



## Broward County Commission Regular Meeting

14.

Meeting Date: 10/18/2016  
 Director's Name: Joni Armstrong Coffey  
 Department: County Attorney

---

## Information

## Requested Action

MOTION TO ADOPT Resolution directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, November 1, 2016, at 10:00 a.m., in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO THE CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM SALES SURTAX ("TRANSPORTATION SURTAX"); AMENDING BROWARD COUNTY ORDINANCE NO. 2016-14 RELATING TO ARTICLE V OF CHAPTER 31½ OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"), FOR THE PURPOSE OF CONFORMING THE RATE AND DURATION OF THE TRANSPORTATION SURTAX TO THE TERMS OF THE TRANSPORTATION SYSTEM AND INFRASTRUCTURE SURTAXES INTERLOCAL AGREEMENT AND TRANSPORTATION SURTAX RESOLUTION NO. 2016-347; LEVYING, SUBJECT TO APPROVAL BY REFERENDUM, A ONE-HALF PERCENT (0.5%) TRANSPORTATION SURTAX FOR A PERIOD OF THIRTY (30) YEARS; PROVIDING FOR THE TRANSPORTATION SURTAX OVERSIGHT BOARD TO OVERSEE THE USE OF TRANSPORTATION SURTAX PROCEEDS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

(Please note that standard Board procedures require public hearings to be held at 2:00 p.m. on the second Tuesday of each month. Approval of this item will enable the Board to consider enactment of the Ordinance prior to the November 8, 2016, General Election.)

## Why Action is Necessary

The proposed Ordinance was prepared by the Office of the County Attorney to conform the rate and duration of the Transportation Surtax to the terms of the Transportation System and Infrastructure Surtaxes Interlocal Agreement ("ILA") and Transportation Surtax Resolution No. 2016-347 ("Transportation Surtax Resolution").

## What Action Accomplishes

Amends the Code to conform the rate and duration of the Transportation Surtax to the terms of the ILA and Transportation Surtax Resolution.

## Is this Action Goal Related

## Previous Action Taken

## Summary Explanation/Background

On May 24, 2016, the Board of County Commissioners of Broward County, Florida ("Board"), enacted Ordinance No. 2016-14 ("Transportation Surtax Ordinance"), levying, subject to approval by countywide referendum, a Transportation Surtax at a rate of three-quarters of one percent (0.75%) for a period of twenty (20) years.

Following enactment of the Transportation Surtax Ordinance, Broward County and Broward municipalities ("Municipalities") negotiated and executed the ILA which, among other things, provides for the scheduling of a referendum election on the levy of a one-half percent (0.5%), 30-year Transportation Surtax, and for certain aspects of administration of such Transportation Surtax if approved by referendum.

Consistent with the terms of the ILA, the Board, on June 22, 2016, adopted the Transportation Surtax Resolution, scheduling a referendum election to be held at the General Election on November 8, 2016 ("Ballot Measure"), for the purpose of enabling the electorate to determine whether a one-half percent (0.5%), 30-year Transportation Surtax should be levied.

It is necessary to amend the Transportation Surtax Ordinance ("Amendment") to conform the rate and duration of the Transportation Surtax to the ILA, Transportation Surtax Referendum, and Ballot Measure. Upon enactment, the Amendment will levy a one-half percent (0.5%), 30-year Transportation Surtax, commencing on January 1, 2017, and expiring on December 31, 2046, subject to

approval by referendum at the General Election on November 8, 2016. The proceeds of the Transportation Surtax, if approved by referendum, shall be expended for authorized transportation and transit purposes in accordance with Section 212.055(1)(d), Florida Statutes, the ILA, and Ballot Measure.

Source of Additional Information

James D. Rowlee, Senior Assistant County Attorney, 954-357-7600 

---

Fiscal Impact

Fiscal Impact/Cost Summary:

Fiscal Impact Statement by Office of Management and Budget will be provided at the time of the public hearing.

---

Attachments

[Exhibit 1 - Copy of Resolution to Publish Notice of Public Hearing](#)

[Exhibit 2 - Copy of Proposed Ordinance](#)

---