

RESOLUTION R2012-167 IS SHOWN ON PAGES 15-25



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-3576

Public Hearings 15.

BCC Regular Meeting

Meeting Date: 12/06/2012

Issue: 5:34 p.m. Public Hearing - Adoption of a Resolution Concerning Library MSTU

From: Ryan E. Ross, Esq.

Organization: County Attorney's Office

CAO Approval:

A handwritten signature in black ink, appearing to read "Ryan E. Ross", is written over a horizontal line.

RECOMMENDATION:

5:34 p.m. Public Hearing for consideration of adopting a Resolution amending the Library MSTU geographical area.

Recommendation: That the Board adopt a Resolution amending the geographical area of the Library Municipal Services Taxing Unit (MSTU) to allow inclusion of municipalities.

BACKGROUND:

During its November 8th and November 15th Board of County Commissioners meetings, the Board indicated an interest in including the City of Pensacola and the Town of Century within the Library MSTU. The assesment associated with the MSTU would be assessed during the 2013/2014 budget process.

BUDGETARY IMPACT:

Unknown until the 2013/2014 budget process has taken place.

LEGAL CONSIDERATIONS/SIGN-OFF:

The resolution was prepared by Ryan E. Ross, Assistant County Attorney.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

N/A

IMPLEMENTATION/COORDINATION:

N/A

Attachments

BCC 5:34 PH

Resolution with Exhibits

RESOLUTION R2012 - _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, RELATING TO PRIOR RESOLUTIONS ESTABLISHING A MUNICIPAL SERVICES TAXING UNIT FOR LIBRARY SERVICES; EXPANDING THE GEOGRAPHICAL SCOPE OF THE MUNICIPAL SERVICES TAXING UNIT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 22, 1994, the Escambia County Board of County Commissioners adopted a resolution that created the Municipal Services Taxing Unit for Library Services ("Library Services MSTU") (attached as Exhibit "A"); and

WHEREAS, on July 28, 1994, the Board of County Commissioners amended the March 22, 1994 Resolution by defining the geographical scope of the Library Services MSTU as being coterminous with all of the unincorporated areas of Escambia County (attached as Exhibit "B"); and

WHEREAS, the Board of County Commissioners finds that it is necessary to utilize the established Library Services MSTU as a dedicated funding source for library services in both the unincorporated and incorporated areas of Escambia County; and

WHEREAS, the Board of County Commissioners accordingly seeks to amend the March 22, 1994 Resolution, as amended by the July 28, 1994 Resolution, by expanding the geographical scope of the Library Services MSTU to include any incorporated municipalities located within Escambia County that elect to join the Library Services MSTU by ordinance.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. RECITALS.

The aforementioned recitals are hereby incorporated into this Resolution.

SECTION 2. **EXPANSION OF GEOGRAPHICAL SCOPE.**

Section 2 of the July 28, 1994 Resolution is hereby amended to read as follows:

"Section 2. The boundaries of the Municipal Service Taxing Unit for Library Services shall be coterminous with all of the unincorporated areas of Escambia County, Florida and with all incorporated municipalities located within Escambia County that elect to join the Library Services MSTU by ordinance."

SECTION 3. **EFFECTIVE DATE.**

This Resolution shall take effect immediately upon adoption by the Board of County Commissioners.

ADOPTED this ____ day of _____ 2012

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

Gene M. Valentino, Chairman

ATTEST: Ernie Lee Magaha
Clerk of the Circuit Court

Deputy Clerk

(Seal)

This document approved as to form
and legal sufficiency.

By: _____

Title: ASST. COUNTY ATTORNEY

Date: Nov. 20, 2012

Resume Excerpts from the Escambia Board of County Commissioners Meeting held on 03/22/1994

COMMITMENT TO INFORM THE PUBLIC OF THE REVENUE AND THE METHOD TO
DETERMINE THE AMOUNT OF FUNDS FOR THE SERVICE.

P. 28

[Document #: 1994000592

Book/Page: 0164/0032]

THE BOARD ADOPTED A RESOLUTION ESTABLISHING A MUNICIPAL SERVICES
TAXING UNIT (MSTU) FOR THE PURPOSE OF FUNDING COMMUNITY SERVICES
DELIVERED WITHIN THE UNINCORPORATED AREA OF THE COUNTY, AS FOLLOWS:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA
COUNTY, FLORIDA, RELATING TO THE BUDGET FOR THE MUNICIPAL SERVICES
TAXING UNIT FOR THE FISCAL YEAR 1994-1995; ESTABLISHING THE PURPOSE
AND PROVIDING FOR AN EFFECTIVE DATE. SEE AMENDING RESOLUTION ON
FOR INFORMATION: THE BOARD: 7/28/94, PAGE 6 OF RESUME

