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

MEMORANDUM

Agenda Item No. 7(F)

(Second Reading 3-6-12)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: December 6, 2011

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

SUBJECT: Ordinance abolishing the City of Islandia: repealing Ordinance No. 60-45 of Miami-Dade County Florida; directing transfer of accumulated City of Islandia tax revenues to Miami-Dade County

Ordinance No.12-14

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum

MIAMI-DADE COUNTY

Date: March 6, 2012

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Ordinance abolishing the City of Islandia

The proposed ordinance abolishing the City of Islandia will have a positive fiscal impact to the Unincorporated Municipal Services Area (UMSA) budget of approximately $580 annually. These are the city's ad valorem proceeds that used to belong to the City of Islandia and will no longer be levied on its behalf, instead becoming UMSA revenues. Currently the County is holding outstanding checks for Islandia in the amount of $7,400, which would remain with the County if the ordinance passes.

In addition, in previous years, lacking any formal city representation, the County sent a total of $4,400 of Islandia's ad valorem proceeds to the State, which has since been requested to be returned to the County. These combined amounts of $11,800 of ad valorem proceeds were never claimed by any city representative. There are no anticipated expenditures associated with the abolishment of the city or with future municipal services as the entirety of the area is within the boundaries of Biscayne National Park.

Office of the Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: March 6, 2012

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

SUBJECT: Agenda Item No. 7(F)

Please note any items checked.

_____ **"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**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous_____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(F)
3-6-12

ORDINANCE NO. 12-14

ORDINANCE ABOLISHING THE CITY OF ISLANDIA; REPEALING ORDINANCE NO. 60-45 OF MIAMI-DADE COUNTY FLORIDA; DIRECTING TRANSFER OF ACCUMULATED CITY OF ISLANDIA TAX REVENUES TO MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, according to the Supervisor of Elections, the City of Islandia ("City") has twenty or fewer electors as of the date of adoption of this ordinance; and

WHEREAS, pursuant to Article 6 Section 6.01 of the Miami-Dade County Charter, the Board of County Commissioners is authorized to abolish a municipality by ordinance where such municipality has twenty or fewer electors at the time of the adoption of the ordinance abolishing the municipality; and

WHEREAS, The Florida Legislature Joint Legislative Audit Committee, noting that the City "appears to be a city on paper only," requested Miami-Dade County to dissolve the City because of its repeated failure to file various State required reports and because numerous state offices spend considerable time determining local compliance with state laws,

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

Section 1. The foregoing recitations are determined to be true and correct and are incorporated herein by reference.

Section 2. The City of Islandia is abolished and Miami-Dade County Ordinance No. 60-45 creating the City of Islandia is hereby repealed in its entirety.

Section 3. The Tax Collector of Miami-Dade County ("Tax Collector") is directed to

transfer all taxes held in the name of the City of Islandia to Miami-Dade County, and to seek return of any City of Islandia unclaimed taxes that the Tax Collector transmitted to any agency of the State of Florida.

Section 4. The Clerk of the Board is directed to transmit certified copies of this ordinance to the Florida Legislature Joint Legislative Auditing Committee, the Florida Department of Revenue, the Florida Department of Financial Services, and the State of Florida Auditor General.

Section 5. 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 6. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 7. 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: March 6, 2012

Approved by County Attorney as
to form and legal sufficiency:

CHC

Prepared by:

Craig H. Coller

Prime Sponsor: Commissioner Dennis C. Moss