

**Condensed Title:**

A RESOLUTION APPROVING THE CITY'S LEGISLATIVE AGENDA FOR THE 2009 SESSION OF THE FLORIDA LEGISLATURE

**Key Intended Outcome Supported:**

Supports Multiple KIOs

**Supporting Data (Surveys, Environmental Scan, etc.):** The quality of the beaches appears as one of the most important areas affecting quality of life. More recreational opportunities is ranked as one of the changes that will make Miami Beach a better place to live. Storm drainage catch basins cleaning citywide; improving infrastructure was listed number 5 in important safety areas for the City to address.

**Issue:**

Shall the City Commisison approve the City's legislative agenda for the 2009 Session?

**Item Summary/Recommendation:**

The Administration recommends that the Mayor and City Commission adopt the resolution approving the City's legislative agenda for the 2009 session of the Florida Legislature.

On December 8-9, 2008, the City's lobbyists met with the Mayor and each Commissioner to discuss the final legislative agenda and the City's priorities for the 2009 legislative session. Attached, please find the proposed 2009 State Legislative Agenda for consideration and approval. Some of the key priorities include: Bert J. Harris Act, Affordable Housing, Condominium Reform, Protection of Ocean Lifeguards, Local Authority, Renewable Energy, Stormwater Infrastructure Funding, Education, Economic Development and Economic Stimulus Legislation

**Advisory Board Recommendation:**

N/A

**Financial Information:**

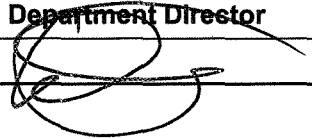
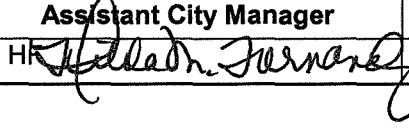
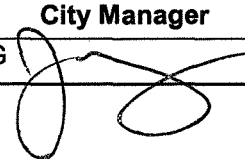
Source of Funds:		Amount	Account
<div style="border: 1px solid black; padding: 5px; width: fit-content;">N/A</div> OBPI	1		
	2		
	3		
	<b>Total</b>		

**Financial Impact Summary:** N/A

**City Clerk's Office Legislative Tracking:**

Kevin Crowder, Economic Development

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
KC 	HK 	JMG 





# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

## COMMISSION MEMORANDUM

TO: Mayor Matti H. Bower and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: January 28, 2009

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE CITY'S STATE LEGISLATIVE AGENDA FOR THE 2009 SESSION OF THE FLORIDA LEGISLATURE; FURTHER DIRECTING THE ADMINISTRATION TO CONTINUE TO MONITOR ECONOMIC STIMULUS LEGISLATION AND MAKE THE APPROPRIATE ADJUSTMENTS TO THE CITY'S 2009 STATE LEGISLATIVE AGENDA AND TO THE CITY'S LIST OF ECONOMIC STIMULUS INFRASTRUCTURE PROJECTS.**

### Administration Recommendation

Adopt the Resolution,

### Background

On December 8-9, 2008, the City's lobbyists met with the Mayor and each Commissioner to discuss the final legislative agenda and the City's priorities for the 2009 legislative session. Attached, please find the proposed 2008 State Legislative Agenda for consideration and approval. Some of the key issues include:

- Ensure that federal economic stimulus funding is provided to local governments;
- Sexual Predator – pre-emption of local distance regulations;
- Mortgage holders' responsibility for delinquent association fees and assessments;
- Protection of Ocean Lifeguards
- Elevator Retrofits
- Preserve Local Authority
- Fire Protection Services
- Tour Guides
- Renewable Energy
- Stormwater Infrastructure funding
- Beach Renourishment funding

The City will also continue to monitor activities related to property tax, by the Legislature, the Taxation and Budget Reform Commission, and the various petition drives.

This year will present significant funding challenges during the legislative session, as was discussed at the December meetings with the lobbyists.

The education issues facing the state are significant, especially in light of the budget reductions that took place during the special session that ended on January 15, 2009. The Administration will continue to meet with the Quality in Education Committee at the end of January and in February to finalize the City's legislative priorities for Education related issues, and will forward the Committee's final recommendations via LTC.

