



## COLUMBIA COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REQUEST FORM

The Board of County Commissioners meets the 1st and 3rd Thursday of each month at 5:30 p.m. in the Columbia County School Board Administrative Complex Auditorium, 372 West Duval Street, Lake City, Florida 32055. All agenda items are due in the Board's office one week prior to the meeting date.

Today's Date: July 13, 2017

Meeting Date: July 20, 2017

Name: Ben Scott

Department: BCC Administration

Division Manager's Signature: \_\_\_\_\_

### 1. Nature and purpose of agenda item:

Preliminary Rate Resolution No. 2017R-28 - Carolyn Heights MSBU Street Lighting Initial Assessment

Attach any correspondence information, documents and forms for action i.e., contract agreements, quotes, memorandums, etc.

### 2. Fiscal impact on current budget:

Is this a budgeted item?

☒

N/A

☐

Yes Account No. \_\_\_\_\_

☐

No Please list the proposed budget amendment to fund this request \_\_\_\_\_

Budget Amendment Number: \_\_\_\_\_

Fund: \_\_\_\_\_

FROM: \_\_\_\_\_

TO: \_\_\_\_\_

AMOUNT: \_\_\_\_\_

For Use of County Manager Only:

☐

Consent Item

☒

Discussion Item



## COLUMBIA COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REQUEST FORM

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N/A

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Yes Account No. Ye

☐

No Please list the proposed budget amendment to fund this No request

Budget Amendment Number:

Fund:

FROM:

TO:

AMOUNT:

For Use of County Manager Only:

☐

Consent Item

☒

Discussion Item

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COLUMBIA COUNTY, FLORIDA

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CAROLYN HEIGHTS MSBU STREET LIGHTING  
INITIAL ASSESSMENT RESOLUTION

Resolution 2012R-28

ADOPTED JULY 20, 2017

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RESOLUTION NO. 2017R- 28

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF COLUMBIA COUNTY, FLORIDA, RELATING TO THE PROVISION OF STREET LIGHTING SERVICES, FACILITIES, AND PROGRAMS THROUGHOUT THE CAROLYN HEIGHTS STREET LIGHTING MUNICIPAL SERVICE BENEFIT UNIT; ESTIMATING THE COST OF STREET LIGHTING SERVICES, FACILITIES, AND PROGRAMS TO BE ASSESSED FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2017; DETERMINING THAT CERTAIN REAL PROPERTY WILL BE SPECIALLY BENEFITTED THEREBY; ESTABLISHING THE METHOD OF ASSESSING THE STREET LIGHTING SERVICE COST AGAINST THE REAL PROPERTY THAT WILL BE SPECIALLY BENEFITTED THEREBY; DIRECTING THE COUNTY MANAGER TO PREPARE OR DIRECT THE PREPARATION OF A PRELIMINARY ASSESSMENT ROLL BASED UPON THE METHODOLOGY SET FORTH HEREIN; ESTABLISHING A PUBLIC HEARING TO CONSIDER IMPOSITION OF THE PROPOSED SERVICE ASSESSMENTS AND THE METHOD OF THEIR COLLECTION AND DIRECTING THE PROVISION OF NOTICE IN CONNECTION THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

ARTICLE I

DEFINITIONS AND CONSTRUCTION

**SECTION 1.01. PURPOSE AND DEFINITIONS.** This resolution constitutes the Street Lighting Initial Assessment Resolution as defined in the Master Service Assessment Ordinance, as codified in Chapter 94, Article II of the Columbia County Code of Ordinances. As used in this resolution, the following terms shall have the following meanings, unless the context hereof otherwise requires:

**"Annual Service Component"** means the amount computed for each Tax Parcel pursuant to Section 2.04(A) hereof.

**"Carolyn Heights MSBU Street Lighting Municipal Service Benefit Unit"** or **"MSBU"** means the areas within the "Benefit Unit," as defined in the Ordinance, and as more particularly described in Section 2.01 hereof, that receive the special benefit from the Street Lighting Services described in this Initial Assessment Resolution.

