

MEMORANDUM

		Agenda Item No. 7(E)	
		(Second Reading: 10-6-22)	
TO:	Honorable Chairman Jose "Pepe" Diaz and Members, Board of County Commissioners	DATE:	May 3, 2022
FROM:	Geri Bonzon-Keenan 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

Ordinance No. 22-128

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



Geri Bonzon-Keenan
County Attorney

GBK/smm

Memorandum



Date: October 6, 2022

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

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

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

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

A handwritten signature in blue ink that reads "Edward Marquez".

Edward Marquez
Chief Financial Officer

Memorandum



Date: October 6, 2022

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

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

Subject: Social Equity Statement for Ordinance Relating the North Central Dade Municipal Advisory Committee

The proposed ordinance extends the life of the North Central Dade MAC to allow the residents of that area to meet and discuss, through a series of publicly noticed meetings in the community, the possibility of creating a new municipality in the area or remain part of the unincorporated area. The creation of a new municipality, if recommended by the Board and approved by the voters in the area, could provide the social benefit of bringing the government closer to the residents but may require additional resources to function effectively.

A handwritten signature in blue ink that reads "Edward Marquez".

Edward Marquez
Chief Financial Officer



MEMORANDUM

(Revised)

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

DATE: October 6, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 7(E)

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. 7(E)
10-6-22

ORDINANCE NO. 22-128

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, most recently, on August 31, 2020, the Board adopted Ordinance No. 20-88, which provided an extension of the North Central Dade Municipal Advisory Committee up to an additional two years from the effective date of that ordinance; and

WHEREAS, section 20-29(A) of the Code states, in part, 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. 20-88 or any other ordinance or provisions of the Code to the contrary, the North Central Dade Municipal Advisory Committee shall remain in existence 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. This ordinance shall be retroactive to 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:

October 6, 2022

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



James Eddie Kirtley

Prime Sponsor: Commissioner Jean Monestime