

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Resolution Adopting Uniform Method of Collecting Non-Ad Valorem Assessments

DEPARTMENT: Fiscal Services **DIVISION:** MSBU

AUTHORIZED BY: Lisa Spriggs **CONTACT:** Kathy Moore **EXT.** 7179

Agenda Date <u>2/10/04</u> Regular <input type="checkbox"/> Consent <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/> Public Hearing – 1:30 <input checked="" type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/>

MOTION/RECOMMENDATION:

Approval and authorization for the Chairman to execute a resolution adopting the Uniform Method of Collection for non-ad valorem assessments pursuant to Florida Statutes, Section 197.3632.

BACKGROUND:

Municipal Service Benefits Units (MSBUs) are or can be established in accordance with Section 125.01 (q), Florida Statutes, within unincorporated Seminole County to provide improvements such as water service/reclaimed water, sewage, road paving and drainage, sidewalks, aquatic weed control, street lighting, mandatory collection, recycling and disposal of solid waste and stormwater management through surface water quantity and quality control. The improvements made through the MSBUs are financed through non-ad valorem assessments placed on the properties in the districts.

Section 197.3632, Florida Statutes, provides for the collection of non-ad valorem assessments through the uniform method. This method allows collection of the assessments in the same manner as provided for ad valorem taxes. The election of this method of collection requires the adoption of a resolution stating same at a public hearing prior to March 1, 2004, for the assessments to appear on the November 2004 tax bills. Agreements were executed in November 1989, revised in 1998 and 2003 with the Property Appraiser and Tax Collector to provide reimbursement of the necessary administrative costs incurred. These agreements automatically renew each fiscal year. The County advertised its intent to use this method of collection for four (4) consecutive weeks prior to the public hearing as required by Section 197.3632, Florida Statutes.

Reviewed by:
Co Atty: _____
DFS: _____
Other: _____
DCM: <u>SS</u>
CM: <u>PHFSM00/ke</u>

**THE FOLLOWING RESOLUTION WAS ADOPTED BY
THE BOARD OF COUNTY COMMISSIONERS OF
SEMINOLE COUNTY, FLORIDA, AT THEIR
REGULARLY SCHEDULED MEETING ON _____ 2004**

WHEREAS, Florida Statute 125.01(q), empowers the Board of County Commissioners of Seminole County, Florida (the "County"), to enact ordinances to establish, merge or abolish municipal service benefits units for any part or all of the unincorporated area of the county, within which may be provided water, reclaimed water, sewage, road paving and drainage, neighborhood walls, sidewalks, aquatic weed control, street lighting, and the mandatory collection, recycling and disposal of solid waste and other improvements,

WHEREAS, the County is contemplating the implementation of ordinances providing water, reclaimed water, sewage, road paving and drainage, neighborhood walls, sidewalks, aquatic weed control, street lighting, and stormwater management through surface water control; and

WHEREAS, the enacted and proposed ordinances require that the owner of each improved property pay for the water, reclaimed water, road paving and drainage, neighborhood walls, sidewalks, aquatic weed control, street lighting, collection, recycling and disposal of solid waste and stormwater management through surface water control; and

WHEREAS, the Board of County Commissioners of Seminole County intends to use the uniform method for collecting non-ad valorem assessments levied within the County and authorized by Section 197.3632, Florida Statutes, as amended, because this method will allow such non-ad valorem assessments to be collected annually commencing in November and each year thereafter per Florida Statutes and, in the same manner as provided for ad valorem taxes; and

WHEREAS, the Board of County Commissioners of Seminole County held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Seminole County, Florida, as follows:

1. For the next Fiscal Year and with the tax statement mailed for such Fiscal Year, and for each Fiscal Year thereafter, the County intends to use the uniform method of collecting non-ad valorem assessments authorized in Section 197.3632, Florida Statutes, as amended, for collecting the non-ad valorem assessments levied throughout unincorporated Seminole County for water, reclaimed water, sewage, road paving and drainage, neighborhood walls, sidewalks, aquatic weed control, street lighting, collection, recycling and disposal of solid waste and stormwater management through surface water control. Legal descriptions of such areas subject to the assessments are attached hereto as Exhibit B and incorporated herein by reference.

2. The County hereby determines that the levies of the assessments are needed to fund the cost of the water, reclaimed water, sewage, road paving and drainage, sidewalks, neighborhood walls, aquatic weed control, street lighting, collection, recycling and disposal of solid waste and stormwater management through surface water control within unincorporated Seminole County.

3. Upon adoption, the Department of Fiscal Services is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Seminole County Tax Collector, and the Seminole County Property Appraiser by March 10, 2004

4. This Resolution shall take effect upon adoption.

ADOPTED this 10th day of February, 2004.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____

Daryl M. McLain Chairman

ATTEST:

Maryanne Morse, Clerk to the Board of
County Commissioners in and for
Seminole County, Florida

EXHIBIT A
(Attached)
(Proof of Publication)

Orlando Sentinel

Published Daily

State of Florida } S.S.
COUNTY OF ORANGE

Before the undersigned authority personally appeared Linda Bridgewater, who on oath says that he/she is the Legal Advertising Representative of Orlando Sentinel, a daily newspaper published at ALTAMONTE SPRINGS in SEMINOLE County, Florida; that the attached copy of advertisement, being a NOTICE OF INTENT in the matter of FEB 4 @ 1:30PM in the SEMINOLE Court, was published in said newspaper in the issue; of 01/11/04, 01/13/04, 01/25/04, 02/01/04

Affiant further says that the said Orlando Sentinel is a newspaper published at ALTAMONTE SPRINGS in said SEMINOLE County, Florida, and that the said newspaper has heretofore been continuously published in said SEMINOLE County, Florida, each Week Day and has been entered as second-class mail matter at the post office in ALTAMONTE SPRINGS in said SEMINOLE County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

The foregoing instrument was acknowledged before me this 13 day of Feb, 20 04, by Linda Bridgewater, who is personally known to me and who did take an oath.

