



Governmental Operations and Environment Committee

November 13, 2007

Prepared by: Jill Thornton

EXHIBITS LIST

NO.	DATE	ITEM #	DESCRIPTION
1	11/13/2007		Changes to Agenda (County Manager's Memo)
2	11/13/2007		Memo filed by Commissioner Heyman re: Withdrawal of Co-sponsorship of Item 3J
3	11/13/2007		Letter to BCC from PLANT Municipality Advisory Committee re: Repealing Ordinance establishing PLANT MAC
4	11/13/2007		Compendium of BCC Legislative Actions from November 1, 2001 to Present
5	11/13/2007	3K Substitute	Resolution Calling for a Countywide Special Election to be held on January 29, 2008 on Whether to Amend the Home Rule Charter to Provide a Method of Appointment, Reappointment and Dismissal of the Public Safety Director
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Memorandum



Date: November 13, 2007

To: Honorable Chairperson and Members
Governmental Operations and Environment
Committee

From: George M. Burgess 
County Manager

Subject: Requested Changes to the
Governmental Operations and Environment
Committee Agenda

Additions

2Z SUPPLEMENT

072956 SUPPLEMENTAL INFORMATION RE: MAP DEPICTING FIFTEEN (15)
ENCLAVES IN THE UNINCORPORATED MUNICIPAL SERVICE AREA
(UMSA)

2AA

073323 CONTRACT AWARD RECOMMENDATION BETWEEN MALCOLM
PIRNIE, INC. AND MIAMI-DADE COUNTY FOR PROFESSIONAL BOND
ENGINEERING SERVICES IN THE AMOUNT OF \$6,100,000.00 - PROJECT
NO. E05-SWM-01; CONTRACT NO. E05-SWM-01 (Solid Waste
Management Department)

2BB

073319 RESOLUTION AUTHORIZING APPROVAL OF IMPLEMENTING ORDER
8-8: ESTABLISHING GUIDELINES TO FURTHER OUR SUSTAINABLE
BUILDINGS PROGRAM INITIATIVE; AND AUTHORIZING THE COUNTY
MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL OTHER
RIGHTS CONFERRED THEREIN (General Services Administration
Department)

Additions

3K SUBSTITUTE

Carlos A. Gimenez,
Jose "Pepe" Diaz, Sally A. Heyman

- 073336** RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION TO BE HELD ON JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE A METHOD OF APPOINTMENT, REAPPOINTMENT AND DISMISSAL OF THE POLICE DEPARTMENT DIRECTOR AND TO REQUIRE THAT, EXCEPT FOR THE PURPOSE OF TRANSMITTING CONSTITUENT INQUIRIES, BUDGETING, AND FUNDING MATTERS, THE POLICE DEPARTMENT DIRECTOR SHALL PERFORM HIS DUTIES WITHOUT SUPERVISION AND INTERFERENCE FROM THE MAYOR OR COUNTY MANAGER [SEE ORIGINAL ITEM UNDER FILE NO. 073314]

3M SUBSTITUTE

Joe A. Martinez

- 073351** RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION, TO BE HELD ON TUESDAY, JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE MIAMI-DADE COUNTY HOME RULE CHARTER SHALL BE AMENDED TO PROVIDE FOR THE TRANSFER OF THE DUTIES OF THE COUNTY TAX COLLECTOR FROM THE MAYOR OR HIS OR HER APPOINTEE TO A PERSON ELECTED AND SUBJECT TO RECALL BY THE VOTERS [SEE ORIGINAL ITEM UNDER FILE NO. 073316]

Additions

30 SUBSTITUTE

Joe A. Martinez

073349 RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE MIAMI-DADE COUNTY HOME RULE CHARTER SHALL BE AMENDED TO PROVIDE FOR THE TRANSFER OF THE POWERS AND FUNCTIONS OF THE COUNTY SHERIFF FROM THE MAYOR OR HIS APPOINTEE TO A COUNTY OFFICIAL ELECTED BY THE VOTERS [SEE ORIGINAL ITEM UNDER FILE NO. 073312]

3P SUBSTITUTE

Joe A. Martinez

073350 RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION, TO BE HELD ON TUESDAY, JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE MIAMI-DADE COUNTY HOME RULE CHARTER SHALL BE AMENDED TO PROVIDE FOR THE TRANSFER OF THE POWERS AND FUNCTIONS OF THE COUNTY SUPERVISOR OF REGISTRATION OR ELECTIONS FROM THE MAYOR OR HIS OR HER APPOINTEE TO A COUNTY OFFICIAL ELECTED AND SUBJECT TO RECALL BY THE VOTERS [SEE ORIGINAL ITEM UNDER FILE NO. 073313]

Additions

3Q SUBSTITUTE

Jose "Pepe" Diaz

073331 RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION TO BE HELD ON TUESDAY, JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE THAT COMMENCING ON MARCH 1, 2008 AND EACH YEAR THEREAFTER, EACH COUNTY COMMISSIONER MAY CHOOSE TO CONTINUE TO RECEIVE THEIR CURRENT \$6,000 ANNUAL SALARY WITHOUT ANY PROHIBITION ON OUTSIDE EMPLOYMENT; OR CHOOSE TO DEVOTE FULL-TIME SERVICE TO THE OFFICE OF COUNTY COMMISSIONER, HOLD NO OTHER EMPLOYMENT, AND RECEIVE THE SALARY PROVIDED BY STATE STATUTORY FORMULA (CURRENTLY APPROXIMATELY \$91,995 BUT ADJUSTED ANNUALLY BASED ON THE COUNTY'S POPULATION) [SEE ORIGINAL ITEM UNDER FILE NO. 073318]

Deferrals

2V

- 072441** ORDINANCE PERTAINING TO FIXED-GUIDEWAY RAPID TRANSIT SYSTEM DEVELOPMENT ZONE; AMENDING SECTION 33C-2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA PERTAINING TO RAPID TRANSIT ZONE PERMITTED USES; AMENDING SECTION 33C-4 PERTAINING TO RAPID TRANSIT DEVELOPMENTAL IMPACT ZONE; CREATING SECTION 33C-8 PERTAINING TO RAPID TRANSIT ZONE DISTRICT REGULATIONS FOR NON-METRORAIL DEVELOPMENT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Department of Planning & Zoning)

Note: *The County Manager has requested deferral of this item to no date certain.*

3A

Audrey M. Edmonson

- 072478** ORDINANCE RELATING TO THE SAFETY OF CRANES AND OTHER HOISTING EQUIPMENT; PROVIDING DEFINITIONS; PROVIDING STANDARDS FOR MANUFACTURE AND INSTALLATION; PROVIDING FOR EDUCATION AND CERTIFICATION OF OPERATORS; ESTABLISHING STANDARDS FOR HURRICANE PREPAREDNESS; PROVIDING FOR ENFORCEMENT; CREATING CHAPTER 8E OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Note: *The sponsor has requested deferral of this item to the December 11, 2007 GOE Committee Meeting.*

3A SUBSTITUTE

Audrey M. Edmonson

- 073101** ORDINANCE RELATING TO THE SAFETY OF CRANES AND OTHER HOISTING EQUIPMENT; PROVIDING DEFINITIONS; PROVIDING STANDARDS FOR MANUFACTURE AND INSTALLATION; PROVIDING FOR EDUCATION AND CERTIFICATION OF OPERATORS; ESTABLISHING STANDARDS FOR HURRICANE PREPAREDNESS; PROVIDING FOR ENFORCEMENT; CREATING CHAPTER 8E OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 072478]

Note: *The sponsor has requested deferral of this item to the December 11, 2007 GOE Committee Meeting.*

Withdrawals

3N

Rebeca Sosa

073311 RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION TO BE HELD ON TUESDAY, JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE THAT: EACH COUNTY COMMISSIONER SHALL DEVOTE FULL-TIME SERVICE TO THE OFFICE OF COUNTY COMMISSIONER AND HOLD NO OTHER EMPLOYMENT; NO LONGER RECEIVE THEIR CURRENT \$6,000 ANNUAL SALARY ESTABLISHED IN 1957, BUT RECEIVE INSTEAD THE POPULATION BASED SALARY PROVIDED BY STATE STATUTORY FORMULA (CURRENTLY APPROXIMATELY \$91,995) AND USED BY OTHER FLORIDA COUNTIES, INCLUDING BROWARD COUNTY

Scrivener's Errors

2A

073214 RESOLUTION AUTHORIZING THE ACCEPTANCE OF FIVE (5) ENVIRONMENTALLY ENDANGERED LANDS COVENANTS IN MIAMI-DADE COUNTY, FLORIDA (Department of Environmental Resources Management)

Note: *On handwritten page 5 of the resolution first paragraph, the word mortgages should read: "mortgagees"*

3C

Carlos A. Gimenez

073180 RESOLUTION AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO USE MIAMI-DADE WATER AND SEWER DEPARTMENT FORCES TO DESIGN AND INSTALL APPROXIMATELY THREE MILLION DOLLARS OF WATER PIPELINES AND FIRE HYDRANTS IN THE AREA BOUNDED BY SW 72ND STREET TO THE NORTH, SW 80TH STREET TO THE SOUTH, SW 84TH COURT TO THE WEST AND SW 77TH COURT TO THE EAST; FINDING INSTALLATION OF WATER PIPELINES AND FIRE HYDRANTS BY MIAMI-DADE WATER AND SEWER DEPARTMENT FORCES TO BE NECESSARY TO THE PUBLIC'S HEALTH, SAFETY AND WELFARE; AND WAIVING RESOLUTION NO. R-120-83 [SEE AGENDA ITEM NO. 7C]

Note: *Inadvertently the cross-reference of this item was listed as 3C. It should read: 7C*



MEMORANDUM
BOARD OF COUNTY COMMISSIONERS
COMMISSIONER SALLY A. HEYMAN
DISTRICT 4

TO: Honorable Natacha Seijas and the members of
the Governmental Operations and Environment
Committee

DATE: November 13, 2007

FROM: Commissioner Sally A. Heyman
District 4

SUBJECT: Withdrawal of Co-sponsorship of Item 3J

A handwritten signature in cursive script, appearing to read "Sally A. Heyman", written over a horizontal line.

