

MEMORANDUM

Agenda Item No. 11(A)(4)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

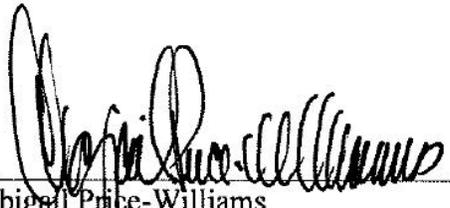
DATE: May 5, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing County
Mayor to engage in public
awareness campaign about recent
amendments to section 17A-19
of the Code, in Ordinance No.
19-108; and requiring a report to
the Board

Resolution No. R-417-20

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.


Abigail Price-Williams
County Attorney

APW/uw



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

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County Attorney

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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
- 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)(4)
5-5-20

RESOLUTION NO. _____ R-417-20

RESOLUTION DIRECTING COUNTY MAYOR OR COUNTY
MAYOR’S DESIGNEE TO ENGAGE IN PUBLIC AWARENESS
CAMPAIGN ABOUT RECENT AMENDMENTS TO SECTION
17A-19 OF THE CODE, IN ORDINANCE NO. 19-108; AND
REQUIRING A REPORT TO THE BOARD

WHEREAS, in Ordinance No. 08-134, this Board amended section 19-4 of the Code of Miami-Dade County, Florida (the “Code”) and made the holder or owner of any mortgage upon real property responsible for maintenance of the real property upon the filing of a lis pendens or foreclosure action; and

WHEREAS, the legal responsibility set forth in section 19-4 of the Code, as amended in Ordinance No. 08-134, continues until the property is sold or transferred to a new owner, or until the foreclosure action is dismissed; and

WHEREAS, in Ordinance No. 08-134, this Board also created section 17A-19 of the Code, and required the holder or owner of a mortgage or other debt instrument to register single family dwelling units, whether a house, townhouse, condominium or duplex, with the Office of Neighborhood Compliance upon the filing of a lis pendens or an action to foreclose upon the mortgage or other instrument of debt secured by the property; and

WHEREAS, in Ordinance No. 19-108, this Board amended section 17A-19 of the Code to require that, except for properties with bona fide agricultural uses in agricultural districts, properties in all zoning districts in unincorporated areas are required to be registered with the Office of Neighborhood Compliance upon the filing of a lis pendens or an action to foreclose upon the mortgage or other instrument of debt secured by the property; and

WHEREAS, an increased public awareness campaign concerning the recent amendments concerning the type of properties now covered by section 17A-19 of the Code, as amended by Ordinance No. 19-108, will likely increase compliance with the registration requirement, and in turn, facilitate compliance with the maintenance requirements of the Code,

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

Section 1. Directs the County Mayor or County Mayor’s designee to design and implement a public awareness campaign, within 45 days from the effective date of this resolution, that informs lenders, and mortgage holders or owners, about the amendments to section 17A-19 of the Code, in Ordinance No. 19-108, which now requires that mortgage holders or owners register properties in all zoning districts in unincorporated areas with the Office of Neighborhood Compliance, except for properties with bona fide agricultural uses in agricultural districts, upon the filing of a lis pendens or an action to foreclose upon the mortgage or other instrument of debt secured by the property. The public awareness campaign should include, at a minimum, dissemination of information to industry or trade organizations that include lenders and mortgage servicers.

Section 2. Directs the Mayor or Mayor’s designee to provide, within 60 days of the effective date of this resolution, a report to this Board concerning the public awareness campaign required herein. Such report shall be placed on an agenda of the Board as required by Ordinance No. 14-65.

