



**MIAMI-DADE COUNTY
FINAL OFFICIAL MINUTES
Annexation & Incorporation Task Force**

Stephen P. Clark Center
111 N.W. First Street
18th Floor, Room 18-3
Miami, Florida 33128

July 17, 2013
As Advertised

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Board of County Commissioners

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**CLERK'S SUMMARY OF MEETING AND OFFICIAL MINUTES
MIAMI-DADE ANNEXATION AND INCORPORATION TASK FORCE
MEETING OF JULY 17, 2013**

The Miami-Dade Annexation and Incorporation Task Force (the Task Force) convened on July 17, 2013, at the Stephen P. Clark Center, 111 N.W. First Street, Room 18-3, Miami, Florida, at 9:00 a.m. Present were: Chairman Michael Pizzi, Vice Chairman Kenneth Forbes, Mr. Steven Alexander, Mr. Mitchell Bierman, Ms. Rosa M. De La Camara, Mr. Lenny P. Feldman, and Ms. Deborah Skill Lamb; (Mr. Richard Friedman and Miami-Dade County Commissioner Juan Zapata were late). (Ms. Anne Cates, Mr. Carlos Diaz-Padron, Mr. Carlos Manrique, City of Sweetwater Mayor Manuel L. Marono were absent).

In addition to the members of the Task Force, the following staff members were also present: Assistant County Attorney Cynthia Johnson-Stacks, Budget Director Jennifer Moon, Office of Management and Budget (OMB), Mr. Jorge Fernandez, OMB Coordinator, and Deputy Clerk Flora Real.

CALL TO ORDER

Chairman Pizzi called the meeting to order at 9:38 a.m.

TASK FORCE DISCUSSION

In his opening remarks, Chairman Pizzi stated that he would like to expedite the conclusion of the Task Force's discussion on proposed recommendations in order to prepare a good report without undue delay; in addition, the Board expected the Task Force members to provide their recommendations in the near future.

Chairman Pizzi stated that the Task Force had made fifteen (15) recommendations, which would be reconsidered at a later time for any needed changes.

Chairman Pizzi asked if any of the Task Force members had any additional recommendations.

Mr. Alexander stated that the Planning Advisory Board's (PAB) review should focus exclusively on regional issues, and a policy should be established to require revenue neutrality. He noted the Miami-Dade County Code (the Code) mentioned neutrality without making it a requirement for annexations, and he believed that it should be a requirement.

Motion Number 1:

It was moved by Mr. Alexander that the Miami-Dade Annexation and Incorporation Task Force recommend to the Board of County Commissioners that the Planning Advisory Board's (PAB) review should focus exclusively on regional issues. This motion was seconded by Mr. Bierman, and the floor was opened for discussion.

Pursuant to Mr. Feldman's questions regarding whether the PAB reviewed issues such as the geography and the finances of that area when reviewing a Municipal Advisory Committee's (MAC) proposal, Mr. Alexander clarified that the PAB reviewed those issues due to the MACs regional impact; but issues regarding whether elected officials received a benefit package or not should not be within their purview.

Pursuant to Mr. Feldman's question as to what the Charter should address, Mr. Alexander pointed out that, at the last Task Force meeting, it was said the Charter should address the issue of MACs; and he believed the issue of benefit packages was not within the purview of the PAB.

Vice Chairman Forbes asked if the Task Force's Recommendation #2 could be amended to include that language.

Chairman Pizzi read into the record the Task Force's Recommendation #2, which provided that "the Code should be amended to remove the PAB Committee review requirement."

Ms. De La Camara noted that was the subcommittee.

Mr. Feldman clarified that Vice Chairman Forbes wished to include Mr. Alexander's recommendation in the Task Force's Recommendation #2 because it related to the PAB.

Ms. Lamb pointed out that Mr. Alexander's recommendation completely removed the PAB from any type of financial oversight.

Mr. Alexander clarified that his recommendation only addressed regional issues and not benefit packages for elected officials of future cities.

Discussion ensued between Ms. Lamb and Mr. Alexander regarding the intent of the motion.

Ms. Lamb expressed her concerns regarding Mr. Alexander's motion limiting the PAB's oversight to regional issues only due to the need to have in place as many oversight boards as possible.

Following a brief discussion among the Task Force members regarding who should have the responsibility to perform economic impact studies and to provide financial details, Ms. Lamb suggested that financial documents should be reviewed by more than one group.