- A. HEARD THE REQUEST OF COMMISSIONER LEE THAT HE BE PROVIDED WITH A
LIST OF ALL COMMUNITY SERVICE ORGANIZATIONS TO BE FUNDED BY THE
MSTU;
- B. HEARD THE REQUEST OF COMMISSIONER LEE THAT HE BE PROVIDED WITH AN
ESTIMATE OF THE APPROX. YEARLY COST TO HOMEOWNERS FOR THE MSTU; AND
- C. HEARD THE SUGGESTION OF COMMISSIONER LEE THAT THE BOARD MAKE THE
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[Document #: 1994000593

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THE BOARD ADOPTED A RESOLUTION ESTABLISHING A MUNICIPAL SERVICES
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A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY,
FLORIDA, RELATING TO THE BUDGET FOR THE MUNICIPAL SERVICES TAXING
UNIT FOR THE FISCAL YEAR 1994-1995; ESTABLISHING THE PURPOSE AND
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7/28/94, PAGE 6 OF RESUME

FOR INFORMATION: THE BOARD:

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- P. 28

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EXHIBIT

A

BCC MINUTES - BK 164 PG 367
3/22/94 EX "FF"

RESOLUTION

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, RELATING TO THE BUDGET FOR THE MUNICIPAL SERVICES TAXING UNIT FOR THE FISCAL YEAR 1994-1995; ESTABLISHING THE PURPOSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Board of County Commissioners of Escambia County, Florida, wishes to establish and fix a budget for library services in the unincorporated portion of the county, and,

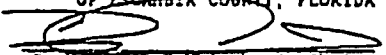
WHEREAS, the funds to be received under the provisions of this Municipal Services Taxing Unit will only be used for the purpose of providing library services,

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Escambia County, Florida, that:

1. There is created a Municipal Services Taxing Unit for Library Services.
2. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED in regular session this 22nd day of March, 1994.

BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA


D. H. "Mike" Whitehead, Chairman

ATTEST:

JOE A. FLOWERS, COMPTROLLER


Deputy Clerk

ADOPTED: 3/22/94


SBHSTU394.1

16

THIS IS TO CERTIFY THAT THE MICROFILMOGRAPHIC APPEARING ON THIS FILM ARE TRUE AND ACCURATE REPRODUCTIONS OF THE ORIGINAL RECORDS THAT WERE IN THE CUSTODY OF THE CLERK OF THE CIRCUIT COURT AND COUNTY COURT ON THE DATE OR DURING THE PERIOD INDICATED AND THAT THESE IMAGES WERE MADE BY THE NORMAL COURSE OF BUSINESS IN ACCORDANCE WITH A REGULARLY SCHEDULED MICROFILMING PROGRAM.

WITNESS MY HAND AND OFFICIAL SEAL:
DATE: 3/22/94

CLERK OF CIRCUIT COURT - ESCAMBIA COUNTY - PENSACOLA, FLORIDA
CERTIFICATE OF AUTHENTICITY

ERIE LEE MACAYA, CLERK
CIRCUIT COURT AND COUNTY COURT
BY: 
DEPUTY CLERK

RATIO 29 to 1

BCC 5:34 PH

BCC MINUTES - BK 1C6 PG 1633
7/28/94 EX "B-1" PG 1 OF 7

RESOLUTION

A RESOLUTION AMENDING FOR CLARIFICATION A
CERTAIN RESOLUTION RELATING TO THE BUDGET FOR
THE MUNICIPAL SERVICE TAXING UNIT FOR THE
LIBRARY SERVICES FOR THE FISCAL YEAR 1994-1995.

WHEREAS, On September 25, 1979, the Board of County Commissioners of Escambia County adopted a resolution creating the Escambia County General Municipal Service Taxing Unit under the authority of Section 125.01, Florida Statutes (attached as Exhibit "A"); and

WHEREAS, Section 1 thereof, established the boundaries of the Escambia County General Service Taxing Unit to be coterminous with all the unincorporated areas of Escambia County; and

WHEREAS, Section 2 thereof, provides that each year the Board of County Commissioners shall determine which, if any, services as set forth therein, it will provide with the funds derived from the tax authorized in that Resolution; and

WHEREAS, On March 22, 1994, the Board of County Commissioners adopted a Resolution creating a Municipal Service Taxing Unit for Library Services (attached as Exhibit "B"); and

WHEREAS, the Board of County Commissioners wishes to clarify the fact that the Library Services is to include all unincorporated areas of the County;

NOW, THEREFORE, BE IT RESOLVED BY THE ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA;

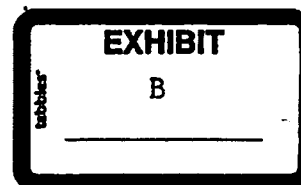
Section 1. All of the above cited "whereas" clauses are hereby incorporated as if fully set forth in the body of this Resolution.

Section 2. The boundaries of the Municipal Service Taxing Unit for Library Services shall be coterminous with all of the unincorporated areas of Escambia County, Florida existing on

THIS IS IN TESTIMONY THAT THE ABOVE RESOLUTION WAS READ AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, ON THE DATE OR DURING THE PERIOD INDICATED AND THAT THESE IMAGES WERE MADE IN THE NORMAL COURSE OF BUSINESS IN ACCORDANCE WITH A REGULARLY SCHEDULED MICROFILMING PROGRAM.

