

RESOLUTION No. 09 – 149

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA AUTHORIZING THE CITY MANAGER TO REQUEST FROM MIAMI-DADE COUNTY THE CITY'S PRO RATA SHARE OF CHARTER COUNTY TRANSPORTATION SYSTEM SURTAX; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 212.055(1), Florida Statutes, authorizes Florida counties to levy a discretionary sales surtax at a rate of up to one percent, and

WHEREAS, pursuant to Section 29-121 of the Miami-Dade County Code of Ordinances, Miami-Dade County (the "County") levies a County-wide discretionary sales surtax in the amount of one half of one percent, and

WHEREAS, pursuant to individual interlocal agreements, the County distributes twenty percent of the tax collected to the municipalities within the County which existed as of November 5, 2002 and those municipalities divide the twenty percent share on a pro rata basis, and

WHEREAS, Section 212.055(1)(d)4., Florida Statutes requires that any county that has entered into interlocal agreements for distribution of proceeds to one or more municipalities in the county shall revise such interlocal agreements no less than every 5 years in order to include any municipalities that have been created since the prior interlocal agreements were executed, and

WHEREAS, Section 29-124(h) of the Miami-Dade County Code of Ordinances additionally gives newly incorporated municipalities the right to negotiate with the County for a pro rata share of the discretionary sales surtax, and

WHEREAS, the City was incorporated after November 5, 2002 and wishes to receive its pro rata share of the discretionary sales surtax.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DORAL AS FOLLOWS:

Section 1. The City Council of the City of Doral hereby authorizes the City Manager to request the City's pro rata share of the discretionary sales surtax from the County.

Section 2. This Resolution shall take effect immediately upon adoption.

The foregoing resolution was offered by Vice Mayor DiPietro who moved its adoption. The motion was seconded by Councilwoman Ruiz and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Michael DiPietro	Yes
Councilman Pete Cabrera	Absent
Councilwoman Sandra Ruiz	Yes
Councilman Robert Van Name	Yes

PASSED and ADOPTED this 14th day of October, 2009.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



JIMMY MORALES, ESQ., CITY ATTORNEY