

AGENDA REQUEST FORM

Department/Agency Office of Management & Budget
Contact Person Janice Williamson Phone (863) 773-3199
E-Mail janice.williamson@hardeecounty.net Fax (863) 773-9480

I request the following item(s) be placed on the 7/2/2015 agenda under the following category: Date of Mtg.

X

Appointments (Time will be set at time of request)
County Manager, Non-Consent
Consent
County Attorney

If appointment-List name and title of who will be present and how long you will need for item: Janice Williamson, Director of Budget & Finance

Provide reason for agenda item and what the action requested is, if any. If no action is required, please state, no action required.

Public Hearing to re-adopt the Local Optional 5 Cent Fuel Tax. This is not a new adoption it is the 10 year renewal of a fuel tax that is dedicated to providing funding for capital road projects within the County.

Budget/Funding Impacts per fiscal year: YES NO
If yes, attach funding analysis identifying source of funds.

If Board approves this request, what are the associated action items. Please itemize tasks and responsible parties/personnel.

BOCC Adopt Ordinance 15-07 and distribution method
OMB to notify State of the distribution method

If you have documents for the agenda packet, we need an original and 8 complete sets (hole punched) one week in advance (no later than 12 Noon on the Thursday prior to the meeting date).

If returning by mail: 412 West Orange Street, Room 103, Wauchula, FL 33873
Questions: Call 863/773-9430 and speak with Sandy or Amalia.
Thank you for your cooperation

Memorandum

To: Board of County Commissioners
CC: Lex Albritton, County Manager
From: Janice Williamson, Budget & Finance
Date: 6/24/2015
Re: Local Option 5 Cent Fuel Tax

Honorable Commissioners:

The Local Optional 5 Cent Fuel Tax was originally adopted in 2006 in accordance with Florida State Statute 206.41 and 336.025(1)(b). This tax provides the County with a restricted source of revenue that is dedicated to providing capital improvements to the County's road infrastructure. The amount of revenues averages about \$467K per year. This revenue is collected by the state and distributed to the County and Municipalities on a monthly basis. The current distribution rate has been determined by the State and is based on the actual amount of funds expensed on road projects by each entity. On the other local optional fuel tax we have opted to utilize an interlocal agreement that's distribution rate has been determined by actual road mileage.

<u>State's Method</u>		<u>Interlocal Agreement Method</u>	
County	90.02%	County	85.28%
Wauchula	5.17%	Wauchula	7.43%
Bowling Green	1.65%	Bowling Green	3.77%
Zolfo Springs	3.16%	Zolfo Springs	3.52%

The Board must first decide if they want to implement this fuel tax for another ten year term and then decide what method of distribution they want to use. If the Board chooses the state method there is no other items to complete. If the Board chooses to use the interlocal agreement method then the distribution rates must be negotiated with the municipalities and notice given to the state by October 1, 2015.

Provided on page 2 is a list of accomplishments that have been made by the Local Optional 5 Cent Fuel Tax over the past ten year term:

June 24, 2015

Fiscal Year 08-09	
Gebhart Road Construction	\$ 178,878.15
Debt Payment	\$ 494,500.00
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	\$ 673,378.15
Fiscal Year 09-10	
Debt Payment	\$ 392,620.00
Fiscal Year 10-11	
Debt Payment	\$ 100,200.00
Fiscal Year 11-12	
FEMA Repayment	\$ 63,895.00
Knollwood Drainage	\$ 70,296.35
Bostick Road	\$ 129,432.97
Surface Treatment Program:	
Stansfield	\$ 11,369.21
Knollwood Circle	\$ 14,531.81
Vandolah	\$ 108,630.35
Rodeo Drive	\$ 37,108.81
Johns Road	\$ 29,827.47
Schontag Road	\$ 30,991.24
Ollie Roberts	\$ 57,925.06
Metheny	\$ 33,771.99
Whippoorwill	\$ 29,495.90
Airport Road	\$ 42,834.79
Landfill	\$ 15,705.11
Shackelford	\$ 26,913.77
Maude	\$ 131,619.05
S Hollandtown Rd	\$ 27,290.07
Nursery	\$ 30,606.04
Main Street	\$ 2,618.09
Fishbranch Road	\$ 39,075.91
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	\$ 933,938.99