WITNESS MY HAND AND OFFICIAL SEAL:
DATE: 12/6/2012

ENRIE LEE MACARA, CLERK
CLERK OF THE CIRCUIT COURT AND COUNTY COURT
BY: [Signature]
DEPUTY CLERK



BCC MINUTES - BK 166 PG 1634
7/28/94 EX "B-1" PG 2 OF 7

October 1, 1994.

Section 3. This Resolution shall take effect immediately upon its adoption.

ADOPTED THIS 28TH DAY OF JULY, 1994.

ESCAMBIA COUNTY, FLORIDA
BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS

ATTEST: JOE A. FLOWERS,
COMPTROLLER

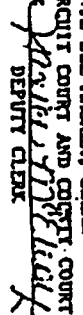

D. M. "Mike" Whitehead, Chairman

BY: 
Deputy Clerk

WITNESS MY HAND AND OFFICIAL SEAL:
DATE: 12-06-2012

CLERK OF CIRCUIT COURT - ESCAMBIA COUNTY - PENSACOLA, FLORIDA
CERTIFICATE OF AUTHENTICITY

THIS IS TO CERTIFY THAT THE MICROFOTODUPLICATIONS APPEARING ON THIS FILM ARE TRUE AND ACCURATE REPRODUCTIONS OF THE ORIGINAL RECORDS THAT
WERE IN THE CUSTODY OF THE CLERK OF THE CIRCUIT COURT AND COUNTY COURT ON THE DATE OR DURING THE PERIOD INDICATED AND THAT THESE IMAGES
WERE MADE IN THE NORMAL COURSE OF BUSINESS IN ACCORDANCE WITH A REGULARLY SCHEDULED MICROFILMING PROGRAM.

EMILY LEE MACARA, CLERK
CIRCUIT COURT AND COUNTY COURT
BY: 
DEPUTY CLERK

SERIAL TAXING UNIT

BCC MINUTES - PK 166 PG 1635
7/28/94 EX "B-1" PG 3 OF 7

WHEREAS, Article VII, Section 1(h) of the Florida Constitution prohibits the taxation of property situated within municipalities for services which such municipal property receives no real and substantial benefit; and

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WHEREAS, the Board of County Commissioners of Escambia County desires to reserve the legislative home rule flexibility to equalize the tax burden between municipal and unincorporated areas for services provided regardless of the provisions of said Article VII, Section 1(h); and

WHEREAS, Chapter 75-63, Laws of Florida, 1975, clarifies the power of a non-charter county to levy ad valorem taxes within the constitutional limits fixed for municipal purposes within a municipal service taxing unit created under Section 125.01 (1) (q), Florida Statutes;

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Escambia County, Florida, as follows:

Section 1. General Municipal Service Taxing Units: There is hereby created the Escambia County General Municipal Service Taxing Unit under the authority of Section 125.01, Florida Statutes. The boundaries of said municipal service taxing unit shall be coterminous with all the unincorporated areas of Escambia County existing on October 1, 1979, and on the 1st day of October of each year thereafter.

Section 2. Determination of Cost of Service: Said municipal service taxing unit is created for the purpose of providing fire protection, law enforcement, beach erosion control, recreation service and facilities, water, streets, sidewalks, street lighting, garbage and trash collection and disposal, drainage, transportation, and other essential facilities and municipal services. The Board of County Commissioners of Escambia County, within its legislative discretion, shall determine each year which, if any, of such essential facilities and municipal services it will provide with the funds derived from the tax authorized in this resolution. The determination to provide a number of such essential facilities and municipal services with the funds derived from the tax authorized in this resolution shall include an estimation of the cost of providing such essential facilities and



BE IN THE CUSTODY OF THE CLERK OF THE CIRCUIT COURT AND COUNTY COURT ON THE DATE OR DURING THE PERIOD INDICATED AND THAT THESE IMAGES
WAS MADE IN THE NORMAL COURSE OF BUSINESS IN ACCORDANCE WITH A REGULARLY SCHEDULED MICROFILMING PROGRAM.

WITNESS MY HAND AND OFFICIAL SEAL:
DATE: 12-10-2012

ERNIE LEE MACANA, CLERK
CIRCUIT COURT AND COUNTY COURT
BY: [Signature] DEPUTY CLERK

3

RATIO 29 to 1

municipal services so determined including capital and equipment improvements, rentals and acquisitions and operating and maintenance costs and expenses, for the ensuing County fiscal year within the boundaries of said taxing unit.

