



NOTICE
A SPECIAL MEETING OF THE CITY COUNCIL OF
THE CITY OF NEW PORT RICHEY

WILL BE HELD ON

Tuesday, August 29, 2017 AT 7:00 PM
NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS
5919 MAIN STREET, NEW PORT RICHEY, FLORIDA

ANY PERSON DESIRING TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT ANY MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE LAW DOES NOT REQUIRE THE CITY CLERK TO TRANSCRIBE VERBATIM MINUTES; THEREFORE, THE APPLICANT MUST MAKE THE NECESSARY ARRANGEMENTS WITH A PRIVATE REPORTER (OR PRIVATE REPORTING FIRM) AND BEAR THE RESULTING EXPENSE. (F.S.286.0105)

TO THE MEMBERS OF THE CITY COUNCIL OF NEW PORT RICHEY, FLORIDA

TO THE CITY MANAGER, TO THE CITY CLERK, TO THE DEPARTMENT HEADS, TO THE CITY ATTORNEY, TO THE CITY ENGINEER OF SAID CITY

Notice is hereby given that I, Rob Marlowe, Mayor-Councilmember of New Port Richey, Florida, do hereby call a SPECIAL MEETING of the City Council of New Port Richey, Florida at 7:00 PM on Tuesday, August 29, 2017, at City Hall, 5919 Main Street, New Port Richey, Florida.

ORDER OF
BUSINESS

1. Call to Order – Roll Call
2. Pledge of Allegiance
3. Moment of Silence
4. Business Items
 - a. Public Hearing - Stormwater Utility Assessment - Page 3
 - b. Public Hearing - Street Lighting Assessment - Page 17
5. Communications
6. Adjournment



Mayor - Councilmember

Agendas may be viewed on the City's website: www.citynpr.org This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990 and Section 286.26, Florida Statutes, all persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk, 727-853-1024, not later than four days prior to said proceeding.



NEW PORT RICHEY

5919 MAIN STREET . NEW PORT RICHEY, FL 34652 . 727.853.1016

TO: City of New Port Richey City Council
FROM: Crystal S. Feast
DATE: 8/29/2017
RE: Public Hearing - Stormwater Utility Assessment - Page 3

REQUEST:

This item is before the City Council to solicit public comment on the stormwater utility assessment fee levied against property in the City and to adopt Resolution No. 2017-26, which approves the assessment and allows for certification to Pasco County.

DISCUSSION:

In September 2001, the City Council adopted an ordinance establishing a Stormwater Utility Assessment in the City of New Port Richey. Section 403.0893, Florida Statutes, specifically authorizes a municipality to establish stormwater management as a municipal utility function for which utility fees may be levied. The ordinance created a method of generating revenue for the stormwater utility by way of assessment. These assessment fees are collected each year as non-ad valorem assessments to the property owners, under the provisions of Chapter 197, Florida Statutes. These fees are chargeable to the property owner, regardless of whether or not a property is tenant occupied.

The City has found that the use of a non-ad valorem assessment is the most equitable method of providing the necessary funding for improvements and extensions of the City's stormwater utility system.

Each year, the City must certify its stormwater non-ad valorem assessment roll. Normally, as part of that process, only parcel owners who did not pay a stormwater non-ad valorem assessment in the previous year, or whose stormwater non-ad valorem assessment changed from the previous year, are given an opportunity to make public comment and address the City Council concerning the stormwater non-ad valorem assessment. However, since there was a change in the methodology and an increase in the assessment rate, all property owners affected were notified by mail on August 3, 2017 about this public hearing.

The billing of the stormwater assessment fee is administered by Pasco County and can be seen as a line item in the non-ad valorem portion of the County tax bill. All property owners receive notice of their non-ad valorem assessments on their Notice of Proposed Property Taxes (TRIM Notice).

The stormwater utility fee is established by City ordinance. The dollar amount of the stormwater utility fee has changed from last year (\$77.36 per ERU or Equivalent Residential Unit to \$80.00/per ERU).

RECOMMENDATION:

This item is before the City Council to solicit public comment on the stormwater utility assessment fee levied against all developed property in the City and to adopt Resolution No. 2017-26, which approves the assessment and allows for certification to Pasco County.

BUDGET/FISCAL IMPACT:

The City's Budget for 2017-2018 contains revenue from the collection of stormwater utility fees.

