

**RESOLUTION NO. 2012-09**

**A RESOLUTION OF THE CITY OF ST. PETE BEACH, FLORIDA, DIRECTING THE PREPARATION OF A NON-AD VALOREM ASSESSMENT ROLL FOR STORMWATER MANAGEMENT SERVICES FOR FISCAL YEAR 2012-13; PROVIDING FOR A PUBLIC HEARING ON SUCH ASSESSMENT ROLL AND DIRECTING NOTICE THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE.**

**BE IT RESOLVED BY THE CITY COMMISSION 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 (the "Assessment Ordinance"), City Resolution Nos. 2010-07 and 2010-08 (collectively, the "Initial Assessment Resolution"), City Resolution Nos. 2011-18 and 2011-19 (collectively, the "Supplemental Annual Assessment Resolution"), sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

**SECTION 2. DEFINITIONS.** All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Initial Assessment Resolution, the Supplemental Annual Assessment Resolution and the Assessment Ordinance.

**SECTION 3. FINDINGS.** It is hereby ascertained, determined, and declared as follows:

(A) Pursuant to the Assessment Ordinance, the City adopted the Initial Assessment Resolution imposing special assessments to provide for the funding of certain fixed costs associated with Stormwater Management Services, and providing for collection thereof by the tax bill collection method in accordance with the Uniform Assessment Collection Act.

(B) Pursuant to the Assessment Ordinance, the City adopted the Supplemental Annual Assessment Resolution imposing special assessments to provide for the funding of certain variable costs associated with Stormwater Management Services, and providing for collection thereof initially by the direct billing method set

forth in Section 3.02 of the Assessment Ordinance, and by the tax bill collection method commencing in November, 2012.

The Supplemental Annual Assessment Resolution set forth the Commission's direction and intent that starting in November, 2012, and continuing each year thereafter, Stormwater Service Assessments imposed to fund both fixed costs and variable costs will be collected on the annual property tax bill in accordance with the Uniform Assessment Collection Act, and further provided that any delinquencies in payment of the Assessments imposed thereunder for Fiscal Year 2011-12 may be included in the amount of the Stormwater Service Assessment imposed for Fiscal Year 2012-13.

(C) The Assessment Ordinance provides for the adoption of an Annual Assessment Resolution for each Fiscal Year confirming or amending the non-ad valorem Assessment Roll for Stormwater Service Assessments.

(D) The City desires to provide notice of its intent to consider and adopt the Annual Assessment Resolution for the Fiscal Year commencing October 1, 2012.

**SECTION 4. FISCAL YEAR 2012-13 STORMWATER ASSESSMENT ROLL.** The City Manager is hereby directed to prepare, or cause to be prepared, a preliminary stormwater Assessment Roll for the fiscal year commencing October 1, 2012, in the manner provided in Section 2.04 of the Assessment Ordinance. The preliminary stormwater Assessment Roll shall include the amount of the Fiscal Year 2012-13 Stormwater Service Assessment for both fixed and variable costs for each individual Tax Parcel within the City and shall exclude any Tax Parcel otherwise exempted from payment of the Stormwater Service Assessments under the Initial Assessment Resolution or Supplemental Annual Assessment Resolution. As contemplated by the Supplemental Annual Assessment Resolution, any delinquencies in payment of the Assessments imposed thereunder for Fiscal Year 2012-12 shall be included in the amount of the Stormwater Service Assessment imposed for Fiscal Year 2012-13, in accordance with Section 3.02 of the Assessment Ordinance. The City Manager shall apportion the estimated Stormwater Management Service Cost to be recovered through Stormwater Service Assessments in the manner set forth in the Initial Assessment Resolution and Supplemental Annual Assessment Resolution. Assessments shall include a pro rata share of administration and collection costs associated with the Stormwater Service Assessments (including but not limited to fees imposed by the property appraiser and tax collector) and shall be increased as necessary to account for the maximum discount for early payment of non-ad valorem assessments on the same bill as ad valorem taxes. The preliminary Assessment Roll

shall be maintained on file in the office of the City Clerk and open to public inspection. The foregoing shall not be construed to require that the Assessment Roll be in printed form if the amount of the Stormwater Service Assessment for each parcel of property can be determined by the use of a computer terminal or internet access available to the public.

**SECTION 5. PUBLIC HEARING.** There is hereby established a public hearing to be held at 6:00 p.m. on September 12, 2012 at City Hall, City Commission Chambers, 155 Cory Avenue, St. Pete Beach, Florida, at which time the Commission will receive and consider any comments on the imposition of Assessments to fund fixed and variable costs associated with Stormwater Management Services from the public and affected property owners, and will consider imposing Stormwater Service Assessments and collection thereof pursuant to the Uniform Assessment Collection Act, as authorized by Section 3.01 of the Assessment Ordinance.

**SECTION 6. NOTICE.** The City Manager shall direct notice of the public hearing established herein in accordance with the Uniform Assessment Collection Act and the Assessment Ordinance. Such notice may be given in any manner authorized by law, including inclusion of the Assessment on the notice provided for in Section 200.069, Florida Statutes, if applicable.

**SECTION 7. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its adoption.

**DULY ADOPTED** this 14<sup>th</sup> day of August, 2012.

**CITY COMMISSION OF ST. PETE  
BEACH, FLORIDA**

By: \_\_\_\_\_

Steve McFarlin, Mayor

(SEAL)

Attest:

By: \_\_\_\_\_

Rebecca C. Haynes, City Clerk