



## Staff Report

---

**File #:** 15-494, **Version:** 1

**Agenda Date:** 12/15/2015

---

**Subject:**

Second Amendment to the Interlocal Agreement for the six-cent Local Option Fuel Tax (regular agenda item).

**Recommended Action:**

Execute the Second Amendment to the Interlocal Agreement updating the distribution of monies derived from the imposition of the six-cent Local Option Fuel Tax to the County and various municipalities in the County and extending the term of the agreement to end December 31, 2027. The agreement maintains the 60/40 split between the County and municipalities and revises the distribution formula among the municipalities to be based on the 2014 Bureau of Economic and Business Research (BEBR) population estimates. The previous distribution was based on 2004 BEBR population estimates.

**Strategic Plan:**

Foster Continual Economic Growth and Vitality

4.5 Provide safe and effective transportation systems to support the efficient flow of motorists, commerce, and regional connectivity.

Deliver First Class Services to the Public and Our Customers

5.1 Maximize partner relationships and public outreach.

5.2 Be responsible stewards of the public's resources.

**Summary:**

During a Strategic Planning work session about Horizon Issues on May 28, 2015, the Board expressed its desire to reauthorize the six-cent Local Option Fuel Tax beyond the current termination date of August 31, 2017 in order to ensure the revenue stream for future planning purposes.

The Board also requested that staff engage the County's municipal partners to determine what would be supported by the municipalities. The resulting consensus among the municipalities was to extend the levy for an additional 10 years.

As of December 2, 22 of the 24 municipalities have approved the Second Amendment to the Interlocal Agreement extending the term to end on December 31, 2027 and basing the distribution formula on more current population estimates.

**Background Information:**

On December 21, 2005, the Board entered into an interlocal agreement with the various municipalities and approved Ordinance 05-96 extending the six-cent Local Option Fuel Tax for ten years, for the period commencing on September 1, 2007 and ending on August 31, 2017. The interlocal agreement reduced the County's share of the levy from 75% to 60% and based the

distribution formula among the municipalities on the 2004 BEBR population estimates.

On May 6, 2008, the Board approved a First Amendment to Interlocal Agreement to the municipalities amending the effective date of termination to December 31, 2017.

In August 2015, the County distributed a Second Amendment to Interlocal Agreement to the various municipalities for their approval, amending the termination date to December 31, 2027 to be consistent with the renewal of the six-cent levy and revising the distribution among the municipalities as required by state statute.

**Fiscal Impact:**

Approval of the Second Amendment to Interlocal Agreement will continue the distribution of the six-cent Local Option Fuel Tax through December 31, 2027. The County's 60% share of the LOFT revenue generates approximately \$12.4M annually in County revenue to support transportation activities such as road, bridge, and right-of-way maintenance. The municipalities' share is 40% and generates an estimated \$8.2M which is distributed as outlined in Exhibit 1 of the Second Amendment to Interlocal Agreement.

**Staff Member Responsible:**

Cecilia McCorkell, Management and Budget Manager, Office of Management and Budget

**Partners:**

Pinellas County Municipalities (24)

**Attachments:**

Second Amendment to Interlocal  
Signature pages  
Interlocal Agreement  
First Amendment to Interlocal

**BOARD OF COUNTY  
COMMISSIONERS**

Dave Eggers  
Pat Gerard  
Charlie Justice  
Janet C. Long  
John Morroni  
Karen Williams Seel  
Kenneth T. Welch



Mark S. Woodard  
County Administrator

To: The Honorable Mayors and City Managers of Pinellas County  
From:  Mark S. Woodard, County Administrator  
Subject: Six Cent Local Option Fuel Tax Renewal  
Date: August 19, 2015

As previously discussed at our City Manager meetings, the existing six (6) cent Local Option Fuel Tax (LOFT) is scheduled to sunset December 31, 2017. The Board of County Commissioners has indicated that it will favorably consider extending the authorization for an additional 10 years through December 31, 2027.

Please find attached the Second Amendment to the Interlocal Agreement drafted by the County Attorney's Office. This amendment revises the agreement to correspond with the proposed extension of the levy and maintains the current distribution between the County and the municipalities, whereas the County share of the total distribution is 60% and the municipal share is 40%. Recall that under the prior agreement, the distribution was 75% (County) and 25% (Cities).

The County shall use its allocation for countywide transportation projects as well as local roads within the unincorporated area. The only change to the distribution formula, which was previously based on the 2004 population estimates published by the Bureau of Economic and Business Research (BEBR), is an update to reflect the 2014 BEBR population estimates, see Exhibit 1.

After your Council has approved the Agreement, please contact Bill Berger at (727) 453-3437. We will coordinate the collection of the executed document with your Clerk or appropriate staff. Please endeavor to have the agreement approved by October 31, 2015.

If you have any questions, please feel free to contact Bill Berger at (727) 453-3437. Thank you in advance for your cooperation in this matter.

Attachment

cc: The Honorable Chairman and Members of the Board of County Commissioners  
Jim L. Bennett, County Attorney  
Bill Berger, Director, Office of Management and Budget

PLEASE ADDRESS REPLY TO:  
Pinellas County Administration  
315 Court St. • Room 601  
Clearwater, FL 33765  
Main Office: (727) 464-3485  
FAX: (727) 464-4384  
V/TDD: (727) 464-4062

[www.pinellascounty.org](http://www.pinellascounty.org)

**SECOND AMENDMENT TO  
INTERLOCAL AGREEMENT**

**THIS SECOND AMENDMENT TO INTERLOCAL AGREEMENT** made and entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 2015, by and between Pinellas County, a political subdivision of the State of Florida (the "County") and the municipalities that are parties hereto within Pinellas County representing a majority of the population of the incorporated area of Pinellas County, as listed on the signature pages hereto (the "Municipalities").

**WITNESSETH:**

**WHEREAS**, this Second Amendment to Interlocal is authorized by Section 336.025, Florida Statutes, and other applicable law; and

**WHEREAS**, the Board of County Commissioners initially levied the local option fuel tax as authorized by Section 336.025(1)(a), Florida Statutes, ("Local Option Fuel Tax") on June 18, 1985, and has continuously levied it since that time; and

**WHEREAS**, in accordance with these levies, the County and Municipalities representing a majority of the population of the incorporated areas of Pinellas County previously entered into interlocal agreements, which determined the method and distribution of the Local Option Fuel Tax, including the Interlocal Agreement dated December 21, 2005 and the First Amendment thereto dated May 6, 2008 ("Prior Interlocals"); and

**WHEREAS**, there continues to be a need within Pinellas County for additional funds to be used for transportation expenditures authorized by Section 336.025, Florida Statutes; and

**WHEREAS**, the County and the Municipalities are desirous of insuring a stable and sufficient revenue flow from the local option fuel tax proceeds both in terms of the amount and

the period of the levy, in order to have such monies available for the payment of transportation expenditures incurred by the County and the Municipalities as permitted by applicable Florida law; and

**WHEREAS**, the purpose and intent of this Second Amendment to Interlocal Agreement (“Second Amendment”) is to establish a current plan for the continued administration and expenditure of the proceeds of the Local Option Fuel Tax, and as required by Section 336.025(1)(a)1., Florida Statutes, to establish a new distribution formula by redetermining the division of the proceeds based upon current population estimates.

**NOW, THEREFORE**, in consideration of the premises and of the mutual benefit, and in consideration of the covenants and agreements set forth herein, the County and the Municipalities agree as follows:

1. **EFFECTIVE DATE**. This Second Amendment shall be effective for the purposes stated herein on January 1, 2018, and shall expire on December 31, 2027.

2. **DISTRIBUTION**. Effective January 1, 2018 and contingent upon the extension of the Local Option Fuel Tax beyond August 31, 2017, allocation and disbursement to the County and Municipalities shall be made in accordance with the distribution formula attached to this Second Amendment as Exhibit 1, which is incorporated by reference. The distribution terms of this Second Amendment shall supersede the distribution formulas contained in the Prior Interlocals and the distribution of any local option fuel tax in effect as of January 1, 2018, shall be governed specifically by the terms of this Second Amendment. The parties hereby agree that all distributions which have been undertaken prior to the date hereof are proper and acceptable and the parties hereby waive any right to dispute an amounts previously distributed.

3. TERMINATION IF NO LEVY. This Second Amendment shall automatically terminate in the event that the County does not adopt an ordinance extending the Local Option Fuel Tax pursuant to Section 336.025, Florida Statutes, on or before September 1, 2017.

4. Except as amended herein, all other terms, conditions and provisions of the Interlocal dated December 21, 2005, and the First Amendment thereto dated May 6, 2008, shall remain in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:  
KEN BURKE, CLERK

PINELLAS COUNTY, FLORIDA, by and  
Through its Board of County Commissioners

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chairman

[SEAL]

APPROVED AS TO FORM

By: \_\_\_\_\_  
Office of the County Attorney

**< ADDITIONAL SIGNATURE PAGES TO FOLLOW >**

**IN WITNESS WHEREOF**, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

TOWN OF BELLEAIR

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

**IN WITNESS WHEREOF**, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF BELLEAIR BEACH

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

**IN WITNESS WHEREOF**, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF BELLEAIR BLUFFS

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

**IN WITNESS WHEREOF**, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

TOWN OF BELLEAIR SHORE

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

**IN WITNESS WHEREOF**, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF CLEARWATER

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
City Manager

COUNTERSIGNED:

By: \_\_\_\_\_  
Mayor

APPROVED AS TO FORM

By: \_\_\_\_\_  
City Attorney

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF DUNEDIN

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF GULFPORT

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF INDIAN ROCKS BEACH

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

**IN WITNESS WHEREOF**, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

TOWN OF INDIAN SHORES

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

**IN WITNESS WHEREOF**, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

TOWN OF KENNETH CITY

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

N WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF LARGO

By: \_\_\_\_\_  
City Manager

By: \_\_\_\_\_  
Mayor

[SEAL]

Reviewed and approved:

By: \_\_\_\_\_  
City Attorney

ATTEST:

By: \_\_\_\_\_  
City Clerk

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF MADEIRA BEACH

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

**IN WITNESS WHEREOF**, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

TOWN OF NORTH REDINGTON BEACH

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF OLDSMAR

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

APPROVED AS TO FORM

By: \_\_\_\_\_  
City Attorney

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF PINELLAS PARK

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

APPROVED AS TO FORM AND CONTENT

By: \_\_\_\_\_  
City Attorney

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

TOWN OF REDINGTON BEACH

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

**IN WITNESS WHEREOF**, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

TOWN OF REDINGTON SHORES

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

**IN WITNESS WHEREOF**, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF SAFETY HARBOR

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

**IN WITNESS WHEREOF**, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF ST. PETE BEACH

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

**IN WITNESS WHEREOF**, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF ST. PETERSBURG

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF SEMINOLE

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF SOUTH PASADENA

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF TARPON SPRINGS

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

**IN WITNESS WHEREOF**, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF TREASURE ISLAND

By: \_\_\_\_\_  
City Manager

By: \_\_\_\_\_  
Mayor

## EXHIBIT 1

The Municipalities shall be entitled to receive forty percent (40%) of the First Local Option Fuel Tax proceeds received by the County from the Department of Revenue and the County shall be entitled to retain sixty percent (60%) of the Local Option Fuel Tax proceeds. The Municipalities shall individually be entitled to receive the following respective portions of such forty percent (40%):

<u>Municipality</u>	<u>Allocation of Local Option Fuel Tax to be Received</u> <u>Effective January 1, 2018</u>
Belleair	0.0059
Belleair Beach	0.0024
Belleair Bluffs	0.0031
Belleair Shores	0.0002
Clearwater	0.1654
Dunedin	0.0539
Gulfport	0.0184
Indian Rocks Beach	0.0063
Indian Shores	0.0022
Kenneth City	0.0076
Largo	0.1202
Madeira Beach	0.0065
North Redington Beach	0.0022
Oldsmar	0.0210
Pinellas Park	0.0762
Redington Beach	0.0022
Redington Shores	0.0032
Safety Harbor	0.0257
St. Petersburg	0.3819
St. Pete Beach	0.0142
Seminole	0.0269
South Pasadena	0.0077
Tarpon Springs	0.0366
Treasure Island	0.0103

3. TERMINATION IF NO LEVY. This Second Amendment shall automatically terminate in the event that the County does not adopt an ordinance extending the Local Option Fuel Tax pursuant to Section 336.025, Florida Statutes, on or before September 1, 2017.

