

Memorandum



(Second Reading 4-27-06)

Date: March 21, 2006

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

From: George W. Burgess
County Manager

Agenda Item No. 14(A)(1)

Subject: Ordinance Amending Section 29-54 of the Code of Miami-Dade County relating to the County's Tourist Development Plan

RECOMMENDATION

It is recommended that the Board adopt the attached proposed ordinance amending Section 29-54 of the Code of Miami-Dade County as it relates to the allocation of Tourist Development Taxes. Specifically, this ordinance provides that the Board will determine the manner in which twenty (20) percent of the Tourist Development Taxes are spent within the City of Miami.

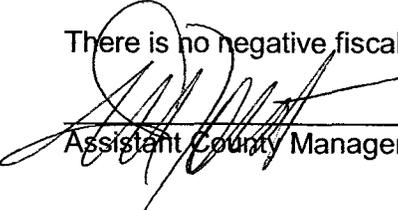
BACKGROUND

The Tourist Development Tax is a two percent levy on transient lodging collected throughout Miami-Dade County, with the exception of the cities of Surfside, Bal Harbour and Miami Beach. On October 4, 1978 the Board adopted Ordinance No. 78-62 levying and imposing the two percent Tourist Development Room Tax, which was subsequently approved at referendum on November 7, 1978. The Tourist Development Tax is currently allocated to fund the Greater Miami Convention and Visitors Bureau sixty (60) percent; to promote Miami-Dade County tourism by sponsoring tourist-oriented cultural activities recommended by the Cultural Affairs Council (twenty (20) percent); and to the City of Miami to be used to fund tourist oriented events and facilities (twenty (20) percent).

This ordinance amendment will continue to provide that twenty (20) percent allocation be used in the City of Miami (City) for eligible projects. However, it will give control of the funds to the County in determining how the funds are to be used. Since the original passage of this ordinance in 1978, the County has invested an enormous amount of bed tax revenues on projects within the City. Such projects include the Performing Arts Center, American Airlines Arena, Lyric Theatre, Coconut Grove Playhouse, the Caribbean Marketplace, the Miami Art Museum, Historical Museum of South Florida, the Museum of Science and the Miami Children's Museum. All of the projects greatly benefited the County and City alike and many have served as a catalytic anchor spurring investments and development in the City. This ordinance amendment will enable the County to best determine how to spend twenty (20) percent of the Tourist Development Tax revenues in order to further promote tourism, to fund tourist related facilities and to fund tourist-oriented events located in the City for the benefit of the entire County.

FISCAL IMPACT

There is no negative fiscal impact to Miami-Dade County.


Assistant County Manager



MEMORANDUM

(Revised)

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

DATE: April 27, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 14(A)(1)

Please note any items checked.

- "4-Day Rule" ("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**
- Bid waiver requiring County Manager's written recommendation**
- Ordinance creating a new board requires detailed County Manager's report for public hearing**
- Housekeeping item (no policy decision required)**
- No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 14(A)(1)
4-27-06

ORDINANCE NO. _____

ORDINANCE RELATING TO TOURIST DEVELOPMENT ROOM TAX PLAN; AMENDING SECTION 29-54 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO MODIFY PROVISIONS RELATING TO EXPENDITURES IN THE CITY OF MIAMI; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Sec. 29-54 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 29-54. Disposition of revenues; review of expenditures.

(a) Tourist development room tax.

(1) Collections received by the Tax Collector from the tourist development room tax, less costs of administration, are to be deposited in the ">>Miami-<<Dade County Tourist Development Trust Fund," herewith established, and used in accordance with the >>Miami-<<Dade County Tourist Development Plan, which provides for the allocation of funds as follows:

* * *

(3) ~~[[To the City of Miami to be used to modernize and improve the present Orange Bowl Football Stadium including chairback seats, additional food and beverage concessions, additional and improved parking facilities and restrooms and construction, for staff and marketing services-t]]~~ >>To promote

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

tourism, << [[and the Knight Center;]] >> to fund tourist-related facilities as allowed by law, << and to fund tourist-oriented events >> located within the municipal boundaries of the City of Miami, as determined by the Board of the County Commissioners. << (Twenty (20) percent).

Section 2 If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3 It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4 This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Joni Armstrong Coffey