



City of North Port

RESOLUTION NO. 2016-R-09

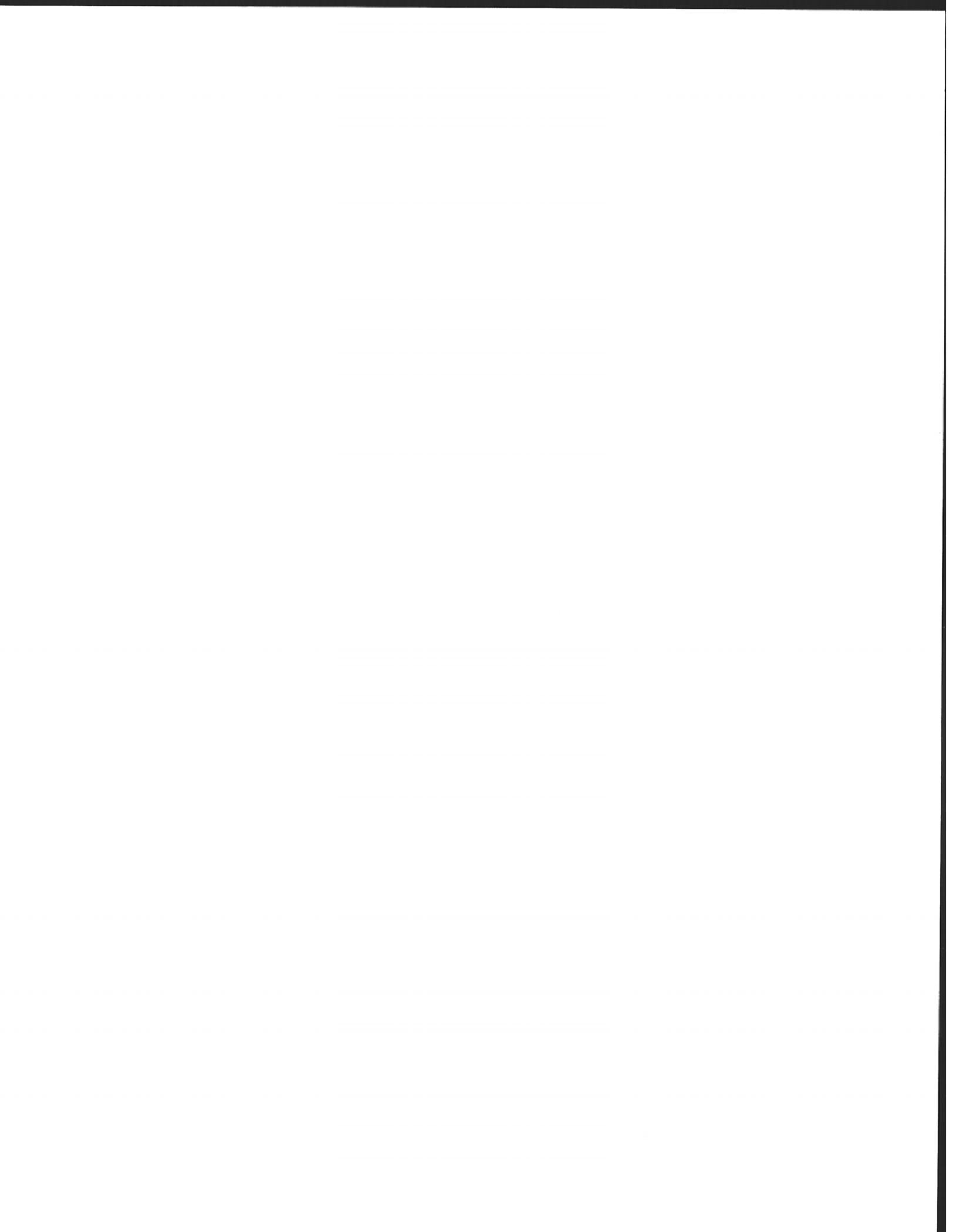
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, SERVING AS THE GOVERNING BODY OF THE NORTH PORT ROAD AND DRAINAGE DISTRICT, PROVIDING FOR ADOPTION, CERTIFICATION AND CONFIRMATION OF THE NORTH PORT ROAD AND DRAINAGE DISTRICT NON-AD VALOREM ASSESSMENT RATES, CERTIFICATION AND CONFIRMATION OF THE NORTH PORT ROAD AND DRAINAGE DISTRICT CAPITAL IMPROVEMENTS NON-AD VALOREM ASSESSMENT RATES AND CERTIFICATION OF THE NON-AD VALOREM ASSESSMENT ROLLS FOR FISCAL YEAR 2016-2017, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 66-55 of the North Port City Code, the governing body shall have the duty, right, power and authority to levy, by resolution, and collect special assessments for benefits against all non-exempt, benefitted real property within its territorial bounds in order to provide funds for the purpose of the North Port Road and Drainage District; and

