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



**MEMORANDUM**

Agenda Item No. 11(A)(8)

**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

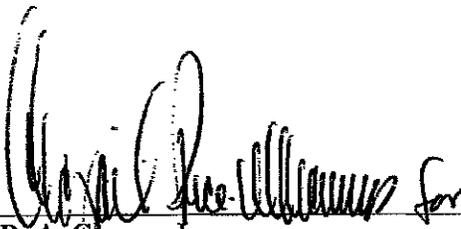
**DATE:** May 19, 2009

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

**SUBJECT:** Resolution urging Governor Charlie  
Crist to veto SB 360 related to  
growth management

**Resolution No. R-602-09**

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Katy Sorenson.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/cp

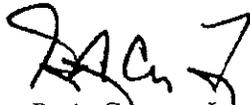


# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** May 19, 2009

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

**SUBJECT:** Agenda Item No. 11(A)(8)

**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 Mayor'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  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(8)  
5-19-09

RESOLUTION NO. R-602-09

RESOLUTION URGING GOVERNOR CHARLIE CRIST TO  
VETO SB 360 RELATED TO GROWTH MANAGEMENT

**WHEREAS**, on Friday, May 1, the Florida Legislature passed SB 360, which reversed many of the advances in growth management Florida has made in recent years; and

**WHEREAS**, SB 360 could in many areas lead to the opposite effect as the stated purposes of the bill, in other words, SB 360 while purporting to reduce sprawl could actually lead to sprawl; and

**WHEREAS**, SB 360 generally imposes transportation concurrency exception areas (TCEAs) in cities and in the urban service area of counties, that have population densities of more than 1,000 people per square mile; and

**WHEREAS**, the stated purpose of imposing TCEAs was to reduce sprawl by encouraging development in urbanized areas by eliminating transportation concurrency in areas where road infrastructure already exists, but state-mandated TCEAs are likely to have the opposite effect; and

**WHEREAS**, despite the stated purpose for imposing TCEAs, the 1,000 people per square mile density is a relatively low population density threshold, especially spread over large counties, and encompasses many areas that lack both truly urban population densities and existing road infrastructure; and

**WHEREAS**, imposing TCEAs in many areas could result in development without the requisite transportation infrastructure to support it; and

**WHEREAS**, Miami-Dade County currently imposes a TCEA generally east of the Palmetto Expressway to encourage urban infill and redevelopment east of the Palmetto Expressway; and

**WHEREAS**, in Miami-Dade County, imposing a TCEA in the entire area within the urban service area would have taken away the incentive to develop east of the Palmetto Expressway potentially leading to sprawl in western Miami-Dade County; and

**WHEREAS**, counties that already have exempted more than 40 percent of its urban service area from transportation concurrency for purposes of infill and redevelopment, such as Miami-Dade County, are not required to declare the entire urban service area a TCEA under language included in SB 360; and

**WHEREAS**, SB 360 could mean that fewer funds are available to local governments to address new infrastructure projects, as the local communities would have to shoulder the developer's transportation development costs; and

**WHEREAS**, SB 360 could also have the effect of stopping infrastructure projects already planned or being constructed, with further corresponding job losses; and

**WHEREAS**, the Miami-Dade County Social & Economic Development Council (SEDC) has concluded that during periods of recession each dollar of government expenditure has a greater multiplier effect than a dollar of local tax relief; and

**WHEREAS**, the recent economic slowdown was offered as the reason for SB 360, but balanced, responsible growth management didn't lead to the economic slowdown and it is shortsighted to lift such growth management laws for economic reasons; and

**WHEREAS**, SB 360 also eliminates the development of regional impact (DRI) process in cities and the urban service area of counties; and

**WHEREAS**, the DRI process allows neighboring local governments to provide insight into larger-scale developments with impacts that are regional in nature; and

**WHEREAS**, eliminating the DRI process is also short-sighted, and could relieve developers of large projects from providing mitigation, resulting in many anticipated and substantial roadway improvements from being constructed,

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

**Section 1.** Urges the Governor to veto SB 360 related to growth management.

**Section 2.** Directs the Clerk of the Board to transmit certified copies of the resolution to the Governor and the Chair and Members of the Miami-Dade County State Legislative Delegation.

**Section 3.** Directs the County's state lobbyists to advocate for a veto of SB 360 pursuant to Section 1 above, and authorizes and directs that the 2009 state legislative package be amended to include this issue.

The Prime Sponsor of the foregoing resolution is Commissioner Katy Sorenson. It was offered by Commissioner **Katy Sorenson**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 19<sup>th</sup> day of May, 2009. 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: **DIANE COLLINS**

Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

Jess M. McCarty