



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Legislative Analysis

Government Operations
Committee

June 09, 2009

9:30 A.M.

Commission Chamber

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**Miami-Dade County Board of County Commissioners
Office of the Commission Auditor**

**Legislative Notes
Government Operations Committee
Meeting Agenda**

June 09, 2009

Written analyses and notes for the below listed items are attached for your consideration:

Item Number(s)

2(C)
3(A)
3(B)
3(C)
3(D)
3(E)
4(A)
4(F)
4(G)

If you require further analysis of these or any other agenda items, please contact Guillermo Cuadra, Chief Legislative Analyst, at (305) 375-5469.

Acknowledgements--Analyses prepared by:
Michael Amador-Gil, Legislative Analyst
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MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR



Legislative Notes

Agenda Item: 2(C)
File Number: 091638
Committee(s) of Reference: Government Operations
Date of Analysis: June 05, 2009
Type of Item: Prepare an Analysis and Report
Prime Sponsor: Commissioner Joe A. Martinez

Summary

This resolution directs the Mayor to investigate the feasibility and cost of implementing a program to permit property taxes to be paid by credit card.

Background and Relevant Legislation

The Finance Department is responsible for centralized accounting, cash management, financial and debt management services, tax collection and distribution, and the collection of delinquent accounts for various County departments. Specifically, the Finance Department through the Tax Collector's Office collects and distributes current and delinquent real and personal property taxes, non-ad valorem special assessments for all taxing authorities within Miami-Dade County, local business tax receipts, and convention and tourist taxes.

The Property Appraiser's Office primary mission is to identify and appraise all real and tangible personal property with the County and certify the annual tax roll with the Florida Department of Revenue. Other duties include the maintenance of all associated property records, administration of all exemptions, and annual notification of all property owners in the County of the assessed value of their property. **The Property Appraiser's Office does not administer and/or enforce the collection of real and tangible property taxes.**

On November 29, 2004, the Tax Collector implemented the collection of real property tax payments via e-checking. Also, in past years, the Tax Collector has conducted a comprehensive mass media campaign to ensure awareness and compliance that included print, radio and Miami-Dade T.V. advertising in the three predominate languages. Furthermore, the Tax Collector partnered with the County's 311-Answer Center to handle tax related customer calls.

- The following County agencies implemented online payment services accepting credit card payments: Clerk of the Courts-Parking Violations; Building Department; Film and Entertainment

Office; Water and Sewer Department; Transit Department; and the Enterprise Technology Services Department.

- Other jurisdictions allowing online payment services accepting credit card payments: Los Angeles County Property Tax Office; Dallas County Property Tax Office; State of Kansas Property Tax Office; Morton County, North Dakota Property Tax Office; and City of Boston Property Tax Office.

Prepared by:

Michael Amador-Gil

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
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Legislative Notes

Agenda Item: 3(A)
File Number: 091175
Committee(s) of Reference: Government Operations
Date of Analysis: June 05, 2009
Type of Item: Code Amendment
Prime Sponsor: Commissioner Barbara J. Jordan
Co-Sponsor: Senator Javier D. Souto

Summary

This ordinance creates a new section of the Code requiring certain legally-required notices in countywide taxes, special assessments, or fees published in English also be published in Spanish and Creole.

Background and Relevant Legislation

The population in Miami-Dade County today is much larger when compared to the 1980s within the Hispanic and Haitian-American population. According to the 2000 Census, there are thirty-three Florida counties where the Hispanic population is five percent or greater, and twelve in which it exceeds fifteen percent. Many of those counties are among the most populous and fastest growing in the state. Almost one-third of Florida's Hispanic population reported during the 2000 Census that they could either not speak English "at all" (269,785 persons), or that they did not speak English "well" (432,977 persons). Population projections indicate at least twelve Florida counties will have a Hispanic population of fifteen percent or greater by 2010.¹

Haitian-Americans are also a growing segment of Florida's population. Over 233,000 Haitian-Americans now live in Florida. The primary language spoken by Haitian immigrants is Haitian Creole. The majority of Florida's Haitian-American population is concentrated in the three most populous southern counties. Almost half (over 95,000) of the state's Haitian-American population lives in Miami-Dade County, while most of the remaining Haitian-Americans in Florida live in Palm Beach (over 30,000) and Broward Counties (over 62,000).²

¹ Ensuring that Florida's language minorities have access to the ballot: Jonel Newman, Stetson Law Review, May 10, 2002.