Chairman Pizzi stated that the responsibility of reviewing financial documents should remain within the purview of the Office of Management and Budget (OMB); and he commended the staff of OMB for their performance, reviews of incorporation applications, reporting accuracy, and demonstration of fairness.

Chairman Pizzi reminded the members that there was a motion on the floor which proposed that the PAB analysis be limited to regional issues.

Commissioner Zapata joined the meeting.

Budget Director Moon noted the information prepared for the PAB analysis represented the first opportunity for all of the information relating to the annexation application to become part of the public domain. She expressed concern that removing this requirement would postpone public access to information on what would be the potential fiscal impact of the annexation.

Mr. Alexander withdrew the motion.

Motion Number 2:

It was moved by Mr. Alexander that the Miami-Dade Annexation and Incorporation Task Force recommend to the Board of County Commissioners that incorporation and annexation applications be required to have approximate revenue neutrality. This motion was seconded by Ms. De La Camara, and the floor was opened for discussion.

Mr. Alexander noted the applications should not be required to be balanced to the penny.

Pursuant to Chairman Pizzi's question, Budget Director Moon advised that Section 20-8.7 of the Miami-Dade County Code (the Code) said: "The Board of County Commissioners may require as a condition of municipal boundary change involving an area that is not revenue neutral that the municipality shall agree to make an annual mitigation payment, etc. For purposes of this section, 'a revenue neutral area' is defined as an area that previously, as part of the Unincorporated Municipal Service Area, generated revenues equal to or less than the cost of services provided to the area by the County."

Ms. Moon noted one of the Task Force's affirmations was to eliminate Section 20-8.7.

Chairman Pizzi clarified that the Task Force was recommending the elimination of mitigation payments.

Budget Director Moon pointed out that Mr. Alexander's recommendation contradicted the Task Force's previous recommendation to eliminate mitigation payments.

Mr. Alexander noted no requirement was currently in place to make the application revenue neutral if mitigation payments were eliminated; however, the Task Force should review further the recommendation requiring that the application be revenue neutral.

Chairman Pizzi pointed out that, in theory, the mitigation payments had already been eliminated; and the Task Force had made a recommendation to have mitigation payments eliminated. Consequently, if a requirement was established to make the new incorporation revenue neutral, there would be no need to require mitigation.

Mr. Friedman joined the meeting.

Budget Director Moon noted mitigation was not required for an annexation application.

Discussion ensued between Budget Director Moon and the Task Force members regarding the current requirements of the Code in relation to mitigation.

Mr. Bierman stated that several recommendations on the issue relating to the concept of neutrality had been proposed.

Mr. Alexander suggested that the Task Force should recommend to the Board of County Commissioners (BCC) that the issue of "cherry-picking" should be addressed in order to reduce that practice, and he asked for recommendations.

Budget Director Moon suggested that the Task Force should ask the Board to consider the issue of "cherry-picking," noting it would be impossible for an annexation application to be revenue neutral in certain instances; and it would cause the application to be unable to proceed if mitigation was eliminated, which would probably create an enclave area if the boundaries could never be modified due to a law change. She suggested that the recommendation should be to ask the Board to examine that issue when considering an application; but it should not be made a requirement.

Chairman Pizzi stated that in many instances applications had been unable to move forward due to the neutrality requirement.

Mr. Feldman advised that, in his opinion, Section 20-23 and other sections of the Code addressed some of those issues.

Following a brief discussion among the Task Force members regarding the current language of the Code on neutrality, Mr. Alexander expressed his interest to recommend to the Board that a neutrality or super majority requirement be established and special circumstances be recognized and taken into consideration when considering an application. He reiterated that the Task Force should set forth a recommendation addressing the issue of "cherry-picking."

Chairman Pizzi inquired whether Mr. Alexander wished to require strict revenue neutrality.

Mr. Alexander clarified that strict revenue neutrality could not be required since flexibility should be a component, but the application should approximate revenue neutrality.

Chairman Pizzi stated that the Task Force needed to be specific; and currently, there was a requirement stating that the County should look at revenue neutrality. He suggested that the Task Force set forth a recommendation providing that the Board should continue to consider revenue neutrality or should pay particular attention to revenue neutrality.

