

# MEMORANDUM

Amended  
Agenda Item No. 7(D)

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

**DATE:** October 6, 2022

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

**SUBJECT:** Ordinance relating to procedures for municipal boundary changes, annexation and incorporation; amending sections 20-3, 20-4, 20-6, 20-7, 20-22, and 20-29 of the Code; creating section 20-4.2 of the Code; requiring that mailed notices for public hearings also be sent to registered voters and properties listed by the Property Appraiser's Office in addition to property owners; requiring written consent of a certain percentage of property owners as part of a municipal boundary change application, under certain circumstances; requiring a survey of property owners for proposed municipal boundary changes; providing for procedures and applicability; requiring two-thirds vote of the Board of County Commissioners under certain circumstances; requiring disclosure of survey results to the Planning Advisory Board and the Board of County Commissioners

Ordinance No. 22-127

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan  
County Attorney

GBK/uw

# 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 Procedures for Municipal Boundary

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The proposed ordinance amending sections 20-3, 20-4, 20-6, 20-7, 20-22, and 20-29 of the Miami-Dade County Code (Code) relating to procedures for municipal boundary changes, annexation and incorporation will not have a fiscal impact on the general fund. The ordinance requires additional notices to be provided to registered voters. Where the Code currently requires notices to property owners, the cost of the notices is the responsibility of the annexing municipality. The ordinance also requires County staff to conduct a survey in annexation areas where there are fewer than 250 resident electors. The cost of said survey is also the responsibility of the annexing municipality. It is estimated that existing staff can provide support for the required surveys. As such there is no fiscal impact with this ordinance change.

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

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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 to the Procedures for Municipal Boundary

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The proposed ordinance requires additional notifications to registered voters in the annexation area. Currently, the Miami-Dade County Code (Code) only requires notification to the property owners. The ordinance also requires County staff to conduct a survey in the annexation area when there are fewer than 250 registered voters. This change to the Code will provide a social benefit via additional notification and in the case of areas with fewer than 250 registered voters, will provide property owners who are not resident electors an opportunity to be informed and express their concerns prior to the annexation being heard by the Board.

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

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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:** Amended  
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

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

Amended  
Agenda Item No. 7(D)  
10-6-22

ORDINANCE NO.     **O-22-127**

ORDINANCE RELATING TO PROCEDURES FOR MUNICIPAL BOUNDARY CHANGES, ANNEXATION AND INCORPORATION; AMENDING SECTIONS 20-3, 20-4, 20-6, 20-7, 20-22, AND 20-29 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; CREATING SECTION 20-4.2 OF THE CODE OF MIAMI-DADE COUNTY; REQUIRING THAT MAILED NOTICES FOR PUBLIC HEARINGS ALSO BE SENT TO REGISTERED VOTERS AND PROPERTIES LISTED BY THE PROPERTY APPRAISER’S OFFICE IN ADDITION TO PROPERTY OWNERS; REQUIRING WRITTEN CONSENT OF A CERTAIN PERCENTAGE OF PROPERTY OWNERS AS PART OF A MUNICIPAL BOUNDARY CHANGE APPLICATION, UNDER CERTAIN CIRCUMSTANCES; REQUIRING A SURVEY OF PROPERTY OWNERS FOR PROPOSED MUNICIPAL BOUNDARY CHANGES; PROVIDING FOR PROCEDURES AND APPLICABILITY; REQUIRING TWO-THIRDS VOTE OF THE BOARD OF COUNTY COMMISSIONERS UNDER CERTAIN CIRCUMSTANCES; REQUIRING DISCLOSURE OF SURVEY RESULTS TO THE PLANNING ADVISORY BOARD AND THE BOARD OF COUNTY COMMISSIONERS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**WHEREAS**, in Miami-Dade County, annexations, also referred to as municipal boundary changes, are governed exclusively by the Miami-Dade County Home Rule Charter and chapter 20 of the Code of Miami-Dade County (the “Code”); and

**WHEREAS**, the County’s process for considering proposed annexations involves multiple public hearings and mailed notices to property owners within the proposed annexation area and within 600 feet thereof; and