WHEREAS, pursuant to Section 66-56 of the North Port City Code and in accordance with F.S. §197.3632, the governing body shall, by resolution, state its intention to use the uniform method for the levy, collection and enforcement of non-ad valorem assessments. The annual assessments shall be placed on the annual ad valorem property tax bill of the assessed property and shall be collected by the Tax Collector of Sarasota County. The governing body shall certify the non-ad valorem special assessment roll on compatible electronic medium to the tax collector in and for the County of Sarasota pursuant to F.S. §197.3632(5) on or before September 15th of each year; and

WHEREAS, the North Port City Commission has determined that the road, mowing and drainage services provided by the District confer a special benefit upon the assessed parcels and that the assessments are fairly apportioned to those parcels receiving such benefit; and

WHEREAS, the North Port City Commission approved Resolution No. 2013-R-27 on July 22, 2013, establishing the levy and collection of a non-ad valorem assessment for the Road and Drainage Capital Improvements and determined to levy and collect a non-ad valorem assessment for fiscal years 2013/2014 through 2038/2039; determining to utilize the Uniform Method of Collection authorized pursuant to Sections 197.3631-197.3635, Florida Statutes; and adopting Road & Drainage non-ad valorem rates for all



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benefited property within the City of North Port; and

WHEREAS, the special assessments provide funding for a multitude of road and drainage services to the residents of North Port, thereby promoting their health, safety, and general welfare; and

WHEREAS, all agreements for previous exemptions and resolutions will remain in effect based upon legislative determination of no benefits received; and

WHEREAS, the City of North Port exempts all public property which has been exempted from the levy of assessments by court decisions and other property which receives de minimus benefits; and

WHEREAS, the assessments are based upon a Road and Drainage District FY2014 Non-ad Valorem Assessment Methodology report adopted by the North Port City Commission by Resolution No. 2013-R-32 on September 5, 2013, attached hereto and incorporated herein as Appendix B; and

WHEREAS, in FY2013-2014 the North Port City Commission adopted the option to increase assessment rates up to a maximum of 10% per year to allow the District to react to future unforeseen circumstances without having to update the Road and Drainage District FY2014 Non-Ad Valorem Assessment Methodology, sending first class mail notices and conducting special hearings; and

