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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, RELATING TO THE ONE-CENT LOCAL GOVERNMENT INFRASTRUCTURE SURTAX EXTENSION; PROVIDING FOR AUTHORIZATION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR THE SURTAX EXTENSION; PROVIDING FOR THE REFERENDUM, BALLOT QUESTION, AND NOTICE BY PUBLICATION; PROVIDING FOR THE ADMINISTRATION, COLLECTION AND DISTRIBUTION OF SURTAX PROCEEDS; PROVIDING FOR THE DEDICATION OF SURTAX PROCEEDS; PROVIDING FOR THE PROJECT MANAGEMENT STRUCTURE; PROVIDING FOR THE CREATION OF A TRUST FUND; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, section 212.055(2), Florida Statutes, provides for the levy of a local government infrastructure surtax (“surtax”) by the governing board in each county; and

WHEREAS, section 212.055(2), Florida Statutes, provides for the levy of the surtax pursuant to an ordinance enacted by a majority of the members of the governing body of the county and approved by a majority of the electors in the county voting in a referendum election on the surtax; and

WHEREAS, on April 18, 1989, the Board of County Commissioners adopted Ordinance 89-14 levying a one-cent surtax in Leon County for a period of fifteen (15) years, which was subsequently approved by a majority of the electorate voting in a referendum held on September 19, 1989; and

WHEREAS, section 212.055(2)(a)2., Florida Statutes, provides for the extension of the
surtax; and

1 WHEREAS, on September 12, 2000, the Board of County Commissioners adopted
2 Ordinance 00-35 extending the levy of the one-cent surtax in Leon County for an additional
3 fifteen (15) year period, which was subsequently approved by a majority of the electorate voting
4 in a referendum held on November 7, 2000; and

5 WHEREAS, in accordance with section 163.01(7), Florida Statutes, the Board of County
6 Commissioners and the City Commission created the Blueprint 2000 Intergovernmental Agency
7 ("BP 2000 Intergovernmental Agency") to govern the project management structure for the
8 planning and construction of those projects funded with surtax proceeds; and

9 WHEREAS, the Board of County Commissioners and the City Commission have
10 thoroughly considered a further extension of the surtax and have determined that there are
11 immediate and critical needs for the revenue to be generated by the surtax; and

12 WHEREAS, the Board of County Commissioners and City Commission have entered
13 into a Blueprint 2020 Infrastructure Surtax Interlocal Agreement which will ensure that local
14 infrastructure projects and related services will continue to be provided to the unincorporated and
15 incorporated areas of Leon County in an effective and efficient manner; that economic
16 development projects having a general public purpose of improving local economies will be
17 funded; and that the operational and maintenance needs of parks and recreational facilities will
18 be adequately met; and

19 WHEREAS, pursuant to section 212.055(2)(d)3., Florida Statutes, the Board of County
20 Commissioners intends to make an allocation of the surtax proceeds for the purpose of funding
21 economic development projects; and

22 WHEREAS, the Board of County Commissioners and City Commission have determined
23 it appropriate to place the surtax extension referendum issue on the ballot at the November 4,
24 2014 General Election; and

1 WHEREAS, the notice requirements of section 100.342, Florida Statutes, must be met,
2 which require a period of approximately thirty (30) days' publication of notice of the referendum
3 prior to the election.

4 BE IT ORDAINED by the Board of County Commissioners of the County of Leon,
5 Florida, as follows, that:

6 **Section 1. Authorization.** This Ordinance is authorized by section 212.055(2), Florida
7 Statutes (2013), and other applicable law.

8 **Section 2. Incorporation of Recitals.** The foregoing recitals constitute essential
9 findings of fact by the Board of County Commissioners and accordingly are hereby fully
10 incorporated into this Ordinance by reference.