² Ensuring that Florida's language minorities have access to the ballot: Jonel Newman, Stetson Law Review, May 10, 2002.

The Sunshine Law, s. 286.011, F.S, requires that meetings of a public board or commission be "open to the public." All meetings of any board or commission of a state agency or authority, or of an agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in the State Constitution, at which official acts are to be taken, are declared to be public meetings open to the public at all times, and no resolution, rule or formal action is considered binding except as taken or made at such meeting. Also, the boards or commissions must provide reasonable notice of these meetings.³

The Florida Supreme Court has recognized the importance of public participation in open meetings, stating that "specified boards and commissions...should not be allowed to deprive the public of this inalienable right to be present and to be heard at all deliberations wherein decisions affecting the public are being made."⁴

While the right of citizens to attend such meetings has been acknowledged by the legislative body of this state, the issue of implementing standards for non-English speaking minorities to have access to government information has not been expressly addressed. Similarly, the courts have not articulated clear standards obligating local governments to publish public notices regarding special assessments and/or increase in countywide taxes in Spanish and Creole.

Local governments commonly adopt rules and/or policies to ensure that the public is notified and the orderly conduct of public meetings, which require orderly behavior on the part of persons attending those meeting. These rules/policies are not uniform in the state, and may limit public comment in some instances. For example, in 1993, the Miami-Dade Board of County Commissioners (BCC), repealed County Ordinance 93-46 prohibiting the use of any language other than English for government business.⁵

Also, on March 6, 2007, the BCC, through Ordinance 07-39, amended Section 12-23 of the Code to read:

- Any person gathering signatures for an initiative, referendum, or recall petition must be a qualified elector of Miami-Dade County.
- **The title and text of the ordinance or the Charter provision sought to be enacted or repealed shall be provided in English, Spanish, and Creole. (Those that do not include the title and text of the ordinance or the Charter provision sought to be enacted or repealed, in English, Spanish, and Creole shall be disqualified)**

Budgetary Impact

According to Government Information Center staff, the County spent \$596,473 on advertisement in the first two quarters of FY 2008-09. Of this amount, \$350,217 or 59% was used for legal notifications, those legally required by statute and courtesy legal notices that were placed to reach a broad audience.

Prepared by: Michael Amador-Gil

³ Section 286.011(1), F.S.

⁴ Board of Public Instruction of Broward County v. Doran, 224 So.2d 693, 699 (Fla. 1969).

⁵ Ensuring that Florida's language minorities have access to the ballot: Jonel Newman, Stetson Law Review, May 10. 2002.

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 3(B)
File Number: 090799
Committee(s) of Reference: Government Operations
Date of Analysis: June 5, 2009
Type of Item: Code Amendment
Prime Sponsor: Commissioner Dorrin D. Rolle

Summary

This ordinance amends Section 8-5 of the Code of Miami-Dade County to allow for extensions relating to the compliance periods that are determined by the Unsafe Structures Board or Appeal Panels.

Background and Relevant Legislation

The Unsafe Structures Appeal Panels hears appeals of decisions of the Miami-Dade County Building Official declaring single-family and duplex residences and their accessory structures on vacant land to be unsafe where there is a danger to the health and safety of citizens.

Currently, the Code provides that if the cost of completion, alteration, repair and or/replacement of an unsafe building or structure exceeds fifty (50) percent of its value, the building should be demolished and removed from the premises. If a building can be repaired and made safe, the building must be completed and brought into full compliance with the Florida Building Code within such time as the Building Official, Unsafe Structures Appeal panel or the Unsafe Structures Board may determine to be reasonable for such completion. If the building is not brought into full compliance within that timeframe the building or structure is demolished.

Policy Change and Implication

This amendment allows for the owner or representative to seek an extension in writing of the timeframe that is granted by the Unsafe Structures Board or the Unsafe Structures Appeal Panel.

Questions

1. Is there a certain deadline that the owner of an unsafe structure has to meet to request an extension?
2. Please provide the number of demolitions that were performed during FY 2007-08?

3. Are there any types of corrective actions allowed by the owners after an order of demolition has been issued?

Budgetary Impact

N/A

Prepared By:

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**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 3(C)
File Number: 090669
Committee(s) of Reference: Government Operations
Date of Analysis: June 5, 2009
Type of Item: Code Amendment
Commission District(s): Countywide

Summary

This ordinance amends Section 8-11 of the Code of Miami-Dade County that provides for inspections of boilers by adding the criteria for boilers that would require annual certification.