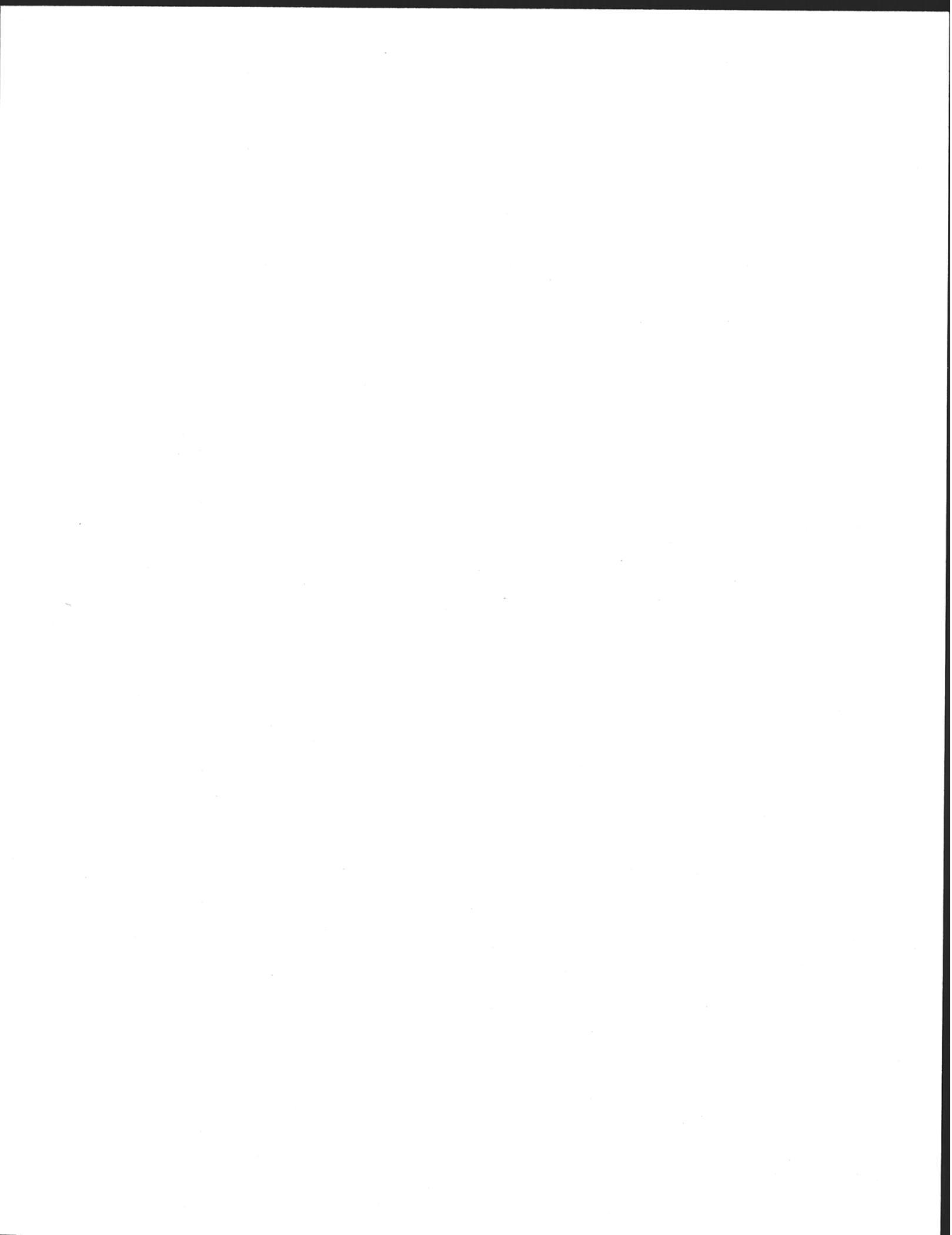
WHEREAS, the North Port Commission adopted rates for FY 2016-2017 are the rates adopted for FY 2015-2016, in order to maintain sufficient revenue to meet the District's financial needs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, SERVING AS THE GOVERNING BODY OF THE NORTH PORT ROAD AND DRAINAGE DISTRICT, TO WIT:

SECTION 1 ASSESSMENT RATES AND CERTIFICATION OF ASSESSMENT ROLLS

- 1.01 - Pursuant to Section 66-55 of the North Port City Code, the City Commission hereby adopts, certifies and confirms the Road and Drainage District non-ad valorem assessment rates for fiscal year 2016-2017 as shown in Appendix A, incorporated herein in its entirety.
- 1.02 - Pursuant to Section 66-56 of the North Port City Code and in accordance with F.S. §197.3632, the City Commission hereby adopts and certifies the Road and Drainage District non-ad valorem special assessment rolls for the 2016-2017 fiscal year, and authorizes certification of said rolls.
- 1.03 - The non-ad valorem assessments adopted pursuant to this Resolution do not exceed the benefit provided to all property and residents within the City of North Port by the Road and Drainage District.
- 1.04 - Pursuant to section 66-56 of the City of North Port Code and in accordance with F.S. SS 197.3632, the City Commission authorizes the use of the Uniform Method for the Levy, Collection, and Enforcement of non-ad valorem assessments. The non-ad valorem assessments shall be collected by the Sarasota County Tax Collector.

