Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 11(A)(15)

02-20-07

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

RESOLUTION NO. R-194-07

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT BOTH A JOINT RESOLUTION PROPOSING THE ADOPTION OF A CONSTITUTIONAL AMENDMENT TO AUTHORIZE LOCAL GOVERNMENTS TO ACCEPT RESTRICTIVE COVENANTS LIMITING THE USE OF PROPERTY TO AFFORDABLE/WORKFORCE HOUSING FOR TEN YEARS OR MORE AND TO ALLOW PROPERTY APPRAISERS TO VALUE SUCH PROPERTY ON THE BASIS OF CURRENT USE, AND TO ADOPT APPROPRIATE ENABLING LEGISLATION

WHEREAS, property taxes have risen dramatically in recent years because of increases in the value of real property in Florida; and

WHEREAS, the values of rental properties used for affordable housing have also risen at correspondingly high rates; and

WHEREAS, there is now a need for comprehensive property tax relief in Florida; and

WHEREAS, property taxes, along with property insurance, are significant obstacles to the continued availability of affordable/workforce housing in the State of Florida in general, and in Miami-Dade County specifically; and

WHEREAS, property tax relief targeted at affordable/workforce housing could help thousands of families in securing housing that they otherwise could not afford; and

WHEREAS, providing ad-valorem tax relief for property restricted to use for affordable/workforce housing could curb the increases in rental rates for residential rental property which have been a contributing factor to the affordable housing crisis in Miami-Dade County,

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

Section 1. Urges the Florida Legislature to enact a joint resolution proposing the adoption of a constitutional amendment to authorize local governments, including counties and municipalities the ability to accept restrictive covenants limiting the use of property to affordable/workforce housing for ten years or more, and during the covenant period the property would be valued for property tax purposes solely on the basis of its current use. As is the case with current "conservation easement" provisions and related assessment provisions, this amendment will further provide that, if the restrictive covenant is broken, the property owner would be required to pay abated taxes plus penalties and interest.

Section 2. Urges the Florida Legislature to adopt appropriate enabling legislation to accomplish implementation of the constitutional amendment set forth in Section 1.

Section 3. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

Section 4. Directs the County's state lobbyists to advocate for the passage of the legislation set forth in Sections 1 and 2 above, and directs the Office of Intergovernmental Affairs to include this item in the 2007 State Legislative Package.

The foregoing resolution was sponsored by Commissioner Rebeca Sosa and offered by Commissioner Dennis C. Moss, who moved its adoption. The motion was seconded by Commissioner Dorrin D. Rolle and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman aye
Barbara J. Jordan, Vice-Chairwoman aye

Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	absent
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	absent
Katy Sorenson	absent	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of February, 2007. 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: KAY SULLIVAN
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

James K. Kracht

MEMORANDUM

Agenda Item No. 11(A)(15)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: February 20, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution urging the legislature to adopt a constitutional amendment regarding limiting use of property to affordable/ workforce housing

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

Murray A. Greenberg
County Attorney

MAG/bw

MEMORANDUM
(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: February 20, 2007

FROM: Murray A. Greenberg County Attorney

SUBJECT: Agenda Item No. 11(A)(15)

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 Manager'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**