MEMORANDUM

LUDC
Agenda Item No. 2(C)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	November 14, 2013
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution directing the Mayor to identify one or more universities or a professional consultant to contract with the County to analyze and make recommendations concerning future incorporations and annexations within the unincorporated area

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: December 3, 2013

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

SUBJECT: Agenda Item No.

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 Mayor'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.
12-3-13

RESOLUTION NO. _____

RESOLUTION DIRECTING THE MAYOR OR DESIGNEE TO IDENTIFY ONE OR MORE UNIVERSITIES OR A PROFESSIONAL CONSULTANT TO CONTRACT WITH THE COUNTY TO ANALYZE AND MAKE RECOMMENDATIONS CONCERNING FUTURE INCORPORATIONS AND ANNEXATIONS WITHIN THE UNINCORPORATED AREA

WHEREAS, this Board of County Commissioners (the "Board") has lifted the stay on incorporation of the unincorporated areas of Miami-Dade County; and

WHEREAS, haphazard incorporations and annexations risk certain pockets of low property value areas being left behind and being denied the benefits of annexation or incorporation; and

WHEREAS, this Board would benefit from a report that addresses how the County should proceed to address the unincorporated area; and

WHEREAS, the report to the Board should consider, among other possibilities, full incorporation into various municipalities, annexations into existing municipalities, or incorporation of the remainder of the unincorporated area into a single municipality; and

WHEREAS, an overall plan for incorporations and annexations of the unincorporated area will help to prevent low property value areas in the unincorporated area from being excluded from new municipalities or annexations to existing municipalities; and

WHEREAS, the Annexation and Incorporation Task Force did not develop an overall plan that would prevent low property value areas from being excluded from the creation of new municipalities or annexations to existing municipalities; and

WHEREAS, by partnering with one or more universities or a professional consultant, the County could benefit from an independent study of the issues raised by future annexations and incorporations within the unincorporated area and would be assisted in developing a plan to address the concerns regarding the unincorporated area which will remain after future annexations and incorporations; and

WHEREAS, the Annexation and Incorporation Task Force recommended in its recommendation No. 21 that "...the Board obtain a consultant to make a recommendation on UMSA....[r]ecommending that the annexation and incorporation boundaries be contiguous, logical, and compact while seeking natural boundaries and include an economic component"; and

WHEREAS, the Mayor would best be able to assist the Board in determining the proper approach to contracting with a university or universities or a professional consultant to advise the County on the issues raised by future annexations and incorporations within the unincorporated area,

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

Section 1. The Mayor or designee is directed to identify one or more universities or a professional consultant that has the ability to study proposed annexations and incorporations and develop a plan, in cooperation with appropriate County departments, on how to address the remaining unincorporated areas.

Section 2. Such plan shall include any recommendations to annex specific areas to existing municipalities or that a certain area or areas be included as part of one or more incorporations or a combination of both annexations and incorporations. Such plan shall also

address full annexation or incorporation of the entire unincorporated area, if full incorporation or annexation is determined to be feasible. Any proposed annexations and incorporations should be contiguous, logical, compact, and have natural or built barriers as boundaries, to the extent feasible, and should avoid any proposals which would exclude low property value areas from any proposed new city or annexation area.

Section 3. The study should also include a review of how businesses located in the Unincorporated Municipal Service Area would be affected, provide recommendations on mitigating the impact to these businesses, and address any economic concerns or benefits to be achieved by incorporations and annexations, should there be a decision or decisions by all appropriate parties, including the electorate, which would move toward accomplishing full incorporation/annexation, with the County's role to be in the nature of a regional government.

Section 4. The Mayor or designee is further directed to develop a selection process which will be utilized by the Mayor in making recommendation to the Board on the selection of one or more universities or a professional consultant, in accordance with this resolution. The Mayor or designee shall suggest an appropriate budget for this study.

Section 5. The Mayor or designee shall provide a report to this Board which includes proposed resolution and contract to engage one or more universities or a professional consultant as contemplated in this resolution within 30 days of the effective date of this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. It was 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:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata
Esteban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of December, 2013. 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.

Craig H. Coller
Cynthia Johnson-Stacks