Vice Chairman Forbes suggested that the government's forever familiar term "to the extent possible" could be used.

Chairman Pizzi pointed out that the Code already required that the issues of revenues and revenue neutrality be considered.

Mr. Alexander stated that the word was "mitigation," but it was eliminated.

Chairman Pizzi noted the Task Force members were missing the connection between the concepts of mitigation and revenue neutrality since mitigation payments were required when the application was not revenue neutral, but the Task Force members had recommended that the mitigation requirement be eliminated even if the application was not revenue neutral. He stated that the motion on the floor was inconsistent with the previous recommendation because it would not allow an application to move forward if revenue neutrality was not achieved.

Mr. Alexander suggested that the Task Force members recommend that the Board establish a policy requiring that incorporation applications should include in their applications areas generating less revenues, as well as areas generating large revenues, in order to create balance.

Chairman Pizzi suggested that this would be better addressed with a policy recommendation that discouraged creating enclave areas and drawing circumventing boundaries.

Mr. Alexander withdrew his motion in order to fine-tune it with County staff.

Mr. Friedman's recommendation:

Pursuant to Chairman Pizzi's request, Mr. Friedman presented an overview of his report and recommendations (Exhibit "A"). He noted all areas in Miami-Dade County were different, had different concerns, and had positive and negative aspects. He suggested that the Task Force set forth a recommendation to the Board asking that Miami-Dade County be divided into five or six distinct areas for the purpose of conducting an analysis to identify problems and potentials within those areas, develop a very comprehensive plan using private and public sector organizations providing different types of services in order to correct problems, and make recommendations on infrastructure and transportation to revitalize those areas. He provided an explanation of how his proposal would work, and asked for a recommendation on how to best draft a specific resolution providing guidelines to an advisory panel based on the complexity of the proposal.

Chairman Pizzi said that Mr. Friedman's proposal was important because it pointed out significant issues regarding the remaining unincorporated areas, and he was doubtful whether the Task Force should develop recommendations addressing those remaining areas. He noted the success of newly-incorporated cities such as the City of Miami Gardens, which was a city with many sub-areas and needs before its incorporation. He commended the City Council of the City of Miami Gardens for its outstanding job in providing the area with an identity, focusing on its needs, and addressing those needs. He highlighted the accomplishments of other newly incorporated municipalities, noting those cities had been able to successfully lobby at the county, state, and federal levels to secure grants and additional funding. He also said that, in his opinion, the newly proposed cities in Kendall, if successful in their incorporation efforts, would be able to focus like never before on economic expansion and development, cleanliness, and crime within their specific areas.

Chairman Pizzi suggested that the solution to accomplishing Mr. Friedman's recommendation and focusing on specific communities and their needs was to encourage the process of incorporation and allow those areas to become cities. He noted, once incorporated, the cities would focus on branding initiatives, community policing, crime initiatives, and attracting new businesses. He said that, assuming the disadvantaged areas could be incorporated along with more affluent areas, a process of total incorporation would accomplish Mr. Friedman's mission more successfully than regional advisory committees.

Mr. Friedman stated that high crime areas would have to spend large amounts of funds on crime prevention and law enforcement in order to be able to incorporate; consequently, the residents in those areas would probably object to the incorporation of their area because of the higher taxes that would be needed to achieve that goal. He pointed out that, ultimately, the residents of those areas would decide; and if the alternative was for them to remain with the County and pay lower

taxes, they would most likely opt for this option. He stated that, considering recent events, it did not appear that many voters would be willing to pay higher taxes. He pointed out that most of the newly incorporated areas previously mentioned by Chairman Pizzi had strong economic bases.

Mr. Friedman noted the communities most likely to be left as enclaves, if the County encouraged as much incorporations and annexations as possible, were those areas unable to incorporate due to the small population size or areas with problems. He noted the Task Force should assume that some areas would be difficult to incorporate or to annex to a neighboring city, and he recommended that the Task Force members should recommend to the Board that the County should begin to analyze those specific areas to determine if they could be revitalized.

Chairman Pizzi asked that Mr. Friedman formulate his recommendation in the form of a motion to enable the Task Force members to discuss his motion and amend it, if necessary, before forwarding it to the County Commission.

Following a brief discussion on how to best address Mr. Friedman's recommendation, the Task Force members determined that the recommendation contained in the last page of his report should be used as the recommendation.

