

RESOLUTION NO. 150-18

A RESOLUTION OF THE CITY OF DELRAY BEACH, FLORIDA, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY STARTING FISCAL YEAR 2019 AND COLLECTING NON-AD VALOREM ASSESSMENT FOR A PORTION OF FISCAL YEAR 2019 UNDER FLORIDA STATUTE SECTION 170.201; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Delray Beach, Florida (the "City") is contemplating the imposition for non-ad valorem assessments for the provision of fire protection services; and

WHEREAS, the City intends to use the uniform method for collecting non-ad valorem assessments for the cost of providing fire protection services to property within the incorporated area of the City as authorized by Section 197.3632, Florida Statutes, as amended, because this method will allow such non-ad valorem assessments to be collected annually commencing October 1, 2019 in the same manner as provided for ad valorem taxes; and

WHEREAS, the City intends to collect non-ad valorem assessments for the cost of providing fire protection services to property within the incorporated area of the City as authorized by Section 170.201, Florida Statutes, as amended, for a portion of fiscal year 2019; and

WHEREAS, the City held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the foregoing recitals are hereby confirmed and ratified.

Section 2. Commencing with the fiscal year beginning on October 1, 2019 and with the tax statement mailed for such fiscal year and continuing thereafter until discontinued by the City, the City intends to use the uniform method of collecting non-ad valorem assessments authorized in Section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost of providing fire protection services. The City intends to collect non-ad valorem assessments for the cost of providing fire protection services for a portion of fiscal year 2019 as authorized by Section 170.201, Florida Statutes, as amended. Such non-ad valorem assessments shall be levied within the incorporated area of the City. A legal description of such area subject to the assessment is attached hereto as Exhibit B and incorporated by reference.

Section 3. The City hereby determines that the levy of the assessments is needed to fund a portion of the cost of fire protection services within the incorporated area of the City.

Section 4. Upon adoption, the City Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Palm Beach County Tax Collector, and the Palm Beach County Property Appraiser by January 10, 2019.

Section 5. That this resolution shall be effective upon adoption.

PASSED AND ADOPTED this _____ day of _____, 2018.

Shelly Petrolia, Mayor

ATTEST:

Katerri Johnson, CMC, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY.

City Attorney