Commissioner Heyman would like to request withdrawal of her Co-sponsorship of the Resolution submitting to the electors of Miami Dade County the questions as to whether to amend the Home Rule Charter to provide that: each County Commissioner shall devote full-time service to the Office of County Commissioner and hold no other employment; no longer receive their current \$6,000 annual salary established in 1957, but receive instead the salary provided by state statutory formula, adjusted annually based on the county's population, and used by other Florida counties, including Broward County; and serve no more than two consecutive four-year terms in office.

Thank you,

C: George Burgess, County Manager
R.A. Cuevas, County Attorney
Harvey Ruvin, Clerk of the Courts
Kay Sullivan, Clerk of the Board

**PLANT Municipal Advisory Committee
Miami-Dade County
12414 SW 259th Street
Naranja, Florida 33032**

RECEIVED
By the Clerk for the record.

NOV 13 2007

Item 2X
Exhibit 1
Meeting GOEC

**TO: Board of County Commissioners
Miami-Dade County
111 N.W. 1st Street
Stephen P. Clark Center
Miami, Florida 33128**

November 10, 2007

SUBJECT: Repealing Ordinance Establishing PLANT MAC

Dear Commissioners,

After the PLANT municipal Advisory committee was created in May of 2003, It has completed nearly all of the pre-incorporation requirements of Miami-Dade County, However, this process came to a halt due to disputes concerning the boundary between our community and the Redland community.

Members of our MAC enthusiastically participated in meetings that were set up by commissioner Moss in an effort to resolve the boundary dispute between our community and the Redland community however, members of the Redland MAC were not willing to work together to resolve our differences.

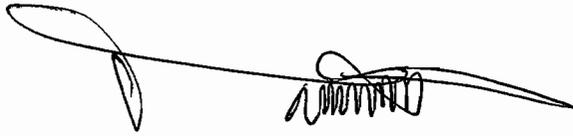
During the early months of 2004, commissioner Sorenson requested the assistance of the Florida Conflict Resolution Consortium as another effort to help resolve our boundary disputes.

The two members of the Florida Conflict Resolution Consortium held meetings with all concerned parties and were diligent in their efforts to assist all of us in bringing our differences to a point that we could all live with.

During this process, PLANT MAC members were very cooperative and willing to do whatever was necessary to bring this stand-off to an end. However, members of the Redland MAC stated that they would not change their stated boundaries and were not willing to negotiate to any degree.

In 2003, the PLANT MAC created its tentative operating budget which showed that our proposed municipality would be about five million (\$5,000,000) short of being revenue neutral. Since that time, residential and business construction has increased dramatically which would almost assuredly put us in a revenue neutral status.

Since the MACs are currently in place, It is our desire to see a continuance of the PLANT Municipal Advisory committee and to see a renewed effort to resolve our boundary disputes. "Nothing beats a failure but a Try."

A handwritten signature in black ink, appearing to read 'Daniel L. Adams', with a long horizontal flourish extending to the right.

Daniel L. Adams, Chair
PLANT Municipal Advisory Committee
Miami-Dade County, Florida

RECEIVED
By the Clerk for the record.

TO: KEN FORBES

NOV 13 2007

Item ZX
Exhibit 1
Moving GOEC

COMPENDIUM OF BCC LEGISLATIVE ACTIONS
FROM NOVEMBER 1, 2001 TO PRESENT

RECEIVED
By the Clerk for the record.

NOV 13 2007

Item 2X
Exhibit 2
Meeting GOEC

- Pages – 3 & 4: November 1, 2001 UMSA Committee Meeting members of the BCC knew there were boundaries issues. A no recommendation from Committee.
- Pages – 5 thru 8: November 20, 2001 BCC Public Hearing the Goulds and PLANT communities were able to get the BCC to acknowledge the boundaries dispute and to defer action until there is an agreement with the Redland, Goulds and PLANT communities.
- Page – 9 & 10: May 21, 2002, BCC Meeting Public Hearing; File #021287- Creation of Cutler Ridge MAC. This MAC was created with the knowledge that there are disputed boundaries and that there was no action to resolve the other boundaries dispute involving Redland, Goulds and PLANT communities.
- Page – 11: May 6, 2003, BCC Public Meeting; File #030857- Establishing Cutler Ridge MAC by ordinance. This MAC was created with the knowledge that there are disputed boundaries and that there was no action to resolve the other boundaries dispute involving Redland, Goulds and PLANT communities.
- Pages – 12 & 13: May 6, 2003, BCC Public Meeting; File #031007 and #031008 – Creation of the PLANT and Goulds MAC respectively. This action was done by Commissioner Moss to address the boundary disputes involving the Redland, Goulds, PLANT and Cutler Ridge communities.
- Page – 14: November 21, 2003, after four (4) meeting this letter was delivered at the fourth meeting, wherein the Redland community declares that there is no boundary dispute with the Goulds and PLANT communities.
- Pages – 15 thru 18: January 20, 2004, BCC Public Meeting; Resolution to contract with the FCRC to use a collaborative process to resolve boundary issues regarding South Miami-Dade incorporation proposals.
- Page – 19: May 17, 2004, Letter to the Clerk of the Board from Friends of the Redland regarding Petition signatures of registered voters for the incorporation of the Redland.
- Pages – 20 thru 23: May 20, 2004, Budget and Finance Committee; Cutler Ridge Incorporation efforts was remanded to the FCRC process for resolution of the boundary dispute.
- Page – 24: June 12, 2004, FCRC initial public meeting agenda.
- Pages – 25 thru 27: July 13, 2004, BCC Public Meeting; File #042095 – Cutler Ridge Incorporation. This demonstrated that when all parties are aware of how the process will work an agreement is easily made.
- Page – 28: December 14, 2004, BCC Public Meeting; File #043460 – Propose Public Hearing for the incorporation of the Redland. Deferred indefinitely because File #012937 dated November 20, 2001 remain unresolved.
- Pages – 29 & 30: May 17, 2005, Appeal Notice of Lower Court Order of Summary Judgment for BCC and the Court Docket showing the mandate from the Third District Court of Appeal and the affirming of the Lower Court Ruling.



**Miami-Dade Legislative Item
File Number: 012878**

File Number: 012878 **File Type:** Resolution **Status:** Before the Board
Version: 0 **Reference:** **Control:** County Commission
File Name: INCORPORATION OF REDLANDS **Introduced:** 10/31/2001
Requester: County Manager **Cost:** **Final Action:**
Agenda Date: 11/20/2001 **Agenda Item Number:** 4K

Notes: Title: RESOLUTION CALLING SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON JANUARY 15, 2002, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS RESIDING WITHIN THE BOUNDARIES OF A PROPOSED NEW MUNICIPALITY IN THE AREA OF REDLAND THE QUESTION OF WHETHER THE BOARD OF COUNTY COMMISSIONERS SHOULD BE AUTHORIZED TO CREATE A NEW MUNICIPALITY IN THE AREA OF REDLAND PURSUANT TO SECTION 5.05 OF THE MIAMI-DADE COUNTY HOME RULE CHARTER

Indexes: NONE **Sponsors:** NONE

Sunset Provision: No **Effective Date:** **Expiration Date:**
Registered Lobbyist: None Listed

Legislative History

Acting Body	Date	Agenda Item	Action	Sent To	Due Date	Returned	Pass/Fall
Board of County Commissioners	11/20/2001	4K	Withdrawn				
REPORT:	SEE 4K ALTERNATE.						
UMSA (Unincorporated Municipal Services Area) Cmte	11/1/2001	4B SUB	Forwarded to BCC without a recommendation				P
REPORT:	Assistant County Manager George Burgess noted the incorporation agreement with the Redlands did not include any mitigation payments because it was revenue neutral and was not a donor area. He also noted the subject area was located outside the Urban Development Boundary (UDB) and that an enclave could be created depending on the configuration of the boundaries, which Mr. Burgess noted raised some concerns for staff. He advised that these issues were addressed in the foregoing report. Following further discussion, Mr. Burgess noted staff and the Redlands Municipal Advisory Committee were basically in agreement, with the exception of a couple of issues which staff felt could probably be resolved prior to the November 20th Regular County Commission meeting. Chairperson Ferguson and Commissioner Martinez questioned the feasibility of the Committee acting on this item if staff had not negotiated the terms of the agreement. It was moved by Commissioner Sorenson that the foregoing						

ordinance be amended to incorporate the original Relands boundaries as follows: the north, SW 168 Street; on the south, SW 360th Street; on the West, the CH1 canal and L31N levee; and on the east, the current UDB. This motion was seconded by Commissioner Alonso. With regard to staff's concerns regarding proximity of the subject property to the UDB, Commissioner Sorenson noted she previously sponsored an ordinance relating to the CDMP that clarified the land use policies. This ordinance, she noted, was adopted by the Commission and should address any concerns regarding the impact of the Redlands incorporation on the UDB. It was moved by Commissioner Souto that this matter be deferred. He questioned the feasibility of establishing a bunch of small cities that may not be able to survive considering the economic crisis facing this community. Chairperson Ferguson asked the County Attorney whether a motion to defer was in order and if so, the impact of a deferral. Assistant County Attorney Cynthia Johnson-Stacks responded, but noted she would check with Mr. Greenberg for clarification. It was moved by Commissioner Souto that this item be deferred and forwarded to the BCC. This motion was seconded by Commissioner Rolle and upon being put to a vote, passed by a vote of 4-2. Commissioners Alonso and Sorenson voted no.