(SEAL)

Linda Bridgewater
Beverly C. Simmons
BEVERLY C. SIMMONS
My Comm. Exp. 3/10/05
No. DE 304011
Notary Public, State of Florida

NOTICE OF INTENT TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS FOR WATER, RECLAIMED WATER, SEWAGE, ROAD PAVING AND DRAINAGE, NEIGHBORHOOD WALLS, SIDEWALKS, AQUATIC WEED CONTROL, STREET LIGHTING, THE MANDATORY COLLECTION, RECYCLING AND DISPOSAL OF SOLID WASTE AND STORMWATER MANAGEMENT THROUGH SURFACE WATER CONTROL.

The Board of County Commissioners of Seminole County, Florida (the "Board") hereby provides notice, pursuant to Section 197.3632 (3) (a), Florida Statutes, of its intent to use the uniform method of collecting non-ad valorem assessments to be levied throughout Seminole County, for the cost of providing water, reclaimed water, sewage, road paving and drainage, neighborhood walls, sidewalks, aquatic weed control, street lighting, the mandatory collection, recycling and disposal of solid waste, and stormwater management through surface water control commencing the next Fiscal Year and each year thereafter. The Board will consider the adoption of a resolution electing to use the uniform method of collecting non-ad valorem assessments authorized by Section 197.3632, Florida Statutes, at a public hearing to be held at 1:30 P.M., or as soon thereafter as possible, on the 10th of February, 2004, at the Seminole County Services Building, Room 1028, 1101 East First Street, Sanford, Florida. Such resolution will state the need for the levy and will contain a legal description of the boundaries of the real property subject to the levy. Copies of the proposed form of the resolution, which contains the legal description of the real property subject to the levy, are on file at the Department of Fiscal Services and County Commission Records of Seminole County, Florida, County Services Building, 1101 East First Street, Sanford, Florida. All interested persons are invited to attend.

For additional information regarding this notice, please contact the Seminole County MSBU Coordinator, (407) 665-7179. Persons with disabilities needing assistance to participate in any of these proceedings should contact the Employee Relations Department ADA Coordinator 48 hours in advance of the meeting at 665-7941.

Persons are advised that, if they decide to appeal any decision made at this hearing, they will need a record of the proceedings, and, for such purpose, they may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, per section 286.0105, Florida Statutes.

ATTEST:

Maryanne Morse, Clerk to the Board of County Commissioners in and for Seminole County, Florida

By: _____
Deputy Clerk
CSEL5431793 JAN 11, 18, 25,
FEB 1, 2004

EXHIBIT B

STREET LIGHTING:

<u>NAME OF SUBDISTRICT</u>	<u>PLAT BOOK NO.</u>	<u>PAGE NO.</u>
- <u>Ashford Park Townhomes</u>	63	28 – 34
- <u>Bear Stone</u>	58	49 – 50
- <u>Elegant Heights</u>	27	95
- <u>Elizabeth Avenue</u>	10	6
- <u>Lake Harriet Estates</u>	12	15 – 16
- <u>Montclair</u>	2	99 – 101
- <u>Orange Blossom Business Center</u>	50	72
- Royal Oaks	59	22 – 24
- <u>Stonehurst</u>	54	71 – 72
	59	51 - 52
- <u>Trails Unit 1</u>	62	59 - 64
- <u>Victoria Park/Manor</u>	59	49
	30	12

ROAD PAVING & DRAINAGE:

To include only those parcels located within the boundary lines of unincorporated Seminole County which lie within the boundary lines of Seminole County as established by Section 7.57, Florida Statutes.

WATER SERVICE:

	<u>Plat Book No.</u>	<u>Page No.</u>
- Mc Neils Orange Villa/ Cub Cove	2	99
- Black Hammock / Florida Ave	1	31
Including those parcels described as: 25-20-31-5BA-0000-2490, 25-20-31-5BA-0000-249A, 25-20-31-5BA-0000-249B		
- Forest Lake Drive West	9	88
- Black Hammock Phase V	2	110

OTHER PROJECTS (WALLS):

To include only those parcels located within the boundary lines of unincorporated Seminole County which lie within the boundary lines of Seminole County as established by Section 7.57, Florida Statutes.

SEWAGE:

- McNeils Orange Villa /Cub Cove	2	99
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RECLAIMED WATER:

To include only those parcels located within the boundary lines of unincorporated Seminole County which lie within the boundary lines of Seminole County as established by Section 7.57, Florida Statutes.

SIDEWALKS:

To include only those parcels located within the boundary lines of unincorporated Seminole County which lie within the boundary lines of Seminole County as established by Section 7.57, Florida Statutes.

AQUATIC WEED CONTROL:

To include only those parcels located within the boundary lines of unincorporated Seminole County which lie within the boundary lines of Seminole County as established by Section 7.57, Florida Statutes.

STORMWATER:

To include only those parcels located within the boundary lines of unincorporated Seminole County which lie within the boundary lines of Seminole County as established by Section 7.57, Florida Statutes.