

RESOLUTION NO. 2021- 54

A RESOLUTION OF THE CITY COUNCIL OF NEW PORT RICHEY, FLORIDA, APPROVING THE FISCAL YEAR 2021-2022 NON-AD VALOREM ASSESSMENT ROLL FOR MUNICIPAL LIENS; DIRECTING CERTIFICATION OF THE ASSESSMENT ROLL TO THE PASCO COUNTY TAX COLLECTOR; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has adopted Resolution 2020-03 authorizing the use of the uniform method for the levy, collection, and enforcement of non-ad valorem assessments in accordance with Sections 197.3631 and 197.3632 Florida Statutes for collection of code enforcement and other liens imposed by the City of New Port Richey;

WHEREAS, the City has entered into an agreement with the tax collector for the collection of such assessments as provided herein;

WHEREAS, the City has held a public hearing on this Resolution and has provided notice thereof as required by law;

WHEREAS, notice of the City's intent to collect unpaid municipal liens through the uniform method of collection of non-ad valorem assessments has been provided to the owners of the properties to be assessed hereunder;

WHEREAS, this Resolution will only impact properties that have been the subject of code enforcement proceedings and which have been adjudicated in violation of the City's Code of Ordinances, or have otherwise been the subjected to municipal liens;

WHEREAS, the liens identified on the Non-ad Valorem Assessment Roll attached hereto meet the criteria for assessment and should be assessed against the identified properties using the uniform method of collection of non-ad valorem assessments; and

WHEREAS, the City Council hereby finds that this Resolution is in the best interests of the health, safety and welfare of the citizens of the City.

NOW, THEREFORE, 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 Resolution 2020-03

(the "Assessment Resolution"), Chapter 197, Florida Statutes, and other applicable provisions of law.

SECTION 2. DEFINITIONS. This Resolution establishes the Non-ad valorem assessment roll for municipal lien enforcement for the Fiscal Year commencing October 1, 2021 ("Fiscal Year 2021-2022"). Resolution 2020-03 constitutes 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 imposition of Assessments against real property located within the City.

(B) The Council wishes to hereby confirm and approve the Non-ad Valorem 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 2020, as attached hereto as Appendix C.

(C) The Council conducted a public hearing on September 9, 2021, to consider approval and adoption of the Non-ad Valorem Assessment Roll for Fiscal Year 2021-2022 and to receive comments from the owners of real property not previously subject to the Assessments. During such public hearing, objections and comments of all interested persons were heard and considered.

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

(E) The Non-ad Valorem Assessment Roll for Fiscal Year 2021-2022 has heretofore been made available for inspection by the public.

(F) 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 Non-ad Valorem Assessment Roll attached hereto as Appendix C for Fiscal Year 2020-2021, a copy of which is on file with the City Clerk and incorporated herein by reference, is hereby confirmed and approved.

(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.

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 9th day of September, 2021.

**CITY OF NEW PORT RICHEY,
FLORIDA**

(SEAL)

By: _____
Rob Marlowe, Mayor

Attest:

Approved as to form:

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


Timothy P. Driscoll, City Attorney

APPENDIX A

PROOF OF PUBLICATION

LEGAL NOTICE

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



City of New Port Richey City Limits

assessment program. This city-wide assessment has been imposed since 2017. The assessment will be used to fund street and road paving services in the City for the fiscal year commencing October 1, 2021. The assessment will be based upon the number of dwelling units for residential property and building square footage for non-residential property. A more specific description of the paving services and the method of computing the assessment for each parcel of property are set forth in Resolution No. 2017-23 (the "Initial Assessment Resolution") adopted by the City Council on August 1, 2017. Copies of the Initial Assessment Resolution and the preliminary 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.

Notice is hereby given that the City Council of New Port Richey, Florida, will conduct a public hearing to consider adoption of an Annual Assessment Resolution related to the City of New Port Richey (the "City") and its Paving Management Plan. The Annual 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 on September 9, 2021 at City Council Chambers of 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 ten (10) days of this notice.

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.

While some parcels are being assessed for the first time, this is not a new

09/29/21 00001.79656-01

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) I facilitated and directed the mailing of notices in accordance with Florida law regarding a public hearing to consider the imposition of Non-ad Valorem 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 _____, 2021, by Crystal S. Feast. She is personally known to me or has produced _____ as identification and did take an oath.

Printed/Typed Name: _____

(SEAL)

Notary Public-State of
Commission Expires:

APPENDIX C

NON-AD VALOREM ASSESSMENT ROLL

| Parcel No. | Amount | Name | Violation Address | Description |
|--------------------------|--------------------|-----------------------|--|---|
| 08-26-16-0250-03504-0080 | \$ 3,732.00 | PASCO GRAND CORP | CRAFTS SUB UNIT 4 PB 2 PG 44 LOTS 8 & 9 BLOCK 4 TRACT 35 | CASE #R20-2548 |
| 17-26-16-0590-00000-0090 | \$ 1,286.00 | SACCONE FRANK | 5413 PASADENA DR | CASE #16-0920 CASE # R18-2672 & #R18- 2697 & #R19-0131 & #R18- 1610 & R19-1278 |
| 08-26-16-0270-00400-0050 | \$ 5,820.50 | SWARGAM | 5634 CHARLES ST | CASE R18-1609 |
| 09-26-16-0030-16200-0060 | \$ 1,486.00 | SWARGAM | 5900 JACKSON ST | CASE # 16-3994 |
| 33-25-16-076A-00000-0110 | \$ 127.50 | GUPTA VINOD | 6613 CELESTE LN | CASE # 16-0051 |
| 32-25-16-0050-01900-0030 | \$ 277.50 | OAK TRACE DEVELOPMENT | 7235 US HIGHWAY 19 | |
| | <u>\$12,729.50</u> | | | |