

MEMORANDUM

Agenda Item No. 7(D)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: (Second Reading 8-31-20)

July 15, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Ordinance relating to the
North Central Dade Municipal
Advisory Committee created to
study the possible incorporation
of a municipality; providing that
notwithstanding any other
ordinance or code section to the
contrary, the North Central Dade
Municipal Advisory Committee
shall continue in existence for a
prescribed period of time to
complete its responsibilities;
providing for retroactivity

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jean Monestime.



Abigail Price-Williams
County Attorney



APW/smm



MEMORANDUM (Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: August 31, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 7(D)

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

_____ Statement of social equity required

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

_____ No committee review

_____ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve

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

Memorandum



Date: August 31, 2020

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in blue ink, appearing to read "Carlos A. Gimenez", written over a horizontal line.

Subject: Fiscal Impact Statement for Ordinance Relating to the North Central Dade Municipal Advisory Committee and Extending the Sunset Date

The implementation of this ordinance will not have a fiscal impact to Miami-Dade County. There are no additional costs associated with extending the North Central Dade Municipal Advisory Committee (MAC) an additional two years.

A handwritten signature in blue ink, appearing to read "Jennifer Moon", written over a horizontal line.

Jennifer Moon
Deputy Mayor

Fis05220 200977

Memorandum



Date: August 31, 2020

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A blue ink signature of Carlos A. Gimenez, Mayor of Miami-Dade County.

Subject: Social Equity Statement for Ordinance Relating to North Central Dade Municipal
Advisory Committee and Extending the Sunset Date

The proposed ordinance provides an additional two years to the North Central Dade Municipal Advisory Committee to complete its work. Extension of this MAC will provide the public additional opportunities to discuss the issue of incorporating their respective area and the distribution of information.

A blue ink signature of Jennifer Moon, Deputy Mayor of Miami-Dade County.

Jennifer Moon
Deputy Mayor

SE05220 200977

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(D)
8-31-20

ORDINANCE NO. _____

ORDINANCE RELATING TO THE NORTH CENTRAL DADE MUNICIPAL ADVISORY COMMITTEE CREATED TO STUDY THE POSSIBLE INCORPORATION OF A MUNICIPALITY; PROVIDING THAT NOTWITHSTANDING ANY OTHER ORDINANCE OR CODE SECTION TO THE CONTRARY, THE NORTH CENTRAL DADE MUNICIPAL ADVISORY COMMITTEE SHALL CONTINUE IN EXISTENCE FOR A PRESCRIBED PERIOD OF TIME TO COMPLETE ITS RESPONSIBILITIES; PROVIDING FOR RETROACTIVITY; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

WHEREAS, on December 18, 2001, the Board adopted Resolution No. R-1445-01 creating the North Central Dade Municipal Advisory Committee and directing the committee to study the possible incorporation of a municipality in the North Central Dade area; and

WHEREAS, on March 11, 2003, due to the anticipated existence of this committee beyond one year, the Board adopted Ordinance No. 03-42 establishing the North Central Dade Municipal Advisory Committee; and

WHEREAS, on November 1, 2005, the Board adopted Ordinance No. 05-192, and on September 4, 2007, the Board adopted Ordinance No. 07-120, which, in relevant part, resulted in the suspension of the processing of incorporation proposals; and

WHEREAS, on January 24, 2012, the Board adopted Ordinance No. 12-24 repealing the moratorium created by Ordinance No. 07-120; and

WHEREAS, in June of 2013, the North Central Dade Municipal Advisory Committee was reorganized and began to meet again; and

WHEREAS, on May 5, 2015, the Board adopted Ordinance No. 15-32 extending the existence of the North Central Dade Municipal Advisory Committee to no later than May 15, 2017; and

WHEREAS, in addition, on June 5, 2018, the Board adopted Ordinance No. 18-64 further extending the existence of the North Central Dade Municipal Advisory Committee to no later than June 15, 2020; and

WHEREAS, section 20-29(A) of the Code states, in part, that “[i]t is provided, however, that where a Municipal Advisory Committee has been established, prior to the effective date of [Ordinance No. 05-140, effective on July 17, 2005], no consent of resident electors shall be required for the adoption of an ordinance creating a Municipal Advisory Committee involving the same study area”; and

WHEREAS, additional time is needed for the North Central Dade Municipal Advisory Committee to conduct its public hearings and attend to other required duties,

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

Section 1. The foregoing recitals are incorporated into this ordinance.

Section 2. Notwithstanding any provision of Ordinance No. 18-64 or any other ordinance or provisions of the Code to the contrary, the North Central Dade Municipal Advisory Committee shall remain in existence or otherwise reconstituted until the earlier of: (i) the date that the Board votes to defer, approve, or deny a resolution submitting the incorporation question to the resident electors of the North Central Dade area; or (ii) two years from the effective date of this ordinance, which provision shall be retroactive from the date of sunset of the North Central Dade Municipal Advisory Committee thereby ratifying all previous actions.

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. 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 be excluded from the Code of Miami-Dade County, Florida.

Section 5. 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:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

James Eddie Kirtley

Prime Sponsor: Commissioner Jean Monestime


