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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**

MEMORANDUM

Agenda Item No. 11(A)(6)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: December 18, 2007

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

SUBJECT: Resolution requesting
additional time to adopt
Interlocal Agreement and
amendments to CDMP
to establish concurrency
management system for
public school facilities

R-1385-07

The accompanying resolution was prepared and placed on the agenda at the request of
Commissioner Natacha Seijas.



R. A. Cuevas, Jr.
County Attorney

RAC/bw

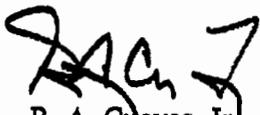


MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: December 18, 2007

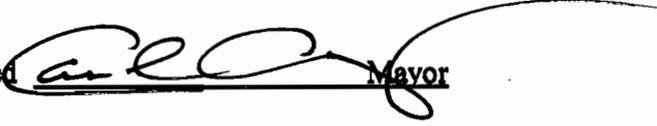
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Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved



Mayor

Agenda Item No. 11(A)(6)

Veto _____

12-18-07

Override _____

RESOLUTION NO. R-1385-07

RESOLUTION REQUESTING ADDITIONAL TIME TO ADOPT INTERLOCAL AGREEMENT AND AMENDMENTS TO COMPREHENSIVE DEVELOPMENT MASTER PLAN NECESSARY TO ESTABLISH CONCURRENCY MANAGEMENT SYSTEM FOR PUBLIC SCHOOL FACILITIES AND AUTHORIZING COUNTY MAYOR TO COMMUNICATE REQUEST TO APPROPRIATE OFFICIALS OF THE STATE OF FLORIDA

WHEREAS, the Florida Legislature amended sections 163.3177(12), 163.31777, and 163.3180(13), Florida Statutes, to require every county, school district, and affected municipality in the state to establish a concurrency management system to coordinate county and municipal residential development with the availability of public school facilities; and

WHEREAS, section 163.3177(12)(i) established the deadline for adoption of all public school concurrency management systems as December 1, 2008, but authorized the State of Florida Department of Community Affairs ("DCA") to establish a phased schedule for each school district and local government to comply; and

WHEREAS, DCA established the deadline for Miami-Dade County (the "County"), Miami-Dade County Public Schools (the "School Board"), and the municipalities within the County to adopt a public school concurrency management system as January 1, 2008; and

WHEREAS, Miami-Dade County, with a population of 2,313,047, is the eighth largest county in the United States; and

WHEREAS, Miami-Dade County Public Schools is responsible for the nation's fourth largest school district; and

WHEREAS, Miami-Dade County contains 27 affected municipalities; and

WHEREAS, representatives of the County, School Board, and affected municipalities, along with representatives from the building industry, participated in a staff working group that attempted, over the course of more than 18 months, to develop a public school concurrency management system; and

WHEREAS, the School Board's capital facilities program, which establishes the timing of and financing for the construction and expansion of public school facilities, is the basis of the concurrency management system; and

WHEREAS, the Florida Legislature conducted two special sessions in 2007 to consider the reduction of local government and school ad valorem taxes, thereby calling into question the extent of ad valorem tax revenue available to fund the School Board's capital facilities program; and

WHEREAS, the uncertainty occasioned by the Legislature's consideration of the tax base has delayed final concurrence on the details of the public school concurrency management program, a complex undertaking that requires the coordination and approval of a multitude of independent governments in a diverse, vast, and populous metropolitan area,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board requests that the State of Florida Department of Community Affairs grant an extension of time up to and including March 31, 2008, for Miami-Dade County, Miami-Dade County Public Schools, and affected municipalities to adopt the interlocal agreement and comprehensive plan amendments

required by sections 163.3177(12), 163.31777, and 163.3180(13) of the Florida Statutes. This Board further authorizes the County Mayor or designee to communicate this request to all appropriate officials of the State of Florida.

The foregoing resolution was sponsored by Commissioner Natacha Seijas and offered by Commissioner Joe A. Martinez, who moved its adoption. The motion was seconded by Commissioner Rebeca Sosa, and upon being put to a vote, the vote was as follows:

	Bruno A. Barreiro, Chairman	aye	
	Barbara J. Jordan, Vice-Chairwoman	aye	
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of December, 2007. 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: Kay Sullivan
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Dennis A. Kerbel