

MEMORANDUM

Agenda Item No. 11(A)(2)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: September 2, 2008

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

SUBJECT: Resolution directing
the Mayor or his designee
to study the feasibility of
restoring two cents to the
1993 five cents Capital
Improvements Local
Option Gas Tax

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice-Chairwoman Barbara J. Jordan.



R. A. Cuevas, Jr.
County Attorney

RAC/cp



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: September 2, 2008

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R. A. Cuevas, Jr.
County Attorney

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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. 11(A)(2)
9-2-08

RESOLUTION NO. _____

RESOLUTION DIRECTING THE MAYOR OR HIS
DESIGNEE TO STUDY THE FEASIBILITY OF
RESTORING TWO CENTS TO THE 1993 FIVE CENTS
CAPITAL IMPROVEMENTS LOCAL OPTION GAS
TAX LEVIED ON MOTOR FUEL

WHEREAS, on November 5, 2002, the citizens of Miami-Dade County voted overwhelmingly to levy a one-half of one percent sales tax increase in order to improve transportation in Miami-Dade County; and

WHEREAS, in 2002, the Board of County Commissioners adopted Ordinance 02-116 which established the People's Transportation Plan; and

WHEREAS, from its inception, the People's Transportation Plan has included the North, East-West, and MIC-Earlington Heights corridors (collectively referred to as the "Orange Line"); and

WHEREAS, Ordinance No. 96-101 reduced the Capital Improvements Local Option Gas Tax levied on motor fuel from five cents to three cents per gallon; and

WHEREAS, finding additional sources of revenue to support mass transit will make the entire Orange Line a more attractive candidate for federal funding,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board directs the County Mayor or his designee to study the feasibility of restoring two cents to the 1993 Five Cents Capital Improvements Local Option Gas Tax levied on motor fuel. The County Mayor or his designee shall submit within thirty (30) days a report to the Transit Committee of the

projected revenues to be obtained by the restoration of the two cents per gallon Local Option Gas Tax and the projected costs to the average consumer if Ordinance 96-101 were repealed.

The Prime Sponsor of the foregoing resolution is Vice-Chairwoman Barbara J. Jordan. 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:

- | | |
|------------------------------------|--------------------|
| Bruno A. Barreiro, Chairman | |
| Barbara J. Jordan, Vice-Chairwoman | |
| Jose "Pepe" Diaz | Audrey M. Edmonson |
| Carlos A. Gimenez | Sally A. Heyman |
| Joe A. Martinez | Dennis C. Moss |
| Dorin D. Rolle | Natacha Seijas |
| Katy Sorenson | Rebeca Sosa |
| Sen. Javier D. Souto | |

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of September, 2008. 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.



Bruce Libhaber