



**MEMORANDUM**

Agenda Item No. 11(A)(9)

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

**DATE:** May 5, 2009

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

**SUBJECT:** Resolution directing the Commission Auditor to prepare quarterly reports to the Board of County Commissioners on the Beacon Council's use of eight percent of the business tax previously used by the Metro-Miami Action Plan

Trust  
**Resolution No. R-552-09**

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.

A handwritten signature in black ink, appearing to read "R. A. Cuevas, Jr.", written over a horizontal line.

R. A. Cuevas, Jr.  
County Attorney

RAC/cp



# MEMORANDUM

(Revised)

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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 Mayor'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)(9)  
5-5-09

RESOLUTION NO. R-552-09

RESOLUTION DIRECTING THE COMMISSION AUDITOR TO PREPARE QUARTERLY REPORTS TO THE BOARD OF COUNTY COMMISSIONERS ON THE BEACON COUNCIL'S USE OF THE EIGHT PER CENT OF THE BUSINESS TAX PREVIOUSLY USED BY THE METRO-MIAMI ACTION PLAN TRUST

**WHEREAS**, Section 205.032, Florida Statutes authorizes a county to levy a business tax for the privilege of engaging in or managing any business, profession, or occupation within its jurisdiction; and

**WHEREAS**, Section 205.33, Florida Statutes imposes certain conditions on the authority of each county to impose said business tax, including, but not limited to, requiring that any revenue, plus accrued interest, derived by a county shall be distributed each fiscal year to an organization or agency designated by the county to oversee and implement a comprehensive economic development strategy; and

**WHEREAS**, on June 11, 1987, this Board adopted Ordinance No. 87-38, codified at Section 8A-171.2 of the Code ("Code"), requiring applicants for new or renewed local business tax receipts to pay an additional amount of tax; and

**WHEREAS**, the Code designates the Miami-Dade Beacon Council, Inc. ("Beacon Council") as the agency to receive the local business tax revenues and to oversee and implement a comprehensive economic development strategy; and

**WHEREAS**, the County and The Beacon Council entered into an agreement on October 1, 1987, to ensure the transfer of these revenues from the local business tax to The Beacon Council; and

**WHEREAS**, on June 7, 1994, the Board passed a motion establishing a policy that eight percent (8%) of the local business tax revenues received by The Beacon Council should be allocated by The Beacon Council to Metro-Miami Action Plan Trust (“MMAP”); and

**WHEREAS**, pursuant to the Board’s Policy, on June 7, 1994, The Beacon Council and MMAP entered into a Grant Agreement whereby MMAP is required to use said revenues from the local business tax in accordance with state and local laws and to oversee and implement a comprehensive economic development strategy; and

**WHEREAS**, as Miami-Dade County’s official economic development partner, the Beacon Council is charged with bringing new, job-generating investments to the community, while assisting existing businesses in their efforts to expand; and

**WHEREAS**, by doing this, the Beacon Council facilitates the creation of quality jobs for each and every resident of Miami-Dade County; and

**WHEREAS**, this Board desired that the Beacon Council receive the 8% of the local business tax revenue that was allocated to MMAP and rescinded its prior policy that the Beacon Council allocate 8% of the local business tax revenues to MMAP; and

**WHEREAS**, on October 7, 2008 this Board adopted Ordinance No. 08-112 designating that the Beacon Council utilize these revenues for similar purposes in economically disadvantaged neighborhoods as set forth in the former Grant Agreement with MMAP,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board does hereby direct the Commission Auditor to prepare quarterly reports to the Board of County Commissioners on the Beacon Council’s use of the eight per cent of the business tax previously used by the Metro-Miami Action Plan Trust.

The Prime Sponsor of the foregoing resolution is Commissioner Audrey M. Edmonson.

It was offered by Commissioner **Audrey M. Edmonson** , who moved its adoption. The motion was seconded by Commissioner **Barbara J. Jordan** and upon being put to a vote, the vote was as follows:

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

The Chairman thereupon declared the resolution duly passed and adopted this 5th day of May, 2009. 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: **Diane Collins**  
Deputy Clerk



Approved by County Attorney as to form and legal sufficiency.

Shannon D. Summerset