

RESOLUTION 19-6__

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, SPECIFYING THE COUNTY'S POLICY GOALS FOR THE USE OF THE PORTION OF NET PROCEEDS OF THE 2020-2029 PINELLAS COUNTY INFRASTRUCTURE SURTAX DEDICATED TO ECONOMIC DEVELOPMENT CAPITAL PROJECTS AND HOUSING; PROVIDING FOR AUTHORIZATION AND LEGISLATIVE FINDINGS; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY.

WHEREAS, Section 212.055(2), Florida Statutes, authorizes the Pinellas County Board of County Commissioners ("County") to levy by ordinance a local government infrastructure sales surtax (hereinafter "Surtax") of one percent (1%) upon certain taxable transactions, subject to referendum approval; and

WHEREAS, the Surtax may be used to finance, plan and construct infrastructure in accordance with Section 212.055(2)(d), Florida Statutes, which includes but is not limited to acquiring land for the purpose of constructing residential housing units affordable to individuals or families whose income does not exceed certain statutorily defined income thresholds, as authorized in Section 212.055(2)(d)(1)(e), Florida Statutes ("Housing"), and depositing no more than 15% into a trust fund for funding economic development projects having a general purpose of improving the local economy, as authorized in Section 212.055(2)(d)3, Florida Statutes ("Economic Development Capital Projects"); and

WHEREAS, pursuant to Pinellas County Ordinance 17-26, the County levied an extension of the current Surtax, with the additional authorization to use the funding for economic development capital projects as authorized by Section 212.055(2)(d)3, Florida Statutes, of which was subject to referendum approval; and

WHEREAS, a referendum necessary to implement Ordinance 17-26 was held and approved by approximately 83% of Pinellas County voters on November 7, 2017, thus extending the Surtax for an additional ten (10) year term; and

WHEREAS, pursuant to Section 212.055(2)(c), Florida Statutes and Pinellas County Ordinance 17-26, the County and the municipalities within Pinellas County ("Municipalities") entered into an interlocal agreement on August 1, 2017 ("Interlocal"), which governs the required allocation of the Surtax proceeds for Economic Development Capital Projects and Housing"; and

WHEREAS, the Interlocal provides that Countywide Investments will be funded in the total amount of 11.3% of the net proceeds collected over the ten (10) year term of the Interlocal before the remaining proceeds are allocated among the County and Municipalities; and

WHEREAS, the Interlocal further provides that 8.3% of said 11.3% of the net proceeds shall be allocated to Economic Development Capital Projects and Housing; and

WHEREAS, the County previously found that use of the Surtax to facilitate the creation of workforce housing will have a general public purpose of improving the local economy; and

WHEREAS, it is the County's desire that at least 4.15% of the 8.3% net proceeds allocated to Economic Development Capital Projects and Housing be dedicated to affordable housing, whether used for land acquisition for such housing, or for capital projects that support the production of affordable housing suitable for the needs of the local workforce, that in turn stimulates the local economy; and

WHEREAS, recognizing that specific affordable housing needs will fluctuate, it is the Board's goal to spend at least 10% of the proceeds allocated to affordable housing purposes each fiscal year; and

WHEREAS, recognizing the increased need for affordable housing for households of certain income levels, the Board aspires to dedicate the proceeds to affordable housing projects where 40% of the units will benefit households making 60% of the area median income or less, or projects where all units benefit households making 80% area median income or less, or projects providing affordable housing for other income levels if data shows those income levels have the greatest need for such housing; and

WHEREAS, the Interlocal provides that the net proceeds dedicated to Economic Development Capital Projects and Housing shall be used in accordance with guidelines set forth by a joint review committee comprised of the members set forth in the Interlocal, including three (3) professional staff members representing the County; and

WHEREAS, the County desires to codify the policy goals set forth herein and direct the County representatives on the joint review committee to advocate for spending guidelines that are consistent with said goals.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County, Florida, in a meeting duly assembled this 26th day of Feb., 2019:

SECTION 1. Dedication of Surtax Funding for Affordable Housing

Pursuant to that certain interlocal agreement entered into on August 1, 2017 by Pinellas County and Pinellas County's 24 municipalities regarding the allocation of proceeds from the 2020-2029 infrastructure surtax ("Interlocal"), 8.3% of the net proceeds of the surtax shall be dedicated to countywide investments in the areas of Economic Development Capital Projects as authorized in Section 212.055(2)(d)3, Florida Statutes, and "Housing" land acquisition in support of affordable residential housing as authorized in Section 212.055(2)(d)(1)(e), Florida Statutes. It is the County's goal to allocate at least 4.15% of said 8.3% of net proceeds for affordable housing purposes, either for the acquisition of land to be used for affordable housing, or for capital projects in support of or related to providing affordable housing suitable for the needs of the local workforce

that in turn stimulates the local economy. In furtherance of these goals, the County's representatives on the joint review committee established pursuant to the Interlocal shall advocate for the establishment of guidelines consistent with said goals.

SECTION 2. Effective Date.

This Resolution shall take effect immediately upon its adoption.

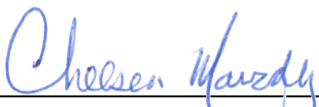
SECTION 3. Severability.

If any section, subsection, sentence, clause, phrase, or provision of this Resolution 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 Resolution invalid or unconstitutional.

SECTION 4. Saving Clause.

In the event of a conflict between this Resolution and the Interlocal Agreement referenced herein, the Interlocal Agreement shall govern.

APPROVED AS TO FORM

By: 
Office of the County Attorney