

Alachua County
Board of County Commissioners

RESOLUTION NO. 2022- 69

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 2022-2023; 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
COMMISIONERS OF ALACHUA COUNTY, FLORIDA:**

Section 1. The provisions of Resolutions 2017-45 and 2017-64, shall be applied for the 2022-2023 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 2022-23 is estimated to be \$1,889,715.

Section 5. The maximum rate to be assessed for FY 2022-23 shall be \$40.00 per ERU.

Section 6. A public hearing to establish the final assessment shall be held on September 13, 2022, 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, 2022.

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 16, 2022. 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. This Resolution shall become effective immediately upon adoption.

DULY ADOPTED this 12th day of July, 2022.

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



Marihelen Wheeler

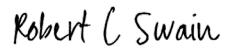
ATTEST:



Jesse K. Irby, II, County Clerk

APPROVED AS TO FORM:

DocuSigned by:



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Alachua County Attorney

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Appendix A

NOTICE OF PUBLIC HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF NON-AD VALOREM STORMWATER ASSESSMENTS AND FEES



Alachua County,
Florida



Notice is hereby given that the Board of County Commissioners of Alachua County, Florida, will conduct a public hearing to consider imposing charges for stormwater management services for properties in the **unincorporated areas of the County, as shown above**.

Stormwater Assessments for non-governmental properties and Stormwater Fees for governmental properties are proposed to pay for the County's Stormwater Services. These proposed assessments and fees are based upon the estimated amount of stormwater runoff generated by impervious areas on the property. Impervious areas include the ground level building footprints, rooftops, garages, patios, driveways, and similar areas that shed rainfall.

Alachua County has determined that the median single-family residence in the unincorporated County has a total impervious area of 4,011 square feet based upon a building footprint area of 2,235 square feet. The 4,011 square feet impervious area is defined as the value of "Equivalent Residential Unit" or "ERU" value. Generally, the number of ERUs were calculated individually for each parcel of property by dividing the total impervious area by 4,011 square feet. For non-governmental properties, the proposed annual Stormwater Assessment rate for the upcoming Fiscal Year will be \$40.00 for each ERU. For governmental properties, the proposed annual Stormwater Fee rate for the upcoming Fiscal Year will be \$40.00 for each ERU. Agricultural buildings and structures are not included in the calculations of impervious areas subject to the proposed stormwater assessment, in accordance with Section 163.3162(3)(b), Florida Statutes.

On September 13, 2022, the Board will hold a public hearing at 5:01 p.m. or as soon thereafter as it may be heard in Room 209, 2nd Floor of the Alachua County Administration Building, 12 S.E. 1st Street, Gainesville, Florida.

At the hearing, the Board will receive comments on the proposed Stormwater Assessments for non-governmental properties (including their collection on the ad valorem tax bill) and the proposed Stormwater Fees for governmental properties (including their collection by first class mail invoice).

You are invited to attend and participate in the hearing. You may also file written objections with the Board within the twenty (20) days of the date of this notice. If accommodations for persons with disabilities are needed, please contact the Alachua County Equal Opportunity Office at 352-374-5275 at least 2 business days prior to the event, TDD users, please call 711 (Florida Relay Service).

All affected property owners have a right to appear at the hearing and to file written objections with the Board. All written objections to the non-ad valorem assessments and fees must be filed with the Board within twenty (20) days of publication of this notice. Please include your name, parcel number, and the reason you object to the assessment on all written objections.

Address all written objections to: Alachua County Board of County Commissioners, Attn: Stormwater Assessment, 12 S.E. 1st Street, Gainesville, FL 32601.

Any person wishing to appeal any decision of the Board with respect to any matter considered will need a record of the proceedings and may wish to ensure that a verbatim record of the proceedings is made.

