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

MEMORANDUM

Agenda Item No. 11(A)(3)

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

DATE: June 30, 2009

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

SUBJECT: Resolution urging Congress to pass the Defense Communities Assistance Act of 2009, S. 590, H.R. 1959 or similar legislation

Resolution No. R-861-09

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice-Chairman Jose "Pepe" Diaz, and Co-Sponsor Chairman Dennis C. Moss.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

MEMORANDUM
(Revised)

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

DATE: June 30, 2009

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

SUBJECT: Agenda Item No. 11(A)(3)

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 _____

Agenda Item No. 11(A)(3)
6-30-09

RESOLUTION NO. **R-861-09**

RESOLUTION URGING CONGRESS TO PASS THE DEFENSE COMMUNITIES ASSISTANCE ACT OF 2009, S. 590, H.R. 1959 OR SIMILAR LEGISLATION

WHEREAS, the Defense Communities Assistance Act of 2009, S. 590 by Senator Olympia J. Snowe (R – Maine) and H.R. 1959 by Representative Chellie Pingree (D – Maine), is intended to provide immediate assistance to local communities with military bases, both closed and active; and

WHEREAS, the Defense Communities Assistance Act of 2009 contains provisions that:

- Grant permanent authority to convey property at military installations to support military construction and agreements to limit encroachment;
- Extend military departments' authority to purchase, from a county municipal government or other local government, municipal services for military installations in the U.S.;
- Allow for and clarify reimbursable activities under the Defense-State Memorandum of Agreement program;
- Strengthen provisions that protect parties involved in base redevelopment from liability for undiscovered pre-existing pollution conditions at closed military installations; and
- Encourage no-cost economic development conveyances for bases shuttered during the Defense Base Realignment and Closure (BRAC) process; and

WHEREAS, communities with military bases struggle with a host of issues from closures as a result of the latest BRAC round to an influx in service personnel; and

WHEREAS, the Defense Communities Assistance Act of 2009 will assist communities with military bases to overcome the bureaucratic barriers that stand in the way of economic development and create meaningful jobs and reinvestment for the hundreds of communities that have been adversely affected by BRAC closures or downsizings; and

WHEREAS, the Defense Communities Assistance Act of 2009 is supported by the Association of Defense Communities,

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

Section 1. Urges Congress to pass the Defense Communities Assistance Act of 2009, S. 590, H.R. 1959 or similar legislation.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the two U.S. Senators that represent Florida and the members of the Miami-Dade County Congressional Delegation.

Section 3. Directs the County's federal lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2009 and 2010 Federal Legislative Packages.

The Prime Sponsor of the foregoing resolution is Vice-Chairman Jose "Pepe" Diaz, and the Co-Sponsor is Chairman Dennis C. Moss. It was offered by Commissioner Jose "Pepe" Diaz, who moved its adoption. The motion was seconded by Commissioner Rebeca Sosa 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	**absent**	Audrey M. Edmonson	**aye**
Carlos A. Gimenez	**aye**	Sally A. Heyman	**aye**
Barbara J. Jordan	**aye**	Joe A. Martinez	**absent**
Dorrin D. Rolle	**aye**	Natacha Seijas	**aye**
Katy Sorenson	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of June, 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: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

JMM

Jess M. McCarty