Additional items may be presented to the City Commission during the months of March and April as the legislative process unfolds.

### **Conclusion**

The Administration recommends that the Mayor and City Commission adopt the resolution approving the City's legislative agenda for the 2009 session of the Florida Legislature.

  
JMG/HF/kc

#### **Attachments:**

- Attachment A: 2009 State Legislative Agenda
- Attachment B: Resolution No. 2008-26925 (Casino Gambling)
- Attachment C: Resolution No. 2008-26927 (Casino Gambling)
- Attachment D: Resolution No. 2008-26941 (Condo Assessments)
- Attachment E: Resolution No. 2008-26971 (Tour Guide Licensing)
- Attachment F: Resolution No. 2008-26973 (Economic Stimulus)

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RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE CITY'S STATE LEGISLATIVE AGENDA FOR THE 2009 SESSION OF THE FLORIDA LEGISLATURE; FURTHER DIRECTING THE ADMINISTRATION TO CONTINUE TO MONITOR ECONOMIC STIMULUS LEGISLATION AND MAKE THE APPROPRIATE ADJUSTMENTS TO THE CITY'S 2009 STATE LEGISLATIVE AGENDA AND TO THE CITY'S LIST OF ECONOMIC STIMULUS INFRASTRUCTURE PROJECTS.

WHEREAS, the City must avail itself of all potential sources of funds; and

WHEREAS, State legislation may need to be enacted to protect and enhance the City's interests; and

WHEREAS, it is imperative that the City's legislative consultant is aware of, and has a list of, City priorities; and

WHEREAS, the City will present its legislative agenda to the Miami-Dade County Legislative Delegation in February 2009; and

WHEREAS, the City's numerous State-level needs have been assessed and prioritized to produce the most effective use of its legislative team; and

WHEREAS, the U.S. Congress is considering economic stimulus legislation, also known as "The American Recovery and Reinvestment Act", to provide infrastructure funding to state and local governments; and

WHEREAS, the Federal government may provide a majority of federal economic stimulus infrastructure funds to the states, for further distribution to local governments; and

WHEREAS, the Administration has prepared a list of infrastructure projects that may qualify for economic stimulus funding.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the State Legislative Agenda for the 2009 Session of the Florida Legislature be approved, as more specifically set forth in the attached Exhibit A; further directing the Administration to continue to monitor all developments related to economic stimulus legislation and make the appropriate adjustments to the list of economic stimulus infrastructure projects, more specifically set forth in the attached Exhibit B.

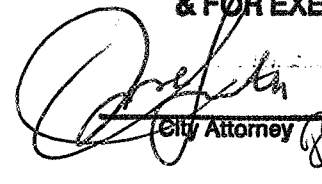
PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney

1/16/09  
\_\_\_\_\_  
Date

# EXHIBIT A



# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## 2009 DRAFT FLORIDA LEGISLATIVE AGENDA

### **LEGISLATIVE PRIORITIES**

#### **Protection of Ocean Lifeguards**

Amend Chapter 784.07, F.S., to include 'Ocean Lifeguards' for purposes of certain enhanced penalties imposed for assault or battery. In the past, there have been incidents where ocean lifeguards were assaulted on the beach while in the course of doing their jobs. Florida Statute 784.07 gives added protection to public servants who are the victims of assault and battery while in the course of performing their duties, by increasing the classification of the offense from a misdemeanor of the second degree to a misdemeanor of the first degree in the case of assault and from a misdemeanor of the first degree to a felony of the third degree in the case of battery.

#### **Condominium Reform**

The City supports amendments that increase mortgage holders' responsibility for delinquent condominium, co-operative, and homeowner associations fees, regular assessments and special assessments on units in foreclosure and on foreclosed units.

#### **Casino Gambling**

The City opposes any efforts that would lead to the authorization/legalization of casino gambling in Miami Beach. Furthermore, any effort to authorize casino gambling should include a local option referendum of the voters prior to authorization within a jurisdiction.

#### **Tour Guide Licensing**

The City supports the Greater Miami Convention & Visitors Bureau in urging the Legislature to pass legislation allowing for the local licensing of tour guides.

#### **Bert J. Harris Act**

The City opposes legislation that weakens or removes the sovereign immunity provision in the Bert Harris Act, and further will work with members on compromise legislation that is in the best interest of the City.

