

MEMORANDUM

Agenda Item No. 11(A)(15)

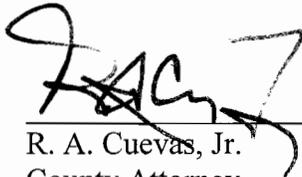
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: November 20, 2008

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

SUBJECT: Resolution urging the Florida
Legislature to amend Section
196.011(6) of the Florida Statutes
to require the property appraiser
to deliver by certified mail notices
of disapproval of renewal applications
for homestead exemption

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa and Co-Sponsor Commissioner Carlos A. Gimenez.



R. A. Cuevas, Jr.
County Attorney

RAC/cp



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: November 20, 2008

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

SUBJECT: Agenda Item No. 11(A)(15)

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. 11(A)(15)
11-20-08

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
AMEND SECTION 196.011(6) OF THE FLORIDA STATUTES TO
REQUIRE THE PROPERTY APPRAISER TO DELIVER BY
CERTIFIED MAIL NOTICES OF DISAPPROVAL OF RENEWAL
APPLICATIONS FOR HOMESTEAD EXEMPTION

WHEREAS, Section 196.011 of the Florida Statutes sets forth the procedures for annual review of applications for exemption and the procedures for granting and denying such exemptions; and

WHEREAS, Section 196.011(6) of the Florida Statutes directs the property appraiser, “by first-class mail” on or before July 1 of each year, to serve notice of the denial or cancellation of renewal applications for exemption; and

WHEREAS, Section 196.151 of the Florida Statutes sets forth the procedures for granting and denying original “first time” homestead exemption applications; and

WHEREAS, Section 196.151 of the Florida Statutes directs the property appraiser to deliver notice of disapproval of an original application for homestead exemption “either by personal delivery or by registered mail”; and

WHEREAS, it is beneficial to have owners of property whose exemptions are being cancelled or not renewed to receive notice of such disapproval by certified mail,

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 amend Section 196.011(6) of Florida Statutes to require that any notice of disapproval or cancellation of a renewal application be sent by the property appraiser via certified mail.

Section 2. Directs the County's state lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2009 State Legislative Package.

Section 3. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, the President of the Senate, the Speaker of the House, and the Chair and members of the Miami-Dade County State Legislative Delegation.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa and the Co-Sponsor is Commissioner Carlos A. Gimenez. It was 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:

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

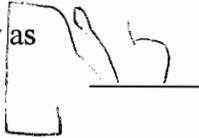
The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of November, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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.



James K. Kracht