

MEMORANDUM

Agenda Item No. 7(E)

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

DATE:

(Second Reading 3-7-17)
December 20, 2016

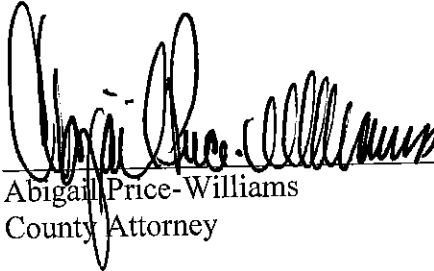
FROM: Abigail Price-Williams
County Attorney

SUBJECT:

Ordinance repealing Ordinance
Nos. 13-70, 13-71, 15-67 and
15-68 relating to the West End
Municipal Advisory Committee
(Section One) and West End
Municipal Advisory Committee
(Section Three) created to study
the possible incorporation of
portions of the West End area

Ordinance No. 17-18

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez.

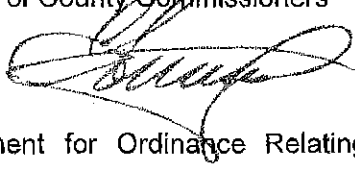


Abigail Price-Williams
County Attorney

APW/cp

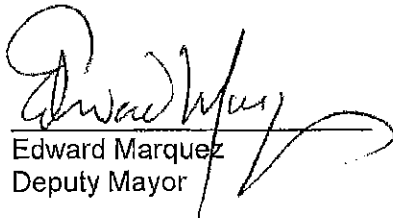
Memorandum



Date: March 7, 2017
To: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners
From: Carlos A. Gimenez 
Mayor
Subject: Fiscal Impact Statement for Ordinance Relating to the West End Municipal
Advisory Committee

The proposed ordinance repeals Ordinance Nos. 13-70, 13-71, 15-67 and 15-68 relating to the West End Municipal Advisory Committee (Section One) and West End Municipal Advisory Committee (Section Three) created to study the possible incorporation of the portions of the West End area located in the County Commission District 11.

While the West End Municipal Advisory Committees are staffed by the Office of Management and Budget, these positions will continue to support other efforts. The ordinances creating the Municipal Advisory Committees require two public hearings prior to completing their process. If implemented this ordinance would save the County the cost of the two mandatory public hearings for both Municipal Advisory Committees. The cost of each public hearing would be approximately \$25,000, inclusive of mailing flyers to each property owner, newspaper advertisements and meeting location. The County would potentially have a one-time savings of \$100,000. Therefore, implementation of the proposed ordinance would have a positive fiscal impact to the County.


Edward Marquez
Deputy Mayor

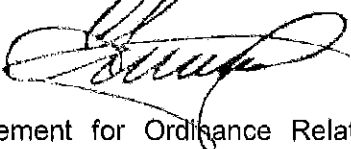
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Memorandum



Date: March 7, 2017

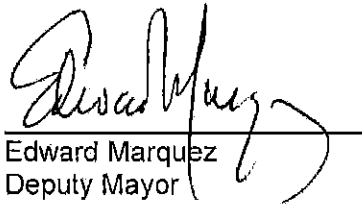
To: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Social Equity Statement for Ordinance Relating to the West End Municipal Advisory Committee

The proposed ordinance repeals Ordinance Nos. 13-70, 13-71, 15-67 and 15-68, effectively sunsets the West End Municipal Advisory Committee (Section One) and West End Municipal Advisory Committee (Section Three) created to study the possible incorporation of the portions of the West End area.

The sunseting of the two Municipal Advisory Committees means the residents of the areas will no longer have the opportunity to consider incorporation under this particular municipal advisory committee process. The charge of the Municipal Advisory Committees was to provide the Board of County Commissioners a recommendation on incorporation of the respective areas. By not moving forward, the areas will remain part of the Unincorporated Municipal Service Area under the County's purview.


Edward Marquez
Deputy Mayor

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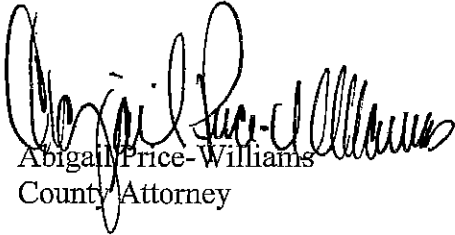


MEMORANDUM

(Revised)

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

DATE: March 7, 2017

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 7(E)

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(E)
3-7-17

ORDINANCE NO. 17-18

ORDINANCE REPEALING ORDINANCE NOS. 13-70, 13-71, 15-67 AND 15-68 RELATING TO THE WEST END MUNICIPAL ADVISORY COMMITTEE (SECTION ONE) AND WEST END MUNICIPAL ADVISORY COMMITTEE (SECTION THREE) CREATED TO STUDY THE POSSIBLE INCORPORATION OF PORTIONS OF THE WEST END AREA; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

WHEREAS, on July 2, 2013, the Board of County Commissioners (the "Board") adopted Ordinance No. 13-70 which created the West Kendall (Section One) Municipal Advisory Committee and directed the committee to study the possible incorporation of a municipality in the West Kendall (Section One) area; and

WHEREAS, on April 23, 2014, the West Kendall (Section One) Municipal Advisory Committee was organized and began to meet; and

WHEREAS, on July 14, 2015, the Board adopted Ordinance No. 15-67 which renamed the West Kendall Municipal Advisory Committee (Section One) to the West End Municipal Advisory Committee (Section One) and extended the committee's life to no more than two years from the effective date of that ordinance; and

WHEREAS, on July 2, 2013, the Board of County Commissioners (the "Board") adopted Ordinance No. 13-71 which created the West Kendall (Section Three) Municipal Advisory Committee and directed the committee to study the possible incorporation of a municipality in the West Kendall (Section Three) area; and

WHEREAS, on March 17, 2015, the West Kendall (Section Three) Municipal Advisory Committee was organized and began to meet; and

WHEREAS, on July 14, 2015, the Board adopted Ordinance No. 15-68 which renamed the West Kendall Municipal Advisory Committee (Section Three) to the West End Municipal Advisory Committee (Section Three) and extended the committee's life to no more than two years from the effective date of that ordinance; and

WHEREAS, each of these municipal advisory committees was created to study whether it is feasible or not to incorporate portions of the West End area into a municipality; and

WHEREAS, this Board finds that there is no further need for the municipal advisory committees to continue these studies; and

WHEREAS, this Board wishes to repeal Ordinance Nos. 13-70, 13-71, 15-67 and 15-68 in their entirety, to accomplish the purposes of this ordinance,

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

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

Section 2. Ordinance Nos. 13-70, 13-71, 15-67 and 15-68 are hereby repealed.

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 ten (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: March 7, 2017

Approved by County Attorney as
to form and legal sufficiency:

APW

Prepared by:

QJS

Cynthia Johnson-Stacks

Prime Sponsor: Commissioner Joe A. Martinez