Motion Number 3:

It was moved by Mr. Friedman that the Miami-Dade Annexation and Incorporation Task Force recommend to the Board of County Commissioners the following:

1. that a an advisory panel should be created to analyze UMSA and create long-term plans for improvement and development;
2. that UMSA should be divided into distinct geographic and recognizable community areas;
3. that each area should be analyzed to identify: specific needs such as crime prevention and community needs; infrastructure needs to encourage development such as road improvements and transportation; business development needs; and private sector social services networks and service providers;
4. that a long range plan should be created for each area to identify funding needs and sources; gather feedback from residents; setup guidelines and measurable standards of performance for providers;
5. that long-term goals be established and broken down into short-term benchmarks;
6. that areas with realistic resources should be identified to allow incorporation in the near future; and

7. that the findings should be presented to the Mayor, Board, and electorate in town hall meetings.

This motion was seconded by Ms. Lamb, and the floor was opened for discussion.

Vice Chairman Forbes pointed out that all of those recommendations were already being implemented; and those communities, specifically low-income communities, were the recipients of different programs such as community block grant funding and Community Redevelopment Agencies (CRAs), as well as other revitalization efforts. He said he believed that Mr. Friedman's recommendations were a reflection of the problem pointed out by Commissioner Zapata, i.e. that funds earmarked for UMSA were not being spent on the areas with the most need, since the County had discretion on how to spend the funds.

Vice Chairman Forbes noted incorporation or annexation of unincorporated communities would allow for that funding to be used within those communities. He explained how some incorporated communities were able to seek funding, establish themselves as strong cities, and improve the quality of their lives; and he said he believed that all of these communities would be in a position to improve the quality of life for their residents if communities were provided with the opportunity to have and spend their funds within their areas, and the County should focus on regional issues.

Vice Chairman Forbes referred to the disparity among neighborhoods in relation to the provision of transportation services within various communities.

Ms. Lamb noted transportation services were divided by population size.

Commissioner Zapata suggested that the PAB should conduct the studies recommended by Mr. Friedman since it was within its functions, and it would avoid the need to create an additional panel. Commissioner Zapata suggested that the law enforcement services for pocket communities with serious law enforcement problems should be made a countywide concern, since the County already provided countywide police services. He said he believed there were pocket communities with serious security concerns, and the County should step up and use crime prevention units as well as some other resources to assist these communities because that would be one of the major concerns for municipalities. He note he believed that the County should adopt the policy of providing law enforcement support to those communities in order to spread the cost countywide as opposed to burdening local residents.

Mr. Feldman recommended replacing the word "UMSA" with "County" and to include in the proposal a study of the entire County. He stated that the proposal was a very good idea, noting

he believed that the plan had the potential to benefit the entire County and enhance the ongoing incorporation and annexation process. He observed that existing incorporated areas would also derive a benefit.

Ms. De La Camara noted the resolution creating this Task Force requested that a report of recommendations be prepared as opposed to a bullet point report. She commended Mr. Friedman on the quality and comprehensiveness of his proposal; however, she said that the motion made at today's (7/17) meeting was too nebulous due to the lack of timeframes. She noted the studies would continue indefinitely if a timeframe was not established.

Ms. De La Camara made the following suggestions:

- 1. that Mr. Friedman's proposal be used as an opening setting the background to the Task Force's report; and*
- 2. that the motion should include performance timeframes, such as for example, "in furtherance of the goal of full incorporation, the long-term plan shall be completed within three years."*

Mr. Friedman said his research indicated that urban issues should be comprehensively addressed, and the solutions proposed should target the underlying causes. He noted he believed that the advisory panels would conduct preliminary diagnostic studies in the communities to make overall recommendations to the PAB, develop overall plans to provide the County and cities an opportunity to establish timeframes, and determine if funding was available at the federal, state, or County levels.

Mr. Friedman pointed out that the voters would ultimately decide whether or not to incorporate or annex, and many residents would be unwilling to incorporate or annex due to UMMA's low taxation rate. He stated that the proposal could be used as a tool to educate the residents at a later time as to what would happen if revenues were not increased to provide certain types of services for that area.