SECTION 2 CAPITAL IMPROVEMENTS ASSESSMENT RATES AND CERTIFICATION OF ASSESSMENT ROLL



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2.01 - Pursuant to Section 66-55 of the North Port City Code, the City Commission hereby levies the adopted Road and Drainage District Capital Improvements non-ad valorem assessment rates for fiscal year 2013-2014 through 2038/2039 as set in Appendix A. Parcel shall refer to each parcel in existence as of the fiscal year 2013/2014 capital improvements non-ad valorem assessment roll. Parcel splits or combinations shall result in the assessment increasing or decreasing accordingly for each new parcel.

2.02 - Pursuant to Section 66-55 of the North Port City Code, and in accordance with sections 197.3631 – 197.3635, Florida Statutes, the City Commission hereby certifies the capital improvements non-ad valorem assessment roll for the 2016/2017 fiscal year and authorized certification of said roll.

SECTION 3 CONFLICTS

3.01 - If there is any conflict between the provisions of this Resolution and any other resolution or portions thereof, the provisions of this Resolution shall prevail to the extent of such conflict.

SECTION 4 SEVERABILITY

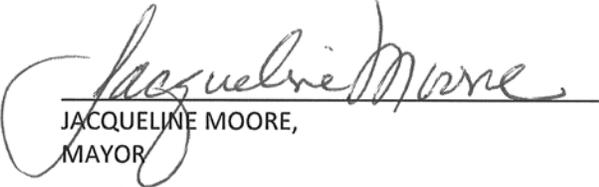
4.01 - If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions.

SECTION 5- EFFECTIVE DATE

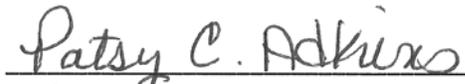
5.01 - This Resolution shall take effect immediately upon adoption.