ATTACHMENTS:

Description	Type
☐ Resolution No. 2017-26, Stormwater Utility Assessment	Resolution Letter

CITY OF NEW PORT RICHEY, FLORIDA

**STORMWATER SERVICE ASSESSMENT
FINAL ASSESSMENT RESOLUTION**

Adopted August 29, 2017

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FINAL ASSESSMENT RESOLUTION

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RESOLUTION NO. 2017-26

A RESOLUTION OF THE CITY COUNCIL OF NEW PORT RICHEY, FLORIDA, RELATING TO THE DELIVERY AND FUNDING OF STORMWATER RELATED ESSENTIAL SERVICES WITHIN THE CITY; AMENDING, RATIFYING AND CONFIRMING THE INITIAL ASSESSMENT RESOLUTION; DETERMINING THAT CERTAIN REAL PROPERTY IS SPECIALLY BENEFITED BY STORMWATER MANAGEMENT SERVICES; ESTABLISHING THE METHOD OF ASSESSING ASSOCIATED STORMWATER COSTS AGAINST REAL PROPERTY SPECIALLY BENEFITED THEREBY; ESTABLISHING OTHER TERMS AND CONDITIONS OF THE ASSESSMENTS; APPROVING THE ASSESSMENT ROLL; PROVIDING THE METHOD OF COLLECTION; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. AUTHORITY. This Resolution of the City of New Port Richey, Florida (the "City") is adopted pursuant to City Ordinance No. 2012-1985 (the "Assessment Ordinance"), City Resolution No. 2017-21 (the "Initial Assessment Resolution"), Sections 166.021, 166.041 and 197.3632, Florida Statutes, and other applicable provisions of law.

SECTION 2. DEFINITIONS. This Resolution is the Final Assessment Resolution. All capitalized terms in this Resolution shall have the meanings defined in the Assessment Ordinance and the Initial Assessment Resolution.

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

(A) The findings provided in Section 1.04 of the Initial Assessment Resolution are hereby ratified, confirmed, and incorporated as if set forth fully herein.

(B) On July 18, 2017, the Council adopted the Initial Assessment Resolution which described the Stormwater Management Service, provided for the funding thereof through Stormwater Service Assessments and the method of assessing the cost of such services against the real property located within the City that will be specifically benefited thereby, established a public hearing to consider imposition of the Assessments, directed preparation of the preliminary Stormwater Service Assessment Roll and the provision of the notices required by the Assessment Ordinance.

(C) Pursuant to Section 2.07 of the Assessment Ordinance, the Council is required to repeal or confirm the Initial Assessment Resolution, with such amendments as the Council deems appropriate, after hearing concerns and receiving comments or objections of interested parties.

(D) The Stormwater Service Assessment Roll has heretofore been filed at the offices of the City Clerk, City Hall, 5919 Main Street, New Port Richey, Florida, and made available for public inspection.

(E) Notice of a public hearing has been published and mailed to each affected property owner notifying such property owner of the opportunity to be heard. The

proof of publication and an affidavit of mailing are attached hereto as Appendices A and B respectively.

(F) Such public hearing was duly held on August 29, 2017 and comments and objections of all interested persons have been heard and considered as required by law.

(G) The Assessments contemplated hereunder will be imposed by the Council, 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.

(H) The benefits derived from the Stormwater Management Services exceed the amount of the Assessments levied and imposed hereunder. The Assessment for any Tax Parcel subject thereto does not exceed the proportional benefits that such Tax Parcel will receive compared to any other Tax Parcel.

(I) The Council hereby finds and determines that the Assessments to be imposed in accordance with this Resolution provide an equitable method of funding the Stormwater Management Service by fairly and reasonably allocating the Stormwater Management Service Cost among specially benefited property.

SECTION 4. AMENDMENT, RATIFICATION AND CONFIRMATION OF INITIAL ASSESSMENT RESOLUTION.

(A) Section 2.03 of the Initial Assessment Resolution is hereby amended as follows, with additional text indicated by underline and deleted text indicated by strikethrough:

SECTION 2.03. PUBLIC HEARING. There is hereby established a public hearing to be held at 6 p.m. on August 4 ~~29~~, 2017, in City Council Chambers of City Hall, 5919 Main Street, New Port Richey, Florida, at which time the Council will receive and consider any comments on the Stormwater Service Assessments from the public and affected property owners and consider imposing Stormwater Service Assessments and authorizing an alternative manner of collection.

