

**SEMINOLE COUNTY GOVERNMENT
LOCAL PLANNING AGENCY/PLANNING AND ZONING BOARD
AGENDA MEMORANDUM**

SUBJECT: Capital Improvements Element Text Amendment

DEPARTMENT: Planning and Development **DIVISION:** Planning

AUTHORIZED BY: Matt West **CONTACT:** Dick Bover **EXT.** 7382

Agenda Date 06/05/02 **Regular** ☐ **Consent** ☐ **Work Session** ☐ **Briefing** ☐
Public Hearing – 1:30 ☐ **Public Hearing – 7:00** ☒

MOTION/RECOMMENDATION:

1. Recommend to the Board of County Commissioners for adoption the proposed Capital Improvements Element text amendment (policy) regarding the funding of public transportation (with any findings).
2. Do not recommend to the Board of County Commissioners for adoption the proposed Capital Improvements Element text amendment regarding the funding of public transportation (with any findings).
3. Continuing this item to (date certain specified).

BACKGROUND:

The County currently levies two fuel taxes: 1) the “first six cents” Local Option Gas Tax (LOGT) which is divided with the Cities per an adopted interlocal agreement and which primarily funds road maintenance; and 2) the “9th” cent LOGT which funds countywide transit operating expenses paid to LYNX, the regional transit agency.

Staff is suggesting a new policy in the Capital Improvements Element (CIE) that would allow the flexibility of other fuel taxes, besides the 9th cent LOGT, to be used for public transportation costs, both capital and operating expenses. Such a change may require a future amendment to the existing interlocal agreement with the Cities. Also should the “second five cents” fuel tax ever be levied in the County, the revenue may be usable for transit capital and operating costs pending County Attorney review and compliance with the County’s adopted comprehensive plan. These revenues could be used for a variety of transit related needs to include funding rail, bus or paratransit needs.

STAFF RECOMMENDATION:

Staff recommends transmittal of the proposed text amendment (policy).

ATTACHMENT: Explanation of Fuel Taxes

Reviewer:	Jvy
Co Atty:	RZC
DFS:	
Other:	
DCM:	
CM:	
File No.	02F.TXT2

PROPOSED
ADDITION OF NEW POLICY TO THE CAPITAL IMPROVEMENTS ELEMENT

This new policy is proposed to be added under “Objective CIE 1 – Adoption and Update of Capital Improvements Element”.

Policy CIE 1 .1 1 Funding of Public Transportation Services

The County shall, at its discretion and in accordance with law, make use of fuel tax revenues and other legal revenue sources for the purpose of funding public transportation capital, operations and maintenance as identified in the Seminole County Comprehensive Plan Capital Improvements Element (CIE). Such revenues may be expended for the public transportation services identified in the CIE including but not limited to capital facilities, operations and maintenance. These services may be provided directly by the County or may be contracted for through public or private service providers.

Explanation on Fuel Taxes

Three separate fuel taxes may be levied by local governments in the State of Florida. These are known as the "Local Option Gas Tax" (LOGT). These taxes consist of three separate levies: the "First Six Cent Tax, which Seminole County levies; a "Second Five Cents Tax", which Seminole County does not levy; and the "Ninth-Cent Fuel Tax", which Seminole County levies.

The First Six Cent Gas Tax generates approximately \$6.5 million per year in revenue and per an adopted interlocal agreement is divided between the County and the Cities. The County receives 64 percent of the revenue and the Cities divide the remaining 36 percent. This LOGT primarily funds road maintenance presently.

The Ninth-Cent Fuel Tax currently generates approximately \$1.9 million per year. The Board of County Commissioners has dedicated these revenues to fund countywide transit operating expenses. The Cities do not receive any of these revenues but benefit from the provision of transit services from LYNX.

The Second Five Cent Gas Tax, again, is presently not levied in Seminole County. The only neighboring county to assess this LOGT is Volusia County. This tax may be levied at rates ranging from two cents to five cents per gallon of fuel. Approval of this tax would require a voter referendum or a super-majority vote of the Board of County Commissioners.