Chairman Pizzi explained that Mr. Friedman was proposing a strategic planning process for UMMA if the pending MACs became cities. He pointed out the importance of understanding what happened in the initial stages after a city was created, noting all cities should engage in a strategic master planning process before beginning to spend their residents' money and making decisions affecting the community. He said that newly-created cities should schedule weekend-long workshops with planners, experts, and facilitators to address all of the community's concerns in terms of crime prevention, economy, job creation, and social services and to develop a town-wide five-year strategic master plan.

Chairman Pizzi noted he would support the motion on the floor if it would not impede areas wanting to incorporate from moving forward, and if it indicated that the planning process would only affect those areas within UMSA at the present time.

Mr. Friedman suggested that language should be included to say “that the planning intended to improve all areas where feasible for incorporation.”

Chairman Pizzi stated that he was unwilling to recommend that MACs already in the incorporation process and willing to move forward would have to wait until this planning initiative was completed.

Mr. Friedman stated that he did not intend to stop any of the MACs already in progress, but any overall transportation planning would be to their benefit.

Mr. Bierman reminded the Task Force members that they voted earlier to recommend that the County pursue a policy of full incorporation. He suggested that the master planning should be focused on creating a map showing a plan for full incorporation with attention paid to areas that are at the end of the process prior to being incorporated or annexed into an existing city. He noted the planning should be harmonious with the goal of full incorporation; the County should have a comprehensive approach and should develop a map indicating the areas that had already incorporated and where all remaining unincorporated areas might better fit within an existing municipality. He pointed out that Mr. Friedman’s proposal provided a way to plan for how to address the UMSA areas that might ultimately incorporate.

Chairman Pizzi noted the current plan was to allow incorporation of all areas, and the County played a reactive role as opposed to a proactive planning role.

Mr. Bierman suggested that the County should be able to ultimately require that the boundaries of a MAC include certain areas to avoid creating an enclave area; similarly, it should be able to require that proposed MACs exclude certain areas if they should be included within another area.

Chairman Pizzi suggested that the motion be amended to provide: “that these recommendations should be followed as part of the County’s goal of focusing on regional issues and allowing incorporations,” since the Task Force had already voted unanimously to recommend that the County should consider global cityhood and focus on the regional issues.

Ms. Lamb noted many residents would be unwilling to incorporate, and there needed to be a plan like Mr. Friedman's proposal for those who objected to that level of government. *She suggested that Mr. Friedman's proposal be accepted as presented.*

Ms. Lamb recommended that the motion include language providing that special independent districts be created in order to have the budgeting process without having to create a city.

Chairman Pizzi noted he agreed with Mr. Bierman that the motion should harmonize some of the recommendations already made in order to be intellectually consistent, and this Task Force should recommend that the County allow additional incorporations in an expedited manner, and focus on regional issues.

Mr. Feldman suggested that #6 in Mr. Friedman's recommendation providing that, "areas with realistic resources should be identified to allow incorporation in the near future," should be deleted or reworded to be consistent with the Chair's suggestion and with Mr. Friedman's previously accepted changes.

Following a brief discussion among the Task Force members on Mr. Feldman's recommendation, *Mr. Friedman accepted the amendment to delete the word "allow."*

Following Mr. Friedman's acceptance of the amendment, Chairman Pizzi stated that the statement should read as follows: "those areas with realistic resources should be identified as part of the global incorporation focusing on the regional issues process."

Upon conclusion of the foregoing discussion, *the motion was put to a vote; and the motion passed unanimously as amended by a show of hands (Ms. Cates, Mr. Diaz-Padron, Mr. Manrique, and Mayor Marono were absent).*

(Note: the timeframe of the proposal was further discussed at a later time during the meeting.)

Mr. Bierman's Recommendation Relating to the Public Opinion Polling:
(Listed as motion Number 4 in Exhibit "B")

Pursuant to Chairman Pizzi's request for additional recommendations, *Ms. Lamb asked that Mr. Bierman's motion, which was tabled at the Task Force's previous meeting, recommending the County conduct a public opinion polling, be reconsidered at today's (7/17) meeting.*

Mr. Bierman noted he would not object to reconsideration of the motion if another member of the Task Force moved it. He also noted he believed there was no immediate need to conduct public opinion polling at this time; but it would be helpful to conduct a highly sensitive poll as part of the master planning process to provide detailed information on what the voters ultimately wished to do.

Commissioner Zapata said that he objected to conducting surveys without educating the public first. He noted surveys could be manipulated to reflect a particular preference, and it was impossible to determine residents' views on incorporation until the process was moving forward.