A more specific description of the methodology used to calculate the proposed stormwater assessments and fees is set forth in the Initial Stormwater Resolution, the Final Assessment Resolution and the Preliminary Rate Resolution. Copies of the Initial Stormwater Resolution, the Final Assessment Resolution, the Preliminary Rate Resolution, the Preliminary Stormwater Roll, and the County's Stormwater Ordinance are available for inspection at the Alachua County Environmental Protection Department, 408 W. University Avenue, Suite 106, Gainesville, Florida, 32601.

The Stormwater Services Assessments for non-governmental properties will be collected by the Alachua County Tax Collector and failure to pay the Stormwater Services Assessment will cause a tax certificate to be issued against the assessed property which may result in a loss of title to your property.

The Stormwater Service Fees for governmental properties will be collected by first class mail invoice.

General Information: If you have any questions, please contact the Environmental Protection Department at (352) 264-6850 or email stormwater@alachua county.us.

Alachua County
12 SE 1st Street
Gainesville, Florida 32601

APPENDIX B1

ALACHUA COUNTY, FLORIDA

NOTICE OF SEPTEMBER 13, 2022 PUBLIC
HEARING FOR ADOPTION OF STORMWATER
SERVICE ASSESSMENTS AND STORMWATER
FEES

NOTICE DATE: August 16, 2022

Owner Name
Address
Address
City, State Zip

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

Dear Alachua County Property Owner:

The past decade has brought increasing recognition of environmental impacts associated with stormwater runoff from developed property, including water pollution, flooding, and collection of standing water on our streets and other property. Alachua County (the "County") has initiated efforts to improve stormwater management services and provide a dedicated funding source to help restore clean water to local creeks, lakes, springs, rivers, and our drinking water aquifer. Stormwater management services also include County maintenance of stormwater drainage infrastructure to reduce flooding.

The Stormwater Service Assessments and Stormwater Service Fees are based upon the estimated amount of stormwater runoff generated by impervious surface on the property. Impervious surfaces include rooftops, patios, driveways, parking lots, and similar areas. The County has determined that the median single family residence in the County includes 4,011 square feet of impervious surface, which is the value of one "equivalent residential unit" or "ERU Value." Single family residential parcels are categorized into one of four tiers based on the estimated amount of impervious area associated with each parcel (computed by using the building footprint of the residence).

Condominium parcels are charged generally by calculating the total number of ERUs applicable to the condominium complex as a whole, then dividing that total number of ERUs by the total number of condominium residential units on the property. For general parcels, such as commercial or governmental properties, the number of ERUs has been calculated individually for each parcel of property by dividing the total impervious surface area by 4,011 square feet.

The annual Stormwater Service Assessment rate for the upcoming Fiscal Year and for future Fiscal Years without further notice will be \$40.00 for each ERU. The annual Stormwater Service Fee rate for government properties for the upcoming Fiscal Year and for future fiscal years without further notice will be \$40.00 for each ERU. It is estimated that the County will collect \$1,889,715 from the Stormwater Service Assessments and Stormwater Service Fees for Fiscal Year 2022-23

A more specific description of the methodology used to calculate the proposed stormwater service assessments and fees is set forth in the Preliminary Assessment Resolution adopted by the Board on July 12, 2022. Copies of the Preliminary Rate Resolution, the Final Assessment Resolution, preliminary stormwater roll, and the County's Stormwater Ordinance are available for inspection at the Alachua County Environmental Protection Department, 408 W. University Avenue, Suite 106, Gainesville, Florida 32601.

The following provides information about the above parcel:

The number of ERUs on the above parcel is _____.

The Annual Stormwater Service Assessment for the above parcel for Fiscal Year 2022-23 and future fiscal years without further notice is \$ _____.

