

**RESOLUTION NO. 2012-1004**

**A RESOLUTION OF THE TOWN OF MIAMI LAKES, FLORIDA, SUPPORTING THE MIAMI-DADE COUNTY LEAGUE OF CITIES' EFFORTS TO NEGOTIATE A NEW CHARTER COUNTY TRANSIT SYSTEM SURTAX INTERLOCAL AGREEMENT ON BEHALF OF THE MUNICIPALITIES IN MIAMI-DADE COUNTY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, On May 14, 2012, the Miami-Dade County League of Cities hosted a meeting with municipal managers and/or their representatives with reference to the Charter County Transit System Surtax Interlocal Agreements (2003, 2007 and 2011); and

**WHEREAS**, the Miami-Dade County League of Cities, together with member municipalities, has created a committee to begin discussions with Mayor Carlos Gimenez and his staff regarding the Agreement; and

**WHEREAS**, the Miami-Dade County League of Cities has requested that every municipality adopt a resolution identifying the position the league will take on behalf of the municipalities, and begin negotiating an Agreement with the County on behalf of the Town;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:**

**Section 1.**     **Recitals.** The foregoing Recitals are true and correct and incorporated herein by this reference.

**Section 2.**

The Town Council hereby supports the following position of the Miami-Dade County League of Cities with regards to negotiating a new Charter County Transit System Surtax Agreement:

- Eliminate 20% transit requirements - making 100% of funds available for transportation related purposes;
- Define "transportation" purposes to include but not limited to the provisions of F.S. 212.055 with the relevant sub-references to the F.S. 334.03 and 335.065(1)(a);
- Allow for an annual independent audit to be overseen by an established municipal committee to audit the County's use of the surtax funds with the same regularity as the County audits municipalities;
- Eliminate the required baseline maintenance of efforts;
- Distributed net proceeds to municipalities incorporated after November 2, 2002 shall not be reduced or affect the municipal share for eligible municipalities;

- Identify a percent of the County's 80% (based on population) that is dedicated to UMSA with the intent to allocate to future annexations and incorporations;
- Allow for the Agreement to remain in effect from year to year for so long as the County receives net proceeds;
- Provide "favored nation" status to municipalities so as to grant the same exemptions and rights that the County grants itself and/or other eligible municipalities;
- Need to define "cause" related to "termination" and/or when County "withholds" surtax funds; and
- Reduce reporting requirements to annually not quarterly and tied to the certification requirement of the work completed.

**Section 3.**

That the Miami-Dade County League of Cities is hereby authorized to negotiate an Agreement with the County on behalf of the Town.

**Section 4.**

This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED** this 10 day of July, 2012.

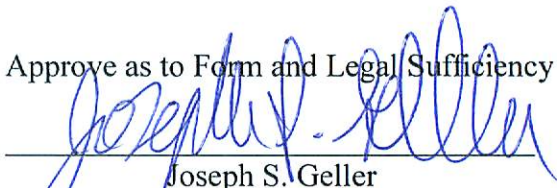
Motion to adopt by Mayor Pizzi, second by Councilmember Pulido

**FINAL VOTE AT ADOPTION**

Mayor Michael Pizzi	<u>yes</u>
Vice Mayor Ceasar Mestre	<u>yes</u>
Councilmember Mary Collins	<u>yes</u>
Councilmember Tim Daubert	<u>absent</u>
Councilmember Nelson Hernandez	<u>yes</u>
Councilmember Nick Perdomo	<u>yes</u>
Councilmember Richard Pulido	<u>yes</u>

  
 Michael Pizzi  
 MAYOR

Attest:  
  
 Marjorie Tejada  
 TOWN CLERK

Approve as to Form and Legal Sufficiency  
  
 Joseph S. Geller  
 Greenspoon Marder PA  
 INTERIM TOWN ATTORNEY