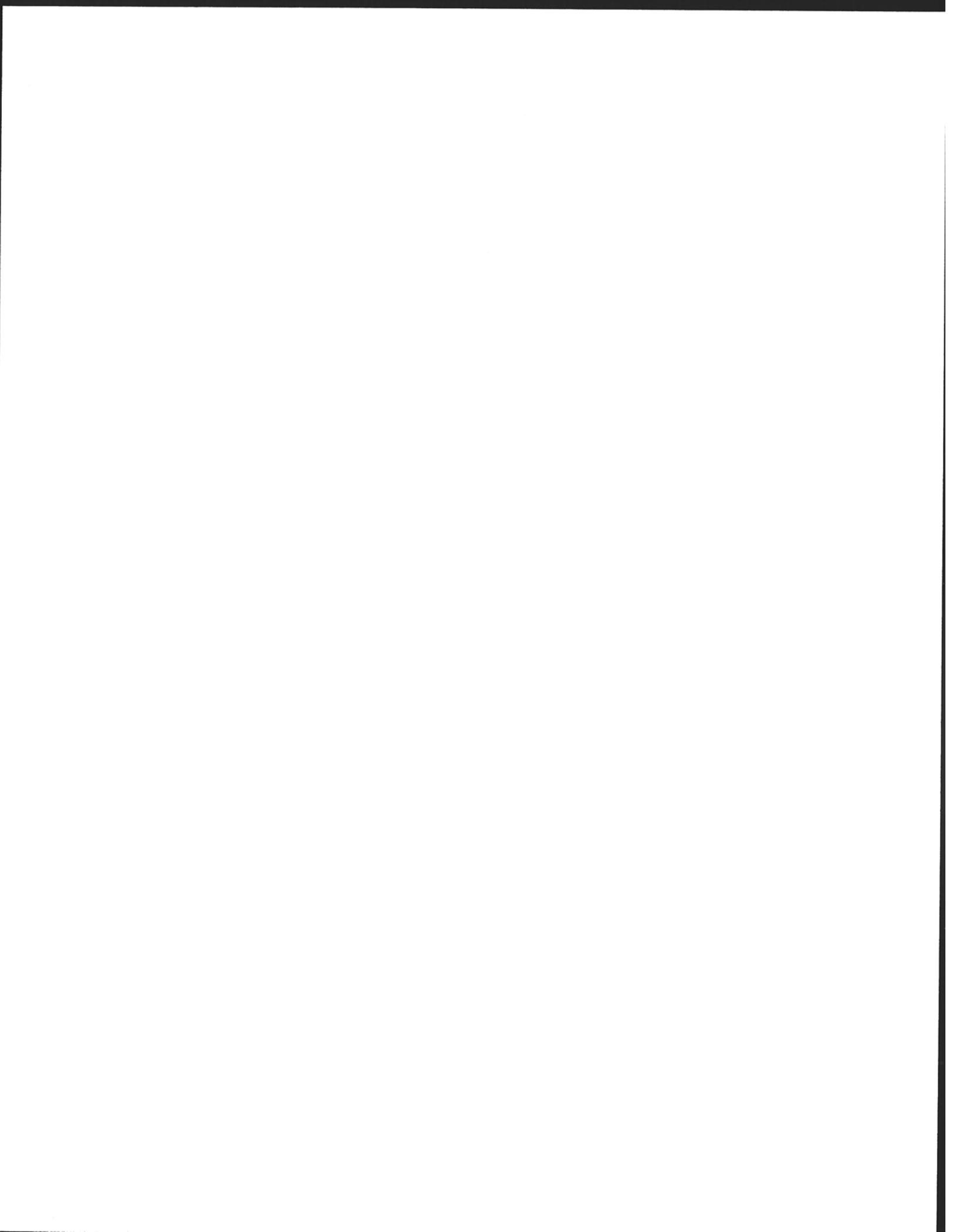
PASSED AND DULY ADOPTED by the City Commission of the City of North Port, Florida this 8th day of September 2016.

THE CITY COMMISSION OF THE CITY OF NORTH
PORT, FLORIDA, AS THE GOVERNING BODY OF
THE NORTH PORT ROAD AND DRAINAGE DISTRICT


JACQUELINE MOORE,
MAYOR

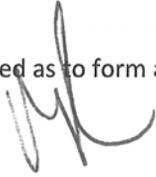
ATTEST:


