

MEMORANDUM

Agenda Item No. 11(A)(14)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

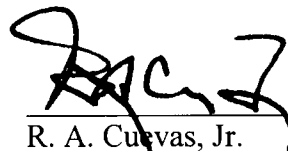
DATE: January 20, 2011

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

SUBJECT: Resolution urging the Florida Legislature to pass legislation reenacting the Department of Community Affairs, including the Florida Housing Finance Corporation and the Division of Emergency Management, and further urging the Legislature to retain the Department of Community Affairs, the Department of Environmental Protection and Department of Transportation as separate Departments of the State

Resolution No. R-37-11

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



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM
(Revised)

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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)(14)
1-20-2011

RESOLUTION NO. R-37-11

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS LEGISLATION REENACTING THE DEPARTMENT OF COMMUNITY AFFAIRS, INCLUDING THE FLORIDA HOUSING FINANCE CORPORATION AND THE DIVISION OF EMERGENCY MANAGEMENT, AND FURTHER URGING THE LEGISLATURE TO RETAIN THE DEPARTMENT OF COMMUNITY AFFAIRS, THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND DEPARTMENT OF TRANSPORTATION AS SEPARATE DEPARTMENTS OF THE STATE

WHEREAS, Florida Department of Community Affairs (DCA) is designated by law as the state's land planning agency, and includes the Division of Community Planning and the Division of Housing and Community Development; and

WHEREAS, the Florida Housing Finance Corporation and the Division of Emergency Management are also housed within DCA; and

WHEREAS, the Florida Housing Finance Corporation is a public corporation and is the state entity primarily responsible for financing the construction and reconstruction of new and rehabilitated affordable housing in Florida and encouraging the investment of private capital in affordable housing; and

WHEREAS, the Division of Emergency Management directs and controls the state's emergency response and recovery operations through the operation of a State Emergency Operations Center; is responsible for coordinating a statewide program of emergency management; and

WHEREAS, under the Florida Government Accountability Act, most state agencies, including DCA, are subject to a two-year sunset review process to determine whether the agency should be retained, modified or abolished; and

WHEREAS, the Legislature began its review of DCA during the 2010 session and will continue through the 2011 session; and

WHEREAS, bills were filed during the 2010 session that would have reenacted DCA, SB 282 by Senator Michael S. “Mike” Bennett (R-Bradenton) and HB 7105 by the House Government Accountability Act Council, but these bills did not pass; and

WHEREAS, DCA is the conduit for federal funding through the stimulus packages and 93 percent of DCA’s funds come from annual federal appropriations for various federal programs; and

WHEREAS, DCA works with local governments to implement and administer our growth management laws and associated programs, such as Local Government Comprehensive Planning, Areas of Critical State Concern, Rural Land Stewardship Areas, Developments of Regional Impact, Option Sector Planning, Springs Protection, Military Base Compatibility Planning, and planning support for long-term recovery from disasters; and

WHEREAS, Florida Housing Finance Corporation has the mission of increasing affordable housing opportunities, including homeownership programs such as the First Time Homebuyer Program, down payment assistance programs and the Homeownership Pool program; as well as rental housing programs, such as multifamily housing development programs, Florida Affordable Housing Guarantee Program, HOME Investment Partnerships, Elderly Housing Community Loan program, Low Income Housing Tax Credit program, the State

Housing Initiatives Partnership (SHIP), Predevelopment Loan Program, Demonstration Loans, and the Affordable Housing Catalyst Program; and

WHEREAS, given these important functions, this Board supports legislation reenacting the Department of Community Affairs, including the Florida Housing Finance Corporation and the Division of Emergency Management; and

WHEREAS, Governor Scott's transition advisors have recommended consolidation of DCA with the Department of Environmental Protection and the Department of Transportation into the "Department of Growth Leadership"; and

WHEREAS, these three agencies have distinct and significantly different missions that could be negatively impacted by such a consolidation,

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 pass legislation reenacting the Department of Community Affairs, including the Florida Housing Finance Corporation and the Division of Emergency Management and further urges the Legislature to retain the Department of Community Affairs, Department of Environmental Protection, and Department of Transportation as separate agencies of the State.

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

Section 3. Directs the County's state lobbyists to advocate for the issues identified in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2011 state legislative package.

The Prime Sponsor of the foregoing resolution is Commissioner Jean Monestime. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Jean Monestime** and upon being put to a vote, the vote was as follows:

	Joe A. Martinez, Chairman	aye
	Audrey M. Edmonson, Vice Chairwoman	absent
Bruno A. Barreiro	aye	Lynda Bell
Jose "Pepe" Diaz	aye	Carlos A. Gimenez
Sally A. Heyman	absent	Barbara J. Jordan
Jean Monestime	aye	Dennis C. Moss
Natacha Seijas	absent	Rebeca Sosa
Sen. Javier D. Souto	aye	

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of January, 2011. 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