



WORKSHOP AGENDA

February 3, 2009

**CITY OF TREASURE ISLAND, FLORIDA
BOARD OF COMMISSIONERS WORKSHOP
February 3, 2009
IMMEDIATELY FOLLOWING THE COMMISSION MEETING**

I. DISCUSSION ITEMS:

1. Discussion on a special alcohol tax
2. Consideration of Res. 09-02, Supporting Special Assessments to Fund Law Enforcement Services

II. OLD BUSINESS:

III. CITY MANAGER/CITY ATTORNEY REPORTS AND COMMENTS:

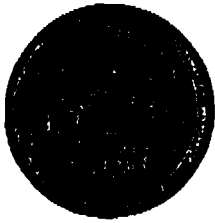
IV. REPORTS & COMMENTS BY COMMISSIONERS:

V. PUBLIC COMMENTS:

VI. ADJOURNMENT:

Any person desiring to file an appeal to any action taken by the Commission at this meeting will need a record of the proceedings and for such purpose may be required to insure that a verbatim transcript is made. Said transcript shall be made by the appellant at his or her expense. Therefore, you may wish to provide a court reporter at your expense.

Any person with a disability who needs any accommodation in order to participate in this proceeding is entitled to assistance at no cost. Please contact the office of the City Clerk in writing at 120 – 108 Avenue, Treasure Island FL 33706 or by phone at 727 547 4575 at least two working days prior to the meeting to advise what assistance is needed



CITY OF GULFPORT, FLORIDA
Gateway to the Gulf

MICHAEL J. YAKES, Mayor
JUDY RYERSON, Councilmember, Ward 1
MICHELE KING, Councilmember, Ward 2
ROBERT E. WORTHINGTON, Councilmember, Ward 3
MARY STULL, Councilmember, Ward 4

THOMAS E. BROBEIL, City Manager
DONNA M. SPANO, City Clerk
TIMOTHY P. DRISCOLL, City Attorney

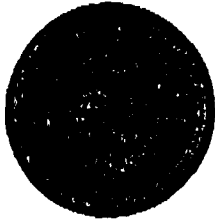
<http://www.ci.gulfport.fl.us>

To: Pinellas County Legislative Delegation
From: Mayor Michael J. Yakes, City of Gulfport
Date: December 11, 2008
Re: Alcohol Tax

For approximately three years, I in concert with City of Gulfport Public Safety staff have been attempting to identify potential revenue streams that could improve how courts, communities and law enforcement deal with persons and families who are directly affected by the misuse of alcohol.

I have attached a fundamental proposal for your consideration. Following rudimentary research, the potential for revenue from this source could be significant and could go a long way to not only enhance current systems but even provide funding to local governments to assist in these efforts, including and treatment and monitoring programs, at a time when other revenues are reducing.

I believe it is prudent to pursue such funding in the interest of increased public safety.



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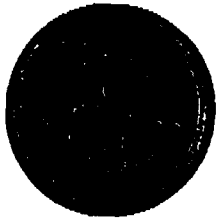
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<http://www.ci.gulfport.fl.us>

To: Pinellas County Legislative Delegation
From: Mayor Michael J. Yakes, City of Gulfport
Date: December 11, 2008
Re: Alcohol Tax

-
- One cent (.01) tax per serving of alcohol.
 - Potential revenue stream that could improve how courts, communities and law enforcement deal with persons and families who are directly affected by the misuse of alcohol.
 - Treatment and monitoring programs.
 - Increase compliance with Court ordered programs.
 - Increased supervision of offenders.

I believe it is prudent to pursue such funding in the interest of increased community programs and public safety.



CITY OF GULFPORT, FLORIDA

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Proposal for Alcohol Tax

The State of Florida courts typically mandate substance abuse testing, avoidance training and community service hours for offenders who have violated DUI, BUI or Disorderly Intoxication statutes. Due to the tremendous demands on the various agencies tasked to confirm adherence to these court-ordered restrictions, many offenders are never checked on to confirm they are in compliance. Oftentimes, the role of confirming adherence is simply an ancillary duty and is of low priority, due to limited funding and staffing.

This proposal is to impose a one cent per serving tax on alcohol products statewide and to use the funding derived from the tax to support enhanced efforts by the various Courts, Community Control, DCF, CPI or other entities who are responsible for enforcing the court orders.

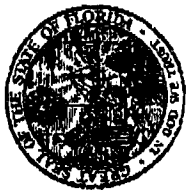
Based on the Florida Division of Alcoholic Beverages and Tobacco Bureau of Auditing Beer Sales Report for the Tampa region, in December 2007 a total sale, based on pints, of 101,622,880 units were reported distributed by area wholesalers. Please note this figure only includes the sale of beer, not wine or liquor. If a one cent tax was imposed per serving at the consumer level, the State of Florida would have received 1% of the total sales, or in excess of one million dollars from this region, for a one month period. When these figures are extrapolated to include all regions and all alcoholic beverage sales, the revenues to the State would be significant and provide funding for courts, social services reporting to those courts, custodial programs, and even law enforcement.

