

RESOLUTION NO. 2018-23

A RESOLUTION OF THE CITY COUNCIL OF NEW PORT RICHEY, FLORIDA, APPROVING THE FISCAL YEAR 2018-2019 NON-AD VALOREM ASSESSMENT ROLL FOR STREET LIGHTING SERVICES; DIRECTING CERTIFICATION OF THE ASSESSMENT ROLL TO THE PASCO COUNTY TAX COLLECTOR; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF NEW PORT RICHEY, FLORIDA, AS FOLLOWS:

SECTION 1. AUTHORITY. This resolution of the City Council (the "Council") of the City of New Port Richey, Florida (the "City") is adopted pursuant to Section 2.08 of City Ordinance No. 2012-1985 (the "Assessment Ordinance"), Chapter 197, Florida Statutes, and other applicable provisions of law.

SECTION 2. DEFINITIONS. This Resolution is the Annual Assessment Resolution for Street Lighting Services for the Fiscal Year commencing October 1, 2018 ("Fiscal Year 2018-2019"). All capitalized terms not otherwise defined in this Resolution shall have the meanings set forth in the Assessment Ordinance and City Resolution No. 2017-22 (as ratified and confirmed by a resolution adopted on July 18, 2017, the "Initial Assessment Resolution").

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

(A) Through adoption of the Initial Assessment Resolution, the Council provided for the annual imposition of Street Lighting Assessments to fund Street Lighting Services providing a special benefit to the real property located within the City.

(B) Pursuant to Section 2.08 of the Assessment Ordinance, the Council is required to adopt an Annual Assessment Resolution approving the Street Lighting Assessment Roll for each Fiscal Year.

(C) The Council wishes to hereby confirm and approve the Street Lighting Assessment Roll previously approved by the Initial Assessment Resolution, and to direct certification of same to the Tax Collector for collection of the Assessments in November, 2018.

(D) The Council conducted a public hearing on September 25, 2018, to consider approval and adoption of the Street Lighting Assessment Roll for Fiscal Year 2018-2019 and to receive comments from the owners of real property not previously subject to the Street Lighting Assessments, as required by Section 2.08 of the Assessment Ordinance. During such public hearing, objections and comments of all interested persons were heard and considered.

(E) Notice of such public hearing has been provided in accordance with the requirements of Section 2.08 of the Assessment Ordinance. Proof of publication is attached hereto as Appendix A and an affidavit regarding the mailing of notice is attached hereto as Appendix B.

(F) The Street Lighting Assessment Roll for Fiscal Year 2018-2019 has heretofore been made available for inspection by the public.

(G) The Assessments are imposed by the City, 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.

SECTION 4. APPROVAL AND CERTIFICATION OF ASSESSMENT ROLL.

(A) The Street Lighting Service Cost for Fiscal Year 2018-2019 is approximately \$397,710. The Street Lighting Assessment Roll for Fiscal Year 2018-2019, a copy of which is on file with the City Clerk and incorporated herein by reference, is hereby confirmed and approved based upon a rate of \$37.81 per ERU.

(B) The assessment roll as delivered to the Tax Collector shall be accompanied by a Certificate to Non-Ad Valorem Assessment Roll provided by the Tax Collector.

Notwithstanding anything herein to the contrary, Assessments imposed against Government Property shall be direct billed in accordance with Section 3.04 of the Assessment Ordinance.

SECTION 5. 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 6. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

PASSED, ADOPTED AND APPROVED this 25th day of September, 2018.

**CITY COUNCIL OF NEW PORT
RICHEY, FLORIDA**

(SEAL)

By: _____
Rob Marlowe, Mayor

Attest:

By: _____
Judy Meyers, F.R.P.
City Clerk

APPENDIX A
PROOF OF PUBLICATION

676968

Tampa Bay Times
Published Daily

STATE OF FLORIDA) ss
COUNTY OF Pasco, Hernando & Citrus

Before the undersigned authority personally appeared **Deirdre Almeida** who on oath says that he/she is **Legal Clerk** of the **Tampa Bay Times** a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter **RE: Street Lighting** was published in **Tampa Bay Times: 9/5/18**, in said newspaper in the issues of **B North Suncoast**

Affiant further says the said **Tampa Bay Times** is a newspaper published in Pasco, Hernando & Citrus, Florida and that the said newspaper has heretofore been continuously published in said Pasco, Hernando & Citrus, Florida, each day and has been entered as a second class mail matter at the post office in said Pasco, Hernando & Citrus, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper



Signature of Affiant

Sworn to and subscribed before me this 09/05/2018.



