

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF MIAMI BEACH, FLORIDA URGING THE FLORIDA LEGISLATURE TO AMEND SECTION 212.0306 OF THE FLORIDA STATUTES, TO ALLOW FOR THE COLLECTION OF A ONE PERCENT HOMELESS AND DOMESTIC VIOLENCE TAX WITHIN THE CITY OF MIAMI BEACH TO ASSIST HOMELESS PERSONS, THOSE AT RISK OF HOMELESSNESS, AND VICTIMS OF DOMESTIC VIOLENCE.

WHEREAS, Section 212.0306 of the Florida Statutes authorizes Miami-Dade County ("County") to levy a Homeless and Domestic Violence Tax ("Tax"); and

WHEREAS, pursuant to Section 212.0306, this one percent tax is collected on all food and beverage sales by establishments that are licensed by the State of Florida to sell alcoholic beverages for consumption on the premises, except for hotels and motels. Only businesses with gross annual revenues of \$400,000 or more are obligated to collect the Tax; and

WHEREAS, the Tax is collected throughout the County, with the exception of establishments in the City of Miami Beach ("City"), the Town of Surfside, and Bal Harbour Village (together, "Beach municipalities") because sales in municipalities collecting a resort tax authorized by Chapter 67-930 of the Laws of Florida are exempt from the Tax; and

WHEREAS, 85 percent of the Tax receipts go to the Miami-Dade County Homeless Trust, the governing body which oversees the use of the portion of the Tax dedicated to homeless programs, and 15 percent goes to the County and is overseen by the Domestic Violence Oversight Board for the construction and operation of domestic violence centers; and

WHEREAS, the Florida Legislature should amend Section 212.0306 to allow the one percent Tax to be collected on all food and beverage sales for consumption on premises in the City, except for hotels and motels, so that the City may provide funds to the County for a Housing First initiative that would provide permanent supportive housing to achieve the City's goal to end homelessness; and

WHEREAS, in accordance with Section 212.0306, and subject to approval by the Miami-Dade Board of County Commissioners, 85 percent of the Tax receipts would go to the Miami-Dade County Homeless Trust, to assist persons who have become, or are about to become, homeless, and 15 percent would go toward the construction and operation of domestic violence centers; and

WHEREAS, the Tax has long been a priority for the City, and Miami-Dade County supported the City's efforts to expand the Food and Beverage Tax to include food and beverage sales in the Beach municipalities; and

WHEREAS, on February 20, 2019, the Board of County Commissioners for Miami-Dade County adopted Resolution No. R-214-19, urging the Florida Legislature to amend Section 212.0306 and expand the Food and Beverage Tax to include sales in Beach municipalities in order to provide additional funding to provide shelter and related services to those experiencing homelessness and those fleeing domestic violence; and

WHEREAS, on July 28, 2021, the Mayor and City Commission adopted Resolution No. 2021-31823, calling for a November 2, 2021 City of Miami Beach Special Election, for the purpose of submitting to the electorate of the City a nonbinding straw ballot question asking the electorate whether they would support the City Commission adopting a resolution urging the Florida Legislature to amend section 212.0306, Florida statutes, to allow for the collection of a one percent homeless and domestic violence tax within the City to assist homeless persons, and those at risk of homelessness, and victims of domestic violence; and

WHEREAS, at the November 2, 2021 City of Miami Beach Special Election, 53.45% of the City electorate voted for the nonbinding straw ballot measure, supporting the City Commission adopting a resolution urging the Florida Legislature to amend section 212.0306, Florida statutes, to allow for the collection of a one percent homeless and domestic violence tax within the City to assist homeless persons, and those at risk of homelessness, and victims of domestic violence; and

WHEREAS, subsequently, on November 5, 2021, the Mayor and City Commission adopted Resolution No. 2021-31920, adopting the certificate of the results of the November 2, 2021 election for the City of Miami Beach, including the referendum results set forth more fully above.

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 urge the Florida Legislature to amend Section 212.0306 of the Florida Statutes to allow for the collection of a one percent Homeless and Domestic Violence Tax within the City of Miami Beach to assist homeless persons, those at risk of homelessness, and victims of domestic violence.

PASSED AND ADOPTED this 8th day of December, 2021


ATTEST:

Dan Gelber, Mayor

Rafael E. Granada, City Clerk

(Sponsored by Vice Mayor Ricky Arriola)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

11-18-21
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