

Date: February 17, 2009

To: Honorable Chairman Dennis C. Moss and
Members, Board of County Commissioners

From: George M. Burgess
County Manager 

Subject: Resolution Authorizing Miami-Dade County to use the Uniform Method of Collection
as a Means to Collect a Non-Ad Valorem Fire Suppression Assessment

Amended
Agenda Item No. 5(B)

Resolution No. R-109-09

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing Miami-Dade County to use the Uniform Method of Collection (via County tax bill) as the means to collect a non-ad valorem fire suppression assessment should the Board choose to pursue a fire assessment option for future fiscal years.

Scope

This item will impact the Miami-Dade Fire Rescue Department (MDFR) and residents of the MDFR Service District.

Fiscal Impact/Funding Source

This item only authorizes a means of collection and does not have a fiscal impact.

Track Record/Monitor

The MDFR will provide oversight of this program.

Background

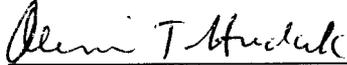
Florida Statute 197.3632 mandates that certain deadlines be met for a government to consider levying a fire suppression assessment. In order to maintain the option of using a fire suppression assessment, the Board must adopt a resolution of intent to use the uniform method of tax collection by March 1 in order to include the information on the County tax bill (the Miami-Dade Property Appraiser and Tax Collector granted permission to extend the original January 1 deadline). An advertisement of the meeting to adopt the resolution of intent must run in a local newspaper once per week for four consecutive weeks leading up to the hearing. The first of four advertisements ran in the Miami Herald on January 20, 2009. Subsequent advertisements ran in the Miami Herald on January 27, February 3 and February 10.

On January 22, 2009, the Board adopted contract RFP 628 with Government Services Group (GSG), a consultant, to research and evaluate relevant issues for Miami-Dade County and to develop a legally defensible method of apportionment for a fire suppression assessment option in the MDFR Service District. This information is necessary for the County to consider policy decisions necessary to develop and implement a fire suppression assessment for the upcoming and future fiscal years.

This resolution only authorizes the use of the uniform collection method (via County tax bill) to collect the potential assessment. Use of the County tax bill is critical to successful collection of the assessment, avoids any additional billing costs, and ensures the viability of the collection process.

Honorable Chairman Dennis C. Moss and Members,
Board of County Commissioners
Page 2

Recommendations regarding the implementation of a suppression assessment will be made as part of the FY 2009-10 Proposed Budget. Prior to any suppression assessment being included in the tax notice or bill, the Board must adopt an ordinance and fee schedule in July 2009 for inclusion in the September budget discussions.



Alina T. Hudak
Assistant County Manager



MEMORANDUM
(Revised)

TO: Honorable Chairman Dennis C. Moss **DATE:** February 17, 2009
and Members, Board of County Commissioners

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

SUBJECT: Amended
Agenda Item No. 5(B)

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 Mayor'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 _____

Amended
Agenda Item No. 5(B)
2-17-09

RESOLUTION NO. R-109-09

RESOLUTION EXPRESSING MIAMI-DADE COUNTY'S INTENT TO USE THE UNIFORM METHOD COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE BOUNDARIES OF THE MIAMI-DADE FIRE AND RESCUE SERVICE DISTRICT; STATING A NEED FOR SUCH LEVY; PROVIDING FOR NOTIFICATION OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Miami-Dade County, Florida (the "County") is contemplating the imposition of non-ad valorem special assessments to defray some or all of the costs of providing fire suppression services within the Miami-Dade Fire and Rescue Service District; and

WHEREAS, Miami-Dade County intends to use the uniform method for collection of non-ad valorem special assessments levied and imposed for the cost of providing fire suppression services to property within the boundaries of the Miami-Dade Fire and Rescue Service District as authorized by section 197.3632, Florida Statutes, as amended, because this method will allow such special assessments to be collected annually commencing in November 2009, in the same manner as provided for ad valorem taxes; and

