ADD ON

Agenda Item #: 7 F 1

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: February 26, 2008	[]	Consent Ordinance	[X]	Regular Public Hearing
Department:	.,		LJ	
Submitted By: Legislative Affairs				
Submitted For: Administration				
I.	EXEC	UTIVE BRIEF		

Motion and Title: Staff requests Board direction on SB 1512 relating to

Summary: SB 1512 filed by Senator Geller requires that 80% of the proceeds from the rental car surcharge collected in each county served by the South Florida Regional Transportation Authority to be deposited in an account held by the authority, providing that the Department of Transportation and the counties are relieved of certain funding obligations if a recurring funding source, including the rental car surcharge, is dedicated to the South Florida Regional Transportation Authority (SFRTA). These funding obligations include the requirement that each county dedicate not less than \$2.67 million to the authority annually in addition to an amount not less than \$1.565 million annually to fund to the operations of the SFRTA.

Background and Justification:

Transportation and Transit Authorities.

Currently, a \$2 rental car surcharge is applied to car rental on the first 30 days of term of any lease or rental. Eighty percent of the surcharge is deposited into the State Transportation Trust Fund and 20% is deposited into the Tourism Promotional Trust Fund. According to statute, the proceeds deposited in the State Transportation Trust Fund shall be allocated on an annual basis in the Department of Transportation's work program to each department district, except the Turnpike District. The amount allocated for each district shall be based upon the amount of proceeds attributed to the counties within each respective district.

Each County currently served by the SFRTA is required to dedicate not less than \$2.67 million to the authority annually. In addition, each county must annually fund the operations of the SFRTA in an amount not less than \$1.565 million. If this legislation were to pass, at least \$42 million of the existing \$2 rental car surcharge available to Broward, Miami-Dade and Palm Beach counties would be directed to the authority to fund its capital, operating and maintenance expenses, and the counties would no longer be required to fund their statutory obligations. What remains unclear is how the \$42 million dedicated to transit will affect DOT dollars allocated toward the County's 5 year plan. DOT has indicated that it would be taken from existing 5-year program projects and could include SR-7 (from SR704 to Northlake) and SR-710 (Port of Palm Beach connection).

Attachments:

- 1. SB 1512
- 2. FDOT Potential Project Impacts

7 lil A. RO. .. > 7/20/20

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years:	2008	2009	2010	2011	2012
Capital Expenditures					
Operating Costs	*SEE OFMB	COMMENTS	BELOW*		
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT					

# ADDITIONAL FTE POSITIONS (Cumulative)	ā			
Is Item Included In Current Budget?	Yes	No	_	
Budget Account No: FundAgency_	Org	Object	_Reporting Cate	egory
B. Recommended Sources of Fur	nds/Summa	ary of Fisc	al Impact:	

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

If the legislation passes, PBC's current funding obligation (\$7,036,950 for FY 2008) would cease effective in FY 2009. However, there is also a potential loss to the Five Year Road Program funding from the DOT.

Sand	2.22.08	
OFMB	30 alas 108	01/20
トナーツェー	200,00	

Contract Dev. and Control

B. Legal Sufficiency:

Assistant County Attorney

SB1512, as currently written, only relieves the County of its funding obligation to the SFRTA (of 1.565 million) under Section 343.58(3), Florida Statute. It does not relieve the County of its funding obligation, in the amount of 2.67 million, under Section 343.58(1).