4. Except as amended herein, all other terms, conditions and provisions of the Interlocal dated December 21, 2005, and the First Amendment thereto dated May 6, 2008, shall remain in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:  
KEN BURKE, CLERK

PINELLAS COUNTY, FLORIDA, by and  
Through its Board of County Commissioners

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chair

[SEAL]

APPROVED AS TO FORM

By:   
Office of the County Attorney

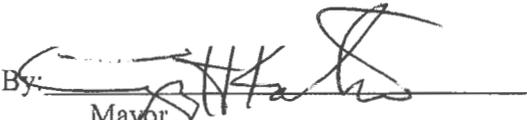
< **ADDITIONAL SIGNATURE PAGES TO FOLLOW** >

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

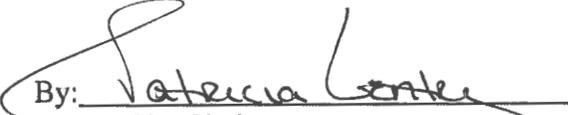
TOWN OF BELLEAIR

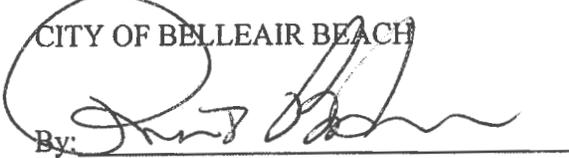
By:   
City Clerk

By:   
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

By:   
City Clerk

CITY OF BELLEAIR BEACH  
By:   
Mayor

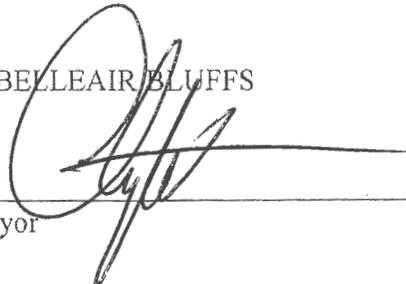
IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

By:   
City Clerk



CITY OF BELLEAIR BLUFFS

By:   
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF CLEARWATER

By: Heather Sprague  
For: City Clerk

By: William B. Moore II  
City Manager



COUNTERSIGNED:

By: -george crick  
Mayor

APPROVED AS TO FORM

By: MKA  
City Attorney

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

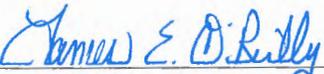
By: James Kirkpatrick  
City Clerk

CITY OF DUNEDIN

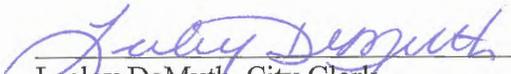
By: Julie Wood-Bryant  
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

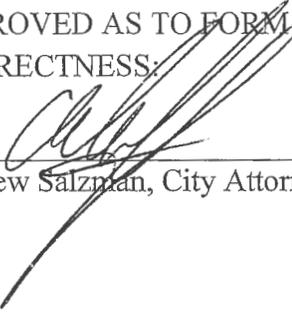
CITY OF GULFPORT, FLORIDA

  
James E. O'Reilly, City Manager

ATTEST:

  
Lesley DeMuth, City Clerk

APPROVED AS TO FORM AND  
CORRECTNESS:

  
Andrew Salzman, City Attorney

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF INDIAN ROCKS BEACH

By:

  
City Clerk

By:

  
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

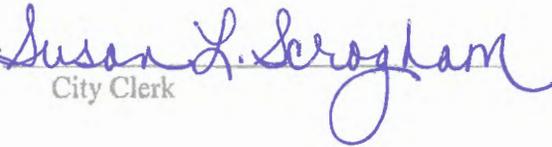
TOWN OF INDIAN SHORES

By: Clair Jackson, MMC  
City Clerk

By: James J. Lowery  
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

TOWN OF KENNETH CITY

By:   
City Clerk

By:   
Mayor

N WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF LARGO

By: *Norton Craig*  
City Manager

By: *[Signature]*  
Mayor

[SEAL]

Reviewed and approved:

By: *[Signature]*  
City Attorney

ATTEST:

By: *[Signature]*  
City Clerk



IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

By:   
City Clerk

CITY OF MADEIRA BEACH

By:   
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

By: Mari Sobell, cmc  
City Clerk

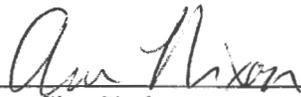
TOWN OF NORTH REDINGTON BEACH

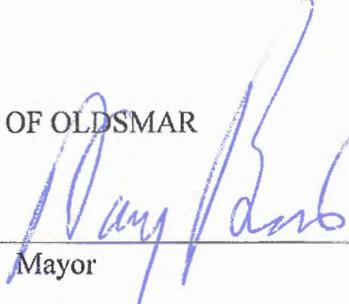
By: [Signature]  
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

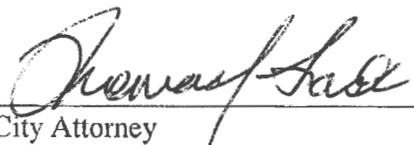
ATTEST:

CITY OF OLDSMAR

By:   
City Clerk

By:   
Mayor

APPROVED AS TO FORM

By:   
City Attorney

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

TOWN OF REDINGTON BEACH

By: Missy Clarke  
City Clerk

By: [Signature]  
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

TOWN OF REDINGTON SHORES

By: Mary F Salmer  
City Clerk

By: [Signature]  
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

By: Kara Sammas  
City Clerk

CITY OF SAFETY HARBOR

By: [Signature]  
Mayor

APPROVED AS TO FORM

By: [Signature]  
City Attorney

**IN WITNESS WHEREOF**, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

By: Patricia Beliveau  
City Clerk

CITY OF SEMINOLE

By: Ami Honey-Deal  
City Manager

APPROVED AS TO FORM:

By: [Signature]  
City Attorney

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF SOUTH PASADENA

By: Carly Lewis  
City Clerk

By: Don Calisher  
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF ST. PETERSBURG

By: Cathy E. Davis  
Acting City Clerk

By: [Signature]  
Mayor



Approved as to form and content:

[Signature]  
City Attorney (designee)

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF ST. PETE BEACH

By: Rebecca Dwyer 10/13/2015  
City Clerk

By: Maia Lowe  
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF TARPON SPRINGS

By: Jane S. Jacobs  
City Clerk

The seal of the City of Tarpon Springs, Florida, is circular. It features the text "CITY OF TARPON SPRINGS, FLORIDA" around the top inner edge and "INCORPORATED 1905" around the bottom inner edge. In the center, there is a smaller circle containing the word "SEAL".

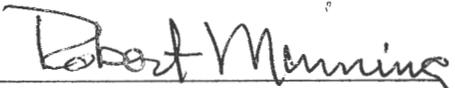
By: David O. Archie  
Mayor  
David O. Archie

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF TREASURE ISLAND

By:   
City Manager

By:   
Mayor

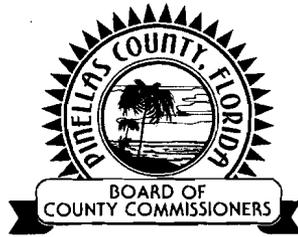
No. 58  
BCC 12-20-05  
3:00 P.M. Kennare/Fickley/SMITKE

#58 Interlocal agreement relating to the distribution of monies derived from imposition of the First Local Option Fuel Tax to the County and the various municipalities in the county, effective September 1, 2007, approved for execution; Ordinance No. 05-96 adopted extending the Local Option Fuel Tax for an additional ten years commencing September 1, 2007 and ending August 31, 2017. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Latvala  
Second - Commissioner Welch

Responding to queries by Commissioner Stewart, Director of the Office of Management and Budget Jerry Herron provided information pertaining to current and projected annual revenue; existing bond debt; and allocation of funds; and indicated that the new interlocal agreement reduces the County's share from 75 to 60 percent and increases the municipal share from 25 to 40 percent; and that revenue will be used for operation and maintenance of the existing infrastructure; and Mr. Spratt provided input.

Vote - 7 - 0



**BOARD OF COUNTY COMMISSIONERS**

**DATE:** December 20, 2005  
**AGENDA ITEM NO.** 58

**Consent Agenda**

**Regular Agenda**

**Public Hearing**

**County Administrator's Signature:** *[Handwritten Signature]*

**Subject:**

Execution of the attached Local Option Gas Tax interlocal agreements and adoption of a proposed Ordinance extending the existing Local Option Gas Tax.

**Department:**

Office of Management and Budget

**Staff Member Responsible:**

Jerry Herron, Director

**Recommended Action:**

I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS (BOARD) EXECUTE THE ATTACHED INTERLOCAL AGREEMENT RELATING TO THE DISTRIBUTION OF MONIES DERIVED FROM IMPOSITION OF THE LOCAL OPTION GAS TAX TO THE COUNTY AND THE VARIOUS MUNICIPALITIES IN THE COUNTY, EFFECTIVE SEPTEMBER 1, 2007, AND APPROVE THE PROPOSED ORDINANCE EXTENDING THE LOCAL OPTION GAS TAX.

**Summary Explanation/Background:**

The Board originally imposed a four-cent Local Option Gas Tax (LOGT) in 1985 for a period of ten years. The Board adjusted the tax in 1987 by increasing it to six cents and extending the period by two years. The Board extended the LOGT for an additional ten-year period effective September 1, 1997 through August 31, 2007. In connection with these actions, and pursuant to the statute authorizing the tax, the Board entered into interlocal agreements with the various municipalities within Pinellas (County), which agreements governed the distribution of the gas tax monies throughout the County.

This past summer, the Board indicated its intention to extend the authorization for an additional ten years commencing September 1, 2007 and ending August 31, 2017. The County distributed a new interlocal agreement to the various municipalities for their approval. While this agreement was similar to that which accompanied the previous extension, the updated agreement reduced the County portion of proceeds from 75 to 60 percent and increased the municipal share from 25 to 40 percent. An additional change altered the municipal distribution formula as a means of addressing population changes occurring since the last extension based upon 2004 population estimates. All of the municipalities have executed the revised interlocal agreement.

**Fiscal Impact/Cost/Revenue Summary:**

Approval of the proposed Ordinance and accompanying interlocal agreement will continue County LOGT revenues through 2017. Beginning in FY07, the revised interlocal agreement will generate approximately \$14.2 million annually in County revenue. One cent of LOGT generates approximately \$3.95 million annually.