County Manager	10/31/2001	Assigned	George Burgess	10/31/2001
County Manager	10/31/2001	Assigned	County Attorney	11/20/2001
REPORT:	COUNTY MANAGER			

Legislative Text

HEADER

To: Honorable Chairperson and Members Date:
Board of County Commissioners

From: Steve Shiver Subject: Incorporation of Redland
County Manager

STAFF RECOMMENDATION

It is recommended that the Board approve the attached resolution calling for a vote on the incorporation of the Redland area subject to the following conditions:

1. The southern boundary of the proposed incorporation area will be realigned to eliminate the enclave that is created as a result of the originally proposed southeastern boundary of the proposed Redland incorporation by establishing the southern boundary at S.W. 288 Street.
2. The terms and conditions outlined in of the conceptual agreement adopted by the Redland Area Municipal Advisory Committee (RAMAC), subject to a modification regarding the length of the local patrol police contract (instead of thirty months, the agreement should read thirty-six months) must be included in the municipal charter.

Among the terms outlined in the conceptual agreement, there is language regarding a preferential and unique relationship between the proposed municipality and Miami-Dade County. Although the County is prepared to assist the proposed municipality during its transition, the preferential treatment agreements are reserved for those proposed municipalities contributing to the Municipal Services Trust Fund (MSTF). Therefore, the conceptual agreement should be modified accordingly.

Otherwise, the Redland conceptual agreement is consistent with the Miami Lakes Agreement and is included as attachment 1.

budget office, indicated several conditions were to be followed by Palmetto Bay in order for the incorporation to succeed. Those conditions being, that, in the charter, they should have special conditions set up for their participation in the fire district, the library system, the solid waste collection system, and to have the county provide local police patrol for a three year period, or to have the county provide specialized police service in perpetuity. Also, language would be enhanced to clarify the county's intent as the incorporation moved forward to avoid any ambiguity.

Upon inquiry by Commissioner Sorenson, Assistant County Attorney Collier indicated Palmetto Bay's Charter would have to include opt out language for those areas that wanted to annex to Coral Gables and then the residents of those areas would go through a separate process. He noted Coral Gables would also have to agree to annexation of the area, by resolution.

Commissioner Souto expressed concern with the state of the economy and how the incorporation of Palmetto Bay would affect Miami-Dade County.

Commissioner Morales expressed his support for the foregoing proposed ordinance noting the county's charter was meant for a two tiered level of government.

Commissioner Sosa supported the proposed ordinance, however expressed concern with the areas of Kings Bay and Old Cutler who wanted to be a part of Coral Gables, not Palmetto Bay and stressed the importance of allowing those residents to pursue annexation to Coral Gables if they so desired.

Assistant County Attorney Collier indicated the proposed boundaries of Palmetto Bay could be modified to exclude Kings Bay and Old Cutler.

Following further discussion, the Board adopted the resolution as amended to reflect an election date of February 5, 2002.

4K

012878 Resolution

RESOLUTION CALLING SPECIAL
ELECTION IN MIAMI-DADE COUNTY,

Withdrawn

FLORIDA, TO BE HELD ON JANUARY 15, 2002, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS RESIDING WITHIN THE BOUNDARIES OF A PROPOSED NEW MUNICIPALITY IN THE AREA OF REDLAND THE QUESTION OF WHETHER THE BOARD OF COUNTY COMMISSIONERS SHOULD BE AUTHORIZED TO CREATE A NEW MUNICIPALITY IN THE AREA OF REDLAND PURSUANT TO SECTION 5.05 OF THE MIAMI-DADE COUNTY HOME RULE CHARTER (County Manager)

REPORT: SEE 4K ALTERNATE.

11/1/2001 Forwarded to BCC without a recommendation by the UMMA (Unincorporated Municipal Services Area) Cmte

4K ALTERNATE

012937 Resolution Katy Sorenson

RESOLUTION CALLING SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON JANUARY 15, 2002, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS RESIDING WITHIN THE BOUNDARIES OF A PROPOSED NEW MUNICIPALITY IN THE AREA OF REDLAND THE QUESTION OF WHETHER THE BOARD OF COUNTY COMMISSIONERS SHOULD BE AUTHORIZED TO CREATE A NEW MUNICIPALITY IN THE AREA OF REDLAND PURSUANT TO SECTION 5.05 OF THE MIAMI-DADE COUNTY HOME RULE CHARTER

*Deferred to No Date Certain
Mover: Katy Sorenson
Seconder: Dennis C. Moss
Vote: 8 - 5
No: Ferguson , Rolle , Barreiro , Souto , Martinez*

REPORT: *Mr. Alex Rey Panama, budget office, indicated the proposed incorporation area consisted primarily of agriculture with approximately 12,500 residents. He noted issues were raised with the boundary along SW 360 Street, which created an enclave between Redland, Florida City and Homestead. He noted, based on recommendations made by the Boundaries Commission and the Planning Advisory Board, staff was recommending the southern Redland boundary end at SW 288 Street. With regards to the western boundary, Goulds and Princeton have expressed their desire not to be included in the proposed Redland incorporated area.*

Mr. Panama indicated, with regards to services provided, the county would

provide similar services to the Redlands as is provided in the agreements with Palmetto Bay and Miami Lakes.

Upon inquiry by Chairperson Margolis, Mr. Burgess indicated the Redlands had agreed to stay in the Fire District.

At this time, the public hearing was opened, and approximately 32 property owners appeared before the Board in support of the proposed incorporation.

Ms. Pat Wade appeared before the Board noting the proposed boundaries were revenue neutral and opt out provisions would be included in the charter for the areas of Goulds and Princeton.

Mr. Miguel DeGrandy, representing Citizens Against Redland Incorporation, appeared before the Board in opposition to the foregoing resolution. He expressed concern that the process for incorporation was not properly followed by the Redland Municipal Advisory Committee.

Following Mr. DeGrandy's presentation, approximately 20 residents from Goulds and Princeton, appeared before the Board in opposition to the proposed incorporation and stated they needed more information before making a decision as to whether or not they wanted to be a part of the Redland incorporation.

Upon inquiry by Chairperson Margolis, Mr. Panama indicated should Goulds and Princeton opt out of the proposed incorporation, it would have a negative impact on the Redland budget of approximately \$310,000.

Commissioner Sorenson indicated it was her understanding that the boundary dispute was resolved with the opt out provision being included in the charter and also that Goulds was receptive to moving forward with a township concept.

Commissioner Moss expressed concern that the boundary issue had not been resolved prior to the proposal coming before the Board.

Following further discussion on the boundary issue, Commissioner Sorenson presented a motion to defer the foregoing proposed resolution in order to resolve the boundary issue. This motion was seconded by

Commissioner Moss.

Commissioner Seijas suggested the matter go back before the Boundaries Commission.

4L

Page |
8

012796 Resolution

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO AMEND THE FY 2001 ACTION PLAN TO REFLECT A CHANGE IN THE SCOPE OF SERVICE AS WELL AS A CHANGE IN LOCATION OF THE CITY OF NORTH MIAMI BEACH'S FY 2001 CDBG FUNDED ACTIVITY FROM NE 164 STREET IMPROVEMENTS TO ROADWAY MODIFICATION IN THE WASHINGTON PARK AREA AS INDICATED IN EXHIBIT I; AUTHORIZING THE COUNTY MANAGER TO EXECUTE ALL CONTRACTS, AGREEMENTS AND AMENDMENTS NECESSARY TO CARRY OUT THE ABOVE PROGRAM; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN(Office of Community and Economic Development)

*Adopted
Resolution R-1297-01
Mover: Dorrit D. Rolle
Seconder: Gwen Margolis
Vote: 11 - 0
Absent: Barreiro , Alonso*

11/15/2001 Not considered by the Economic Development & Housing Committee

5 **TIME SENSITIVE AND TIME CERTAIN ITEMS**

6 **RESOLUTIONS**

6A **AVIATION DEPARTMENT**

6A1A

012881 Resolution

RESOLUTION WAIVING PROHIBITION AGAINST CHANGING THE OWNERSHIP AND CONTROL OF WORLDWIDE FLIGHT SERVICES, INC., AN AERONAUTICAL PERMITTEE AT MIAMI INTERNATIONAL AIRPORT(Aviation Department)

*Adopted
Resolution R-1298-01
Mover: Dennis C. Moss
Seconder: Gwen Margolis
Vote: 10 - 0
Absent: Barreiro , Alonso , Seijas*

11/13/2001 Forwarded to BCC with a favorable recommendation by the Transportation Infrastructure & Environment Cmte

6A1A SUPPLEMENT

013060 Report

021627 Resolution **Katy
Sorenson
Jimmy L.
Morales**

RESOLUTION CREATING AND ESTABLISHING THE EAST KENDALL MUNICIPAL ADVISORY COMMITTEE; DIRECTING COUNTY STAFF TO PREPARE A STUDY OF THE POSSIBLE CREATION OF A NEW MUNICIPALITY IN THE AREA OF EAST KENDALL

*Adopted as amended
Resolution R-545-02
Mover: Jimmy L. Morales
Seco: Gwen Margolis
Vote: 11 - 0
Absent: Souto , Carcio, Sr.*

REPORT: *Commissioner Martinez requested a report on the boundaries being considered by West Kendall.*

Commissioner Moss requested the Board be provided with examples and comparisons with similar municipalities when proposed Municipal Advisory Committees were being created.