Section 3. Levy of Taxes; Adoption of Budget: The Board of County Commissioners of Escambia County, Florida, hereby authorizes the levy of a tax not to exceed the millage authorized by law on all the taxable real and tangible personal property within said Escambia County General Municipal Service Taxing Unit created under the provisions of this Resolution for the purpose of providing such essential facilities and municipal services. Said tax shall be levied and a budget prepared and adopted by said Board at the same time and in the same manner as said Board prepares and adopts its county annual budget and levies taxes as provided by law. Said taxes shall be assessed, levied, collected, remitted to and accounted for at the time and in the manner as the assessment, levy, collection, remittance and accountability of taxes by said Board as provided by law. Said budget shall contain all or such portion of the estimated cost of providing such essential facilities and municipal services within the boundaries of said taxing unit as said Board shall determine to be necessary and appropriate to provide, with the funds derived from the tax authorized in this Resolution.

Section 4. Disposition of Proceeds from Levy of Taxes: Those funds obtained from the levy of a tax on all the taxable real and tangible personal property within the boundaries of said taxing unit shall be maintained in a separate account and used solely for the purpose of providing such essential facilities and municipal services as determined to be appropriate by the Board of County Commissioners of Escambia County within the boundaries of said taxing unit.

DONE AND ENTERED this the 25th day of September, 1979.

BCC MINUTES - BK 166
7/28/94 EX -B-1- PC 4 OF 7

PG 1636

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHS APPEARING ON THIS FILM ARE TRUE AND ACCURATE REPRODUCTIONS OF THE ORIGINAL RECORDS THAT WERE IN THE CUSTODY OF THE CLERK OF THE CIRCUIT COURT AND COUNTY COURT ON THE DATE OR DURING THE PERIOD INDICATED AND THAT THESE IMAGES WERE MADE IN THE NORMAL COURSE OF BUSINESS IN ACCORDANCE WITH A REGULARLY SCHEDULED MICROFILMING PROGRAM.

WITNESS MY HAND AND OFFICIAL SEAL:
DATE: December 11, 1979

CLERK OF CIRCUIT COURT & ESCAMBIA COUNTY & PENSACOLA, FLORIDA
CERTIFICATE OF AUTHENTICITY

ERNEST LEE MACARA, CLERK
CIRCUIT COURT AND COUNTY COURT
BY James McElroy
DEPUTY CLERK

3

DATE 02 02 1


STATE OF FLORIDA
COUNTY OF ESCAMBIA

BCC MINUTES - BK 166 PG 1637
7/28/94 EX "B-1" PG 5 OF 7

12-1 69 PAGE 422

I, Joe A. Flowers, Comptroller and ex-officio Clerk to the Board
of County Commissioners in and for the County and State aforesaid,
do hereby certify that the above and foregoing is a true and correct
copy of a resolution as the same was duly adopted and passed at a
special meeting of the Board of the 25th day of September, 1979,
and as the same appears on record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and official
seal this 25th day of September, 1979.


JOE A. FLOWERS, COUNTY COMPTROLLER
AND EX-OFFICIO CLERK TO THE BOARD
OF COUNTY COMMISSIONERS



THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHS APPEARING ON THIS FILM ARE TRUE AND ACCURATE REPRODUCTIONS OF THE ORIGINAL RECORDS THAT
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WITNESS MY HAND AND OFFICIAL SEAL:
DATE: December 11, 1994

EMILY LEE WAGNER, CLERK
CIRCUIT COURT AND COUNTY COURT
BY: Emily Lee Wagner
DEPUTY CLERK

BCC MINUTES - DK 166 PG 1638
7/28/94 EX "B-1" PG 6 OF 7

RESOLUTION

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, RELATING TO THE BUDGET FOR THE MUNICIPAL SERVICES TAXING UNIT FOR THE FISCAL YEAR 1994-1995; ESTABLISHING THE PURPOSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Board of County Commissioners of Escambia County, Florida, wishes to establish and fix a budget for allocation of funds to Community Service Organizations for services delivered in the unincorporated area of the county, and,

WHEREAS, the funds to be received under the provisions of this Municipal Service Taxing Unit will only be used for the purpose of providing social services.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Escambia County, Florida, that:

1. There be created a Municipal Services Taxing Unit for Community Service Organizations.
2. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED in regular session this 22nd day of March, 1994.

BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA


D. M. "Mike" Whitehead, Chairman

ATTEST:

JOE A. FLOWERS, COMPTROLLER


Deputy Clerk

ADOPTED: 3/22/94

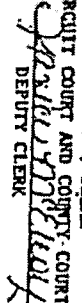
SSMSTU394-2



#15

WITNESS MY HAND AND OFFICIAL SEAL:
DATE: March 22, 1994

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHS APPEARING ON THIS FILE ARE TRUE AND ACCURATE REPRODUCTIONS OF THE ORIGINAL RECORDS THAT WERE IN THE CUSTODY OF THE CLERK OF THE CIRCUIT COURT AND COUNTY COURT ON THE DATE OR DURING THE PERIOD INDICATED AND THAT THESE IMAGES WERE MADE IN THE NORMAL COURSE OF BUSINESS IN ACCORDANCE WITH A REGULARLY SCHEDULED MICROFILMING PROGRAM.

