

# MANATEE COUNTY GOVERNMENT AGENDA MEMORANDUM

<b>SUBJECT</b>	UNIFORM METHOD FOR COLLECTING NON-AD VALOREM ASSESSMENTS	<b>TYPE AGENDA ITEM</b>	PUBLIC HEARING
<b>DATE REQUESTED</b>	DECEMBER 8, 1998	<b>DATE SUBMITTED/REVISED</b>	NOVEMBER 23, 1998
<b>BRIEFINGS?/WHO?</b>	NONE REQUIRED	<b>CONSEQUENCES IF DEFERRED</b>	COLLECTION OF ASSESSMENTS ON THE 1999 TAX BILLS WOULD BE DELAYED A YEAR
<b>DEPARTMENT/DIVISION</b>	PROJECT MANAGEMENT ADMINISTRATION	<b>AUTHORIZED BY TITLE</b>	JANET E MCAFEE <i>Janet E. Mcafee</i> DIRECTOR, PROJECT MANAGEMENT
<b>CONTACT PERSON TELEPHONE/EXTENSION</b>	JANET MCAFEE/JOAN MARSHALL 5047/5033	<b>PRESENTER/TITLE TELEPHONE/EXTENSION</b>	JANET E MCAFEE 5047
<b>ADMINISTRATIVE APPROVAL</b>	<i>[Signature]</i>		

**ACTION DESIRED**

INDICATE WHETHER <sup>1</sup>REPORT or <sup>2</sup>DISCUSSION, <sup>3</sup>FORM OF MOTION, or <sup>4</sup>OTHER ACTION REQUIRED:

**PUBLIC HEARING:**

ADOPTION OF RESOLUTION R-98-259 DECLARING AN INTENT TO PLACE ROAD PAVING, ROAD PAVING AND DRAINAGE, SANITARY SEWER, STORMWATER, STREET LIGHTING, CANAL DREDGING, DRAINAGE IMPROVEMENT AND LANDSCAPE BEAUTIFICATION PROJECTS ON THE TAX BILLS AS NON-AD VALOREM ASSESSMENTS COMMENCING IN 1999.

**ENABLING/REGULATING AUTHORITY**

Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy.)

CHAPTER 197.3632, FLORIDA STATUTES, WHICH ESTABLISHED A UNIFORM METHOD FOR THE LEVY COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS.

**BACKGROUND/DISCUSSION**

SEE PAGE "2"

HAS COUNTY ATTORNEY REVIEW BEEN REQUESTED? Indicate "NO" or "YES" @ right. (if "NO," proceed to 1) below; and if "YES," proceed to 2) below) NO

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1) IF "NO" TO ABOVE,

A) PLEASE EXPLAIN BELOW: (see also following section 18) re: contract, agreement, lease, etc.:

DOCUMENTS PREVIOUSLY APPROVED BY THE CAO

B) IF A CONTRACT, AGREEMENT, LEASE OR OTHER DOCUMENT WAS PREVIOUSLY APPROVED, STATE YEAR OF LAST USE @ RIGHT:

2) IF "YES" TO FIRST QUESTION IN THIS SECTION,

A) HAS ENTIRE MATTER, OR ONLY A PORTION, BEEN REVIEWED? IF ONLY A PORTION, WHICH PORTION?

B) HAVE ALL COMMENTS/SUGGESTIONS RAISED BY COUNTY ATTORNEY BEEN ADDRESSED/INCORPORATED; IF NOT, PLEASE EXPLAIN. A COPY OF FINAL COUNTY ATTORNEY MEMO RE THIS MATTER **MUST BE ATTACHED** (if comments were verbal, so indicate.)

<p><b>ATTACHMENTS: (List in order as attached)</b></p> <p>1) RESOLUTION R-98-259 ✓                  2) PROOF OF PUBLICATION <i>not attached</i></p>	<p><b>INSTRUCTIONS TO BOARD RECORDS:</b></p> <p>PLEASE SEND A SIGNED COPY OF RESOLUTION BY U.S. MAIL TO THE TAX COLLECTOR, PROPERTY APPRAISER AND THE FLORIDA DEPARTMENT OF REVENUE BY JANUARY 10, 1999 ALSO, SEND A COPY TO PROJECT MANAGEMENT.</p>
<p><b>COST</b> TBD</p>	<p><b>SOURCE (ACCT# &amp; NAME)</b></p>
<p><b>COMMENTS</b> N/A</p>	<p><b>AMT./FREQ. OF RECURRING COSTS (ATTACH FISCAL IMPACT STATEMENT)</b> N/A</p>

