

# MEMORANDUM

Agenda Item No. 11(A)(2)

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**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

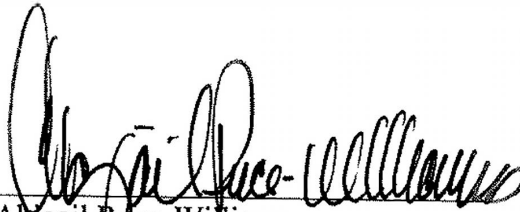
**DATE:** May 5, 2020

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution directing the County Mayor to create and conduct a program whereby the County engages in routine coordination and training with municipalities to help municipalities better administer their municipal approval processes in accordance with County regulations; and to provide a report

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The accompanying resolution was prepared and placed on the agenda at the request of Co-Prime Sponsors Commissioner Esteban L. Bovo, Jr., Commissioner Jose "Pepe" Diaz and Vice Chairwoman Rebeca Sosa and Co-Sponsor Commissioner Sally A. Heyman.

  
Abigail Price-Williams  
County Attorney

APW/uw

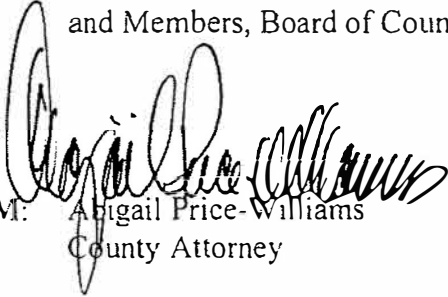


# MEMORANDUM

(Revised)

**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** May 5, 2020

**FROM:**   
Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(2)

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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ ) 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. 11(A)(2)  
5-5-20

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CREATE AND CONDUCT A PROGRAM WHEREBY THE COUNTY ENGAGES IN ROUTINE COORDINATION AND TRAINING WITH MUNICIPALITIES TO HELP MUNICIPALITIES BETTER ADMINISTER THEIR MUNICIPAL APPROVAL PROCESSES IN ACCORDANCE WITH COUNTY REGULATIONS; AND TO PROVIDE A REPORT

**WHEREAS**, municipalities in Miami-Dade County have the authority to grant various types of permits, licenses, and other municipal approvals, such as building permits, zoning approvals, and business tax licenses; and

**WHEREAS**, various provisions of the Code of Miami-Dade County require that, before a municipality issues a certain permit, license, or other municipal approval, the municipality ensure that the County has issued a separate approval after the County has conducted an independent review for conformance to certain requirements of the County Code; and

**WHEREAS**, this County review can pertain to important public health and safety matters such as sanitary sewer systems, septic systems, wellfield protection, air pollution and asbestos control, and stormwater management; and

**WHEREAS**, it has come to light that municipalities have issued municipal approvals without giving the County the opportunity to conduct its review for conformance to certain requirements of the County Code; and

**WHEREAS**, it has also come to light that municipalities have issued municipal approvals despite the fact that the County has issued disapprovals based on the requirements of the County Code; and

**WHEREAS**, the issuance of municipal approvals that do not conform to the requirements of the County Code poses a threat to the health, safety, and welfare of the people, businesses, and environment of the County; and

**WHEREAS**, such threats to health, safety, and welfare could include, but not be limited to, discharges to groundwater and surface water of water containing raw human waste, pathogens, industrial products, hazardous waste, and excess nutrients, all of which could threaten the County's potable water supply and ecosystems; and

**WHEREAS**, in addition, businesses owners have relied on the issuance of municipal approvals but have then discovered that their businesses are not currently allowed to operate due to nonconformance with the County Code; and

**WHEREAS**, such a discovery is potentially devastating to the business and can detrimentally affect the business owners, the business's employees, the business's patrons, and, ultimately, the economy of the County as a whole; and

**WHEREAS**, the County is committed to supporting business and fostering economic opportunity, and this Board wishes to support businesses by making municipalities that fail to follow County regulations and the County more responsible; and

**WHEREAS**, County regulations that protect the health, safety, and welfare of the County's people and environment are not meant to stifle business, but are meant to create an environment in which businesses and people can prosper; and

**WHEREAS**, the failure of municipalities to administer their approval processes in accordance with County regulations can nevertheless have the unfortunate consequence of stifling business and economic growth; and

**WHEREAS**, the municipal approval process could be more streamlined and efficient for both municipalities and business owners if municipalities better understood how to administer their approval processes in accordance with County regulations; and

**WHEREAS**, the municipal approval process could be more transparent, understandable, and affordable to the public if municipalities better understood how to administer their approval processes in accordance with County regulations; and

**WHEREAS**, this Board therefore wishes to direct the County Mayor or County Mayor's designee to create and conduct a program whereby the County engages in routine coordination and training with municipalities to help municipalities better administer their municipal approval processes in accordance with County regulations,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board hereby directs the County Mayor or County Mayor's designee to create and conduct a program whereby the County engages in routine coordination and training with municipalities to help municipalities better administer their municipal approval processes in accordance with all County regulations that relate to municipal approvals and also to persuade municipalities to utilize the County's electronic municipal systems in order to transmit, for appropriate County review, permit plans or other documents that would effectuate or approve changes of use. The County Mayor or County Mayor's designee shall also prepare a report summarizing the coordination and training program. The report shall include, but not necessarily be limited to, the following information: (1) the topics that the program will address, including the different types of County regulations that will be covered; (2) who will conduct the program; (3) which types of municipal employees will participate in the program; (4) the frequency with which program meetings and trainings will occur; (5) where the

program meetings and trainings will occur; (6) what efforts will be undertaken to persuade municipalities to commit to participating in the program, both initially and into the future; and (7) what efforts will be undertaken to persuade municipalities to utilize, as expeditiously as possible, the County's electronic municipal systems and what additional action by this Board is recommended in order to complete this process as soon as possible. The County Mayor or County Mayor's designee shall provide the report to this Board within 90 days of the effective date of this resolution and shall place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65.

The Co-Prime Sponsors of the foregoing resolution is Commissioner Esteban L. Bovo, Jr., Commissioner Jose "Pepe" Diaz and Vice Chairwoman Rebeca Sosa the Co-Sponsor is Commissioner Sally A. Heyman. 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:

Audrey M. Edmonson, Chairwoman

Rebeca Sosa, Vice Chairwoman

Esteban L. Bovo, Jr.

Jose "Pepe" Diaz

Eileen Higgins

Joe A. Martinez

Dennis C. Moss

Xavier L. Suarez

Daniella Levine Cava

Sally A. Heyman

Barbara J. Jordan

Jean Monestime

Sen. Javier D. Souto

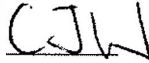
The Chairperson thereupon declared this resolution duly passed and adopted this 5<sup>th</sup> day of May, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the 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.



Christopher J. Wahl