

**RESOLUTION NO. 2009-26**

**A RESOLUTION OF THE CITY COMMISSION OF ST. PETE BEACH, FLORIDA, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS LEVIED IN ALL OR PART OF THE INCORPORATED AREA OF THE CITY OF ST. PETE BEACH, FLORIDA, STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, AS FOLLOWS:**

**SECTION 1. AUTHORITY.** This Resolution of the City of St. Pete Beach, Florida (the "City") is adopted pursuant to City Ordinance No. 2009-30, Chapter 197, Florida Statutes, and other applicable provisions of law.

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

(A) The City Commission of St. Pete Beach, Florida (the "Commission") intends to use the uniform method for collecting non-ad valorem assessments for more than one year within the area encompassed by City's incorporated boundaries (the legal description of which is attached hereto as Exhibit A and incorporated herein), as authorized by Section 197.3632, Florida Statutes. Such method, if employed, will allow such assessments to be collected annually, commencing in November 2010, in the same manner as provided for ad valorem taxes.

(B) The City Commission held a duly advertised public hearing for the purpose of considering the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit B.

**SECTION 3. UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS.**

(A) Commencing with the ad valorem tax bills issued in November 2010, the City hereby announces its intention to use the uniform method of collecting non-ad valorem assessments for more than one year as authorized in Section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments in order to fund, in whole or in part, the cost of providing capital improvements and/or essential services which convey a special

benefit to affected real property or which relieve a burden created by such property, including but not limited to water, wastewater, stormwater, fire protection, roadways, administration and implementation of land use planning and regulation, public beach access, sidewalks, public landscaping and beautification facilities and services.

(B) The City hereby determines that the levy of such assessments is needed to fund the cost of providing such capital improvements and/or essential services.

(C) Adoption of this Resolution is solely for the purpose of complying with the statutory requirements that the City publicly announce to the Florida Department of Revenue, the Pinellas County Property Appraiser, and the Pinellas County Tax Collector before January 1 that it may levy non-ad valorem assessments and use the uniform method of collection.

(D) Adoption of this Resolution shall not be deemed to commit or require the City to impose any assessments.

(E) Upon adoption, the City Manager or designee thereof is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Pinellas County Property Appraiser, and the Pinellas County Tax Collector by January 10, 2010.

**SECTION 4. CONSTRUCTION; EFFECTIVE DATE.** This Resolution shall be liberally construed to effect the purposes hereof and shall become effective immediately upon adoption.

**DULY ADOPTED** this 8<sup>th</sup> day of December 2009.

**CITY OF ST. PETE BEACH, FLORIDA, BY  
AND THROUGH THE CITY COMMISSION  
OF THE CITY OF ST. PETE BEACH**

By: Mike Finnerty  
Michael Finnerty, Mayor

(SEAL)

ATTEST:

Theresa McMaster  
Theresa McMaster, City Clerk

Approved as to Form:

Michael S. Davis  
Michael S. Davis, City Attorney

## EXHIBIT A

### LEGAL DESCRIPTION OF CITY

The entirety of the incorporated area of the City of St. Pete Beach, Florida, also as described in City of St. Pete Beach, Fla., Code of Ordinances part I, art. II, § 2.01 (2008), which describes and includes all of the lands or area within corporate limits of the City of St. Pete Beach: From a point of beginning at the intersection of the center line of Blind Pass and a line which is 40 feet south of the south boundary of 74th Avenue extended in St. Pete Beach; thence run northerly along the center line of Blind Pass to a point 870 feet north of [and] measured at right angles from the center of Blind Pass Bridge where it now crosses Blind Pass on the present State Road No. 699; thence run north 81 degrees, 31 minutes, and 3 seconds east along a line parallel to Blind Pass Bridge to the center line of the Government Channel in Boca Ciega Bay; thence run southeasterly and southerly along the center line of said Government Channel in Boca Ciega Bay to where said channel intersects what is known as Pass-a-Grille Channel lying east of what is now Vina Del Mar, formerly known as Mud Key; thence run southerly along the center line of said Pass-a-Grille Channel to a point 500 feet south of the southernmost tip of Long Key as it now exists; thence run due west into the Gulf of Mexico 10 miles; thence run due north to a point which lies south 60 degrees west from the point of beginning; thence run north 60 degrees east to the point of beginning. Together with the tracts of land described in fee simple deed from Elsie S. Allen, widow, to the Long Key Sewer District, a political subdivision of the State of Florida, dated May 3, 1956, and filed May 4, 1956, in deed book 1594, page 526, as clerk's instrument No. 274302A, Pinellas County Records, and in fee simple deed from Kenneth Eriksen and Jacquelyn M. Eriksen, his wife, to the Long Key Sewer District, a political subdivision of the State of Florida, dated December 13, 1955, and filed October 16, 1956, in deed book 1625, page 261, as clerk's instrument No. 311304A, Pinellas County Records, said lands being the land on which the sewer plant of the Long Key Sewer District is to be located; and including any and all submerged lands lying between the side lines of said tracts extended in straight lines in a westerly direction to the center line of the Government Channel of Boca Ciega Bay. All of the lands described above lie in Pinellas County, Florida, and said descriptions include all of the keys known as Long Key, Boca Ciega Isle (Coon Key), Vina Del Mar (Mud Key), the Long Key Sewer District lands, and lands adjacent thereto in Boca Ciega Bay, together with all lands adjacent thereto.

**EXHIBIT B**

**PROOF OF PUBLICATION**