Fiscal Year 12-13	
Walker Ext - Limestone	\$8,473.39
Moffit Rd	\$82,233.73
Surface Treatment Program:	
Kelly Roberts Rd	\$156,001.70
Pool Rd	\$42,488.04
Airport Rd	\$79,651.84
Maude Rd	\$165,527.48
District Line Rd	\$33,810.01
Hobb Rd	\$91,012.73
Bostick Rd	\$32,875.41
Schontag Rd	\$59,495.01
Ken McLeod Rd	\$13,755.63
Oak Grove Cem Rd	\$17,246.77
Everette Whidden Rd	\$76,963.68
Fussell Rd	\$15,766.02
Sidney Roberts Rd	\$8,008.68
James Cowart Rd	\$26,769.78
Gebhart Rd	\$48,044.16
Gebhart Bridge	\$74,504.34
Dishong Rd	\$6,471.85
Morales Rd	\$6,711.10
Petteaway Ave	\$12,043.90
Smith Rd	\$15,085.40
Star Ave	\$6,419.05
Williams Ave	\$12,192.40
Alamo Ave	\$14,865.95
Vandolah Rd	\$11,594.80
Metheny Rd	\$6,638.75
Stansfield Rd	\$9,102.00
Airport Rd/Landfill Rd	\$39,285.35
Maude Rd	\$8,100.10
Lost Acres Dr	\$9,509.70
East Dr	\$6,844.90
Metheny Ln	\$4,278.60
Johns Rd	\$7,582.90
Post Plant Rd	\$86,158.72
Pine Level Rd	\$46,646.00
Knollwood Subdiv	\$48,545.25
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	\$1,390,705.11

Fiscal Year 13-14	
FEMA Project (Exceeding FEMA Funds)	
Ten Mile Grade	\$ 33,444.28
Scarborough Road	\$ 69,384.21
Bridge & Box Culvert Work	
mel Smith Road Bridge	\$ 10,228.43
Ander Marsh Rd Bridge	\$ 29,434.34
Surface Treatment	
Cecil Durance Road	\$ 53,017.93
Merle Landford Road	\$ 61,487.09
Rest Haven Road	\$ 25,016.38
Kazen Road	\$ 40,264.66
Bear Lane	\$ 2,627.60
Paldao Acres	\$ 5,935.84
Alec Henry Road	\$ 25,477.82
Pringle Road	\$ 7,786.56
Mine View Road	\$ 21,818.88
Poole Road	\$ 32,287.86
New Surface	
Johnson Road	\$ 48,801.42
Scarborough Road	\$ 74,614.19
10 Mile Grade	\$ 78,537.25
Pine Level Grade	\$ 86,611.57
Post Plant Road	\$ 144,559.35
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	\$ 851,335.66

HARDEE COUNTY, FLORIDA
ORDINANCE 2015-07

AN ORDINANCE IMPOSING A FIVE (5) CENT LOCAL OPTIONAL FUEL TAX UPON EVERY NET GALLON OF MOTOR FUEL SOLD IN HARDEE COUNTY AND TAXED UNDER THE PROVISIONS OF SECTION 206.41 AND SECTION 336.025(1)(b) OF THE FLORIDA STATUTES; PROVIDING THAT THE IMPOSITION SHALL BE EFFECTIVE FOR A PERIOD OF TEN (10) YEARS, BEGINNING JANUARY 1, 2016; PROVIDING DISTRIBUTION, PURSUANT TO THE STATE'S DISTRIBUTION METHOD LISTED IN 336.025(4) OF THE FLORIDA STATUTES BETWEEN HARDEE COUNTY AND MUNICIPALITIES LOCATED THEREIN REPRESENTING A MAJORITY OF THE INCORPORATED AREA POPULATION WITHIN THE COUNTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 336.025(1) (b), Florida Statutes, authorizes the imposition of an additional local option gas tax, not to exceed five cents, on every gallon of motor fuel sold in the county and taxed under the provisions of Part I Chapter 206, Florida Statutes, to be used for transportation expenditures needed to meet the requirements of the capital improvements element of the adopted comprehensive plan; and

WHEREAS, Chapter 203-86, Laws of Florida (HB1813) expands the authorized uses of the tax to include expenditures needed to meet immediate local transportation problems and for other transportation-related expenditures that are critical for building comprehensive roadway networks by local governments; and

WHEREAS, Chapter 203-254, Laws of Florida (CS for SB 1176) expands the authorized uses of the tax to include expenditures needed to meet immediate local transportation problems and for other transportation-related expenditures that are critical for building comprehensive roadway networks by local governments; and

WHEREAS, the annual transportation expenditures which will be incurred by Hardee County to meet the capital improvements element of its adopted comprehensive plan and immediate local transportation problems and expenditures that are critical for building comprehensive roadway networks exceed the annual revenue which will be generated by the local option gas tax which may be imposed pursuant to Section 336.025(1) (b), Florida Statutes; and