The Board adopted the foregoing resolution as amended to delete District 9 and provide Commissioner Souto with the option to delete District 10 within 10 days.

021287 Resolution **Katy
Sorenson**

RESOLUTION CREATING AND ESTABLISHING THE CUTLER RIDGE MUNICIPAL ADVISORY COMMITTEE; DIRECTING COUNTY STAFF TO PREPARE A STUDY OF THE POSSIBLE CREATION OF A NEW MUNICIPALITY IN THE AREA OF CUTLER RIDGE

Amended

5/16/2002 *Forwarded to BCC with a favorable recommendation by the UMISA (Unincorporated Municipal Services Area) Cmte*

021655 Resolution **Katy
Sorenson**

RESOLUTION CREATING AND ESTABLISHING THE CUTLER RIDGE MUNICIPAL ADVISORY COMMITTEE; DIRECTING COUNTY STAFF TO PREPARE A STUDY OF THE POSSIBLE CREATION OF A NEW MUNICIPALITY IN THE AREA OF CUTLER RIDGE

*Adopted as amended
Resolution R-546-02
Mover: Jimmy L. Morales
Seco: Gwen Margolis
Vote: 11 - 0
Absent: Souto , Carcio, Sr.*

REPORT: *The Board adopted the foregoing resolution as amended to*

delete District 9.

9A5

021314 Resolution **Dr. Barbara
Carey-
Shuler**

RESOLUTION DECLARING A STATE OF EMERGENCY FOR THE SUMMER YOUTH EMPLOYMENT PROGRAM AND DIRECTING THE COUNTY MANAGER TO DETERMINE THE FEASIBILITY OF OPERATING THE SUMMER YOUTH EMPLOYMENT PROGRAM AND ISSUE A REPORT

*Adopted
Resolution R-547-02
Mover: Betty T. Ferguson
Seco n der: Katy Sorenson
Vote: 9 - 0
Absent: Rolle , Moss , Souto , Martinez*

5/15/2002 Forwarded to BCC with a favorable recommendation by the Health, Public Safety & Human Services Committee

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10

9A6

021320 Resolution **Rebeca
Sosa**

RESOLUTION URGING THE FLORIDA DEPARTMENT OF TRANSPORTATION TO CO-DESIGNATE RED ROAD (N.W. 57TH AVENUE) BETWEEN N.W. 7TH STREET AND PERIMETER ROAD AS "WHOPPER WAY"

*Adopted
Resolution R-548-02
Mover: Dorrin D. Rolle
Seco n der: Gwen Margolis
Vote: 10 - 0
Absent: Moss , Souto , Seijas*

5/14/2002 Forwarded to the full Board by BCC Chairperson by the Transportation Infrastructure & Environment Cmte

9A7

021337 Resolution **Dennis C.
Moss
Natacha
Seljas
Rebeca
Sosa
Joe A.
Martinez**

RESOLUTION EXCLUDING FROM THE STUDY AREA OF A MUNICIPAL ADVISORY COMMITTEE ALL AREAS NOT WITHIN THE SPONSORING COMMISSIONER'S DISTRICT, EXCEPT THOSE AREAS IN THE DISTRICTS OF OTHER COMMISSIONERS CONSENTING TO INCLUSION OF SPECIFIED AREAS

*Adopted
Resolution R-549-02
Mover: Joe A. Martinez
Seco n der: Gwen Margolis
Vote: 11 - 1
No: Sorenson
Absent: Souto*

5/16/2002 Forwarded to BCC with a favorable recommendation by the UMISA (Unincorporated Municipal Services Area) Cmte

9A8

021338 Resolution **Betty T.
Ferguson**

6D

030857 Ordinance **Katy Sorenson**

ORDINANCE CREATING AND ESTABLISHING THE CUTLER RIDGE MUNICIPAL ADVISORY COMMITTEE; DIRECTING COUNTY STAFF TO PREPARE A STUDY OF THE POSSIBLE CREATION OF A NEW MUNICIPALITY IN THE AREA OF CUTLER RIDGE; PROVIDING WAIVER OF SECTION 2-11.37(C) OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

*Adopted
Ordinance 03-110
Mover: Katy Sorenson
Seconder: Dr. Barbara Carey-Shuler
Vote: 10 - 0
Absent: Souto, Diaz, Seijas*

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11

4/8/2003 Carried over by the Board of County Commissioners

4/10/2003 Adopted on first reading by the Board of County Commissioners

4/14/2003 Forwarded to BCC with a favorable recommendation by the Budget and Finance Committee

6E

030731 Ordinance **Joe A. Martinez**

ORDINANCE REPEALING ORDINANCE NO. 02-27 OF MIAMI-DADE COUNTY RELATING TO THE CREATION OF THE WEST KENDALL MUNICIPAL ADVISORY COMMITTEE; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

*Adopted
Ordinance 03-111
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 10 - 0
Absent: Souto, Diaz, Seijas*

4/8/2003 Carried over by the Board of County Commissioners

4/10/2003 Adopted on first reading by the Board of County Commissioners

4/14/2003 Forwarded to BCC with a favorable recommendation by the Budget and Finance Committee

6F

030989 Ordinance **Jose "Pepe" Diaz**

ORDINANCE RELATING TO THE JAY MALINA INTERNATIONAL TRADE CONSORTIUM OF MIAMI-DADE COUNTY (ITC); AMENDING SECTION THREE OF ORDINANCE 02-225 PERMITTING MEMBERS OF OTHER COUNTY BOARDS TO SERVE ON THE ITC; PROVIDING

*Adopted
Ordinance 03-112
Mover: Jimmy L. Morales
Seconder: Dr. Barbara Carey-Shuler
Vote: 10 - 0
Absent: Souto, Diaz, Seijas*

Commissioner Moss spoke in support of the proposed resolution; however, he noted the Board needed to look at a comprehensive policy for the Enterprise Zone program at the Airport, and to ensure that inner city residents were being hired by businesses located within the Enterprise Zone.

Chairperson Carey-Shuler asked that staff provide the Board with a report on businesses located at Miami International Airport terminals that received ad valorem tax exemptions, and whether their employees were hired from the inner city, or from other areas.

Commissioner Martinez noted jobs in the Enterprise Zone should be available to all low-income residents.

Commissioner Sosa asked that staff prepare appropriate legislation to increase the required percentage of Enterprise Zone residents to be hired by businesses located within those zones.

4/16/2003 Forwarded to BCC with a favorable recommendation by the Economic Development and Human Services Committee

10A5

031007 Resolution Dennis C. Moss

RESOLUTION CREATING AND ESTABLISHING THE PLANT (PRINCETON, LEISURE CITY, AND NARANJA) AREA MUNICIPAL ADVISORY COMMITTEE AND SETTING FORTH ITS DUTIES; DIRECTING COUNTY STAFF TO PREPARE A STUDY OF THE POSSIBLE CREATION OF A NEW MUNICIPALITY IN THE PLANT AREA OF MIAMI-DADE COUNTY

*Adopted
Resolution R-518-03
Mover: Dorrin D. Rolle
Seconder: Katy Soratson
Vote: 9 - 0
Absent: Ferguson , Souto , Diaz , Seijas*

4/14/2003 Forwarded to BCC with a favorable recommendation by the Budget and Finance Committee

10A6

031008 Resolution Dennis C. Moss

RESOLUTION CREATING AND ESTABLISHING THE GOULDS AREA MUNICIPAL ADVISORY COMMITTEE AND SETTING FORTH ITS DUTIES; DIRECTING COUNTY STAFF TO

*Adopted
Resolution R-519-03
Mover: Dorrin D. Rolle
Seconder: Katy Soratson
Vote: 9 - 0*

PREPARE A STUDY OF THE
POSSIBLE CREATION OF A NEW
MUNICIPALITY IN THE GOULDS
AREA OF MIAMI-DADE COUNTY

Absent: Ferguson , Souto , Diaz , Seijas

*4/14/2003 Forwarded with a favorable
recommendation by the Budget and
Finance Committee*

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13

10A7

031028 Resolution

**Natacha
Seljas
Joe A.
Martinez
Dorrin D.
Rolle**

RESOLUTION DIRECTING THE
COUNTY MANAGER TO REVIEW
AND RECOMMEND A SOLUTION
FOR MIAMI-DADE POLICE OFFICERS
AND RETIREES FACING POSSIBLE
LOSS OF THEIR MEDICAL
INSURANCE

Amended

REPORT: *See Agenda Item 10A7-
Legislative File #031401 for the
amended version.*