**Exhibits/Attachments Attached:**

1. Interlocal Agreement and Signature Pages

- Town of Belleair
- City of Belleair Beach
- City of Belleair Bluffs
- Town of Belleair Shore
- City of Clearwater
- City of Dunedin
- City of Gulfport
- City of Indian Rocks Beach
- Town of Indian Shores
- City of Kenneth City
- City of Largo
- City of Madeira Beach
- Town of North Redington Beach
- City of Oldsmar
- City of Pinellas Park
- Town of Redington Beach
- Town of Redington Shores
- City of Safety Harbor
- City of Seminole
- City of South Pasadena
- City of St. Petersburg
- City of St. Pete Beach
- City of Tarpon Springs
- City of Treasure Island

2. Proposed Ordinance

ORDINANCE NO. 05- 96

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA AMENDING SECTION 118-137 OF THE PINELLAS COUNTY CODE RELATING TO THE USE OF THE SIX-CENT LOCAL OPTION FUEL TAX; ADDING SECTION 118-138 OF THE PINELLAS COUNTY CODE PROVIDING FOR THE EXTENSION OF THE LEVY OF THE SIX-CENT LOCAL OPTION FUEL TAX; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT THE PUBLIC HEARINGS AND WITH RESPONSIBLE AUTHORITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

2005 DEC 27 AM 9:31  
DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

FILED

WHEREAS, Section 336.025(1)(b), Florida Statutes, authorizes in addition to other taxes allowed by law, the imposition of a local option fuel tax of up to six cents (6¢) upon every gallon of motor and diesel fuel sold in a county and taxed under the provisions of Chapter 206, Florida Statutes, and further provides

WHEREAS, on June 18, 1985, the County levied and imposed a four cent (\$0.04) per gallon local option fuel tax by Ordinance No. 85-14, effective from September 1, 1985 through and including August 31, 1995; thereafter, the County increased the local option fuel tax rate from four cents (\$0.04) to six cents (\$0.06) for the period from September 1, 1987 through August 31, 1995, and additionally imposed the six cents (\$0.06) local option fuel tax from September 1, 1995 until August 31, 1997 by Ordinance No. 87-46; and extended the six cents (\$0.06) local option fuel tax for a period of ten (10) years from September 1, 1997 through August 31, 2007 by Ordinance No. 93-64 (the six cents levy hereinafter sometimes referred to as the "Local Option Fuel Tax").

WHEREAS, there exists a need within Pinellas County for additional funds to be used for transportation expenditures permitted by Section 336.025(7), Florida Statutes; and

WHEREAS, the Board now desires to extend the Local Option Fuel Tax for a period of ten (10) years commencing on September 1, 2007 and ending on August 31, 2017; and

WHEREAS, the County and municipalities representing a majority of the population of the incorporated area of Pinellas County have entered into an interlocal agreement pursuant to which a distribution formula has been established for the division of the proceeds of the First Local Option Fuel Tax through August 31, 2017.

NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, in a meeting duly assembled this 20 day of December, 2005 that:

SECTION 1. Section 118-137 of the Pinellas County Code is hereby amended to read as follows:

Sec. 118-137. Use of proceeds.

The county's and cities' shares of the proceeds of the tax shall only be used for transportation expenditures as defined by Section 336.025(7), Florida Statutes.

SECTION 2. Section 118-138 of the Pinellas County Code is hereby added to read as follows:

Sec. 118-138. Extension of the Local Option Fuel Tax.

The six cent (\$0.06) Local Option Fuel Tax levied pursuant to Section 336.025(1)(a), Florida Statutes, upon every gallon of motor and diesel fuel sold in Pinellas County and taxed pursuant to Chapter 206, Florida Statutes, as provided in section 118-131, is hereby levied and imposed for the period commencing September 1, 2007 and ending at midnight August 31, 2017.

SECTION 3. Prior Pledge of Local Option Fuel Tax Proceeds Unaffected Hereby.

Nothing in this Ordinance shall under any circumstances materially or adversely affect the rights of holders of any bonds or other such debt which have pledged as security therefore, and the Local Option Fuel Tax, and the covenants regarding such pledge itself shall not be affected hereunder.

SECTION 4. 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 5. Codification.

The provisions of this Ordinance shall be included and incorporated in the Pinellas County Code as an addition thereto, and shall be appropriately numbered to conform to the uniform system of the Code.

SECTION 6. Filing Of Ordinance.

Pursuant to §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. Additionally, pursuant to §336.025(5)(a), Florida Statutes, a certified copy of this Ordinance shall be furnished to the Department of Revenue by the Clerk of the Board of County Commissioners within ten (10) days after the enactment, with the notification of the extension of levy of the Local Option Fuel Tax.

Commissioner Latvala offered the foregoing Ordinance and moved its adoption, which was seconded by Commissioner Welch, and upon roll call the vote was:

7 AYES Morrioni, Welch, Stewart, Harris, Seel, Latvala, and Duncan.  
0 NAYES  
0 ABSENT AND NOT VOTING

APPROVED AS TO FORM  
OFFICE OF COUNTY ATTORNEY

By *[Signature]* Attorney

STATE OF FLORIDA  
COUNTY OF PINELLAS

I, KEN BURKE, Clerk of the Circuit Court and Ex-Officio Clerk to the Board of County Commissioners, in and for the State and County aforesaid, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners of Pinellas County, Florida, on December 20, 2005 relative to:

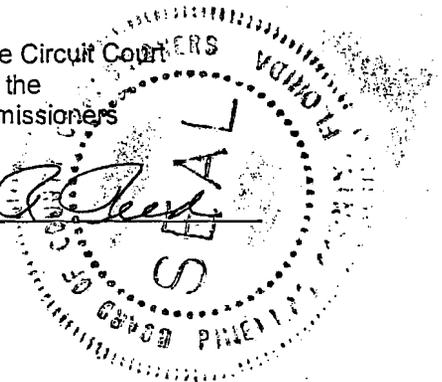
ORDINANCE NO. 05- 96

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA AMENDING SECTION 118-137 OF THE PINELLAS COUNTY CODE RELATING TO THE USE OF THE SIX-CENT LOCAL OPTION FUEL TAX; ADDING SECTION 118-138 OF THE PINELLAS COUNTY CODE PROVIDING FOR THE EXTENSION OF THE LEVY OF THE SIX-CENT LOCAL OPTION FUEL TAX; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT THE PUBLIC HEARINGS AND WITH RESPONSIBLE AUTHORITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this 23 day of December, 2005.

Ken Burke, Clerk of the Circuit Court  
and Ex-officio Clerk to the  
Board of County Commissioners

By: Linda R. Sheer  
Deputy Clerk



STATE OF FLORIDA

COUNTY OF PINELLAS

I, KEN BURKE, Clerk of the Circuit Court and Ex-officio Clerk to the Board of County Commissioners, in and for the State and County aforesaid, DO HEREBY CERTIFY that the foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners of Pinellas County, Florida, on December 20, 2005 relative to:

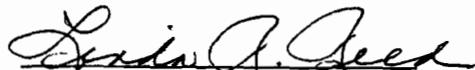
ORDINANCE NO. 05- 96

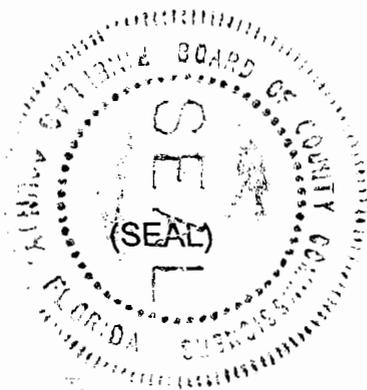
AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA AMENDING SECTION 118-137 OF THE PINELLAS COUNTY CODE RELATING TO THE USE OF THE SIX-CENT LOCAL OPTION FUEL TAX; ADDING SECTION 118-138 OF THE PINELLAS COUNTY CODE PROVIDING FOR THE EXTENSION OF THE LEVY OF THE SIX-CENT LOCAL OPTION FUEL TAX; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT THE PUBLIC HEARINGS AND WITH RESPONSIBLE AUTHORITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this December 23, 2005.

KEN BURKE  
Clerk of the Circuit Court  
and Ex-officio Clerk to the  
Board of County Commissioners

By:

  
Linda R. Reed, Deputy Clerk





FLORIDA DEPARTMENT OF STATE  
**David E. Mann**  
Secretary of State  
DIVISION OF LIBRARY AND INFORMATION SERVICES

December 28, 2005

Honorable Ken Burke  
Clerk of Board of County Commissioners  
Pinellas County  
315 Court Street  
Clearwater, Florida 33756

Attention: Linda R. Reed, Deputy Clerk

Dear Mr. Burke:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated December 23, 2005 and certified copies of Pinellas County Ordinance Nos. 05-92 through 05-96, which were filed in this office on December 27, 2005.

As requested, the date stamped copies are being returned for your records and a copy of this letter has been faxed to (727)464-4716.

Sincerely,

Liz Cloud  
Program Administrator

LC/kcs

Enclosures

RECEIVED  
BOARD OF  
COUNTY COMMISSIONERS  
PINELLAS COUNTY, FL  
JAN 9 11 27 AM '06

STATE LIBRARY OF FLORIDA

R.A. Gray Building • Tallahassee, Florida 32399-0250 • (850) 245-6600

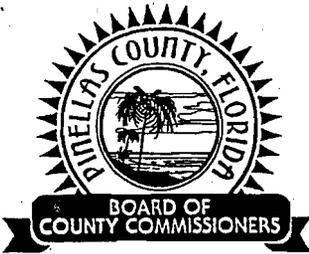
FAX: (850) 488-2746 • TDD: (850) 922-4085 • <http://www.dos.state.fl.us>

LEGISLATIVE LIBRARY SERVICE  
(850) 488-2812 • FAX: (850) 488-9879

RECORDS MANAGEMENT SERVICES  
(850) 487-2180 • FAX: (850) 413-7224

FLORIDA STATE ARCHIVES  
(850) 245-6700 • FAX: (850) 488-4894

ADMINISTRATIVE CODE AND WEEKLY  
(850) 245-6270 • FAX: (850) 245-6282



**BOARD OF COUNTY COMMISSIONERS**  
**PINELLAS COUNTY, FLORIDA**

315 COURT STREET  
CLEARWATER, FL 33756

**KEN BURKE**

CLERK OF BOARD OF COUNTY COMMISSIONERS  
CLERK OF WATER AND NAVIGATION CONTROL AUTHORITY  
COUNTY AUDITOR AND TREASURER

December 23, 2005

Liz Cloud, Chief  
Bureau of Administrative Code  
Department of State  
R.A. Gray Building  
500 South Bronough Street  
Tallahassee, Florida 32399-0250  
Attn: Karlyn Solis

Dear Mrs. Cloud:

Enclosed herewith are certified copies of Ordinances Nos. 05-92 through 05-96 adopted by the Pinellas County Board of County Commissioners at its meeting held on December 20, 2005.

Please return one receipted copy of the Ordinances to Linda R. Reed, Deputy Clerk, Board Records Department, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida 33756.

Very truly yours,

**KEN BURKE, CLERK**

By:   
Linda R. Reed, Deputy Clerk

LRR/dlb

Enclosures

**FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM (CODRS)  
CODING FORM**

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (850)245-6270 or Suncom 205-6270.

