

MEMORANDUM

Agenda Item No. 11(A)(11)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: April 21, 2015

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

SUBJECT: Resolution directing the County
Mayor to prepare and submit a
report regarding the Miami-Dade
Public Housing and Community
Development Department's
public housing lease enforcement
efforts

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson and Co-Sponsor Commissioner Rebeca Sosa.



R. A. Cuevas, Jr.
County Attorney

RAC/cp



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: April 21, 2015

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

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

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 Mayor'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)(11)
4-21-15

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR THE
COUNTY MAYOR'S DESIGNEE TO PREPARE AND SUBMIT
A REPORT REGARDING THE MIAMI-DADE PUBLIC
HOUSING AND COMMUNITY DEVELOPMENT
DEPARTMENT'S PUBLIC HOUSING LEASE
ENFORCEMENT EFFORTS

WHEREAS, Miami-Dade County (the "County") is a "public housing agency," as defined in the United States Housing Act of 1937 (42 U.S.C. § 1437 et seq., as amended), and is the owner and operator of 12 public housing asset management projects, which include a total of 9,314 units; and

WHEREAS, the County, as a steward of the public housing program, has an obligation to provide decent, safe and sanitary housing for all residents of public housing; and

WHEREAS, this Board is concerned that there are public housing residents who do not comply with terms of the public housing lease, the public housing regulations, and the community policies approved by this Board; and

WHEREAS, this Board is also concerned that the County's public housing developments are used as a haven for criminal activity either engaged in by the residents, their guests, or unauthorized visitors; and

WHEREAS, this Board supports the efforts of the County's housing department, the Miami-Dade Public Housing and Community Development Department (the "Department"), to enforce the public housing lease provisions against any resident who does not comply with or meet their obligations under the public housing program; and

WHEREAS, this Board desires to learn about the steps that are taken by the Department to enforce the public housing lease,

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

Section 1. Incorporates and approves the foregoing recitals as if fully set forth herein.

Section 2. Directs the County Mayor or the County Mayor's designee to prepare and submit a report to this Board regarding the Department's public housing lease enforcement efforts. The report shall include, but is not limited to the following: (a) the steps the Department presently takes to enforce the public housing lease; (b) the total number of evictions and the basis of such evictions from January 1, 2014 to February 28, 2015; (c) recommendations concerning the steps that can be taken by the County to improve the current enforcement efforts of the Department; and (d) recommendations concerning any legislative actions that may be taken by this Board to assist the Department to enforce the public housing lease. The County Mayor or the County Mayor's designee shall provide the report to this Board within 30 days of the effective date of this resolution and shall place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Audrey M. Edmonson and the Co-Sponsor 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:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of April, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.



Terrence A. Smith