In this time of reduced revenues, a user fee such as this is both fiscally responsible and politically acceptable.

Attached: Summary of Reported Beer Sales for Tampa, December 2007

January 23, 2008

Summary of Reported Beer Sales for Tampa December 2007



Distributor	Taxable Sales			Non-Taxable Sales			Total Sales		
	Pints	Quarts	Bulk Gallons	Pints	Quarts	Bulk Gallons	Pints	Quarts	Bulk Gallons
ANHEUSER BUSCH INC - TAMPA	0	0	0.00	0	0	0	0	0	0.00
APPLE A DAY INC - SARASOTA	10,716	2,380	0.00	0	0	0.00	10,716	2,380	0.00
BERNIE LITTLE DISTRIBUTOR - EATON PARK	7,606,056	250,836	63,392.29	0	0	0.00	7,606,056	250,836	63,192.29
BERNIE LITTLE DISTRIBUTOR - SEBRING	3,130,339	61,908	16,637.69	0	0	0.00	3,130,339	61,908	16,637.69
FANTIS FOODS OF FLORIDA INC - PINELLAS PARK	2,448	0	0.00	0	0	0.00	2,448	0	0.00
FINTER IMPORTS, INC. - CLEARWATER	0	0	0.00	0	0	0.00	0	0	0.00
FLORIDA BREWERY - AUBURNDALE	0	0	0.00	0	0	0.00	0	0	0.00
FLORIDA DISTILLERS CO - AUBURNDALE	0	0	0.00	0	0	0.00	0	0	0.00
FLORIDA DISTILLERS COMPANY - LAKE ALFRED	0	0	0.00	0	0	0.00	0	0	0.00
FRESHPOINT WEST COAST - TAMPA	0	0	2,852.00	0	0	0.00	0	0	2,852.00
GLOBAL IMPORTS & EXPORTS DISTRIBUTORS INC -	1,460	0	0.00	0	0	0.00	1,460	0	0.00
GOLD COAST EAGLE DISTRIBUTING LTD - UI	9,720,578	154,474	123,688.54	7,632	0	0.56	9,728,210	154,474	123,689.10
GOS WINES & SPIRITS - BRADENTON	0	0	0.00	0	0	0.00	0	0	0.00
GREAT BAY DISTRIBUTORS HOLIDAY - HOLIDAY	5,985,803	60,349	96,758.19	0	0	0.00	5,985,803	60,349	96,758.19
GREAT BAY DISTRIBUTORS INC - LARGO	10,440,562	135,687	121,350.73	60,936	0	38.75	10,501,498	135,687	121,389.48
GREEK BOYS CHOICE, INC. - TARPON SPRINGS	8,040	0	0.00	0	0	0.00	8,040	0	0.00
IMPORT. ANT WINES INC - VENICE	7,896	720	1,262.72	2,016	0	303.80	9,912	720	1,566.52
JJ TAYLOR DISTRIBUTING - TAMPA	20,985,804	740,072	317,159.76	176,288	1,392	928.29	21,162,012	741,464	318,088.05
JJ TAYLOR DISTRIBUTING FT MYERS-NAPLES INC -	9,999,350	215,121	126,237.10	12,204	24	7.92	10,011,554	215,145	126,245.02
JOHNSON BROTHERS LIQUOR COMPANY - TAMPA	102,014	4,512	0.00	936	12	0.00	102,950	4,524	0.00



CITY OF GULFPORT
2401 53rd Street South
Gulfport, Florida 33707

Date: December 16, 2008

From: Mayor **Mike Yakes**

To: Mayor **Mary Maloof**

Phone: (727) 893-1009
Fax: 893-1005

Phone:
Fax: 547-4582

Subject: Documents RE:

- Special assessments to fund law enforcement services - Resolution passed by the Gulfport City Council at the meeting of December 2
- Special Alcohol tax

Good Morning. Please find attached two documents I presented to the Suncoast League of Cities at their December 4 meeting and to the Pinellas County Legislative Delegation on December 11.

I would appreciate your support on these two very important issues. Please call me at 422-1098 at your convenience so we can discuss these matters further.