Background and Relevant Legislation

Currently, the Code requires that boilers with a heat input capacity of 200,000 British Thermal Units (Btu) be examined and certified by the Building Department personnel on an annual basis. Due to an amendment by the Florida Building Commission which changed the definition on the types of boilers that require annual inspection by increasing the heat intake from 200,000 Btu to 400,000 Btu. With this change, boilers with a heat intake capacity of 200,000 Btu would no longer require annual inspections.

According to the Miami-Dade Building Department, annual inspections of boilers are required only on commercial premises. During the FY 2007-08, the Department performed 615 inspections throughout UMSA and the City of West Miami; there were 62 failed boiler inspections during FY 2007-08. The cost of an annual inspection is \$74.42.

Policy Change and Implication

This code amendment allows County-wide certification inspections on boilers on commercial premises that meet 200,000 Btu.

Budgetary Impact

Has the County's Building Department evaluated the fiscal impact if the Code is not amended?

According to Building Department staff, if the Code is not amended it could result in a loss of revenue of approximately \$46,000, which may require staff adjustments.

Prepared By:

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**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 3(D)
File Number: 091473
Committee(s) of Reference: Government Operations
Date of Analysis: June 5, 2009
Type of Item: Code Amendment
Commission District(s): Countywide

Summary

This ordinance amends Section 31-613 of the Code of Miami-Dade County adding special provisions to permit luxury limousine sedans over five (5) model years of age as of December 31, 2009 to operate for an additional six months. This ordinance also provides that failure to operate a limousine sedan for a period of six months during the 2009 and 2010 annual renewal period will result in automatic revocation.

Background and Relevant Legislation

Currently, the Code provides that luxury limousine sedans should not be more than two (2) model years of age when initially placed into service. Luxury limousine sedans that exceed five (5) model years of age should not be in operation or be inspected.

This amendment allows twenty-one (21) luxury limousine sedans that are expected to be replaced by December 31, 2009 to remain in operation until June 30, 2010. According to the Consumer Services Department (CSD), the vehicles will be inspected quarterly after the five (5) year period. The cost for the inspection is \$35.

The Code also currently provides that an operator of a luxury limousine sedan has to certify at the time of annual renewal that he/she has provided service authorized by the for-hire license for nine (9) months during the preceding year. Failure to operate for at least nine months during the preceding year will result in automatic revocation of the for-hire license.

This amendment allows the operator to certify that he/she provided service for a period of six (6) months instead of nine (9) months. This will give the operator the option of having three (3) additional months of inactivity and not have to forfeit his/her license.

Policy Change and Implication

The amendment allows limousine operators by authorizing luxury limousine sedans over five model years of age to operate for an additional six month period and it allows luxury sedans to remain idle for a six month period instead of three months as currently permitted.

Question(s)

Does the CSD anticipate allowing other for-hire providers to operate vehicles beyond the vehicles retirement age?

According to the CSD, the Department does not anticipate allowing other for-hire providers to operate beyond the vehicles retirement age. Luxury sedans have the most restrictive vehicle age requirements being capped at five (5) model years and are more expensive vehicles to obtain as they must meet a minimum manufacture suggested retail price of no less than \$42,000.

Passenger Motor Carriers and Nonemergency vehicles can be used for fifteen (15) model years and taxicabs for 8 to10 years.

Budgetary Impact

N/A

Prepared By:

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**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 3(E)
File Number: 091493
Committee(s) of Reference: Government Operations
Date of Analysis: June 5, 2009
Type of Item: Resolution Approving One (1) Certificate of Public Convenience
Commission District(s): Countywide

Summary

This resolution approves the application of Sunrise Transportation, Inc. for one Certificate of Public Convenience and Necessity to operate one combination wheelchair and stretcher vehicle.

Background and Relevant Legislation

There are currently four (4) separate resolutions authorizing one certificate for a non-emergency vehicle per resolution by this applicant.

On June 2, 2009, the Board of County Commissioners adopted Ordinance 09-45 which provides that multiple certificates from one applicant to provide non-emergency service be authorized through one resolution.

Non-emergency medical transportation service or non-emergency service is classified as the transportation of persons while on stretchers or wheelchairs, or whose handicap, illness, injury or other incapacitation makes it impractical to be transported by a bus or taxicab service, and the person is not in need of any medical attention while in route.

