

MEMORANDUM

Agenda Item No. 11(A)(10)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: January 23, 2013

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

SUBJECT: Resolution establishing a policy
urging the Beacon Council, Inc.
to utilize \$1,044,225.00 in local
business tax revenues to promote
small businesses assisted through
the Miami-Dade County Mom
and Pop Small Business Grant
Program
Resolution No. R-50-13

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



R. A. Cuevas, Jr.
County Attorney

RAC/smm



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(Revised)

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and Members, Board of County Commissioners

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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)(10)
1-23-13

RESOLUTION NO. R-50-13

RESOLUTION ESTABLISHING A POLICY URGING THE BEACON COUNCIL, INC. TO UTILIZE \$1,044,225.00 IN LOCAL BUSINESS TAX REVENUES TO PROMOTE SMALL BUSINESSES ASSISTED THROUGH THE MIAMI-DADE COUNTY MOM AND POP SMALL BUSINESS GRANT PROGRAM AND OTHER COUNTY SMALL BUSINESS PROGRAMS; AND REQUIRING A REPORT FROM THE BEACON COUNCIL

WHEREAS, the County has demonstrated a countywide commitment to assisting small owned and operated businesses (“Mom and Pop Businesses”) throughout Miami-Dade County; and

WHEREAS, this Board established the Mom and Pop Small Business Grant Program (“Mom and Pop Program”) to provide financial and technical assistance to qualified Mom and Pop Businesses in Miami-Dade County that are approved for funding; and

WHEREAS, the Mom and Pop Program was also established to encourage and support Mom and Pop Businesses that create jobs and provide goods and services to Miami-Dade County residents; and

WHEREAS, the County’s FY 2012-2013 Budget includes an allocation of \$1,044,225.00 to the Mom and Pop Program; and

WHEREAS, the continued funding of the Mom and Pop Program has allowed Mom and Pop Businesses the opportunity to interact with local government under favorable conditions; and

WHEREAS, the Mom and Pop Program has grown each year and is now being offered countywide; and

WHEREAS, because of the success of the Mom and Pop Program, many Mom and Pop Businesses contribute significantly to the economy in Miami-Dade County; and

WHEREAS, one of the many ways these Mom and Pop Businesses contribute to Miami-Dade County's economy is by paying the local business tax; and

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 in its jurisdiction; and

WHEREAS, Section 205.033(6)(b), Florida Statutes, imposes certain conditions on the authority of each county to impose said business tax and authorizes certain counties, including Miami-Dade County, to levy and collect an additional business tax, which shall be distributed each fiscal year to an organization or agency designated by the county to oversee and implement a comprehensive economic development strategy through advertising, promotional activities, and other sales and marketing techniques ("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 this additional amount of tax; and

WHEREAS, The Beacon Council, Inc. ("Beacon Council") as one of the County's partners, has been designated through the Code as the agency responsible for promoting economic development and growth in Miami-Dade County by utilizing Economic Development Strategies; and

WHEREAS, the Beacon Council currently receives local business tax revenues to oversee and implement the County's Economic Development Strategy; and

WHEREAS, the annual revenue generated from said source is in excess of three million dollars; and

WHEREAS, the Beacon Council is committed to enhancing businesses in Miami-Dade County, in addition to affecting new businesses; and

WHEREAS, during the Board's Internal Management and Fiscal Responsibility Committee meeting on October 16, 2012, the Committee considered, but deferred a resolution related to renegotiating the present agreement with the Beacon Council; and

WHEREAS, during the Committee meeting, Committee members heard from many leaders in the community including but not limited to Mr. Leroy Jones, President and Chief Executive Officer of Neighbors and Neighbors Association, who has been instrumental in making the County's Mom and Pop Program a success; and

WHEREAS, Mr. Jones testified that although small businesses contribute to the local business tax revenues, those funds are presently used to attract large businesses which were in direct competition with small businesses; and

WHEREAS, Mr. Jones testified further that a portion of local funding should go directly back to the Mom and Pop businesses that generated this income; and

WHEREAS, the Board finds that the local business tax revenues should benefit all businesses in Miami-Dade County; and

WHEREAS, the Board finds that oftentimes Mom and Pop Businesses do not have the financial means of promoting themselves through advertising, promotional activities, and other sales and marketing techniques; and

WHEREAS, the Board finds that the Mom and Pop Program, and other programs such as the County's Community Small Business Enterprise, Small Business Enterprise and Community Business Enterprise Programs that are designed to assist small businesses should not be the sole means of assisting Mom and Pop Businesses and other small businesses in Miami-Dade County; and

WHEREAS, the Board desires to establish a policy that the Beacon Council, as a recipient to the local business tax revenues, utilize \$1,044,225.00 of the local business tax revenues (“Revenue”) to fund an Economic Development Strategy that promote Mom and Pop Businesses assisted through the Mom and Pop Program; and

WHEREAS, the Board further desires that the Beacon Council divide the Revenue in thirteen (13) equal parts, i.e. \$80,325.00, to be allocated to the thirteen (13) County Commission districts for the purposes stated herein,

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

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. The Board hereby establishes a policy urging the Beacon Council to utilize \$1,044,225.00 in local business tax revenues to be divided in thirteen (13) equal parts and allocated to the thirteen (13) County Commission Districts, to fund economic development strategies utilizing advertising, promotional activities, and other sales and marketing techniques that promote Mom and Pop Businesses assisted primarily through the County’s Mom and Pop Program. Said funds are also to be utilized to assist small businesses participating in programs such as the County’s Community Small Business Enterprise, Small Business Enterprise and Community Business Enterprise Programs. The implementation of the Board’s policy is subject to agreement by the Beacon Council.

Section 3. The Board directs the Beacon Council to submit a report to this Board within sixty (60) days of the effective date of this resolution. The report shall include, but is not limited to, any steps taken by the Beacon Council to implement the policy of the Board as more fully described herein.

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

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

The Chairperson thereupon declared the resolution duly passed and adopted this 23rd day of January, 2013. 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: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Terrence A. Smith