*4/15/2003 Forwarded to BCC with a
favorable recommendation by the Public
Safety Committee*

10A7

031401 Resolution

**Natacha
Seljas
Joe A.
Martinez
Dorrin D.
Rolle**

RESOLUTION DIRECTING THE
COUNTY MANAGER TO REVIEW
AND RECOMMEND A SOLUTION
FOR MIAMI-DADE POLICE OFFICERS
AND RETIREES FACING POSSIBLE
LOSS OF THEIR MEDICAL
INSURANCE

*Adopted as amended
Resolution R-403-03
Mover: Joe A. Martinez
Second: Dr. Barbara Carey-Shuler
Vote: 9 - 0
Absent: Ferguson , Souto , Diaz , Seijas*

REPORT: *Commissioner Heyman
asked that staff review open enrollment
for current police and corrections
officers eligible under the Police
Benevolent Association (PBA)
membership as part of the foregoing
resolution. She noted the retirees of the
Sweetwater Police Department should
also be protected, as they were also
insured by Nationwide Public Employee
Trust Fund (NPET).*

*Commissioner Morales stated that
whatever action was taken should be
narrowly tailored to Miami-Dade
employees. He cautioned the County to*

November 21, 2003

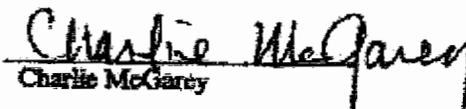
Dear Commissioner Moss:

As the negotiating team representing the Redland Area Municipal Advisory Committee (RAMAC) we have experienced both success and frustration. Our discussions with Mayor Otis Wallace of Florida City have resulted in both the Florida City Council and RAMAC Board ratifying a boundaries agreement. Mayor Wallace has also expressed his support for RAMAC's proposed boundaries.

Our efforts were predicated on the understanding that if we could resolve the Florida City boundary issue then your office would be releasing that portion of your Commission District (#9) that lies within the RAMAC study area. You also lead us to believe that the ordinance that you proposed, whereas an area's boundaries were in more than one Commission district it needed both commissioners to approve it, would not affect RAMAC. Apparently that's not the case for you have withdrawn your area of the Redland.

Per your insistence we have continued to try and bargain in good faith with GOULDS and P.L.A.N.T. Our initial negotiating session with the GOULDS team was hamstrung because there was no representative from the GOULDS Mac in attendance. In addition, we have had several negotiating sessions with the P.L.A.N.T. team. We of the RAMAC team feel that GOULDS and P.L.A.N.T. should be talking to Redland Edge, which is situated at their western boundaries. We can't negotiate for Redland Edge. It makes no sense to continue discussions under this looming cloud of uncertainty. Therefore we feel that further negotiations sessions with the Goulds and P.L.A.N.T. teams would be useless and a waste of everyone's time, and prolong the ability of Redland to move forward.


Forrest Gordon


Charlie McGarey

cc:

Mayor Otis Wallace

Redland Edge Steering Committee

RAMAC

MEMORANDUM

Not On
Agenda Item No. 10(A)(11) Page |

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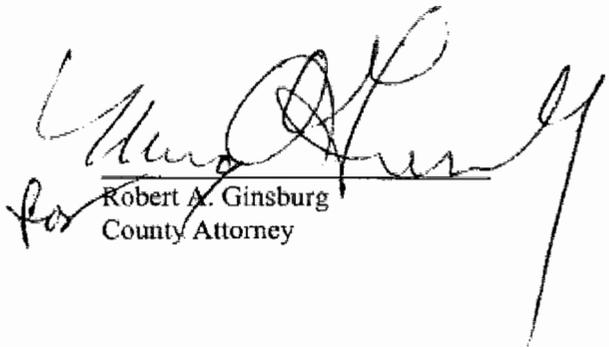
TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: January 20, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Resolution relating to the
Florida Conflict Resolution
Consortium

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Katy Sorenson, Commissioner Jimmy L. Morales and Commissioner Dennis C. Moss.


for Robert A. Ginsburg
County Attorney

RAG/jls

Approved _____ Mayor
Veto _____
Override _____

Not On
Agenda Item No. 10(A)(11)
1-20-04

RESOLUTION NO. _____

RESOLUTION DIRECTING COUNTY MANAGER TO ENTER INTO AGREEMENT WITH FLORIDA CONFLICT RESOLUTION CONSORTIUM TO ASSESS USE OF COLLABORATIVE PROCESS TO RESOLVE BOUNDARY ISSUES REGARDING SOUTH DADE INCORPORATION PROPOSALS

WHEREAS, the Florida Conflict Resolution Consortium (FCRC) is a statewide center based at Florida State University with a legislative charge pursuant to Section 1004.59, Florida Statutes to seek cost-effective solutions to public disputes and problems through the use of alternative dispute resolution and consensus building; and

WHEREAS, the FCRC proposes to assess the possibility of using a collaborative process to address issues relating to the boundaries between the various incorporation efforts currently underway in South Dade,

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

Section 1. The County Manager is authorized and directed to enter into an agreement with the FCRC in accordance with its proposal as set forth in Attachment I to this resolution.

Section 2. The Board of County Commissioners of Miami-Dade County authorizes the expenditure in an amount not to exceed twelve thousand dollars (\$12,000.00) to be paid to the FCRC in performance of services rendered as set forth in the attached proposal. The funds for this expenditure shall be shared equally from the Office Budget Funds of Commissioner Katy Sorenson and Commissioner Dennis C. Moss.

The foregoing resolution was sponsored by Commissioner Katy Sorenson,
Commissioner Jimmy L. Morales and Commissioner Dennis C. Moss and 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:

Dr. Barbara Carey-Shuler, Chairperson	
Katy Sorenson, Vice-Chairperson	
Bruno A. Barreiro	Jose "Pepe" Diaz
Betty T. Ferguson	Sally A. Heyman
Joe A. Martinez	Jimmy L. Morales
Dennis C. Moss	Dorin D. Rolle
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of
January, 2004. 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: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Craig H. Coller



**PROPOSAL
SOUTH DADE COUNTY INCORPORATIONS BOUNDARIES
COLLABORATIVE PROCESS FEASIBILITY ASSESSMENT**

The Florida Conflict Resolution Consortium (FCRC) is a statewide center based at Florida State University with a legislative charge to assist Floridians in seeking cost-effective solutions to public disputes and problems through the use of alternative dispute resolution and consensus building. (F.S. 1004.59). As a neutral resource, the Consortium provides professional consultation, situation assessment and process design, facilitation, training and referral services.

Services

The Consortium proposes to assess the possibility of using a collaborative process to address issues relating to the boundaries between the various incorporation efforts currently underway in South Dade County. Such a process would engage individuals and organizations involved in or affected by these issues in jointly developing seeking solutions all could support or at least accept.

The assessment would be conducted by a two-person Consortium team through interviews with individuals and organizations directly involved in incorporation discussions, and review of relevant documents, statutes, and regulations.

The purposes of the assessment would be to help determine the following

- What issues do those involved believe would need to be addressed in a collaborative process?
- What issues would they be willing to discuss and what issues are most important to them?
- What information and technical data may be needed to inform such a discussion?
- Under what conditions would parties be willing to participate?
- Does it make sense to proceed with a collaborative process?
- If a collaborative process does make sense, what should it look like?
 - Who should be involved?
 - What discussions should be anticipated?
 - What resources would be necessary?
 - How long might it take?
 - What kinds of outcomes might be sought?

Deliverables

The results of the assessment would be presented in the form of a report that would include the following.

- A description of activities undertaken for the assessment.
- A summary of findings.
- Recommendations regarding whether to convene a collaborative process.
- If a collaborative process is recommended, a suggested design for the process, including a draft description of groundrules, objectives, timetables and workplan for the process.

Costs

The Consortium will conduct the assessment for the lump sum of \$12,000. Expenses will be reimbursed separately by the County.

5



CLERK OF THE BOARD
2004 MAY 17 PM 3:23
CLERK OF THE BOARD
DADE COUNTY, FLA.
#1

May 17, 2004
Kay Sullivan, Clerk of the Board
111 NW First Street, Suite 17-202
Miami, FL 33130
Hand Delivered

Dear Ms. Sullivan,

Accompanying this letter are 783 Consent to Petition For Incorporation petitions signed by registered voters within the area seeking incorporation pursuant to Article II, Section 20-21, Miami-Dade County Code. The area seeking incorporation through this citizen's process is known as Redland. This petition is submitted by the Steering Committee, Friends Of Redland.

We are also submitting Resolution No. 03-40 passed by the City Commission of the City of Florida City on November 10, 2003 supporting the incorporation and boundaries of Redland. Also included in this application is a letter supporting the boundaries and incorporation of Redland passed by the Redland's Edge Incorporation Steering Committee on April 1, 2004.

Florida City and proposed city of Redland's Edge are nearby cities or proposed cities that border Redland on the east. Proposed Redland is bordered by Everglades National Park on the west and unincorporated Miami-Dade on the north and south. There are no municipalities, proposed incorporations or proposed annexations on the north, south or west sides of proposed Redland.

The eastern boundary of proposed Redland is the Urban Development Boundary from SW 168 Street to SW 328 Street. By mutual agreement with the City of Florida City, the proposed Redland boundary shifts westward to SW 212 Avenue and deviates from the Urban Development Boundary between SW 328 Street and SW 360 Street.

Please contact us when the signatures have been verified or if you have questions.

