

MEMORANDUM

Agenda Item No. 9(A)(1)

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**TO:** Hon. Chairperson and Members  
Board of County Commissioners

**DATE:** June 4, 2002

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Resolution creating and  
establishing the Fontainebleau  
Municipal Advisory Committee

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The accompanying resolution was prepared and placed on the agenda at the request of Sen. Javier D. Souto.

  
Robert A. Ginsburg  
County Attorney

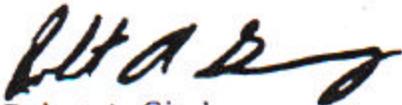
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TO: Honorable Chairperson and Members  
Board of County Commissioners

DATE: June 4, 2002

FROM:   
Robert A. Ginsburg  
County Attorney

SUBJECT: Agenda Item No. 9(A)

Please note any items checked.

- "4-Day Rule" (Applicable if raised)
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of private business sector impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- "Sunset" provision required
- Legislative findings necessary

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 9(A)(1)  
6-4-02

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

RESOLUTION NO. R-598-02

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

WHEREAS, a group of residents has expressed an interest in studying the feasibility of a municipality in the Fontainebleau area; and

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

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

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

Section 1. The proposed study area for the incorporation of the City of Fontainebleau includes the following generally described area:

On the East: N.W. 87th Avenue

On the West: N.W. 107th Avenue

On the South: Flagler Street

On the North: N.W. 25 Street

It is provided, however, that the Committee as established herein may expand or contract the study area.

Section 2. The Fontainebleau Municipal Advisory Committee is hereby created consisting of nine (9) members. Once members resumes and letters requesting an appointment are submitted, the District 10 Commissioner will select nominees and present them to the Board of County Commissioners for final approval. The appointments herein shall become effective immediately upon each approved member filing with the Clerk of the County Commission his or her acceptance of such appointment and oath of office. Vacancies shall be filled in the same manner. The members of the Committee shall select such other officers from the membership thereof as deemed necessary or desirable.

Section 3. The Committee shall conduct no less than two duly advertised public hearings at which residents of the area shall have the opportunity to express their views and concerns regarding the proposed incorporation of the City of Fontainebleau.

Section 4. Prior to the first public hearing, the Committee shall meet with the District Commissioner and County Staff to review concerns regarding incorporation. The Committee shall have reviewed the tape of the County Commission workshop on Incorporation held on January 14, 1999, and shall be 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 staff from the County Manager's Office, the Department of Planning and Zoning and the Office of Management and Budget shall prepare

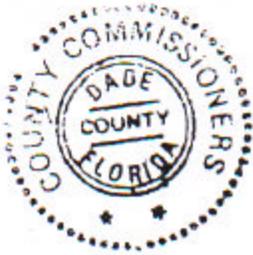
a report concerning the proposed incorporation, according to the procedures and guidelines contained in Section 20-22(A) and (B) and Section 20-23(B) of the Code of Miami-Dade County and shall prepare a study to be reviewed by the Committee and presented at the public hearings.

Section 6. The Committee shall render an advisory report within one year from the date of adoption of this Resolution which shall address the results of the study prepared by County staff, as well as the incorporation concerns of members of the Board of County Commissioners and the manner in which those concerns may be alleviated in the event Fontainebleau is incorporated as a new municipality. The Committee's responsibilities shall terminate upon the submission of its report.

The foregoing resolution was sponsored by Sen. Javier D. Souto and offered by Commissioner ~~Dr. Barbara Carey-Shuler~~, who moved its adoption. The motion was seconded by Commissioner ~~Gwen Margolis~~ and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro	<b>absent</b>	Jose "Pepe" Cancio, Sr.	<b>aye</b>
Dr. Barbara Carey-Shuler	<b>aye</b>	Betty T. Ferguson	<b>aye</b>
Gwen Margolis	<b>aye</b>	Joe A. Martinez	<b>absent</b>
Jimmy L. Morales	<b>absent</b>	Dennis C. Moss	<b>absent</b>
Dorrian D. Rolle	<b>absent</b>	Natacha Seijas	<b>aye</b>
Katy Sorenson	<b>aye</b>	Rebeca Sosa	<b>absent</b>
	Sen. Javier D. Souto	<b>aye</b>	

The Chairperson thereupon declared the resolution duly passed and adopted this 4<sup>th</sup> day of June, 2002. 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.

A handwritten signature in blue ink, appearing to be "C.H. Coller", written over a horizontal line.

Craig H. Coller