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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 7(B)

(Second Reading 1-22-09)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: November 20, 2008

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

SUBJECT: Ordinance relating to Miami-Dade County Manatee Protection Plan Review Committee

Ordinance No. 09-06

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

R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum

MIAMI-DADE COUNTY

Date: January 22, 2009

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Ordinance relating to the Miami-Dade County Manatee Protection Plan Review Committee

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The ordinance relating to the Miami-Dade County Manatee Protection Plan Review Committee will not have a fiscal impact to Miami-Dade County.

Alex Munoz
Assistant County Manager

fis00909

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MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: January 22, 2009

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

SUBJECT: Agenda Item No. 7(B)

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
Veto _____
Override _____

Agenda Item No. 7(B)
1-22-09

ORDINANCE NO. **09-06**

ORDINANCE RELATING TO MIAMI-DADE COUNTY MANATEE PROTECTION PLAN REVIEW COMMITTEE; AMENDING ORDINANCE NO. 07-144 TO PROVIDE FOR A THREE (3) MONTH EXTENSION OF THE SUNSET DATE FOR THE COMMITTEE; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, the Miami-Dade County Manatee Protection Plan Review Committee ("MPPRC") was created by Ordinance No. 07-144 for the purpose of providing advisory recommendations to the Board of County Commissioners as to the need for amendments, revisions and additions to the Manatee Protection Plan ("MPP"); and

WHEREAS, local MPPs are required by Florida Statutes to be approved by the Florida Fish and Wildlife Conservation Commission ("FWC"), which requires local plans to include detailed and updated empirical data on manatee distribution, manatee deaths and injuries, boating patterns, habitat values and other factors affecting manatees and their habitat; and

WHEREAS, the seasonal data collection required by the FWC will not be complete and available for review by the MPPRC until the same month that the committee would sunset; and

WHEREAS, the MPPRC, which to date has held all required meetings and otherwise diligently performed its responsibilities, requested the sunset date established by Ordinance No. 07-144 be extended by three (3) months in order to allow it to accomplish its purposes and make its final written recommendations to the Board of County Commissioners, and

WHEREAS, Ordinance No. 07-144 has an effective date of October 12, 2007 and a sunset date of April 12, 2009,

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

Section 1. Section 5 of Ordinance No. 07-144 is hereby amended to provide that the Department of Environmental Resources Management's data collection and reporting process and the Miami-Dade County Manatee Protection Plan Review Committee's final recommendations to the Board of County Commissioners be completed by July 12, 2009.

Section 2. Section 6 of Ordinance No. 07-144 is hereby amended to provide that the ordinance shall stand repealed on July 13, 2009.

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: **January 22, 2009**

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Robert A. Duvall

Prime Sponsor: Commissioner Bruno A. Barreiro