MEMORANDUM

Agenda Item No. 7(C)

(Second Reading 9-1-15)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: May 5, 2015

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

SUBJECT: Ordinance relating to the South A Municipal Advisory Committee created to study the possible incorporation of a municipality in the South A area; providing that notwithstanding any other Miami-Dade County ordinance or Code section to the contrary, the South A Municipal Advisory Committee shall continue in existence for a prescribed period of time to complete its responsibilities

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The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

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Memorandum

MIAMI-DADE COUNTY

Date: September 1, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Ordinance relating to the South A Municipal Advisory Committee

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The South A Municipal Advisory Committee was created on September 4, 2013, but did not begin to meet with County staff until June of 2014. This ordinance will allow the Committee to complete the incorporation study and have the required public hearings prior to forwarding the incorporation petition to the Board of County Commissioners. Implementation of this ordinance will not have a fiscal impact on the County.

Edward Marquez
Deputy Mayor

Fis05915

MEMORANDUM
(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: September 1, 2015

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

SUBJECT: Agenda Item No. 7(C)

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. 7(C)
9-1-15

ORDINANCE NO. _____

ORDINANCE RELATING TO THE SOUTH A MUNICIPAL ADVISORY COMMITTEE CREATED TO STUDY THE POSSIBLE INCORPORATION OF A MUNICIPALITY IN THE SOUTH A AREA; PROVIDING THAT NOTWITHSTANDING ANY OTHER MIAMI-DADE COUNTY ORDINANCE OR CODE SECTION TO THE CONTRARY, THE SOUTH A MUNICIPAL ADVISORY COMMITTEE SHALL CONTINUE IN EXISTENCE FOR A PRESCRIBED PERIOD OF TIME TO COMPLETE ITS RESPONSIBILITIES; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

WHEREAS, on September 4, 2013, the Board of County Commissioners (the "Board") adopted Ordinance No. 13-77 which created the South A Municipal Advisory Committee and directed the committee to study the possible incorporation of a municipality in the South A area; and

WHEREAS, on June 24, 2014, the South A Municipal Advisory Committee was organized and began to meet; and

WHEREAS, pursuant to Section 20-29(E) of the Code of Miami-Dade County, Florida, municipal advisory committees have a 24 month period from the adoption of their respective ordinance to complete their study; and

WHEREAS, additional time is needed for the South A Municipal Advisory Committee to conduct required public hearings and complete its study, and moreover, after completing its report, to remain in existence to be able to respond to inquiries from the Board,

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

Section 1. The foregoing recitals are incorporated into this ordinance.

Section 2. Notwithstanding any ordinance or provision of the Code of Miami-Dade County, Florida to the contrary, the South A Municipal Advisory Committee shall remain in existence until the latter of (i) the date that the Board of County Commissioners votes to defer, approve or deny a resolution submitting the incorporation question to the resident electors of the South A area, or (ii) 12 months from the effective date of this ordinance. It is provided, however, that in no event shall the South A Municipal Advisory Committee exist for more than two years from the effective date of this ordinance.

Section 3. The South A Municipal Advisory Committee shall not meet to take final action on its report until the study being conducted by PMG Associates, Inc. concerning annexations and incorporations (the "Study") has been accepted by the Board of County Commissioners.

Section 4. The South A Municipal Advisory Committee shall review and consider the Study, prior to completing its report.

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 hereby 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 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:

Craig H. Coller
Cynthia Johnson-Stacks
Abbie Schwaderer-Raurell

Prime Sponsor: Commissioner Dennis C. Moss