

RESOLUTION NO. 2009-3467

JOINT RESOLUTION OF THE CITY OF MIAMI SPRINGS, VILLAGE OF VIRGINIA GARDENS, TOWN OF MEDLEY, AND CITY OF DORAL PROFFERING THE HISTORICAL PERSPECTIVE OF THE PENDING ANNEXATION APPLICATIONS OF THE FOUR MUNICIPALITIES; EXPRESSING OPPOSITION TO PROPOSED MIAMI-DADE COUNTY ORDINANCE SECTION NO. 20-4.1; REQUESTING EXEMPTION FROM THE PROVISIONS OF PROPOSED MIAMI-DADE COUNTY ORDINANCE SECTION NO. 20-4.1; EFFECTIVE DATE.

WHEREAS, contemporaneously with its consideration and approval of the incorporation of the City of Doral, the Miami-Dade County Commission publicly expressed its intention to consider the annexation of certain adjacent unincorporated municipal service areas (“UMSA”) into the City of Miami Springs, Village of Virginia Gardens, Town of Medley and City of Doral; and,

WHEREAS, in late 2002, the County Administrative Staff was instructed to evaluate the feasibility and desirability of permitting annexation of the subject UMSA sections, identified on the county map attached hereto, by the aforesaid four municipalities; and,

WHEREAS, the four municipalities each expressed their desire to Miami-Dade County to participate in the annexation process and immediately began their own investigation and evaluation of the annexation process and the UMSA sections available for annexation; and,

WHEREAS, the proposed annexations were thought to be consistent with the policy of the Miami-Dade County Commission to provide a more balanced financial base for those four (4) municipalities; and,

WHEREAS, in accordance with the instructions and desires of the Miami-Dade County Commission, individual and group meetings were conducted between the four municipalities in an attempt to agree upon boundary lines encompassing the available UMSA sections; and,

WHEREAS, each municipality hired consultants, engineers and other professionals to assist it in its discussions with the other municipalities as to boundary lines and with the county on all other annexation topics; and,

WHEREAS, over the next five or six years, Miami-Dade County provided Assistant County Managers and other County administrative staff personnel to attend the joint meetings of the four municipalities to assist in reaching an agreement as to the proper and appropriate division of the available UMSA sections; and,

WHEREAS, although there had been much discussion and debate regarding the proposed annexation boundaries between the four municipalities from 2002 to the present, in 2009 the four municipalities finally agreed to the proper and appropriate division of the available UMSA sections, and each filed amended applications for annexation with the County reflecting the agreed upon boundary lines; and,

WHEREAS, over the past seven years, the four municipalities and Miami-Dade County staff personnel have expended extraordinary efforts and man hours, incurred substantial costs and expenses, and conducted innumerable public hearings and other meetings in the investigation, evaluation, and support of the pending annexation of the available UMSA sections; and,

WHEREAS, the four municipalities have just recently been advised that the Miami-Dade County Commission is considering the enactment of County Ordinance Section 20-4.1 which will suspend the consideration and approval of all annexations until a subsequent ordinance is enacted lifting the suspension imposed by the proposed new Ordinance Section; and,

WHEREAS, although the four municipalities are fully cognizant of the current economic conditions and financial crisis being experienced, they jointly believe that the proposed annexations will provide long term economic benefits to the county and that such benefits should be analyzed prior to the enactment of any legislation suspending the pending annexations of the four (4) municipalities; and,

WHEREAS, all the municipalities jointly believe that is both unfair and inappropriate for their pending annexation efforts, over the past seven years, to be included within the suspension of annexation consideration or approval to be imposed by Ordinance Section No. 20-4.1; and,

WHEREAS, the four municipalities to this Joint Resolution believe that it would be both fair and appropriate for the pending annexation applications of the City of Miami Springs, Village of Virginia Gardens, Town of Medley and City of Doral to be specifically exempted from the proposed provisions of County Ordinance Section No. 20-4.1.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:

Section 1: That the City Council of the City of Miami Springs hereby requests that the Miami-Dade County Commission review and consider the historical perspective of the pending annexation applications of the City of Miami Springs, Village of Virginia Gardens, Town of Medley and City of Doral provided in the recitals hereto.

Section 2: That the City Council of the City of Miami Springs hereby expresses its opposition to the enactment of proposed Miami-Dade County Ordinance Section No. 20-4.1 insofar as it applies to any of the pending annexation applications of the City of Miami Springs, Village of Virginia Gardens, Town of Medley and City of Doral.

Section 3: That the City Council of the City of Miami Springs hereby requests that the pending annexation applications of the City of Miami Springs, Village of Virginia Gardens, Town of Medley and City of Doral be exempted from the provisions of proposed Miami-Dade County Ordinance Section No. 20-4.1

Section 4: That the provisions of this Resolution shall be effective immediately upon adoption by the City Council of the City of Miami Springs this 7th day of December, 2009.

PASSED AND ADOPTED by the City Council of the City of Miami Springs, Florida, this 7th day of December, 2009.

The motion to adopt the foregoing resolution was offered by Councilman Best, seconded by Vice Mayor Espino, and on roll call the following vote ensued:

Vice Mayor Espino	“aye”
Councilman Best	“aye”

Councilman Lob
Councilwoman Ator
Mayor Bain

“aye”
“aye”
“aye”

Billy Bain
Mayor

ATTEST:

Magalí Valls, CMC
City Clerk

APPROVED AS TO LEGALITY AND FORM:



Jan K. Seiden, City Attorney