11 **Section 3. Surtax extension.** The surtax shall be and is hereby relevied, extended and
12 continued at the rate of one percent (1%) commencing January 1, 2020 and continuing through
13 December 31, 2039. The surtax shall be relevied, extended and continued in accordance with
14 section 212.054 and section 212.055(2), Florida Statutes. This Section shall be effective upon
15 passage of the surtax referendum described in Section 4 below.

16 **Section 4. Referendum; ballot question; notice by publication.** Pursuant to section
17 212.055(2)(a), Florida Statutes, a referendum election shall be held in Leon County, and the
18 Supervisor of Elections is hereby directed and shall cause to be placed on the ballot for the
19 November 4, 2014 General Election, the question of the approval or disapproval of the surtax set
20 forth in this Ordinance, such question to appear on the ballot as follows:

21 **ONE CENT LOCAL GOVERNMENT SURTAX EXTENSION**

22
23 To provide for projects designed to improve roads; reduce traffic
24 congestion; protect lakes and water quality; reduce flooding; expand
25 and operate parks and recreational areas; invest in economic
26 development; and other uses authorized under Florida law; and to seek
27 matching funds for these purposes, shall the existing one cent sales

1 surtax within Leon County be extended until December 31, 2039, with
2 project expenditures subject to annual independent audit and review by
3 a citizens advisory committee?
4

5 _____ FOR the one-cent sales tax
6 _____ AGAINST the one-cent sales tax
7

8 The Supervisor of Elections shall ensure that notice of the referendum election shall be
9 published in accordance with the provisions of section 100.342, Florida Statutes. Proof of
10 publication shall be provided to the Chairman of the Board of County Commissioners.

11 **Section 5. Surtax proceeds.**

12 (1) *Administration, collection and distribution of proceeds.* The surtax shall be
13 administered, collected, and enforced in accordance with the provisions of section 212.054,
14 Florida Statutes and the rules promulgated by the Florida Department of Revenue. The proceeds
15 of the surtax shall be distributed to Leon County, the City of Tallahassee and the BP 2000
16 Intergovernmental Agency in accordance with the Blueprint 2020 Infrastructure Surtax Interlocal
17 Agreement dated May 14, 2014, as may be amended from time to time.

18 (2) *Dedication of proceeds.* Surtax proceeds shall be allocated and dedicated to
19 funding Blueprint 2020 Infrastructure Projects, Economic Development Projects having a
20 general public purpose of improving local economies, Leon County and City of Tallahassee
21 Projects, and Livable Infrastructure For Everyone (L.I.F.E.) Projects, as each is further described
22 in Resolution No. R14-06 of the Board of County Commissioners, as may be amended from time
23 to time, and which is attached hereto and incorporated herein as Exhibit A.

24 (3) *Project management structure.* The BP 2000 Intergovernmental Agency shall
25 constitute the management structure for the planning, construction and utilization of the surtax
26 proceeds dedicated to Blueprint 2020 Infrastructure Projects and Economic Development
27 Projects.

(4) *Creation of trust fund.* A trust fund within the county's accounts shall be created for the purpose of funding economic development projects having a general public purpose of improving local economies, including the funding of operational costs and incentives related to economic development.

(5) *Effective upon passage.* This Section 5 shall be effective only upon the passage of the surtax referendum authorized in Section 4 above.

Section 6. Codification. It is the intention of the Board of County Commissioners that the provisions of this Ordinance, including its recitals, shall become and be made a part of the Leon County Code, and codified as part of Chapter 11, Article IV, thereof, and that the word “ordinance” may be changed to “section”, “article”, or other appropriate word or phrase and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; provided, however, that Sections 6, 7 and 8 of this Ordinance shall not be codified.

Section 7. **Severability.** It is declared to be the intent of the Board of County Commissioners that, if any section, subsection, sentence, clause, phrase, or portion of the Ordinance for any reason is held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 8. Effective Date. This Ordinance shall have effect upon becoming law.

DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon
County, Florida this 10th day of June, 2014.