Discussion ensued among the Task Force members regarding how current County events in connection with the Mayor and his office might have changed the public's opinion on incorporations and whether the public opinion polling should be conducted.

Mr. Bierman withdrew the motion because he no longer believed it would be the best course of action based on Commissioner Zapata's statements.

Mr. Friedman's Proposal – Timeframe:

Ms. De La Camara reiterated that Mr. Friedman's proposal lacked timelines. She recommended a timeframe of three (3) to five (5) years be included in his recommendation to develop a long-term plan. She noted the advisory panel could possibly take fifteen (15) years to accomplish this task; therefore, it was important to require that the advisory panel complete its work within a reasonable amount of time.

Chairman Pizzi noted the Task Force had already made a motion to recommend that the County should stop providing municipal services, focus on regional issues, and allow the process of incorporations; but no timeframe was included in the Task Force's recommendation. He agreed with Ms. De La Camara's recommendation.

Mr. Friedman stated that he would like to see his proposal implemented and completed within a year, but he was unsure whether this was feasible.

Chairman Pizzi recommended that the Task Force members agree on the three-year timeframe proposal.

Motion Number 4:

It was moved by Mr. Bierman that the Miami-Dade Annexation and Incorporation Task Force recommend to the Board of County Commissioners that a timeframe of three (3) years should be established for the advisory panels referenced in Mr. Friedman's proposal, if created, to complete an analysis of UMSA and develop long-term plans for improvement and development. This motion was seconded by Chairman Pizzi; and upon being put to a vote, the motion passed by a vote of 9-0. (Ms. Cates, Mr. Diaz-Padron, Mr. Manrique, and Mayor Marono were absent).

Pursuant to Chairman Pizzi's request for additional recommendations from the Task Force members, Mr. Feldman stated that Mr. Friedman's proposal made progress with respect to the resolution creating this Task Force, which mandated the Task Force members to provide to the Board a report with recommendations on how the County should proceed with the remaining unincorporated areas. However, the proposal would probably take several years to complete. He suggested that the Task Force identify short-term solutions to address some of the concerns by utilizing a four-key steps approach to address the remaining unincorporated areas since several annexation applications and MACs were pending or in the process.

Mr. Feldman pointed out that the County's map were not updated with the pending annexation applications and pending MACs, and the County had not provided a report showing all of the remaining unincorporated areas. He said that he had obtained information from commercially designated websites to prepare an informational summary taking into consideration all of the new incorporation and annexation efforts to determine what the population size would be and which areas would remain in UMSA if the pending applications were approved. He informed his fellow Task Force members that his findings indicated that approximately 600,000 residents were included in all of these pending annexations/incorporations if the MACs for County Commission Districts 11 and 9 were included; and approximately 300,000 residents would remain in unincorporated areas, such as Westchester. Therefore, he believed that the County should provide a list depicting all of the pending annexations/incorporations to help determine which areas would be able to incorporate without assistance and which areas should be annexed to other areas by the Board.

Mr. Feldman recommended that the County should conduct a review of all unincorporated areas within the next sixty (60) days and provide a complete accounting of the communities included and/or excluded from the active proposed incorporations.

Chairman Pizzi clarified the motion stating that it would recommend to the Board that within sixty (60) days of approving the Task Force's recommendations the County would conduct a comprehensive accounting of areas not covered by any existing annexation or MAC proposals.

Pursuant to Chairman Pizzi's question regarding whether the County had updated its current maps to show the aforementioned information, Budget Director Moon indicated that the maps were not updated.

Motion Number 5:

It was moved by Mr. Feldman that the Miami-Dade Annexation and Incorporation Task Force recommend to the Board of County Commissioners that the Board should conduct a comprehensive accounting of areas not covered by any existing annexation or MAC proposal within sixty (60) days of approving the Task Force's recommendations, including the thirty seven (37) unincorporated Census designated areas, and that the list be made public. This motion was seconded by Chairman Pizzi, and the floor was opened for discussion.

Ms. Lamb suggested that the recommendation should include language recommending that the Board also perform a comprehensive financial accounting of remaining unincorporated areas.

Mr. Feldman noted the recommendation only addressed an accounting of population at this time.

Chairman Pizzi suggested that Ms. Lamb make a separate motion to set forth her recommendation.