C. Other Department Review:

Print Format		Page 1 of 4
Florida Senate 31-03228-08	By Senator Geller A bill to be entitled	20081512 s i
2	An act relating to transportation and transit authorities;	
3	amending s. 120.52, F.S.; revising the definition of	
4	"agency" to exclude any transportation or transit	
5	authority established under ch. 343, F.S., from the	
6	provisions of the Administrative Procedure Act; amending	
7	s. 212.0606, F.S.; requiring a certain percentage of the	
8	proceeds from the rental car surcharge collected in	
9	counties served by the South Florida Regional	
10	Transportation Authority to be deposited in an account	
11	held by the authority; requiring the Department of Revenue	
12	to provide information regarding such surcharge to the	
13	authority each year by a specified date; amending ss.	
14	341.303 and 343.58, F.S.; providing that the Department of	
15	Transportation is relieved of certain funding obligations	
16	if a recurring funding source, including the rental car	
17	surcharge, is dedicated to the South Florida Regional	
18	Transportation Authority; providing that counties served	
19	by the authority may be relieved of their funding	
20	obligations under certain circumstances; providing an	
21	effective date.	
22		
23 Be 1	It Enacted by the Legislature of the State of Florida:	
24	and the programme of the state of Florida.	
25	Section 1. Subsection (1) of section 120.52, Florida	
26 Stat	tutes, is amended to read:	
27	120.52 DefinitionsAs used in this act:	
28	(1) "Agency" means:	
29	(a) The Governor in the exercise of all executive powers	
30 other	er than those derived from the constitution.	

31

(b) Each:

Print Format

69

70

(2)

Page 2 of 4

39	4. Commission, including the Commission on Ethics and the
10	Fish and Wildlife Conservation Commission when acting pursuant to
11	statutory authority derived from the Legislature.
12	5. Regional planning agency.
13	6. Multicounty special district with a majority of its
14	governing board comprised of nonelected persons.
15	7. Educational units.
16	8. Entity described in chapters 163, 373, 380, and 582 and
17	s. 186.504.
18	(c) Each other unit of government in the state, including
19	counties and municipalities, to the extent they are expressly
50	made subject to this act by general or special law or existing
51	judicial decisions.
i2	
: 3	mble definition described the second
3	This definition does not include any legal entity or agency
64	created in whole or in part pursuant to Fart II 21 chapter 361,-
55	make Lar, any metropolitan planning organization created pursuant
6	to s. 339.175, any separate legal or administrative entity
57	created pursuant to s. 339.175 of which a metropolitan planning
8	organization is a member, an expressway authority pursuant to
19	chapter 348, and or transportation authority under chapter 343 or
0	chapter 349, any legal or administrative entity created by an
1	interlocal agreement pursuant to s. $163.01(7)$, unless any party
2	to such agreement is otherwise an agency as defined in this
3	subsection, or any multicounty special district with a majority
4	of its governing board comprised of elected persons; however,
5	this definition shall include a regional water supply authority.
6	Section 2. Paragraph (c) is added to subsection (2) of
7	section 212.0606, Florida Statutes, to read:
8	212.0606 Rental car surcharge

(c) Mocwithstending any other provision of law, in the

111

79	341.303, Florida Statutes, is amended to read:
80	341.303 Funding authorization and appropriations;
81	eligibility and participation
82	(4) FUND PARTICIPATION; SERVICE DEVELOPMENT
83	(a) The department is authorized to fund up to 50 percent
84	of the net operating costs of any eligible intercity or commuter
85	rail service development project that is local in scope, not to
86	exceed the local match. However, the department is not obligated
87	to provide the South Florida Pegional Transportation Authority
88	anch funding if a resulting funding source, including 80 percent
89	of the rental car surcharge collected pursuant to s. 11.0006 in
90	counties sersed by the authority of an equivalent recorring
91	Eunding schice, is dedicated to the authority and collection from
92	such tunding source begins. If villection begins in the middle of
93	a fiscal year, funds promited for the authority's net operating
94	costs must be pullated. If the recurring funding source is
95	discontinued for any reason, the detailment shall resume funding
96	the authority's net operating osts.
97	Section 4. Subsections (2) and (4) of section 343.58,
98	Florida Statutes, are amended to read:
99	343.58 County funding for the South Florida Regional
100	Transportation Authority
101	(2) It At least with this beaution of a state authorized, least
102	spation recurring funding source is dedicated available to
103	Provided Nieur Dada, and Laim Reach amortion is disasted to the
104	authority to fund its capital, operating, and maintenance
105	expenses, including 86 bereaut of the rental car surchards
106	collected puramout to a. 212,0000 in counties served by the
107	authority or an equivarent recurring rousing source, such
108	counties are relieved of their funding obdinations provided in
109	subsection (7). The funding source shall be dedicated to the
110	authority only if Broward, Miami-Dade, and Palm Beach counties

impose the local option funding source.

