

CITY OF SPRINGFIELD  
BAY COUNTY, FLORIDA  
RESOLUTION 01-07

RESOLUTION OF THE CITY COMMISSION OF CITY OF SPRINGFIELD ELECTING TO INCREASE THE LOCAL COMMUNICATIONS SERVICES TAX CONVERSION RATE TO MINIMIZE FISCAL IMPACT TO THE CITY OF SPRINGFIELD DUE TO PASSAGE OF COMMUNICATIONS SERVICES TAX SIMPLIFICATION LAW; ELECTING TO INCREASE THE TOTAL RATE FOR THE LOCAL COMMUNICATIONS SERVICES TAX BY 0.12 PERCENT IN LIEU OF IMPOSING PERMIT FEES ON COMMUNICATIONS SERVICE PROVIDERS DESIRING TO OCCUPY CITY OF SPRINGFIELD RIGHT-OF-WAY; DIRECTING THE CLERK TO TRANSMIT THIS RESOLUTION TO STATE OF FLORIDA DEPARTMENT OF REVENUE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 2000-260, Laws of Florida, as amended by Chapter 2001-140, Laws of Florida (hereinafter "Communications Services Tax Simplification Law"), restructures and consolidates all taxes imposed upon communications services; and

WHEREAS, as allowed by the Communications Services Tax Simplification Law, the City Commission desires to adopt a rate for the local communications services tax ("CST") to be distributed to City of Springfield from the State of Florida Department of Revenue in order to minimize the fiscal impact to the City of Springfield due to passage of this state law; and

WHEREAS, the Communications Services Tax Simplification Law requires local government to inform the State of Florida Department of Revenue of its adoption of a CST rate by certified mail no later than July 16, 2001 for it to take effect on October 1, 2001; and

WHEREAS, the Communications Services Tax Simplification Law requires local government to elect either to increase the total rate for the local CST by the permit fee addition of 0.12 percent, or to impose a permit fee which cannot exceed \$100.00 per permit application; and

WHEREAS, the Communications Services Tax Simplification Law requires local governments to inform the State of Florida Department of Revenue of this election by certified mail no later than July 16, 2001.

**NOW THEREFORE, BE IT RESOLVED** by The City Commissioners of City of Springfield, Bay County, Florida, that:

1. The Recitals set forth above are true and correct and form a part of this Resolution.
2. Pursuant to section 202.20, Florida Statutes, as amended by Chapter 2001-140, Laws of Florida, the City Commissioners of City of Springfield, Florida, hereby elects to adopt a 5.5 percent rate as the City of Springfield local CST for the period of October 1, 2001, through September 30, 2002.
3. Pursuant to section 202.20, Florida Statutes, as amended by Chapter 2001-140, Laws of Florida, the City Commissioners of City of Springfield, Florida, hereby further elects to establish the City of Springfield's annualized CST rate at 5.1 percent beginning October 1, 2002.
4. The rates set forth in paragraphs 2 and 3 do not include the 0.12 percent permit fee add-on allowed by section 337.401, Florida Statutes, and established in paragraph five of this Resolution below.
5. Pursuant to section 337.401, Florida Statutes, the City Commissioners of the City of Springfield, Florida, hereby elects to increase the total rate for the local CST by 0.12 percent in lieu of imposing permit fees on communications service providers desiring to occupy City of Springfield's Rights-of Way.
6. In the aggregate, the first year CST rate is 5.62 percent, to be effective October 2, 2001, through September 20, 2002. In the aggregate, the annualized CST rate is 5.22 percent to be effective October 1, 2002 and thereafter, unless changed by action of the City Commissioners.
7. The Clerk of the City Commissioners is hereby directed to transmit a true and correct copy of this Resolution to the State of Florida Department of Revenue by certified mail no later than July 16, 2001. The address is Communications Services Tax, Florida Department of Revenue, Post Office Box 6609, Tallahassee, Florida 32399-6000. The Clerk is also directed to inform the Department that for questions about the City of Springfield's local CST, it may contact Joyce Maynor, City Clerk, City of Springfield, 3529 East Third Street, Springfield, Florida, 850-872-7570 ext. 112.
8. If any section, subsection, sentence, clause, or provision of this Resolution is held unconstitutional, inoperative, or void by a court of competent jurisdiction, such holding shall not effect the remainder of this Resolution.
9. The provisions of this Resolution shall become effective upon approval by the City Commissioners.

PASSED, APPROVED AND ADOPTED in regular session of the City Commission of the City of Springfield, Florida on this 2 day of July, 2001.

CITY OF SPRINGFIELD, FLORIDA

  
ROBERT E. WALKER, Mayor

ATTEST:

  
JOYCE H. MAYNOR, City Clerk