#### **Affordable Housing Surtax**

The City supports legislation that repeals the 2011 sunset of the Miami-Dade Affordable Housing Surtax Program.

#### **Local Authority – Anchoring and Mooring**

The Florida Fish and Wildlife Conservation Commission has proposed legislative changes regarding anchoring. The City supports amendments that further strengthen local authority to regulate anchoring and mooring of vessels within its jurisdiction, especially behind single family homes.

#### **Local Authority – Sexual Predators and Offenders**

The City opposes legislation that restricts or removes the City's authority to establish distance limitations for sexual predators and offenders.

#### **Local Authority – Fire Protection Services**

The City opposes any and all efforts that limit, restrict, prohibit, or transfer the City's authority to provide fire rescue services.

**Local Authority – Sale of Single Beers**

Amend Florida Statutes to allow local jurisdictions to regulate and /or prohibit the sale of single cans/bottles of beer package stores, convenience stores, and other retail locations.

**Local Authority - General**

Monitor legislative efforts to erode local control and authority, as well as efforts to pass additional costs from the State down to local governments.

**Local Authority – Early Responder Services**

The City opposes legislation that would prohibit cities and counties from charging fees or seeking reimbursement for the use of early responder services.

**Local Authority – Elevator Retrofits**

The City supports amendments to Chapter 399 to ensure that maintenance of existing elevators that operate safely does not require the owner of the elevator to upgrade the elevator to new code requirements.

**FUNDING PRIORITIES**

The City has developed a list of “ready to build” capital improvement projects, and urges the State to ensure that federal infrastructure stimulus funding makes its way to the local governments that need and are ready to spend it.

The City seeks funding support for Stormwater Infrastructure Improvements.

The City of Miami Beach fully supports Miami-Dade County's FY 2009-10 State Funding Request in the amount of \$5,858,400.

**BUDGET ISSUES**

The City supports full funding of recreation, cultural arts, historic preservation programs and affordable & workforce housing programs.

Miami Beach Funding - The City will monitor funding levels for Miami Beach based organizations during the budget process. In the past, organizations and projects that provide services to the Miami Beach community have received earmarks, such as funding for the Seymour Gelber Adult Day Care/Senior Ride Program and the JCS Senior Meals Program.

Affordable Housing - The City supports removal of the cap on the Sadowski Act Trust Funds and an increase of the funding available.

Beach Renourishment - Fully fund beach renourishment at \$30 million.

Entertainment Industry Incentives - The City supports full funding of the Entertainment Industry Incentive Fund.

