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

MEMORANDUM

Agenda Item No. 11(A)(1)

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

DATE: March 16, 2010

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

SUBJECT: Resolution urging Congress to allow multi-year income recertification of public housing and Section 8 tenants on fixed incomes

Resolution No. R-300-10

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro.

R. A. Cuevas, Jr.
County Attorney

RAC/up

MEMORANDUM
(Revised)

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

DATE: March 16, 2010

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

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

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)(1)
3-16-10

RESOLUTION NO. R-300-10

RESOLUTION URGING CONGRESS TO ALLOW MULTI-YEAR INCOME RECERTIFICATION OF PUBLIC HOUSING AND SECTION 8 TENANTS ON FIXED INCOMES

WHEREAS, currently all local public housing agencies, including Miami-Dade County through the Miami-Dade Public Housing Agency, are required by federal law to conduct reviews every year of the income of all public housing and Section 8 Housing Choice Voucher tenants and other federally subsidized housing tenants, commonly known as the recertification process; and

WHEREAS, in the vast majority of cases, public housing and Section 8 tenants derive a large part of their incomes from Social Security, Supplemental Security Income ("SSI"), governmental and private pensions and other fixed income sources; and

WHEREAS, in many cases and particularly in the case of elderly tenants, public housing and Section 8 tenants derive more than ninety percent (90%) of their income from Social Security and other fixed income sources; and

WHEREAS, these tenants' incomes remain constant from year to year or increase by small cost-of-living adjustments; and

WHEREAS, conducting annual recertification of income in such cases is unnecessary and not an effective use of limited government resources; and

WHEREAS, during the 109th Congress, bills were filed that would have allowed income recertification every three years for public housing and Section 8 Housing Choice voucher tenants, but these bills did not pass; and

WHEREAS, during the 110th Congress, H.R. 1851 by Representative Maxine Waters (D – California) would have provided for income recertification every three years instead of annually for public housing and Section 8 tenants among other provisions; and

WHEREAS, H.R. 1851 passed the House by a vote of 333-83, but did not pass the Senate; and

WHEREAS, Representative Waters has filed the Section 8 Voucher Reform Act, H.R. 3045 for consideration during the current 111th Congress; and

WHEREAS, among other provisions, H.R. 3045 would provide for income recertification every three years instead of annually for public housing and Section 8 tenants that derive more than 90 percent of their incomes from Social Security and other fixed income sources; and

WHEREAS, H.R. 3045 has been considered by the House Committee on Financial Services and reported favorably; and

WHEREAS, this Board supports federal legislation that would allow public housing agencies to recertify income on a multi-year basis rather than annually for public housing and Section 8 tenants that derive a large part of the incomes from Social Security and other fixed income sources,

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 Section 8 Voucher Reform Act, H.R. 3045, or similar legislation that would allow public housing agencies to recertify income on a multi-year basis for public housing and Section 8 tenants that derive a large part of their income from Social Security and other fixed income sources.

Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to the members of the Florida Congressional Delegation and Representative Maxine Waters.

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 2010 Federal Legislative Package.

The Prime Sponsor of the foregoing resolution is Commissioner Bruno A. Barreiro. 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**		

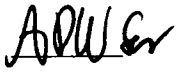
The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of March, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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.



Jess M. McCarty