(B) As amended hereunder, the Initial Assessment Resolution is hereby ratified and confirmed.

(C) Any and all prior actions of the Council associated with the imposition of Stormwater Service Assessments or similar fees and charges of every nature whatsoever for the forthcoming Fiscal Year and previous Fiscal Years, are hereby approved, ratified and confirmed in their entirety.

SECTION 5. APPROVAL OF ASSESSMENT ROLL. The Stormwater Service Assessment Roll, which is on file with the City Clerk and incorporated herein by reference, is hereby approved.

SECTION 6. STORMWATER SERVICE ASSESSMENTS.

(A) The Tax Parcels described in the Stormwater Service Assessment Roll are hereby found to be specially benefited by the provision of Stormwater Management Service. The apportionment methodology for the Stormwater Service Assessments, as set forth in Section 3.03 of the Initial Assessment Resolution, is hereby approved. Accordingly, a Stormwater Service Assessment in the amount of \$80.00 per ERU is

hereby levied and imposed against each Tax Parcel described in the Stormwater Service Assessment Roll.

(B) The Stormwater Service Assessment shall constitute a lien against 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. The lien shall be deemed perfected upon adoption of this Resolution and shall attach to the property included on the Stormwater Service Assessment Roll as of January 1, 2017, the lien date for ad valorem taxes.

SECTION 7. COLLECTION OF ASSESSMENTS. The Stormwater Service Assessments imposed hereunder shall be collected pursuant to the provisions of the Assessment Ordinance and Uniform Assessment Collection Act. Upon adoption hereof and of the Annual Assessment Resolution for subsequent Fiscal Years, the City Manager shall cause the certification and delivery of the Stormwater Service Assessment Roll to the Tax Collector by September 15, in the manner prescribed by the Uniform Assessment Collection Act. The Assessment Roll as delivered to the Tax Collector shall be accompanied by a Certificate to Non-Ad Valorem Assessment Roll in substantially the form attached hereto as Appendix C.

SECTION 8. EFFECT OF FINAL ASSESSMENT RESOLUTION. The adoption of this Final Assessment Resolution shall be the final adjudication of the issues

presented herein and in the Initial Assessment Resolution (including, but not limited to, the method by which the Assessments are computed and apportioned, the Stormwater Service Assessment Roll, and the rate of Assessment) unless proper steps are initiated in a court of competent jurisdiction to secure relief within twenty (20) days from the date of the Council's adoption of this Final Assessment Resolution.

SECTION 9. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

PASSED, ADOPTED AND APPROVED 29th day of August, 2017.

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

By: _____
Rob Marlowe, Mayor

(SEAL)

Attest:

By: _____
Judy Meyers, City Clerk

APPENDIX A
PROOF OF PUBLICATION

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: Stormwater Assessmen** was published in **Tampa Bay Times: 8/10/17**, 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 08/10/2017.


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 STORMWATER MANAGEMENT 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 its stormwater system. The stormwater 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 7 PM on August 29, 2017 at in the City Council Chambers, City Hall, 5919 Main Street, New Port Richey, Florida 34652. The public hearing was originally scheduled for August 1, 2017, but was subsequently changed due to restrictions on timing between when public notification is sent out and when the public hearing is held. 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 stormwater assessment has been imposed since 2001. The assessments have been proposed to fund stormwater related essential services, facilities, equipment and improvements throughout the City for the fiscal year commencing October 1, 2017. The assessment will be based upon the number of Equivalent Residential Units ("ERUs") attributable to each tax parcel as of the date the assessments are imposed. If approved by City Council, the stormwater assessment will be imposed at a rate not to exceed \$80.00 per ERU. A more specific description of the stormwater related services and the method of computing the assessment for each parcel of property are set forth in Resolution No. 2017-21 (the "Initial Assessment Resolution") adopted by the City Council on July 18, 2017. Copies of the Initial Assessment Resolution and the preliminary Stormwater Service 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 Finance Department at (727) 853-1016.

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) 853-1024.

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 Finance Director of the City of New Port Richey, Florida (the "City").

