

M E M O R A N D U M

Date: December 01, 2015

TO: Town Commission

FROM: Dave Bullock, Town Manager

SUBJECT: Resolution 2015-31, Electing to Use Uniform Method of Collecting Non Ad Valorem Assessments

Resolution 2015-31, expresses the Town's intention to use the tax bill collection method for the undergrounding assessments, commencing with the tax bill mailed in November 2016. The resolution does not impose any assessments, or obligate the Town Commission to impose any assessments. It merely preserves the ability to collect subsequently-imposed assessments on the tax bill.

Adoption of Resolution 2015-31 is for the purpose of complying with the statutory requirements that the Town publicly announce to the Florida Department of Revenue, the Manatee County Property Appraiser, the Manatee County Tax Collector, the Sarasota County Property Appraiser and the Sarasota County Tax Collector before January 1 that it may levy non-ad valorem assessments and use the uniform method of collection.

Adoption of this Resolution shall not be deemed to commit or require the Town to impose any assessments.

Resolution 2015-31 is placed on the December 7, 2015 Regular Meeting for Commission consideration and formal action.

RESOLUTION 2015-31

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LONGBOAT KEY, FLORIDA, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS FOR MORE THAN ONE YEAR LEVIED IN LONGBOAT KEY, FLORIDA; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LONGBOAT KEY, FLORIDA, THAT:

SECTION 1. AUTHORITY. This Resolution of the Town of Longboat Key, Florida (the "Town") is adopted pursuant to Section 197.3632, Florida Statutes, and other applicable provisions of law.

SECTION 2. FINDINGS. It is hereby ascertained, determined and declared as follows:

(A) The Town Commission of the Town of Longboat Key, Florida (the "Town Commission"), intends to use the uniform method for collecting non-ad valorem assessments for more than one year within the area encompassed by the Town boundaries (the legal description of which is attached hereto as Exhibit A and incorporated herein), as authorized by Section 197.3632, Florida Statutes, which will allow such assessments to be collected annually, commencing in November 2016, in the same manner as provided for ad valorem taxes.

(B) The Town Commission held a duly advertised public hearing for the purpose of considering the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit B.

SECTION 3. UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS.

(A) Commencing with the ad valorem tax bills issued in November, 2016, and continuing each year thereafter, the Town hereby announces its intention to use the uniform method of collecting non-ad valorem assessments for more than one year as authorized in Section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost of providing capital improvements associated with the undergrounding of electrical, communications, fiber optics and other utilities, and installation of street lighting within the Town. Such non-ad valorem assessments may be levied within all or a portion of the Town boundaries.

(B) The Town hereby determines that the levy of such assessments is needed to fund the cost of providing the undergrounding improvements.

(C) Adoption of this Resolution is solely for the purpose of complying with the statutory requirements that the Town publicly announce to the Florida Department of Revenue, the Manatee County Property Appraiser, the Manatee County Tax Collector,

the Sarasota County Property Appraiser, and the Sarasota County Tax Collector before January 1 that it may levy non-ad valorem assessments and use the uniform method of collection. Adoption of this Resolution shall not be deemed to commit or require the Town to impose any assessments.

(D) Upon adoption, the Town Manager, or his designee, is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Manatee County Property Appraiser, the Manatee County Tax Collector, the Sarasota County Property Appraiser and the Sarasota County Tax Collector by January 10, 2016.

SECTION 4. CONSTRUCTION; EFFECTIVE DATE. This Resolution shall be liberally construed to effect the purposes hereof and shall become effective immediately upon adoption.

Passed and adopted the ____ day of December, 2015.

ATTEST:

TOWN OF LONGBOAT KEY, FLORIDA

Mayor

Town Clerk

Reviewed and Approved:

Town Attorney

EXHIBIT A

LEGAL DESCRIPTION OF THE TOWN

The corporate limits of the Town of Longboat Key, Florida, in Sarasota and Manatee Counties, Florida, are hereby fixed, defined, established and particularly described as:

Begin at Meander Corner No. 8 lying on the line between Section 15 and Section 22, as shown on the official Government Township Plat of Township 35 South, Range 16 East. Said meander corner lies approximately 145 feet east of the center line of Gulf of Mexico Drive (State Road 789).

- (A) Thence run north $10^{\circ}30'$; east a distance of 7,560 feet for a point of beginning.
- (B) Thence south $49^{\circ}30'$ east 12,300 feet.
- (C) Thence south 35° east 39,660 feet to the westerly line of the city limits of the City of Sarasota, Florida.
- (D) Thence south along the city limits of the City of Sarasota, Florida, 1,860 feet.
- (E) Thence south 41° west through New Pass and crossing the center line of New Pass Bridge 325 feet north of the center of the draw span 7,860 feet into the Gulf of Mexico.
- (F) Thence north 35° west 40,380 feet.
- (G) Thence north $49^{\circ}30'$ west 15,330 feet to a point in the mouth of Longboat Pass.
- (H) Thence north $69^{\circ}44'$ east 5,300 feet.
- (I) Thence north $40^{\circ}30'$ east 4,470 feet to the point of beginning.

All lying and being in Manatee and Sarasota Counties, Florida, and containing 10,848 acres.

All of the foregoing bearings are referred to true north, and adjustments necessary to satisfy Calls (A) to (E) must be made by equal linear adjustments to Calls (C) to (F).

EXHIBIT B
PROOF OF PUBLICATION

**NOTICE OF INTENT
TO USE UNIFORM METHOD OF
COLLECTING NON-AD
VALOREM ASSESSMENTS AND
NOTICE OF PUBLIC HEARING**

The Town Commission of the Town of Longboat Key, Florida hereby provides notice, pursuant to Section 197.3632(3)(a), Florida Statutes, of its intent to use the uniform method of collecting non-ad valorem assessments for more than one year to be levied within the area encompassed by the Town boundaries, for the cost of providing capital improvements associated with the undergrounding of electrical, communications, fiber optics and other utilities and installation of street lighting within the Town. The Town Commission will consider the adoption of a resolution electing to use the uniform method of collecting such assessments, commencing in November 2016, as authorized by Section 197.3632, Florida Statutes, at a public hearing to be held at 7:00 p.m. EST, December 7, 2015, at the Town Commission Chambers at Longboat Key City Hall, 501 Bay Isles Road, Longboat Key, Florida 34228. Such resolution will state the need for the levy and will contain a legal description of the boundaries of the real property subject to the levy. Copies of the proposed form of resolution are on file at the Longboat Key Town Clerk's Office, Town Hall, 501 Bay Isles Road, Longboat Key, Florida. All interested persons are invited to attend. In the event any person decides to appeal any decision by the Commission with respect to any matter relating to the consideration of the resolution at the referenced public hearing, a record of the proceeding may be needed and in such an event, such person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990 and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in such public hearing should contact the Town Clerk's Office at (941) 316-1999 at least forty-eight (48) hours prior to the date of the public hearing.

Town Commission of Longboat Key, Florida

Date of pub: November 13, 20, 27; December 4, 2015

Sarasota Herald Tribune

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Town Commission of Longboat Key, Florida

Publish on the following dates:

November 13, 2015
November 20, 2015
November 27, 2015
December 4, 2015

Bradenton Herald



End of Agenda Item