

MEMORANDUM

Agenda Item No. 14(A)(9)

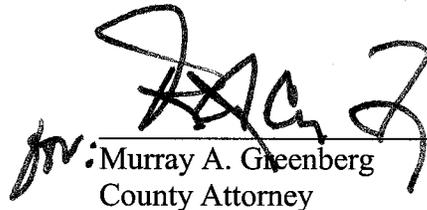
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: December 19, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution relating to
providing homeowners the
ability to transfer the "Save
Our Homes" assessed value in
their present homestead
properties to a less expensive
replacement home

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Carlos A. Gimenez and Commissioner Sally A. Heyman.


Murray A. Greenberg
County Attorney

MAG/jls

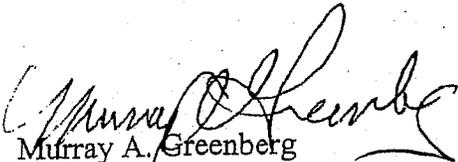


MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: December 19, 2006

FROM: 
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County Attorney

SUBJECT: Agenda Item No. 14(A)(9)

Please note any items checked.

- "4-Day Rule" ("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**
- Bid waiver requiring County Manager's written recommendation**
- Ordinance creating a new board requires detailed County Manager's report for public hearing**
- Housekeeping item (no policy decision required)**
- No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 14(A)(9)
12-19-06

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT A JOINT RESOLUTION PLACING A CONSTITUTIONAL AMENDMENT ON THE STATEWIDE BALLOT THAT PROVIDES HOMEOWNERS THE ABILITY TO TRANSFER THE "SAVE OUR HOMES" ASSESSED VALUE IN THEIR PRESENT HOMESTEAD PROPERTIES TO A LESS EXPENSIVE REPLACEMENT HOME

WHEREAS, property values in Miami-Dade County have increased dramatically over the past decade; and

WHEREAS, the "Save Our Homes" provision of the Florida Constitution, Article VII, Section 4(c)(1), provides that the annual increase in assessed value of homestead property shall not exceed the greater of three (3) percent or the rate of inflation, whichever is lower; and

WHEREAS, the "Save Our Homes" provision has resulted in the assessed value of homestead property rising at a far lower rate than the market value of such property; and

WHEREAS, particularly in the case of long-term homeowners, this growing difference between the market value and the assessed value has resulted in assessed values that can be less than half the market value of the property; and

WHEREAS, "Save Our Homes" has played an important role in keeping property taxes from driving people from their homes as property values have increased; and

WHEREAS, under current law, this "Save Our Homes" assessment limitation is lost when a homeowner moves to a new home because the new property is assessed at its then-current value; and

WHEREAS, this loss of the “Save Our Homes” assessment limitation has had the unintended consequence of discouraging people from moving when their housing needs change, because even if they are moving to a smaller and less expensive home, townhouse or condominium unit, their property taxes could double or triple; and

WHEREAS, this effect frequently arises in the context of owners of large homes whose children have reached adulthood and moved out; and

WHEREAS, this effect can also arise when a homeowner loses his or her job, becomes disabled, or gets divorced, any of which might lead to the need to move to a less expensive home; and

WHEREAS, providing homeowners portability of “Save Our Homes” assessment limitation to move to a less expensive home may not have the substantial impact on local government revenues that broad portability proposals do,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to enact a joint resolution to place a constitutional amendment on the statewide ballot that provides homeowners the ability to transfer the “Save Our Homes” assessed value in their present homestead properties to a less expensive replacement home.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the passage of the legislation and the implementation of the reforms set forth in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2007 State Legislative Package.

The foregoing resolution was sponsored by Commissioner Carlos A. Gimenez and Sally A. Heyman and offered by Commissioner _____, who moved its adoption.

The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Jose "Pepe" Diaz
Audrey M. Edmonson	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of December, 2006. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

JMM

Jess M. McCarty

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