LEON COUNTY, FLORIDA

By: Kristin Dozier
Kristin Dozier, Chairman
Board of County Commissioners

1 ATTESTED BY:
2 BOB INZER, CLERK OF THE COURT
3 AND COMPTROLLER
4 LEON COUNTY, FLORIDA
5



6
7 By: John Stott, Deputy Clerk
8 Bob Inzer, Clerk of Court and Comptroller
9 Leon County, Florida
10

11
12 APPROVED AS TO FORM:
13 COUNTY ATTORNEY'S OFFICE
14 LEON COUNTY, FLORIDA
15

16
17 By: Herbert W. A. Thiele, Esq.
18 Herbert W. A. Thiele, Esq.
19 County Attorney
20
21

F13-00055

EXHIBIT A

(Resolution No. R14-06)

RESOLUTION NO. R14-06

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEON COUNTY, FLORIDA, IDENTIFYING INFRASTRUCTURE
PROJECTS AND ECONOMIC DEVELOPMENT PROJECTS TO BE
FUNDED FROM THE LOCAL GOVERNMENT INFRASTRUCTURE
SURTAX EXTENSION.**

RECITALS

WHEREAS, the Board of County Commissioners and City Commission have determined that a significant community need exists for the extension of the local government infrastructure surtax to fund infrastructure projects and economic development projects; and

WHEREAS, section 212.055(2)(a)2., Florida Statutes, provides for the extension of a levy after approval at referendum of a local government infrastructure surtax; and

WHEREAS, the Board of County Commissioners created the Leon County Sales Tax Committee on September 13, 2011, consisting of both Leon County and City of Tallahassee appointees, to make recommendations on infrastructure projects and economic development proposals; and

WHEREAS, the Board of County Commissioners and City Commission have entered into a Blueprint 2020 Infrastructure Surtax Interlocal Agreement which will ensure that local infrastructure projects and related services will continue to be provided to the unincorporated and incorporated areas of Leon County in an effective and efficient manner; that economic development projects having a general public purpose of improving local economies will be funded; and that the operational and maintenance needs of parks and recreational facilities will be adequately met; and

WHEREAS, the County and City desire to further describe the infrastructure projects and economic development projects agreed upon to accomplish the public purposes set forth in these recitals.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, that:

Section 1. Recitals. The Recitals to this Resolution are incorporated herein and made a part hereon as if fully set forth below.

Section 2. Permissible Uses of Surtax Proceeds.

Permissible uses of surtax proceeds shall be restricted to the following categories:

- a. Stormwater and Water Quality Projects
- b. Transportation Improvement Projects
- c. Greenways, Parks and Recreation
- d. Economic Development Projects
- e. Public Buildings and Structures
- f. Parks and Recreational Area Operations and Maintenance
- g. Livable Infrastructure For Everyone (L.I.F.E.) Projects
- h. Other permissible uses set forth in section 212.055(2), Florida Statutes, as amended.

Section 3. Blueprint 2020 Infrastructure Projects.

Sixty-six percent (66%) of the surtax proceeds shall be allocated and dedicated for the purpose of funding Blueprint 2020 Infrastructure Projects, as follows (projects 1-27 represent first priority projects; projects 28-29 represent second priority projects):

Project 1, Capital Circle Southwest: Widen Capital Circle Southwest from Orange Avenue to Crawfordville Road (includes ROW, construction, stormwater for roadway improvements, water quality enhancements, and land acquisition for future greenway).

Project 2, Westside Student Corridor Gateway: Widen West Pensacola Street from Capital Circle Southwest to Appleyard Drive (includes ROW, construction, stormwater for roadway improvements, and land acquisition for future greenway). This project also includes funding for stormwater improvements in the Gum Creek/West Drainage Ditch, the gateway features and neighborhood connectivity.

