


COMMISSION AGENDA:

5.21.13 #28

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

FROM: James L. Bennett, County Attorney 

SUBJECT: Adoption of a Proposed Ordinance Establishing the East Lake Library
Municipal Services Taxing Unit

DISTRIBUTION: Robert S. LaSala, County Administrator

DATE: May 21, 2013

RECOMMENDATION: I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS ADOPT THE ORDINANCE ESTABLISHING THE EAST LAKE LIBRARY MUNICIPAL SERVICES TAXING UNIT.

DISCUSSION: The term of the Library Interlocal Agreement establishing the countywide Pinellas Public Library Cooperative ("Interlocal") expires on September 30, 2013. Administration is now completing negotiations on a new Library Cooperative agreement. East Lake is one of two unincorporated areas (the other is Palm Harbor) that have public libraries. The East Lake Library is considered a unit of the Palm Harbor Library pursuant to the current Interlocal. As part of the ongoing evaluation of library services in the unincorporated areas, and pursuant to ongoing community requests for a dedicated funding source for the East Lake Library, the Board of County Commissioners ("Board"), during its April 18, 2013 work session, authorized the advertisement of a public hearing to consider adoption of an ordinance establishing the East Lake Library Municipal Services Taxing Unit ("MSTU"). The Palm Harbor Library is funded through a dedicated, Board-established MSTU with a levy of up to 0.25 mills. Absent a dedicated funding source, the Board annually appropriates a subsidy for the East Lake Library from general revenues of the unincorporated area (\$242,990 in FY13). Should the Board adopt the ordinance, taxpayers within the East Lake Library MSTU will experience a reduction in property taxes, subject to the adoption of the FY14 Budget, as the proposed millage (up to 0.25 mills) is less than the current rate imposed by the Library Cooperative MSTU (0.4437 mills).

The attached ordinance establishes the East Lake Library MSTU within the boundaries of the East Lake Tarpon Special Fire Control District, removes the East Lake Library MSTU from the boundaries of the unincorporated Library MSTU, and authorizes the levy of up to .25 mills for library services and facilities within the East Lake Library MSTU. Use of the fire district boundaries and the maximum levy for the East Lake Library MSTU are consistent with those established for the Palm Harbor Community Services District. A redline copy of the ordinance highlighting the proposed changes is also attached.

JLB:DRL:sme

Attachments

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ORDINANCE NO. 13-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA ESTABLISHING A MUNICIPAL SERVICES TAXING UNIT TO PROVIDE LIBRARY SERVICES AND FACILITIES IN THE AREA COMPRISING THE EAST LAKE TARPON SPECIAL FIRE CONTROL DISTRICT; AMENDING SECTION 78-2, REMOVING THE AREA OF THE EAST LAKE LIBRARY SERVICES DISTRICT FROM THE BOUNDARIES OF THE PINELLAS COUNTY LIBRARY SERVICES DISTRICT; PROVIDING FOR INCLUSION IN THE PINELLAS COUNTY CODE; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT THE PUBLIC HEARING AND WITH RESPONSIBLE AUTHORITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, in a meeting duly assembled this _____ day of _____, 2013, that:

Section 1. The Pinellas County Code is hereby amended by adding Article XI, East Lake Library Municipal Services Taxing Unit, Sections 114-330 through 114-334, which read as follows:

Section 114-330. There is hereby established a municipal service taxing unit under the name of East Lake Library Services District ("District"). The District shall exist until dissolved by law.

Section 114-331. All of the lands hereinafter described shall be incorporated into a municipal service taxing unit under the name of East Lake Library Services District. The land so incorporated shall include all of the unincorporated area of Pinellas County within the District that constitutes the East Lake Tarpon Special Fire Control District, as of the effective date of this ordinance. In the event that the East Lake Tarpon Special Fire Control District ceases to exist, or has a change to its boundaries, after the effective date of this ordinance, such event shall have no effect on the boundaries of the East Lake Library Services District.

Section 114-332. All of the unincorporated area of Pinellas County within the District shall cease to be part of the Pinellas County Library Services District established in Section 78-2 of the Pinellas County Code effective upon the date that the ad valorem tax authorized by this ordinance becomes effective as a lien upon the properties of the District.

Section 114-333. The board of county commissioners shall be the governing board of the District.

Section 114-334. Within the limits fixed for municipal purposes as authorized by Section 9(b), Article VII, of the Florida Constitution, the board of county commissioners shall be authorized to levy ad valorem taxes not exceeding one-quarter mill within the District created by

this article for the purposes of providing library services and facilities within the District, commencing with the 2013 tax levy.

Section 2. Section 78-2(b), Pinellas County Code, is hereby amended to read as follows:

Section 78-2. Library Services District.

(b) District boundaries. All of the lands described in this section shall be incorporated into a municipal service taxing unit under the name of Pinellas County Library Services District. The land so incorporated shall include all of the unincorporated area of the county except for the Palm Harbor Community Services District and the East Lake Library Services District.

Section 3. Severability. If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

Section 4. Inclusion in the Pinellas County Code. The provisions of this Ordinance shall be included and incorporated in the Pinellas County Code, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Pinellas County Code.

Section 5. Filing of Ordinance; Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after the enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

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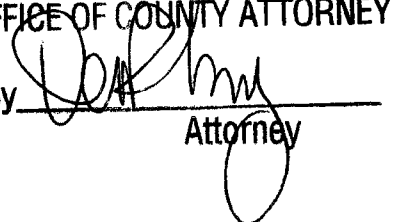
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APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By


Attorney