ERNIE LEE MACAEB, CLERK
CIRCUIT COURT AND COUNTY COURT
BY 
DEPUTY CLERK

BCC MINUTES - BK 166 PG 1639
7/29/94 EX "B-1" PG 7 OF 7

STATE OF FLORIDA
COUNTY OF ESCAMBIA

I, JOE A. FLOWERS, COMPTROLLER, and ex-officio Clerk to the Board of County Commissioners in and for the County and State aforesaid, do hereby certify that the above and foregoing is a true and correct copy of a Resolution as the same was duly adopted and passed at a Regular Meeting of the Board held on the 22nd day of March, 1994, and as the same appears on record in my office.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this 28th day of July, 1994.

JOE A. FLOWERS, COMPTROLLER
AND EX-OFFICIO CLERK TO THE
BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA

By: Mildred Hargreaves
Deputy Clerk

(S E A L)

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WITNESS MY HAND AND OFFICIAL SEAL:
DATE: December 1994

EMILIE LEE MACARA, CLERK
CIRCUIT COURT AND COUNTY COURT
BY Emilie Lee Macara
DEPUTY CLERK

3

12/6/2012 5:34 pm PH

RESOLUTION R2012 - 167

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, RELATING TO PRIOR RESOLUTIONS ESTABLISHING A MUNICIPAL SERVICES TAXING UNIT FOR LIBRARY SERVICES; EXPANDING THE GEOGRAPHICAL SCOPE OF THE MUNICIPAL SERVICES TAXING UNIT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 22, 1994, the Escambia County Board of County Commissioners adopted a resolution that created the Municipal Services Taxing Unit for Library Services ("Library Services MSTU") (attached as Exhibit "A"); and

WHEREAS, on July 28, 1994, the Board of County Commissioners amended the March 22, 1994 Resolution by defining the geographical scope of the Library Services MSTU as being coterminous with all of the unincorporated areas of Escambia County (attached as Exhibit "B"); and

WHEREAS, the Board of County Commissioners finds that it is necessary to utilize the established Library Services MSTU as a dedicated funding source for library services in both the unincorporated and incorporated areas of Escambia County; and

WHEREAS, the Board of County Commissioners accordingly seeks to amend the March 22, 1994 Resolution, as amended by the July 28, 1994 Resolution, by expanding the geographical scope of the Library Services MSTU to include any incorporated municipalities located within Escambia County that elect to join the Library Services MSTU by ordinance.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. RECITALS.

The aforementioned recitals are hereby incorporated into this Resolution.

Verified By: *Staines*
Date: 1/2/2013

SECTION 2. **EXPANSION OF GEOGRAPHICAL SCOPE.**

Section 2 of the July 28, 1994 Resolution is hereby amended to read as follows:

"Section 2. The boundaries of the Municipal Service Taxing Unit for Library Services shall be coterminous with all of the unincorporated areas of Escambia County, Florida and with all incorporated municipalities located within Escambia County that elect to join the Library Services MSTU by ordinance."

SECTION 3. **EFFECTIVE DATE.**

This Resolution shall take effect immediately upon adoption by the Board of County Commissioners.

ADOPTED this 6th day of December 2012

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA


Gene M. Valentino, Chairman

ATTEST: Ernie Lee Magaha
Clerk of the Circuit Court


Date Executed

January 2, 2013




Deputy Clerk

This document approved as to form
and legal sufficiency.

By: 
Title: ASST. COUNTY ATTORNEY
Date: Nov. 20, 2012

Resume Excerpts from the Escambia Board of County Commissioners Meeting held on 01/22/1994

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Book/Page: 0164/0032]

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TAXING UNIT FOR THE FISCAL YEAR 1994-1995; ESTABLISHING THE PURPOSE
AND PROVIDING FOR AN EFFECTIVE DATE. SEE AMENDING RESOLUTION ON
FOR INFORMATION: THE BOARD: 7/28/94, PAGE 6 OF RESUME

- A. HEARD THE REQUEST OF COMMISSIONER LEE THAT HE BE PROVIDED WITH A
LIST OF ALL COMMUNITY SERVICE ORGANIZATIONS TO BE FUNDED BY THE
MSTU;
- B. HEARD THE REQUEST OF COMMISSIONER LEE THAT HE BE PROVIDED WITH AN
ESTIMATE OF THE APPROX. YEARLY COST TO HOMEOWNERS FOR THE MSTU; AND

EXHIBIT

A

DCC MINUTES - BK 164 PG 167
3/22/94 EX "FF"

RESOLUTION

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, RELATING TO THE BUDGET FOR THE MUNICIPAL SERVICES TAXING UNIT FOR THE FISCAL YEAR 1994-1995; ESTABLISHING THE PURPOSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Board of County Commissioners of Escambia County, Florida, wishes to establish and fix a budget for library services in the unincorporated portion of the county, and,

WHEREAS, the funds to be received under the provisions of this Municipal Services Taxing Unit will only be used for the purpose of providing library services,

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Escambia County, Florida, that:

1. There is created a Municipal Services Taxing Unit for Library Services.
2. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED in regular session this 22nd day of March, 1994.

BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA

[Signature]
D. H. "Mike" Whitehead, Chairman

ATTEST:

JOE A. FLOWERS, COMPTROLLER

[Signature]
Deputy Clerk

ADOPTED: 3/22/94

SBHSTU394-1

16

THIS IS TO CERTIFY THAT THE MICROFILMOGRAPHS APPEARING ON THIS FILM ARE TRUE AND ACCURATE REPRODUCTIONS OF THE ORIGINAL RECORDS THAT WERE IN THE CUSTODY OF THE CLERK OF THE CIRCUIT COURT AND COUNTY COURT ON THE DATE OR DURING THE PERIOD INDICATED AND THAT THESE IMAGES WERE MADE IN THE REGULAR COURSE OF BUSINESS IN ACCORDANCE WITH A REGULARLY SCHEDULED MICROFILMING PROGRAM.

WITNESS MY HAND AND OFFICIAL SEAL:
DATE: *[Signature]* 1994

CLERK OF CIRCUIT COURT - ESCAMBIA COUNTY - PENSACOLA, FLORIDA
CERTIFICATE OF AUTHENTICITY

ERNEST LEE HADANA, CLERK
CIRCUIT COURT AND COUNTY COURT
BY *[Signature]*
DEPUTY CLERK

RATIO 29 to 1

BCC 5:34 PH

BCC MINUTES - BK 166 PG 1633
7/28/94 EX "B-1" PG 1 OF 7

RESOLUTION

A RESOLUTION AMENDING FOR CLARIFICATION A
CERTAIN RESOLUTION RELATING TO THE BUDGET FOR
THE MUNICIPAL SERVICE TAXING UNIT FOR THE
LIBRARY SERVICES FOR THE FISCAL YEAR 1994-1995.

WHEREAS, On September 25, 1979, the Board of County Commissioners of Escambia County adopted a resolution creating the Escambia County General Municipal Service Taxing Unit under the authority of Section 125.01, Florida Statutes (attached as Exhibit "A"); and

WHEREAS, Section 1 thereof, established the boundaries of the Escambia County General Service Taxing Unit to be coterminous with all the unincorporated areas of Escambia County; and

WHEREAS, Section 2 thereof, provides that each year the Board of County Commissioners shall determine which, if any, services as set forth therein, it will provide with the funds derived from the tax authorized in that Resolution; and

WHEREAS, On March 22, 1994, the Board of County Commissioners adopted a Resolution creating a Municipal Service Taxing Unit for Library Services (attached as Exhibit "B"); and

WHEREAS, the Board of County Commissioners wishes to clarify the fact that the Library Services is to include all unincorporated areas of the County;

NOW, THEREFORE, BE IT RESOLVED BY THE ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA;

Section 1. All of the above cited "whereas" clauses are hereby incorporated as if fully set forth in the body of this Resolution.

Section 2. The boundaries of the Municipal Service Taxing Unit for Library Services shall be coterminous with all of the unincorporated areas of Escambia County, Florida existing on

THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS READ AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, ON THE DATE AND DURING THE PERIOD INDICATED AND THAT THESE TRACES WERE MADE IN THE REGULAR COURSE OF BUSINESS IN ACCORDANCE WITH A REGULARLY SCHEDULED MICROFILMING PROGRAM.

WITNESSES MY HAND AND OFFICIAL SEAL:
DATE: 11/22/94
BY: David M. Smith
DEPUTY CLERK



BCC MINUTES - BK 166 PG 1634
7/28/94 EX "B-1" PG 2 OF 7

October 1, 1994.

Section 3. This Resolution shall take effect immediately upon its adoption.

ADOPTED THIS 28TH DAY OF JULY, 1994.

ESCAMBIA COUNTY, FLORIDA
BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS

ATTEST: JOE A. FLOWERS,
COMPTROLLER

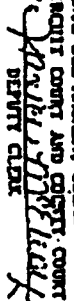

D. M. "Mike" Whitehead, Chairman

BY: 
Deputy Clerk

WITNESS MY HAND AND OFFICIAL SEAL:
DATE: 10/1/94

CLERK OF CIRCUIT COURT - ESCAMBIA COUNTY - PANAMA, FLORIDA
CERTIFICATE OF AUTHENTICITY

THIS IS TO CERTIFY THAT THE MICROFICHE/RECORDS APPEARING ON THIS FILM ARE TRUE AND ACCURATE REPRODUCTIONS OF THE ORIGINAL RECORDS THAT
WAS IN THE CUSTODY OF THE CLERK OF THE CIRCUIT COURT AND COUNTY COURT ON THE DATE OR DURING THE PERIOD INDICATED AND THAT THESE IMAGES
WERE MADE IN THE REGULAR COURSE OF BUSINESS IN ACCORDANCE WITH A REGULARLY SCHEDULED MICROFILMING PROGRAM.