WHEREAS, Miami-Dade County held a duly advertised public hearing on February 17, 2009, prior to the adoption of this Resolution. Proof of publication of such hearing is attached hereto as Exhibit A,

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

Section 1. Commencing with the Fiscal Year beginning on October 1, 2009, and with the tax notice mailed for such Fiscal Year and continuing thereafter until discontinued by the County, Miami-Dade County intends to use the uniform method of collection of non-ad valorem special assessments, in accordance with the uniform method of collection provided for in section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments levied for the cost of providing fire suppression services.

Section 2. The boundaries of the Miami-Dade Fire and Rescue Service District are the geographic boundaries of Miami-Dade County, set forth in Section 7.13 of the Florida Statutes, currently less the cities of Coral Gables, Miami, Miami Beach, Hialeah, and the Village of Key Biscayne. A map of such area which will be subject to the assessments is attached hereto as Exhibit B and incorporated by reference.

Section 3. The County hereby determines that special assessments are needed to fund future costs of providing fire suppression services within the entire area of the Miami-Dade Fire and Rescue Service District.

Section 4. Pursuant to section 197.3632, Florida Statutes, the Miami-Dade County Property Appraiser and the Miami-Dade County Tax Collector have agreed that the County shall have until March 1, 2009 to adopt this Resolution.

Section 5. All subsequent advertisements with respect to the non ad valorem special assessments for fire suppression services referred to in this Resolution shall be published in Spanish and Creole, as well as in English.

Section 6. Upon adoption, the County Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Miami-Dade County Tax Collector, and the Miami-Dade County Property Appraiser by March 10, 2009.

The foregoing resolution was offered by Commissioner **Natacha Seijas**, 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:

Dennis C. Moss, Chairman	aye		
Jose "Pepe" Diaz, Vice-Chairman	aye		
Bruno A. Barreiro	nay	Audrey M. Edmonson	aye
Carlos A. Gimenez	nay	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	absent
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	absent
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of February, 2009. 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

EXHIBIT A

THE MIAMI HERALD | MiamiHerald.com

TUESDAY, JANUARY 20, 2009 |



NOTICE OF INTENT TO USE
UNIFORM METHOD OF
COLLECTING NON-AD VALOREM
ASSESSMENTS

Miami-Dade County, Florida (the "County") hereby provides notice, pursuant to section 197.3632(3)(a), Florida Statutes, of its intent to use the uniform method of collecting non-ad valorem special assessments to be levied within the entire geographic area of the Miami-Dade Fire and Rescue Service District, for the cost of providing fire rescue services commencing for the Fiscal Year beginning on October 1, 2009 and continuing until discontinued by the County. The County will consider the adoption of a resolution electing to use the uniform method of collecting such assessments authorized by section 197.3632, Florida Statutes, at a public hearing to be held at 9:30 a.m. on February 17, 2009 at the Commission Chambers, Stephen P. Clark Center, located at 111 N.W. 1st Street, Miami, Florida 33128. Such resolution will state the need for the levy and will contain a legal description of the boundaries of the real property subject to the levy. Copies of the proposed form of resolution, which contains the legal description of the real property subject to the levy, are on file at the Clerk of the Board Division, Stephen P. Clark Center, 111 NW 1st Street Suite 17-202, Miami, Florida 33126. All interested persons are invited to attend. In the event any person decides to appeal any decision by the County with respect to any matter relating to the consideration of the resolution at the above-referenced public hearing, a record of the proceeding may be needed and in such an event, such person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is to be based. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the County Clerk at Miami-Dade Agenda Coordinator Office at 305-375-2035 at least five days prior to the date of the hearing.

