MEMORANDUM

Agenda Item No. 11(A)(4)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: March 17, 2015

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

SUBJECT: Resolution urging the Florida Legislature to enact legislation that enables the Board to levy an additional one percent Tourist Development Tax and Convention Development Tax to fund capital expenditures, including but not limited to the planning, design, acquisition, construction, extension, enlargement, or improvement, for mass transit projects, upon approval of electors voting in a referendum; waiving requirements of Resolution No. R-764-13 limiting number of state legislative priorities; amending Resolution No. R-1143-14, as amended by Resolution No. R-155-15, to revise the Board's state legislative priorities for the 2015 legislative session to include this issue as a priority; preliminarily identifying this issue as a critical County priority for the 2016 legislative session

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairman Esteban L. Bovo, Jr.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

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(Revised)

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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 Mayor'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)(4)
3-17-15

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION THAT ENABLES THE BOARD TO LEVY AN ADDITIONAL ONE PERCENT TOURIST DEVELOPMENT TAX AND CONVENTION DEVELOPMENT TAX TO FUND CAPITAL EXPENDITURES, INCLUDING BUT NOT LIMITED TO THE PLANNING, DESIGN, ACQUISITION, CONSTRUCTION, EXTENSION, ENLARGEMENT, OR IMPROVEMENT, FOR MASS TRANSIT PROJECTS, UPON APPROVAL OF ELECTORS VOTING IN A REFERENDUM; WAIVING REQUIREMENTS OF RESOLUTION NO. R-764-13 LIMITING NUMBER OF STATE LEGISLATIVE PRIORITIES; AMENDING RESOLUTION NO. R-1143-14, AS AMENDED BY RESOLUTION NO. R-155-15, TO REVISE THE BOARD'S STATE LEGISLATIVE PRIORITIES FOR THE 2015 LEGISLATIVE SESSION TO INCLUDE THIS ISSUE AS A PRIORITY; PRELIMINARILY IDENTIFYING THIS ISSUE AS A CRITICAL COUNTY PRIORITY FOR THE 2016 LEGISLATIVE SESSION

WHEREAS, pursuant to Ordinance No. 78-62 enacted by this Board on October 4, 1978, as amended, Miami-Dade County levies and collects the two percent tourist development room tax under section 125.0104, Florida Statutes, for renting, leasing or letting living quarters or accommodations for a period of six months or less in any hotel, apartment hotel, motel, resort motel, apartment, apartment motel, rooming house, mobile home park, recreational vehicle park, condominium, or timeshare resort located in Miami-Dade County (excluding those facilities within the municipal boundaries of the cities of Miami Beach, Bal Harbour and Surfside) (the "Tourist Development Tax"); and

WHEREAS, pursuant to Ordinance No. 83-91 enacted by this Board on October 4, 1983, as amended, Miami-Dade County levies and collects the three percent convention development room tax under section 212.0305, Florida Statutes, for renting, leasing or letting living quarters or accommodations for a period of six months or less in any hotel, apartment hotel, motel, resort

motel, apartment, apartment motel, rooming house, mobile home park, tourists or trailer camp, recreational vehicle park, condominium, or timeshare resort located in Miami-Dade County (the "Convention Development Tax"); and

WHEREAS, Tourist Development Tax and Convention Development Tax revenues are currently used to fund, among other things, the promotion of County tourism by sponsoring tourist-related facilities, tourist-oriented culture, and cultural and special events; and

WHEREAS, Miami-Dade County attracts nearly 14 million visitors annually, almost half of whom are international visitors; and

WHEREAS, more than half of the hotel patrons' complaints regarding their stay in Miami-Dade County are related to traffic and a lack of transportation options; and

WHEREAS, adding more cars to the already gridlocked roads in Miami-Dade County is an unsustainable solution, both environmentally and economically, to the County's growing transportation needs; and

WHEREAS, Miami-Dade County is exploring options for rapid transit and other mass transit projects, including rail extensions or a potential link between downtown Miami and Miami Beach; and

WHEREAS, such mass transit projects would benefit tourism, as visitors of Miami-Dade County would be able to more easily explore the County and the diverse cultural experiences it has to offer; and

WHEREAS, mass transit infrastructure projects require a funding source for both the initial capital expenditure for land acquisition and construction as well as for operation and maintenance; and

WHEREAS, the ability to levy an additional one percent Tourist Development Tax and Convention Development Tax would serve to spur development and construction of vital new mass transit projects; and

WHEREAS, in order to achieve the goal set forth above, this Board wishes to urge the Florida Legislature to enact legislation that enables the Board to levy an additional one percent Tourist Development Tax and an additional one percent Convention Development Tax to fund capital expenditures, including but not limited to the planning, design, acquisition, construction, extension, enlargement, or improvement, for mass transit projects, upon approval of electors voting in a referendum; and