## Exhibit B: City of Miami Beach – 2008/09 and 2009/10 Infrastructure Projects

	Project Type	Existing Funding Pipeline(s)	Project	Total Project Cost	Funding Need	Estimated Jobs** Supported
0 - 90 Days	Environmental	EPA Non-Point	Seawalls	\$ 1,023,268	\$ 1,023,268	20
	Right Of Way	STAG/CWSRLF/WMD/CBIR	South Pointe	\$ 52,716,566	\$ 13,200,000	264
	Right Of Way	STAG/CWSRLF/WMD/CBIR	City Center (Historic District)	\$ 18,502,024	\$ 13,800,000	276
	Right Of Way	STAG/CWSRLF/WMD/CBIR	Normandy Shores Neighborhood Improvements	\$ 16,467,260	\$ 6,620,002	132
	Right Of Way	STAG/CWSRLF/WMD/CBIR	City Center (Commercial District)	\$ 13,209,842	\$ 9,900,000	198
	Right Of Way	STAG/CWSRLF/WMD/CBIR	Venetian Neig - Venetian Islands	\$ 10,074,366	\$ 8,743,020	175
	Right Of Way	STAG/CWSRLF/WMD/CBIR	Oceanfront Neighborhood Improvements	\$ 8,918,547	\$ 4,155,853	83
	Transportation	FDOT/MPO	ROW Improvement Project	\$ 2,787,810	\$ 2,005,328	40
	Transportation	FDOT/MPO	ROW Maintenance Project	\$ 1,955,000	\$ 1,955,000	
	Transportation	FDOT/MPO	Street Pavement Restoration	\$ 400,000	\$ 400,000	8
	Water	CWSRLF	Sunset & Venetian Island Force Mains	\$ 2,869,124	\$ 2,827,124	57
	Water	CWSRLF	Collins Ave. Main: SP Drive-72nd Street	\$ 1,400,000	\$ 1,400,000	28
	Water	CWSRLF	Sanitary Sewer Manhole (CW) Rehab	\$ 1,000,000	\$ 200,000	4
				\$ 131,323,807	\$ 66,229,595	1,285
90 - 180 Days	Environmental	EPA Non-Point	Seawalls	\$ 3,776,960	\$ 3,776,960	76
	Parking	EDA	Sunset Harbor/Purdy Ave. Garage	\$ 23,000,000	\$ 23,000,000	460
	Right Of Way	EDA/STAG/CWSRLF/WMD/CBIR	Flamingo Neighborhood Bid Pack A	\$ 32,678,018	\$ 28,481,738	570
	Right Of Way	STAG/CWSRLF/WMD/CBIR	Bayshore Neighborhood Bid Pack A	\$ 30,571,466	\$ 27,471,453	549
	Right Of Way	EDA/STAG/CWSRLF/WMD/CBIR	Flamingo Neighborhood Bid Pack C	\$ 28,575,695	\$ 25,002,138	500
	Right Of Way	STAG/CWSRLF/WMD/CBIR	La Gorce Neighborhood Improvements	\$ 11,623,593	\$ 10,591,512	212
	Right Of Way	STAG/CWSRLF/WMD/CBIR	Bayshore Neighborhood Bid Pack B	\$ 7,117,604	\$ 6,608,750	132
	Right Of Way	STAG/CWSRLF/WMD/CBIR	Bayshore Neighborhood Bid Pack C	\$ 6,492,416	\$ 6,017,380	120
	Transportation	FDOT/MPO	Collins Canal Enhancement Project	\$ 8,555,127	\$ 8,237,889	165
	Transportation	FDOT/MPO	Repairs to 4 Bridges	\$ 1,425,000	\$ 1,425,000	29
	Water	CWSRLF	South Pointe Pump Station	\$ 24,431,281	\$ 22,800,228	456
	Water	CWSRLF	North Shore Neighborhood Improvements	\$ 18,155,373	\$ 16,142,940	323
	Water	CWSRLF	Sewer Inflow & Infiltration Program Phase I	\$ 8,300,000	\$ 1,100,000	22
	Water	CWSRLF	Indian Creek Sanitary & Water Main Improvement	\$ 5,531,492	\$ 5,501,727	110
			\$ 210,234,025	\$ 186,157,715	3,723	
180-360	Right Of Way	STAG/CWSRLF/WMD/CBIR	Nautilus Neighborhood Improvements	\$ 39,861,900	\$ 10,548,419	211
	Right Of Way	STAG/CWSRLF/WMD/CBIR	Biscayne Point Neighborhood Improvements	\$ 16,549,968	\$ 14,939,829	299
	Right Of Way	STAG/CWSRLF/WMD/CBIR	Normandy Isle Neighborhood Improvements	\$ 14,493,003	\$ 4,292,402	86
			\$ 70,904,871	\$ 29,780,650	596	
360 - 720 Days	Environmental	Army Corps	65th Street Reef Ball Project (ACoE)	\$ 2,000,000	\$ 2,000,000	40
	Environmental	EPA	Green Waste Facility	\$ 530,000	\$ 530,000	11
	Parking	EDA	Lincoln Park Garage	\$ 30,000,000	\$ 30,000,000	600
	Parking	EDA	New World Symphony Parking Garage	\$ 22,210,185	\$ 22,210,185	444
	Parking	EDA	Cultural Campus Parking Garage	\$ 14,670,979	\$ 14,670,979	293
	Parks	CDBG/FRDAP	New World Symphony Park Project	\$ 22,300,000	\$ 22,300,000	446
	Parks	CDBG/FRDAP	Flamingo Park	\$ 3,892,979	\$ 3,892,979	78
	Parks	WMD	Par 3 Golf Course	\$ 3,816,667	\$ 3,816,667	76
	Public Facility	CDBG/CDT	Miami Beach Convention Center Improvements	\$ 16,400,635	\$ 16,400,635	328
	Public Facility	CDBG	Little Stage Complex	\$ 7,300,192	\$ 7,300,192	146
	Public Facility	CDBG	Property Management Facility	\$ 2,625,445	\$ 2,625,445	53
	Right Of Way	STAG/CWSRLF/WMD/CBIR	West Avenue/Bay Road Improvements	\$ 4,362,324	\$ 2,480,837	50
	Right Of Way	STAG/CWSRLF/WMD/CBIR	Sunset Islands 1 & 2	\$ 4,215,906	\$ 4,215,906	84
	Right Of Way	STAG/CWSRLF/WMD/CBIR	Bayshore Neighborhood Bid Pack D	\$ 3,808,064	\$ 2,874,361	57
	Right Of Way	STAG/CWSRLF/WMD/CBIR	Star Island Enhancements	\$ 1,583,098	\$ 1,498,286	30
	Right Of Way	STAG/CWSRLF/WMD/CBIR	Palm & Hibiscus Island Enhancement	\$ 1,404,563	\$ 787,678	16
	Transportation	FDOT/MPO	Middle Beach Recreational Corridor	\$ 26,051,585	\$ 26,051,585	521
	Transportation	FDOT/MPO	Indian Creek Greenway	\$ 15,000,000	\$ 15,000,000	300
	Transportation	FDOT/MPO	Beachwalk II	\$ 4,736,731	\$ 4,736,731	95
	Transportation	FDOT/MPO	Lumms Park Serpentine Walkway	\$ 1,799,278	\$ 1,799,278	36
	Transportation	FDOT/MPO	Sunset Drive Bridges	\$ 643,400	\$ 643,400	13
Transportation	FDOT/MPO	Indian Creek Pedestrian Bridges	\$ 534,952	\$ 534,952	11	
			\$ 189,886,983	\$ 186,370,096	3,727	