According to the Consumer Services Department, there are 31 companies providing non-emergency service and 165 vehicles currently in service.

Policy Change and Implication

N/A

Budgetary Impact

N/A

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**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 4(A)
File Number: 091538
Committee(s) of Reference: Government Operations
Date of Analysis: June 05, 2009
Type of Item: Rejection of Unsolicited Proposal

Summary

This resolution authorizes the rejection of an unsolicited proposal received by the Miami-Dade Water and Sewer Department (MDWASD) on July 24, 2008, and refunds \$25,000 to the proposer, RIC-Man International, Lanzo Construction of Florida joint Venture (RMI/LCC Joint Venture) and A&P Consulting Transportation Engineering, prime designer/consultant. The scope of work consists of designing and installing a back-up 72-inch raw water main from the Northwest Wellfield to North Royal Poinciana Boulevard and Dove Avenue in the County.

Background and Relevant Legislation

On July 1, 2008, the Board of County Commissioners, through Ordinance 08-79, amended Section 2-8.1 of the Code establishing procedures to evaluate, develop and publish unsolicited proposals for the County's contracts.

The above mentioned ordinance established a protocol for handling unsolicited proposals for the construction of public infrastructures. In particular, this ordinance established a comprehensive review and evaluation process to address and prescribe the following procedures and policies on:

(1) initial processing fees to compensate for staff time and costs associated with reviewing and evaluating unsolicited proposals; (2) time lines for determining whether to proceed further with the proposal; (3) manner of rejection; (4) merit and feasibility of the proposal and County priorities; (5) documentation to be included in the contents of a proposal; (6) privacy rights, disclosure of proprietary rights; (7) sovereign immunity; (8) timelines for publication of proposal, and the evaluation and ranking of competing proposals; and (9) negotiations.

Ordinance 08-79 addressed the practice of developers bypassing the competitive bid process by submitting unsolicited proposals, and outlined the County's authority to consider serious innovative proposals that were reviewed and accelerated.

On July 24, 2008, the MDWASD received the unsolicited proposal from RMI/LCC Joint Venture. On December 9, 2008, the proposal was presented to the Governmental Operations and Environmental Committee for consideration. During the committee meeting, MDWASD staff provided that the 72-inch

Raw Water Main was included in the list of approved County projects to be completed by FY 2013-14; however, staff noted that RMI/LCC Joint Venture declared they would provide savings during the construction process and complete the project ahead of the County's schedule. A letter attached to Government Operations Item 4(A) from RIC-Man International, dated July 22, 2008 to County Manger George M. Burgess states:

“RIC-Man International seeks to ensure that MDWASD's effort is realized in the next three years, almost three years ahead of the existing schedule and for the same dollar amount or less than what MDWASD has in their budget with no change orders.”

However, on December 16, 2008, during the BCC meeting, the item was deferred to no date certain.

RMI/LCC Joint Venture provided the following declarations for the County's consideration:

- The cost of the project will be less than the estimated budget;
- If the County's budget allocations are exhausted, RMI/LCC Joint Venture will finance costs until the next allocation is obtained;
- If accepted by the County, RMI/LCC Joint Venture will expedite the construction of these projects by almost three years or will be achieved within 1095 of the Notice-to-proceed;
- RMI/LCC Joint Venture highlighted that their team is supported by several local CBE and CSBE companies;
- RMI/LCC Joint Venture provided their financial capacity and bonding information with Liberty Mutual;
- RMI/LCC Joint Venture will provide the design plans to the affected community through the design process; and
- Notices will be provided to property occupants (private and public) of all planned disruptions 72 hours in advance.

The following questions were posed to MDWASD staff:

1. What were the results from MDWASD review in October 2008?
2. When did the MDWASD determine to reject the unsolicited proposal? The item does not provide the consultants recommendations.
3. Why did it take 7 months (deferred in December 2008 to no time certain) to bring this item back to the legislative process?

Additional Notes

The following highlights other governmental entities that have established unsolicited proposal procedures:

- Florida Dept of Transportation (FDOT) -- Sect. 334.30(1) – *Public-private transportation facilities*, and Sect. 338.235 Fla. Stat. – *Contracts with the Department*
 - Requiring only 60 days from the initial publication to accept other comparable proposals for the same project.

- Applying to projects falling within the purview of the Florida Expressway Authorities.