**WHEREAS**, this ordinance would generally provide for additional mailed notices and additional procedures and requirements related to the survey results of property owners within a proposed annexation area; and

**WHEREAS**, although chapter 20 of the Code requires mailed notice for certain public hearings on annexation and incorporation matters, such mailed notices are only sent to property owners within the area of the proposed boundary change or incorporation and within 600 feet thereof; and

**WHEREAS**, incorporations of new municipalities, as well as some annexations of unincorporated areas into existing municipalities, cannot be accomplished unless a majority of resident electors voting in such election approve the respective incorporation or annexation; and

**WHEREAS**, for any such election, the resident electors—and only resident electors—would be able to vote; and

**WHEREAS**, nevertheless, if resident electors in the area do not own property, they will currently not receive mailed notice of the public hearings on annexation or incorporation proposals, which take place before the Board decides whether to advance such annexation or incorporation proposals to an election; and

**WHEREAS**, this Board wishes to require that such mailed notices be sent to registered voters in addition to property owners; and

**WHEREAS**, in addition, this Board wishes to require that such mailed notices be sent to properties listed by the Property Appraiser's Office; and

**WHEREAS**, this Board, however, does not wish to expand the physical areas to which mailed notice would be provided, which is currently within the area of a proposed boundary change or incorporation and within 600 feet thereof; and

**WHEREAS**, in addition, although County staff has been sending mailed notices to property owners in advance of public hearings before the Planning Advisory Board for incorporation proposals, the Code currently does not require such notices for incorporation proposals at the Planning Advisory Board stage; and

**WHEREAS**, as such, this Board also desires to amend the Code to require such mailed notices for incorporation proposals for public hearings before the Planning Advisory Board, which is consistent with the current staff practice for such hearings; and

**WHEREAS**, property owners may attend the public hearings and express their opinions as to any proposed annexation, and property owners may also lobby their elected officials outside of the public hearing, but commercial property owners who are not resident electors cannot vote in an election; and

**WHEREAS**, in addition, in some cases, no election would be required under the Code because the proposed annexation area is exclusively commercial or industrial with no resident electors; and

**WHEREAS**, annexations may have a profound impact on the services available to property owners and the rate of ad valorem taxation paid by property owners, and this Board wishes to provide property owners with a greater opportunity to express their opinion as to proposed annexations; and

**WHEREAS**, in addition, this Board wishes to require that a survey be provided to all property owners in the proposed annexation area, and the results of such survey would be required to be provided to the Planning Advisory Board and the Board of County Commissioners; and

**WHEREAS**, the procedures and requirements related to such surveys would apply to new applications for municipal boundary changes and, under certain circumstances, to pending applications for municipal boundary changes; and

**WHEREAS**, the procedures and requirements related to such surveys would only apply to pending applications for municipal boundary changes if, after the effective date of this ordinance, such pending applications are heard at public hearing pursuant to either section 20-6 of the Code, which is the public hearing before the Planning Advisory Board, or 20-7 of the Code, which is the public hearing before this Board on a resolution to direct the County Attorney to prepare the appropriate ordinance to effectuate an annexation; and

**WHEREAS**, this Board wishes to create these new procedures and requirements to provide more notice of the public hearings on proposed municipal boundary changes and to provide for greater input from property owners and consideration of such input by this Board,

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

**Section 1.** Section 20-3 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:<sup>1</sup>

**Sec. 20-3. - Initiated by governing body of municipality.**

Any proposed boundary change desired by the governing body of a municipality shall be initiated by resolution of such governing body adopted after a public hearing held pursuant to written notice mailed to >>(a) all registered voters within the area of such proposed boundary change and within six hundred (600) feet thereof, (b) all property addresses, as listed by the Property Appraiser's Office, within the area of such proposed boundary change and within six hundred (600) feet thereof, and (c)<< all owners of property within

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<sup>1</sup> Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.