**"Dwelling Unit"** means a Building, or portion thereof, which is lawfully used for residential purposes, consisting of one or more rooms arranged, designed, used, or intended to be used as living quarters for one family only.

**"Excluded Parcels"** means those Tax Parcels within the MSBU that are not improved with a Dwelling Unit on date of the adoption of the Final Assessment Resolution, and any areas located within the MSBU that are used for public purposes and do not receive a special benefit from the Street Lighting Services, including by way of example and not limitation, rights-of-way and utility easements.

**"Lot"** means any of the numbered lots or parcels shown on any of the recorded plats within the MSBU on which a Single-Family Residential Unit has been constructed or sited in accordance with applicable laws and regulations.

**"Ordinance"** means the Master Service Assessment Ordinance, as codified in Chapter 94, Article II of the Columbia County Code of Ordinances.

**"Single-Family Residential Unit"** means a Building that contains a single Dwelling Unit.

**"Service Assessment Collection Cost"** means the estimated cost to be incurred by the County during any Fiscal Year in connection with the collection of Assessments.

**"Service Assessment Collection Cost Component"** means the amount computed for each Tax Parcel pursuant to Section 2.04(B) hereof.

**"Service Assessment Statutory Discount Amount"** means the amount computed for each Tax Parcel pursuant to Section 2.04(C) hereof.

**"Street Lighting Service Cost"** means all or any portion of the Service Cost, as defined in the Ordinance, that is properly attributable to the provision of street lighting services, facilities, and programs within the MSBU under generally accepted accounting principles, including, without limiting the generality of the foregoing, all electrical power and maintenance costs incurred by the County for the street lighting services, facilities, and programs within the MSBU, all administrative costs incurred by the County in establishing and administering the MSBU, a reasonable amount for contingency for anticipated costs and uncollectible assessments, and reimbursement to the County for any funds advanced for street lighting services, and interest of any interfund or intrafund loan for such purposes.

**"Street Lighting Assessment" or "Assessment"** means an annual Service Assessment, as defined in the Ordinance, imposed against property located within the Carolyn Heights MSBU Street Lighting Municipal Service Benefit Unit to fund the Street Lighting Service Cost, computed in the manner described herein.

**"Street Lighting Assessment Roll"** means the Assessment Roll, as defined in the Ordinance, relating to the Street Lighting Service Cost for the provision of the street lighting services, facilities, and programs.

**"Tax Parcel"** means a parcel of property within the Carolyn Heights MSBU Street Lighting Municipal Service Benefit Unit to which the Property Appraiser has assigned a distinct ad valorem property tax identification number.

**SECTION 1.02. INTERPRETATION.** Unless the context indicates otherwise, words importing the singular number include the plural number, and vice versa; the terms "hereof," "hereby," "herein," "hereto," "hereunder" and similar terms refer to this resolution; and the term "hereafter" means after, and the term "heretofore" means before, the effective date of this resolution. Words of any gender include the correlative words of the other genders, unless the sense indicates otherwise.

**SECTION 1.03. GENERAL FINDINGS.** It is hereby ascertained, determined and declared that:

(A) Pursuant to Article VIII, Section 1 of the Florida Constitution, and sections 125.01 and 125.66, Florida Statutes, and other applicable provisions of law, the Board has all powers of local self-government to perform county functions and to render county services except when prohibited by law and such power may be exercised by the enactment of legislation in the form of County ordinances.

(B) The Board has enacted the Ordinance to provide for the creation of Benefit Units and authorize the imposition of Street Lighting Assessments to fund the Street Lighting Service Cost to benefitted property located therein.

(C) The Assessments imposed pursuant to the procedures provided in the Ordinance and this Initial Assessment Resolution will be imposed by the Board. Any activity of the Property Appraiser or Tax Collector under the provisions of this Resolution shall be construed solely as ministerial.