**COUNTY:** (Pinellas)

**COUNTY ORDINANCE #** (05-96)

**PRIMARY KEYFIELD**

**DESCRIPTION:** (Code/Regulations)

**SECONDARY KEYFIELD**

**DESCRIPTION:** ( \_\_\_\_\_ )

**OTHER KEYFIELD**

**DESCRIPTION:** ( \_\_\_\_\_ )

**ORDINANCE DESCRIPTION:** (Six-Cent Local Option Fuel Tax)

**ORDINANCES AMENDED:** (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)

**AMENDMENT # 1:** ( \_\_\_\_\_ )

**AMENDMENT # 2:** ( \_\_\_\_\_ )

**ORDINANCES REPEALED:** (List below the ordinances that are repealed by this legislation.)

**REPEAL # 1:** ( \_\_\_\_\_ )

**REPEAL # 3:** ( \_\_\_\_\_ )

**REPEAL # 2:** ( \_\_\_\_\_ )

**REPEAL # 4:** ( \_\_\_\_\_ )

(Others repealed: List all that apply): \_\_\_\_\_

(FOR OFFICE USE ONLY):

COUNTY CODE NUMBER: ( \_\_\_\_\_ )

KEYFIELD 1 CODE: ( \_\_\_\_\_ )

KEYFIELD 2 CODE: ( \_\_\_\_\_ )

KEYFIELD 3 CODE: ( \_\_\_\_\_ )

REV. 4/10/01

**ORDINANCE NO. 05-\_\_\_\_\_**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA AMENDING SECTION 118-137 OF THE PINELLAS COUNTY CODE RELATING TO THE USE OF THE SIX-CENT LOCAL OPTION FUEL TAX; ADDITION SECTION 118-138 OF THE PINELLAS COUNTY CODE PROVIDING FOR THE EXTENSION OF THE LEVY OF THE SIX-CENT LOCAL OPTION FUEL TAX; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT THE PUBLIC HEARINGS AND WITH RESPONSIBLE AUTHORITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 336.025(1)(b), Florida Statutes, authorizes in addition to other taxes allowed by law, the imposition of a local option fuel tax of up to six cents (6¢) upon every gallon of motor and diesel fuel sold in a county and taxed under the provisions of Chapter 206, Florida Statutes, and further provides

WHEREAS, on June 18, 1985, the County levied and imposed a four cent (\$0.04) per gallon local option fuel tax by Ordinance No. 85-14, effective from September 1, 1985 through and including August 31, 1995; thereafter, the County increased the local option fuel tax rate from four cents (\$0.04) to six cents (\$0.06) for the period from September 1, 1987 through August 31, 1995, and additionally imposed the six cents (\$0.06) local option fuel tax from September 1, 1995 until August 31, 1997 by Ordinance No. 87-46; and extended the six cents (\$0.06) local option fuel tax for a period of ten (10) years from September 1, 1997 through August 31, 2007 by Ordinance No. 93-64 (the "six cents levy hereinafter sometimes referred to as the "Local Option Fuel Tax").

WHEREAS, there exists a need within Pinellas County for additional funds to be used for transportation expenditures permitted by Section 336.025(7), Florida Statutes; and

WHEREAS, the Board now desires to extend the Local Option Fuel Tax for a period of ten (10) years commencing on September 1, 2007 and ending on August 31, 2017; and

WHEREAS, the County and municipalities representing a majority of the population of the incorporated area of Pinellas County have entered into an interlocal agreement pursuant to which a distribution formula has been established for the division of the proceeds of the First Local Option Fuel Tax through August 31, 2017.

NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, in a meeting duly assembled this \_\_\_ day of \_\_\_\_\_, 2005 that:

SECTION 1. Section 118-137 of the Pinellas County Code is hereby amended to read as follows:

Sec. 118-137. Use of proceeds ~~for construction projects.~~

The county's and cities' shares of the proceeds of the tax shall only be used to construct projects contained on the Metropolitan Planning Organization's Adopted Year 2010 Long Range Plan consistent with project scheduling and priorities as adopted by the Metropolitan Planning Organization as part of its five-year transportation improvement program pursuant to F.S. § 339.175 for transportation expenditures as defined by Section 336.025(7), Florida Statutes.

SECTION 2. Section 118-138 of the Pinellas County Code is hereby added to read as follows:

Sec. 118-138. Extension of the Local Option Fuel Tax.

The six cent (\$0.06) Local Option Fuel Tax levied pursuant to Section 336.025(1)(a), Florida Statutes, upon every gallon of motor and diesel fuel sold in Pinellas County and taxed pursuant to Chapter 206, Florida Statutes, as provided in section 118-131, is hereby levied and imposed for the period commencing September 1, 2007 and ending at midnight August 31, 2017.

SECTION 3. Prior Pledge of Local Option Fuel Tax Proceeds Unaffected Hereby.

Nothing in this Ordinance shall under any circumstances materially or adversely affect the rights of holders of any bonds or other such debt which have pledged as security therefore, and the Local Option Fuel Tax, and the covenants regarding such pledge itself shall not be affected hereunder.

SECTION 4. 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 5. Codification.

The provisions of this Ordinance shall be included and incorporated in the Pinellas County Code as an addition thereto, and shall be appropriately numbered to conform to the uniform system of the Code.

SECTION 6. Filing Of Ordinance.

Pursuant to §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. Additionally, pursuant to §336.025(5)(a), Florida Statutes, a certified copy of this Ordinance shall be furnished to the Department of Revenue by the Clerk of the Board of County Commissioners within ten (10) days after the enactment, with the notification of the extension of levy of the Local Option Fuel Tax.

Commissioner \_\_\_\_\_ offered the foregoing Ordinance and moved its adoption, which was seconded by Commissioner \_\_\_\_\_, and upon roll call the vote was:

\_\_\_\_\_ AYES  
\_\_\_\_\_ NAYES  
\_\_\_\_\_ ABSENT AND NOT VOTING

STATE OF FLORIDA  
COUNTY OF PINELLAS

I, KEN BURKE, Clerk of the Circuit Court and Ex-Officio Clerk to the Board of County Commissioners, in and for the State and County aforesaid, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners of Pinellas County, Florida, on \_\_\_\_\_ relative to:

ORDINANCE NO. 05-\_\_\_\_

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA AMENDING SECTION 118-137 OF THE PINELLAS COUNTY CODE RELATING TO THE USE OF THE SIX-CENT LOCAL OPTION FUEL TAX; ADDITION SECTION 118-138 OF THE PINELLAS COUNTY CODE PROVIDING FOR THE EXTENSION OF THE LEVY OF THE SIX-CENT LOCAL OPTION FUEL TAX; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT THE PUBLIC HEARINGS AND WITH RESPONSIBLE AUTHORITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this \_\_\_ day of \_\_\_\_\_, 2005.

Ken Burke, Clerk of the Circuit Court  
and Ex-officio Clerk to the  
Board of County Commissioners

By: \_\_\_\_\_  
Deputy Clerk

**ORDINANCE NO. 05-\_\_\_\_\_**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA AMENDING SECTION 118-137 OF THE PINELLAS COUNTY CODE RELATING TO THE USE OF THE SIX-CENT LOCAL OPTION FUEL TAX; ADDITION SECTION 118-138 OF THE PINELLAS COUNTY CODE PROVIDING FOR THE EXTENSION OF THE LEVY OF THE SIX-CENT LOCAL OPTION FUEL TAX; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT THE PUBLIC HEARINGS AND WITH RESPONSIBLE AUTHORITIES; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Section 336.025(1)(b), Florida Statutes, authorizes in addition to other taxes allowed by law, the imposition of a local option fuel tax of up to six cents (6¢) upon every gallon of motor and diesel fuel sold in a county and taxed under the provisions of Chapter 206, Florida Statutes, and further provides

WHEREAS, on June 18, 1985, the County levied and imposed a four cent (\$0.04) per gallon local option fuel tax by Ordinance No. 85-14, effective from September 1, 1985 through and including August 31, 1995; thereafter, the County increased the local option fuel tax rate from four cents (\$0.04) to six cents (\$0.06) for the period from September 1, 1987 through August 31, 1995, and additionally imposed the six cents (\$0.06) local option fuel tax from September 1, 1995 until August 31, 1997 by Ordinance No. 87-46; and extended the six cents (\$0.06) local option fuel tax for a period of ten (10) years from September 1, 1997 through August 31, 2007 by Ordinance No. 93-64 (the six cents levy hereinafter sometimes referred to as the "Local Option Fuel Tax").

WHEREAS, there exists a need within Pinellas County for additional funds to be used for transportation expenditures permitted by Section 336.025(7), Florida Statutes; and

WHEREAS, the Board now desires to extend the Local Option Fuel Tax for a period of ten (10) years commencing on September 1, 2007 and ending on August 31, 2017; and

WHEREAS, the County and municipalities representing a majority of the population of the incorporated area of Pinellas County have entered into an interlocal agreement pursuant to which a distribution formula has been established for the division of the proceeds of the First Local Option Fuel Tax through August 31, 2017.

NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, in a meeting duly assembled this \_\_\_ day of \_\_\_\_\_, 2005 that:

SECTION 1. Section 118-137 of the Pinellas County Code is hereby amended to read as follows:

Sec. 118-137. Use of proceeds.

The county's and cities' shares of the proceeds of the tax shall only be used for transportation expenditures as defined by Section 336.025(7), Florida Statutes.

SECTION 2. Section 118-138 of the Pinellas County Code is hereby added to read as follows:

Sec. 118-138. Extension of the Local Option Fuel Tax.

The six cent (\$0.06) Local Option Fuel Tax levied pursuant to Section 336.025(1)(a), Florida Statutes, upon every gallon of motor and diesel fuel sold in Pinellas County and taxed pursuant to Chapter 206, Florida Statutes, as provided in section 118-131, is hereby levied and imposed for the period commencing September 1, 2007 and ending at midnight August 31, 2017.

SECTION 3. Prior Pledge of Local Option Fuel Tax Proceeds Unaffected Hereby.

Nothing in this Ordinance shall under any circumstances materially or adversely affect the rights of holders of any bonds or other such debt which have pledged as security therefore, and the Local Option Fuel Tax, and the covenants regarding such pledge itself shall not be affected hereunder.

SECTION 4. 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 5. Codification.

The provisions of this Ordinance shall be included and incorporated in the Pinellas County Code as an addition thereto, and shall be appropriately numbered to conform to the uniform system of the Code.

SECTION 6. Filing Of Ordinance.

Pursuant to §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. Additionally, pursuant to §336.025(5)(a), Florida Statutes, a certified copy of this Ordinance shall be furnished to the Department of Revenue by the Clerk of the Board of County Commissioners within ten (10) days after the enactment, with the notification of the extension of levy of the Local Option Fuel Tax.

Commissioner \_\_\_\_\_ offered the foregoing Ordinance and moved its adoption, which was seconded by Commissioner \_\_\_\_\_, and upon roll call the vote was:

- \_\_\_\_\_ AYES
- \_\_\_\_\_ NAYES
- \_\_\_\_\_ ABSENT AND NOT VOTING

APPROVED AS TO FORM  
OFFICE OF COUNTY ATTORNEY

By  \_\_\_\_\_  
Attorney

**INTERLOCAL AGREEMENT**

**THIS INTERLOCAL AGREEMENT** made and entered into as of the 21 day of December, 2005, by and between Pinellas County, a political subdivision of the State of Florida (the "County") and the municipalities that are parties hereto within Pinellas County representing a majority of the population of the incorporated area of Pinellas County, as listed on the signature pages hereto (the "Municipalities").

**W I T N E S S E T H :**

**WHEREAS**, this Agreement is authorized by Section 336.025, Florida Statutes, and other applicable law; and

**WHEREAS**, Section 336.025(1)(a), Florida Statutes, authorizes the imposition of a local option fuel tax of up to six cents (\$0.06) upon every gallon of motor fuel and diesel fuel sold in the County and taxed under the provisions of Chapter 206, Florida Statutes; and

**WHEREAS**, that section also provides that this tax may be extended or the distribution changed in the manner set forth herein; and

**WHEREAS**, on June 18, 1985, the County levied and imposed a four cent (\$0.04) per gallon local option fuel tax by Ordinance No. 85-14, effective from September 1, 1985 through and including August 31, 1995; thereafter, the County increased the local option fuel tax rate from four cents (\$0.04) to six cents (\$0.06) for the period from September 1, 1987 through August 31, 1995, and additionally imposed the six cents (\$0.06) local option fuel tax from September 1, 1995 until August 31, 1997 by Ordinance No. 87-46; and extended the six cents (\$0.06) local option fuel tax for a period of ten (10) years from September 1, 1997 until August 31, 2007 by Ordinance No. 93-64 (the six cents levy hereinafter sometimes referred to as the "First Local Option Fuel Tax").

