

Alachua County
Board of County Commissioners

RESOLUTION NO. 2023- 48

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, RELATING TO THE DELIVERY AND FUNDING OF STORMWATER CAPITAL IMPROVEMENTS AND INFRASTRUCTURE AND MANAGEMENT SERVICES WITHIN THE UNINCORPORATED PORTION OF ALACHUA COUNTY FOR STORMWATER CAPITAL IMPROVEMENTS AND INFRASTRUCTURE AND MANAGEMENT SERVICES RESTATING AND RENEWING RESOLUTION 2017-45 AND 2017-64, REGARDING THE STORMWATER SERVICES ASSESSMENT; DIRECTING THE COUNTY MANAGER OR HER DESIGNEE AS ASSESSMENT COORDINATOR TO PREPARE A PRELIMINARY ASSESSMENT ROLL; ESTABLISHING A PUBLIC HEARING TO CONSIDER IMPOSITION OF THE PROPOSED SPECIAL ASSESSMENT; DIRECTING THE PROVISION OF NOTICE IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Alachua County has enacted Ordinance 06-13, which authorizes the imposition of Stormwater Assessments and Fees against real property specifically benefitted by the County's Stormwater Management Services; and

WHEREAS, the BOARD OF COUNTY COMMISSIONERS has established a method of fairly apportioning the cost of stormwater capital improvements and infrastructure and management services through a non-ad valorem assessment by way of the adoption of the initial Assessment Resolution 2017-45 and the Final Assessment Resolution 2017-64, and;

WHEREAS, the BOARD OF COUNTY COMMISSIONERS have determined to use the same methodology of assessment for tax year 2023-2024; and

WHEREAS, the BOARD OF COUNTY COMMISSIONERS has arranged with the Tax Collector and Property Appraiser for the notification regarding the assessments and the

collection of the assessments through the established TRIM process.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:**

Section 1. The provisions of Resolutions 2017-45-and 2017-64, shall be applied for the 2023-2024 tax year.

Section 2. The Board imposes a non-ad valorem assessment for stormwater capital improvements and infrastructure and management services against real property located in the unincorporated portion of Alachua County.

Section 3. The methodology for the assessment shall be that set forth in Resolution 2017-45. The County Manager or designee shall prepare a preliminary assessment roll.

Section 4. The maximum amount of the annual assessment revenue that can be collected by the Stormwater Assessment for FY 2023-24 is estimated to be \$2,900,000.

Section 5. The maximum rate to be assessed for FY 2023-24 shall be \$50.00 per ERU.

Section 6. A public hearing to establish the final assessment shall be held on September 12, 2023, in Room 209, 2nd Floor of the Alachua County Administration Building, 12 S.E. 1st Street, Gainesville, Florida, at 5:01 p.m., or as soon thereafter as the matter may be heard, for the purpose of (A) receiving and considering comments on the Stormwater Charges from affected property owners; and (B) authorizing the imposition and collection of the Stormwater Charges.

Section 7. The County Manager shall publish notice of the public hearing authorized by Section 6 hereof in the manner and at the time provided in Section 44.403, Alachua County Code. The published notice shall be in substantially the form attached hereto as Appendix A and shall be published no later than August 23, 2023.

Section 8. The County Manager or designee shall, in the manner and at the time provided in

Section 44.404, Alachua County Code, provide first class mailed notice of the public hearing authorized in Section 6 to each property owner proposed to be charged an assessment at the address indicated on the Tax Roll. The mailed notice may be included on the Notice of Proposed Property Taxes. Such notice shall be in substantially the form attached hereto as Appendix B1. The notices shall be mailed no later than August 17, 2023. If the County determines that the truth-in-millage ("TRIM") notice that is mailed by the Property Appraiser under Section 200.069, Florida Statutes, also fulfills the requirements of this section, then the separate mailing requirement will be deemed to be fulfilled by the TRIM notice (attached hereto as Appendix B2).

Section 9. HARDSHIP EXEMPTION. It is hereby ascertained, determined and declared that it is in the best interest of the citizens of the County to assist owners of residential property that meet the criteria established in Section 37.17.1, Alachua County Code, with the financial burden created by the imposition of a Stormwater Service Assessment. Accordingly, all qualified owners who meet the criteria for their residential property pursuant to Section 37.17.1, Alachua County Code, shall have the Stormwater Service Assessment levied against said residential parcel paid by the County from other legally available funds, other than those derived from the Stormwater Service Assessment or Stormwater Fees.

Section 10. CHARITABLE AND RELIGIOUS EXEMPTION. It is hereby ascertained, determined and declared that it is in the best interest of the citizens of the County to assist charitable and religious nonprofit organizations who own and use properties in the Stormwater Service Area with the financial burden created by the imposition of a Stormwater Service Assessment. Accordingly, all qualified owners who receive a total property tax exemption for charitable and religious nonprofit properties with institutional uses pursuant to Section 196.196(1)-(4), Florida Statutes, shall have the Stormwater Service Assessment levied against said properties paid by the County from other legally available funds, other than those derived from the Stormwater Service Assessment or Stormwater Fees.

Section 11. VETERANS' EXEMPTION. It is hereby ascertained, determined and declared that it is in the best interest of the citizens of the County to assist totally and permanently disabled veterans and their surviving spouses who are the owners of homesteaded Single Family Parcels in the Stormwater Service Area with the financial burden created by the imposition of a Stormwater Service Assessment. Accordingly, all qualified owners who receive a total property tax exemption for their Single Family Parcels pursuant to either Sections 196.081 or 196.091, Florida Statutes, shall have the Stormwater Service Assessment levied against said properties paid by the County from other legally available funds, other than those derived from the Stormwater Service Assessment or Stormwater Fees.

Section 12. BURIAL GROUNDS EXEMPTION. It is hereby ascertained, determined and declared that it is in the best interest of the citizens of the County to assist organizations operating non-profit burial grounds in the Stormwater Service Area with the financial burden created by the imposition of a Stormwater Service Assessment. Accordingly, all qualified owners who receive a total property tax exemption for their parcels pursuant to Section 196.011 (3), Florida Statutes, shall have the Stormwater Service Assessment levied against said parcels paid by the County from other legally available funds, other than those derived from the Stormwater Service Assessment or Stormwater Fees.

Section 13. AGRICULTURAL EXEMPTION. In accordance with Section 125.01(1)(r), Florida Statutes, the County is required to exempt the following from the Stormwater Assessment: (i) Land classified as agricultural land pursuant to Section 193.461, Florida Statutes and (ii) Buildings of Non-Residential property on lands classified as agricultural lands pursuant to Section 193.461, Florida Statutes. Accordingly, it is fair and reasonable not to impose Stormwater Assessments upon such Land classified as agricultural and such Buildings of Non-Residential property.

Section 14. This Resolution shall become effective immediately upon adoption.

DULY ADOPTED this 11th day of July, 2023.

**BOARD OF COUNTY COMMISSIONERS
OF ALACHUA COUNTY, FLORIDA**

Anna Prizzia, Chair

ATTEST:

Jesse K. Irby, II, County Clerk

APPROVED AS TO FORM:

Alachua County Attorney

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