(D) The street lighting services, facilities, and programs will provide a special benefit to all Tax Parcels located within the Carolyn Heights MSBU Street Lighting Municipal Service Benefit Unit, other than Excluded Parcels, by protecting and enhancing the value, use and enjoyment of such property. The provision of street



lights, and the operation and maintenance of those lights will preserve or enhance the property values, provide better property identification and recognition of property and enhance the aesthetics, safety and access to property.

(E) The Street Lighting Assessments to be imposed in accordance with this Initial Assessment Resolution provide an equitable method of funding the provision of street lighting services, facilities, and programs by fairly and reasonably allocating the cost to specially benefitted property, based upon the number of Lots attributable to each parcel of property in the manner hereinafter described.

(F) It is fair and reasonable to use Lots to apportion the Street Lighting Service Cost because the provision of the street lighting services, facilities, and programs is demanded by and required to serve the improved properties within the MSBU.

(G) Each Tax Parcel within the proposed Carolyn Heights MSBU Street Lighting Municipal Service Benefit Unit will be benefitted by the County's provision of the street lighting services, facilities, and programs in an amount not less than the Assessment imposed against such property, computed in the manner set forth in this Initial Assessment Resolution.

## **ARTICLE II**

### **STREET LIGHTING ASSESSMENTS**

#### **SECTION 2.01. PROPOSED CAROLYN HEIGHTS MSBU STREET LIGHTING SERVICE AREA.**

(A) In accordance with Section 94-62 of the Ordinance, the Board proposes to create the Carolyn Heights MSBU Street Lighting Municipal Service Benefit Unit, which shall include all properties identified in Appendix C, which is attached hereto and incorporated herein by reference.

(B) The Carolyn Heights MSBU Street Lighting Municipal Service Benefit Unit is proposed to provide beautification, better identification and recognition of property, and enhance safety and access to property, as well and preserve and/or enhance the value of all property therein through the provision of uniform street lighting services.

#### **SECTION 2.02. ESTIMATED STREET LIGHTING SERVICE COST.**

(A) The total estimated Street Lighting Service Cost is \$2,516.00 for the Fiscal Year commencing October 1, 2017.

(B) This Street Lighting Service Cost will be funded through the imposition of Assessments against property located within the Carolyn Heights MSBU Street Lighting Municipal Service Benefit Unit in the manner set forth in Section 2.04 hereof.

#### **SECTION 2.03. IMPOSITION OF STREET LIGHTING ASSESSMENTS.**

(A) Street Lighting Assessments shall be imposed against all Tax Parcels located within the Carolyn Heights MSBU Street Lighting Municipal Service Benefit Unit, other than Excluded Parcels, and shall be computed in accordance with this Initial Assessment Resolution.

(B) When imposed, the Street Lighting Assessments shall constitute a lien upon the Tax Parcels located in the Carolyn Heights MSBU Street Lighting Municipal Service Benefit Unit pursuant to Section 94-69 of the Ordinance.

**SECTION 2.04. COMPUTATION OF ASSESSMENTS.** The Street Lighting Assessment amount for the Fiscal Year commencing October 1, 2017, shall be calculated and apportioned as follows:

(A) ANNUAL SERVICE COMPONENT. The "Annual Service Component" shall be calculated for each Fiscal Year for each Tax Parcel by dividing the number of Lots attributable to such Tax Parcel by the total number of Lots attributable to all Tax Parcels within MSBU, and multiplying the result by the estimated Street Lighting Service Cost.

(B) SERVICE ASSESSMENT COLLECTION COST COMPONENT. The "Service Assessment Collection Cost Component" shall be computed each Fiscal Year for each Tax Parcel by (1) dividing (a) the Annual Service Component for such Tax Parcel by (b) the Street Lighting Service Cost, and (2) multiplying the result by the Service Assessment Collection Cost.