Thank You,

Pat Wade
20925 SW 187 Ave
Miami, FL 33187
305-238-8908
koz Wade@bellsouth.net

Kay Bismarck
14951 SW 212 Ave
Miami, FL 33187
305-255-8575
305-613-6444 Cell
kaysells@aol.com

Charlie McGarey
13990 SW 192 ST
Miami, FL 33177
305-233-8965

041413 Report**County Manager**

CUTLER RIDGE AREA
INCORPORATION [SEE AGENDA
ITEM NOS. 11A4 AND 11B1]

*Report received and forwarded to BCC with a
favorable recommendation*

Mover: Dennis C. Moss

Seconded: Katy Sorenson

Vote: 4 - 0

Absent: Sosa , Morales

REPORT: *Assistant County Attorney
Gerald Sanchez read the foregoing
proposed report into the record.*

*Assistant County Manager Alex Munoz
provided a brief report on this proposed
incorporation, which he noted started at
a Municipal Advisory Committee (MAC).
This proposal had been considered by
the Boundaries Commission where it
was forwarded with a recommendation
and by the Planning Advisory Board
where it was forwarded to the BCC
without a recommendation. Staff felt this
proposal was revenue neutral and that it
was a good proposal. The Board
adopted an agreement with the Florida
Contract Resolution Consortium
(FCRC) to work with all the groups in
South Dade that had boundaries
disputes with other potential
incorporation areas, including Cutler
Ridge.*

*In response to Commissioner
Sorenson's call for persons wishing to
be heard in connection with this
proposed report, the following
individuals appeared in support of this
report:*

- John Sykes, 8605 Franjo Road,
member, Steering Committee for the
proposed incorporation of Cutler Ridge,
made a PowerPoint presentation
designed to introduced commissioners
to the Cutler Ridge Community*
- Louise Lockwood, 9071 Ridgeland
Drive*
- Mark Hyde, 19220 SW 88 Court,
Whispering Pines*
- Jackie Shannon (phonetic), 2122 SW
94 Court*
- Marlayne Behenna*
- Alfonsina Sergio, 9261 Caribbean
Boulevard*
- Jaime Reyes, 9750 S.W. 215 Lane,
Cutler Ridge Municipal Advisory
Committee*
- State Representative John Cosgrove,
8230 SW 192 Street*
- Rosa Alvarez, 7740 SW 84 Terrace*

Representative Cosgrove pointed out the residents of Goulds were friends and neighbors to the residents of Cutler Ridge, and he wished to reassure members of the Commission that they had reached out to and engaged in dialogue with the Leadership of the Goulds community. Also, he had held meetings, conferences, and telephone conversations with George Knox, the attorney representing many of the Goulds leaders. Representative Cosgrove explained that the residents of Cutler Ridge were not insensitive to the feelings/concerns of Goulds Leadership, and they would explore alternatives with them to providing self-governance that were not as stringent or restrictive as the Cutler Ridge Incorporation proposal.

In response to Commissioner Sorenson's call for persons wishing to be heard in connection with the foregoing report, the following individuals appeared in opposition to this report,;

- Felix Lasarte, 1 SE 3 Avenue, Akerman Senterfitt, representing the Shoma Development*
- George Knox, 150 SE 2 Avenue, representing Goulds citizens and the municipal entity known as PLANT.*

Mr. Knox acknowledged that good faith negotiations were underway to resolve the boundaries dispute between components of the Cutler Ridge Incorporation MAC and the citizens of Goulds and the municipal entity known as PLANT. On behalf of his clients, he suggested that any recommendation of this Committee (BFC) be deferred because some critical, outstanding issues still existed that were directly under the jurisdiction of this Committee. He said his clients felt it would be premature to make any presumptions about the revenue neutrality of the proposed City of Cutler Ridge because all decisions that would be made in the mediation process would likely affect the basis on which that presumption would be made. Mr. Knox noted his clients also wished to convey that they were not opposed to the Cutler Ridge Incorporation proposal, however, they were asking that this proposal be channeled through the process established by the County Commission.

In response to Commissioner Moss, Assistant County Manager Alex Munoz

stated that a majority of the affected parties were involved in the boundaries dispute and it was anticipated that the issues would be resolved and this report would be forwarded for consideration by the Board of County Commissioners before the end of July,

Mr. Knox acknowledged that good faith negotiations were underway to resolve the boundaries dispute between components of the Cutler Ridge Incorporation MAC and the citizens of Goulds and the municipal entity known as PLANT. On behalf of his clients, he suggested that any recommendation of this Committee (BFC) be deferred because some critical, outstanding issues still existed that were directly under the jurisdiction of this Committee. He said his clients felt it would be premature to make any presumptions about the revenue neutrality of the proposed City of Cutler Ridge because all decisions that would be made in the mediation process would likely affect the basis on which that presumption would be made. Mr. Knox noted his clients also wished to convey that they were not opposed to the Cutler Ridge Incorporation proposal, however, they were asking that this proposal be channeled through the process established by the County Commission.

Commissioner Moss noted, for the record, that she supported the continued dialogue among all parties involved in the boundary disputes.

Commissioner Diaz concurred with Commissioner Moss.

In response to Commissioner Sorenson regarding the parliamentary procedures, Assistant County Attorney Cynthia Johnson-Stacks explained that the Committee could defer this ordinance for consideration at its next BFC meeting or waive Committee review and forward it to the Board of County Commissioners.

Commissioner Sorenson, as Vice Chairperson of the Budget and Finance Committee, asked that the proposed report be scheduled for the July 13, 2004, Board of County Commissioners (BCC) meeting with an understanding that boundary issues must be resolved in cooperation with the Florida Conflict Resolution Consortium by July 13th. She indicated this resolution would be considered at the July 27, 2004, BCC meeting if the issues were not resolved

before July 13th.

It was moved by Commissioner Moss that the foregoing proposed report be forwarded to the Board of County Commissioners meeting of July 13, 2004 with a favorable recommendation. This motion was seconded by Commissioner Sorenson and upon being put to a vote, passed by a vote of 4-0 (Commissioners Morales and Sosa were absent).

It was moved by Commissioner Heyman that a resolution be placed on the meeting agenda of the Board of County Commissioners meeting of July 13, 2004 calling a special election.

Commissioner Sorenson, as Vice Chairperson of the Budget and Finance Committee, asked County Manager Burgess to review the contract with the Florida Conflict Resolution Consortium to determine whether it could be extended without having to come back before the Board of County Commissioners.

Commissioner Sorenson requested that the County Attorney's Office place an item on the agenda of the July 13, 2004 BCC agenda to extend the contract with the Florida Conflict Resolution Consortium.

There being no other discussion, the Committee proceeded to vote on the foregoing proposed report.

- 5 **COUNTY ATTORNEY**
- 6 **CLERK OF THE BOARD**
- 7 **REPORTS**
- 7A

041208 Report

REPORT RE: MILITARY RESERVISTS

County Manager

*Report Received
Mover: Dennis C. Moss
Seconder: Katy Sorenson
Vote: 3 - 0
Absent: Diaz , Sosa , Morales*

REPORT: Assistant County Attorney Gerald Sanchez read the foregoing report into the record.

Commissioner Diaz recognized two members of the armed forces in support of this report.

**SOUTH DADE BOUNDARIES DIALOGUE
INITIAL MEETING**

SOUTH DADE REGIONAL LIBRARY

JUNE 12, 2004

AGENDA

Meeting Objectives

- Provide an opportunity for group spokespeople and alternates to introduce themselves.
- Clarify steps and activities in the boundaries dialogue.
- Clarify roles of facilitator/mediators, spokespeople and observers and others.
- Present an initial draft of guidelines for subsequent meetings and negotiations.

9:30 Welcome and introductions

9:45 Overview of process
Background
Process steps
Roles

10:30 Break

10:45 Review of observer comments and questions

11:00 Guidelines

11:25 Next Steps

11:30 Adjourn

Please note that for today's meeting active participation will be limited to spokespeople and their alternates. Observers will have the opportunity to comment or pose questions in writing or through designated spokespeople.

ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS CORTLAND COMMERCIAL CENTER II STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE(Public Works Department)

Ordinance 04-133
Mover: Joe A. Martinez
Seconder: Dorrin D. Rolle
Vote: 8 - 0
Absent: Ferguson, Carey-Shuler, Moss, Souto, Seijas

6/8/2004 Adopted on first reading by the Board of County Commissioners

6/8/2004 Scheduled for a public hearing by the Board of County Commissioners

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4G1

041486 Resolution

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS CORTLAND COMMERCIAL CENTER II STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND ORDINANCE NO. (Public Works Department)

Adopted
Resolution R-823-04
Mover: Joe A. Martinez
Seconder: Dorrin D. Rolle
Vote: 8 - 0
Absent: Ferguson, Carey-Shuler, Moss, Souto, Seijas

4H

041413 Report

CUTLER RIDGE AREA INCORPORATION [SEE AGENDA ITEM NOS. 11A4 AND 11B1](County Manager)

Withdrawn

REPORT: *See Agenda Item 4H Substitute-Legislative File # 042095*

5/20/2004 Report received and forwarded to BCC with a favorable recommendation by the Budget and Finance Committee

4H SUBSTITUTE

042095 Report

CUTLER RIDGE AREA INCORPORATION [SEE AGENDA ITEM NO. 11A1] [SEE ORIGINAL ITEM UNDER FILE NO. 041413] (SEE AGENDA ITEM NO. 11A1)(County Departments)

Deferred to July 27, 2004
Mover: Dennis C. Moss
Seconder: Natacha Seijas
Vote: 9 - 3
No: Heyman, Morales, Sorenson
Absent: Carey-Shuler

REPORT: *There being no objection,*

the Board considered the foregoing item and agenda items 6C, 10A8, 11A4 and 11B1 simultaneously.