(2) On or before August 3, 2017, the City provided mailed notices, in accordance with Section 2.06 of City Ordinance No. 2012-1985 and Section 2.05 of City Resolution No. 2017-21 (the "Initial Assessment Resolution"), by first class mail to each owner of real property located within the City subject to the Street Lighting Service Assessments contemplated by the Initial Assessment Resolution, as reflected on, and at the addresses shown on, the real property ad valorem tax roll database maintained by the Pasco County Property Appraiser.

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 August, 2017, by _____. [He/She] is personally known to me or has produced _____ as identification and did take an oath.

(SEAL)

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

APPENDIX C

**FORM OF CERTIFICATE TO
NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that I am the City Manager of the City of New Port Richey, Florida (the "City"); as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for the City's stormwater service non-ad valorem assessment program (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 Pasco County Tax Collector by September 15, 2017.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Pasco County Tax Collector and made part of the above described Non-Ad Valorem Assessment Roll this ____ day of _____ 2017.

NEW PORT RICHEY, FLORIDA

By: _____
City Manager



NEW PORT RICHEY

5919 MAIN STREET • NEW PORT RICHEY, FL 34652 • 727.853.1016

TO: City of New Port Richey City Council
FROM: Crystal S. Feast
DATE: 8/29/2017
RE: Public Hearing - Street Lighting Assessment - Page 17

REQUEST:

This item is before the City Council to solicit public comment on the street lighting assessment fee levied against all developed property in the City and to adopt Resolution No. 2017-27, which approves the assessment and allows for certification to Pasco County.

DISCUSSION:

In September 2003, the City Council adopted an ordinance establishing a Street Lighting Assessment in the City of New Port Richey. The ordinance created a means of recovering costs incurred by the City in providing street lighting services to properties in the City. These fees are collected each year as non-ad valorem assessments to the property owners, under the provisions of Chapter 197, Florida Statutes. These fees are chargeable to the *property owner*, regardless of whether or not a property is tenant occupied.

The City has found that the use of a non-ad valorem assessment is the most equitable method of providing the necessary funding for providing street lighting services within the City.

Each year, the City must certify its street light non-ad valorem assessment roll with Pasco County. Normally, as part of that process, parcel owners who did not pay a street light non-ad valorem assessment in the previous year, or whose street light non-ad valorem assessment changed from the previous year, are given an opportunity to make public comment and address the City Council concerning the street light non-ad valorem assessment. However, since there was a change in the methodology and an increase in the assessment rate, all property owners affected were notified by mail on August 3, 2017 about this public hearing.

The billing of the street lighting assessment fee is administered by Pasco County and can be seen as a line item in the non-ad valorem portion of the County tax bill. All property owners receive notice of their non-ad valorem assessments on their Notice of Proposed Property Taxes (TRIM Notice).

The street lighting fee is established by City ordinance. The dollar amount of the street lighting fee schedule has changed from last year (\$36.24 per ERU or Equivalent Residential Unit to \$38.71/ERU).

RECOMMENDATION:

This item is before the City Council to solicit public comment on the street lighting assessment fee levied against all developed property in the City and to adopt Resolution No. 2017-27, which approves the assessment and allows for certification to Pasco County.

BUDGET/FISCAL IMPACT:

The City's Budget for 2017-2018 contains revenue from the collection of street lighting fees.

ATTACHMENTS:

	Description	Type
▣	Resolution No. 2017-27, Street Lighting Assessment	Resolution Letter

CITY OF NEW PORT RICHEY, FLORIDA

**STREET LIGHTING ASSESSMENT
FINAL ASSESSMENT RESOLUTION**

Adopted August 29, 2017

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FINAL ASSESSMENT RESOLUTION

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RESOLUTION NO. 2017-27

A RESOLUTION OF THE CITY COUNCIL OF NEW PORT RICHEY, FLORIDA, RELATING TO THE DELIVERY AND FUNDING OF STREET LIGHTING RELATED ESSENTIAL SERVICES WITHIN THE CITY; AMENDING, RATIFYING AND CONFIRMING THE INITIAL ASSESSMENT RESOLUTION; DETERMINING THAT CERTAIN REAL PROPERTY IS SPECIALLY BENEFITED BY STREET LIGHTING MANAGEMENT SERVICES; ESTABLISHING THE METHOD OF ASSESSING ASSOCIATED STREET LIGHTING COSTS AGAINST REAL PROPERTY SPECIALLY BENEFITED THEREBY; ESTABLISHING OTHER TERMS AND CONDITIONS OF THE ASSESSMENTS; APPROVING THE ASSESSMENT ROLL; PROVIDING THE METHOD OF COLLECTION; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. AUTHORITY. This Resolution of the City of New Port Richey, Florida (the "City") is adopted pursuant to City Ordinance No. 2012-1985 (the "Assessment Ordinance"), City Resolution No. 2017-22 (the "Initial Assessment Resolution"), Sections 166.021, 166.041 and 197.3632, Florida Statutes, and other applicable provisions of law.