Project 3, Airport Gateway: Springhill Road and Lake Bradford Road: Perform roadway improvements to Springhill Road from Capital Circle Southwest to Orange Avenue and Lake Bradford Road from Orange Avenue to Gaines Street (includes ROW, construction, gateway streetscaping, stormwater for roadway improvements, and enhanced landscape).

Project 4, Southside Gateway Enrichment: Widen Woodville Highway from Capital Circle Southwest to Tram Road (includes ROW, construction, gateway streetscaping, and stormwater for roadway improvements); enhance the landscape of Crawfordville Highway and stormwater facilities, and neighborhood connectivity.

Project 5, North Monroe Gateway: Develop gateway enhancements for North Monroe Street from I-10 to 7th Avenue (includes signage, art, crosswalks and other pedestrian safety enhancements).

Project 6, Build Bike Route System: Continue implementation of the Bicycle and Pedestrian Master Plan.

Project 7, County/City Sidewalk Projects: Construction of sidewalks.

Project 8, Implement Greenways Master Plan Phase I: Continue implementation of the Greenways Master Plan.

Project 9, Northwest Connector Corridor: Widen Tharpe Street from Ocala Road to Capital Circle Northwest (includes ROW, construction, stormwater for roadway improvements, and land acquisition for future greenway). This project also includes funding for the Park Place Recreational Area and neighborhood connectivity.

Project 10, Lake Lafayette and St. Marks Regional Linear Park: Develop Lake Lafayette and St. Marks Regional Linear Park (includes construction, stormwater study and improvements, and land acquisition for future greenway) and stormwater and recreational improvements in Tom Brown Park.

Project 11, Market District Activity Center Connectivity: Implement the Market District Corridor Placemaking Action Plan (includes construction, stormwater improvements, greenway connections, streetscaping, and gateway enhancements).

Project 12, Midtown Placemaking: Implement the Midtown Placemaking Action Plan (includes construction, stormwater improvements, streetscaping, and gateway enhancements).

Project 13, College Avenue Placemaking: Implement the College Avenue Placemaking Action Plan (includes construction, stormwater improvements, streetscaping, and gateway enhancements).

Project 14, Monroe-Adams Corridor Placemaking: Implement the Monroe-Adams Corridor Placemaking Action Plan (includes construction, stormwater improvements, underground utilities, streetscaping, and gateway enhancements).

Project 15, Northeast Corridor Connector: Widen Bannerman Road from Thomasville Road to Tekesta Drive (includes ROW, construction, stormwater for roadway improvements, and land acquisition for future greenway), develop multi-use trails, greenway and neighborhood connectivity.

Project 16, StarMetro: Provide bus stop amenities (including bench, shelter, or other structures), and make bus stops ADA compliant and enhance service for customers at major transfer points.

Project 17, Operating Costs for Parks Built with Surtax Funds: Operation and maintenance of parks built with surtax funds.

Project 18, Desoto Winter Encampment: Develop the Desoto Winter Encampment site.

Project 19, Northeast Park: Develop a Northeast Park.

Project 20, Water Quality and Stormwater Improvements: Water Quality Program: Stormwater, sewer and/or water quality retrofit to be split 50/50 between County and City.

Project 21, Florida A&M Entry Points: Develop entry points to Florida A&M University at Osceola Street/Adams Street and Perry Street/Gamble Street.

Project 22, Orange/Meridian Placemaking: Implement the Orange/Meridian Placemaking project (includes construction, stormwater improvements, streetscaping, and bus stop enhancements).

Project 23, Beautification and Improvements to the Fairgrounds: Construct improvements to the fairgrounds infrastructure.

Project 24, Orange Avenue Widening from Adams Street to Springhill Road: Widen Orange Avenue from Adams Street to Springhill Road (includes ROW, construction, and stormwater for roadway improvements).

