

MEMORANDUM

Agenda Item No. 11(A)(2)

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

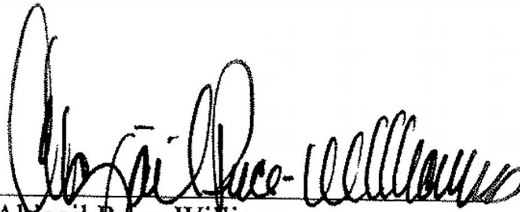
DATE: May 5, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor to create and conduct a program whereby the County engages in routine coordination and training with municipalities to help municipalities better administer their municipal approval processes in accordance with County regulations; and to provide a report

Resolution No. R-416-20

The accompanying resolution was prepared and placed on the agenda at the request of Co-Prime Sponsors Commissioner Esteban L. Bovo, Jr., Commissioner Jose "Pepe" Diaz and Vice Chairwoman Rebeca Sosa and Co-Sponsor Commissioner Sally A. Heyman.


Abigail Price-Williams
County Attorney

APW/uw

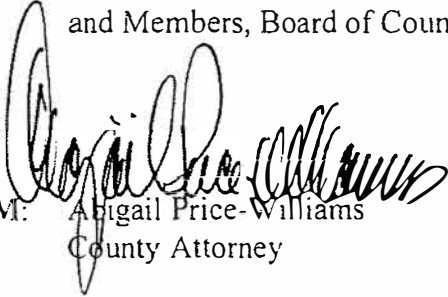


MEMORANDUM

(Revised)

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

DATE: May 5, 2020

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Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(2)

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. 11(A)(2)
5-5-20

RESOLUTION NO. R-416-20

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CREATE AND CONDUCT A PROGRAM WHEREBY THE COUNTY ENGAGES IN ROUTINE COORDINATION AND TRAINING WITH MUNICIPALITIES TO HELP MUNICIPALITIES BETTER ADMINISTER THEIR MUNICIPAL APPROVAL PROCESSES IN ACCORDANCE WITH COUNTY REGULATIONS; AND TO PROVIDE A REPORT

WHEREAS, municipalities in Miami-Dade County have the authority to grant various types of permits, licenses, and other municipal approvals, such as building permits, zoning approvals, and business tax licenses; and

WHEREAS, various provisions of the Code of Miami-Dade County require that, before a municipality issues a certain permit, license, or other municipal approval, the municipality ensure that the County has issued a separate approval after the County has conducted an independent review for conformance to certain requirements of the County Code; and

WHEREAS, this County review can pertain to important public health and safety matters such as sanitary sewer systems, septic systems, wellfield protection, air pollution and asbestos control, and stormwater management; and

WHEREAS, it has come to light that municipalities have issued municipal approvals without giving the County the opportunity to conduct its review for conformance to certain requirements of the County Code; and

WHEREAS, it has also come to light that municipalities have issued municipal approvals despite the fact that the County has issued disapprovals based on the requirements of the County Code; and

WHEREAS, the issuance of municipal approvals that do not conform to the requirements of the County Code poses a threat to the health, safety, and welfare of the people, businesses, and environment of the County; and

WHEREAS, such threats to health, safety, and welfare could include, but not be limited to, discharges to groundwater and surface water of water containing raw human waste, pathogens, industrial products, hazardous waste, and excess nutrients, all of which could threaten the County's potable water supply and ecosystems; and

WHEREAS, in addition, businesses owners have relied on the issuance of municipal approvals but have then discovered that their businesses are not currently allowed to operate due to nonconformance with the County Code; and

WHEREAS, such a discovery is potentially devastating to the business and can detrimentally affect the business owners, the business's employees, the business's patrons, and, ultimately, the economy of the County as a whole; and

WHEREAS, the County is committed to supporting business and fostering economic opportunity, and this Board wishes to support businesses by making municipalities that fail to follow County regulations and the County more responsible; and

WHEREAS, County regulations that protect the health, safety, and welfare of the County's people and environment are not meant to stifle business, but are meant to create an environment in which businesses and people can prosper; and

WHEREAS, the failure of municipalities to administer their approval processes in accordance with County regulations can nevertheless have the unfortunate consequence of stifling business and economic growth; and

WHEREAS, the municipal approval process could be more streamlined and efficient for both municipalities and business owners if municipalities better understood how to administer their approval processes in accordance with County regulations; and

WHEREAS, the municipal approval process could be more transparent, understandable, and affordable to the public if municipalities better understood how to administer their approval processes in accordance with County regulations; and

WHEREAS, this Board therefore wishes to direct the County Mayor or County Mayor's designee to create and conduct a program whereby the County engages in routine coordination and training with municipalities to help municipalities better administer their municipal approval processes in accordance with County regulations,

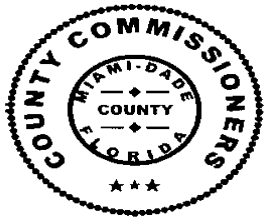
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby directs the County Mayor or County Mayor's designee to create and conduct a program whereby the County engages in routine coordination and training with municipalities to help municipalities better administer their municipal approval processes in accordance with all County regulations that relate to municipal approvals and also to persuade municipalities to utilize the County's electronic municipal systems in order to transmit, for appropriate County review, permit plans or other documents that would effectuate or approve changes of use. The County Mayor or County Mayor's designee shall also prepare a report summarizing the coordination and training program. The report shall include, but not necessarily be limited to, the following information: (1) the topics that the program will address, including the different types of County regulations that will be covered; (2) who will conduct the program; (3) which types of municipal employees will participate in the program; (4) the frequency with which program meetings and trainings will occur; (5) where the

program meetings and trainings will occur; (6) what efforts will be undertaken to persuade municipalities to commit to participating in the program, both initially and into the future; and (7) what efforts will be undertaken to persuade municipalities to utilize, as expeditiously as possible, the County’s electronic municipal systems and what additional action by this Board is recommended in order to complete this process as soon as possible. The County Mayor or County Mayor’s designee shall provide the report to this Board within 90 days of the effective date of this resolution and shall place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65.

The Co-Prime Sponsors of the foregoing resolution is Commissioner Esteban L. Bovo, Jr., Commissioner Jose “Pepe” Diaz and Vice Chairwoman Rebeca Sosa the Co-Sponsor is Commissioner Sally A. Heyman. It was offered by Commissioner **Audrey M. Edmonson** , who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

	Audrey M. Edmonson, Chairwoman	aye	
	Rebeca Sosa, Vice Chairwoman	aye	
Esteban L. Bovo, Jr.	absent	Daniella Levine Cava	aye
Jose “Pepe” Diaz	aye	Sally A. Heyman	aye
Eileen Higgins	aye	Barbara J. Jordan	aye
Joe A. Martinez	aye	Jean Monestime	aye
Dennis C. Moss	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 5th day of May, 2020. 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: Melissa Adames
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "CJW".

Christopher J. Wahl