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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

# MEMORANDUM

Agenda Item No. 11(A)(4)

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

**DATE:** March 18, 2008

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

**SUBJECT:** Resolution urging the Florida Legislature to pass SB 1492 repealing the 2011 Sunset of Miami-Dade Affordable Housing Surtax Program

**Resolution No. R-296-08**

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

R. A. Cuevas, Jr.
County Attorney

RAC/up

# MEMORANDUM

(Revised)

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

**DATE:** March 18, 2008

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

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

**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**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(4)
03-18-08

RESOLUTION NO. **R-296-08**

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS SB 1492 OR SIMILAR LEGISLATION REPEALING THE 2011 SUNSET OF THE MIAMI-DADE AFFORDABLE HOUSING SURTAX PROGRAM

**WHEREAS**, the Miami-Dade Affordable Housing Documentary Surtax Program helps finance the construction, rehabilitation and purchase of housing for low-income and moderate-income families; and

**WHEREAS**, the Surtax Program subsidizes both development and consumer financing to make home ownership more affordable for low-income working families by funding first and second mortgages and the acquisition of property for the purpose of providing affordable housing; and

**WHEREAS**, over the last five years, the Surtax Program has provided $179.5 million for construction, rehabilitation, and purchase of housing for low-income families and moderate-income families; and

**WHEREAS**, the funding source for the Surtax Program is 45¢ for each $100 of commercial property transferred; and

**WHEREAS**, the Surtax Program has been one of the state's best dedicated sources of funding for affordable housing initiatives, but, without action by the Florida Legislature, the Surtax Program will sunset effective October 1, 2011; and

**WHEREAS**, Miami attorney Martin Fine is credited with developing the Surtax Program in the early 1980s, and the Florida Legislature enacted the Surtax Program in 1983; and

**WHEREAS**, several projects that have been completed in recent years using Surtax funds include Allapattah Gardens (128 rental units), Bonita Pointe Apartments (200 rental units), Country Club Villas (214 rental units) and Jubilee Courtyards (98 rental units); and

**WHEREAS**, in addition to these multifamily projects the fund has provided funding for 652 homeownership loans in the amount of almost $29 million over the last five years: and

**WHEREAS**, at a time when the residents of Miami-Dade County need affordable housing more than ever before, it is critical that the Florida Legislature keep the Surtax Program in place and not let it sunset,

**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 pass SB 1492 or similar legislation repealing the 2011 sunset of the Miami-Dade Affordable Housing Surtax Program.

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

**Section 3.** Directs the County's state lobbyists to advocate for the issue identified in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item as a critical priority in the 2008 state legislative package.

The foregoing resolution was sponsored by Commissioner Rebeca Sosa and Chairman Bruno A. Barreiro and offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Joe A. Martinez** 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 | absent |
| 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 | aye | Rebeca Sosa | aye |
| Sen. Javier D. Souto | aye | | |

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of March, 2008. 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. JMM

Jess M. MCarty