WHEREAS, on September 17, 2013, this Board approved Resolution No. R-764-13, which directed that the federal and state legislative packages each be presented to the Board in two separate companion items, one consisting of no more than ten priorities for distribution to the Miami-Dade Legislative Delegation and the other to include guiding principles, Board "urging" resolutions enacted to date, and departmental items for approval by the Board; and

WHEREAS, on December 18, 2014, this Board adopted Resolution No. R-1143-14, which approved ten state legislative priorities for the 2015 legislative session; and

WHEREAS, on February 3, 2015, this Board adopted Resolution No. R-155-15, which waived Resolution No. R-764-13 and amended Resolution No. R-1143-14 to revise the Board's state legislative priorities for the 2015 legislative session to include an eleventh state legislative priority for the 2015 legislative session; and

WHEREAS, this Board wishes to identify this issue as a priority for the 2015 legislative session and to preliminarily identify it as a critical priority when the Board determines priorities for the 2016 legislative session,

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

Section 1. Urges the Florida Legislature to enact legislation that enables this Board to levy an additional one percent Tourist Development Tax and an additional one percent Convention Development Tax to fund capital expenditures, including but not limited to the planning, design, acquisition, construction, extension, enlargement, or improvement, for mass transit projects, upon approval of electors voting in a referendum.

Section 2. Waives requirements of Resolution No. R-764-13 and amends Resolution No. R-1143-14, as amended by Resolution No. R-155-15, to revise the Board's state legislative priorities for the 2015 legislative session to include a twelfth priority urging the Florida Legislature to enact legislation as set forth in Section 1 above.

Section 3. Approves the state legislative priorities for the 2015 session as set forth in the attached.

Section 4. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade State Legislative Delegation.

Section 5. Directs the County's state lobbyists to advocate for the legislation set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2015 State Legislative Package to include this item as a priority, and to include this item in the 2016 State Legislative Package when it is presented to the Board and to preliminarily identify this item as a critical priority when the Board determines priorities for the 2016 session as provided in Resolution No. R-764-13.

The Prime Sponsor of the foregoing resolution is Vice Chairman Esteban L. Bovo, Jr. 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:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of March, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.

Annery Pulgar Alfonso

Miami-Dade County
2015 State Legislative Priorities

1. **Reauthorization of the State Enterprise Zone Program:** ***SUPPORT*** the reauthorization of the state Enterprise Zone program for another 10 years.

2. **Film, Television and Entertainment:** ***SUPPORT*** incentives for Film, Television and Entertainment that foster economic development and create jobs.

3. **Medicaid Contributions:** ***OPPOSE*** any further cost shifts to Miami-Dade county related to county Medicaid contributions and ***OPPOSE*** any delay or elimination of the transition to a Medicaid enrollees formula; urging the Florida Association of Counties to identify this issue as one of its priorities.

4. **Ludlam Trail:** Resolution urging the Florida Legislature to provide funding for the acquisition and improvement of the proposed Ludlam Trail Corridor pursuant to the Florida Water and Land Conservation Initiative, Florida Constitutional Amendment 1.

5. **Equal Pay:** Resolution urging the Florida Legislature to pass "equal pay" laws designed to equalize pay disparities between men and women.

6. **Medicaid Expansion:** Resolution supporting Medicaid expansion in Florida pursuant to the patient protection and Affordable Care Act of 2010; urging the Florida Legislature to enact legislation expanding Medicaid in Florida.

7. **Elder Meal Program:** Resolution urging the Governor and Florida Legislature to fully fund elder meal programs/local service providers in Miami-Dade County and opposing legislation that might result in reductions for funding of elder meal programs and local service providers in Miami-Dade County.

8. **Transportation Funding:** ***SUPPORT*** increased funding for transit and transportation projects in Miami-Dade County.

9. **Sadowski Act Affordable Housing Trust Fund:** ***SUPPORT*** using Sadowski Act Affordable Housing Trust Fund revenues, not allocated under the state's conservation land buying program, solely for affordable housing; ***OPPOSE*** any further sweeps to the state general revenue fund.

10. **Historic County Courthouse Preservation and Restoration:** Resolution urging the Florida Legislature to create a program providing state funding for historic county courthouse preservation and restoration.

11. **Underline Trail:** Urging the Florida Legislature to include funding for the Underline pursuant to the Florida Water and Land Conservation Initiative, Florida Constitutional Amendment 1.

12. **Tourist Development Tax/ Convention Development Tax for Mass Transit Projects:** Urges the Florida Legislature to enact legislation that enables this Board to levy an additional one percent Tourist Development Tax and an additional one percent Convention Development Tax to fund capital expenditures, including but not limited to the planning, design, acquisition, construction, extension, enlargement, or improvement, for mass transit projects, upon approval of electors voting in a referendum.