Signature of Notary Public

Personally known _____ or produced identification

Type of identification produced _____



CITY OF NEW PORT RICHEY
NOTICE OF HEARING
TO IMPOSE AND PROVIDE FOR
COLLECTION OF NON-AD VALOREM
SPECIAL ASSESSMENTS TO FUND
STREET LIGHTING SERVICES



Notice is hereby given that the City Council of New Port Richey, Florida, will conduct a public hearing to consider adoption of a final assessment resolution related to the City of New Port Richey (the "City") and the provision by the City of street lighting services. The Street lighting final assessment resolution will provide for the imposition of special assessments, sometimes characterized as non-ad valorem assessments, against property located within City limits and collection of the assessments by the Pasco County Tax Collector pursuant to the tax bill collection method described in Section 3.01 of City Ordinance No. 2012-1985. The assessment is an annual assessment that will continue from year to year. The hearing will be held at 6:00 PM or as soon as may be heard thereafter on September 25, 2018 at City Council Chambers of City Hall, City Hall, 5919 Main Street, New Port Richey, Florida 34652. All affected property owners have a right to appear at the hearing and to file written objections with the City Council within twenty (20) days of this notice.

While some parcels are being assessed for the first time, this is not a new assessment program. The citywide street lighting assessment has been imposed since 2001. The assessments have been proposed to fund street lighting related essential services, facilities, equipment and improvements throughout the City for the fiscal year commencing October 1, 2017. The assessment will be imposed against developed and undeveloped parcels based upon the number of Equivalent Residential Units ("ERUs") attributable to each parcel as of the date the assessments are imposed. If approved by City Council, the street lighting assessment will be imposed at a rate not to exceed \$38.71 per ERU. A more specific description of the street lighting related services and the method of computing the assessment for each parcel of property are set forth in Resolution No. 2017-22 (the "Initial Assessment Resolution") adopted by the City Council on July 18, 2017. Copies of the Initial Assessment Resolution and the preliminary Street Lighting Assessment Roll are available for inspection at the office of the City Clerk, located at City Hall, 5919 Main Street, New Port Richey, Florida 34652. If you have any questions, please contact the City Clerk's Office at (727) 853-1021.

ANY PERSON WISHING TO ENSURE THAT AN ADEQUATE RECORD OF THE PROCEEDINGS IS MAINTAINED FOR APPELLATE PURPOSES IS ADVISED TO MAKE THE NECESSARY ARRANGEMENTS FOR RECORDING AT HIS OR HER OWN EXPENSE. PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK AT LEAST 48 HOURS IN ADVANCE OF THE MEETING AT (727) 853-1021.

APPENDIX B
AFFIDAVIT OF MAILING

BEFORE ME, personally appeared the undersigned affiant, who after being duly sworn depose and say:

(1) Crystal S. Feast is the Finance Director for the City of New Port Richey, Florida (the "City").

(2) On or before August 3, 2018, I facilitated and directed the mailing of notices in accordance with Section 2.08 of City Ordinance No. 2012-1985 (the "Assessment Ordinance") regarding a public hearing to consider the annual imposition of Street Lighting Assessments to the owners of real property not previously subject thereto, at the addresses shown on the real property assessment tax roll database maintained by the Pasco County Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

FURTHER AFFIANT SAYETH NAUGHT.

Crystal S. Feast, Affiant

STATE OF FLORIDA
COUNTY OF PASCO

The foregoing Affidavit of Mailing was sworn to and subscribed before me this ___ day of _____, 2018, by Crystal S. Feast. She is personally known to me or has produced _____ as identification and did take an oath.

(SEAL)

Printed/Typed Name: _____
Notary Public-State of _____
Commission Expires: _____