

# MEMORANDUM

Agenda Item No. 5(A)

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**TO:** Honorable Chairman Jose “Pepe” Diaz  
and Members, Board of County Commissioners


**DATE:** March 15, 2022

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Resolution expanding the  
geographic area of the County  
seat of Miami-Dade County  
beyond the corporate limits of  
the City of Miami

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez, and Co-Sponsors Chairman Jose "Pepe" Diaz, Senator René García and Commissioner Rebeca Sosa.

  
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Geri Bonzon-Keenan  
County Attorney

GBK/jp



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**DATE:** March 15, 2022

**FROM:**   
Gen. Bonzon-Keenan  
County Attorney

**SUBJECT:** Agenda Item No. 5(A)

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

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

Agenda Item No. 5(A)  
3-15-22

RESOLUTION NO. \_\_\_\_\_

RESOLUTION EXPANDING THE GEOGRAPHIC AREA OF  
THE COUNTY SEAT OF MIAMI-DADE COUNTY BEYOND  
THE CORPORATE LIMITS OF THE CITY OF MIAMI

**WHEREAS**, Miami-Dade County, originally Dade County, was created in 1836 and comprised land that now contains Palm Beach, Broward and Miami-Dade counties as well as the Florida Keys north of Bahia Honda Key with a county seat at Indian Key in the Florida Keys; and

**WHEREAS**, between 1866 and 1915 land from Miami-Dade County was divided into present day Palm Beach, Broward and portions of Monroe County; and

**WHEREAS**, during this time, the County seat was moved to Miami in 1844, Juno in 1888, and then returned to Miami in 1899; and

**WHEREAS**, there have been no significant boundary changes to Miami-Dade County since 1915, and the county seat has remained in the City of Miami since 1899; and

**WHEREAS**, the Florida Constitution and Florida Statutes require that the principal offices and permanent records of all county officers be located in the municipality designated as the county seat; and

**WHEREAS**, the requirement that all county offices and permanent records of a county be located within the municipal boundary of the county seat is an outdated law designed for a time when transportation to government facilities and access to government information was substantially more difficult and costly; and

**WHEREAS**, locating the primary office of all county officers and all permanent county records within a single municipality can create a financial strain on both the county, county officers, and the county seat municipality by requiring the use of high value real estate for government function that can be more effectively located elsewhere; and

**WHEREAS**, this Board believes that requiring all county offices and permanent records of a county to be located within the geographic boundaries of a single municipality is no longer necessary and, on balance, not in the interest of Miami-Dade County when Miami-Dade County is home to 34 municipalities, only 16.4 percent of the County's 2.7 million residents live within the geographic boundaries of the City of Miami, and over 1 million residents live in the County's unincorporated area; and

**WHEREAS**, section 138.12, Florida Statutes, authorizes the Board of County Commissioners to expand the geographic area of Miami-Dade's county seat beyond the corporate limits of the City of Miami by adopting a resolution after two public hearings held at intervals of not less than 10 or more than 20 days after notice of the proposal and such meetings has been published in a newspaper of general circulation; and

**WHEREAS**, expanding the geographical boundaries of the Miami-Dade county seat prior to the re-establishment of the previously abolished county constitutional officers in Miami-Dade County on January 7, 2025 will provide additional locations for the permanent offices of these officers at a lower financial cost to the County, the county officers, and the City of Miami; and

**WHEREAS**, this Board desires, in accordance with Florida law, to expand the geographical boundaries of the County seat to include all incorporated and unincorporated land with the County's urban development boundary,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA,** that this Board, in accordance with section 138.12, Florida Statutes, hereby expands the geographical area of the county seat of Miami-Dade County beyond the corporate limits of the City of Miami to include all incorporated and unincorporated areas of Miami-Dade County within the Urban Development Boundary, as depicted in the Land Use Plan Map of the County's Comprehensive Development Master Plan in effect on January 1, 2022.

The Prime Sponsor of the foregoing resolution is Commissioner Joe A. Martinez, and the Co-Sponsors are Chairman Jose "Pepe" Diaz, Senator René García and Commissioner Rebeca Sosa. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

- |                                       |                        |
|---------------------------------------|------------------------|
| Jose "Pepe" Diaz, Chairman            |                        |
| Oliver G. Gilbert, III, Vice-Chairman |                        |
| Sen. René García                      | Keon Hardemon          |
| Sally A. Heyman                       | Danielle Cohen Higgins |
| Eileen Higgins                        | Joe A. Martinez        |
| Kionne L. McGhee                      | Jean Monestime         |
| Raquel A. Regalado                    | Rebeca Sosa            |
| Sen. Javier D. Souto                  |                        |

The Chairperson thereupon declared this resolution duly passed and adopted this 15<sup>th</sup> day of March, 2022. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

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

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency. OR

Oren Rosenthal