Assistant County Manager Alex Munoz presented an overview on the foregoing item. He noted the Florida Conflict Resolution Consortium had been hired to negotiate differences relating to boundaries and other issues between the parties representing Goulds and Cutler Ridge communities. Mr. Munoz stated an agreement had been reached, however, he recommended that staff have an opportunity to review the report of the FCRC further.

Discussion ensued among the members of the Board regarding whether the items under consideration should be deferred until staff had an opportunity to review the agreement reached during negotiations.

Ms. Patricia Plant and Mr. Rafael Montalvo FCRC appeared before the Board and provided a brief report on the points of agreement made by Goulds and Cutler Ridge during negotiations.

Vice Chairperson Sorenson opened the meeting for public input, and the following persons appeared before the Board;

*Ms. Nancy McCue, 20827 S.W. 86 Avenue, Chairperson of the Cutler Ridge Steering Committee
Mr. Jaime Reyes, 9750 S.W. 215 Lane
Mr. J.L. Demps, 11025 S.W. 223 Street, Goulds Steering Committee
Mr. Martin Lampkin, 10235 S.W. 172 Street
Ms. Carla Savola, 7410 S.W. 72 Court*

There being no further persons to appear, the public hearing was closed.

County Manager Burgess indicated the revised boundaries should not have a significant impact on the analysis already conducted on the proposed incorporation of Cutler Ridge's impact on the County's unincorporated budget.

Commissioner Sorenson asked that the "D" Map be included in the Goulds Municipal Advisory Committee process.

Commissioner Morales spoke in support of taking action on these items at today's meeting.

Following discussion among the members of the Board and staff

regarding the total impact of the revised boundaries on UMSA, the Board deferred the items under consideration to the meeting of July 27, 2004, in order for staff to evaluate this matter further.

4H SUPPLEMENT

042138 Report

SUPPLEMENTAL REPORT FROM THE FLORIDA CONFLICT RESOLUTION CONSORTIUM TO AGENDA ITEM 4H SUBSTITUTE (County Manager)

Presented

41

041880 Ordinance **Betty T. Ferguson**

ORDINANCE AUTHORIZING THE USE OF BALLOT POSITION NUMBERS IN COUNTY COMMISSION AND MAYORAL ELECTIONS IN MIAMI-DADE COUNTY, FLORIDA, PROVIDING FOR INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Adopted

Ordinance 04-134

Mover: Sally A. Heyman

Seconded: Dorrin D. Rolle

Vote: 10 - 0

Absent: Carey-Shuler, Mass, Seijas

REPORT: *In response to Commissioner Heyman's comments, County Attorney Robert A. Ginsburg advised that the state had agreed that if the Board adopted the foregoing proposed ordinance it would allow the use of Ballot Position Numbers on all ballots.*

Ms. Constance Kaplan, Miami-Dade County Supervisor of Elections, responded to questions by Commissioners Sosa and Rolle stating that addition of the Ballot Position Numbers would not add to the recent technical problems with voting machines, but would aid voters when reading the ballot. Ms. Kaplan noted the Post Election Audit by the State had been held, that certification of corrections were forthcoming, and it would be a requirement that the corrections be installed on the county's voting equipment.

Following discussion about completing preparations for elections by August 31, 2004, Vice Chairperson Sorenson asked Supervisor of Elections Constance Kaplan to instruct all poll workers that provisional ballots should be used to allow people to vote when there were discrepancies as to a person's voting or eligibility status.

Assistant County Manager Alina Tejeda Hudak agreed to meet with Commissioner Rolle to update him on



Miami-Dade Legislative Item File Number: 043460

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File Number: 043460 **File Type:** Report **Status:** Before the Board
Version: 0 **Reference:** **Control:** County Commission
File Name: PROPOSED PH ON REDLAND INCORPORATION **Introduced:** 12/15/2004
Requester: NONE **Cost:** **Final Action:**
Agenda Date: 12/14/2004 **Agenda Item Number:** 4JSUPPLEMENT
Notes: Title: SUPPLEMENTAL INFORMATION REGARDING PUBLIC HEARING ON
PROPOSED INCORPORATION OF REDLAND
Indexes: INCORPORATION **Sponsors:** NONE
REDLANDS
Sunset Provision: No **Effective Date:** **Expiration Date:**
Registered Lobbyist: None Listed

Legislative History

Acting Body	Date	Agenda Item	Action	Sent To	Due Date	Returned	Pass/Fail
Board of County Commissioners	12/14/2004	4J SUPPLEMENT	Deferred				P

Legislative Text

TITLE

SUPPLEMENTAL INFORMATION REGARDING PUBLIC HEARING ON PROPOSED
INCORPORATION OF REDLAND

MANAGER'S BACKGROUND

This clarification is being presented to correct scrivener's errors contained in the back-up information of agenda item 4J.

The memoranda dated May 17, 2004 and June 30, 2004, from the Clerk of the Board to Jennifer Glazer-Moon Director Designate, Office of Strategic Business Management, regarding the initiated transmittal of the petitions for incorporation of Redland contain scrivener's errors and incorrectly refer to the proposed incorporation of Redlands as the proposed City of Redland's Edge.

- The petition for incorporation of Redland was submitted by the Steering Committee, Friends of Redland and included a letter from the Redland's Edge Steering Committee as well as a resolution from the City of Florida City in support of the boundaries for Redland, as proposed by the Redland Municipal Advisory Committee.
-

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE
COUNTY, FLORIDA.

CASE NO: 05-0943 CA 05

PATRICIA WADE,
THE FRIENDS OF REDLAND, INC.

Plaintiff,

MIAMI DADE BOARD OF COUNTY
COMMISSIONERS,

Defendant.

NOTICE OF APPEAL

Def. 72.50

FILED FOR RECORD
2005 MAY 18 AM 11:05
CLERK CIRCUIT & COUNTY COURTS
DADE COUNTY, FLA.
CIVIL W 51

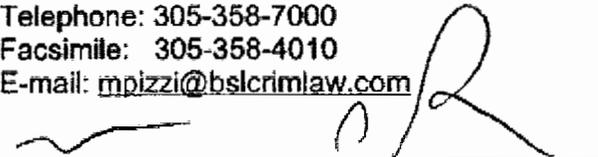
_____ //

NOTICE IS HEREBY GIVEN that PATRICIA WADE and THE FRIENDS OF REDLAND, INC., Plaintiffs in this case, enters this appeal to the District Court of Appeals for the Third District of Florida from the Final Order Granting Defendant's Motion for Summary Judgment on the Pleadings rendered by the Honorable Jon I. Gordon, Circuit Court Judge for the 11th Judicial Circuit on May 4, 2005. (A copy of the Order is attached).

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by (facsimile and U.S. mail) on this 17th day of May, 2005, to: Craig H. Collier, Esq., Assistant County Attorney, ROBERT A. GINSBURG, Dade County Attorney, 111 N.W. 1st Street, Suite 2810, Miami, Florida 33128, (fax no: 305 375-5634) and Miguel De Grandy, P.A., 800 Douglas Road, Suite 850, Coral Gables, Florida 33134-8743, (fax no: 305 374-8743)

Respectfully submitted,

BIERMAN, SHOHAT, LOEWY & PIZZI, P.A.
Attorneys for Plaintiff
800 Brickell Avenue, Penthouse Two
Miami, FL 33131-2911
Telephone: 305-358-7000
Facsimile: 305-358-4010
E-mail: mpizzi@bslcrimlaw.com

By: 
MICHAEL A. PIZZI, JR., ESQ., #079545

P.



Civil / Family / Probate Justice System Docket Information

WADE, PATRICIA vs MIAMI DADE BOARD OF COUNTY COMMISSIONERS

* Click on BOOK/PAGE of a particular docket to see the image if it is available *

Case Number (LOCAL): 2005-943-CA-01 **Filing Date:** 1/13/2005

Case Number (STATE): 13-2005-CA-000943-0000-01

Dockets Retrieved: 21

Judicial Section: 06

Date	Book/Page	Docket Entry	Comments
04/03/06		NOTICE OF CHANGE OF ADDRESS	
03/31/06		MANDATE FROM APPEALS COURT	BK: PG: DN01 AFFIRMED
08/08/05		NOTICE:	TRANSMITTALL OF D.C.A. NO. 05-1192
05/18/05	23432 / 817 Pages:21	NOTICE OF APPEAL	BK:23432 PG:0817
05/05/05	23350 / 1638 Pages:20	FINAL JDMT FOR DEFENDANT	J BK:23350 PG:1638 DN01 AND ORDER GRANTING FOR JUDGMENT ON PLEADINGS
04/28/05		LETTER OF CORRESPONDENCE	04/28/05
04/26/05		MEMORANDUM	IN SUPPORT OF MOT FOR JUDGMENT ON THE PLEADINGS
04/26/05		NOTICE OF TAKING DEPOSITION	
04/25/05		RESPONSE:	TO MTN. FOR JUDG. ON PLEADINGS
04/19/05		ORDER:	ON INTERVENOR'S MOTION TO INTERVENE
04/08/05		NOTICE OF HEARING:	MOTIONS 04/19/2005 : 09:30 AM
04/08/05		NOTICE:	OF APPEARANCE ON BEHALF OF PROPOSED INTERVENOER CITIZENS
03/04/05		NOTICE OF HRG SPECIAL APPT	04/27/2005 : 01:30 PM
03/03/05		MEMORANDUM	IN SUPPORT OF MTN. FOR JUDGMENT ON PLEADINGS
03/03/05		MOTION:	FOR JUDGMENT ON PLEADINGS
02/14/05		ANSWER	ATTORNEY:00281891 DN01
02/03/05		TEXT	VERIFIED RETURN OF SERVICE ON MAYOR C.ALVAREZ 01/26/05
01/13/05		CIVIL COVER	
01/13/05		COMPLAINT	
01/13/05		DEMAND FOR JURY TRIAL	
01/13/05		SUMMONS ISSUED	DN01
BEGIN NEW SEARCH		ALL PARTIES	RETURN TO SAME SEARCH