SECTION 2. DEFINITIONS. This Resolution is the Final Assessment Resolution. All capitalized terms in this Resolution shall have the meanings defined in the Assessment Ordinance and the Initial Assessment Resolution.

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

(A) The findings provided in Section 1.04 of the Initial Assessment Resolution are hereby ratified, confirmed, and incorporated as if set forth fully herein.

(B) On July 18, 2017, the Council adopted the Initial Assessment Resolution which described the Street Lighting Services, provided for the funding thereof through Street Lighting Assessments and the method of assessing the cost of such services against the real property located within the City that will be specifically benefited thereby, established a public hearing to consider imposition of the Assessments, directed preparation of the preliminary Street Lighting Assessment Roll and the provision of the notices required by the Assessment Ordinance.

(C) Pursuant to Section 2.07 of the Assessment Ordinance, the Council is required to repeal or confirm the Initial Assessment Resolution, with such amendments as the Council deems appropriate, after hearing concerns and receiving comments or objections of interested parties.

(D) The Street Lighting Assessment Roll has heretofore been filed at the offices of the City Clerk, City Hall, 5919 Main Street, New Port Richey, Florida, and made available for public inspection.

(E) Notice of a public hearing has been published and mailed to each affected property owner notifying such property owner of the opportunity to be heard. The

proof of publication and an affidavit of mailing are attached hereto as Appendices A and B respectively.

(F) Such public hearing was duly held on August 29, 2017 and comments and objections of all interested persons have been heard and considered as required by law.

(G) The Assessments contemplated hereunder will be imposed by the Council, 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.

(H) The benefits derived from the Street Lighting Services exceed the amount of the Assessments levied and imposed hereunder. The Assessment for any Tax Parcel subject thereto does not exceed the proportional benefits that such Tax Parcel will receive compared to any other Tax Parcel.

(I) The Council hereby finds and determines that the Assessments to be imposed in accordance with this Resolution provide an equitable method of funding the Street Lighting Services by fairly and reasonably allocating the Street Lighting Service Cost among specially benefited property.

SECTION 4. AMENDMENT, RATIFICATION AND CONFIRMATION OF INITIAL ASSESSMENT RESOLUTION

(A) Section 2.03 of the Initial Assessment Resolution is hereby amended as follows, with additional text indicated by underline and deleted text indicated by strikethrough:

SECTION 2.03. PUBLIC HEARING. There is hereby established a public hearing to be held at 6 p.m. on August 4 ~~29~~, 2017, in City Council Chambers of City Hall, 5919 Main Street, New Port Richey, Florida, at which time the Council will receive and consider any comments on the Stormwater Service Assessments from the public and affected property owners and consider imposing Stormwater Service Assessments and authorizing an alternative manner of collection.

(B) As amended hereunder, the Initial Assessment Resolution is hereby ratified and confirmed.

(C) Any and all prior actions of the Council associated with the imposition of Street Lighting Assessments or similar fees and charges of every nature whatsoever for the forthcoming Fiscal Year and previous Fiscal Years, are hereby approved, ratified and confirmed in their entirety.

SECTION 5. APPROVAL OF ASSESSMENT ROLL. The Street Lighting Assessment Roll, which is on file with the City Clerk and incorporated herein by reference, is hereby approved.

SECTION 6. STREET LIGHTING SERVICE ASSESSMENTS.

(A) The Tax Parcels described in the Street Lighting Assessment Roll are hereby found to be specially benefited by the provision of Street Lighting Services. The apportionment methodology for the Street Lighting Assessments, as set forth in Section 3.03 of the Initial Assessment Resolution, is hereby approved. Accordingly, a Street Lighting Service Assessment in the amount of \$38.71 per ERU is hereby levied and imposed against each Tax Parcel described in the Street Lighting Assessment Roll.