PATSY ADKINS, MMC
CITY CLERK

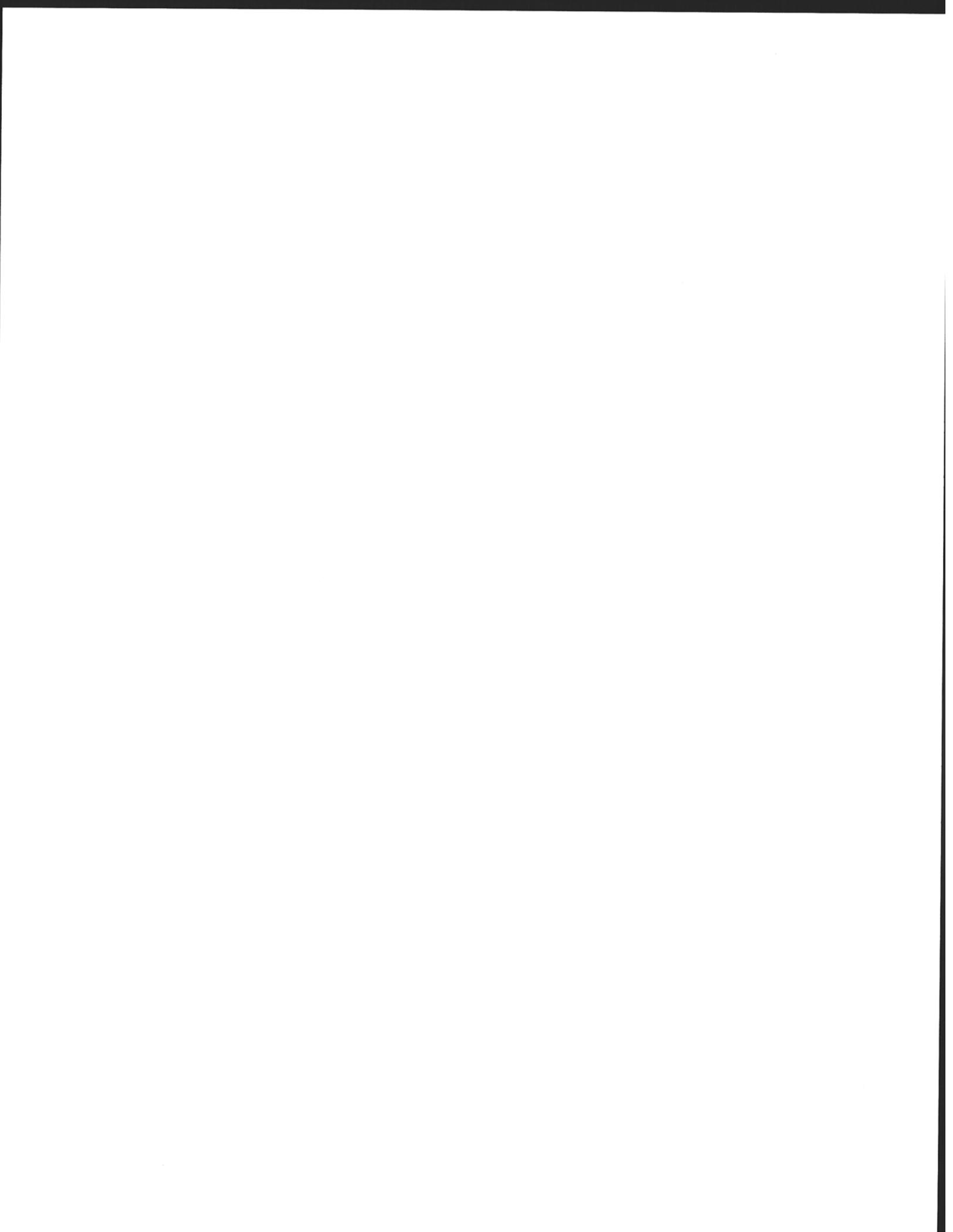


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Approved as to form and correctness:



MARK MORIARTY
CITY ATTORNEY



APPENDIX A

City of North Port

North Port Road and Drainage District
Non-Ad Valorem Assessment Rates
Fiscal Year 2016-2017

Maximum Rates per Unit by Service Component

Non-Ad Valorem Assessment Rates per Unit by Service Component

Rates per Unit by Service Component

Base Road Administrative Services	\$ 4.09	per Road ERU
Base Road Services	\$ 11.11	per Road ERU
Enhanced Road Services	\$ 28.40	per Road ERU
Mowing Administrative Services	\$ 3.71	per Parcel
Right of Way Mowing	\$ 48.04	per Parcel
Drainage Administrative Services	\$ 4.90	per Drainage DBU
Primary Drainage (Drainage I)	\$ 32.09	per Drainage DBU
Secondary Drainage (Drainage II)	\$ 18.64	per Drainage DBU
Tertiary Drainage (Drainage III)	\$ 19.80	per Drainage DBU

Capital Improvements Non-Ad Valorem Rates per Unit by Service Component

Base Road	\$4.38 per Parcel*
Enhanced Road	\$41.62 per Parcel*

*Parcel as defined in FY2013/2014 non-ad valorem assessment roll for Capital Improvements

