Organization and procedures at meetings

- (a) A quorum shall be a majority of the duly appointed and sitting members, provided that a least one-half (1/2) of the full Task Force has been appointed.
- (b) A Chair and Vice-chair shall be selected by a majority vote at the initial meeting.
- (c) The Task Force shall adopt rules of procedure for its own governance.

Authority to bind the County

The Task Force shall have no authority to commit Miami-Dade County to any policies, to incur any financial obligations or to create any liability on the part of the County.

Physical facilities, staff and supplies

The County shall provide the Task Force with appropriate staff, meeting facilities, and necessary supplies and equipment.

Applicability

The Task Force shall at all times operate under the Florida Open Government laws, including the "Sunshine Law," public meeting laws and public records laws and shall be governed by all State and County conflict of interest laws, as applicable, including the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, Section 2-11.1 of the Code of Miami-Dade County.

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.

Section 5. This ordinance shall stand repealed five (5) years from its effective date unless extended by amendment of the Board of County Commissioners prior to such date.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:



DF.

Prepared by:

Daniel Frastai

Co-Prime Sponsors: Commissioner Lynda Bell
Commissioner Dennis C. Moss

Co-Sponsor: Commissioner Barbara J. Jordan