

RESOLUTION NO. ____ - 2008

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, DIRECTING THE SUPERVISOR OF ELECTIONS TO PLACE ON THE NOVEMBER 4, 2008 GENERAL ELECTION BALLOT A REFERENDUM QUESTION REGARDING AD VALOREM TAXES TO FUND TRAUMA STAR; PROVIDING A PROCESS FOR THE COUNTY COMMISSION TO ACT UPON A FAVORABLE MAJORITY VOTE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Monroe County Sheriff obtained a helicopter with the use of forfeiture funds in 2002 and operated an air ambulance service for trauma victims to be transported rapidly to trauma care facilities in Miami, saving hundreds of lives; and

WHEREAS, the Board of County Commissioners appropriated funds to purchase a replacement helicopter when the original helicopter became so old that maintenance and replacement parts became cost-prohibitive; and

WHEREAS, the annual costs of operation of TraumaStar, the Sheriff's rapid-transport air ambulance, has been approximately \$1,800,000 per year in excess of revenues collected from user service fees; and

WHEREAS, State legislature in 2007 and 2008, has limited the collection of ad valorem taxes by local governments, except by super-majority or unanimous vote by the governing board or by approval through referendum by the taxpayers; and

WHEREAS, it has been estimated that the amount necessary to supplement the TraumaStar service revenues to keep it operational for trauma scenes throughout the Florida Keys can be met by less than a .015 mill tax; and

WHEREAS, a running order by the Monroe County Fire Chief designates Mile Marker 95 as the point above which air ambulance service from Miami-Dade County is requested for trauma scenes, and below which TraumaStar is requested for trauma scenes due to the time necessary for the respective air ambulance to reach the scene; and

WHEREAS, it is equitable to assess a lower millage in the area above Mile Marker 95 because TraumaStar acts as a secondary provider for trauma scenes in that area and a higher millage in the area below Mile Marker 95 where it acts as primary provider; and

WHEREAS, the impact of the maximum levy of the proposed surtax on a property with an assessable value of \$350,000 would be \$52.50 per year below Mile Marker 95 and \$26.25 per year above Mile Marker 95; and

WHEREAS, a majority vote by the electors still requires local legislation which would render the measure effective for the November 2009 tax bills for the County's fiscal year ending September 30, 2010; and

WHEREAS, the annual levy of tax, if approved by the voters and implemented by subsequent ordinance, will be dependent on the revenue stream that becomes established by TraumaStar service fees, but will be limited to the millage approved by the voters; now therefore

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR MONROE COUNTY that:

Section 1. Referendum.

(a) The proposed levy of an additional ad valorem tax for the purposes of operating TraumaStar shall be presented to the county electorate by placing the question of approval of the levy of the surtax on the ballot at a referendum election to be held on November 4, 2008.

(b) The Supervisor of Elections of Monroe County shall cause the following question to be placed on the ballot on November 4, 2008:

LEVY OF EXCESS MILLAGE, AT VARIED RATES, TO OPERATE TRAUMA STAR

Do you favor legislation, for the purpose of operating TraumaStar, a local government owned and operated air ambulance, to levy ad valorem tax not to exceed fifteen cents per \$1,000 taxable value below Mile Marker 95, and not to exceed 7½ cents per \$1,000 taxable value from Mile Marker 95 to Miami-Dade County, in addition to the millage rate allowed by Florida Statute Section 200.185 without voter referendum?

_____ Yes

_____ No

Section 2. Advertisement of Ballot Question.

The County Attorney shall cause to be advertised in a paper of general circulation at least twice, once in the fifth week and once in the third week prior to the week in which the referendum election is to be held.

Section 3. Enabling Legislation.

If approved by the referendum election, a public hearing shall be advertised and held for the County to consider an ordinance to implement the taxation authorized by the voters.

Section 4.

Required Municipal Ordinances and Interlocal agreement with Special District.

If a County ordinance is passed, each municipality which is to be included in the service district shall pass an ordinance providing for inclusion, and the Key Largo Fire Rescue and Emergency Medical Services District, for which emergency medical services are not a primary function per Laws of Florida 2005-329, shall enter into an interlocal agreement with the County for the service to be available in that jurisdiction.

Section 5. Effective Date.

This resolution shall be effective on July 28, 2008.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 28th day of July, AD, 2008.

Mayor Mario DiGennaro _____
Mayor Pro Tem Charles "Sonny" McCoy _____
Commissioner Sylvia Murphy _____
Commissioner George Neugent _____
Commissioner Dixie Spehar _____

**BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA**

(SEAL)

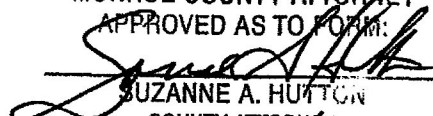
ATTEST:

DANNY L. KOLHAGE, CLERK

By: _____
Mayor Mario Di Gennaro

By: _____
Deputy Clerk

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:



SUZANNE A. HUTTON
COUNTY ATTORNEY
Date 7/25/08