**WHEREAS**, in accordance with these ordinances, the County and Municipalities representing a majority of the population of the incorporated areas of Pinellas County previously entered into interlocal agreements dated June 18, 1985, May 19, 1987 and July 1, 1991, which determined the method and distribution of the First Local Option Fuel Tax (“Prior Interlocals”); and

**WHEREAS**, there exists a need within Pinellas County for additional funds to be used for transportation expenditures authorized by Section 336.025, Florida Statutes; and

**WHEREAS**, the County and the Municipalities are desirous of insuring a stable and sufficient revenue flow from the local option fuel tax proceeds both in terms of the amount and the period of the levy, in order to have such monies available for the payment of transportation expenditures incurred by the County and the Municipalities as permitted by applicable Florida law; and

**WHEREAS**, the purpose and intent of this Interlocal Agreement is to establish a current plan for the continued administration and expenditure of the proceeds of the First Local Option Fuel Tax, as well as a new distribution formula by redetermining the division of the proceeds from the First Local Option Fuel Tax among the County and the Municipalities, conditioned upon the further extension of the First Local Option Fuel Tax.

**NOW, THEREFORE**, in consideration of the premises and of the mutual benefit, and in consideration of the covenants and agreements set forth herein, the County and the Municipalities agree as follows:

**SECTION 1. PRIOR PLEDGE OF LOCAL OPTION GAS TAX PROCEEDS**

**UNAFFECTED HEREBY.** Nothing in this Interlocal Agreement shall under any circumstances materially or adversely affect the rights of holders of any bonds or other such debt which have pledged as security therefore the First Local Option Fuel Tax, and the covenants regarding such pledge and the pledge itself shall not be affected hereby. Furthermore, the amounts distributed hereunder shall not be reduced by virtue of or due to the terms of this Interlocal Agreement below the amount pledged for the payment of principal, interest, and reserves as required under the covenants of any bond resolution or indenture outstanding on the date of establishment of this Interlocal Agreement.

**SECTION 2. DISTRIBUTION.** The First Local Option Fuel Tax imposed by the County upon every gallon of motor fuel and diesel fuel sold in the County and taxed under the provisions of Chapter 206, Florida Statutes, shall be distributed by the State Department of Revenue directly to the County, for placement in the Local Option Fuel Tax Trust Fund Account for subsequent allocation and disbursement to the Municipalities and the County in accordance with the distribution formula attached hereto as Appendix "A" and incorporated by reference herein.

**SECTION 3. UTILIZATIONS OF FUEL TAXES.** The County and the Municipalities agree that the moneys received from the First Local Option Fuel Tax, or the proceeds of any revenue bonds secured thereby, shall only be utilized for transportation expenditures as defined by Section 336.025(7), Florida Statutes.

**SECTION 4. PRIOR INTERLOCALS SUPERSEDED.** Commencing on the Effective Date of this Interlocal Agreement as defined in Section 8, the County and the Municipalities agree that the County shall administer the allocation of estimated cash receipts

and shall distribute the proceeds of the First Local Option Fuel Tax to the Municipalities and the County in accordance with the distribution formula in Appendix A. The distribution terms of this Interlocal Agreement shall supersede the distribution formulas contained in the Prior Interlocals, and the distribution of the First Local Option Fuel Tax proceeds shall be governed specifically by the terms of this Interlocal Agreement as of the Effective Date. During the period between when this Interlocal Agreement is approved by the parties hereto and the Effective Date, the First Local Option Fuel Tax shall be distributed in accordance with the Interlocal Agreement dated July 1, 1991. The parties hereby agree that all distributions which have been undertaken prior to the date hereof are proper and acceptable and the parties hereby waive any right to dispute any amounts previously distributed.

**SECTION 5. ABILITY TO PLEDGE.** The parties respective portions of the First Local Option Fuel Tax may be pledged by the County or the Municipalities to secure revenue bonds or other obligations for the purposes set forth in Section 336.025, Florida Statutes, and as set forth in this Agreement. The County and the Municipalities may also develop, implement and administer any other program or financial arrangement in accordance with applicable law and this Interlocal Agreement which provides for payment with their respective share of the First Local Option Fuel Tax.

**SECTION 6. NEW MUNICIPALITIES.** Any municipality which may become newly incorporated in the County after the effective date hereof and which is eligible for participation in the distribution of the proceeds of the First Local Option Fuel Tax under Parts II and VI of Chapter 218 may become a party hereto, but only in accordance with Section 336.025(4)(b), Florida Statutes.

**SECTION 7. AMENDMENT.** This Agreement may be amended in writing upon the express formal consent of the governing bodies of all the parties.

**SECTION 8. EFFECTIVE DATE.** This Agreement shall be effective for the purposes stated herein on September 1, 2007, and except as otherwise provided herein, shall expire on August 31, 2017.

**SECTION 9. TERMINATION IF NO LEVY.** This Agreement shall automatically terminate in the event that the County does not adopt an ordinance extending the First Local Option Fuel Tax pursuant to Section 336.025, Florida Statutes, on or before January 1, 2007.

**SECTION 10. PERIODIC REVIEW.** The County and Municipalities shall review the distribution formula for the First Local Option Fuel Tax at least every ten (10) years during the term hereof, including any extensions of this Interlocal Agreement.

**SECTION 11. FILING INTERLOCAL AGREEMENT.** Upon the execution hereof by the duly authorized representatives of the parties, this Interlocal Agreement shall be filed with the Clerk of the Circuit Court for recording in the public records of Pinellas County, Florida, as required by Section 163.01(11), Florida Statutes.

**<SIGNATURE PAGE FOLLOWS>**

**IN WITNESS WHEREOF**, the parties hereto have caused this Interlocal Agreement to be executed as of the day and year first above written.

ATTEST:  
KEN BURKE

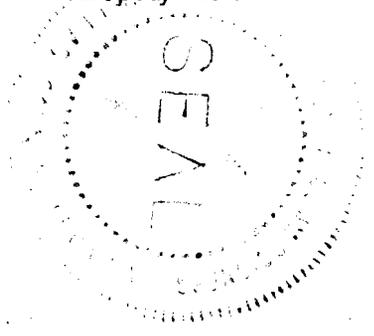
PINELLAS COUNTY, FLORIDA  
by and through its  
Board of County Commissioners

By: *Linda A. Reed*  
Deputy Clerk

By: *John Morrone*  
John Morrone, Chairman

APPROVED AS TO FORM:

By: *[Signature]*  
Office of the County Attorney



IN WITNESS WHEREOF, the parties hereto have caused this Interlocal Agreement to be executed as of the day and year first above written.

ATTEST  
KEN BURKE, CLERK

PINELLAS COUNTY, FLORIDA by and through its Board of County Commissioners

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
John Morroni, Chairman

[SEAL]

ATTEST:

TOWN OF BELLEAIR

By: Donna Carlen  
Town Clerk

By: Shawna  
Mayor

[SEAL]

ATTEST:

CITY OF BELLEAIR BEACH

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF BELLEAIR BLUFFS

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

TOWN OF BELLEAIR SHORE

By: \_\_\_\_\_  
Town Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

IN WITNESS WHEREOF, the parties hereto have caused this Interlocal Agreement to be executed as of the day and year first above written.

ATTEST  
KEN BURKE, CLERK

PINELLAS COUNTY, FLORIDA by and through its Board of County Commissioners

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
John Morroni, Chairman

[SEAL]

ATTEST:

TOWN OF BELLEAIR

By: \_\_\_\_\_  
Town Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF BELLEAIR BEACH

By: Nancy G. McCallum  
City Clerk

By: [Signature]  
Mayor

[SEAL]

ATTEST:

CITY OF BELLEAIR BLUFFS

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

TOWN OF BELLEAIR SHORE

By: \_\_\_\_\_  
Town Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

IN WITNESS WHEREOF, the parties hereto have caused this Interlocal Agreement to be executed as of the day and year first above written.

ATTEST  
KEN BURKE, CLERK

PINELLAS COUNTY, FLORIDA by and through its Board of County Commissioners

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
John Morroni, Chairman

[SEAL]

ATTEST:

TOWN OF BELLEAIR

By: \_\_\_\_\_  
Town Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF BELLEAIR BEACH

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF BELLEAIR BLUFFS

By: Debra Sullivan  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

TOWN OF BELLEAIR SHORE

By: \_\_\_\_\_  
Town Clerk

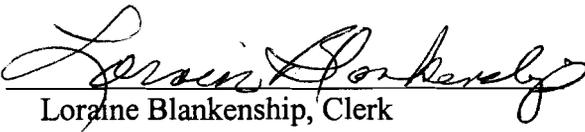
By: \_\_\_\_\_  
Mayor

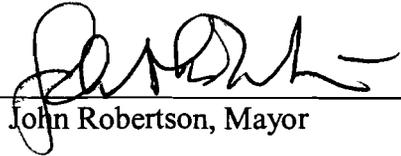
[SEAL]

**IN WITNESS WHEREOF**, the parties hereto have caused this Interlocal Agreement to be executed as of the day and year first above written.

ATTEST:

TOWN OF BELLEAIR SHORE

By:   
Loraine Blankenship, Clerk

By:   
John Robertson, Mayor

[SEAL]

IN WITNESS WHEREOF, the parties hereto have caused this Interlocal Agreement to be executed as of the day and year first above written.

ATTEST:

CITY OF CLEARWATER, FLORIDA

By: Cynthia E. Goudeau  
Cynthia E. Goudeau, City Clerk

By: William B. Horne II  
William B. Horne, II, City Manager

[SEAL]

COUNTERSIGNED::

By: Frank V. Hibbard  
Frank V. Hibbard, Mayor

APPROVED AS TO FORM:

By: Pamela K. Akin  
Pamela K. Akin, City Attorney

IN WITNESS WHEREOF, the parties hereto have caused this Interlocal Agreement to be executed as of the day and year first above written.

ATTEST:

CITY OF DUNEDIN, FLORIDA

By: Leire Oregan  
City Clerk

By: John Doglione  
John Doglione, Mayor

[SEAL]

ATTEST:

CITY OF CLEARWATER

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF DUNEDIN

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF GULFPORT

By: Jamie M. Spence  
City Clerk

By: Michael J. Jahn  
Mayor

[SEAL]

ATTEST:

CITY OF INDIAN ROCKS BEACH

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

TOWN OF INDIAN SHORES

By: \_\_\_\_\_  
Town Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF KENNETH CITY

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF CLEARWATER

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF DUNEDIN

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF GULFPORT

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF INDIAN ROCKS BEACH

By: Deanne B. O'Reilly  
Deanne Bulino O'Reilly, City Clerk

By: William A. Ockunzzi  
William A. Ockunzzi, Mayor

[SEAL]

ATTEST:

TOWN OF INDIAN SHORES

By: \_\_\_\_\_  
Town Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF KENNETH CITY

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

**IN WITNESS WHEREOF**, the parties hereto have caused this Interlocal Agreement to be executed as of the day and year first above written.

ATTEST:

TOWN OF INDIAN SHORES

By: *Marcia Grantham*  
Marcia Grantham, Town Clerk

By: *Donald L. Taber*  
Donald L. Taber, Mayor

[SEAL]

ATTEST:

CITY OF CLEARWATER

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF DUNEDIN

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF GULFPORT

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF INDIAN ROCKS BEACH

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

TOWN OF INDIAN SHORES

By: \_\_\_\_\_  
Town Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF KENNETH CITY

By: Nancy J. Beelmon  
City Clerk

By: William B. Smith  
Mayor

[SEAL]

IN WITNESS WHEREOF, the parties hereto have caused this Interlocal Agreement to be executed as of the day and year first above written.

