# Memorandum

MIAMI-DADE COUNTY

**Date:** July 21, 2009

Supplement to
Agenda Item No. 5(F)

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

**From:** George M. Burgess
County Manager

**Subject:** Supplemental Report: Charter County Transit System Sales Surtax Backed Bonds

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As you are aware, House Bill 1205 was signed into law on June 10, 2009 and provides that, "Any charter county that has entered into interlocal agreements for distribution of proceeds to one or more municipalities in the county shall revise such interlocal agreements no less than every 5 years in order to include any municipalities that have been created since the prior interlocal agreements were executed."

The County currently has 31 such interlocal agreements whereby 20 percent of the Charter County Transit System Sales Surtax proceeds are distributed annually to those cities in existence as of November 5, 2002. These interlocals will expire in 2012. Revised interlocals will be submitted for Board consideration that add pro rata shares of surtax proceeds for new cities from within the existing 20 percent in accordance with the newly adopted statutory provision. Similarly, our own Surtax Ordinance No. 02-116 will be revised for consistency with State law to delete the provision that "Newly incorporated municipalities shall have the right to negotiate with the County for a pro rata share of the sales surtax, taking into consideration the neighborhood and municipal projects identified in Exhibit 1, as amended, within the boundaries of the new municipalities. The preceding sentence shall not affect the 20 percent share provided herein for municipalities existing on November 5, 2002."

If as a matter of policy the Board does not approve this revision and elects to provide funding to new municipalities from the County's 80% share, such payments will be made on a subordinate basis to the County's existing debt obligations secured by the surtax, including the debt obligation entered into as a part of this bond issuance.

Assistant County Manager