

## RESOLUTION R-19-013

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY, FLORIDA, REGARDING ELECTIONS; PLACING THE PROPOSED REFERENDUM TO DETERMINE WHETHER THE DISTRICT SHALL BE AUTHORIZED TO INCREASE THE RATE OF ITS ANNUAL NON-AD VALOREM SPECIAL ASSESSMENTS WHICH FUND THE DISTRICT'S FIRE PROTECTION MISSION EACH YEAR IN THE SPECIAL ELECTION; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, as authorized pursuant to Section 191.009(2), Florida Statutes, the Fire District has adopted a resolution directing the Board of County Commissioners to call a special election at which the electors within the Parrish Fire District may approve the increase the rate of its annual non-ad valorem special assessments for the district's fire protection mission; and

**WHEREAS**, the ballot question is contained in a copy of the Fire District's resolution attached hereto as Exhibit "A" and is hereafter referred to as the Ballot "Question"; and

**WHEREAS**, pursuant to Section 191.009(2); Florida Statutes, the Board of County Commissioners must place the Ballot Question on a ballot in a special election.

**WHEREAS**, such Expenditures incurred for this election will be paid from revenues received from the Fire District into the General fund on behalf of The Supervisor of Elections; and

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

**Section 1.** Placement of Ballot Questions on Ballot: The Ballot Question as set forth in Exhibit "A" attached hereto and incorporated herein by reference, shall be placed on the ballot for a special election on March 12, 2019, or on such other date set by Manatee County Supervisor of Elections and the cost of which shall be borne by the Parrish Fire District.

**Section 2.** Delivery of Copies: Certified copies of the Resolution shall be promptly delivered by the County Administrator to the Manatee County Supervisor of Elections and the Fire District

**Section 3.** Revisions to Ballot Questions: The County Administrator, with the concurrence of the Chairman of the Parrish Fire District, may make such revisions to the Ballot Question which may be necessary or required to accomplish the purposed of this Resolution, including revisions which maybe mandated by the Supervisor of Elections, without further action by the Board of County Commissioners.

**Section 4.** Severability: If any section, sentence, clause, or other provision of this Resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be constructed as to

render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Resolution.

**Section 5.** Effective Date: This Resolution shall become effective upon its adoption.

**ADOPTED** WITH A QUORUM PRESENT AND VOTING THIS THE 29<sup>th</sup> DAY OF JANUARY, 2019.

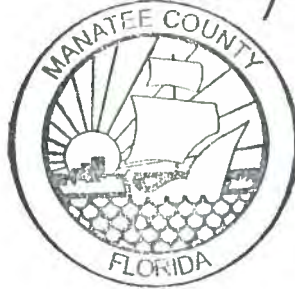
**Attested:**

**Angelina Colonnese**  
Clerk of the Circuit Court

**Board of County Commissioners**  
**Manatee County, Florida**

By: *Robin Roth, DC*  
Deputy Clerk

By: *Stephen R. Brown*  
Chairman



**RESOLUTION NO. 2018-09**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PARRISH FIRE DISTRICT PROVIDING FOR A REFERENDUM TO DETERMINE WHETHER THE DISTRICT SHALL BE AUTHORIZED TO INCREASE THE RATE OF ITS ANNUAL NON-AD VALOREM SPECIAL ASSESSMENTS WHICH FUND THE DISTRICT'S FIRE PROTECTION MISSIONE EACH YEAR; ESTABLISHING THE DATE OF THE REFERENDUM; APPROVING THE BALLOT QUESTION; PROVIDING FOR NOTICE OF THE REFERENDUM AND CERTAIN OTHER MATTERS IN CONNECTION WITH CONDUCT OF THE REFERENDUM; AND PROVIDING FOR AN EFFECTIVE DATE.**

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PARRISH FIRE DISTRICT AS FOLLOWS:**

**SECTION 1. AUTHORITY.** This Resolution of the Parrish Fire District (the "District") is adopted pursuant to the provisions of Chapter 2004-400, Laws of Florida, Chapter 191, Florida Statutes, and other applicable provisions of law.

**SECTION 2. FINDINGS.** It is hereby ascertained, determined and declared as follows:

(A) The District was created by Chapter 2004-400, Laws of Florida (the "District Charter") as an independent fire district under the provisions of Chapter 191, Florida Statutes, to provide fire protection services within the District.

(B) The District Charter and Section 191.009, Florida Statutes, authorize the District to levy annual non-ad valorem special assessments on the real property within the District which is benefited by its provision of fire protection services.

(C) The District does not impose an ad valorem tax and therefore relies almost entirely on the special assessments to fund its annual budget and service delivery mission.

(D) Special assessments present a fair and equitable means to fund the District's annual fire protection service costs by allocating costs among real property benefited by the fire protection services provided by the District under its enabling legislation and mission.

(E) The Board of Commissioners of the District (the "Commission") has carefully considered presentations and reports by District staff including the *5-Year Plan for FY 2018/19 – FY 2022/23* which describes the future personnel, equipment and facilities necessary to enable the District fulfill its fire protection

service mission by continuing to provide high quality fire protection services.

