

COMMISSION AGENDA:

TO: The Honorable Chairman and Members of the
Board of County Commissioners

2-26-13 # 12

FROM: James L. Bennett, County Attorney



SUBJECT: Consideration of a Resolution Placing a County Charter Regional System
Surtax Referendum on the November 4, 2014 Ballot

DISTRIBUTION: Robert S. LaSala, County Administrator

DATE: February 26, 2013

RECOMMENDATION: I RECOMMEND THAT THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS ("BOARD") CONSIDER APPROVING A RESOLUTION DECLARING ITS INTENT TO PLACE ON THE NOVEMBER 4, 2014 BALLOT A REFERENDUM QUESTION OF WHETHER TO APPROVE THE LEVY OF THE CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM SURTAX.

DISCUSSION: At the February 12, 2013 meeting, the Board approved a motion to consider the attached resolution at its February 26, 2013 meeting. This Resolution declares the Board's intent to schedule a referendum question on the November 4, 2014 ballot of whether to levy up to one percent (1%) Charter County and Regional Transportation System Surtax ("Surtax"). A final determination of whether to schedule the referendum must be made by the first week of August 2014, by adopting an ordinance levying the Surtax subject to referendum approval. The ordinance must contain the ballot language, and may also include a funding plan for the proceeds of the levy.

JLB:DRL:sme

Attachment

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RESOLUTION NO. 13-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA DECLARING ITS INTENT TO PLACE ON THE NOVEMBER 4, 2014 BALLOT FOR PRESENTATION TO THE ELECTORATE A REFERENDUM QUESTION OF WHETHER TO APPROVE THE LEVY OF UP TO ONE PERCENT (1%) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM SURTAX ON AN ONGOING BASIS, THE PROCEEDS OF WHICH WILL BE USED TO FUND THE PLANNING, DEVELOPMENT, CONSTRUCTION, OPERATION AND/OR MAINTENANCE OF TRANSIT, BUS, RAIL, AND/OR VARIOUS NON-TRANSIT TRANSPORTATION PROJECTS, INCLUDING ROADS AND BRIDGES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Sections 212.054 and 212.055, Florida Statutes (collectively, the “Surtax Statute”), authorize the governing body of each charter county to levy a discretionary sales surtax of up to one percent (1%), subject to approval by a majority vote of the electorate of the county (“Transportation Surtax”); and

WHEREAS, in order to demonstrate that the Pinellas County Board of County Commissioners (“Board”) will place on the November 4, 2014 ballot a referendum on the levy of a up to one percent (1%) Transportation Surtax, and to facilitate a comprehensive public dialogue on such referendum in advance of the Board’s consideration of an ordinance providing for the levy of, and referendum on, the Transportation Surtax in accordance with the Surtax Statute, the Board desires to adopt this Resolution; and

WHEREAS, in 2010, the Board established the Pinellas County Transportation Task Force to focus on ways to capitalize on transportation investments and opportunities in Pinellas County; and

WHEREAS, the December 13, 2010 Final Task Force Report included a recommendation that Pinellas County hold a referendum to authorize the levy of the Transportation Surtax; and

WHEREAS, in further support of the efforts to improve mobility in the region, the Pinellas Metropolitan Planning Organization (“MPO”), Pinellas Suncoast Transit Authority (“PSTA”), the Tampa Bay Area Regional Transportation Authority (“TBARTA”) and the Florida Department of Transportation, District 6 (“FDOT”) engaged in a joint effort to complete an Alternatives Analysis (“AA”) for proposed transit services in Pinellas County through the Project Advisory Committee, and presented the Pinellas AA Final Report in December 2012; and

WHEREAS, at its January 23, 2013 meeting, the PSTA board voted to request the Board hold a referendum on November 4, 2014, to authorize the levy of the Transportation Surtax.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, THAT:

Section 1. The recitals set forth above are adopted by the Board as the findings of the County and are incorporated herein.

Section 2. The Board declares its intent to place on the November 4, 2014 ballot for presentation to the Pinellas County electorate a referendum question of whether to approve the levy of up to one percent (1%) Transportation Surtax, on an ongoing basis, the proceeds of which will be used to fund the planning, development, construction, operation and/or maintenance of transit, bus, rail, and/or various non-transit transportation projects, including roads and bridges, to be included in a transportation plan to be considered and approved by the Board prior to the referendum.

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


In a regular meeting duly assembled on the _____ day of _____, 2013, Commissioner _____ offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner _____, and upon roll call the vote was:

AYES:

NAYS:

Absent and not voting:

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By 
Attorney