Upon conclusion of the foregoing discussion, *Chairman Pizzi put the motion to a vote; and the motion passed by a vote of 8-1 (Ms. Lamb voted no). (Ms. Cates, Mr. Diaz-Padron, Mr. Manrique, and Mayor Marono were absent)*

Mr. Feldman's Recommendation:

It was moved by Mr. Feldman that the Miami-Dade Annexation and Incorporation Task Force recommend to the Board of County Commissioners that the Board should enact an opt-in ordinance providing that an area contiguous to an active or proposed incorporation could, upon twenty (20) percent of petition of the electorate, come forward with a petition to opt-in. This motion was seconded by Chairman Pizzi, and the floor was opened for discussion.

Mr. Feldman noted he believed that the County should have a procedure in place to allow an enclave area to formally petition the Board to be included in a city upon achieving a 20 percent

signature petition if the County was unable to efficiently or effectively provide services to that area.

Chairman Pizzi inquired as to the impact of Mr. Feldman's motion and provided a hypothetical case.

Mr. Feldman pointed out that his motion referred to an enclave area, which the County Commission as a whole determined could not be serviced efficiently or effectively on its own.

Discussion ensued between Chairman Pizzi and Budget Director Moon on the current process to opt-in.

Chairman Pizzi suggested that the recommendation be strengthened.

Mr. Feldman recommended that the ordinance should ensure that the petitions were considered by the Board prior to the MAC being referred to the PAB and should allow the County commissioners to vote as a whole.

In response to Chairman Pizzi's question as to whether residents from an adjacent area could be prevented from petitioning the Board for inclusion in a MAC, Commissioner Zapata noted he had already received complaints from residents who were left out from his MACs because the county commissioner of their area objected to the inclusion; and he suggested to them to go back to the community and mobilize to go before the Board.

Chairman Pizzi expressed his agreement with Mr. Feldman's recommendation; however, in order for the petition to be effective, he suggested that the petition's language should specify the number of signatures required to mandate that the Board shall include the area in the MAC.

Following a discussion among the Task Force members regarding how the recommendation should be strengthened and the effect of the word "shall," Chairman Pizzi noted a change should be made either in the ordinance or in the Charter.

Mr. Feldman recommended that the mandate should be provided by ordinance. He said that his main concern was the ability of the commissioner of the enclave area to prevent it from incorporating into an adjacent area.

Chairman Pizzi noted the recommendation could best be strengthened by mandating inclusion into a MAC upon the petition receiving a certain number of signatures because 100 percent of the residents could sign the petition and still be ignored.

Mr. Feldman pointed out that the County Commission members would still have to approve the inclusion.

Ms. De La Camara noted the original members of the MAC or the county commissioners should have the ability to approve or reject the petition, even if it had been signed by 20 percent of the residents of the enclave. She inquired whether Mr. Feldman was suggesting that the petition would be locked in once it had been signed by 20 percent of the residents of the enclave.

Mr. Feldman clarified that his recommendation would provide the petitioners with the formal right to be considered by the Board and allow the county commissioners to vote on whether inclusion would be granted.

Ms. De La Camara stated that, at present when residents presented a petition to be included into a MAC, it was permissive and not compulsory for the County Commission to consider the petition.

Mr. Feldman clarified that the Board had discretion as to whether or not to consider the petition.

Assistant County Attorney Cynthia Johnson-Stacks referred to the question previously asked by the Task Force members as to whether an enclave area could petition to be included in a MAC proposal. She said that it was perfectly permissible for the area residents to petition their county commissioner to be included in the MAC. She stressed that presently any citizen had the right to make a petition before the entire County Commission; however, if the Task Force wished to mandate that the enclave area should be included in the boundaries of the proposed MAC pursuant to the petition, that would be the subject of a separate recommendation.

Mr. Feldman expressed concern that at present petitioners were unable to be considered by the Board. He asked whether the Task Force members wished to mandate that the County Commission must consider a petition.

Mr. Friedman suggested that a mechanism be established to send notifications to residents within a certain surrounding geographic area of the MAC and allow them to participate in the meetings and make presentations; this would provide the MAC with the opportunity to consider the proposal to extend the boundaries and increase the size of the MAC.

