

RESOLUTION NO. R09- 72

**RESOLUTION OF LEON COUNTY, FLORIDA, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE UNINCORPORATED AREA OF THE COUNTY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, on February 26, 2009, the City of Tallahassee and Leon County entered into an Interlocal Agreement for the provision of fire suppression, fire prevention (hereinafter "fire protection services"), and emergency medical services countywide commencing October 1, 2009; and

WHEREAS, the Interlocal Agreement by and between Leon County and the City of Tallahassee provides for the funding and payment for fire protection services by means of the levy and collection of special assessments upon benefited property; and

WHEREAS, Leon County has determined that the properties which are specially benefited by the provision of fire protection services shall be equitably assessed the costs of providing such fire protection services; and

WHEREAS, on June 9, 2009, Leon County imposed a special assessment upon certain property located in the unincorporated area of the County in an amount directly proportionate to the benefit received by those properties for the provision of fire protection services commencing October 1, 2009; and

WHEREAS, Leon County wishes to utilize the Uniform Method for the levy, collection, and enforcement of non-ad valorem special assessments for the cost of providing fire protection services to properties located within the unincorporated area of the County as authorized by Section 197.3632, Florida Statutes, as amended, to be imposed and collected annually commencing with the Fiscal Year beginning October 1, 2009; and

**WHEREAS**, Leon County has published notice of its intent to utilize the Uniform Method for levying, collecting and enforcing such assessments and future assessments, pursuant to Section 197.3632, Florida Statutes, weekly in a newspaper of general circulation within Leon County for four consecutive weeks preceding the hearing, a copy of said notice being attached hereto as Exhibit A;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Leon County, Florida, that:

1. Pursuant to Section 197.3632, Florida Statutes, Leon County hereby states its intent to utilize the Uniform Method of collecting any and all non-ad valorem special assessments imposed for fire protection services on properties located in the unincorporated area of the County, commencing with the Fiscal Year beginning on October 1, 2009, and continuing thereafter until discontinued by the County. A legal description of the boundaries of the real property subject to the special assessment is attached hereto as Exhibit B.

2. Leon County hereby finds that the levy and collection of non-ad valorem special assessments is needed to fund the cost of fire protection services within the unincorporated area of the County and is in the best interests of the County.

3. Upon adoption, the County Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Leon County Tax Collector, and the Leon County Property Appraiser, by January 10, 2010.

4. This Resolution shall be effective upon adoption.

Proposed, presented and passed by the Board of County Commissioners of Leon County,  
Florida, this 8<sup>th</sup> day of December, 2009.

LEON COUNTY, FLORIDA



BY: *Bob Rackleff*  
BOB RACKLEFF, CHAIRMAN  
BOARD OF COUNTY COMMISSIONERS

ATTESTED BY:  
BOB INZER, CLERK OF THE COURT  
LEON COUNTY, FLORIDA

BY: *John Stott, Deputy Clerk*

APPROVED AS TO FORM:  
COUNTY ATTORNEY'S OFFICE  
LEON COUNTY, FLORIDA

BY: *Herbert W.A. Thiele*  
HERBERT W.A. THIELE, ESQ.  
COUNTY ATTORNEY

**EXHIBIT A**

**LEGAL NOTICES**

**NOTICE OF INTENT TO USE UNIFORM  
METHOD OF COLLECTING  
NON-AD VALOREM ASSESSMENTS**

The Leon County, Florida Board of County Commissioners (the "County") hereby provides notice, pursuant to section 197.3532(3)(a), Florida Statutes, of its intent to use the uniform method of collecting non-ad valorem special assessments levied within the unincorporated area of the County, for the cost of providing fire protection services commencing for the Fiscal Year beginning on October 1, 2009 and continuing until discontinued by the County. The County will consider the adoption of a resolution electing to use the uniform method of collecting such assessments, authorized by section 197.3532, Florida Statutes, at a public hearing to be held at 6:00 p.m. on December 8, 2009, or as soon thereafter as may be heard, at the Commission Chambers, Leon County Courthouse, 5th Floor, 301 S. Monroe Street, Tallahassee, Florida. 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. All interested persons are invited to present their comments at the public hearing at the time and place set forth above.

In the event any person decides to appeal any decision by the County with respect to any matter relating to the consideration of the resolution at the above-referenced public hearing, a record of the proceeding may be needed and in such an event, such person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is to be based. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact Christine Coble of Facilities Management, 301 S. Monroe Street, Tallahassee, Florida 32301, by written request at least 48 hours prior to the proceeding. Telephone: 850-606-5300 or 850-606-5000; 1-800-955-8771 (TDD), or 1-800-955-8770 (Voice), via Florida Relay Service prior to the date of the hearing.

Published Date(s): November 11, 18, 25, 2009 & December 2, 2009

**EXHIBIT B**

**LEGAL DESCRIPTION**

ALL OF LEON COUNTY, FLORIDA, AS DESCRIBED AND SET FORTH IN SECTION 7.37, FLORIDA STATUTES, LESS THE INCORPORATED AREA OF THE CITY OF TALLAHASSEE, AS OF THE EFFECTIVE DATE OF THIS RESOLUTION.