

MEMORANDUM

Amended
Agenda Item No. 11(A)(1)

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

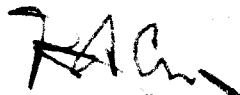
DATE: December 16, 2008

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

SUBJECT: Resolution directing the Mayor
to create a program whereby
senior citizens facing code
enforcement costs and penalties
can receive a discount and/or
waive settlement of those
costs

Resolution No. R-1428-08

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dorrin D. Rolle and Co-Sponsors Commissioner Jose "Pepe" Diaz, Commissioner Audrey M. Edmonson, Vice-Chairwoman Barbara J. Jordan, Commissioner Dennis C. Moss, Commissioner Rebeca Sosa and Senator Javier D. Souto.



R. A. Cuevas, Jr.
County Attorney

RAC/up

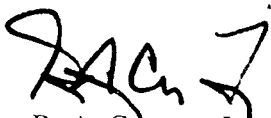


MEMORANDUM

(Revised)

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

DATE: December 16, 2008

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

SUBJECT: Amended
Agenda Item No. 11(A)(1)

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 _____

Amended
Agenda Item No. 11(A) (1)
12-16-08

RESOLUTION NO. R-1428-08

RESOLUTION DIRECTING THE COUNTY MAYOR TO
CREATE AND IMPLEMENT A PROGRAM WHEREBY
SENIOR CITIZENS FACING CODE ENFORCEMENT COSTS
AND PENALTIES CAN RECEIVE A SUBSTANTIALLY
DISCOUNTED AND/OR WAIVED SETTLEMENT OF THOSE
COSTS AND PENALTIES WHERE COMPLIANCE HAS
OCCURRED

WHEREAS, senior citizens often face the prospect of code enforcement violations on their primary residences; and

WHEREAS, senior citizens are much less likely to be able to correct those code enforcement violations in a timely manner; and

WHEREAS, the County Code provides for significant costs and penalties in the event of citations for code violations; and

WHEREAS, senior citizens are often forced to exist on fixed incomes or reduced incomes due to retirement; and

WHEREAS, it is in the County's best interest that these code violations be corrected effectively and efficiently regardless of any collection of the total costs and/or penalties which may be assessed,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Mayor is hereby directed to create and implement a program whereby senior citizens who have code violations that are administered by either the Building Department or the Office of Neighborhood Compliance on their primary residence and have been cited for those code violations and are

thereby facing code enforcement costs and penalties, shall be able to enter into settlements of the costs and penalties that are significantly lower than the total amount. The program shall be available to persons 65 years of age or older facing code enforcement costs and penalties due to code violations on their primary, homestead residence and who have corrected the code violations or are in the process of correcting the code violations such that the settlement described herein includes complete correction of the code violation. The program shall include income limitations for participation that shall not exceed 80% of the Average Median Income (AMI) as reported from time to time. The program shall give special consideration to senior citizens who are in default of their mortgage such that they are in foreclosure or foreclosure is threatened but shall be designed to prevent, to the extent possible, directly or indirectly benefiting any mortgage holder. The program should not reduce or waive any actual cost incurred by the County. The Mayor shall report back to this Board of County Commissioners on the creation and implementation of this program within ninety (90) days of the approval of this Resolution.

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

The Chairman thereupon declared the resolution duly passed and adopted this 16th day of December, 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: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Thomas H. Robertson