

MEMORANDUM

Agenda Item No. 10(A)(2)


TO: Hon. Chairperson and Members
Board of County Commissioners

DATE April 8, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Resolution creating and
establishing the Northeast Dade
Municipal Advisory Committee

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Sally A. Heyman.


Robert A. Ginsburg
County Attorney

RAG/bw

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 10(A)(2)

4-8-03

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
DADE COUNTY, FLORIDA

RESOLUTION NO. R-341-03

**RESOLUTION CREATING AND ESTABLISHING THE
NORTHEAST DADE AREA MUNICIPAL ADVISORY
COMMITTEE AND SETTING FORTH ITS DUTIES;
DIRECTING COUNTY STAFF TO PREPARE A STUDY OF
THE POSSIBLE CREATION OF A NEW MUNICIPALITY OR
ANNEXATION TO AN EXISTING CITY OR CITIES IN THE
NORTHEAST AREA OF MIAMI-DADE COUNTY**

WHEREAS, a group of residents in the Northeast area of Miami-Dade County has expressed an interest in creating a new municipality in the northeast area or annexing to one or more existing municipalities; and

WHEREAS, such residents recognize the serious implications of creating a new municipality both for the residents of the proposed municipality and for the remaining residents of the unincorporated area and therefore, desire to work with County staff to address these implications; and

WHEREAS, this Board desires to determine whether to proceed with the incorporation process of this municipality,

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

Section 1. The proposed incorporation area in Northeast Miami-Dade County includes the following generally described area: to the north - NE 215th Street or County Line Road; to the east - the Florida East Coast Railway along West Dixie Highway; to the south - the boundaries of the City of North Miami Beach; and to the west - Interstate 95 from NE 215th Street south to Snake Creek Canal.

Section 2. The Northeast Dade Area Municipal Advisory Committee is hereby created and established consisting of a minimum of seven (7) and a maximum of eleven (11)

electors who reside within the boundaries of the study area. The initial members, as well as any vacancies in the Northeast Dade Area Municipal Advisor Committee, shall be those members appointed pursuant to memorandum issued by the County Commissioner from District 4. Appointments shall become effective immediately upon each member filing with the Clerk of the County Commission his or her acceptance of such appointment and the oath of office. The members of the committee shall elect officers from the membership as may be deemed necessary or desirable.

Section 3. The committee shall conduct no fewer than two (2) duly advertised public hearings at which citizens shall have the opportunity to express their views and concerns regarding the proposed incorporation of the northeast area.

Section 4. Prior to the first public hearing the committee shall have met with county staff to review and address concerns that have been raised by both members of the Board of County Commissioners and county staff, shall have reviewed the tape of the County Commission Workshop on Incorporation of January 14, 1999, and shall have become familiar with written materials concerning incorporation presented to the Board of County Commissioners at that time and at any subsequent meeting or workshop.

Section 5. Prior to the first public hearing, county staff from the Office of Management and Budget shall prepare a report concerning the proposed incorporation or annexation(s) according to the procedures and guidelines contained in Section 20-22(A) and (B), Section 20-23(B), and Section 20-26 of the Code of Miami-Dade County and shall prepare a study to be reviewed by the committee and presented at the public hearings.

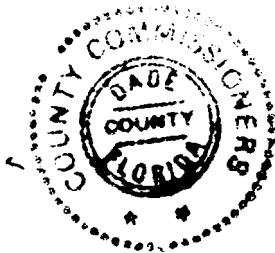
Section 6. Prior to one year from the adoption of this resolution, the committee shall prepare and submit an advisory report that shall address the results of the report prepared by county staff and the incorporation or annexation concerns of both members of the Board of

County Commissioners and of county staff, and the manner in which those concerns may be alleviated in the event the northeast area is incorporated into a new municipality or annexed to one or more existing municipalities. The committee's responsibilities shall terminate upon submission of its report.

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

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

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of April, 2003. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **KAY SULLIVAN**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

CJD

Cynthia Johnson-Stacks