DALE LEE MACAIA, CLERK
CIRCUIT COURT AND COUNTY COURT
BY: 
DEPUTY CLERK

BCC 5:34 PH

SERIAL TAXING UNIT

BCC MINUTES - PK 166 PG 1633
7/26/94 EX "D-1" PG 3 OF 7

WHEREAS, Article VII, Section 1(h) of the Florida Constitution prohibits the taxation of property situated within municipalities for services which such municipal property receives no real and substantial benefit; and

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WHEREAS, the Board of County Commissioners of Escambia County desires to reserve the legislative home rule flexibility to equalize the tax burden between municipal and unincorporated areas for services provided regardless of the provisions of said Article VII, Section 1(h); and

WHEREAS, Chapter 75-63, Laws of Florida, 1975, clarifies the power of a non-charter county to levy ad valorem taxes within the constitutional limits fixed for municipal purposes within a municipal service taxing unit created under Section 125.01 (1) (q), Florida Statutes;

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Escambia County, Florida, as follows:

Section 1. General Municipal Service Taxing Units: There is hereby created the Escambia County General Municipal Service Taxing Unit under the authority of Section 125.01, Florida Statutes. The boundaries of said municipal service taxing unit shall be coterminous with all the unincorporated areas of Escambia County existing on October 1, 1979, and on the 1st day of October of each year thereafter.

Section 2. Determination of Cost of Service: Said municipal service taxing unit is created for the purpose of providing fire protection, law enforcement, beach erosion control, recreation service and facilities, water, streets, sidewalks, street lighting, garbage and trash collection and disposal, drainage, transportation, and other essential facilities and municipal services. The Board of County Commissioners of Escambia County, within its legislative discretion, shall determine each year which, if any, of such essential facilities and municipal services it will provide with the funds derived from the tax authorized in this resolution. The determination to provide a number of such essential facilities and municipal services with the funds derived from the tax authorized in this resolution shall include an estimation of the cost of providing such essential facilities and



UPPER: AT HAND AND OFFICIAL SEAL:
DATE: 12/10/12
I AM IN THE CUSTODY OF THE CLERK OF THE CIRCUIT COURT AND COUNTY COURT ON THE DATE OR DURING THE PERIOD INDICATED AND THAT THESE IMAGES ARE TRUE AND ACCURATE REPRODUCTIONS OF THE ORIGINAL RECORDS THAT
EMILIE LEE HACHUA, CLERK
CIRCUIT COURT AND COUNTY COURT
BY: [Signature] DEPUTY CLERK

3

RATIO 29 1

municipal services so determined including capital and equipment improvements, rentals and acquisitions and operating and maintenance costs and expenses, for the ensuing County fiscal year within the boundaries of said taxing unit.

Section 3. Levy of Taxes; Adoption of Budget: The Board of County Commissioners of Escambia County, Florida, hereby authorizes the levy of a tax not to exceed the millage authorized by law on all the taxable real and tangible personal property within said Escambia County General Municipal Service Taxing Unit created under the provisions of this Resolution for the purpose of providing such essential facilities and municipal services. Said tax shall be levied and a budget prepared and adopted by said Board at the same time and in the same manner as said Board prepares and adopts its county annual budget and levies taxes as provided by law. Said taxes shall be assessed, levied, collected, remitted to and accounted for at the time and in the manner as the assessment, levy, collection, remittance and accountability of taxes by said Board as provided by law. Said budget shall contain all or such portion of the estimated cost of providing such essential facilities and municipal services within the boundaries of said taxing unit as said Board shall determine to be necessary and appropriate to provide, with the funds derived from the tax authorized in this Resolution.

Section 4. Disposition of Proceeds from Levy of Taxes: Those funds obtained from the levy of a tax on all the taxable real and tangible personal property within the boundaries of said taxing unit shall be maintained in a separate account and used solely for the purpose of providing such essential facilities and municipal services as determined to be appropriate by the Board of County Commissioners of Escambia County within the boundaries of said taxing unit.

DONE AND ENTERED this the 25th day of September, 1979.

BCC MINUTES - BK 166
7/28/94 EX -B-1- PC 4 OF 7
PG 1616

WITNESS MY HAND AND OFFICIAL SEAL:
DATE: December 11, 1979

CLERK OF CIRCUIT COURT - ESCAMBIA COUNTY - PANAMA, FLORIDA
CERTIFICATE OF ADEQUACY

THIS IS TO CERTIFY THAT THE MICROFICHE APPEARING ON THIS FILM ARE TRUE AND ACCURATE REPRODUCTIONS OF THE ORIGINAL RECORDS THAT WERE IN THE CUSTODY OF THE CLERK OF THE CIRCUIT COURT AND COUNTY COURT ON THE DATE OR DURING THE PERIOD INDICATED AND THAT THESE IMAGES WERE MADE IN THE NORMAL COURSE OF BUSINESS IN ACCORDANCE WITH A REGULARLY SCHEDULED MICROFILMING PROGRAM.