(C) SERVICE ASSESSMENT STATUTORY DISCOUNT AMOUNT. The "Service Assessment Statutory Discount Amount" shall be computed for each Tax Parcel as the amount allowed by law as the maximum discount for early payment of ad valorem taxes and non-ad valorem assessments, such amount to be calculated by deducting (1) the sum of (a) the Annual Service Component and (b) the Service Assessment Collection Cost Component, from (2) the amount computed by dividing (a) the sum of (i) the Annual Service Component and (ii) the Service Assessment Collection Cost Component, by (b) the factor of 0.95.

(D) STREET LIGHTING SERVICE ASSESSMENT. The annual Street Lighting Service Assessment for each Tax Parcel shall be computed as the sum of (1) the Annual Service Component, (2) the Service Assessment Collection Cost Component, and (3) the Service Assessment Statutory Discount Amount, as set forth in the preliminary Assessment Roll which is attached hereto as Appendix C and incorporated herein by reference.

**SECTION 2.05. CAROLYN HEIGHTS MSBU STREET LIGHTING ASSESSMENT ROLL.**

(A) The County Manager is hereby directed to prepare, or direct the preparation of, the preliminary Carolyn Heights MSBU Street Lighting Assessment Roll in the manner provided in the Ordinance.

(B) A copy of this Initial Assessment Resolution and the preliminary Carolyn Heights MSBU Street Lighting Assessment Roll shall be maintained on file in the office of the County Manager or such person's designee and open to public inspection. The foregoing shall not be construed to require that the Carolyn Heights MSBU Street Lighting Assessment Roll be in printed form if the amount of the Street Lighting Assessment for each Tax Parcel can be determined by use of an available computer terminal.

**SECTION 2.06. METHOD OF COLLECTION.** The Street Lighting Assessments shall be collected pursuant the Uniform Assessment Collection Act, as provided in Section 94-01 of the Ordinance.

### **ARTICLE III**

#### **NOTICE AND PUBLIC HEARING**

**SECTION 3.01. PUBLIC HEARING.** There is hereby established a public hearing to be held at 5:30 p.m. on September 7, 2017, in the School Board Administration Complex Auditorium, 372 West Duval Street, Lake City, Florida, to consider imposition of the Street Lighting Assessments.

**SECTION 3.02. NOTICE BY PUBLICATION.** The County Manager or such person's designee shall publish a notice of the public hearing authorized by Section 3.01 hereof in the manner and the time provided in Section 94-64 of the Ordinance. The published notice shall be in substantially the form attached hereto as Appendix A.

**SECTION 3.03. NOTICE BY MAIL.** The County Manager or such person's designee shall, at the time and in the manner specified in Section 94-65 of the Ordinance, provide first class mailed notice of the public hearing authorized by Section 3.01 hereof to each property owner proposed to be assessed at the address indicated on the Tax Roll. The mailed notice shall be in substantially the form attached hereto as Appendix B.

## **ARTICLE IV**

### **GENERAL PROVISIONS**

**SECTION 4.01. SEVERABILITY.** The provisions of this Initial Assessment Resolution are severable; and if any section, subsection, sentence, clause or provision is held invalid by any court of competent jurisdiction, the remaining provisions of this Carolyn Heights MSBU Street Lighting Initial Assessment Resolution shall not be affected thereby.

**SECTION 4.02. EFFECTIVE DATE.** This resolution shall take effect immediately upon its adoption.

**PASSED, ADOPTED AND APPROVED** this 20th day of July, 2017.

**BOARD OF COUNTY COMMISSIONERS  
OF COLUMBIA COUNTY, FLORIDA**

(SEAL)

By: \_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Clerk

Approved for Form and Correctness:

By: \_\_\_\_\_  
County Attorney

**APPENDIX A**  
**FORM OF NOTICE TO BE PUBLISHED**

To Be Published by August 17, 2017

**NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION  
OF STREET LIGHTING SPECIAL ASSESSMENTS**

Notice is hereby given that the Board of County Commissioners of Columbia County, Florida will conduct a public hearing to consider the imposition of street lighting special assessments for the provision of street lighting services, facilities, and programs for the Fiscal Year beginning October 1, 2017 and future fiscal years within the boundaries of the Carolyn Heights MSBU Street Lighting Municipal Service Benefit Unit ("MSBU"), which includes all lands shown on the map set forth below.