Chairman Pizzi suggested that Mr. Feldman discuss the foregoing proposed recommendation with County staff before the next scheduled meeting, which, he believed, would be the Task Force's last meeting to discuss proposed recommendations.

Mr. Feldman advised that he proposed his recommendation upon consultation with County staff.

Motion Number 6 – Mr. Feldman’s Recommendation Rephrased:

It was moved by Mr. Feldman that the Miami-Dade Annexation and Incorporation Task Force recommend to the Board of County Commissioners that the Board should enact an ordinance enabling areas that cannot be serviced efficiently or effectively on their own by the County and that were contiguous to an active proposed incorporation or annexation area to opt-in upon twenty (20) percent petition and approval of the majority vote of the County Commission. This motion by seconded by Chairman Pizzi; and upon being put to a vote, the motion passed by a vote of 9-0 (Ms. Cates, Mr. Diaz-Padron, Mr. Manrique, and Mayor Marono were absent).

Motion Number 7:

Mr. Feldman explained his motion, noting it had already been introduced at a previous meeting. He stated that the motion was discussed with County staff, as previously requested by Chairman Pizzi, and it intended to improve access to balanced information and enhance education.

It was moved by Mr. Feldman that the Miami-Dade Annexation and Incorporation Task Force recommend to the Board of County Commissioners that the County should maintain an updated electronic incorporation and annexation portal site, which would include frequently asked questions, a principle pamphlet describing how to incorporate and annex, a list of active incorporations and annexations, and a list of enclave areas. This motion was seconded by Chairman Pizzi, and the floor was opened for discussion.

There being no one wishing to discuss the motion, *Chairman Pizzi put the motion to a vote; and it passed by a vote of 9-0 (Ms. Cates, Mr. Diaz-Padron, Mr. Manrique, and Mayor Marono were absent).*

Motion Number 8:

Mr. Feldman explained his motion, noting it would eventually give closure to the process.

It was moved by Mr. Feldman that the Miami-Dade Annexation and Incorporation Task Force recommend to the Board of County Commissioners that the entire UMSA should have the option to vote on whether to incorporate or approve an increased UMSA millage rate that the county believed was necessary to service the entire area once the County determined that

the remaining unincorporated areas as a whole could no longer be serviced efficiently or effectively. There was no second.

Chairman Pizzi deferred consideration of the foregoing motion until the Task Force's next scheduled meeting (07/24) for discussion.

Ms. Lamb's Recommendations Relating to Petitions:

Motion Number 9:

It was moved by Ms. Lamb that the Miami-Dade Annexation and Incorporation Task Force should recommend to the Board of Board County Commissioners that the petition should provide that a minimum of ten (10) signatures shall be required for a petition and that a space be provided at the bottom of each page for the petition collector's notarized signature declaring that the petitioner's signature and form of identification was witnessed. This motion was seconded by Vice Chairman Forbes.

Chairman Pizzi deferred consideration of the foregoing motion until the Task Force's next scheduled meeting (07/24).

Motion Number 10:

It was moved by Ms. Lamb that the Miami-Dade Annexation and Incorporation Task Force recommend to the Board of County Commissioners that the petition's language should be standardized. This motion was seconded by Vice Chairman Forbes.

Chairman Pizzi deferred consideration of the foregoing motion until the Task Force's next scheduled meeting (07/24).

Chairman Pizzi established the order of business for the Task Force's next scheduled meeting, noting Mr. Feldman's motion would be considered first followed by Ms. Lamb's motions. He noted the next meeting should be the last meeting to finalize the recommendations.

Pursuant to Mr. Feldman's comments regarding the Task Force's list of recommendations, Chairman Pizzi noted a final report would be prepared incorporating all of the recommendations after the Task Force finalized them. He noted, once the Task Force members approved the final recommendations, County staff would be authorized to prepare a final report for submission to the County Commission; and it would not be prepared as a bullet point type report.

Pursuant to Mr. Bierman's request, Chairman Pizzi explained that the next scheduled meeting of the Task Force could not be cancelled due to time constraints.

OTHER BUSINESS, UPDATES, AND REPORTS

None presented

NEXT MEETING

- TBD

ADJOURNMENT

There being no further business to come before the Miami-Dade Annexation and Incorporation Task Force, the meeting adjourned at 11:01 a.m.

Vice Chairman Kenneth Forbes, Miami-Dade
Annexation and Incorporation Task Force