MEMORANDUM Agenda Item No. 11(A)(27)

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

DATE: December 2, 2008

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

SUBJECT: Resolution urging the Florida Legislature to remove the cap on State Sadowski Act Affordable Housing Trust Fund Revenues

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dorrin D. Rolle.

for

R. A. Cuevas, Jr.
County Attorney

RAC/cp

RESO\2078

MEMORANDUM

(Revised)

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

DATE: December 2, 2008

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

SUBJECT: Agenda Item No. 11(A)(27)

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)(27)
12-2-08

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO REMOVE THE CAP ON STATE SADOWSKI ACT AFFORDABLE HOUSING TRUST FUND REVENUES

WHEREAS, finding affordable rental and single family housing continues to be difficult to find for low and moderate income families in Miami-Dade County and across the State of Florida; and

WHEREAS, federal housing programs, especially those that typically serve individuals with the lowest incomes, have experienced significant budget reductions in recent years, placing increasing pressure on state and local governments to provide affordable housing assistance; and

WHEREAS, the State of Florida receives documentary stamp tax revenues on deeds and mortgages, a portion of which are deposited into the State Housing Trust Fund and the Local Government Housing Trust Fund for the purpose of funding affordable housing; and

WHEREAS, during the 2005 session, the Florida Legislature passed Chapter 2005-92, Laws of Florida (HB 1889), which among other things, capped at $243 million the amount of documentary stamp tax revenues that could be distributed to the State Housing Trust Fund and the Local Government Housing Trust Fund; and

WHEREAS, affordable housing documentary stamp revenue above the $243 million cap is diverted to the state's general fund; and

WHEREAS, in recent years, the Florida Legislature has passed several comprehensive affordable housing bills, but the despite the large and growing need for additional affordable

housing, has not eliminated the $243 million cap on documentary stamp tax revenue for affordable housing that went into effect on July 1, 2007,

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 remove the cap on documentary stamp tax revenues that are deposited into the Sadowski State Affordable Housing Trust Fund and the Local Affordable Housing Trust Fund.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, the Senate President, the 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 set forth in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2009 State Legislative Package.

The Prime Sponsor of the foregoing resolution is Commissioner Dorrin D. Rolle. 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
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairman thereupon declared the resolution duly passed and adopted this 2nd day of December, 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.

Jess M. McCarty