

RESOLUTION No. 10 -137

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; CALLING FOR THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS TO PROVIDE SUCH FUNDING FROM THE EIGHTY PERCENT SHARE THAT CURRENTLY GOES TO THE COUNTY; 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; and

WHEREAS, the County Manager has proposed to provide such funding to the three newest cities, including the City of Doral, but with such funds coming from the twenty percent (20%) currently being allocated among the existing cities; and

WHEREAS, the City Council believes that the appropriate source for the funds to the three newest cities is from the eighty percent (80%) of the CITT funds retained by the County since these three incorporations reduced the County's burdens within the unincorporated areas of the County;

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 and directs the City Manager and the City Attorney to conduct such discussions and negotiations as are necessary to obtain such funding.

Section 2. The City Council calls upon the Board of County Commissioners of Miami-Dade County to provide the discretionary sales surtax funds to the City of Doral and the other two newest cities, with such funds to come from the eighty percent (80%) share of the CITT funds retained by the County.

Section 3. This Resolution shall take effect immediately upon adoption.

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

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

PASSED and ADOPTED this 8th day of September, 2010.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

 For:

JIMMY MORALES, ESQ., CITY ATTORNEY