Project 25, Northeast Gateway: Welaunee Critical Area Plan Regional Infrastructure Phase I: Develop Welaunee Boulevard from Fleischman to Shamrock, and two-lane Shamrock Way extension from Centerville to Welaunee Boulevard North (includes ROW, construction, stormwater for roadway improvements). This Project is conditioned upon: (i) reimbursement by developer(s) to BP 2000 Intergovernmental Agency for any developer(s) required transportation improvements (reasonable repayment timelines would be established); (ii) Any cost (inclusive of right of way) related to the greenway may be used as a direct offset to any developer(s) required transportation improvement costs; (iii) that portion of the project involving land owned by the City of Tallahassee will only require reimbursement if sold and developed privately; and (vi) anticipated developer(s) reimbursements are to be recognized as potential future resources for BP 2000 Intergovernmental Agency.

Project 26, Alternative Sewer Solutions Study: Study and develop preferred options for management alternatives to traditional onsite sewage treatment and disposal systems in the unincorporated areas of Leon County, including the Primary Springs Protection Zone; identify preferred options for responsible management entities, including recommendations for financing and management structures for identified preferred options; recommend regulatory measures; identify other issues related to sewage treatment and disposal system financing.

Project 27, Tallahassee-Leon County Animal Service Center: Provide capital improvements to the Tallahassee-Leon County Animal Service Center.

Project 28, Implement Greenways Master Plan Phase II: Continue implementation of the Greenways Master Plan.

Project 29, Northeast Gateway: Welaunee Critical Area Plan Regional Infrastructure Phase II: Develop Welaunee Boulevard North from Shamrock Way to Roberts Road, and Shamrock Way, from Welaunee Boulevard to U.S. 90 (includes ROW, construction, stormwater for roadway improvements). This project also includes improvements to the Miccosukee Canopy Road Greenway trailhead at the intersection of Fleischmann Road and Crump Road. Second priority implementation shall not occur until such time as adequate transportation connections north of Roberts Road, to allow the traffic to flow through to Thomasville Road, have been identified and funded.

Section 4. Economic Development Projects.

Twelve percent (12%) of the surtax proceeds shall be allocated and dedicated for the purpose of funding Blueprint 2020 Economic Development Projects having a general public purpose of improving local economies, as follows:

1. Madison Mile Convention District: Up to \$20 million of surtax proceeds will be used to construct a convention center on or near the existing Donald L. Tucker Civic Center site as part of a larger Florida State University redevelopment and master planning effort to attract a full service hotel to the Madison District. The final determination on the level of funding to be provided and the time period for said funding is subject to approval by the BP 2000 Intergovernmental Agency at the time of project consideration and the execution of formal agreements among

all parties to the project.

2. Regional Airport Growth and Development (Part I): Up to \$5.5 million of surtax proceeds shall be used to upgrade the existing hanger facilities at the Tallahassee Regional Airport, provide the necessary utility infrastructure to construct additional hangers, and develop 1,000 acres of airport property for lease. Funding is subject to approval by the BP 2000 Intergovernmental Agency at the time of project consideration.
3. Regional Airport Growth and Development (Part II): Up to \$8.6 million of surtax proceeds would be used to create an international passenger processing facility, support international user fee expenses, and provide additional training support to Airport staff in accordance to the Tallahassee Regional Airport's Ten-Year Growth and Development Plan.
4. The following proposals are to be evaluated by the Blueprint 2020 Economic Development Coordinating Committee for consideration, as recommended by the Leon County Sales Tax Committee. Recommendations are to be forwarded to the BP 2000 Intergovernmental Agency for its consideration, as follows:
 - A. Entrepreneurial Development Fund: This proposal will provide a source of funding from which to enhance present and develop new entrepreneurial support programs.
 - B. Minority & Women Business Investment Fund: This proposal will provide microloans to help minority and women owned small businesses and entrepreneurs.
 - C. Technology & Innovation Incubators: This proposal will provide funds

to be used to support existing incubation programs and/or start new ones.