Mike

8 pages, including cover

RESOLUTION NO. 2008-87

A RESOLUTION OF THE CITY OF GULFPORT, FLORIDA, TO SUPPORT THE FLORIDA LEAGUE OF CITIES 2009 LEGISLATIVE ACTION AGENDA FOR SPECIAL ASSESSMENTS TO FUND LAW ENFORCEMENT SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida league of Cities will support legislation that allows municipalities to impose special assessments, or a similar funding method, for the provision of law enforcement services in an initial revenue neutral manner to payers of property taxes; and

WHEREAS, this also allows municipalities to use this funding source to replace municipal service taxing units created within municipalities for law enforcement services; and

WHEREAS, several Cities have requested the legislature consider authorizing municipalities to levy special assessments for the provision of law enforcement services; and

WHEREAS, to address judicial decisions relating to special assessments, the legislature is also requested to provide that assessments for law enforcement services are to be considered an authorized tax to the extent necessary to satisfy the Florida Constitution; and

WHEREAS, for example, the Florida Supreme Court stated in the case Collier County v. State; the County concedes that the services funded by the (special) assessment in this case are the same general police-power services the County provides to all county residents for their general benefit, funded from ad valorem taxes, including: sheriff's services; libraries; parks; election services; public health services; and public works, and


WHEREAS, the fee in this case has the indicia of a tax because it is proposed to support many of the general sovereign functions contemplated within the definition of a tax,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GULFPORT, FLORIDA:


Section 1. The City Council hereby supports the Florida League of Cities 2009 legislative action agenda for special assessments to fund law enforcement services.

Section 2. This resolution shall become effective upon its adoption.

PASSED AND ADOPTED this 2nd day of December, 2008 by the Council of the City of Gulfport, Florida.


Michael J. Yakes Mayor

ATTESTED by the City Clerk on the date above written.


M. Elaine Barclay, Interim City Clerk

RESOLUTION – SPECIAL ASSESSMENT

A RESOLUTION OF THE SUNCOAST LEAGUE OF CITIES, TO SUPPORT THE FLORIDA LEAGUE OF CITIES 2009 LEGISLATIVE ACTION AGENDA FOR SPECIAL ASSESSMENTS TO FUND LAW ENFORCEMENT SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida league of Cities will support legislation that allows municipalities to impose special assessments, or a similar funding method, for the provision of law enforcement services in an initial revenue neutral manner to payers of property taxes; and

WHEREAS, this also allows municipalities to use this funding source to replace municipal service taxing units created within municipalities for law enforcement services; and

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WHEREAS, the fee in this case has the indicia of a tax because it is proposed to support many of the general sovereign functions contemplated within the definition of a tax,

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE SUNCOAST LEAGUE OF CITIES, (representing 5 counties, 30 cities and over 1 Million citizens):

Section 1. The **SUNCOAST LEAGUE OF CITIES** hereby supports the Florida League of Cities 2009 legislative action agenda for special assessments to fund law enforcement services.

Section 2. This resolution shall become effective upon its adoption.

PASSED AND ADOPTED this 4th day of December, 2008 by the Members of the **SUNCOAST LEAGUE OF CITIES**.

RESOLUTION NO. 09-02

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TREASURE ISLAND, FLORIDA, TO SUPPORT THE FLORIDA LEAGUE OF CITIES 2009 LEGISLATIVE ACTION AGENDA FOR SPECIAL ASSESSMENTS TO FUND LAW ENFORCEMENT SERVICES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida League of Cities will support legislation that allows municipalities to impose special assessments, or a similar funding method, for the provision of law enforcement services in an initial revenue neutral manner to payers of property taxes; and

WHEREAS, this also allows municipalities to use this funding source to replace municipal service taxing units created within municipalities for law enforcement services; and

WHEREAS, several Cities have requested the legislature consider authorizing municipalities to levy special assessments for the provision of law enforcement services; and

WHEREAS, to address judicial decisions relating to special assessments, the legislature is also requested to provide that assessments for law enforcement services are to be considered an authorized tax to the extent necessary to satisfy the Florida Constitution; and

WHEREAS, for example, the Florida Supreme Court stated in the case Collier County v. State: the County concedes that the services funded by the (special) assessment in this case are the same general police-power services the County provides to all county residents for their general benefit, funded from ad valorem taxes, including: sheriff's services, libraries, parks, election services, public health services, and public works; and

WHEREAS, the fee in this case has the indicia of a tax because it is proposed to support many of the general sovereign functions contemplated within the definition of a tax.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF TREASURE ISLAND DOES RESOLVE THAT:

1. The City Commission hereby supports the Florida League of Cities 2009 legislative action agenda for special assessments to fund law enforcement services.
2. This resolution is effective immediately upon adoption.

The foregoing Resolution was offered during Regular Session of the City Commission of the City of Treasure Island, Florida, sitting on the ____ day of February, 2009 by Commissioner () who moved its adoption; was seconded by Commissioner () and upon roll call, the vote was:

YEAS:

NAYS:

ABSENT OR ABSTAINING:

Mary H. Maloof, Mayor

ATTEST:

Dawn Foss, City Clerk