

MEMORANDUM

Agenda Item No. 7(B)

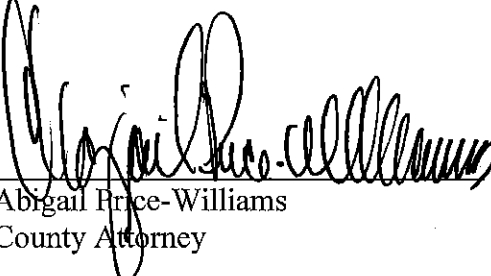
TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: (Second Reading 11-7-17)
July 6, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Ordinance relating to the South
B Municipal Advisory
Committee created to study the
possible incorporation of a
Municipality in the South B area
in County Commission District
9; amending Ordinance No. 15-
85 to extend the sunset date of
the committee for up to one year

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


Abigail Price-Williams
County Attorney

APW/cp

Memorandum



Date: November 7, 2017

To: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is written in a cursive style with a large, sweeping flourish at the end.

Subject: Fiscal Impact Statement for Ordinance relating to the South B Municipal Advisory Committee and extending the sunset date

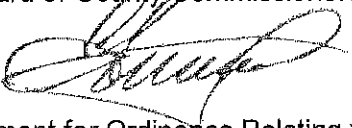
On September 4, 2013, the Board of County Commissioners (Board) adopted Ordinance No. 13-78, creating the South B Municipal Advisory Committee (MAC). On September 1, 2015, the Board adopted Ordinance No. 15-85, extending the MAC for an additional two years. The proposed ordinance amends Ordinance 15-85 extending the sunset date of the MAC for up to one year, allowing the MAC to complete the incorporation study and conduct the two required public hearings prior to recommending the incorporation proposal move forward to the Board for consideration. There is no fiscal impact associated with extending the MAC an additional year.

A handwritten signature in black ink, appearing to read "Edward Marquez". The signature is written in a cursive style with a large, sweeping flourish at the end.

Edward Marquez
Deputy Mayor
Fis05417 171639

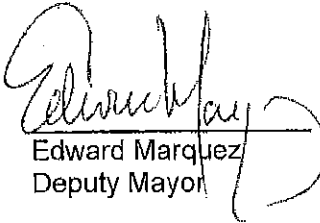
Memorandum



Date: November 7, 2017
To: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners
From: Carlos A. Gimenez 
Mayor
Subject: Social Equity Statement for Ordinance Relating to South B Municipal Advisory
Committee and extending the sunset date

The proposed ordinance allows the South B Municipal Advisory Committee to complete the incorporation study and conduct the two required public hearings prior to recommending the incorporation proposal move forward to the Board of County Commissioners for consideration. Extension of this MAC will provide the public additional opportunities to discuss the issue of incorporating their respective area, and distribution of information.

County staff continues to meet with the South B Municipal Advisory Committee.


Edward Marquez
Deputy Mayor

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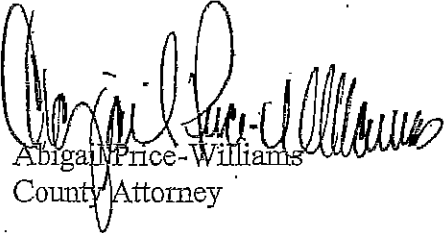


MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: November 7, 2017

FROM: 
Abigail Price-Williams
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
- Statement of social equity 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(B)
11-7-17

ORDINANCE NO. _____

ORDINANCE RELATING TO THE SOUTH B MUNICIPAL ADVISORY COMMITTEE CREATED TO STUDY THE POSSIBLE INCORPORATION OF A MUNICIPALITY IN THE SOUTH B AREA IN COUNTY COMMISSION DISTRICT 9; AMENDING ORDINANCE NO. 15-85 TO EXTEND THE SUNSET DATE OF THE COMMITTEE FOR UP TO ONE YEAR; 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. 13-78 which created the South B Municipal Advisory Committee in County Commission District 9 and directed the committee to study the possible incorporation of a municipality in the South B area; and

WHEREAS, on June 25, 2014, the South B Municipal Advisory Committee was organized and began to meet; and

WHEREAS, on September 1, 2015, the Board adopted Ordinance No. 15-85 related to the South B Municipal Advisory Committee, Section 2 of which included the following sunset provision: "[n]otwithstanding any ordinance or provisions of the Code of Miami-Dade County, Florida to the contrary, the South B 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 B area, or (ii) 12 months from the effective date of this ordinance. It is provided, however, that in no event shall the South B Municipal Advisory Committee exist for more than two years from the effective date of this ordinance;" and

WHEREAS, by operation of the above sunset provision the South B Municipal Advisory Committee is set to sunset on September 11, 2017 and additional time is needed for the committee to conduct its public hearings and attend to other required duties,

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. Ordinance No. 15-85 is amended to replace Section 2 with the following language: “Notwithstanding any ordinance or provisions of the Code of Miami-Dade County, Florida to the contrary, the South B Municipal Advisory Committee shall remain in existence until the earlier 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 B area or (ii) September 11, 2018.

Section 3. 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 4. 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 5. 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:

Cynthia Johnson-Stacks

Prime Sponsor: Commissioner Dennis C. Moss

ADW
CJS