

**MEMORANDUM**

Agenda Item No. 6(B)(1)

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

**DATE:** December 19, 2011

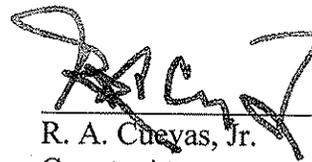
**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Discussion item regarding  
destination resort casinos

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Attached is a 3<sup>rd</sup> draft of the letter to the Dade Delegation on destination casinos and Commissioner Bovo's memorandum related thereto. These are included for your consideration as part of the discussion on this matter.

This matter was placed on the agenda at the request of Chairman Joe A. Martinez.

  
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R. A. Cuevas, Jr.  
County Attorney

RAC/jls

The Honorable Carlos Lopez-Cantera, Chairman, and Members of the Miami-Dade State  
Legislative Delegation; The Honorable Ellyn Bogdanoff; The Honorable Erik Fresen  
The Capitol  
Tallahassee, Florida 32399

Re: SB 710, HB 487 and related bills re: destination resort casinos

On the morning of October 26th, the Economic Development & Social Services Committee of the Miami-Dade County Board of County Commissioners held a discussion regarding destination resort casinos in Miami-Dade County. On December 6, 2011, the full Board of County Commissioners held a follow-up discussion.

The discussion on October 26 took testimony from the public and included comments by commissioners on the committee. The meeting proved timely as the House destination resort casino package of bills, HB 487, HB 489 and HB 491 were filed as the meeting unfolded, and the Senate companion bills were filed later in the day. Our discussion yielded concerns raised by the bills as written, rules to be adopted by the Gaming Commission, and the proper structure to obtain local approval. The Cities of Miami, Miami Beach and others may have additional concerns that I am certain will be communicated to you. Our discussion on December 6 further refined the concerns we have with the destination resort casino legislation.

The Miami-Dade Board of County Commissioners has not yet taken a formal position on the destination resort casino proposal. Nonetheless, it was clear from the discussions, that commissioners share many of the same priorities related to destination resort casinos in Miami-Dade County. Particularly in light of language in HB 487 that requires the County to provide "conceptual approval" for any destination resort casinos (page 55 at lines 1518 to 1521), we thought it would be beneficial to share these comments with you at this early stage of the legislative process.

Here are some of the priorities that were expressed during discussions:

1. Local residents must be first in line for jobs that are created related to both the construction and operation of destination resort casinos, particularly given the current high unemployment rate in Miami-Dade County;
2. Job training programs for local residents need to be put in place well in advance of projected destination resort casino opening dates, so that local residents have the skills and training necessary to fill the jobs that destination resort casinos would create;
3. The people of Miami-Dade County will experience the direct day-to-day affects from destination resort casinos, both positive including jobs and economic development, and potentially negative, such as increased traffic congestion; as such, Miami-Dade County voters should have the ability to choose whether or not to have destination resort casinos by way of referendum;

4. The taxpayers of Miami-Dade County must receive their fair share of revenues generated from destination resort casinos and must enjoy benefits from having destination resort casinos located here by way of revenues generated here staying here and through reductions in property taxes;
5. Destination resort casinos will have regional impacts in Miami-Dade County and South Florida, so decisions should not be preempted to state officials in Tallahassee, but destination resort casinos will have impacts beyond municipal borders; as such, legislation must make it clear that approval of destination resort casinos should be made at the county level, whether destination resort casinos are located in a municipality, multiple municipalities or the unincorporated area;
6. Destination resort casino legislation should include revenue sharing for both the county and applicable municipalities to address impacts to public safety, transportation (including both roads and transit) and water & sewer infrastructure for which current taxpayers should not have to pay;
7. Consideration must be given to existing businesses, both in the direct vicinity of destination resort casinos as well as throughout the County, so that existing businesses are not adversely affected by destination resort casinos, put another way, we don't want to see destination resort casinos siphon business from other hotels, restaurants and attractions here, but instead generate new economic development for this County;
8. Compensation and assistance should be provided for existing residents that are displaced and required to relocate by the development of destination resort casinos.
9. Existing pari-mutuels must have parity with destination resort casinos in regards to games and tax rates given the substantial investments they have already made in this community;
10. Issues related to the continuing viability of the Miami Beach Convention Center and the Performing Arts Center must be addressed;
11. Destination resort casinos shall only be permitted to build a live entertainment venue that has less than 1,000 seats or more than 5,000 seats;
12. Destination resort casinos must be developed in a responsible way, and should be subject to an integrated use planning process, so that destination resort casinos function together with existing businesses, public and private facilities, transit, roads and other infrastructure; destination resort casinos should be integrated into the existing landscape through a planning process, rather than be isolated and apart from it;
13. Legislation must provide a clear process for local government approval of destination resort casinos, not just "conceptual approval", that consists of the state qualifying potential operators of destination resort casinos, both the county and applicable

municipalities approving and having oversight over the development of destination resort casinos, and the operator then returning to the state for final approval;

14. Destination resort casino legislation should address the proliferation of maquinitas/internet cafes/video gaming machines.

If done right, destination resort casinos can provide substantial benefits to the people of Miami-Dade County, particularly during these challenging economic times filled with unemployment and hardship. We look forward to working with you as your destination resort casino proposal moves through the legislative process in Tallahassee.

Sincerely,

cc: Governor Rick Scott  
Senate President Mike Haridopolos  
House Speaker Dean Cannon

DRAFT



MEMORANDUM  
COMMISSIONER ESTEBAN BOVO, JR.

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TO: HONORABLE CHAIRMAN JOE A. MARTINEZ  
BOARD OF COUNTY COMMISSIONERS

DATE: DECEMBER 9, 2011

FROM: COMMISSIONER BOVO

RE: LEGISLATIVE LETTER  
DESTINATION RESORTS/GAMING

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The discussion by the BCC on December 6, 2011 regarding which important issues the county would like to emphasize with our state delegation on the topic of resort destinations was very fruitful. Thinking further on the subject a very important stakeholder in our community is the Adrienne Arsht Center for the Performing Arts of Miami-Dade County. The close proximity of one of the proposed sites may be an issue of concern on the impact of the center.

I would like to offer the following language to be included in our letter to Tallahassee to ensure that any attempt to approve destination resorts as currently being presented protect the interest of Miami-Dade County and the Performing Arts Center:

- **A gaming licensee shall only be permitted to build a live entertainment venue that has less than 1,000 seats or more than 5,000 seats**

Thank you for your time and consideration on this very important issue.

c: R.A. Cuevas, County Attorney  
Honorable Mayor Carlos Gimenez  
Harvey Ruvim, Clerk of the Courts

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