The County Commission will hold a public hearing at 5:01 p.m. or as soon thereafter as it may be heard on September 13, 2022, in Room 209, 2nd Floor of the Alachua County Administration Building, 12 S.E. 1st Street, Gainesville, Florida, to receive comments on the proposed Stormwater Service Assessments, including their collection on the ad valorem tax bill, and the Stormwater Fees imposed against government property. You are invited to attend and participate in the hearing. You may also file written objections with the Board within twenty (20) days of the date of this notice. Please include your name, parcel number, and the reason for your objection on all written objections as follows: The Alachua County Board of County Commissioners, Attn: Stormwater Service Assessment, 12 S.E. 1st Street, Gainesville, FL 32601. If you decide to appeal any decision made by the Board 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, if you need a special accommodation or an interpreter to participate in this proceeding, please contact the Alachua County Equal Opportunity Office, at (352) 374-5275 or TDD number (352) 374-5286.

Because the Stormwater Service Assessment will be collected by the Tax Collector of Alachua County, pursuant to Chapter 197, Florida Statutes, failure to pay the Stormwater Service Assessment will cause a tax certificate to be issued against the assessed property, which may result in a loss of title to your property.

If you have any questions regarding the number of ERUs assigned to your property or the amount of the Stormwater Service Assessment or Stormwater Fee, please contact the Alachua County Stormwater Hotline by telephone at (352) 264-6850 or email at stormwater@alachuacounty.us.

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



Appendix B2

NOTICE REGARDING STORMWATER SERVICES NON-AD VALOREM ASSESSMENTS

DEAR PROPERTY OWNER:

THE FOLLOWING INFORMATION IS PROVIDED PURSUANT TO FLORIDA STATUTE 197.3632 AT THE REQUEST OF ALACHUA COUNTY. PLEASE KNOW THAT NON-AD VALORUM ASSESSMENTS ARE INCLUDED FOR COLLECTION ON THE TAX BILL MAILED IN NOVEMBER BY THE ALACHUA COUNTY TAX COLLECTOR. FAILURE TO PAY NON-AD VALOREM ASSESSMENTS WILL CAUSE A TAX CERTIFICATE TO BE ISSUED AGAINST THE PROPERTY WHICH MAY RESULT IN A LOSS OF TITLE. ALL AFFECTED PROPERTY OWNERS HAVE THE RIGHT TO APPEAR AT THE PUBLIC HEARING AND TO FILE WRITTEN OBJECTIONS TO THE NON-AD VALOREM ASSESSMENTS. THE WRITTEN OBJECTION MUST BE FILED WITH THE LOCAL GOVERNMENT IMPOSING THE ASSESSMENT WITHIN 20 DAYS OF THIS NOTICE AS REQUIRED BY FLORIDA STATUTE 197.3632. A PUBLIC HEARING WILL BE HELD ON **TUESDAY, SEPTEMBER 13, 2022 IN ROOM 209 OF THE ALACHUA COUNTY ADMINISTRATION BUILDING, 12 SOUTHEAST 1ST STREET, GAINESVILLE, FLORIDA 32601 AT 5:01 P.M.**, OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD. A PROPERTY OWNER DECIDING TO CONTEST ANY DECISION MADE AT THE PUBLIC HEARING WILL NEED A RECORD OF THE PROCEEDINGS AND MAY NEED TO ENSURE THAT A VERBATIM RECORD IS MADE WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. IF ACCOMMODATIONS ARE NEEDED FOR PERSONS WITH DISABILITIES, PLEASE CONTACT THE ALACHUA COUNTY EQUAL OPPORTUNITY OFFICE AT 374-5275 AT LEAST 2 BUSINESS DAYS PRIOR TO THE EVENT, TDD USERS, PLEASE CALL 711 (FLORIDA RELAY SERVICE).

THIS FORM, PROVIDED WITH THE NOTICE OF PROPOSED PROPERTY TAXES, CONSTITUTES THE FIRST CLASS NOTICE REQUIRED BY FLORIDA STATUTE 197.3632.

STORMWATER SERVICES: ASSESSMENTS WILL BE REIMPOSED AGAINST REAL PROPERTY LOCATED IN THE UNINCORPORATED PORTION OF ALACHUA COUNTY. THE PURPOSE OF THE ASSESSMENT IS TO FUND STORMWATER SERVICES BENEFITING PROPERTY LOCATED IN THE UNINCORPORATED AREA OF THE COUNTY.

