

## **RESOLUTION NO.**

### **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF MIAMI BEACH URGING THE FLORIDA LEGISLATURE TO AMEND SECTION 212.0306, FLORIDA STATUTES, AND ALLOW FOR THE COLLECTION OF A ONE PERCENT SALES SURTAX ON ALL FOOD AND BEVERAGE SALES FOR CONSUMPTION ON PREMISES EXCEPT HOTELS AND MOTELS WITHIN THE CITY OF MIAMI BEACH TO ASSIST HOMELESS PERSONS, OR THOSE AT RISK OF HOMELESSNESS, AND VICTIMS OF DOMESTIC VIOLENCE**

**WHEREAS**, Section 212.0306, Florida Statutes, authorizes Miami-Dade County to levy a homeless and domestic abuse tax.

**WHEREAS**, pursuant to Section 212.0306, this one percent tax is collected on all food and beverage sales in much of Miami-Dade County by establishments that are licensed by the State of Florida to sell alcoholic beverages for consumption on the premises, except for hotels and motels.

**WHEREAS**, the homeless and domestic violence tax is collected throughout Miami-Dade County with the exception of establishments in the cities of Miami Beach, Surfside and Bal Harbour.

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

**WHEREAS**, when the homeless tax legislation was enacted in 1993, state statute exempted cities or towns imposing a municipal resort tax as authorized by Chapter 67-930 from the homeless and domestic abuse tax.

**WHEREAS**, Miami Beach wishes to urge the Florida Legislature to amend Section 212.0306, and allow the one percent homeless and domestic abuse tax to be collected on all food and beverage sales for consumption on premises in Miami Beach, except for hotels and motels.

**WHEREAS**, in accordance with Section 212.0306, and subject to the subsequent amendment of Miami-Dade County Ordinance No. 94-66 by the Miami-Dade Board of County Commissioners, 85 percent of 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, ensuring that proceeds are used in a manner which will provide the greatest benefit to homeless persons and the community as a whole.

**NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, THAT THIS BOARD**

Section 1: Urges the Florida Legislature to amend section 212.0306, Florida Statutes, and allow for the collection of a one percent tax on all food and beverage sales for consumption on premises within the City of Miami Beach to assist homeless persons, or those at risk of homelessness, and victims of domestic violence.

Section 2: Directs the City Clerk to transmit a certified copy of this resolution to the Governor, the Senate President, the House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

Section 3: Directs Miami Beach's state lobbyists to advocate for the legislative action set forth in Section 1 above, and authorizes and directs Miami Beach's Legislative Affairs Office to include this item in the 2017 State Legislative Agenda.

**PASSED** and **ADOPTED** this \_\_\_\_th day of \_\_\_\_\_ 2016.

**ATTEST:**

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**PHILIP LEVINE, MAYOR**

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**RAPHAEL E. GRANADO, CITY CLERK**