the area >>of such proposed boundary change<< and within six hundred (600) feet thereof ~~[[in such proposed boundary changes]]~~, according to the current tax assessment roll, and pursuant to published notice; provided, however, that no notice shall be required when all owners of property within the area and within six hundred (600) feet thereof shall consent in writing to the proposed boundary change. The cost of such notice shall be paid by the governing body of the municipality. >>In addition, owners of rental properties are urged to provide a courtesy copy of this notice to their tenants, for example by posting the notice on a common bulletin board.<< Three (3) duly certified copies of such resolution requesting the proposed boundary changes, together with proof of compliance with the notice requirements aforesaid, shall be filed with the Clerk of the County Commission, and shall be accompanied by the following:

\* \* \*

**Section 2.** Section 20-4 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

**Sec. 20-4. - Initiated by individual or group.**

Any person or group desiring a proposed boundary change to any municipality shall initiate the same by filing with the Clerk of the County Commission a written petition in substantially the form prescribed and furnished by the Director of the Office of Management and Budget which shall be accompanied by the documents and information prescribed in Section 20-3(A) through (F) hereof, together with a duly certified resolution of the governing body of the municipality involved approving such proposed boundary change, and shall give written notice to >>(a) all registered voters within the area of such proposed boundary change and within six hundred (600) feet thereof, (b) all property addresses, as listed by the Property Appraiser's Office, within the area of such proposed boundary change and within six hundred (600) feet thereof, and (c)<< all owners of property within the area >>of such proposed boundary change<<and within six hundred (600) feet thereof ~~[[of his proposal for a boundary change]]~~. The cost of such notice shall be paid by the initiating individual or group. >>In addition, owners of rental properties are urged to provide a courtesy copy of this notice to their tenants, for example by posting the notice on a common bulletin board.<<

**Section 3.** Section 20-4.2 of the Code of Miami-Dade County, Florida, is hereby created to read as follows:

>>**Sec. 20-4.2.** **Survey to ascertain positions of property owners within the proposed boundary change area; providing for procedures and applicability under certain circumstances.**

- (A) For proposed boundary changes that have been referred to the County's Planning Advisory Board pursuant to section 20-5, the County's Office of Management and Budget, or such other department as designed by the County Mayor, shall, as specified in this section, prepare and mail a survey to each property owner within the proposed boundary change area to ascertain whether each such property owner is in favor of or against the proposed boundary change. All of the conditions, limitations, and procedures provided in this section shall govern such survey and its applicability. Notwithstanding anything to the contrary herein, the provisions of this section 20-4.2 shall only apply where there are two hundred fifty (250) or less resident electors in the proposed boundary change area.
- (B) For purposes of this section, "property" shall mean a parcel of real property within the proposed boundary change area that is identified by a folio number issued by the Miami-Dade County Property Appraiser, and the applicable list of property owners within a proposed boundary change area shall be based on information provided by the Miami-Dade County Property Appraiser.
- (C) The cost of the survey shall be paid by the individual, group, or municipality initiating the proposed change.
- (D) This survey shall include:
  - (1) a brief description of the proposed boundary change, including the boundaries of such area;
  - (2) the current municipal services millage rate of the proposed boundary change area;

- (3) the current municipal services millage rate of the municipality to which the boundary change is proposed;
- (4) other required taxes or assessments against real property imposed by the municipality to which the boundary change is proposed, including any municipal fee that could become a tax or assessment against real property in the proposed area;
- (5) a brief statement, not to exceed 100 words, by the applicant as to why the applicant has requested this boundary change;
- (6) a place on the survey where each property owner can indicate whether the owner is in favor of or against the proposed boundary change;
- (7) A place for the party completing the survey to affirm that such party has the authority to respond on behalf of the property owner or owners; and
- (8) Instructions on the manner and timeframe in which the survey must be completed and returned to the County for consideration.

