

SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

SUBJECT: Public Hearing - 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>12/14/04</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.

BACKGROUND:

Municipal Service Benefit 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, 2005, for the assessments to appear on the November 2005 tax bills. Agreements were executed in November 1989 and revised in 1998 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: <i>[Signature]</i> |
| DFS: _____ |
| Other: _____ |
| DCM: <i>[Signature]</i> |
| CM: PHFSM02 <i>[Signature]</i> |

**THE FOLLOWING RESOLUTION WAS ADOPTED BY THE BOARD
OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA,
AT THEIR REGULARLY SCHEDULED MEETING ON DECEMBER 14,
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 January 10, 2004, however extensions may be granted by the Board of County Commissioners for filing up to March 10, 2004.

4. This Resolution shall take effect upon adoption.

ADOPTED this 14th day of December 2004.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____

Chairman

ATTEST:

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

EXHIBIT A
(Attached)
(Proof of Publication)

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

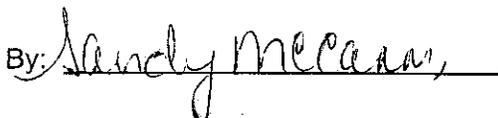
The Board of County Commissioners of Seminole County, Florida (the "Board") hereby provides notice, pursuant to Section 197.3632 (3) (a), Florida Statutes, of its intent to use the uniform method of collecting non-ad valorem assessments to be levied throughout Seminole County, for the cost of providing 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 14th of December, 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 Program at (407) 665-7178. 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 (407) 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

Publish: November 14, 21, 28, and December 5, 2004

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 14th of December, 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 Program at (407) 665-7178. 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 (407) 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 286.010, Florida Statutes.

ATTEST:

Maryanne Morse,
Clerk to the Board
of County Commissioners
in and for
Seminole County, Florida
By: _____
Deputy Clerk

CSE927047 NOV. 14, 2004

EXHIBIT B

NAME OF SUBDISTRICT **PLAT BOOK NO.** **PAGE NO.**

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.

(No new districts at this time)

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.

(No new districts at this time)

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.

(No new districts at this time)

STREET LIGHTING:

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.

| | | |
|-------------------|----|----|
| <u>Waterstone</u> | 62 | 24 |
|-------------------|----|----|

WALL RECONSTRUCTION:

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.

| | | |
|-----------------------------|----|----|
| <u>Tamarak/Charter Oaks</u> | 25 | 29 |
|-----------------------------|----|----|

WATER AND/OR SEWAGE SERVICE:

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.

(No new districts at this time)

STORMWATER AND/OR 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.

(No new districts at this time)