(F) The Commission has also considered the *2018 Assessment of Fire Hazards Study* which describes the implementation of an additional component or tier for the District's base rate of assessment which would provide the revenue necessary to accomplish the 5-Year Plan.

(G) Such proposed rate increase involves adding a supplemental component or tier to the District's existing base rate of assessment, in amounts equal to a flat charge of:

- (1) \$25 per vacant or undeveloped lot;
- (2) \$50 per parcel where the total square footage of all buildings or dwellings on the parcel is between 400 and 2,400 square feet;
- (3) \$100 per parcel where the total square footage of all buildings or dwellings on the parcel is between 2,401 and 4,800 square feet; and
- (4) \$150 per parcel where the total square footage of all buildings or dwellings on the parcel is greater than 4,800 square feet.

(H) By way of example, if the annual base rate for a parcel with an 1,800 square foot building or dwelling is \$190, the parcel's total assessment for the year would be \$240 (\$190 base rate + \$50 flat charge).

(I) The increase in assessment amount recognizes the additional resources necessary to serve, and the additional benefit conveyed by fire protection service to, property with buildings of greater size.

(J) The additional revenue generated by the assessment increase will enable the District to adopt an annual budget each year which satisfies the 5-Year Plan for personnel, equipment and facilities.

(K) The Commission is therefore considering adopting such assessment rate increase for the fiscal year beginning October 1, 2019 ("FY 2019-20") to address the need for additional resources with which to accomplish the District's service mission.

(L) Section 191.009(2), Florida Statutes, requires referendum approval if the proposed rate of assessment for the forthcoming fiscal year exceeds the prior year's rate plus the average annual growth rate in Florida personal income over the previous 5 years.

(M) In fiscal years after FY 2019-20, any further assessment rate increases would be controlled by section 191.009(2), Florida Statutes, pursuant to which annual increases are limited to the personal income index unless the District obtains referendum approval for the increase.

(N) The Commission now desires to call a referendum to present the

proposed assessment rate increase to the eligible voters of the District.

(O) The District has conferred with the office of the Manatees County Supervisor of Elections (the "Supervisor of Elections"), which has agreed to conduct the referendum on the District's behalf in conjunction with a municipal election to be held on March 19, 2019.

(P) If the District voters authorize the assessment rate increase, the Commission will initiate the additional implementation processes required under Chapters 191 and 197, Florida Statutes, including the provision of notice, public hearing and adoption of related resolutions which describe the total amount to be funded through the assessment and the assessment rates for FY 2019-20.

**SECTION 3. REFERENDUM CALLED.**

(A) In accordance with Section 191.009(2), Florida Statutes, a referendum election is hereby ordered and called to be held on March 19, 2019, or such other date as may be agreed upon by the Supervisor of Elections, to approve the an increase in the rate of the District's annual non-ad valorem assessment.

(B) The referendum shall be open to all eligible voters of the District.

(C) The referendum shall be conducted by the Supervisor of Elections of behalf of the District, in accordance with all applicable requirements of law.

**SECTION 4. BALLOT LANGUAGE.** The title and ballot question to be used in the referendum shall be in substantially the following form:

**PARRISH FIRE DISTRICT**

**AUTHORIZATION TO INCREASE  
ANNUAL SPECIAL ASSESSMENTS  
FOR FIRE PROTECTION SERVICES**

**Shall the District be authorized to increase its base rate of assessment to include a flat charge of \$25 per vacant lot, \$50 per parcel where the total square footage of all buildings or dwellings on the parcel is between 400 and 2,400 square feet, \$100 for 2,401-4,800 building square feet and \$150 for more than 4,800 building square feet, with the rate increase becoming effective for the District's fiscal year beginning October 1, 2019?**

\_\_\_\_\_ **Yes**

\_\_\_\_\_ **No**

**SECTION 5. NOTICE.** As required by Section 100.342, Florida Statutes, at least 30 days' notice of the forthcoming referendum, including its purpose and eligibility requirements for voting, shall be published by the District in a newspaper of general circulation in the District at least twice, once in the fifth week and once in the third week prior to the week in which the referendum is to be held. Such notice shall contain the text of the proposed ballot question.

**SECTION 6. AUTHORIZATION AND DIRECTION.** District officials, staff, officers, general counsel, employees, agents and attorneys are hereby authorized and directed to do all things necessary to effectuate the referendum contemplated herein. Such authorization includes, but is not limited to, providing for printing of the ballot question approved herein and any other materials related to the election in both English and Spanish, coordinating as necessary with the Supervisor of Elections and payment of costs associated with the referendum.

**SECTION 7. EFFECTIVE DATE.** This Resolution shall be in full force and effect immediately upon its adoption.

ADOPTED by the Parrish Fire District Board of Commissioners, meeting in regular session this 27<sup>th</sup> day of November 2018.

  
CHAIR

ATTEST:

  
SECRETARY