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

MEMORANDUM Agenda Item No. 11(A)(4)

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

DATE: June 3, 2010

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

SUBJECT: Resolution directing the County Mayor to prepare a report concerning the proper methods and means by which the County can pursue money from outstanding debts and liens owed to the County including all possible methods of collection such as lawsuits, foreclosure and other available collection methods

Resolution No. R-628-10

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

R. A. Cuevas, Jr.
County Attorney

RAC//jls

MEMORANDUM

(Revised)

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

DATE: June 3, 2010

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

SUBJECT: Agenda Item No. 11(A)(4)

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**

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Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(4)
6-3-10

RESOLUTION NO. **R-628-10**

RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO PREPARE A REPORT CONCERNING THE PROPER METHODS AND MEANS BY WHICH THE COUNTY CAN PURSUE MONEY FROM OUTSTANDING DEBTS AND LIENS OWED TO THE COUNTY INCLUDING ALL POSSIBLE METHODS OF COLLECTION SUCH AS LAWSUITS, FORECLOSURE AND OTHER AVAILABLE COLLECTION METHODS; TO EXPLORE POSSIBILITY OF HAVING THE CREDIT AND COLLECTIONS SECTION OF THE FINANCE DEPARTMENT CONTROL, DIRECT AND/OR OVERSEE ALL COLLECTIONS COUNTYWIDE; TO EXPLORE THE POLICY OF IMPOSING A FEE TO RECOVER THE COST OF COLLECTION EFFORTS ON EACH DEBT COLLECTED

WHEREAS, throughout the various departments of the County there are significant sums of money that are owed to the County in the form of debt for services provided, code enforcement liens and/or outstanding debts; and

WHEREAS, the efficient collection of these outstanding debts is in the best interest of the County to help alleviate the current fiscal difficulties facing the County; and

WHEREAS, Finance Department's Credit and Collections Section currently uses in-house staff and limited outsourcing to effectively and efficiently collect debts for some of the departments of the County; and

WHEREAS, the Credit and Collections Section has collected in excess of twelve million dollars ($12,000,000) per year on average for the past 4 years while not collecting for all departments; and

WHEREAS, the experience and expertise of this section in the collection of debts should be used to the benefit of all County departments; and

WHEREAS, a comprehensive debt collection policy and program can lead to the efficient collection of outstanding debts within Miami-Dade County and increase revenues that are available to the County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the County Mayor or Mayor's designee is hereby directed to prepare a report for presentation to this Board of County Commissioners which report shall investigate all methods available to the County to recover on debts owed to the County including but not limited to debt collection method, lawsuit and/or foreclosure on outstanding liens. This report shall investigate the possibility of having the Credit and Collections Section of the Finance Department take over and/or review and/or oversee all collections countywide. The report shall also investigate the possibility of imposing a fee on each debt collected to pay for the cost of the credit collection efforts. This report should be returned to this Board of County Commissioners within thirty (30) days of the date of this Resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Joe A. Martinez. It was offered by Commissioner Joe A. Martinez, who moved its adoption. The motion was seconded by Commissioner Audrey M. Edmonson and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman absent
Jose "Pepe" Diaz, Vice-Chairman aye

Bruno A. Barreiro	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	aye
Dorrin D. Rolle	absent	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 3rd day of June, 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.

Thomas H. Robertson