



MEMORANDUM

Agenda Item No. 4 (D)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: October 20, 2009

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Ordinance relating to municipal
boundary change requests;
suspending the processing and
consideration of municipal
boundary requests; creating
Section 20-4.1 of the Code

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Natacha Seijas and Co-Sponsor Commissioner Barbara J. Jordan.

A handwritten signature in black ink, appearing to read "R. A. Cuevas, Jr.", is written over a horizontal line.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

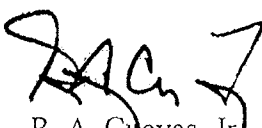


MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: October 20, 2009

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 4(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
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous____) 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. 4 (D)
10-20-09

ORDINANCE NO. _____

ORDINANCE RELATING TO MUNICIPAL BOUNDARY
CHANGE REQUESTS; SUSPENDING THE PROCESSING AND
CONSIDERATION OF MUNICIPAL BOUNDARY REQUESTS;
CREATING SECTION 20-4.1 OF THE CODE OF MIAMI-DADE
COUNTY, FLORIDA ("CODE"); PROVIDING SEVERABILITY,
INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, Miami-Dade County is experiencing a period of serious economic hardship;
and

WHEREAS, the economic slowdown is having a severe impact on the ability of the
County to deliver services to the unincorporated area; and

WHEREAS, annexations have the potential to diminish the ability of the County to
provide such services; and

WHEREAS, the disruption to the real estate market and other markets due to the
economic slowdown also makes it difficult to accurately assess both the short and long term
economic consequences of proposed annexations; and

WHEREAS, it is this Board's determination that it is prudent to suspend processing and
consideration of annexation requests until such time as the economic crisis has passed and the
Board can more accurately evaluate the impact of municipal boundary changes on the
unincorporated area,

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

Section 1. Section 20-4.1 of the Code of Miami-Dade County, Florida, is hereby
created to read as follows:

Sec. 20-4.1. Exception to consideration of municipal boundary change requests.

Notwithstanding anything in this article to the contrary, no municipal boundary change request shall be processed, heard, considered, or approved. Such suspension of the consideration of municipal boundary changes shall continue until such time as the current economic crisis has passed and the Board of County Commissioners has had an opportunity to evaluate the impact on further municipal boundary changes on the unincorporated area. Such suspension shall only be lifted upon the effective date of an ordinance adopted by the Board of County Commissioners.

Section 2. 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 3. 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 4. 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:

APW/RAC

Prepared by:

CYC/CJS

Craig H. Coller
Cynthia Johnson-Stacks

Prime Sponsor: Commissioner Natacha Seijas
Co-Sponsor: Commissioner Barbara J. Jordan