



City of North Port

RESOLUTION NO. 2018-R-11

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA AS THE GOVERNING BODY OF THE SOLID WASTE DISTRICT, ESTABLISHING NOT-TO-EXCEED NON-AD VALOREM ASSESSMENT RATES FOR THE NORTH PORT SOLID WASTE DISTRICT FOR THE 2018-2019 FISCAL YEAR; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of North Port provides solid waste service to residents and properties through a dependent special district known as the North Port Solid Waste District ("District"); and

WHEREAS, pursuant to Section 66-87 of the Code of the City of North Port, Florida, the City Commission of the City of North Port, Florida serves as the governing body of the District; and

WHEREAS, pursuant to Chapter 66, Article IV of the Code of the City of North Port, Florida, the governing body has the duty, right, power, and authority to levy by resolution and collect special assessments against all non-exempted benefited property within its territorial bounds in order to provide funds for the purpose of the District; and

WHEREAS, the special assessments provide funding for the purpose of providing solid waste management service to the residents of the City of North Port, including but not limited to the collection, transportation, storage and disposal of solid waste; and

WHEREAS, the District has levied special assessments for fiscal year 2017-2018 pursuant to a plan and methodology which the District has determined to satisfy the rational basis for a solid waste special assessment and the equitable, proportional distribution of said assessment required by relevant Florida legal standards and controlling case law; and

WHEREAS, the District intends to levy non-ad valorem assessments for fiscal year 2018-2019 pursuant to a plan and methodology which has determined each North Port residential unit receives a special benefit from District services and that the non-ad valorem assessments are fairly apportioned to those properties that receive such benefit as required by relevant Florida legal standards and controlling case law; and

WHEREAS, the District wishes to provide said notice through the TRIM Notice and Notice of Proposed Taxes.

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 SOLID WASTE DISTRICT, TO WIT:

SECTION 1 – INCORPORATION OF RECITALS

- 1.01 The above recitals are hereby ratified and confirmed as being true and correct and are incorporated herein by reference.

SECTION 2 – NORTH PORT SOLID WASTE DISTRICT ASSESSMENT RATES

- 2.01 The City Commission hereby adopts the rates shown in Appendix A as not-to-exceed rates for the North Port Solid Waste District for the 2018-2019 fiscal year. Fiscal Year 2018-2019 begins October 1, 2018 and ends September 30, 2019.
- 2.02 The City Commission hereby clarifies that the rates are established only as not-to- exceed rates and this action does not officially adopt any rates for the 2018-2019 fiscal year.
- 2.03 The City Commission hereby authorizes staff to notify property owners of the rates by participation in the Sarasota County TRIM Notice and Proposed Notice of Taxes.

SECTION 3 – CONFLICTS

- 3.01 In the event of 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, clause, or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then such holding shall in no way affect the validity of the remaining portions of this Resolution.

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 as the governing body of the North Port Solid Waste District on _____, 2018.

THE CITY COMMISSION OF THE CITY OF NORTH
PORT, FLORIDA AS THE GOVERNING BODY OF
THE NORTH PORT SOLID WASTE DISTRICT

VANESSA CARUSONE
MAYOR

ATTEST:

PATSY C. ADKINS, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

AMBER L. SLAYTON
CITY ATTORNEY

Appendix A

FY2018-2019	Proposed Cost Per Residence
Solid Waste District Not-to-Exceed	\$230.00