

**MEMORANDUM**

Agenda Item No. 11(A)(10)

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

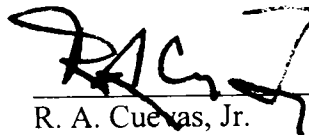
**DATE:** November 3, 2011

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

**SUBJECT:** Resolution opposing the imposition of  
tolls to access the Port of Miami;  
directing the Mayor or designee to  
bring to the Board an alternative  
funding plan; directing the Mayor  
to identify an alternative funding  
plan for the Port of Miami Tunnel  
that does not include tolls

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/up



# MEMORANDUM

(Revised)

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

**DATE:** November 3, 2011

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

**SUBJECT:** Agenda Item No. 11(A)(10)

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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous\_\_\_\_) 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)(10)  
11-3-11

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OPPOSING THE IMPOSITION OF TOLLS TO ACCESS THE PORT OF MIAMI; DIRECTING THE MAYOR OR DESIGNEE TO BRING TO THE BOARD AN ALTERNATIVE FUNDING PLAN; DIRECTING THE MAYOR OR DESIGNEE TO IDENTIFY AN ALTERNATIVE FUNDING PLAN FOR THE PORT OF MIAMI TUNNEL THAT DOES NOT INCLUDE TOLLS

**WHEREAS**, as the Cargo Gateway of the Americas, the Port of Miami is a vital contributor to the local, state and national economies; and

**WHEREAS**, the Port of Miami is Miami-Dade County's second largest economic engine behind Miami International Airport; and

**WHEREAS**, during fiscal year 2010, more than 4.1 million passengers traveled through the Port, and more than 7.3 million tons and 847,249 TEUs (twenty-foot equivalent units) of cargo moved through the Port; and

**WHEREAS**, commercial trade and cruise business at the Port of Miami supports approximately 180,000 jobs and has an economic impact in the region of approximately \$18 billion; and

**WHEREAS**, the Port of Miami Tunnel Project currently being constructed will greatly improve access to the Port and make it more economically competitive; and

**WHEREAS**, the Port of Miami currently can be accessed without the payment of tolls; and

**WHEREAS**, keeping the Port of Miami free from tolls would best position the Port of Miami to be competitive with other seaports and to foster economic development and jobs for our local economy; and

**WHEREAS**, other competing seaports do not have tolls; and

**WHEREAS**, imposing tolls at the Port of Miami would place the Port at a competitive disadvantage to other ports; and

**WHEREAS**, imposing tolls would be detrimental to retaining current cruise and cargo business at the Port of Miami, and could discourage new cargo and cruise line business from locating at the Port; and

**WHEREAS**, according to the Seaport Department, the Port already has committed to providing \$43.5 million in funding for the Tunnel, and may be required to budget as much as \$143.5 million depending on the use of contingency reserves for the Tunnel Project; and

**WHEREAS**, this Board opposes the imposition of tolls to access the Port of Miami via either the Tunnel or the Port Bridge,

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

**Section 1.** Opposes the imposition of tolls to access the Port of Miami and sets as policy of this Board that tolls should not be imposed to access the Port of Miami via either the Tunnel or the Port Bridge.

**Section 2.** Directs the Mayor or designee to bring to this Board an alternative funding plan for the Tunnel that does not include tolls within 120 days of the effective date of this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. 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:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of November, 2011. 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

