

MEMORANDUM

Agenda Item No. 11(A)(7)

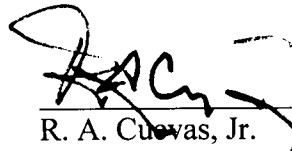
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: November 3, 2011

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

SUBJECT: Resolution supporting HJR 169 or similar legislation that would propose a constitutional amendment to provide counties and cities a local option to grant an additional homestead exemption to low income senior citizens in the amount of the entire assessed value of homestead property; supporting HB 357 which implements HJR 169 or a similar joint resolution upon approval by statewide voters

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Joe A. Martinez.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM

(Revised)

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

DATE: November 3, 2011

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

SUBJECT: Agenda Item No.11(A)(7)

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

Agenda Item No. 11(A)(7)

Veto _____

11-3-11

Override _____

RESOLUTION NO. _____

RESOLUTION SUPPORTING HJR 169 OR SIMILAR LEGISLATION THAT WOULD PROPOSE A CONSTITUTIONAL AMENDMENT TO PROVIDE COUNTIES AND CITIES A LOCAL OPTION TO GRANT AN ADDITIONAL HOMESTEAD EXEMPTION TO LOW INCOME SENIOR CITIZENS IN THE AMOUNT OF THE ENTIRE ASSESSED VALUE OF HOMESTEAD PROPERTY; SUPPORTING HB 357 WHICH IMPLEMENTS HJR 169 OR A SIMILAR JOINT RESOLUTION UPON APPROVAL BY STATEWIDE VOTERS

WHEREAS, Representative Jose Oliva (R – Hialeah) has filed House Joint Resolution 169 (HJR 169) for consideration during the 2012 session that would offer significant property tax relief to low income senior citizens; and

WHEREAS, HJR 169 proposes a constitutional amendment to provide counties and cities a local option to grant an additional homestead exemption in the amount of the *entire* assessed value of property to an owner who:

1. Has maintained the property as a permanent residence for at least 20 years;
2. Is at least age 65; and
3. Has a household income not more than \$15,000, with an income escalator for future years; and

WHEREAS, HJR 169 would provide low income senior citizens with additional property tax relief, many of whom are struggling during these difficult economic times; and

WHEREAS, HJR 169 would allow each county and city the local option to decide whether to provide such property tax relief to low income seniors based on the taxes each county and city levies; and

WHEREAS, senior citizens did not see the benefit of a cost of living increase in their Social Security payments for either 2010 or 2011; and

WHEREAS, senior citizens often have higher health care, insurance, and energy costs than their younger counterparts, and retire to lower or often fixed incomes, and have few opportunities to increase their incomes; and

WHEREAS, Representative Oliva also has filed HB 357, which implements HJR 169 or a similar joint resolution upon approval by statewide voters; and

WHEREAS, this Board supports passage of HJR 169, HB 357 or similar legislation that would offer significant property tax relief to low income senior citizens,

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

Section 1. Supports HJR 169 or similar legislation that would propose a constitutional amendment to authorize counties and cities a local option to grant an additional homestead exemption to low income senior citizens in the amount of the entire assessed value of the homestead property.

Section 2. Urges the Florida Legislature to pass HJR 169 and its implementing bill, HB 357, or similar legislation.

Section 3. Directs the Clerk of the Board to transmit certified copies of the resolution to the Governor, Senate President, House Speaker, Representative Jose Oliva and the Chair and remaining Members of the Miami-Dade State Legislative Delegation.

Section 4. Directs the County's state lobbyists to support the legislation set forth in Sections 1 and 2 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2012 state legislative package to include this item.

The Prime Sponsor of the foregoing resolution is Chairman Joe A. Martinez. 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
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of November, 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.



Jess M. McCarty

5