(B) The Street Lighting Assessment shall constitute a lien against 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. The lien shall be deemed perfected upon adoption of this Resolution and shall attach to the property included on the Street Lighting Assessment Roll as of January 1, 2017, the lien date for ad valorem taxes.

SECTION 7. COLLECTION OF ASSESSMENTS. The Street Lighting Assessments imposed hereunder shall be collected pursuant to the provisions of the Assessment Ordinance and Uniform Assessment Collection Act. Upon adoption hereof and of the Annual Assessment Resolution for subsequent Fiscal Years, the City Manager shall cause the certification and delivery of the Street Lighting Assessment Roll to the Tax Collector by September 15, in the manner prescribed by the Uniform Assessment Collection Act. The Assessment Roll as delivered to the Tax Collector shall be accompanied by a Certificate to Non-Ad Valorem Assessment Roll in substantially the form attached hereto as Appendix C.

SECTION 8. EFFECT OF FINAL ASSESSMENT RESOLUTION. The adoption of this Final Assessment Resolution shall be the final adjudication of the issues presented herein and in the Initial Assessment Resolution (including, but not limited to, the method by which the Assessments are computed and apportioned, the Street Lighting Assessment Roll, and the rate of Assessment) unless proper steps are initiated

in a court of competent jurisdiction to secure relief within twenty (20) days from the date of the Council's adoption of this Final Assessment Resolution.

SECTION 9. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

PASSED, ADOPTED AND APPROVED 29th day of August, 2017.

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

(SEAL)

By: _____
Rob Marlowe, Mayor

Attest:

By: _____
Judy Meyers, City Clerk

APPENDIX A

PROOF OF PUBLICATION

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: 8/10/17**, 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 08/10/2017.

Signature of Notary Public

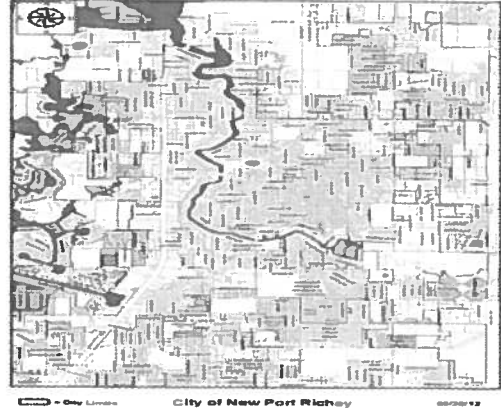
Personally known _____ or produced identification

Type of identification produced _____



LEGAL NOTICE

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 7 PM on August 29, 2017 at in the City Council Chambers, City Hall, 5919 Main Street, New Port Richey, Florida 34652. The public hearing was originally scheduled for August 1, 2017, but was subsequently changed due to restrictions on timing between when public notification is sent out and when the public hearing is held. 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 Finance Department at (727) 853-1016.

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) 853-1024.

APPENDIX B

AFFIDAVIT OF MAILING

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

(1) _____[name] is _____ [title] of the City of New Port Richey, Florida (the "City").

(2) On or before _____, 2017, the City provided mailed notices, in accordance with Section 2.06 of City Ordinance No. 2012-1985 and Section 2.05 of City Resolution No. 2017-21 (the "Initial Assessment Resolution"), by first class mail to each owner of real property located within the City subject to the Street Lighting Service Assessments contemplated by the Initial Assessment Resolution, as reflected on, and at the addresses shown on, the real property ad valorem tax roll database maintained by the Pasco County Property Appraiser.

FURTHER AFFIANT SAYETH NAUGHT.

[name], **affiant**

STATE OF FLORIDA
COUNTY OF PASCO

The foregoing Affidavit of Mailing was sworn to and subscribed before me this ____ day of August, 2017, by _____. [He/She] is personally known to me or has produced _____ as identification and did take an oath.

(SEAL)

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

APPENDIX C

**FORM OF CERTIFICATE TO
NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that I am the City Manager of the City of New Port Richey, Florida (the "City"); as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for the City's Street Lighting service non-ad valorem assessment program (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 Pasco County Tax Collector by September 15, 2017.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Pasco County Tax Collector and made part of the above described Non-Ad Valorem Assessment Roll this ____ day of _____ 2017.

NEW PORT RICHEY, FLORIDA

By: _____
City Manager