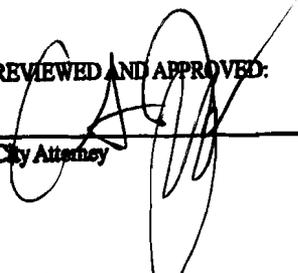
ATTEST:

CITY OF LARGO, FLORIDA

By:   
Steve Stanton, City Manager

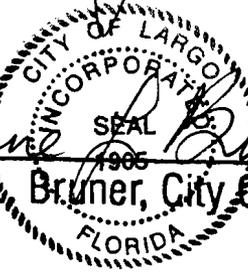
By:   
Robert Jackson, Mayor

[SEAL]

REVIEWED AND APPROVED:  
  
City Attorney

  
Attest: 

Attest:   
Diane L. Bruner, City Clerk



ATTEST:

By: \_\_\_\_\_  
City Clerk

[SEAL]

ATTEST:

By:   
Denise M. Schlegel, City Clerk

[SEAL]

ATTEST:

By: \_\_\_\_\_  
Town Clerk

[SEAL]

ATTEST:

By: \_\_\_\_\_  
City Clerk

[SEAL]

ATTEST:

By: \_\_\_\_\_  
City Clerk

[SEAL]

ATTEST:

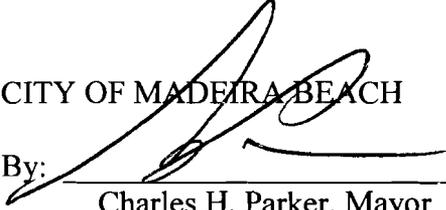
By: \_\_\_\_\_  
Town Clerk

[SEAL]

CITY OF LARGO

By: \_\_\_\_\_  
Mayor

CITY OF MADEIRA BEACH

By:   
Charles H. Parker, Mayor

TOWN OF N. REDINGTON BEACH

By: \_\_\_\_\_  
Mayor

CITY OF OLDSMAR

By: \_\_\_\_\_  
Mayor

CITY OF PINELLAS PARK

By: \_\_\_\_\_  
Mayor

TOWN OF REDINGTON BEACH

By: \_\_\_\_\_  
Mayor

**IN WITNESS WHEREOF**, the parties hereto have caused this Interlocal Agreement to be executed as of the day and year first above written.

ATTEST:

TOWN OF N. REDINGTON BEACH

By: Sharon V. Proehl  
Sharon Proehl, Town Clerk

By: Bill Queen  
Bill Queen, Mayor

[SEAL]

ATTEST:

CITY OF LARGO

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF MADEIRA BEACH

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

TOWN OF N. REDINGTON BEACH

By: \_\_\_\_\_  
Town Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF OLDSMAR

By: *Lidia Lene*  
City Clerk

By: *Chris Rauh*  
RICE - Mayor

[SEAL]

*Approved as to form:  
Thomas Bush  
City Attorney*

ATTEST:

CITY OF PINELLAS PARK

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

TOWN OF REDINGTON BEACH

By: \_\_\_\_\_  
Town Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF LARGO

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF MADEIRA BEACH

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

TOWN OF N. REDINGTON BEACH

By: \_\_\_\_\_  
Town Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF OLDSMAR

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF PINELLAS PARK

By: Christine Gardner  
Deputy City Clerk Christine Gardner, CMC

By: William F. Mischler  
Mayor William F. Mischler  
Approved as to form and content:

[SEAL]

James W. Denhardt  
City Attorney, James W. Denhardt

ATTEST:

TOWN OF REDINGTON BEACH

By: \_\_\_\_\_  
Town Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

**IN WITNESS WHEREOF**, the parties hereto have caused this Interlocal Agreement to be executed as of the day and year first above written.

ATTEST:

TOWN OF REDINGTON BEACH

By:   
~~Larry W. Bittner~~, Town Clerk

By:   
Bob Fountaine, Mayor

[SEAL] 

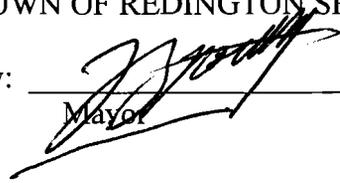
ATTEST:

By: \_\_\_\_\_  
Town Clerk

[SEAL]

TOWN OF REDINGTON SHORES

By: \_\_\_\_\_  
Mayor



ATTEST:

By: \_\_\_\_\_  
City Clerk

[SEAL]

CITY OF SAFETY HARBOR

By: \_\_\_\_\_  
Mayor

ATTEST:

By: \_\_\_\_\_  
City Clerk

[SEAL]

CITY OF SEMINOLE

By: \_\_\_\_\_  
Mayor

ATTEST:

By: \_\_\_\_\_  
City Clerk

[SEAL]

CITY OF ST. PETE BEACH

By: \_\_\_\_\_  
Mayor

ATTEST:

By: \_\_\_\_\_  
City Clerk

[SEAL]

CITY OF ST. PETERSBURG

By: \_\_\_\_\_  
Mayor

ATTEST:

By: \_\_\_\_\_  
City Clerk

[SEAL]

CITY OF SOUTH PASADENA

By: \_\_\_\_\_  
Mayor

ATTEST:

By: \_\_\_\_\_  
Town Clerk

[SEAL]

TOWN OF REDINGTON SHORES

By: \_\_\_\_\_  
Mayor

ATTEST:

By: Cathy Benson  
City Clerk

[SEAL]

CITY OF SAFETY HARBOR

By: Tom Corson  
Mayor

ATTEST:

By: \_\_\_\_\_  
City Clerk

[SEAL]

CITY OF SEMINOLE

By: \_\_\_\_\_  
Mayor

ATTEST:

By: \_\_\_\_\_  
City Clerk

[SEAL]

CITY OF ST. PETE BEACH

By: \_\_\_\_\_  
Mayor

ATTEST:

By: \_\_\_\_\_  
City Clerk

[SEAL]

CITY OF ST. PETERSBURG

By: \_\_\_\_\_  
Mayor

ATTEST:

By: \_\_\_\_\_  
City Clerk

[SEAL]

CITY OF SOUTH PASADENA

By: \_\_\_\_\_  
Mayor

ATTEST:

TOWN OF REDINGTON SHORES

By: \_\_\_\_\_  
Town Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF SAFETY HARBOR

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF SEMINOLE

By: *Shirley M. Brown*  
City Clerk

By: *Dottie K. Reeder*  
Mayor

[SEAL]

ATTEST:

CITY OF ST. PETE BEACH

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF ST. PETERSBURG

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF SOUTH PASADENA

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

TOWN OF REDINGTON SHORES

By: \_\_\_\_\_  
Town Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF SAFETY HARBOR

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF SEMINOLE

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF ST. PETE BEACH

By: Theresa B. McMasters  
City Clerk

By: Ward J. Zylinski  
Mayor

[SEAL]

ATTEST:

CITY OF ST. PETERSBURG

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF SOUTH PASADENA

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

By: \_\_\_\_\_  
Town Clerk

[SEAL]

TOWN OF REDINGTON SHORES

By: \_\_\_\_\_  
Mayor

ATTEST:

By: \_\_\_\_\_  
City Clerk

[SEAL]

CITY OF SAFETY HARBOR

By: \_\_\_\_\_  
Mayor

ATTEST:

By: \_\_\_\_\_  
City Clerk

[SEAL]

CITY OF SEMINOLE

By: \_\_\_\_\_  
Mayor

ATTEST:

By: \_\_\_\_\_  
City Clerk

[SEAL]

CITY OF ST. PETE BEACH

By: \_\_\_\_\_  
Mayor

ATTEST:



*[Signature]*  
Clerk

City Clerk

[SEAL]

CITY OF ST. PETERSBURG

By: *[Signature]*  
Mayor

CITY OF SOUTH PASADENA

By: \_\_\_\_\_  
Mayor

ATTEST:

TOWN OF REDINGTON SHORES

By: \_\_\_\_\_  
Town Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF SAFETY HARBOR

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF SEMINOLE

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF ST. PETE BEACH

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF ST. PETERSBURG

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

CITY OF SOUTH PASADENA

By: *Doreen E. O'Leary*  
City Clerk

By: *Dick Fikes*  
Mayor

[SEAL]

**IN WITNESS WHEREOF**, the parties hereto have caused this Interlocal Agreement to be executed as of the day and year first above written.

ATTEST:

CITY OF TARPON SPRINGS

By: Irene Jacobs  
Irene Jacobs, City Clerk



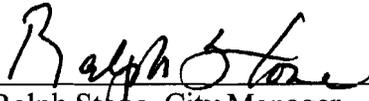
By: Beverly Billiris  
Beverly Billiris, Mayor

[SEAL]

**IN WITNESS WHEREOF**, the parties hereto have caused this Interlocal Agreement to be executed as of the day and year first above written.

ATTEST:

CITY OF TREASURE ISLAND

By:   
Ralph Stone, City Manager

By:   
Mary Maloof, Mayor

[SEAL]

**APPENDIX A TO INTERLOCAL AGREEMENT  
DATED AS OF December 21, 2005**

The Municipalities shall be entitled to receive forty percent (40%) of the First Local Option Gas Tax proceeds received by the County from the Department of Revenue and the County shall be entitled to retain sixty percent (60%) of the Local Option Gas Tax proceeds. The Municipalities shall individually be entitled to receive the following respective portions of such forty percent (40%):

<b><u>Municipality</u></b>	<b><u>Allocation of Local Option Gas Tax to be Received Effective September 1, 2007</u></b>
Belleair	0.0062
Belleair Beach	0.0025
Belleair Bluffs	0.0034
Belleair Shore	0.0001
Clearwater	0.1673
Dunedin	0.0564
Gulfport	0.0195
Indian Rocks Beach	0.0080
Indian Shores	0.0027
Kenneth City	0.0069
Largo	0.1104
Madeira Beach	0.0068
N. Redington Beach	0.0023
Oldsmar	0.0208
Pinellas Park	0.0722
Redington Beach	0.0024
Redington Shores	0.0036
Safety Harbor	0.0270
St. Petersburg	0.3837
St. Pete Beach	0.0152
Seminole	0.0270
South Pasadena	0.0089
Tarpon Springs	0.0351
Treasure Island	0.0114

No.

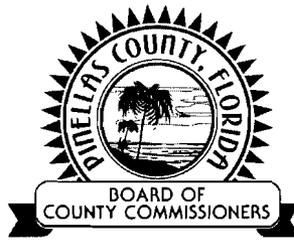
18

BCC

05-06-08

09:31 A.M. Smitke/SCHMIDT

- #18 First amendment to the Interlocal Agreement relating to the distribution of monies derived from imposition of the Local Option Gas Tax to the county and the various municipalities in the county, amending the expiration date of the agreement to December 31, 2017, approved for execution.



**BOARD OF COUNTY COMMISSIONERS**

DATE: May 6, 2008  
AGENDA ITEM NO. 18.

Consent Agenda

Regular Agenda

Public Hearing

County Administrator's Signature: 

**Subject:**

Execution of Local Option Gas Tax (LOGT) First Amendment to Interlocal Agreement, amending Pinellas County Ordinance 05-96 to end on December 31, 2017.

**Department:**

Office of Management and Budget

**Staff Member Responsible:**

John Woodruff, Director

**Recommended Action:**

I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS (BOARD) EXECUTE THE ATTACHED FIRST AMENDMENT TO INTERLOCAL AGREEMENT RELATING TO THE DISTRIBUTION OF MONIES DERIVED FROM IMPOSITION OF THE LOCAL OPTION GAS TAX TO THE COUNTY AND THE VARIOUS MUNICIPALITIES IN THE COUNTY, AMENDING THE EFFECTIVE DATE OF THE INTERLOCAL, AND PINELLAS COUNTY ORDINANCE 05-96 TO PROVIDE THAT THE TERM SHALL EXPIRE ON DECEMBER 31, 2017.

