

Legislative #

120107

RESOLUTION NO. 120107

A Resolution of the City Commission of the City of Gainesville, Florida, Opposing the “Fix Our Roads” .75% (3/4 cent) Transportation Sales Surtax Proposed by the Alachua County Board of County Commissioners for the November 6, 2012 general election ballot; urging the citizens of the City of Gainesville to vote “Against” this referendum because it would unfairly tax Gainesville residents, and not return a proportionate share of tax monies to the City to address its transportation needs; and providing an immediate effective date.

WHEREAS, in the Spring and early Summer of 2012, the Mayor of the City of Gainesville and the Chair of the Board of County Commissioners entered into discussions about the respective transportation system needs of their respective jurisdictions; and

WHEREAS, as a result of those discussions and at the direction of the County Commission, the transportation initiative would be implemented with one Interlocal Agreement and one ballot whereby the City of Gainesville and Alachua County would each receive approximately 43.23% of the anticipated surtax proceeds and the remaining cities within Alachua County would share the remaining 13.54% of the anticipated surtax proceeds; and

WHEREAS, the Board of County Commissioners then decided to split the transportation initiative that would be implemented with two Interlocal Agreements and two ballots: 1) a .75% (3/4 cent) sales surtax to fund the development, construction, operation and maintenance of roads and bridges, excluding sidewalks in Alachua County and the City of Gainesville; and 2) a .25% (1/4 cent) sales surtax to fund the planning, development, construction and maintenance of the bus and fixed gridway systems owned and operated by the City of Gainesville; and

WHEREAS, the Board of County Commissioners of Alachua County submitted two Interlocal Agreements to the City Commission of the City of Gainesville requesting them to approve said Interlocal Agreements within a short time frame; and

WHEREAS, the City Commission of the City of Gainesville did approve, and the Mayor and Clerk of the Commission executed, the two aforesaid Interlocal Agreements with the understanding and in reliance that the Board of County Commissioners of Alachua County would likewise approve and execute the two Interlocal Agreements as a package in accord with the discussions and representations that previously had been made between the City of Gainesville and Alachua County; and

WHEREAS, the Board of County Commissioners of Alachua County only approved and executed one of the two Interlocal Agreements, namely the .75% (3/4 cent) sales surtax Interlocal Agreement, and the Board of County Commissioners expressly declined to approve and execute the .25% (1/4 cent) sales surtax Interlocal Agreement despite pleas and requests by the City Commission of the City of Gainesville; and

WHEREAS, as a direct result of the Board of County Commissioners actions, the City of Gainesville and its citizens are harmed and treated unfairly because the formula for distribution of the sales surtax funds provides the City and its citizens with only 24% of the total revenues that will be realized under the .75% (3/4 cent) sales surtax Interlocal Agreement while the citizens and residents of the City of Gainesville comprise more than 50% of the total population of Alachua County; and

WHEREAS, the City Commission of the City of Gainesville also believes that the Board of County Commissioners is unfairly ignoring the transportation needs of the City of Gainesville; and

WHEREAS, the City Commission of the City of Gainesville has asked the Board of County Commissioners to refrain from placing the .75% (3/4 cent) sales surtax on the referendum ballot for November 6, 2012 with the current inequitable and unfair allocation of anticipated revenues to the City of Gainesville, but the Board of County Commissioners has declined said request; and

WHEREAS, the City Commission of the City of Gainesville has also asked the Board of County Commissioners to reconsider the distribution formula or allocation of anticipated revenues to the City of Gainesville to provide 43% of said revenues each to the City of Gainesville and to Alachua County, but the Board of County Commissioners has declined said request; and

WHEREAS, the City Commission believes that the City of Gainesville and its citizens will not receive a fair and equitable distribution of the proceeds of the proposed .75% (3/4 cent) transportation sales surtax initiative, and that the distribution does not adequately and fairly address the transportation system needs of the City of Gainesville and Alachua County.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Gainesville, Florida;

Section 1. The City Commission adopts the foregoing recitation and findings.

Section 2. The Mayor and City Commissioners of the City of Gainesville oppose the “Fix Our Roads” .75% (3/4 cent) sales surtax proposed by the Board of County Commissioners of Alachua County, Florida.

Section 3. The Mayor and City Commissioners urge the citizens of Gainesville to vote “Against” on Question 1, commonly known as the “Fix Our Roads” Sales Surtax, on the November 6, 2012 ballot.

Section 4. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this 20th day of September, 2012.

CRAIG LOWE, MAYOR

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

KURT LANNON
CLERK OF THE COMMISSION

MARION J. RADSON
CITY ATTORNEY