# ATTACHMENT B

RESOLUTION NO. 2008-26925

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, OPPOSING ANY INITIATIVE TO AMEND FLORIDA'S CONSTITUTION TO ALLOW CASINO GAMBLING IN MIAMI BEACH.**

**WHEREAS**, local news articles have reported that a committee, financed by local developers, is investigating the possibility of writing an initiative for a proposed casino amendment to the Florida Constitution to allow for Class III gambling at various sites within Miami-Dade, including in the City of Miami Beach; and

**WHEREAS**, the Mayor and City Commission are opposed to casino gambling in the City of Miami Beach and oppose any efforts to bring casino gambling to the City of Miami Beach; and

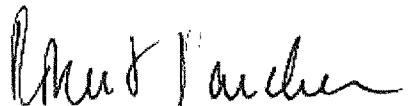
**WHEREAS**, in view of the concern of the Mayor and City Commission with regard to the prospect of casino gambling in Miami-Dade County, the City Manager and City Attorney's Office are hereby directed to investigate and research any and all methods to oppose and prevent casino gambling in the City of Miami Beach.

**NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission oppose casino gambling in the City of Miami Beach and the City Manager and City Attorney are hereby directed to research and investigate any and all methods to oppose casino gambling in the City of Miami Beach.

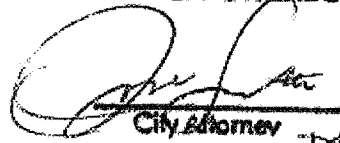
PASSED and ADOPTED this 7<sup>th</sup> day of October, 2008.

ATTEST:

  
Matti Herrera Bower  
Mayor

  
Robert Parcher  
City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
City Attorney  
10/8/08  
Date



# ATTACHMENT C

RESOLUTION NO. 2008-26927

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING THE RIGHT OF THE CITY TO DECIDE AND TO EXERCISE LOCAL CONTROL WITH REGARD TO CASINO GAMBLING WITHIN ITS JURISDICTION.**


**WHEREAS**, in response to news articles reporting that a committee, financed by local developers, was investigating the possibility of a proposed amendment to the Florida Constitution to allow for Class III gambling at various sites within Miami-Dade County, including in the City of Miami Beach, the Mayor and City Commission adopted Resolution No. 2008-26925 on October 8, 2008, opposing casino gambling in the City; and


**WHEREAS**, the Mayor and City Commission of the City of Miami Beach support the right of the City to decide and to exercise local control with regard to casino gambling within its jurisdiction.

**NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that, in addition to opposing casino gambling in the City of Miami Beach, the Mayor and City Commission support the right of the City to decide and to exercise local control with regard to casino gambling in the City of Miami Beach.


PASSED and ADOPTED this 7th day of October, 2008.

ATTEST:

  
Matti Herrera Bower  
Mayor

  
Robert Parcher  
City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
City Attorney  
10/14/08  
Date

# ATTACHMENT D

RESOLUTION NO. 2008-26941

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING AMENDMENTS TO THE FLORIDA STATUTES TO INCREASE MORTGAGE HOLDERS' RESPONSIBILITY FOR DELINQUENT CONDOMINIUM, CO-OPERATIVE, AND HOMEOWNER ASSOCIATIONS FEES, REGULAR ASSESSMENTS AND SPECIAL ASSESSMENTS ON UNITS IN FORECLOSURE AND ON FORECLOSED UNITS.**

**WHEREAS**, due to current economic conditions which include a housing market crisis, South Florida, in particular, is experiencing a significant increase in foreclosure suits filed; and

**WHEREAS**, under present Florida law, mortgage holders are only responsible for unpaid condominium association fees that are the lesser of 1% of the original mortgage amount or six months of unpaid maintenance fees and regular assessments at the time of foreclosure; and

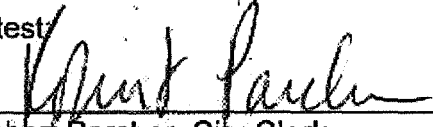
**WHEREAS**, under the foregoing formula, condominium association fees often accumulate in excess of what the mortgage holder is responsible for resulting in such fees becoming the responsibility of the remaining association members who must pay, in many cases, exorbitant special assessments to cover the maintenance expenses and all special assessments of the building, while units in foreclosure proceedings and foreclosed units continue to benefit at no additional expense to the mortgage holder; and

**WHEREAS**, in order to provide a disincentive for mortgage lenders to delay foreclosure actions in order to avoid the payment of escalating condominium fees, and to fairly place responsibility on the party that has the most to benefit from the continued receipt of maintenance services on units in foreclosure proceedings and foreclosed units, the Florida Statutes should be amended.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission hereby support amendments to the Florida Statutes to increase mortgage holders' responsibility for delinquent condominium, co-operative, and homeowner associations fees, regular assessments and special assessments on units in foreclosure and on foreclosed units.


**PASSED AND ADOPTED** this 5th day of November, 2008.

Attest

  
Robert Parcher, City Clerk

  
Matti Herrera Bower, Mayor

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

  
City Attorney CP Date 10/29/08

# ATTACHMENT E

RESOLUTION NO. 2008-26971

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING THE GREATER MIAMI CONVENTION & VISITORS BUREAU IN URGING THE FLORIDA LEGISLATURE TO PASS LEGISLATION ALLOWING FOR THE LOCAL LICENSING OF TOUR GUIDES.**

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

**WHEREAS**, more than 12 million visitors stayed at least one night in Miami-Dade County in 2007, according to the Greater Miami Convention & Visitors Bureau ("GMCVB"); and

**WHEREAS**, these overnight visitors spent approximately \$17.1 billion in direct expenditures; 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 a visitor's experience in our community; and

**WHEREAS**, the "GMCVB" believes 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 New York, New Orleans, Charleston, Williamsburg, and Savannah, all currently license tour guides; and

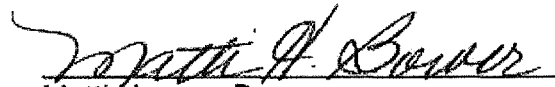
**WHEREAS**, licensing tour guides locally will help to ensure that tour guides are accurate, professional, and ethical.

