

**OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA**

**MEMORANDUM**

Amended  
Agenda Item No. 11(A)(8)

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

**DATE:** March 15, 2011

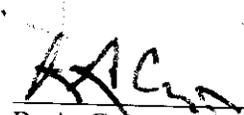
**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution urging the  
Florida Legislature to enact  
SB 1670, HB 1361 or  
similar legislation allowing  
for local licensing of tour  
guides

Resolution No. R-209-11

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro.

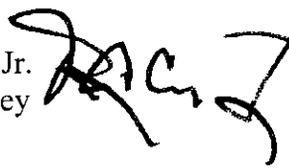
  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/jls



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Joe A. Martinez **DATE:** March 15, 2011  
and Members, Board of County Commissioners

**FROM:** R. A. Cuevas, Jr. **SUBJECT:** Amended  
County Attorney  Agenda Item No. 11(A)(8)

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 \_\_\_\_\_

Amended  
Agenda Item No. 11(A)(8)  
3-15-11

RESOLUTION NO. R-209-11

RESOLUTION URGING THE FLORIDA LEGISLATURE TO  
ENACT SB 1670, HB 1361 OR SIMILAR LEGISLATION  
ALLOWING FOR LOCAL LICENSING OF TOUR GUIDES

**WHEREAS**, Miami-Dade County is one of the country's preeminent business and leisure travel destinations; and

**WHEREAS**, an estimated 11.9 million visitors stayed at least one night in Miami-Dade County in 2009, according to a visitor profile and economic impact study commissioned by the Greater Miami Convention and Visitors Bureau; and

**WHEREAS**, these overnight visitors spent approximately \$16.6 billion in direct expenditures in 2009 according to the study; and

**WHEREAS**, historical and cultural tours are an important part of tourism in Miami-Dade County; and

**WHEREAS**, providing competent and accurate tours is important to visitors' experience in our community; and

**WHEREAS**, the Greater Miami Convention and Visitors Bureau believes that licensing is an essential element in ensuring that tour guides are accurate and professional; and

**WHEREAS**, Florida law currently preempts local governments from licensing or regulating tour guides because state law includes "tour-guide services" under the definition of travel agents and other "sellers of travel"; and

**WHEREAS**, despite preempting local governments from regulating tour guide operators, the State of Florida does not itself impose any professional or ethical standards on individual tour guides; and

**WHEREAS**, the cities of Charleston, New Orleans, New York, Savannah and Williamsburg, all currently license tour guides; and

**WHEREAS**, licensing tour guides locally will help to ensure tour guides are accurate, professional, and ethical; and

**WHEREAS**, companion Senate and House bills have been filed for consideration during the 2011 session that would authorize local governments to regulate tour guides, SB 1670 by Senator Gwen Margolis (D – Miami) and HB 1361 by Representative Cynthia Stafford (D – Miami); and

**WHEREAS**, this Board wishes to express its support for these bills and such tour guide legislation,

**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 SB 1670, HB 1361 or similar legislation allowing for local licensing and background checks of tour guides.

**Section 2.** Directs the Clerk of the Board to transmit certified copies of the resolution to the Governor, Senate President, House Speaker, Senator Gwen Margolis, Representative Cynthia Stafford, the Chair and remaining Members of the Miami-Dade State Legislative Delegation, and the President and Chief Executive Officer of the Greater Miami Convention and Visitors Bureau.

**Section 3.** Directs the County's state lobbyists to advocate for the issues identified in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2011 and 2012 state legislative packages.

The Prime Sponsor of the foregoing resolution is Commissioner Bruno A. Barreiro. It was offered by Commissioner **Bruno A. Barreiro**, who moved its adoption. The motion was seconded by Commissioner **Audrey Edmonson** and upon being put to a vote, the vote was as follows:

	Joe A. Martinez, Chairman	<b>aye</b>	
	Audrey M. Edmonson, Vice Chairwoman	<b>aye</b>	
Bruno A. Barreiro	<b>aye</b>	Lynda Bell	<b>aye</b>
Jose "Pepe" Diaz	<b>aye</b>	Carlos A. Gimenez	<b>aye</b>
Sally A. Heyman	<b>aye</b>	Barbara J. Jordan	<b>aye</b>
Jean Monestime	<b>aye</b>	Dennis C. Moss	<b>aye</b>
Natacha Seijas	<b>absent</b>	Rebeca Sosa	<b>aye</b>
Sen. Javier D. Souto	<b>aye</b>		

The Chairperson thereupon declared the resolution duly passed and adopted this 15<sup>th</sup> day of March, 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: **DIANE COLLINS**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "JMM".

Jess M. McCarty

A handwritten mark resembling a stylized number "5" or a similar symbol.