(E) If a proposed boundary change is referred by the Board of County Commissioners to the Planning Advisory Board pursuant to section 20-5, the County's Office of Management and Budget, or such other department as designated by the County Mayor, shall prepare the survey with respect to said proposed boundary change, and this survey shall be mailed to property owners in the proposed boundary change area. Property owners shall be provided a deadline by which to respond, which shall be at least 90 days from the date the County mails the survey. Survey responses which are received or postmarked on or before said deadline shall be counted, provided, however, that if the County receives multiple responses for the same property, then the first response received and opened shall be counted and the remaining responses shall not be used to compute the percentage of property owners in favor of the proposed boundary change. A prepaid postage return envelope shall be included with each survey sent to property owners.

- (F) The County shall compile the responses received and such results of the survey shall be disclosed to the Planning Advisory Board and the Board of County Commissioners as part of the County Mayor's reports and recommendations pursuant to section 20-6 and 20-7 of the Code.
- (G) If a property has multiple owners, only one response may be counted per property. For a property owner who is not an individual, the responding party shall be required to affirm on the survey that such party has the authority to respond on behalf of the property owner or owners. If the County receives multiple responses for the same property, then the first response received and opened shall be counted and the remaining responses shall not be used to compute the percentage of property owners in favor of or against the proposed boundary change. Notwithstanding anything stated to the contrary herein, the County Mayor and the County Mayor's designee are not precluded from providing information to the Planning Advisory Board and the Board of County Commissioners as to discrepancies, or any other issues, with respect to survey responses.
- (H) This section shall apply to all applications for municipal boundary change filed with the Clerk of the Board after July 1, 2022.
- (I) With respect to municipal boundary change applications that were pending with the County on or before July 1, 2022, this section shall only apply to applications that are heard at public hearing pursuant to section 20-6 or 20-7 of the Code after the effective date of this ordinance.<<

**Section 4.** Section 20-6 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

**Sec. 20-6. - Consideration by Planning Advisory Board.**

- (a) The Planning Advisory Board, upon receipt of a petition or resolution referred by the County Commission shall study, review and consider the request for boundary changes

embodied therein. The Planning Advisory Board shall conduct a public hearing in respect to such proposed boundary changes and hear from all interested persons and any municipality. The Planning Advisory Board may require the petitioners or the municipality to furnish any additional information, data or instruments deemed necessary or desirable for consideration of such request. The Planning Advisory Board shall give written notice of such public hearing to >>(a) all registered voters within the area of such proposed boundary change and within six hundred (600) feet thereof, (b) all property addresses, as listed by the Property Appraiser's Office, within the area of such proposed boundary change and within six hundred (600) feet thereof, and (c)<< all owners of property within the area >>of such proposed boundary change<<and within six hundred (600) feet thereof. The cost of such notice shall be paid by the individual, group or municipality initiating the proposed change. >>In addition, owners of rental properties are urged to provide a courtesy copy of this notice to their tenants, for example by posting the notice on a common bulletin board.<< In notifying area residents of a public hearing to consider an annexation application, written courtesy notices of said public hearing shall be mailed to any adjacent municipality. In the event any municipality other than the municipality initiating the proposed boundary change appears before the Planning Advisory Board claiming to be materially affected by the proposed boundary change, the Planning Advisory Board recommendations shall include the reason the municipality is materially affected, how the municipality's concerns affect the application, and a recommendation on how the Board of County Commissioners should address the materially affected municipality's concern.

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**Section 5.** Section 20-7 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

**Sec. 20-7. - Public hearing.**

The Clerk of the County Commission, upon receipt of the recommendations of the Planning Advisory Board, shall set the matter of such proposed boundary changes for public hearing at a

regular meeting of the County Commission and cause notice of such public hearing to be published in a daily newspaper of general circulation in Miami-Dade County at least once not less than one (1) week prior to the date of such public hearing. Notice of such public hearing shall be furnished to >>(a)<< a representative of the petitioner or the municipality initiating the proposed boundary change, >>(b) all registered voters within the area of such proposed boundary change and within six hundred (600) feet thereof, (c) all property addresses, as listed by the Property Appraiser's Office, within the area of such proposed boundary change and within six hundred (600) feet thereof, (d)<< [[tø]] all property owners within the area >>of such proposed boundary change<< and within six hundred (600) feet thereof>>,<< and >>(e)<< any adjacent municipality. The cost of such notice shall be paid by the individual, group or municipality initiating the proposed change. >>In addition, owners of rental properties are urged to provide a courtesy copy of this notice to their tenants, for example by posting the notice on a common bulletin board.<< At such public hearing, the County Commission shall review and consider the recommendations of the Planning Advisory Board, and shall afford to all interested persons an opportunity to be heard upon the merits and propriety of the proposed boundary changes.

