

# Memorandum



**Date:** February 17, 2009

**To:** Honorable Chairman Dennis C. Moss and  
Members, Board of County Commissioners

Agenda Item No. 5(B)

**From:** George M. Burgess  
County Manager

A handwritten signature in dark ink, appearing to read "G. Burgess", written over the printed name of the County Manager.

**Subject:** Resolution Authorizing Miami-Dade County to use the Uniform Method of Collection as a Means to Collect a Non-Ad Valorem Fire Suppression Assessment

## **Recommendation**

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing Miami-Dade County to use the Uniform Method of Collection (via County tax bill) as the means to collect a non-ad valorem fire suppression assessment should the Board choose to pursue a fire assessment option for future fiscal years.

## **Scope**

This item will impact the Miami-Dade Fire Rescue Department (MDFR) and residents of the MDFR Service District.

## **Fiscal Impact/Funding Source**

This item only authorizes a means of collection and does not have a fiscal impact.

## **Track Record/Monitor**

The MDFR will provide oversight of this program.

## **Background**

Florida Statute 197.3632 mandates that certain deadlines be met for a government to consider levying a fire suppression assessment. In order to maintain the option of using a fire suppression assessment, the Board must adopt a resolution of intent to use the uniform method of tax collection by March 1 in order to include the information on the County tax bill (the Miami-Dade Property Appraiser and Tax Collector granted permission to extend the original January 1 deadline). An advertisement of the meeting to adopt the resolution of intent must run in a local newspaper once per week for four consecutive weeks leading up to the hearing. The first of four advertisements ran in the Miami Herald on January 20, 2009. Subsequent advertisements ran in the Miami Herald on January 27, February 3 and February 10.

On January 22, 2009, the Board adopted contract RFP 628 with Government Services Group (GSG), a consultant, to research and evaluate relevant issues for Miami-Dade County and to develop a legally defensible method of apportionment for a fire suppression assessment option in the MDFR Service District. This information is necessary for the County to consider policy decisions necessary to develop and implement a fire suppression assessment for the upcoming and future fiscal years.

This resolution only authorizes the use of the uniform collection method (via County tax bill) to collect the potential assessment. Use of the County tax bill is critical to successful collection of the assessment, avoids any additional billing costs, and ensures the viability of the collection process.

Honorable Chairman Dennis C. Moss and Members,  
Board of County Commissioners  
Page 2

Recommendations regarding the implementation of a suppression assessment will be made as part of the FY 2009-10 Proposed Budget. Prior to any suppression assessment being included in the tax notice or bill, the Board must adopt an ordinance and fee schedule in July 2009 for inclusion in the September budget discussions.

  
\_\_\_\_\_  
Alina T. Hudak  
Assistant County Manager



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners      **DATE:** February 17, 2009

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

**SUBJECT:** Agenda Item No. 5(B)

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 Mayor'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. 5(B)  
2-17-09

RESOLUTION NO. \_\_\_\_\_

RESOLUTION EXPRESSING MIAMI-DADE COUNTY'S INTENT TO USE THE UNIFORM METHOD COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE BOUNDARIES OF THE MIAMI-DADE FIRE AND RESCUE SERVICE DISTRICT; STATING A NEED FOR SUCH LEVY; PROVIDING FOR NOTIFICATION OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, Miami-Dade County, Florida (the "County") is contemplating the imposition of non-ad valorem special assessments to defray some or all of the costs of providing fire suppression services within the Miami-Dade Fire and Rescue Service District; and

**WHEREAS**, Miami-Dade County intends to use the uniform method for collection of non-ad valorem special assessments levied and imposed for the cost of providing fire suppression services to property within the boundaries of the Miami-Dade Fire and Rescue Service District as authorized by section 197.3632, Florida Statutes, as amended, because this method will allow such special assessments to be collected annually commencing in November 2009, in the same manner as provided for ad valorem taxes; and

**WHEREAS**, Miami-Dade County held a duly advertised public hearing on February 17, 2009, prior to the adoption of this Resolution. Proof of publication of such hearing is attached hereto as Exhibit A,

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

Section 1. Commencing with the Fiscal Year beginning on October 1, 2009, and with the tax notice mailed for such Fiscal Year and continuing thereafter until discontinued by the County, Miami-Dade County intends to use the uniform method of collection of non-ad valorem special assessments, in accordance with the uniform method of collection provided for in section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments levied for the cost of providing fire suppression services.

Section 2. The boundaries of the Miami-Dade Fire and Rescue Service District are the geographic boundaries of Miami-Dade County, set forth in Section 7.13 of the Florida Statutes, currently less the cities of Coral Gables, Miami, Miami Beach, Hialeah, and the Village of Key Biscayne. A map of such area which will be subject to the assessments is attached hereto as Exhibit B and incorporated by reference.

Section 3. The County hereby determines that special assessments are needed to fund future costs of providing fire suppression services within the entire area of the Miami-Dade Fire and Rescue Service District.

Section 4. Pursuant to section 197.3632, Florida Statutes, the Miami-Dade County Property Appraiser and the Miami-Dade County Tax Collector have agreed that the County shall have until March 1, 2009 to adopt this Resolution.

Section 5. Upon adoption, the County Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Miami-Dade County Tax Collector, and the Miami-Dade County Property Appraiser by March 10, 2009.

The foregoing resolution 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 17<sup>th</sup> day of February, 2009. 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

Approved by County Attorney as  
to form and legal sufficiency.

James K. Kracht



By: \_\_\_\_\_  
Deputy Clerk

**EXHIBIT A**

THE MIAMI HERALD | MiamiHerald.com

TUESDAY, JANUARY 20, 2009 |



**NOTICE OF INTENT TO USE  
UNIFORM METHOD OF  
COLLECTING NON-AD VALOREM  
ASSESSMENTS**

Miami-Dade County, Florida (the "County") hereby provides notice, pursuant to section 197.3632(3)(a), Florida Statutes, of its intent to use the uniform method of collecting non-ad valorem special assessments to be levied within the entire geographic area of the Miami-Dade Fire and Rescue Service District, for the cost of providing fire rescue services commencing for the Fiscal Year beginning on October 1, 2009 and continuing until discontinued by the County. The County will consider the adoption of a resolution electing to use the uniform method of collecting such assessments authorized by section 197.3632, Florida Statutes, at a public hearing to be held at 9:30 a.m. on February 17, 2009 at the Commission Chambers, Stephen P. Clark Center, located at 111 N.W. 1st Street, Miami, Florida 33128. Such resolution will state the need for the levy and will contain a legal description of the boundaries of the real property subject to the levy. Copies of the proposed form of resolution, which contains the legal description of the real property subject to the levy, are on file at the Clerk of the Board Division, Stephen P. Clark Center, 111 NW 1st Street Suite 17-202, Miami, Florida 33126. All interested persons are invited to attend.

In the event any person decides to appeal any decision by the County with respect to any matter relating to the consideration of the resolution at the above-referenced public hearing, a record of the proceeding may be needed and in such an event, such person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is to be based. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the County Clerk at Miami-Dade Agenda Coordinator Office at 305-375-2035 at least five days prior to the date of the hearing.

DATED this 20th day of January 2009.

By Order of:

MIAMI-DADE COUNTY, FLORIDA