**Summary Explanation/Background:**

The Board of County Commissioners entered into an interlocal agreement with the various municipalities dated December 21, 2005 extending the six cent local option fuel tax pursuant to state statute, authorizing the tax for a period of ten (10) years commencing on September 1, 2007 and ending on August 31, 2017.

The Florida Department of Revenue has requested that Pinellas County amend the ordinance so that the termination date is consistent with the date of the levy, ending on December 31, 2017.

The County distributed a first amendment to Interlocal Agreement to the various municipalities for their approval, amending the effective date of termination to expire December 31, 2017. All other terms, conditions and provisions of the interlocal will remain in full force and effect. All of the municipalities have executed the first amendment to the interlocal agreement.

**Fiscal Impact/Cost/Revenue Summary:**

Approval of the proposed First Amendment to Interlocal Agreement will continue County LOGT revenues through December 31, 2017.

LOGT revenues generate approximately \$14.0 million annually in County revenue. One cent of LOGT generates approximately \$3.9 million annually.

**Exhibits/Attachments Attached:**

1. First Amendment to Interlocal Agreement
2. Signature Pages
  - Town of Belleair
  - City of Belleair Beach
  - City of Belleair Bluffs
  - Town of Belleair Shore
  - City of Clearwater
  - City of Dunedin
  - City of Gulfport
  - City of Indian Rocks Beach
  - Town of Indian Shores
  - City of Kenneth City
  - City of Largo
  - City of Madeira Beach
  - Town of North Redington Beach
  - City of Oldsmar
  - City of Pinellas Park
  - Town of Redington Beach
  - Town of Redington Shores
  - City of Safety Harbor
  - City of Seminole
  - City of South Pasadena
  - City of St. Petersburg
  - City of St. Pete Beach
  - City of Tarpon Springs
  - City of Treasure Island

**FIRST AMENDMENT TO  
INTERLOCAL AGREEMENT**

**THIS FIRST AMENDMENT TO INTERLOCAL AGREEMENT** made and entered into as of the 6<sup>th</sup> day of May, 200~~7~~<sup>8</sup>, by and between Pinellas County, a political subdivision of the State of Florida (the "County") and the municipalities that are parties hereto within Pinellas County representing a majority of the population of the incorporated area of Pinellas County, as listed on the signature pages hereto (the "Municipalities").

**WITNESSETH:**

**WHEREAS**, this First Amendment to Interlocal is authorized by Section 336.025, Florida Statutes, and other applicable law; and

**WHEREAS**, pursuant to Pinellas County Ordinance 05-96, the Board of County Commissioners extended the six cent local option fuel tax as authorized by Section 336.025(1)(a), Florida Statutes, ("Local Option Fuel Tax") for a period of ten (10) years commencing on September 1, 2007 and ending on August 31, 2017; and

**WHEREAS**, the Florida Department of Revenue has requested that Pinellas County amend the ordinance so that the levy ends on December 31, 2017; and

**WHEREAS**, the County and Municipalities entered into an Interlocal Agreement dated December 21, 2005 ("Interlocal") providing for the distribution of the First Local Option Fuel Tax levied pursuant to §336.025(1)(a), Florida Statutes, and the parties hereto desire to amend the Interlocal so that the termination date is consistent with the date of the levy.

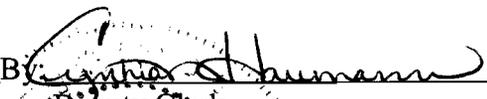
NOW, THEREFORE, in consideration of the premises and of the mutual benefit, and in consideration of the covenants and agreements set forth herein, the County and the Municipalities agree as follows:

1. The effective date of the Interlocal is hereby amended to provide that the term shall expire on December 31, 2017.
2. Except as amended herein, all other terms, conditions and provisions of the Interlocal shall remain in full force and effect.

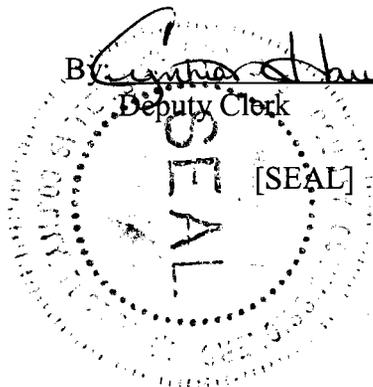
IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:  
KEN BURKE, CLERK

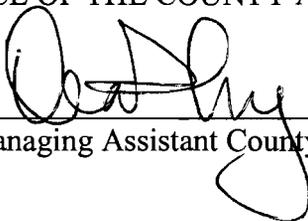
PINELLAS COUNTY, FLORIDA, by and  
Through its Board of County Commissioners

By:   
Deputy Clerk

By:   
Chairman



APPROVED AS TO FORM  
OFFICE OF THE COUNTY ATTORNEY

By:   
Managing Assistant County Attorney

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

TOWN OF BELLEAIR

By: Donna Carlen  
City Clerk

By: [Signature]  
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

CITY OF BELLEAIR BEACH

By: Nancy G. McCollum  
City Clerk

By: [Signature]  
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

By: \_\_\_\_\_



City Clerk

CITY OF BELLEAIR BLUFFS

By: \_\_\_\_\_

Mayor

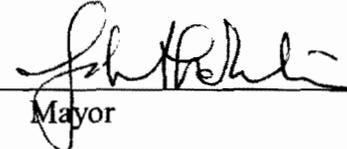
A large, stylized handwritten signature in black ink, positioned above the Mayor's name line.

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

CITY OF BELLEAIR SHORE

By:   
City Clerk

By:   
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

CITY OF CLEARWATER

By: Cynthia E. Bond  
City Clerk



By: William B. Horne II  
City Manager

COUNTERSIGNED:

By: Paul G. ...  
Mayor

APPROVED AS TO FORM:

By: [Signature]  
City Attorney

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

CITY OF DUNEDIN

By: Jane Croghan  
City Clerk

By: Bob Hall  
Mayor

**IN WITNESS WHEREOF**, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

CITY OF GULFPORT

By: *Gloria M. Spano*  
City Clerk

By: *Michael J. Jahn*  
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

CITY OF INDIAN ROCKS BEACH

By: Deanne B. O'Reilly  
City Clerk  
R2007-102

By: [Signature]  
Mayor

**IN WITNESS WHEREOF**, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

TOWN OF INDIAN SHORES

By: Marcia Grantham  
City Clerk - Marcia Grantham

By: James J. Lawrence  
Mayor - James J. Lawrence

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

CITY OF KENNETH CITY

By: Nancy J. Beelman  
City Clerk

By: Meriel H. Whitman  
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

CITY OF LARGO

By: *William [Signature]*  
City Manager

By: *Paul [Signature]*  
Mayor

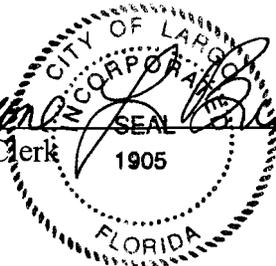
[SEAL]

Reviewed and approved:

By: *Manj [Signature]*  
City Attorney

ATTEST:

By: *Heather [Signature]*  
City Clerk



Received  
DEC 05 2007  
Management & Budget

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

CITY OF MADEIRA BEACH

By:   
City Clerk

By:   
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

CITY OF N. REDINGTON BEACH

By: Mari Campbell, cmc  
City Clerk

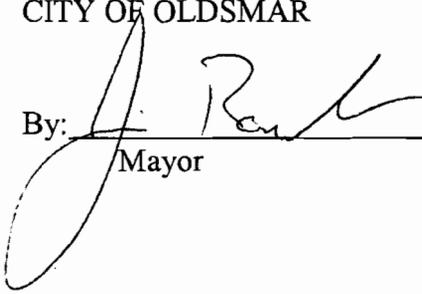
By: [Signature]  
Mayor 8/22/17

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

CITY OF OLDSMAR

By:   
City Clerk

By:   
Mayor

Approved as to Form:

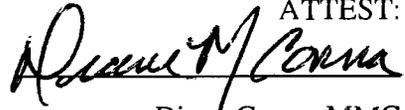
By:   
City Attorney

CITY OF PINELLAS PARK



William F. Mischler

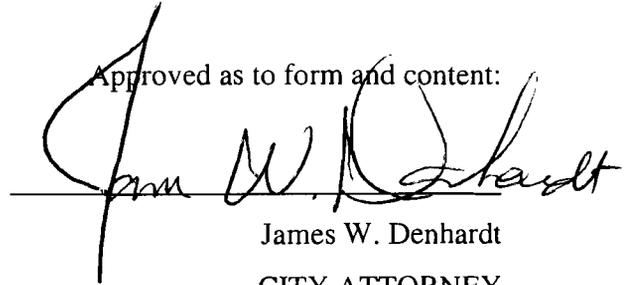
MAYOR

ATTEST:  


Diane Corna, MMC

CITY CLERK

Approved as to form and content:



James W. Denhardt

CITY ATTORNEY

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

CITY OF REDINGTON BEACH

By: *Jamira Pater, RMC*  
City Clerk

By: *[Signature]*  
Mayor

**IN WITNESS WHEREOF**, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

TOWN OF REDINGTON SHORES

By: Mary Palmer  
City Clerk

By: Jody Armstrong  
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

CITY OF SAFETY HARBOR

By: Cathy Benson  
City Clerk

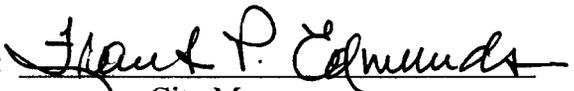
By: [Signature]  
Mayor

**IN WITNESS WHEREOF**, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

CITY OF SEMINOLE

By:   
City Clerk

By:   
City Manager

APPROVED AS TO FORM:

By:   
City Attorney

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

CITY OF SOUTH PASADENA

By: May Bristol  
City Clerk

By: Dick Hales  
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

CITY OF ST. PETERSBURG

By: *Kara Anderson*  
City Clerk

By: *Rick B...*  
Mayor



IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

CITY OF ST. PETE BEACH

By: *Jessica M. Masters*  
City Clerk

By: *Ward J. Fylkowski*  
Mayor

ATTEST:

By: Jane S. Jacobs  
City Clerk



CITY OF TARPON SPRINGS

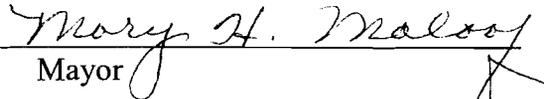
By: Beverly Butler  
Mayor

**IN WITNESS WHEREOF**, the parties hereto have caused this First Amendment to Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

CITY OF TREASURE ISLAND

By:   
City Manager

By:   
Mayor

ORDINANCE NO. 05- 96

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA AMENDING SECTION 118-137 OF THE PINELLAS COUNTY CODE RELATING TO THE USE OF THE SIX-CENT LOCAL OPTION FUEL TAX; ADDING SECTION 118-138 OF THE PINELLAS COUNTY CODE PROVIDING FOR THE EXTENSION OF THE LEVY OF THE SIX-CENT LOCAL OPTION FUEL TAX; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT THE PUBLIC HEARINGS AND WITH RESPONSIBLE AUTHORITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

2005 DEC 27 AM 9:31  
DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

FILED

WHEREAS, Section 336.025(1)(b), Florida Statutes, authorizes in addition to other taxes allowed by law, the imposition of a local option fuel tax of up to six cents (6¢) upon every gallon of motor and diesel fuel sold in a county and taxed under the provisions of Chapter 206, Florida Statutes, and further provides

WHEREAS, on June 18, 1985, the County levied and imposed a four cent (\$0.04) per gallon local option fuel tax by Ordinance No. 85-14, effective from September 1, 1985 through and including August 31, 1995; thereafter, the County increased the local option fuel tax rate from four cents (\$0.04) to six cents (\$0.06) for the period from September 1, 1987 through August 31, 1995, and additionally imposed the six cents (\$0.06) local option fuel tax from September 1, 1995 until August 31, 1997 by Ordinance No. 87-46; and extended the six cents (\$0.06) local option fuel tax for a period of ten (10) years from September 1, 1997 through August 31, 2007 by Ordinance No. 93-64 (the six cents levy hereinafter sometimes referred to as the "Local Option Fuel Tax").