**BACKGROUND/DISCUSSION:**

- OCTOBER 1, 1989, COUNTIES WHO WISH TO HAVE SPECIAL ASSESSMENTS COLLECTED ON THE TAX BILLS AS NON-AD VALOREM ASSESSMENTS ARE REQUIRED TO CONDUCT A PUBLIC HEARING AND ADOPT A RESOLUTION PRIOR TO JANUARY 1 DECLARING THEIR INTENT TO USE THE UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS. NOTICE OF THIS INTENT MUST BE PUBLISHED ONCE A WEEK FOR FOUR (4) CONSECUTIVE WEEKS PRECEDING THE HEARING.
- NOVEMBER 3, 1998, BCC AUTHORIZED SETTING A PUBLIC HEARING FOR DECEMBER 8, 1998.
- NOVEMBER 16, NOVEMBER 23, NOVEMBER 30, DECEMBER 7, THE AD, PROVIDING FOR THE INTENT OF THE BOARD TO USE THE UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS, WAS PUBLISHED.

ATTACHED IS A COPY OF THE RESOLUTION, LISTING THE PROJECTS WHICH HAVE BEEN COMPLETED OR MAY BE COMPLETED IN TIME TO BE PLACED ON THE 1999 TAX BILLS. MANY OTHER PROJECTS ARE PROPOSED OR UNDERWAY, BUT ARE NOT LISTED BECAUSE THEY ARE NOT SCHEDULED FOR COMPLETION IN TIME TO BE PLACED ON THE 1999 TAX BILLS

THE RESOLUTION DOES NOT ALTER THE NORMAL PUBLIC HEARING PROCESS FOR ASSESSMENT PROJECTS AND DOES NOT COMPEL THE COUNTY TO PROCEED WITH ANY PROJECT LISTED, WHICH IS NOT YET COMPLETE.

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A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING THE INTENT OF THE BOARD TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS FOR ROAD PAVING, SANITARY SEWER, STORMWATER, STREET LIGHTING, CANAL DREDGING, DRAINAGE IMPROVEMENT AND LANDSCAPE BEAUTIFICATION PROJECTS AUTHORIZED PURSUANT TO CHAPTER 197, FLORIDA STATUTES; STATING THE NEED FOR THE LEVY OF NON-AD VALOREM ASSESSMENTS, INCLUDING A LEGAL DESCRIPTION OF THE BOUNDARIES OF THE REAL PROPERTY SUBJECT TO THE LEVY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 63-1582, Laws of Florida, as amended and supplemented, Subsections (q) and (r) of Section 125.01(1) Florida Statutes, and other applicable provisions of law, authorize the Board of County Commissioners ("the Board"), to fund the cost of certain improvements and services by levying and collecting in the unincorporated areas of Manatee County special or non-ad valorem assessments on real property specially benefited thereby; and

WHEREAS, Section 197.3632, Florida Statutes, established a uniform method for the levy, collection and enforcement of non-ad valorem assessments; and

WHEREAS, the preferred method of collection of special or non-ad valorem assessments is placement of assessments on the tax bill as a non-ad valorem assessment;

WHEREAS, on November 3, 1998, the Board authorized publication on November 16, November 23, November 30 and December 7, 1998 of Notice of Intention to consider adoption of this Resolution in accordance with the requirements of Section 197.3632(3)(a), Florida Statutes, at a public hearing which was scheduled for the 8<sup>th</sup> day of December, 1998.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, that:

1. Non-ad valorem assessments are necessary and proper for the funding and implementation of certain improvements, including but not limited to the paving and improvements of roads, streets and bridges and the construction of drainage and sewer distribution facilities, the provision of street lighting, canal dredging, drainage improvements and landscape beautification.

2. The improvements for which non-ad valorem assessments may be levied during 1999 and a legal description of the boundaries of all real property within each project are described as follows:

1. ROAD ASSESSMENT PROJECTS TO INCLUDE ROAD PAVING AND/OR ROAD PAVING AND DRAINAGE:

PROJECT NO. TBA - 9<sup>TH</sup> AVENUE DRIVE EAST (PALMETTO) - From 29<sup>th</sup> Street East, south to deadend. Lying and being in Section 12, Township 34 South, Range 17 East, Manatee County.