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**Section 6.** Section 20-22 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

**Sec. 20-22. - Planning Advisory Board's consideration of petition for incorporation.**

- (A) The Director of the Office of Management and Budget, prior to transmittal to the Planning Advisory Board, shall request the directors of all other applicable County departments to review and comment on the incorporation petition with respect to their areas of expertise and responsibility.
- (B) The Director of the Office of Strategic Business Management, upon receipt of comments and information from other departments, shall prepare a report on the petition containing the following information:

- (1) Summary of petition,
- (2) Socio-economic profile of area,
- (3) Development profile of area,
- (4) Any Municipal Advisory Committee Report, and
- (5) Other information outlined in Section 20-23(B)(1).

The report shall be transmitted to the Planning Advisory Board.

- (C) The Planning Advisory Board, upon receipt of a petition and appropriate County department staff review and comment shall:

- (1) Conduct a properly advertised public hearing within the area proposed for incorporation. >>Notice of such public hearing shall be furnished to (a) all registered voters within the area of such proposed boundary change and within six hundred (600) feet thereof, (b) all property addresses, as listed by the Property Appraiser's Office, within the area of such proposed boundary change and within six hundred (600) feet thereof, and (c) all property owners within the area of such proposed boundary change and within six hundred (600) feet thereof. In addition, owners of rental properties are urged to provide a courtesy copy of this notice to their tenants, for example by posting the notice on a common bulletin board.<<
- (2) Require additional information from appropriate County departments as needed.
- (3) Make written recommendations with respect to the petition and any Municipal Advisory Committee Report which shall include the following:

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- (F) The Clerk of the Board of County Commissioners, upon receipt of the recommendations by the Planning Advisory Board and County Manager, shall set the matter of such proposed incorporation for public hearing at a regular meeting of the County Commission and cause notice of such public hearing to be published in a daily newspaper of general circulation in Miami-Dade County at least once not

less than one (1) week prior to the date of such public hearing. Notice of such public hearing shall be furnished to >>(a) all registered voters within the area of such proposed boundary change and within six hundred (600) feet thereof, (b) all property addresses, as listed by the Property Appraiser's Office, within the area of such proposed boundary change and within six hundred (600) feet thereof, and (c)<< all property owners within the area >>of such proposed boundary change<< and within six hundred (600) feet thereof. >>In addition, owners of rental properties are urged to provide a courtesy copy of this notice to their tenants, for example by posting the notice on a common bulletin board.<<

**Section 7.** Section 20-29 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

**Sec. 20-29. - Municipal Advisory Committee—Creation and Limitation of Study Area.**

- (A) A Municipal Advisory Committee may only be created by ordinance of the Board in accordance with the provisions of this section to study and give advice to the County Commission regarding the creation of a proposed municipality. However, as of the effective date of this ordinance, no Municipal Advisory Committee shall be created by the County Commission, unless no less than twenty (20) percent of the resident electors in the area to be studied consent to the creation of a Municipal Advisory Committee on a consent form which shall be approved by the Office of Management and Budget. The signed consent forms shall be submitted to the Clerk of the Board of County Commissioners. Upon submission of the signed consent forms, the Clerk of the Board of County Commissioners shall submit the signed consent forms to the Department of Elections for certification as to the sufficiency of signatures on the consent forms. Upon notification of certification by the Department of Elections, the Clerk of the Board shall forward to the County Commission the signed consent forms of area residents and the certification of the sufficiency of the consent forms. No ordinance to create a Municipal Advisory Committee may be placed on an agenda of this Board unless the Clerk of the Board has forwarded to the County Commission the signed consent forms of area