WHEREAS, there exists a need within Pinellas County for additional funds to be used for transportation expenditures permitted by Section 336.025(7), Florida Statutes; and

WHEREAS, the Board now desires to extend the Local Option Fuel Tax for a period of ten (10) years commencing on September 1, 2007 and ending on August 31, 2017; and

WHEREAS, the County and municipalities representing a majority of the population of the incorporated area of Pinellas County have entered into an interlocal agreement pursuant to which a distribution formula has been established for the division of the proceeds of the First Local Option Fuel Tax through August 31, 2017.

NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, in a meeting duly assembled this 20 day of December, 2005 that:

SECTION 1. Section 118-137 of the Pinellas County Code is hereby amended to read as follows:

Sec. 118-137. Use of proceeds.

The county's and cities' shares of the proceeds of the tax shall only be used for transportation expenditures as defined by Section 336.025(7), Florida Statutes.

SECTION 2. Section 118-138 of the Pinellas County Code is hereby added to read as follows:

Sec. 118-138. Extension of the Local Option Fuel Tax.

The six cent (\$0.06) Local Option Fuel Tax levied pursuant to Section 336.025(1)(a), Florida Statutes, upon every gallon of motor and diesel fuel sold in Pinellas County and taxed pursuant to Chapter 206, Florida Statutes, as provided in section 118-131, is hereby levied and imposed for the period commencing September 1, 2007 and ending at midnight August 31, 2017.

SECTION 3. Prior Pledge of Local Option Fuel Tax Proceeds Unaffected Hereby.

Nothing in this Ordinance shall under any circumstances materially or adversely affect the rights of holders of any bonds or other such debt which have pledged as security therefore, and the Local Option Fuel Tax, and the covenants regarding such pledge itself shall not be affected hereunder.

SECTION 4. 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 5. Codification.

The provisions of this Ordinance shall be included and incorporated in the Pinellas County Code as an addition thereto, and shall be appropriately numbered to conform to the uniform system of the Code.

SECTION 6. Filing Of Ordinance.

Pursuant to §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. Additionally, pursuant to §336.025(5)(a), Florida Statutes, a certified copy of this Ordinance shall be furnished to the Department of Revenue by the Clerk of the Board of County Commissioners within ten (10) days after the enactment, with the notification of the extension of levy of the Local Option Fuel Tax.

Commissioner Latvala offered the foregoing Ordinance and moved its adoption, which was seconded by Commissioner Welch, and upon roll call the vote was:

<u>7</u>	AYES	Morronei, Welch, Stewart, Harris, Seel, Latvala, and Duncan.
<u>0</u>	NAYES	
<u>0</u>	ABSENT AND NOT VOTING	

APPROVED AS TO FORM  
OFFICE OF COUNTY ATTORNEY

By *[Handwritten Signature]*  
Attorney

STATE OF FLORIDA  
COUNTY OF PINELLAS

I, KEN BURKE, Clerk of the Circuit Court and Ex-Officio Clerk to the Board of County Commissioners, in and for the State and County aforesaid, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners of Pinellas County, Florida, on December 20, 2005 relative to:

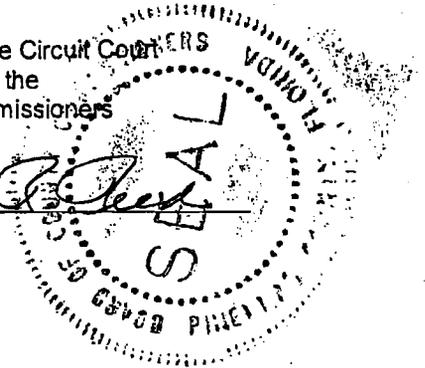
ORDINANCE NO. 05- 96

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA AMENDING SECTION 118-137 OF THE PINELLAS COUNTY CODE RELATING TO THE USE OF THE SIX-CENT LOCAL OPTION FUEL TAX; ADDING SECTION 118-138 OF THE PINELLAS COUNTY CODE PROVIDING FOR THE EXTENSION OF THE LEVY OF THE SIX-CENT LOCAL OPTION FUEL TAX; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT THE PUBLIC HEARINGS AND WITH RESPONSIBLE AUTHORITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this 23 day of December, 2005.

Ken Burke, Clerk of the Circuit Court  
and Ex-officio Clerk to the  
Board of County Commissioners

By: Linda P. Peck  
Deputy Clerk



STATE OF FLORIDA

COUNTY OF PINELLAS

I, KEN BURKE, Clerk of the Circuit Court and Ex-officio Clerk to the Board of County Commissioners, in and for the State and County aforesaid, DO HEREBY CERTIFY that the foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners of Pinellas County, Florida, on December 20, 2005 relative to:

ORDINANCE NO. 05- 96

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA AMENDING SECTION 118-137 OF THE PINELLAS COUNTY CODE RELATING TO THE USE OF THE SIX-CENT LOCAL OPTION FUEL TAX; ADDING SECTION 118-138 OF THE PINELLAS COUNTY CODE PROVIDING FOR THE EXTENSION OF THE LEVY OF THE SIX-CENT LOCAL OPTION FUEL TAX; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT THE PUBLIC HEARINGS AND WITH RESPONSIBLE AUTHORITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this December 23, 2005.

KEN BURKE  
Clerk of the Circuit Court  
and Ex-officio Clerk to the  
Board of County Commissioners

By:

  
Linda R. Reed, Deputy Clerk





FLORIDA DEPARTMENT OF STATE  
**David E. Mann**  
Secretary of State  
DIVISION OF LIBRARY AND INFORMATION SERVICES

December 28, 2005

Honorable Ken Burke  
Clerk of Board of County Commissioners  
Pinellas County  
315 Court Street  
Clearwater, Florida 33756

Attention: Linda R. Reed, Deputy Clerk

Dear Mr. Burke:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated December 23, 2005 and certified copies of Pinellas County Ordinance Nos. 05-92 through 05-96, which were filed in this office on December 27, 2005.

As requested, the date stamped copies are being returned for your records and a copy of this letter has been faxed to (727)464-4716.

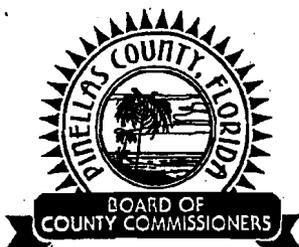
Sincerely,

Liz Cloud  
Program Administrator

LC/kcs

Enclosures

RECEIVED  
BOARD OF  
COUNTY COMMISSIONERS  
PINELLAS COUNTY, FL  
JAN 9 11 27 AM '06



**BOARD OF COUNTY COMMISSIONERS  
PINELLAS COUNTY, FLORIDA**

315 COURT STREET  
CLEARWATER, FL 33756

**KEN BURKE**

CLERK OF BOARD OF COUNTY COMMISSIONERS  
CLERK OF WATER AND NAVIGATION CONTROL AUTHORITY  
COUNTY AUDITOR AND TREASURER

December 23, 2005

Liz Cloud, Chief  
Bureau of Administrative Code  
Department of State  
R.A. Gray Building  
500 South Bronough Street  
Tallahassee, Florida 32399-0250  
Attn: Karlyn Solis

Dear Mrs. Cloud:

Enclosed herewith are certified copies of Ordinances Nos. 05-92 through 05-96 adopted by the Pinellas County Board of County Commissioners at its meeting held on December 20, 2005.

Please return one receipted copy of the Ordinances to Linda R. Reed, Deputy Clerk, Board Records Department, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida 33756.

Very truly yours,

KEN BURKE, CLERK

By:   
Linda R. Reed, Deputy Clerk

LRR/dlb

Enclosures

**FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM (CODRS)  
CODING FORM**

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (850)245-6270 or Suncom 205-6270.

COUNTY: (Pinellas)

COUNTY ORDINANCE # (05-96)

**PRIMARY KEYFIELD**

DESCRIPTION: (Code/Regulations)

**SECONDARY KEYFIELD**

DESCRIPTION: ( \_\_\_\_\_ )

**OTHER KEYFIELD**

DESCRIPTION: ( \_\_\_\_\_ )

**ORDINANCE DESCRIPTION:** (Six-Cent Local Option Fuel Tax)

**ORDINANCES AMENDED:** (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)

AMENDMENT # 1: ( \_\_\_\_\_ )

AMENDMENT # 2: ( \_\_\_\_\_ )

**ORDINANCES REPEALED:** (List below the ordinances that are repealed by this legislation.)

REPEAL # 1: ( \_\_\_\_\_ )

REPEAL # 3: ( \_\_\_\_\_ )

REPEAL # 2: ( \_\_\_\_\_ )

REPEAL # 4: ( \_\_\_\_\_ )

(Others repealed: List all that apply): \_\_\_\_\_

(FOR OFFICE USE ONLY):

COUNTY CODE NUMBER: ( \_\_\_\_\_ )

KEYFIELD 1 CODE: ( \_\_\_\_\_ )

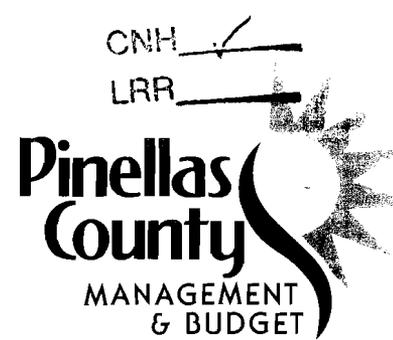
KEYFIELD 2 CODE: ( \_\_\_\_\_ )

KEYFIELD 3 CODE: ( \_\_\_\_\_ )

REV. 4/10/01

**BOARD OF COUNTY  
COMMISSIONERS**

Robert B. Stewart - Chairman  
Calvin D. Harris - Vice Chairman  
Ronnie E. Duncan  
Susan Latvala  
John Morrone  
Karen Williams Seel  
Kenneth T. Welch



John Woodruff  
Director

May 15, 2008

Bruce H. Williams, Finance & Accounting Director III  
Florida Department of Revenue  
Revenue Accounting Sub Process Division  
P.O. Box 6609  
Tallahassee, Florida 32399

Re: Transmittal of Pinellas County Six-Cent Local Option Fuel Tax First Amendment to Interlocal Agreement and Follow-up to Your Letter of April 18th

Dear Mr. Williams:

This is to transmit a certified copy of the approved First Amendment to Interlocal Agreement related to Pinellas County's existing six-cent Local Option Gas Tax levy.

This Amendment has been executed by the Board of County Commissioners and each of the 24 municipalities in Pinellas County. Please note the only change to the original agreement is revising the ending date of the levy to coincide with statutory provisions. There is no change to the distribution formula which will be followed by the County for the proceeds of the tax transmitted to the County from your agency.

Feel free to contact me if further information or documentation is needed.

Sincerely,

Jerry C. Herron, Capital Budget Manager  
Pinellas County Office of Management and Budget

cc: Mark Woodard, County Administrator' Office  
John Woodruff, Office of Management & Budget  
Claretha Harris, BCC Finance Division  
Fred Dean, BCC Finance Division  
Jim Tyler, BCC Finance Division  
Linda Reed, Board Records

PLEASE ADDRESS REPLY TO:  
509 East Avenue South  
Clearwater, Florida 33756  
Phone: (727) 464-3596  
FAX: (727) 464-4405  
Website: [www.pinellascounty.org](http://www.pinellascounty.org)

