

PASCO COUNTY, FLORIDA
INTEROFFICE MEMORANDUM

TO: Honorable Chairman and
Members of the Board
of County Commissioners

DATE: 6/27/2011

FILE: CAO11-3514

THRU: Jeffrey N. Steinsnyder
County Attorney

SUBJECT: Proposed Multi-Modal Tax
Increment Ordinance
Final Public Hearing
BOCC Meeting: 7/12/11
1:30 p.m., DC



FROM: David A. Goldstein
Chief Assistant County Attorney

REFERENCES: All Commission Districts

It is recommended that the data herein presented be given formal consideration by the Board of County Commissioners.

DESCRIPTION AND CONDITIONS:

On March 22, 2011, the Board of County Commissioners heard a presentation relating to mobility fees, chose a prototype mobility fee scenario (scenario 3.2), and directed Pasco County staff, Pasco County's consultant (Tindale, Oliver and Associates) and the County Attorney's Office to develop a full mobility fee schedule, mobility fee ordinance and tax increment ordinance to implement the Board's chosen mobility fee scenario. Attached is the proposed tax increment ordinance that implements the Board's direction, and which has been titled the "Multi-Modal Tax Increment Ordinance".

Mobility fee scenario 3.2 assumed a 33.33% ad valorem tax increment which would be used, along with the capital portion of gas taxes and Penny for Pasco sales taxes, to subsidize or buy-down the mobility fees for certain land uses and areas identified by the Board and encouraged in the Comprehensive Plan. These land uses include Office, Industrial and Lodging (Hotel) uses, Transit Oriented Development (TOD), Traditional Neighborhood Development (TND), and development in the County's South and West Market Areas (the Urban Concentration Area). The 33.33% tax increment will also be used to fund enhanced transit operations.

The tax increment area generally consists of the entire unincorporated area of Pasco County; however, based on the Board's direction at the June 21st first public hearing, the Ordinance has been revised to exclude the future Lacoochee/Trilby Community Redevelopment Area (CRA) from the tax increment area.

Pasco County's municipalities have been given the option of participating in the mobility fee program, but they are not required to do so. If they choose to participate, the tax increment area will be expanded to include the participating municipality, but it will exclude any CRAs in the participating municipality. In addition, if a municipality participates, the tax increment revenues collected in the municipality will be earmarked for transportation improvements benefiting that municipality.

The ad valorem tax increment revenues are calculated each year by applying the then current millage rate to 33.33% of the difference between the current taxable valuation of the tax increment area and the 2011 (base year) taxable valuation of the tax increment area. Fiscal year 2013 will be the first fiscal year that ad valorem tax increment revenues might be generated pursuant to this ordinance.

In addition to implementing the Board's prior direction relating to mobility fees, this ordinance also satisfies the Boards' tax increment commitment in the Villages of Pasadena Hills Financial Plan by earmarking a portion of the County-wide tax increment revenues for transportation improvements benefiting the Villages of Pasadena Hills, including the planned future interchange at I-75/Overpass Road.

Although County staff does not presently intend to bond or pledge the tax increment revenues, existing case law does allow tax increment revenues to be bonded without a referendum. In addition, the tax increment revenues are exempt from any maximum rolled-back rate calculations.

ALTERNATIVES AND ANALYSIS:

1. Adopt the attached proposed Tax Increment Ordinance.
2. Direct revisions to the attached proposed Tax Increment Ordinance.
3. Do not adopt the proposed Tax Increment Ordinance.

RECOMMENDATION AND FUNDING:

The County Attorney's Office recommends that the Board of County Commissioners accept public comment, approve alternative number 1, adopt the proposed Tax Increment Ordinance by roll call vote, authorize the Chairman's signature on same, direct Board Records to file a certified copy of the ordinance and the coding form with the Department of State within ten (10) days after enactment, retain one (1) original, and send one (1) copy to the County Attorney, New Port Richey along with a copy of the letter from the Department of State showing receipt of the Ordinance.

The cost of housing may be reduced based on this ordinance and Mobility Fee Ordinance.

No funding is required for this item. Administration of the tax increment/mobility fee program will be addressed through the mobility fee administration fee.

DAG:ls

Attachment: Proposed Multi-Modal Tax Increment Ordinance

cc: Michele Baker, Chief Assistant County Administrator
Bipin Parikh, Assistant County Administrator, Development Services
Mike Nurrenbrock, Director of Office of Management and Budget
Dan Risola, Capital Project Planning Coordinator, OMB
Michael Clark, Budget Director (OMB)
Jim Edwards, Transportation Planning Manager, MPO
Jim Widman, Engineering Services Director
Debbie Bolduc, Program Administrator for Engineering Services
Cindy Jolly, P.E., Development Director
Richard Gehring, Growth Management Administrator
George Romagnoli, Community Development Manager
Mike Carroll, Transportation Manager