States which have expressly authorized unsolicited proposals:

- Colorado
- Oregon
- Washington
- Delaware

According to the Small Business Development Violations Report for May 29, 2009: RIC-Man International does not have any violations; Lanzo Construction of Florida has a closed violation for prime failing to meet CSBE subcontractor goal totaling \$148,000. The violation was issued on January 17, 2003 and closed on January 29, 2009.

Prepared by: Michael Amador-Gil

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Legislative Notes

Agenda Item: 4(F)
File Number: 091700
Committee(s) of Reference: Government Operations
Date of Analysis: June 05, 2009
Type of Item: Contract Award

Summary

This resolution waives competitive bidding and approves the award of an Energy Performance contract to Florida Power & Light Services, LLC. (FPL Services) in the amount not to exceed \$6,528,096. The scope of work includes replacement of lighting fixtures at all portions of Terminals A, B, C, E, F, G and H, Concourses E, F, G and H and Satellite E of Miami International Airport and the installation of a Photovoltaic Power system.

A total of 18,552 fixtures will either be completely replaced or retrofitted through this contract.

The contract provides that FPL Services will:

- Remain responsible for the professional and technical accuracy of all services performed throughout the term of the contract;
- Conduct training for building service staff, personnel operating and maintaining the lighting systems, and engineering staff and General Services Administration staff; and
- Maintain a minimum warranty of one year in parts and labor that will apply to all the equipment, except that FPL Services agrees to warranty certain specified equipment for longer terms.

Section 4.2 of the contract addresses the Acceptance of the Conservation Measure Groups: Once the CM Group has substantially completed their work, FPL Services will provide the County a written request for a substantial completion inspection. Within 10 business days from receipt of FPL Services' written request, the County will make an inspection to determine whether the CM Group installation is complete.

- **Question: If a total of 18,552 fixtures will either be completely replaced or retrofitted, how will the County conduct the inspection?**

Background and Relevant information

In 1994, the state legislature enacted the Guaranteed Energy Savings Program, later amended to become the Guaranteed Energy Performance Savings Contracting Act. The program permits agencies,

defined as “the state, a municipality, or a political subdivision,” to enter into a guaranteed energy performance savings contract, under specified circumstances.¹

The purpose of a guaranteed energy savings contract is to allow a properly-licensed contractor to create or install energy conservation measures that will reduce the energy or operating costs of an agency facility. The Act contains a number of contract requirements to ensure that the measures will result in a savings to the agency over time, and to ensure that the contractor is financially liable for any failure to achieve such savings. An “energy conservation measure” is a training program, facility alteration, or equipment purchase to be used in new construction, including an addition to an existing facility, which reduces energy or operating costs. Examples of such measures include insulation, storm windows and doors, automatic energy control systems, and cogeneration systems.²

Current law requires that, before the installation of conservation measures, agencies obtain from a qualified provider a report that summarizes the costs of the conservation measures and provides the amount of cost savings. The qualified provider must be selected in compliance with s. 287.055, F.S., which provides for competitive bidding requirements for state agencies wanting to procure professional architectural, engineering, or surveying and mapping services.³

A guaranteed energy performance contract must contain the following provisions:

- A written energy guarantee by the qualified provider that the energy or operating cost savings will meet or exceed the cost of energy conservation measures.
- A provision that all payments may be made over time, but may not exceed 20 years from the date of installation and acceptance by the agency.
- A requirement that the qualified provider provide a 100 percent project value bond to the state for its faithful performance, as required by s. 255.05, F.S.
- Provisions for an allocation of any excess savings among the parties.
- The qualified provider must provide an annual reconciliation of the cost savings and if there is a shortfall, the provider must be liable.

Prepared by: Michael Amador-Gil

¹ Ch. 94-112, L.O.F., codified at s. 489.145, F.S.

² State of Florida Department of Management Services

³ Section 489.145(4), F.S.

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 4(G)
File Number: 091720
Committee(s) of Reference: Government Operations
Date of Analysis: June 5, 2009
Type of Item: Resolution Creating Implementing Order 10-14
Commission District(s): Countywide

Summary

This ordinance creates Implementing Order 10-14 relating to registration by the lender, operator or other responsible party of residential properties subject to foreclosure.

