

MEMORANDUM

Agenda Item No. 11(A)(18)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: July 7, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution urging the Florida Governor to issue an executive order and urging the Florida Legislature to enact legislation waiving the payment of tax year 2022 property taxes for all eligible taxpayers whose property was destroyed from the collapse and demolition of Champlain Tower South

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Kionne L. McGhee and Co-Sponsors Chairman Jose "Pepe" Diaz and Commissioner Rebeca Sosa.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: July 7, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(18)

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
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ 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)(18)
7-7-22

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA GOVERNOR TO
ISSUE AN EXECUTIVE ORDER AND URGING THE FLORIDA
LEGISLATURE TO ENACT LEGISLATION WAIVING THE
PAYMENT OF TAX YEAR 2022 PROPERTY TAXES FOR ALL
ELIGIBLE TAXPAYERS WHOSE PROPERTY WAS
DESTROYED FROM THE COLLAPSE AND DEMOLITION OF
CHAMPLAIN TOWER SOUTH

WHEREAS, on June 24, 2021, Governor Ron DeSantis issued Executive Order No. 21-148 declaring a state of emergency due to the major structural collapse of a residential condominium building located at 8777 Collins Avenue in Surfside, Florida, and allowing for the waiver of certain statutes and rules that prevent, hinder, or delay any necessary action in coping with the state of emergency caused by the collapse; and

WHEREAS, the collapse destroyed a substantial portion of the structure and rendered the remainder of the structure uninhabitable; and

WHEREAS, local officials and structural experts leveled the remainder of the building to protect first responders and officials during their rescue attempts; and

WHEREAS, state law requires property appraisers to appraise real property as of January 1 of each year and local governments and millage-levying authorities to assess property taxes based on those appraisals; and

WHEREAS, residents that owned condominiums within the building have suffered substantial losses with regard to the real property to be assessed and taxed; and

WHEREAS, on July 9, 2021, Governor Ron DeSantis issued Executive Order No. 21-160, which indefinitely suspends the statutes, and their associated deadlines or requirements, for payment of property taxes for all taxpayers whose property was destroyed or rendered uninhabitable during the collapse of Champlain Tower South in Surfside, Florida; and

WHEREAS, additionally, Executive Order No. 21-160 requests that the Florida Legislature explore additional legislative acts as may be necessary to alleviate the taxpayers' property tax obligations; and

WHEREAS, this August, the Miami-Dade County Property Appraiser's Office will be required to send Truth in Millage ("TRIM") Notices to all property owners regarding their estimated property taxes, including the condominium owners whose property was destroyed or rendered uninhabitable during the collapse and demolition of Champlain Tower South; and

WHEREAS, this Board believes that the taxpayers who owned property at the collapsed and now demolished Champlain Tower South should not have to pay property taxes,

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

Section 1. Urges the Florida Governor to issue an executive order waiving the payment of tax year 2022 property taxes for all eligible taxpayers whose property was destroyed from the collapse and demolition of Champlain Tower South.

Section 2. Urges the Florida Legislature to adopt similar legislation that accomplishes the goals described in section 1 above.

Section 3. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Florida Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

Section 4. Directs the County's state lobbyists to advocate for the actions set forth in sections 1 and 2 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2022 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Kionne L. McGhee and the Co-Sponsors are Chairman Jose "Pepe" Diaz and Commissioner Rebeca Sosa. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Jose "Pepe" Diaz, Chairman	
Oliver G. Gilbert, III, Vice-Chairman	
Sen. René García	Keon Hardemon
Sally A. Heyman	Danielle Cohen Higgins
Eileen Higgins	Joe A. Martinez
Kionne L. McGhee	Jean Monestime
Raquel A. Regalado	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared this resolution duly passed and adopted this 7th day of July, 2022. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

RC

Ryan Carlin