

RESOLUTION NO. 05-77

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING THE MIAMI-DADE COUNTY RESOLUTION CONCERNING PROVIDING HOMEOWNERS AGE 55 AND OLDER OR THOSE WHO ARE TOTALLY AND PERMANENTLY DISABLED A ONE-TIME TRANSFER OF THE "SAVE OUR HOMES" ASSESSED VALUE IN THEIR PRESENT HOMESTEAD PROPERTY TO SMALL, LESS EXPENSIVE REPLACEMENT HOMES IN THE SAME COUNTY WITHIN ONE YEAR OF THE SALE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Palmetto Bay remains concerned with maintaining the quality of life for residents in our community and preserving the investment that citizens have made in homeownership throughout Miami-Dade County; and

WHEREAS, the "Save Our Homes" provision of the Florida Constitution, Article VII, Section 4(c)(1), provides that annual increase of assessed value of homestead property shall not exceed three percent or the rate of inflation, whichever is lower; and

WHEREAS, the Village of Palmetto Bay supports the Miami-Dade County Resolution, incorporated herein as Attachment "A", concerning providing homeowners age 55 and older or those who are totally and permanently disabled a one-time transfer of the "save our homes" assessed value in their present homestead property to small, less expensive replacement homes in the same county within one year of the sale of their homestead; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

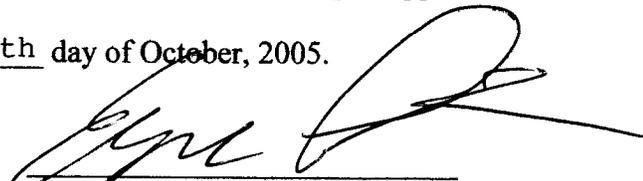
Section 1. The Village of Palmetto Bay, Florida, supports the Miami-Dade County Commission in this effort and urges the Florida Legislature to enact a joint resolution to place on the statewide ballot a constitutional amendment allowing homeowners age 55 or older or who have a total and permanent disability a one-time transfer of the "Save Our Homes" assessed value in their present homestead properties to smaller, less expensive replacement homes in the same county within one year of the sale.

Section 2. This resolution shall take effect immediately upon approval.

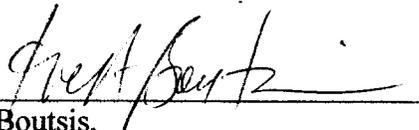
PASSED AND ADOPTED this 5th day of ~~October~~, 2005.

Attest:


Meighan Pier
Village Clerk


Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:



Eve A. Boutsis,
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller	<u>YES</u>
Council Member Paul Neidhart	<u>YES</u>
Council Member John Breder	<u>YES</u>
Vice-Mayor Linda Robinson	<u>YES</u>
Mayor Eugene P. Flinn, Jr.	<u>YES</u>

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ATTACHMENT "A"

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT A JOINT RESOLUTION TO PLACE ON THE STATEWIDE BALLOT A CONSTITUTIONAL AMENDMENT PROVIDING HOMEOWNERS AGE 55 AND OLDER OR WHO ARE TOTALLY AND PERMANENTLY DISABLED A ONE-TIME TRANSFER OF THE "SAVE OUR HOMES" ASSESSED VALUE IN THEIR PRESENT HOMESTEAD PROPERTIES TO SMALLER, LESS EXPENSIVE REPLACEMENT HOMES IN THE SAME COUNTY WITHIN ONE YEAR OF THE SALE

WHEREAS, property values in Miami-Dade County have increased dramatically over the past decade; and

WHEREAS, the "Save Our Homes" provision of the Florida Constitution, Article VII, Section 4(c)(1), provides that the annual increase in assessed value of homestead property shall not exceed the greater of three (3) percent or the rate of inflation, whichever is lower; and

WHEREAS, the "Save Our Homes" provision has resulted in the assessed value of homestead property rising at a far lower rate than the market value of such property; and

WHEREAS, particularly in the case of long-term homeowners, this growing difference between the market value and the assessed value has resulted in assessed values that can be less than half the market value of the property; and

WHEREAS, "Save Our Homes" has played an important role in keeping property tax increases from driving people from their homes as property values have increased; and

WHEREAS, under current law, this "Save Our Homes" assessment limitation is lost when a homeowner moves to a new home because the new property is assessed at its then-current value; and

WHEREAS, this loss of the “Save Our Homes” assessment limitation has had the unintended consequence of discouraging people from moving when their housing needs change, because even if they are moving to a smaller and less expensive home, townhouse or condominium unit, their property taxes could double or triple; and

WHEREAS, this effect frequently arises in the context of owners of large homes who are 55 and older and whose children have reached adulthood and moved out; and

WHEREAS, this effect also arises in the context of those who become totally and permanently disabled thus dramatically changing their housing needs; and

WHEREAS, while smaller homes, townhouses, condominium or otherwise differently-configured units might be more appropriate for these “empty-nest” and disabled homeowners with changing needs, having to give up their “Save Our Homes” assessment limitation in their current homes discourages many such homeowners from moving to more appropriately-sized housing; and

WHEREAS, such a narrow “empty nest” proposal would allow homeowners 55 and older to downsize without having the significant negative effects on local government revenues of general proposals that allow the portability of “Save Our Homes” assessment limitation under all circumstances; and

WHEREAS, allowing “empty nesters” to downsize to smaller homes also serves to open up a supply of larger homes for younger families with children living at home who are currently in need of such large homes,

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

Section 1. This Board urges the Florida Legislature to enact a joint resolution to place on the statewide ballot a constitutional amendment allowing homeowners age 55 and older or who have a total and permanent disability a one-time transfer of the "Save Our Homes" assessed value in their present homestead properties to smaller, less expensive replacement homes in the same county within one year of the sale.

Section 2. The Clerk of the Board is directed to transmit a certified copy of this resolution to the Chair and members of the Miami- Dade County State Legislative Delegation.

Section 3. This Board directs the County's state lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2006 State Legislative Package.

The foregoing resolution was sponsored by Commissioner Katy Sorenson and 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:

Joe A. Martinez, Chairman
Dennis C. Moss, Vice-Chairman

Bruno A. Barreiro	Dr. Barbara Carey-Shuler
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairman thereupon declared the resolution duly passed and adopted this _____ day of _____, 2005. 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: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Jess M. McCarty