

**RESOLUTION NO. 2014-10**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, APPROVING THE FISCAL YEAR 2014-15 NON-AD VALOREM ASSESSMENT ROLLS FOR STORMWATER MANAGEMENT SERVICES; DIRECTING CERTIFICATION OF THE ASSESSMENT ROLLS TO THE PINELLAS COUNTY TAX COLLECTOR; AND PROVIDING 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 (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.** This Resolution is the Annual Assessment Resolution for Stormwater Service Assessments. All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Assessment Ordinance, the Initial Assessment Resolution and the Supplemental Annual Assessment Resolution.

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

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

(B) Pursuant to the Assessment Ordinance, the Commission adopted the Supplemental Annual Assessment Resolution imposing special assessments to provide for the funding of variable costs associated with Stormwater Management Services, and providing for annual 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.

(C) 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.

(D) Pursuant to Section 2.08 of the Assessment Ordinance, the City Commission is required to adopt an Annual Assessment Resolution approving the Stormwater Service Assessment Rolls for each Fiscal Year.

(E) The City Commission wishes to hereby confirm and approve the Stormwater Service Assessment Rolls for Fiscal Year 2014-15, and to direct certification of same to the Tax Collector for collection of the special assessments on the property tax bill to be issued in November, 2014.

(F) The Assessments contemplated hereunder are imposed by the Commission, not the Property Appraiser or Tax Collector. Any activity of the Property Appraiser or Tax Collector under the provisions of this Resolution shall be construed solely as ministerial.

(G) The legislative determinations and findings set forth in the Initial Assessment Resolution and the Supplemental Annual Assessment Resolution are hereby ratified, confirmed and incorporated herein by reference.

**SECTION 4. APPROVAL AND CERTIFICATION OF ASSESSMENT ROLLS.**

(A) The Fiscal Year 2014-15 Stormwater Service Assessment Roll for fixed Program Costs associated with Stormwater Management Services, a copy of which is on file with the City Clerk and incorporated herein by reference, is hereby confirmed and approved at a rate of \$38.27 per Tax Parcel which includes a pro rata share of collection and administration costs and amounts necessary to account for the maximum discount for early payment of non-ad valorem assessments on the same bill as ad valorem taxes.

(B) The Fiscal Year 2014-15 Stormwater Service Assessment Roll for variable costs associated with Stormwater Management Services, a copy of which is on file with the City Clerk and incorporated herein by reference, is hereby confirmed and approved at a rate of \$47.09 per ERU which includes a pro rata share of collection and administration costs and amounts necessary to account for the maximum discount for early payment of non-ad valorem assessments on the same bill as ad valorem taxes.

(C) The assessment rates confirmed and adopted herein are the same rates used for preparation of and included in the Fiscal Year 2013-14 Stormwater Service Assessment Rolls.

(D) The City Manager is hereby authorized and directed to certify the foregoing Stormwater Service Assessment Rolls to the Tax Collector prior to September 15, 2014. The assessment rolls as delivered to the Tax Collector shall be accompanied by a Certificate of Non-Ad Valorem Assessment Roll in substantially the form attached hereto as Appendix A.

(E) Stormwater Service Assessments shall constitute a lien upon Assessed Property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims until paid.

**SECTION 5. RATIFICATION AND CONFIRMATION OF PRIOR RESOLUTIONS.** The Initial Assessment Resolution and Supplemental Annual Assessment Resolution are hereby ratified and confirmed.

**SECTION 6. SEVERABILITY.** If any clause, section, or other part of this Resolution shall be held by any court of competent jurisdiction unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affects the validity of the other provisions in this Resolution.

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

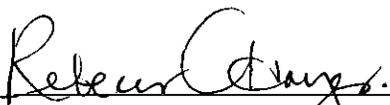
**DULY ADOPTED** this 12th day of August, 2014.

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

(SEAL)

By:  \_\_\_\_\_  
Maria Lowe, Mayor

ATTEST:

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Rebecca C. Haynes, City Clerk

**APPENDIX A**  
**FORM OF CERTIFICATE**  
**OF NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that I am the City Manager and authorized agent of St. Pete Beach, Florida (the "City"); as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for the costs associated with Stormwater Management Services (the "Non-Ad Valorem Assessment Roll") is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Assessment Roll will be delivered to the Pinellas County Tax Collector by September 15, 2014.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Pinellas County Tax Collector and made part of the above described Non-Ad Valorem Assessment Roll this 14<sup>th</sup> day of August 2014.

**ST. PETE BEACH, FLORIDA**

By: Elaine Edmunds  
City Manager