P ₁	int	Format
	1111	1.011111111

Page 4 of 4

119	as provided in subsection (3), payment by the counties shall be
120	on a pro rata basis the first year following <u>collection</u> escention
121	of the funding under subsection (2) $\frac{1}{2}\frac{\partial G_{per}}{\partial G_{per}}$ the authority shall
122	refund a pro rata share of the payments for the current fiscal
123	year made pursuant to the current funding obligations under
124	subsections (1) and (3) as soon as reasonably practicable after
125	it begins to receive funds under subsection (2). If, by December
126	31, 2015, the South Florida Regional Transportation Authority has
127	not received federal matching funds based upon the dedication of
128	funds under subsection (1), subsection (1) shall be repealed.
	Section 5. This act shall take effect July 1, 2008. ords attacked are deletions; words unitalized are additions.
obbyte	OOIS

Generated on 02/15/08 by LobbyTools.com

DRAFT

Palm Beach County Potential Project Impacts Due to Rental Car Surcharge Loss

F.M.#	STATE ROAD /LOCAL NAME	DESCRIPTION	PHASE	FUND	08/09	09/10	10/11	11/12	12/13	DEFERRED OUTSIDE OF T.W.P.
			32	XU			(5.00)	5.00		
229664-2	SR-7/US-441	From SR 704 to North Lake Blvd	54	XU					(6.00)	6.00
			A8	SU		(3.50)		3.50		
229710-1	SR-15	From MP 6.0 to SR 729	32	XU			(4.00)	4.00		
229895-2		Port of Palm Beach Connection	32	DS					(7.70)	7.70
			43	DDR		(7.91)	5.28	2.63		
		20	43	SU	(3.00)	(2.20)	5.20			
			45	DS	(2.28)	2.28				
			52	CM				(2.36)		2.36
			52	DDR				(0.85)		0.85
		- CARLES AND CONTRACTOR	52	XA		I		(12.63)		12.63
229896-1	SR-710	From west of Australian Ave to Old Dixie Hwy	52	XU				(13.93)		13.93
			56	XU				(0.05)		0.05
			57	XU	(0.03)		(0.10)			0.13
			61	XU				(0.30)	-	0.30
			62	DDR				(1.18)		1.18
	1		62	XU				(1.73)		1.73
	 		43	DDR	(0.37)	(5.18)				5.55
		From west of Congress Ave to west of Australian Ave	43	XU	(4.50)	2.50	2.00			
229897-2	SR-710		45	DDR	(0.61)	(0.46)				1.07
			57	DDR	(0.03)					0.03
			52	XU			(4.39)	4.39		
		811/Dixie Hwy From Broward-Countyline to SW 18th St	56	XU		(0.10)	0.10			
231276-1	SR 811/Dixie Hwy		61	XU			(0.06)	0.06		
			62	XU			(0.06)	0.06		
233166-2	SR 808/Glades Rd	From SR 7 to I-95	22	XU	1			(2.45)		2.45
			22	XU		(2.50)		2.50		
416526-1	SR-5/US-1	From south of Glades Rd to north of Yamato Rd	32	XU					(2.80)	2.80
			52	DDR		(4.70)				4.70
			52	XU		(1.31)				1.31
416905-1	SR 706/Indiantown Rd	From Chasewood Plaza to SR 811	57	DDR	(0.03)					0.03
10000	Service of the servic	Ploin Chasewood Plaza & Six 81:	62	DDR		(0.72)				0.72
			5A	DDR	1		(0.28)			0.28

Current Draft Tentative Work Program
Potential Deducts 108.30 10.85 31.58 13.88 35.49 16.50 (65.80) (10.85)(23.80) (1.30) (13.35)(16.50) 17.30 12.58 8.49 Required Reduction of Funds 64.16 17.30 8.49