MEMORANDUM

GOE

Substitute

Agenda Item No. 3(K)

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

DATE: November 13, 2007

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

SUBJECT: Resolution Calling for a
Countywide Special Election
To be held on January 29,
2008 on Whether to Amend
The Home Rule Charter to
Provide a Method of
Appointment, Reappointment
And Dismissal of the Public
Safety Director

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Carlos A. Gimenez, Commissioner Jose "Pepe" Diaz and Commissioner Sally A. Heyman.

This substitute differs from the original in that it replaces the title of "Public Safety Director" with that of "Police Department Director" wherever it appeared throughout the resolution and attachments.



R. A. Cuevas, Jr.
County Attorney

RAC/dcp



MEMORANDUM

(Revised)

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

DATE:

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

SUBJECT: Agenda Item No.

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.

Veto _____

Override _____

RESOLUTION NO. _____

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION TO BE HELD ON JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE A METHOD OF APPOINTMENT, REAPPOINTMENT AND DISMISSAL OF THE POLICE DEPARTMENT DIRECTOR AND TO REQUIRE THAT, EXCEPT FOR THE PURPOSE OF TRANSMITTING CONSTITUENT INQUIRIES, BUDGETING, AND FUNDING MATTERS, THE POLICE DEPARTMENT DIRECTOR SHALL PERFORM HIS DUTIES WITHOUT SUPERVISION AND INTERFERENCE FROM THE MAYOR OR COUNTY MANAGER

WHEREAS, on November 6, 2007, the Miami-Dade County Home Rule Charter Task Force submitted its initial recommendations to the Board of County Commissioners (“Board”); and

WHEREAS, those initial recommendations advised that the County’s Police Department Director (i.e. Sheriff, Police Chief) should remain an appointed position, albeit one with a four-year renewable term, with other requirements and restrictions; and

WHEREAS, among those requirements and restrictions were that the Board, by a two-thirds vote, could disapprove the Mayor’s initial four-year term appointment and any subsequent renewals of the Police Department Director, and the Board could, by a two-thirds vote, dismiss the Police Department Director at any time, as could the Mayor with a majority vote of the Board; and

WHEREAS, another restriction was that, except for the purposes of transmitting constituent inquiries, budgeting, and funding, the Mayor would be prohibited from supervising

and interfering with the performance of the official duties of the Police Department Director,

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

Section 1. A countywide special election, to be held in conjunction with a statewide election, is hereby called and shall be held in Miami-Dade County, Florida on January 29, 2008 for the purpose of submitting to the qualified electors of Miami-Dade County the proposal for amendment to the Home Rule Charter in the form attached hereto and made a part hereof.

Section 2. Notice of such election shall be published in accordance with Section 100.342, Florida Statutes.

Section 3. The result of such election shall be determined by a majority of the qualified electors of Miami-Dade County voting upon the proposal. The polls at such election shall be open from 7:00 a.m. until 7:00 p.m. on the day of such election. All qualified electors of Miami-Dade County, Florida shall be entitled to vote at said election. The County registration books shall remain open at the Office of the Miami-Dade County Supervisor of Elections until twenty-nine (29) days prior to the date of such election, at which time the registration books will close in accordance with the provisions of general election laws. The question shall appear on the ballot in substantially the following form:

HOME RULE CHARTER AMENDMENT
RELATING TO APPOINTMENT, DISMISSAL, AND
INDEPENDENCE OF THE POLICE DEPARTMENT
DIRECTOR

SHALL THE CHARTER BE AMENDED TO PROVIDE THAT THE POLICE DEPARTMENT DIRECTOR:

- BE APPOINTED BY THE MAYOR TO A RENEWABLE FOUR-YEAR TERM, UNLESS DISAPPROVED BY A TWO-THIRDS VOTE OF COMMISSIONERS;

- CAN BE DISMISSED FROM OFFICE BY THE MAYOR WITH A MAJORITY VOTE OF COMMISSIONERS, OR BY A TWO-THIRDS VOTE OF COMMISSIONERS;
- EXCEPT FOR INQUIRIES, BUDGETING, AND FUNDING, SHALL PERFORM HIS/HER DUTIES WITHOUT SUPERVISION AND INTERFERENCE FROM THE MAYOR OR MANAGER?

YES

NO

Section 4. The form of the ballot shall be in accordance with the requirements of general election laws.

Section 5. Early voting shall be conducted in accordance with the requirements of general election laws.

Section 6. Absentee paper ballots may be used by qualified electors of Miami-Dade County for voting on this question. The form of such absentee ballot shall be in accordance with the requirements prescribed by general election laws.

Section 7. A sample ballot showing the manner in which the question or proposal aforesaid will appear at this election shall be published and provided in accordance with the applicable provisions of general election laws.

Section 8. This special election on the proposal aforesaid shall be held and conducted in accordance with applicable provisions of the general laws relating to elections and the provisions of the Miami-Dade County Home Rule Charter. The County Manager, the Finance Director, the Supervisor of Elections and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this resolution. This election shall be a nonpartisan election.

Election officials in connection with this election shall be appointed in accordance with the provisions of general election laws.

Section 9. This election shall be canvassed by the County Canvassing Board, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

The foregoing resolution was sponsored by Commissioner Carlos A. Gimenez, Commissioner Jose "Pepe" Diaz and Commissioner Sally A. Heyman and 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:

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

The Chairman thereupon declared the resolution duly passed and adopted this day of _____, 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: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MR

Monica Rizo

MIAMI-DADE COUNTY HOME RULE CHARTER

ARTICLE-2¹

MAYOR

* * *

Section 2.02. RESPONSIBILITIES OF THE MAYOR

The Mayor shall serve as head of the county government with the following specific powers and responsibilities:

* * *

>>D. The Mayor shall have the power to appoint the Police Department Director to a renewable four-year term, unless the appointment or any renewal is disapproved by a two-thirds vote of those Commissioners then in office at the Commission's next regularly scheduled meeting. The Police Department Director can be dismissed by the Mayor, with the consent of a majority vote of those Commissioners then in office, or by the Commission with a two-thirds vote of those Commissioners then in office. Except for the purpose of transmitting constituent inquiries, budgeting, and funding, the Police Department Director shall perform his or her duties without supervision and interference from the Mayor or the County Manager.<<

~~[[D]]~~ >>E.<< Unless otherwise provided by this Charter, the Mayor shall have the power to appoint all department directors of the administrative departments of the County. Appointment of these department directors shall become effective unless disapproved by a two-thirds majority of those Commissioners then in office at the Commission's next regularly scheduled meeting. The Mayor shall also have the right to suspend, reprimand, remove, or discharge any administrative director, with or without cause.

~~[[E]]~~ >>F.<< The Mayor shall within ten days of final adoption by the Commission, have veto authority over any legislative, quasi-judicial, zoning, master plan or land use decision of the Commission, including the budget or any particular

¹Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

component contained therein which was approved by the Commission; provided, however, that (1) if any revenue item is vetoed, an expenditure item in the same or greater dollar amount must also be vetoed and (2) the Mayor may not veto the selection of the chairperson or vice-chairperson of the commission, the enactment of commission committee rules, the formation of commission committees, or the appointment of members to commission committees. The Commission may at its next regularly scheduled meeting after the veto occurs, override that veto by a two-thirds vote of the Commissioners present.

[[F]] >>G.<< The Mayor shall prepare and deliver a report on the state of the county to the people of the county between November 1 and January 31 annually. Such report shall be prepared after consultation with the Commissioners and the Manager.

[[G]] >>H.<< The Mayor shall prepare and deliver a budgetary address annually to the people of the county in March. Such address shall be prepared after consulting with the Manager and budget director and shall set forth the Mayor's funding priorities for the County.

* * *

ARTICLE-9

GENERAL PROVISIONS

Section 9.01. ABOLITION OF CERTAIN OFFICES AND TRANSFER OF FUNCTIONS

* * *

C. On November 9, 1966, the Office of Sheriff is hereby abolished and the powers and functions of such office are hereby transferred to the Mayor, who shall assume all the duties and functions of this office required under the Constitution and general laws of this state. The Mayor [[may]] >>shall<< delegate to a suitable person or persons the powers and functions of such office>>, and such person shall hereinafter be referred to as the Police Department Director and shall carry out the duties and functions of the County Sheriff and the policy directive of the Board of County Commissioners<<.