



Legislation Details (With Text)

File #: 20-0179

Type: Public Hearing **Status:** Passed

In control: Board of County Commissioners

On agenda: 12/17/2019 **Final action:** 12/17/2019

Title: PUBLIC HEARING TO ADOPT NOTICE OF INTENT RESOLUTION REQUIRED BY SECTION 197.3632, FLORIDA STATUTES FOR SPECIAL ASSESSMENTS

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution.pdf

Date	Ver.	Action By	Action	Result
12/17/2019	1	Board of County Commissioners	approved	Pass

PLACEMENT: Public Hearings

TITLE:

PUBLIC HEARING TO ADOPT NOTICE OF INTENT RESOLUTION REQUIRED BY SECTION 197.3632, FLORIDA STATUTES FOR SPECIAL ASSESSMENTS

EXECUTIVE SUMMARY:

Public hearing to adopt a non-binding resolution declaring the Board's intent to use the uniform method of collection for certain proposed non-ad valorem assessments that may be imposed within certain municipal service benefit units to be established for road paving and ancillary drainage, dredging services, storm water services and facilities, and water and/or wastewater.

DEPARTMENT: Utilities and Solid Waste

PREPARED BY: **Name:** Phil Keathley
Title: Chief Project Manager

REQUESTED BY: Sam Amerson, P.E., Utilities & Solid Waste Director

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

On April 9, 1996, the Board enacted Ordinance No. 493, the "Master" Special Assessment Ordinance providing that future capital improvement projects for certain services throughout unincorporated areas be accomplished by creating municipal service benefit units assessing properties specially benefitted by the proposed capital improvements and providing the collection of such special

assessments by the uniform collection method.

Section 197.3632, Florida Statutes, requires that the County hold a public hearing and adopt a resolution of intent to use the uniform method of collection for any assessment program in the calendar year prior to any such collection. The resolution, which does not obligate the County either to use the uniform method of collection or to impose any one special assessment, must be adopted by January 1, 2020 and sent to the Tax Collector, the Property Appraiser and the Department of Revenue by January 10, 2020.

Additionally, Section 197.3632, Florida Statutes, requires the notice of the public hearing to adopt the resolution of intent to be published for (4) four consecutive weeks immediately preceding the date of the hearing which is required by December 31, 2019 unless the Property Appraiser and Tax Collector agree to extend the deadline to March 10, 2020. The notice of intent was advertised on November 25th, December 2nd, December 9th and December 16th, 2019.

ISSUES:

Holding the public hearing and adopting the resolution would allow the County to meet its' statutory notice requirements necessary to use the uniform collection method should special assessment areas be established in the next calendar year. The resolution to be adopted at the public hearing is non-binding and the Board may reduce the geographic areas covered by any future assessment or decide not to impose any special assessments at a later date. By adopting the resolution, the Board is simply preserving the right to use the uniform collection method beginning in November 2020 for projects implemented prior to such date. The proposed special assessments are for road paving and ancillary drainage, dredging services, storm water services and facilities, and water and/or wastewater facilities.

Potential assessment areas include:

- 43 Water/Wastewater Areas
- 46 Paving/Ancillary Road Drainage
- 1 Navigational Dredging
- 1 Storm Water

The list was compiled to include CRA areas such as Rio, Golden Gate, Jensen Beach and Port Salerno and areas where septic tanks have been identified as a threat to the St. Lucie Estuary and Indian River Lagoon.

LEGAL SUFFICIENCY REVIEW:

Chris Traber, the County's Special Assessment Counsel, has reviewed the resolution and the agenda summary and confirmed that the form of each is proper.

RECOMMENDED ACTION:

RECOMMENDATION

Move that the Board accept public comment and adopt the resolution of intent to use the uniform method of collection for non-ad valorem assessments for a proposed series of special assessments within certain municipal services benefit units to be established for roads and ancillary drainage, storm water services and facilities, and water and/or wastewater and dredging.

ALTERNATIVE RECOMMENDATIONS

Do not adopt the resolution

FISCAL IMPACT:

RECOMMENDATION

None, as the resolution in and of itself does not create any assessment district nor does it create a financial obligation to the County.

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- | | | |
|--|---------------------------------------|--|
| <input type="checkbox"/> Budget Transfer / Amendment | <input type="checkbox"/> Chair Letter | <input type="checkbox"/> Contract / Agreement |
| <input type="checkbox"/> Grant / Application | <input type="checkbox"/> Notice | <input checked="" type="checkbox"/> Resolution |
| <input type="checkbox"/> Other: | | |

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