The hearing will be held at 5:30 p.m. on September 7, 2017, in the School Board Administration Complex Auditorium, 372 West Duval Street, Lake City, Florida, for the purpose of receiving public comment on the proposed assessments and their collection on the ad valorem tax bill. All affected property owners have a right to appear at the hearing and to file written objections with the County within 20 days of this notice. If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the County at (386)758-1005 or Telecommunications Device for the Deaf at (386) 758-2139, at least two (2) days prior to the date of the hearing.



The assessment for each parcel of property will be based the total number of improved Lots attributed to that parcel. The annual assessment will include each Tax Parcel's share of the service cost, plus administrative and collection costs. The maximum annual assessment is estimated to be \$74.00 per Lot.

Copies of the Master Capital Project and Service Assessment Ordinance, the Initial Assessment Resolution and the preliminary Carolyn Heights MSBU Street Lighting Assessment Roll are available for inspection at the Office of the County Manager in the Columbia County Courthouse located at 135 N.E. Hernando Avenue, Lake City, Florida.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2017, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions, please contact the Columbia County Tax Collector at (386)758-1080, Monday through Friday between 8:00 a.m. and 4:30 p.m.

[INSERT MAP OF THE COUNTY]

**BOARD OF COUNTY COMMISSIONERS  
COLUMBIA COUNTY, FLORIDA**

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**APPENDIX B**  
**FORM OF NOTICE TO BE MAILED**

**APPENDIX B  
FORM OF NOTICE TO BE MAILED**

**\*\*\*\*\* NOTICE TO PROPERTY OWNER \*\*\*\*\***

Columbia County  
[Address]  
[City], Florida [zip code]

COLUMBIA COUNTY, FLORIDA NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF STREET LIGHTING NON-AD VALOREM ASSESSMENTS NOTICE DATE AUGUST 17, 2017
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Owner Name  
Address  
City, State Zip

Tax Parcel # \_\_\_\_\_  
Legal Description: \_\_\_\_\_

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As required by Section 197.3632, Florida Statutes, notice is given by Columbia County that an assessment for street lighting services, facilities, and programs may be levied on your property for the assessment period of October 1, 2017-September 30, 2018 and future fiscal years. The purpose of this assessment is to fund street lighting services within the Carolyn Heights MSBU Street Lighting Municipal Service Benefit Unit ("MSBU") within the unincorporated area of the County. The total street lighting assessment revenue to be collected within the MSBU is estimated to be \$2,516.00 for the fiscal year beginning October 1, 2017. The assessment for each parcel of property will be based upon the total number of improved Lots attributed to that parcel.

The total number of improved Lots on the above parcel is \_\_\_\_\_.

The annual street lighting assessment for the above parcel is \$\_\_\_\_\_ for the fiscal year beginning October 1, 2017 and future fiscal years.

A public hearing will be held at 5:30 p.m. on September 7, 2017, in the School Board Administration Complex Auditorium, 372 West Duval Street, Lake City, Florida for the purpose of receiving public comment on the proposed assessments. You and all other affected property owners have a right to appear at the hearing and to file written objections with the Board within 20 days of this notice. If you decide to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this

proceeding should contact the County at (386)758-1005 or Telecommunications Device for the Deaf at (386) 758-2139, at least two (2) days prior to the date of the hearing.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of Board action at the above hearing (including the method of apportionment, the rate of assessment and the imposition of assessments), such action shall be the final adjudication of the issues presented.

