

**RESOLUTION NO. R-13-165**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA REGARDING PUBLIC FINANCE; PROVIDING FOR DISTRIBUTION OF PROCEEDS OF THE COUNTY'S FOUR-CENT LOCAL OPTION FUEL TAX; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 336.025, Florida Statutes (the "Act") authorizes the County to levy and collect a 1-cent, 2-cent, 3-cent, 4-cent, 5-cent, or 6-cent local option fuel tax upon every gallon of motor fuel and diesel fuel sold in the County; and

**WHEREAS**, Section 2-29-31 of the Manatee County Code of Ordinances, provides for the County to levy and collect a four-cent local option fuel tax (the "Four-Cent Local Option Fuel Tax") for such purposes for a period that previously was scheduled to expire on September 1, 2013; and

**WHEREAS**, the Act provides that the County may extend the term of the Four-Cent Local Option Fuel Tax, provided that the period of extension of the Four-Cent Local Option Fuel Tax does not exceed 30 years, and provided that the County makes a redetermination of the method of distribution of the proceeds of the Four-Cent Local Option Fuel Tax; and

**WHEREAS**, on July 30, 2013, the Board of County Commissioners of Manatee County, Florida (the "Board"), enacted Ordinance No. 13-29, which extended the expiration of the Four-Cent Local Option Fuel Tax for a period of 28 years; and

**WHEREAS**, it is necessary to provide a redetermination of the method of distribution of the Four-Cent Local Option Fuel Tax to governing bodies within Manatee County as required by the Act; and

**WHEREAS**, it is in the best interest of the public health, safety and welfare for the County to continue to use the distribution method authorized in the Act for the proceeds of the Four-Cent Local Option Fuel Tax.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, THAT:**

**SECTION 1. DISTRIBUTION OF FOUR-CENT LOCAL OPTION FUEL TAX.**

- A. The proceeds returned to Manatee County of the Four-Cent Local Option Fuel Tax collected on or after October 1, 2013, shall be distributed based on transportation expenditures in accordance with Section 336.025(4), Florida Statutes. The distribution percentages, based upon the most recent information available, are determined to be as follows:

City of Anna Maria	1.71 %
City of Bradenton	7.84 %
City of Bradenton Beach	0.36 %
City of Holmes Beach	1.73 %
Town of Longboat Key	0.67 %
City of Palmetto	8.06 %
Manatee County	<u>79.63 %</u>
 Total	 100.00%

- B. The Clerk of the Circuit Court, as the County's budget officer (the "Clerk"), is hereby directed to promptly forward a certified copy of this Resolution to each municipality identified in Section 1.A. above and a certified copy to the Department of Revenue as required under the Act.
- C. The County intends for the Florida Department of Revenue to continue to distribute one hundred percent of the Four-Cent Local Option Fuel Tax proceeds to Manatee County through the Clerk, and for the Clerk to make distributions to municipalities as authorized in the Act.

**SECTION 2. SEVERABILITY.** If any section, sentence, clause, or other provision of this Resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Resolution.

**SECTION 3. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its adoption.

**ADOPTED WITH A QUORUM PRESENT AND VOTING THIS THE 21st DAY OF SEPTEMBER, 2013.**



**BOARD OF COUNTY COMMISSIONERS OF  
MANATEE COUNTY, FLORIDA**

By: Larry Bustle  
Chairman

**ATTEST: R.B. Shore  
CLERK OF THE CIRCUIT COURT**

By: Dicki Jessmer  
Deputy Clerk