THE AMOUNT OF THE ANNUAL STORMWATER ASSESSMENT IMPOSED AGAINST EACH PROPERTY IS BASED ON THE ESTIMATED AMOUNT OF STORMWATER RUNOFF GENERATED BY IMPERVIOUS SURFACE ON THE PROPERTY. IMPERVIOUS SURFACES INCLUDE ROOFTOPS, PATIOS, DRIVEWAYS, PARKING LOTS, AND SIMILAR AREAS. THE COUNTY HAS DETERMINED THAT THE MEDIAN SINGLE FAMILY RESIDENCE IN THE COUNTY INCLUDES 4,011 SQUARE FEET OF IMPERVIOUS SURFACE. THIS IS THE VALUE OF ONE "EQUIVALENT RESIDENTIAL UNIT" (ERU VALUE). SINGLE FAMILY RESIDENTIAL PARCELS ARE CATEGORIZED INTO ONE OF FOUR TIERS BASED ON THE ESTIMATED AMOUNT OF IMPERVIOUS AREA (COMPUTED BY USING THE BUILDING FOOTPRINT OF THE RESIDENCE). CONDOMINIUM PARCELS ARE CHARGED GENERALLY BY CALCULATING THE TOTAL NUMBER OF ERUs APPLICABLE TO THE CONDOMINIUM COMPLEX AS A WHOLE, THEN DIVIDING BY THE TOTAL NUMBER OF CONDOMINIUM RESIDENTIAL UNITS ON THE PROPERTY. FOR GENERAL PARCELS, SUCH AS COMMERCIAL PROPERTIES, THE NUMBER OF ERUs HAS BEEN CALCULATED INDIVIDUALLY FOR EACH PARCEL.

THE ANNUAL STORMWATER SERVICE ASSESSMENT RATE FOR THE UPCOMING FISCAL YEAR IS \$40.00 FOR EACH ERU.

TOTAL REVENUE TO BE COLLECTED FOR FISCAL YEAR 2022-23 IS ESTIMATED TO BE \$1,889,715.

HARDSHIP ASSISTANCE: IN ACCORDANCE WITH SECTIONS 37.17.1, 37.17.2 AND 39.12.35 OF THE ALACHUA COUNTY CODE, QUALIFYING OWNERS OF ASSESSED PROPERTY WHO MEET CRITERIA AND ASSET GUIDELINES SET FORTH THEREIN SHALL BE ELIGIBLE TO RECEIVE A WAIVER OF FEES FOR STORMWATER SERVICES ASSESSMENT FROM THE COUNTY. THE APPLICANT MUST APPLY FOR THE HARDSHIP ASSISTANCE EACH YEAR. FURTHER INFORMATION CONCERNING THE HARDSHIP ASSISTANCE PROGRAM AND ELIGIBILITY CRITERIA IS AVAILABLE FROM THE ALACHUA COUNTY DEPARTMENT OF COMMUNITY SUPPORT SERVICES, THROUGH ITS DIVISION OF SOCIAL SERVICES AT (352) 264-6750.

QUESTIONS: IF YOU HAVE ANY QUESTIONS PLEASE CALL ALACHUA COUNTY STORMWATER AT **(352) 264-6850** OR EMAIL: stormwater@alachuacounty.us

Item#12, 22-0558

Final Audit Report

2022-07-13

Created:	2022-07-13
By:	Steve Donahey (asd@alachuaclerk.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAA5mD8iptdgWY7TOb34I30frt5As_uACul

"Item#12, 22-0558" History

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-  Document e-signed by Marihelen Haddock Wheeler (boccchairsignature@alachuacounty.us)
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-  Document e-signed by J.K. "Jess" Irby, Esq. (jki@alachuaclerk.org)
Signature Date: 2022-07-13 - 8:06:42 PM GMT - Time Source: server- IP address: 216.194.145.253
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