

City of Titusville
"Gateway to Nature and Space"

REPORT TO COUNCIL

To: The Honorable Mayor and City Council
From: William S. Larese, City Manager
Subject: **Public Hearing and Resolution No. 19-2016 to Transition Stormwater Charges to the Non-Ad Valorem Tax Rolls**
Department/Office: Assistant City Manager

Recommended Action:

Approve the Resolution No. 19-2016 electing to use the uniform method of collecting non-ad valorem stormwater assessments levied within the incorporated area of the City, as authorized under Section 197.3632, Florida Statutes; adopting findings of fact; stating a need for such levy; providing for the mailing of this resolution; and providing for an effective date.

Summary Explanation & Background:

On June 14, 2016 City Council approved an advisability to transition the billing of stormwater charges to non-ad valorem assessments.

Pursuant to F.S. 197.3632, electing to utilize the uniform method of collection of non-ad valorem assessments requires a resolution authorizing use of this method for collection of special assessments, adopted at a public hearing.

The City of Titusville continues to experience high rates of uncollectible revenue from Stormwater fees. Over the past two years, the city has issued over 2,100 property liens totaling over \$1M due to failure to pay stormwater/utility charges. By placing these items on the non-ad valorem tax rolls, as is currently the practice with Brevard County and many of our peer cities, we anticipate significant improvements in our revenue collection process and a drastic decrease in the number of liens filed each year.

Alternatives:

Do not approve resolution, and continue to bill Stormwater on the combined utility bill on an annual basis.

Item Budgeted:

Yes

Source/use of funds/Budget Book Page:

A total of \$50,000 is included in the FY 2017 CM proposed budget to fund the consultant services, advertising and other related expenses required to complete this billing transition in FY 2017.

Strategic Plan:

No. 3 – Financial Stability

Strategic Plan Impact:

This action will reduce the amount of uncollectible revenue from stormwater billings and is in keeping with our strategic goal of maintaining financial stability and providing an efficient and effective method for collecting revenues.

ATTACHMENTS:

	Description	Upload Date	Type
<input type="checkbox"/>	Resolution 19-2016	8/11/2016	Backup Material
<input type="checkbox"/>	Ad 1 of 4	8/16/2016	Backup Material
<input type="checkbox"/>	Ad 2 of 4	8/16/2016	Backup Material
<input type="checkbox"/>	Ad 3 of 4	8/16/2016	Backup Material
<input type="checkbox"/>	Ad 4 of 4	8/18/2016	Backup Material

RESOLUTION NO. 19-2016

A RESOLUTION OF THE CITY OF TITUSVILLE, FLORIDA, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM STORMWATER ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY, AS AUTHORIZED UNDER SECTION 197.3632, FLORIDA STATUTES; ADOPTING FINDINGS OF FACT; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the uniform method of collecting non-ad valorem assessments, as authorized by Section 197.3632, Florida Statutes, provides for the billing and collection of non-ad valorem assessments by inclusion of non-ad valorem assessments on the tax bills issued for the collection of ad valorem taxes; and

WHEREAS, Section 197.3632, Florida Statutes, provides that a local government which is authorized to impose a non-ad valorem assessment and which elects to use the uniform method of collecting such assessment for the first time shall adopt a resolution at a public hearing prior to January 1; and

WHEREAS, the City of Titusville, Florida (the "City") is contemplating the imposition of special assessments for the provision of stormwater services; and

WHEREAS, if implemented the City intends to use the uniform method for collecting non-ad valorem special assessments for the cost of providing stormwater 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 special assessments to be collected annually commencing in January 2018, in the same manner as provided for ad valorem taxes; and

WHEREAS, the City Council of the City of Titusville finds that the use of the uniform method of collection, pursuant to Section 197.3632, Florida Statutes, will result in the most efficient and effective billing and collection of non-ad valorem assessments levied by the City is in the best interests of the citizens of the City; 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 as follows:

Section 1. The foregoing findings are incorporated herein by reference and made a part hereof.

Section 2. Beginning with the tax bills issued in November 2017, and continuing for each tax year 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, to bill and collect non-ad valorem assessments 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 Council has determined that the levy of the assessments specified herein is needed to fund the cost of the stormwater management services within the incorporated area of the City in the most effective and equitable manner possible.

Section 4. Upon adoption, the City Clerk is hereby directed to send a copy of the Resolution by United States mail to the Florida Department of Revenue, the Brevard County Tax Collector, and the Brevard County Property Appraiser by January 10, 2017.

Section 5. This Resolution shall be effective upon adoption.

PASSED AND ADOPTED ON this 23rd day of August, 2016.

James H. Tulley, Jr., Mayor

ATTEST:

Wanda Wells, City Clerk

CITY OF TITUSVILLE
NOTICE OF PUBLIC HEARING AND NOTICE OF PROPOSED ADOPTION OF CITY RESOLUTION TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS

07-28-16
jm

Ad #1 of 4
7-28-16

PLEASE TAKE NOTICE that the City of Titusville, Florida (the "City") 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 special assessments to be levied within the incorporated area of the City for the cost of providing stormwater management services, commencing for the Fiscal Year beginning on October 1, 2017. The Titusville City Council will consider the adoption of the following resolution authorizing use of the uniform method of collection and compliance with Section 197.3632, Florida Statutes, at a public hearing to be held on Tuesday, August 23, 2016, at 6:30 p.m., at City Hall, 555 S. Washington, Avenue, Titusville, FL 32796. 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.

RESOLUTION NO. 19-2016 - A RESOLUTION OF THE CITY OF TITUSVILLE, FLORIDA, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY, AS AUTHORIZED UNDER SECTION 197.3632, FLORIDA STATUTES; ADOPTING FINDINGS OF FACT; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

A copy of the proposed form of resolution, which contains the legal description of the real property subject to the levy shall be available for public inspection during regular business hours at the City Clerk's Office, at City Hall, 555 S. Washington, Avenue, Titusville, FL 32796. Interested parties may appear at said meeting and be heard with respect to the adoption of the proposed resolution.

Any person who decides to appeal any decision by the City Council with respect to any matter being considered at the above-referenced public hearing will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The City desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Chapter 286.26 Florida Statutes, should, at least 48 hours prior to the meeting, submit a written request that the physically handicapped person desires to attend the meeting to the City Clerk's Office.

Wanda F. Wells, MMC, City Clerk
Titusville City Hall
555 S. Washington Avenue
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Titusville, Florida 32781-2806
Phone: (321) 567-3686.
Fax: (321) 567-3686

Ad 2 of 4
8-4-16

AD#1416571 7/28, 8/4, 8/11, 8/18/16

CITY OF TITUSVILLE
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08-11-16
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Ad 3 of 4
8-11-16

CITY OF TITUSVILLE
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8/18/16
JM

Ad # 4 of 4
8-18-16

City Council Regular - August 23, 2016 - 6:30 PM

AD#1416571 7/28, 8/4, 8/11, 8/18/16
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