

**MEMORANDUM**

Agenda Item No. 11(A)(4)

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

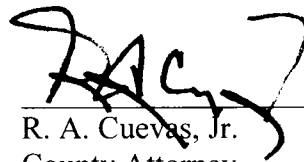
**DATE:** March 15, 2011

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

**SUBJECT:** Resolution opposing legislation that  
would increase homeowners' property  
insurance costs or increase  
homeowners' out-of-pocket property  
insurance expenses

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/cp



# MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

**DATE:** March 15, 2011

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County Attorney

**SUBJECT:** Agenda Item No. 11(A)(4)

**Please note any items checked.**

- "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**
- Ordinance creating a new board requires detailed County Manager's report for public hearing**
- No committee review**
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous\_\_\_\_) to approve**
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(4)

3-15-11

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

RESOLUTION OPPOSING LEGISLATION THAT WOULD  
INCREASE HOMEOWNERS' PROPERTY INSURANCE  
COSTS OR INCREASE HOMEOWNERS' OUT-OF-POCKET  
PROPERTY INSURANCE EXPENSES

**WHEREAS**, the State of Florida has enjoyed several years without major hurricanes;  
and

**WHEREAS**, despite the absence of major storms in the state in recent times, the Florida  
Legislature considered bills during the 2010 session, SB 876, SB 2204 and HB 447, that would  
have allowed for increases in the cost of property insurance for homeowners; and

**WHEREAS**, SB 876 died in a Senate committee, HB 447 died on the House floor, and  
SB 2204 passed both the House and Senate, but was vetoed by Governor Crist; and

**WHEREAS**, in his veto message related to SB 2204, Governor Crist expressed his  
concern that SB 2204 could have made it easier for insurance companies to increase property  
insurance rates; and

**WHEREAS**, Governor Crist also indicated in his veto message that SB 2204 made  
changes to the way mitigation discounts would be applied and that homeowners who made  
improvements to harden their homes related to hurricanes might be unfairly penalized; and

**WHEREAS**, the Legislature is likely to consider legislation during the 2011 session that  
could have the effect of increasing property insurance costs for homeowners in an effort to  
encourage private insurance companies to write policies in Florida and in turn reduce the state's  
financial exposure through the state-run Citizens Property Insurance Corporation; and

**WHEREAS**, this Board has significant concerns with increasing property insurance costs for homeowners and small businesses during these challenging economic times,

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

**Section 1.** Opposes legislation that would increase residential property insurance costs to homeowners or increase homeowners' out-of-pocket property insurance expenses.

**Section 2.** Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade State Legislative Delegation and Florida's Insurance Commissioner.

**Section 3.** Directs the County's state lobbyists to advocate against the passage of the legislation set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2011 State Legislative Package.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. 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:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 15<sup>th</sup> day of March, 2011. 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.

Handwritten signature in black ink, appearing to read "JMM".

Jess M. McCarty

A handwritten mark in black ink, resembling the number 5.