Copies of the Master Capital Project and Service Assessment Ordinance, the Street Lighting Initial Assessment Resolution and the preliminary assessment roll are available for inspection at the Office of the County Manager in the Columbia County Courthouse located at 135 N.E. Hernando Avenue, Lake City, Florida, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

Both the non-ad valorem assessment amount shown on this notice and the ad valorem taxes for the above parcel will be collected on the ad valorem tax bill mailed in November of each year the assessment is imposed. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If there is a mistake on this notice, it will be corrected. If you have any questions, please contact the Columbia County Tax Collector at (386)758-1080, Monday through Friday between 8:00 a.m. and 4:30 p.m.

\*\*\*\*\* THIS IS NOT A BILL \*\*\*\*\*

**APPENDIX C**  
**ASSESSMENT ROLL**

**CAROLYN HEIGHTS SUBDIVISION  
STREET LIGHTING  
PROPERTY LIST  
5/31/2017**

<b><u>NAME OF PROPERTY OWNER</u></b>	<b><u>PROPERTY I.D.</u></b>
Cassandra W. Lockett & Wyndell B. Wallace	05808-001 (Blk14, Lot4)
Alfonso Fudge	05616-000 (Blk 8-Patterson Subdivision)
Albert J. Shaw	05799-000 (Blk 13,Lot2)
Sarah R. Sheppard & Katrina L. Rivers	05798-000 (Blk 13, Lot 1)
Odessa Denson Jones	05794-000 (Blk 12,Lot 5-1 dwelling) 05794-000 (Blk 12, Lot 6-1 dwelling)
Doreatha Peterson	05792-000 (Blk 12, Lot 4)
Mattie Jenkins c/o Priscilla Jenkins	05790-002 (Blk 12, Lot 3)
Alfreda Harris	05790-001 (Blk 12, Lot 2)
Sandra K. & Dale F. Reeves	05790-000 (Blk 12, Lot 1)
Robert Henry & David Devon Henry (JTWRS)	05800-000 (Blk 13, Lot 7-1 dwelling) 05800-000 (Blk 13, Lot 6)
Rise Michelle McKinzie	05803-000 (Blk 13, Lot 8)
Bertha Lee Wyche	05804-000 (Blk 13, Lot 9)
Willie M. Wyche	05805-000 (Blk 13, Lot 10)
Charlie Tomlin, Jr. & Edith A. Tomlin	05795-000 (Blk 12, Lot 7)
Rodger Ausgood and Tronna Ausgood Demps JTWRS	05817-000 (Blk 18, Lot 1-MH) 05817-000 (Blk 18, Lot 2-MH)
Loretha Edwards	05813-000 (Blk 14, Lot 12)
Annie Mae Singleton	05812-000 (Blk 14, Lot 11)
Carolyn W. Aaron	05811-001 (Blk 14, Lot 10)
Shelly J. Williams	05811-000 (Blk 14, Lot 9)
Percy Claude & Helen Days	05810-000 (Blk 14, Lot 7) 05810-000 (Blk 14, Lot 8-1 dwelling)
Virgil & Idella Scippio	
William & Demetrius Scippio	05806-000 (Blk14, Lot 1)

**CAROLYN HEIGHTS SUBDIVISION****Page Two****NAME OF PROPERTY OWNER****PROPERTY I.D.**

Clenita Pamela Holton	05807-000 (Blk 14, Lot 2)
Marion Carlene Anderson	05808-000 (Blk 14, Lot 3)
Mary Washington	05809-000 (Blk 14, Lot 5)
Elena Holland	05809-001 (Blk 14, Lot 6)
Ollie M. Williams	05797-000 (Blk 12, Lot 12)
Don F. Harris	05796-001 (Blk 12, Lot 11)
Gloria Holland Kelsey	05796-000 (Blk 12, Lot 10)
Eugene & Betty Jefferson	05795-002 (Blk 12, Lot 9)
Annie Pate Mandy	05795-001 (Blk 12, Lot 8)
Otic J. Bradley & Willie Lee, Deceased	05801-000 (Blk 13, Lot 4)
Shelly J. Williams & Lucretia Williams	05801-001 (Blk 13, Lot 5)



**APPENDIX C**  
**ASSESSMENT ROLL**  
**[TO COME]**