

MEMORANDUM

Agenda Item No. 11(A)(2)

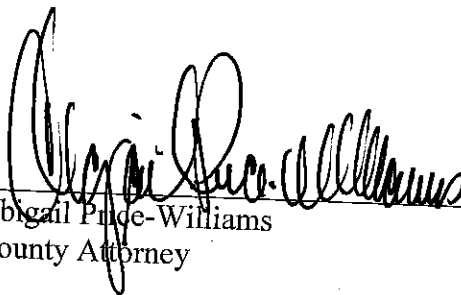
TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: March 21, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor to prepare and initiate a process whereby County departments involved in the County building permit process are notified if a permit applicant or holder owes any other County department monies for unpaid fees, costs, penalties or liens relating to building permits; and directing the County Mayor to provide a report to the Board within 60 days

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava.



Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: March 21, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(2)

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**
- Statement of social equity 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**

2

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(2)
3-21-17

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PREPARE AND INITIATE A PROCESS WHEREBY COUNTY DEPARTMENTS INVOLVED IN THE COUNTY BUILDING PERMIT PROCESS ARE NOTIFIED IF A PERMIT APPLICANT OR HOLDER OWES ANY OTHER COUNTY DEPARTMENT MONIES FOR UNPAID FEES, COSTS, PENALTIES OR LIENS RELATING TO BUILDING PERMITS; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE A REPORT TO THE BOARD WITHIN 60 DAYS

WHEREAS, the issuance and approval of a Miami-Dade County building permit commonly involves approvals and sign-offs from multiple County departments such as the Miami-Dade County Department of Regulatory and Economic Resources (RER), the Miami-Dade Water and Sewer Department (WASD), and Miami-Dade Fire Rescue (MDFR); and

WHEREAS, it is the policy of this Board as codified in Miami-Dade County section 8CC-7(d) that no County officer, agent, employee or Board shall approve, grant or issue any building permit to any entity with unpaid civil penalties, unpaid administrative costs of hearing, unpaid County investigative, enforcement, testing or monitoring costs or unpaid County liens; and

WHEREAS, to ensure compliance with the County policy set forth in section 8CC-7(d), this Board finds that is incumbent that County departments involved in the issuance, granting or approval of building permits have in place a system and process where such departments are notified if a permit holder or applicant owes another County department unpaid penalties, fees, fines, or costs of any kind relating to a building permit; and

WHEREAS, WASD has been attempting to recover millions of dollars in uncollected connections charges for projects that were provided building permits without the payment of required connection charges; and

WHEREAS, WASD instituted internal controls to prevent future cases of uncollected connection charges and to assure collection of existing unpaid charges; and

WHEREAS, despite these additional measures, the County, in at least one case, continued to issue building permits for properties with significant outstanding connection charges unpaid,

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

Section 1. Directs the County Mayor or County Mayor's designee to prepare and initiate a process that ensures that County departments involved in the issuance, granting or approval of a building permit are notified whether the building permit applicant or holder owes another County department any unpaid fees, fines, or costs of any kind relating to a building permit so as to ensure that no building permits are issued, granted or approved to entities who are in violation of County policy.

Section 2. Directs the County Mayor or County Mayor's designee to provide a report to this Board within 60 days summarizing the County's efforts to comply with this resolution, and place the completed report on agenda of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Daniella Levine Cava. 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:

- | | |
|-------------------------------------|----------------------|
| Esteban L. Bovo, Jr., Chairman | |
| Audrey M. Edmonson, Vice Chairwoman | |
| Bruno A. Barreiro | Daniella Levine Cava |
| Jose "Pepe" Diaz | Sally A. Heyman |
| Barbara J. Jordan | Joe A. Martinez |
| Jean Monestime | Dennis C. Moss |
| Rebeca Sosa | Sen. Javier D. Souto |
| Xavier L. Suarez | |

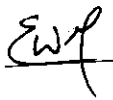
The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of March, 2017. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override 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.



Eduardo W. Gonzalez