residents and the certification of the sufficiency of the consent forms, as required in this subsection. Following public hearing, the County Commission may create a Municipal Advisory Committee by ordinance. It is provided, however, that where a Municipal Advisory Committee has been established, prior to the effective date of this ordinance, no consent of resident electors shall be required for the adoption of an ordinance creating a Municipal Advisory Committee involving the same study area. Upon receipt of the Municipal Advisory Committee report, which shall include findings of fiscal feasibility, evidence of desirability, and a plan for the development of a viable community, and upon motion of the district commissioner whose district comprises the majority of the proposed area to be incorporated, the Board of County Commissioners, at a regular meeting of the Board, may schedule the Municipal Advisory Committee report and resolution for consideration by the Planning Advisory Board.

- (B) In the event a Municipal Advisory Committee is created where part of the study area is outside the sponsoring Commissioner's district, such area shall automatically be excluded from the Municipal Area Committee's consideration.
- (C) The restriction set forth in Paragraph (B) may be waived by the Commissioner(s) whose district the study area comes within by filing a memorandum with the Clerk of the Board indicating consent to all or part of the study area.
- (D) This section shall apply to existing as well as to all future Municipal Advisory Committee's created after the effective date of the ordinance from which this section derives.
- (E) Notices of any public hearings held by a municipal advisory committee >>shall be furnished to (a) all registered voters within the area of such proposed boundary change and within six hundred (600) feet thereof, (b) all property addresses, as listed by the Property Appraiser's Office, within the area of such proposed boundary change and within six hundred (600) feet thereof, and (c) all property owners within the area of such proposed boundary change and within six hundred (600) feet thereof, and<< shall include a summary of the municipal advisory committee's pro forma budget for the proposed municipality, as well as a summary of the budget review report submitted by the consultant retained to advise the municipal advisory committee, pursuant to County Resolution No. R-130-05

(Consultant). Such notices shall also include a side-by-side comparison of the following budgetary information for the proposed new municipality as estimated by the municipal advisory committee and the Consultant: (1) total annual revenues, (2) total annual expenditures, (3) millage rate and (4) increase, decrease or lack of change in ad valorem taxes. The full budgetary information described in such notices shall be displayed on the website related to municipal advisory committees that is maintained by the Office of Management and Budget or its successor department. >>In addition, owners of rental properties are urged to provide a courtesy copy of this notice to their tenants, for example by posting the notice on a common bulletin board.<< Additionally, the Consultant shall be present at any such public hearings to make a presentation regarding the municipal advisory committee's pro forma budget, the Consultant's budget review report and the Consultant's conclusions regarding the proposed new municipality, prior to the commencement of public testimony at the public hearing. Notwithstanding the preceding provisions, this ordinance does not require a municipal advisory committee to hold any additional public hearings beyond the two public hearings required by ordinances of the Board of County Commissioners. The Municipal Advisory Committee shall complete the required feasibility and desirability study within twenty-four (24) months of its initial creation. If the Municipal Advisory Committee does not meet the required deadline, the Municipal Advisory Committee shall automatically sunset. Any Municipal Advisory Committee in existence as of the effective date of this Section shall include as part of its report a study of the feasibility and desirability of incorporating and shall be required to complete its study and submit the required report within twenty-four (24) months of the adoption of this section. If a Municipal Advisory Committee in existence as of the effective date of this Section does not meet this required deadline it shall automatically sunset. It is provided however, in the event that the Board of County Commissioners adopts an ordinance which suspends the processing of incorporation requests, the calculation of the twenty-four (24) month period of time provided by this section shall be tolled during the pendency of such suspension.

- (F) Any public hearing held by the Board of County Commissioners to consider a proposed incorporation of an

unincorporated area shall require~~[[d]]~~ that prior to such hearing the Office of Strategic Business Management provide the Board an updated Impact to the Unincorporated Municipal Service Area Analysis.

**Section 8.** 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 9.** 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 10.** 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:

Abbie Schwaderer-Raurell



Prime Sponsor: Commissioner Raquel A. Regalado