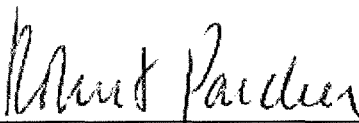
**NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that:**

1. The Greater Miami Convention & Visitors Bureau is supported in urging the Florida Legislature to pass legislation allowing for the local licensing of tour guides;
2. The City Clerk is hereby directed to transmit certified copies of this Resolution to the Governor, Senate President, and House Speaker for the State of Florida, the Chair and Members of the Miami-Dade State Legislative Delegation, and to the President and Chief Executive Officer of the Greater Miami Convention & Visitors Bureau; and
3. The City's state lobbyists are hereby directed to advocate for the issues identified in Section 1 above, and the City Manager is hereby directed to include this item in the City of Miami Beach's 2009 state legislative package.

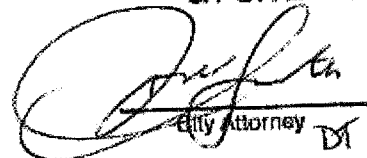
PASSED and ADOPTED this 10th day of December, 2008.

ATTEST:

  
Matti Herrera Bower  
Mayor

  
Robert Parcher  
City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
City Attorney *DI*      11/14/08  
Date

# ATTACHMENT F

RESOLUTION NO. 2008-26973

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, URGING THE FEDERAL GOVERNMENT TO OFFER LOW INTEREST LOANS TO MUNICIPALITIES FOR INFRASTRUCTURE PROJECTS; URGING THE UNITED STATES CONGRESS AND THE FLORIDA LEGISLATURE TO ENSURE THAT LOCAL GOVERNMENTS WITH 'READY TO BUILD' INFRASTRUCTURE PROJECTS RECEIVE FUNDING ASSISTANCE FROM FEDERAL ECONOMIC STIMULUS LEGISLATION THAT PROVIDES INFRASTRUCTURE FUNDING; FURTHER DIRECTING THE ADMINISTRATION TO PRESENT A LIST OF 'READY TO BUILD' INFRASTRUCTURE PROJECTS TO THE CITY'S CONGRESSIONAL AND STATE REPRESENTATIVES.**

**WHEREAS**, state and local government spending is a key component of Gross Domestic Product; and

**WHEREAS**, due to the difficult economic times that currently exist and the lack of access to, or the high cost associated with, the municipal bond market, much needed infrastructure projects are being postponed by local governments; and

**WHEREAS**, the Federal government, through the Department of the Treasury, along with the Federal Reserve, have provided assistance to certain economic sectors during 2008; and

**WHEREAS**, the United States Congress has recently approved legislation providing financial assistance to certain sectors of the U.S. economy; and

**WHEREAS**, the City has numerous 'Ready to Build' capital improvement infrastructure projects for which construction can begin within 90 and 180 days; and

**WHEREAS**, the United States Congress is debating economic stimulus legislation that may include funding support for local government infrastructure projects; and


**WHEREAS**, in order to provide necessary public services for local communities, low interest and long term financing by the Federal government would provide an affordable opportunity for communities to improve their clean water infrastructure, sewage treatment facilities, municipal roads and bridges, public transit, and waste management facilities; and

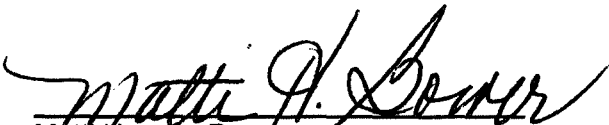
**WHEREAS**, the provision of low interest, long term loans by the Federal government would provide an innovative financing tool to be used by local governments to renew and build critical public infrastructure assets which will not only provide necessary services, but will enhance the quality of life for citizens and offer economic stimulus through the creation of employment opportunities for such projects.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Federal government is hereby urged to offer low interest, long term loans to municipalities for infrastructure improvements and projects; that Congress and the Florida Legislature are urged to ensure that local governments with 'Ready to Build' infrastructure projects receive funding assistance from federal economic stimulus legislation; and further directing the Administration to present a list of 'Ready to Build' infrastructure projects to the City's Congressional and State representatives.

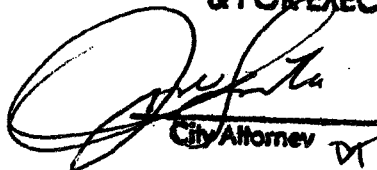
PASSED AND ADOPTED this 10th day of December, 2008.

ATTEST:

  
\_\_\_\_\_  
Robert Parcher  
City Clerk

  
\_\_\_\_\_  
Matti Herrera Bower  
Mayor

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney DT 12/9/08

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