WHEREAS, extending the imposition of the local option gas tax is a fair and equitable method of raising the funds required to pay the transportation expenditures needed to meet the capital improvements element of the adopted comprehensive plan;

WHEREAS, the municipalities which represent a majority of the incorporated area population within Hardee County have agreed upon a formula to distribute any local option gas tax revenues.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HARDEE COUNTY, FLORIDA, after due notice and public hearing; that:

Section 1. **Adopted.** This Ordinance is authorized by Section 206.41(1) (e) and 336.025(b), Florida Statutes, on every gallon of motor fuel sold in the county and taxed under the provisions of Part I of Chapter 206, Florida Statutes. This tax imposition shall commence January 1, 2016, and shall be in effect until midnight on December 31, 2025.

Section 2. **Distribution.** The proceeds of the tax shall be distributed among Hardee County and eligible municipalities based on the transportation expenditures of each and pursuant to the provisions of Section 336.025(4) of the Florida State Statutes, the proceeds of the tax hereby imposed and levied shall be divided and distributed by THE FLORIDA DEPARTMENT OF REVENUE as provided in said interlocal agreement.

Section 3. **Severability.** The sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid, unconstitutional or unenforceable by the valid judgment or decree of a court or competent jurisdiction, such invalidity, unconstitutionality or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

Section 4. **Conflict.** Any ordinance or part thereof in conflict with this Ordinance or any part hereof repealed to the extent of the conflict.

Section 5. **Effective Date.** This Ordinance shall take effect immediately upon filing with the Department of State.

PASSED AND DULY ADOPTED IN REGULAR SESSSION BY THE BOAD OF COUNTY COMMISSIONERS OF HARDEE COUNTY, FLORIDA, this _____ day of _____, 2015

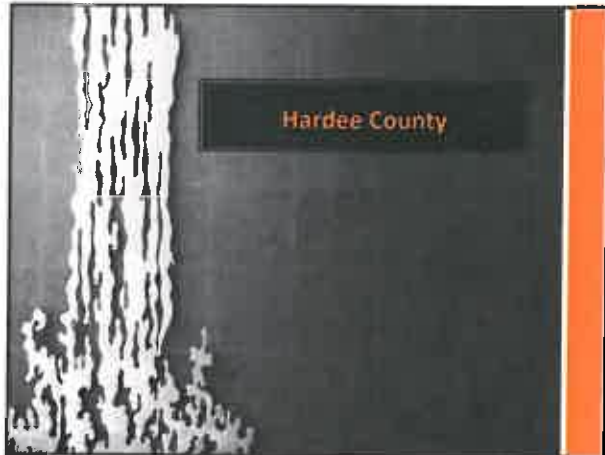
SEAL

BOARD OF COUNY COMMISSIONERS
HARDEE COUNTY, FLORIDA

ATTEST:

Mike Thompson, Chairman

Victoria L. Rogers,
Ex-Officio Clerk to the Board



Presentation on:
1 TO 5 CENT LOCAL OPTIONAL FUEL TAX

Authorization:
County is authorized to levy a tax of 1 to 5 cent on **motor fuel only** (FSS 206.41(1) and 336.025)

How to Adopt:
Can be adopted by a **super majority vote** of the Board or by **referendum**.

Authorized Uses:
Transportation **capital expenses** needed to meet the requirement of an adopted Comp Plan or **immediate local transportation problems**.
Proceeds can be used as a pledge for the **payment of bonds**.


HISTORY

A graphic showing fuel prices for Premium, Regular, Plus, and Diesel. Below the prices are four gas station logos with their respective prices: 91, 87, 89, and 85.

Hardee County adopted 5 cent of the local optional fuel tax in 2005 for a full ten year term. That ordinance expires on December 30, 2015 unless re-adopted.

County Ordinances 05-02, 06-02


Uses:



The **County Road & Bridge Department** has made capital improvements to over 75 roads and bridges within the County utilizing this revenue source.



An **interlocal agreement** with the municipalities can be established to determine distribution rates **or** the State will distribute based on **historical transportation related expenditures**.



Currently the 5 cent is distributed by the State method.

State Method		Interlocal Agreement	
County	90.02%	County	85.28%
Wauchula	5.17%	Wauchula	7.43%
Bowling Green	1.65%	Bowling Green	3.77%
Zolfo Springs	3.16%	Zolfo Springs	3.52%

Comparing the two methods based on the average historical collections of \$526,271; the County will receive an average of \$473,750 per year with the state method and \$448,800 with the interlocal agreement.