Background and Relevant Legislation

On December 2, 2008, the Board of County Commissioners adopted Ordinance 08-134 which provided for the registration of all single family dwelling units that are the subject of a mortgage foreclosure action with the Office of Neighborhood Compliance. The ordinance sought to address the proliferation of vacant, neglected properties by requiring the holder of a mortgage or other debt instrument to register the single family dwelling unit with the Office of Neighborhood Compliance (ONC) upon the filing of a *Lis Pendens* or an action to foreclose.

Lis Pendens is a legal notice recorded to show pending litigation relating to real property and giving notice that anyone acquiring an interest in said property subsequent to the date of the notice may be bound by the outcome of the litigation. The notice is often filed prior to a mortgage foreclosure proceeding.

During the December 2, 2008, BCC meeting, representatives from the Florida Bankers Association raised concerns with maintaining the properties that were in the foreclosure process while the homeowner remained on the premises. The item was amended to clarify that compliance with maintaining the property is the responsibility of the mortgage owner/holder only when the residential unit is vacant. According to the cover memorandum of the resolution, the ONC's website further clarifies that if a *Lis Pendens* is being filed and the property is registered, the occupant is responsible for the maintenance of the property.

On December 16, 2008, the BCC authorized the County Administration to establish an Implementing Order relating to the registration of residential properties subject to foreclosure.

Policy Change and Implication

N/A

Survey

The Office of the Commission Auditor (OCA) conducted a survey of several jurisdictions for the purpose of reviewing how jurisdictions are addressing the problems associated with abandoned homes. The following jurisdictions were surveyed: Broward County; State of California; City of Deerfield; Coral Springs; Baltimore; Boston; and Cook County.

Findings

Broward County: The Foreclosure Prevention Blue Ribbon Panel (Panel) was formed in February 2008 to deal with the mounting foreclosure situation in Broward County. One of the Panel's recommendations mentioned that the Broward League of Cities take the lead, draft and adopt a countywide model ordinance for residential properties in foreclosure. The ordinance should include language regarding fees and assessments for a foreclosed property, an emergency property management plan, and aesthetic property maintenance.

State of California: On July 8, 2008, the state enacted SB 1137 which adds new procedural steps that a lender must follow before conducting a non-judicial foreclosure sale under a deed of trust covering the principal residence of any person made between January 1, 2003 and December 31, 2007. Section 5 of SB 1137 provides that a legal owner must maintain vacant residential property purchased by that owner at a foreclosure sale, or acquired by that owner through foreclosure under a mortgage or a deed of trust, and may be fined up to \$1,000 per day for failing to maintain the property. Section 5 specifically targets excessive foliage, failure to prevent trespassers and squatters, and other conditions of public nuisance, including standing water and mosquito issues. **Furthermore, SB 1137 requires lenders to make contact with borrowers at least 30 days before filing a Notice of Default (NOD). During September 2008, California's NODs dropped 51 percent from the previous month, and that drop had a significant impact on the national numbers given that California accounts for close to one-third of the nation's foreclosure activity each month.**

City of Deerfield Beach and Coral Springs: According to a Sun-Sentinel article dated September 7, 2008, one of the impacts of the South Florida foreclosures mean homeowners have to reside next to eyesores. Deerfield Beach and Coral Springs passed laws this year that require banks of foreclosed property to register with the cities, maintain the foreclosed properties and reimburse the cities for the cost of repairs.

City of Baltimore: To combat the problem of who is responsible to maintain foreclosed, deteriorating properties, Baltimore City is considering a measure that requires all lenders to notify the Department of Public Works within 30 days after a property has been placed in foreclosure. The lender's contact information is added to a database maintained by the City within 45 days, listing the lender as the owner of the property, even if the title is not transferred.

City of Boston: On May 5, 2008, the Boston City Council signed into law an ordinance that seeks properties involved in foreclosure proceedings be registered with the city and the company holding the mortgage provide contact information of an office or agent responsible for maintaining the property.

Cook County, Illinois: Sheriff Tom Dart of Cook County suspended the execution of eviction orders because tenants and not the owners were paying highly for the landlords financial situations. Sheriff Dart stated that approximately 33 percent of the foreclosure evictions handled by his department involved tenants and not the property owners.

Budgetary Impact

According to the cover memorandum to Ordinance 08-134, the implementation of the registry would require additional research of foreclosure records, data entry and additional inspections in order to monitor the condition of abandoned properties (\$127,000, two positions plus operating expenses). The memorandum further states that the one-time registry fee of \$125 per property would fully offset the operating costs for approximately two years based on the expected amount of registrations.

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