

MEMORANDUM

Amended
Agenda Item No. 7(D)

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

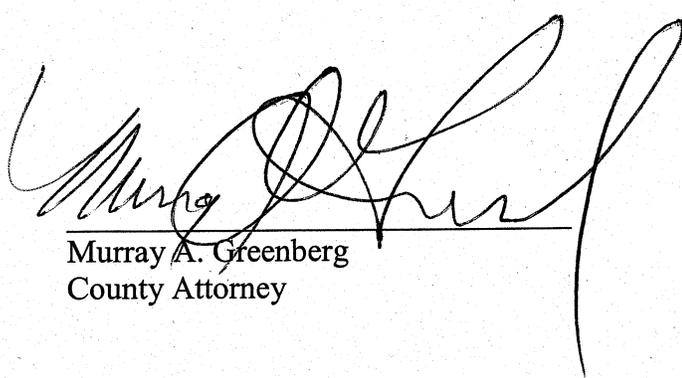
DATE: November 28, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Ordinance requiring that no
allocation of documentary
surtax funds be made except
as part of a competitive
request for applications
process

#06-170

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Katy Sorenson, Commissioner Jose "Pepe" Diaz, Commissioner Carlos A. Gimenez, Commissioner Barbara J. Jordan, Commissioner Dorrin D. Rolle and Sen. Javier D. Souto.



Murray A. Greenberg
County Attorney

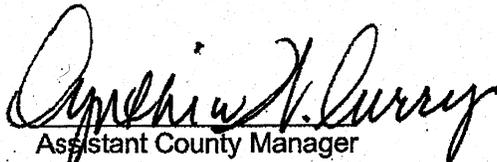
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Memorandum



Date: November 28, 2006
To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners
From: George M. Burgess
County Manager
Subject: Ordinance Restricting the Allocation of Documentary Surtax Funds Outside of the
Competitive Request for Applications (RFA) Process

The proposed ordinance restricting the allocation of Documentary Surtax funds outside of the RFA process will not have a fiscal impact to Miami-Dade County.


Assistant County Manager

Fis00206



MEMORANDUM

(Revised)

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

DATE: November 28, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Amended
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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 _____

Amended
Agenda Item No. 7(D)
11-28-06

ORDINANCE NO. 06-170

ORDINANCE REQUIRING THAT NO ALLOCATION OF DOCUMENTARY SURTAX FUNDS MAY BE MADE EXCEPT AS PART OF A COMPETITIVE REQUEST FOR APPLICATIONS (RFA) PROCESS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, there is a growing and urgent need in this community for the construction, rehabilitation, and purchase of all types of affordable housing; and

WHEREAS, the County's documentary surtax program, authorized pursuant to Chapters 201 and 125 of the Florida Statutes, has been successful in helping to meet this need for affordable housing; and

WHEREAS, this Board and developed a process in which agencies seeking allocations of documentary surtax funds participate in a competitive Request for Applications (RFA) process for allocation of the documentary surtax funds; and

WHEREAS, the amounts requested by these agencies far exceed the amount of funds available for allocation; and

WHEREAS, the RFA process entails input from the community and months of detailed and thorough review of the applications by the County's professional staff and Affordable Housing Advisory Board; and

WHEREAS, the projects submitting applications through this process are evaluated on the many factors to determine, among other things, the need for and the feasibility of the projects; and

WHEREAS, this competitive process and thorough review, along with community input, serves to ensure that the limited documentary surtax funds will be allocated in the best way possible,

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

Section 1. No allocation of documentary surtax funds shall be made except as part of a competitive Request for Applications (RFA) process. Notwithstanding the foregoing, documentary surtax funds loaned directly to homeowners by Miami-Dade County may be allocated without the necessity of a competitive RFA process.

Section 2. The RFA process shall include a public meeting which affords the residents of Miami-Dade County the opportunity to comment on applications and funding requests and recommendations. This public meeting shall be held prior to presentation of any funding recommendations to the Board of County Commissioners by Miami-Dade County staff.

Section 3. 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 4. 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 5. 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:

Handwritten signature of the County Attorney, appearing to be 'C. M. ...', written over a horizontal line.

Prepared by:

Shannon D. Summerset

Sponsored by Commissioner Katy Sorenson,
Commissioner Jose "Pepe" Diaz,
Commissioner Carlos A. Gimenez,
Commissioner Barbara J. Jordan,
Commissioner Dorrin D. Rolle and
Senator Javier D. Souto