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

# MEMORANDUM

Agenda Item No. 11(A)(2)

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

**DATE:** December 15, 2009

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

**SUBJECT:** Resolution urging the Florida Legislature to eliminate the cap on State and Local Affordable Housing Trust Funds and to increase funding for affordable housing

**Resolution No. R-1438-09**

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Katy Sorenson.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

# MEMORANDUM
**(Revised)**

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

**DATE:** December 15, 2009

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

**SUBJECT:** Agenda Item No. 11(A)(2)

**Please note any items checked.**

_____ **"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**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

✓ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____ ) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(2)
12-15-09

RESOLUTION NO. **R-1438-09**

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ELIMINATE THE CAP ON STATE AND LOCAL AFFORDABLE HOUSING TRUST FUNDS AND TO INCREASE FUNDING FOR AFFORDABLE HOUSING

**WHEREAS,** low and moderate income families in Miami-Dade County and across the State of Florida are finding it difficult to obtain affordable housing during the current economic downturn; and

**WHEREAS**, the William E. Sadowski Affordable Housing Act of 1992 created a dedicated revenue source through documentary stamp tax revenues to fund state and local affordable housing programs; and

**WHEREAS,** these revenues are deposited into the State Housing Trust Fund and the Local Government Housing Trust Fund (collectively "the State and Local Housing Trust Funds") for the purpose of funding affordable housing; and

**WHEREAS,** during the 2005 session, the Florida Legislature passed Chapter 2005-92, Laws of Florida (HB 1889), which among other things, capped at $243 million the amount of annual documentary stamp tax revenues cap that could be distributed to the State and Local Housing Trust Funds and diverted remaining revenues to the state general revenue fund starting July 1, 2007; and

**WHEREAS,** because documentary stamp tax revenues are tied to deeds and mortgages, these revenues increased significantly beyond the cap when Florida's real estate market experienced a high level of growth, but now such revenues have fallen below the cap; and

**WHEREAS**, projected revenues for the State and Local Housing Trust Funds currently fall below the cap for at least the next three fiscal years, and as such removing the cap would have no negative fiscal impact on the state budget in the near term; and

**WHEREAS**, the unmet housing needs of low and moderate income Floridians are substantial and the current downturn in the real estate market presents opportunities for the acquisition, construction and rehabilitation of affordable housing to meet these needs; and

**WHEREAS**, increased funding for affordable housing is critically needed not only to provide additional affordable housing, but also to stimulate our local and state economy; and

**WHEREAS**, affordable housing can be a significant boost to the economy, providing $7.66 million of economic impact for every $1 million of state funding according to some estimates; and

**WHEREAS**, these opportunities are lost without the Legislature increasing funding for affordable housing programs,

**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 eliminate the cap on State and Local Housing Trust Funds and to increase funding for affordable housing.

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

**Section 3.** Directs the County's state 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 2010 State Legislative Package.

The Prime Sponsor of the foregoing resolution is Commissioner Katy Sorenson. 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 | aye | Audrey M. Edmonson | absent |
| Carlos A. Gimenez | aye | Sally A. Heyman | aye |
| Barbara J. Jordan | absent | Joe A. Martinez | aye |
| Dorrin D. Rolle | aye | Natacha Seijas | aye |
| Katy Sorenson | aye | Rebeca Sosa | aye |
| Sen. Javier D. Souto | aye | | |

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of December, 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