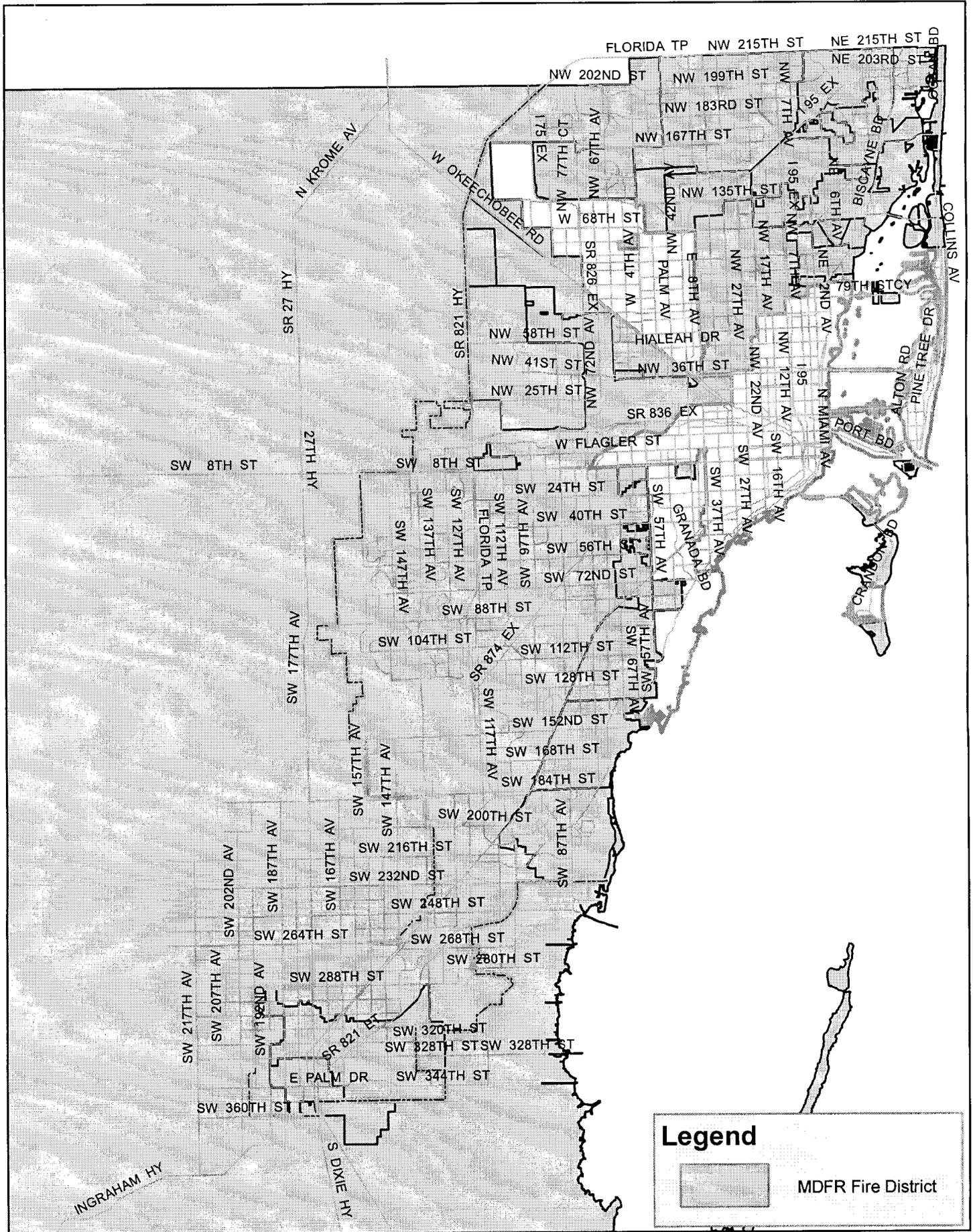
DATED this 20th day of January 2009.

By Order of:

MIAMI-DADE COUNTY, FLORIDA

7

Exhibit B: MDFR Fire District



Legend

 MDFR Fire District