EMILY LEE MACAM, CLERK
CIRCUIT COURT AND COUNTY COURT
BY: [Signature]
DEPUTY CLERK


STATE OF FLORIDA
COUNTY OF ESCAMBIA

BCC MINUTES - BK 166 PG 1637
7/28/94 EX "B-1" PG 5 OF 7

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P.1 69 net 422

I, Joe A. Flowers, Comptroller and ex-officio Clerk to the Board of County Commissioners in and for the County and State aforesaid, do hereby certify that the above and foregoing is a true and correct copy of a resolution as the same was duly adopted and passed at a special meeting of the Board of the 25th day of September, 1979, and as the same appears on record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 25th day of September, 1979.


JOE A. FLOWERS, COUNTY COMPTROLLER
AND EX-OFFICIO CLERK TO THE BOARD
OF COUNTY COMMISSIONERS



THIS IS TO CERTIFY THAT THE MICROFICHE APPEARING ON THIS FILM ARE TRUE AND ACCURATE REPRODUCTIONS OF THE ORIGINAL RECORDS THAT WERE IN THE CUSTODY OF THE CLERK OF THE CIRCUIT COURT AND COUNTY COURT ON THE DATE OR DURING THE PERIOD INDICATED AND THAT THESE FILMS WERE MADE IN THE NORMAL COURSE OF BUSINESS IN ACCORDANCE WITH A REGULARLY SCHEDULED MICROFILMING PROGRAM.

WITNESS MY HAND AND OFFICIAL SEAL:
DATE: March 11, 1984

EMILY LEE MACRAE, CLERK
CIRCUIT COURT AND COUNTY COURT
BY Emily Lee Macrae
DEPUTY CLERK

BCC MINUTES - BX 166 PG 1638
7/28/94 EX "B-1" PG 6 OF 7

RESOLUTION

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, RELATING TO THE BUDGET FOR THE MUNICIPAL SERVICES TAXING UNIT FOR THE FISCAL YEAR 1994-1995; ESTABLISHING THE PURPOSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Board of County Commissioners of Escambia County, Florida, wishes to establish and fix a budget for allocation of funds to Community Service Organizations for services delivered in the unincorporated area of the county, and,

WHEREAS, the funds to be received under the provisions of this Municipal Service Taxing Unit will only be used for the purpose of providing social services,

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Escambia County, Florida, that:

1. There be created a Municipal Services Taxing Unit for Community Service Organizations,
2. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED in regular session this 22nd day of March, 1994.

BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA

D. M. "Mike" Whitehead, Chairman

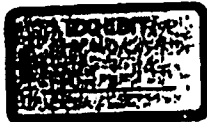
ATTEST:

JOE A. FLOWERS, COMPTROLLER

Maureen Conroy
Deputy Clerk

ADOPTED: 3/22/94

SBMSTUJ96.2



15

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHS APPEARING ON THIS FILM ARE TRUE AND ACCURATE REPRODUCTIONS OF THE ORIGINAL RECORDS THAT WERE IN THE CUSTODY OF THE CLERK OF THE CIRCUIT COURT AND COUNTY COURT ON THE DATE OR DURING THE PERIOD INDICATED AND THAT THESE IMAGES WERE MADE IN THE NORMAL COURSE OF BUSINESS IN ACCORDANCE WITH A REGULARLY SCHEDULED MICROFILMING PROGRAM.

WITNESS MY HAND AND OFFICIAL SEAL:
DATE: *March 22, 1994*

ERNEST LEE MACANA, CLERK
CIRCUIT COURT AND COUNTY COURT
BY: *Maureen Conroy*
DEPUTY CLERK

BCC MINUTES - BK 156 PG 1639
7/28/94 EX "B-1" PG 7 OF 7

STATE OF FLORIDA
COUNTY OF ESCAMBIA

I, JOE A. FLOWERS, COMPTROLLER, and ex-officio Clerk to the Board of County Commissioners in and for the County and State aforesaid, do hereby certify that the above and foregoing is a true and correct copy of a Resolution as the same was duly adopted and passed at a Regular Meeting of the Board held on the 22nd day of March, 1994, and as the same appears on record in my office.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this 28th day of July, 1994.

JOE A. FLOWERS, COMPTROLLER
AND EX-OFFICIO CLERK TO THE
BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA

By: Marilyn Longrey
Deputy Clerk

(S E A L)

THIS IS TO CERTIFY THAT THE MICROPHOTOCAPHS APPEARING ON THIS FILM ARE TRUE AND ACCURATE REPRODUCTIONS OF THE ORIGINAL RECORDS THAT WERE IN THE CUSTODY OF THE CLERK OF THE CIRCUIT COURT AND COUNTY COURT ON THE DATE ON BEARING THE PERIOD INDICATED AND THAT THESE IMAGIS WERE MADE IN THE NORMAL COURSE OF BUSINESS IN ACCORDANCE WITH A REGULARLY SCHEDULED MICROFILMING PROGRAM.

EMILIE LEE MACAUL, CLERK
CLERK OF CIRCUIT COURT AND COUNTY COURT
BY: Emilie Lee Macaul
Deputy Clerk

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