- D. Business Retention, Expansion & Attraction Fund: This proposal will provide the community a toolkit to grow local businesses and attract companies that pay higher than average wages.
- E. Economic Opportunity Rapid Response Fund: This proposal will provide resources to quickly leverage and close the gap between state incentives and project needs.
- F. Quantum Leaps & Signature Festivals: This proposal seeks to grow and support the City of Tallahassee and Leon County as a cultural destination through festivals and the arts by providing grants for festivals that draw tourists, grants to support new and expanding cultural offerings, and grants to propel cultural organizations to a new level of sustainability.
- G. South Monroe / Adams Corridor Catalyst: This proposal will provide aesthetic and community funding associated with the Monroe-Adams Street Corridor Action Plan, funding to support an additional Florida A&M University (FAMU) Small Business Development Center location on the Southside over a ten-year period, and funding for the FAMU Urban Agriculture Project to increase access to locally grown foods and increase urban farming and related business opportunities through workforce training.
- H. Raising the Ship Talent Development: This proposal will provide

funding for an in-depth assessment of job seekers and estimated employment needs, capital funding for a Southeast Regional Center of Excellence, and programmatic funding to support a Socially Responsible Enterprise.

5. Additional economic development projects and staffing needs including, but not limited to, the following uses:

- A. Staffing needs specific to economic development projects.
- B. Project and program consultants specific to economic development projects.
- C. Other key economic development projects and opportunities that may arise over the term of the surtax extension levy.

Section 5. Livable Infrastructure For Everyone (L.I.F.E.) Projects.

Two percent (2%) of the surtax proceeds shall be allocated and dedicated for the purpose of funding the L.I.F.E. Projects in both the incorporated and unincorporated areas of Leon County, by addressing core infrastructure needs therein. Use of surtax proceeds for L.I.F.E. Projects shall be authorized by the Board of County Commissioners.

Section 6. Dedicated Leon County Projects.

Ten percent (10%) of the surtax proceeds shall be allocated and dedicated for the purpose of funding Leon County Projects, which may only be used for the following purposes:

- a. Transportation Resurfacing Projects;
- b. Transportation Intersection Improvement Projects; and
- c. Other statutorily authorized uses approved by the Board of County Commissioners.

Section 7. Dedicated City of Tallahassee Projects.

Ten percent (10%) of the surtax proceeds shall be allocated and dedicated for the purpose of funding City of Tallahassee Projects, which may only be used for the following purposes:

- a. Transportation Projects;
- b. Stormwater and Water Quality;
- c. Parks and Recreational Facilities;
- d. Gateway Enhancements;
- e. Greenway and Bike Trails; and
- f. Other statutorily authorized uses approved by the City Commission.

Section 8. This Resolution shall be effective upon adoption.

DONE AND ADOPTED by the Board of County Commissioners of Leon County,
Florida, this 10th day of June, 2014.

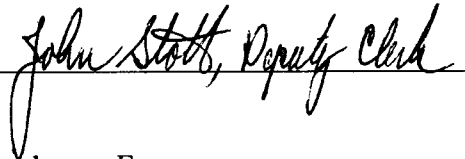


LEON COUNTY, FLORIDA

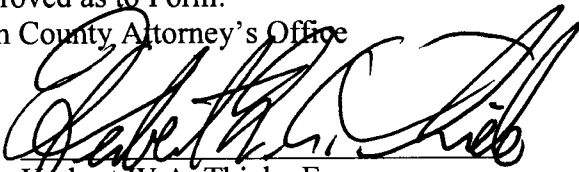
BY: 
Kristin Dozier, Chairman
Board of County Commissioners

ATTEST:

Bob Inzer, Clerk of the Court &
Comptroller
Leon County, Florida

BY: 
John Stott, Deputy Clerk

Approved as to Form:
Leon County Attorney's Office

BY: 
Herbert W.A. Thiele, Esq.
County Attorney