



## Legislation Text

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**File #:** 21-0750, **Version:** 1

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**Agenda Item Name:**

Special Assessment District (SAD) for NW 180<sup>th</sup> St: Imposition of Non-Ad Valorem Assessments for a Special Assessment District for NW 180<sup>th</sup> Street.

**Presenter:**

Tommy Crosby, 352-337-6205 Ramone Gavarrete 352-548-1214

**Description:**

Resolution to impose a Special Assessment District to pay for an alternative surface treatment on NW 180<sup>th</sup> Street, to be repaid through non-ad valorem assessments beginning Fiscal Year 2021-2022.

**Recommended Action:**

That the Board adopt the Resolution to establish the SAD to pay for an alternative surface treatment (chip seal) on NW 180<sup>th</sup> St.

**Prior Board Motions:**

On December 8, 2020, the Board directed staff to continue with the process for the establishment of the Special Assessment District for NW 180<sup>th</sup> Street by conducting a Property Owner Interest Poll.

On January 12, 2021, the Board authorized staff to advertise the first required Public Hearing for the establishment of a Special Assessment District and Notice of Intent to use the Uniform Method to impose a non-ad valorem assessment.

On February 23, 2021, the Board adopted Resolution 21-16 stating the Board's intent to use the Uniform Method of Collection of Non-Ad Valorem Assessments for roadway improvements to NW 180<sup>th</sup> Street.

On July 13, 2021, the Board adopted Resolution 21-74 regarding the establishment of the Special Assessment District, describing the method of assessing the roadway improvement costs and inclusion of the assessment on the assessment roll, authorizing a final public hearing and directing the provision of notice thereof.

**Fiscal Consideration:**

The funding source for the roadway improvements (\$35,236.16), is paid for out of the Gas Tax Fund (Fund 149) which will be reimbursed over a 10 year period from the collection of the non-ad valorem assessment.

**Background:**

NW 180<sup>th</sup> Street is a public right-of-way, dedicated to the public by the plat of Candlewood Estates,

recorded in Plat Book H, Page 71 of the Public Records of Alachua County, Florida. It is an unpaved lime rock road maintained by the abutting property owners. It is approximately 1,000 feet in length and there are eight platted lots abutting NW 180<sup>th</sup> Street which would be benefitted by paving the street. The County received a resident initiated Preliminary Special Assessment District Petition, signed by the requisite number of benefitted property owners, with the required application fee, requesting the County to initiate the process for the creation of a Special Assessment District for the purpose of improving the road with an alternative surface treatment (chip seal).

On December 8, 2020, the Board directed County staff to conduct a Property Owner Interest Poll (the Poll), as required by Chapter 37 of the Alachua County Code. Staff prepared the Poll describing the improvement, showing the area to be specially benefitted, containing the estimated improvement cost and the allocation of the cost to each benefitted property owner. Staff mailed the Poll to all benefitted property owners and received a signed response from 87.5% (7 out of 8) of the benefitted property owners. 85.7% (6 out of 7) of the responding property owners have voted in favor of establishment of the Special Assessment District, exceeding the response requirement and affirmative vote requirement contained in Alachua County Code Chapter 37.09.

On January 12, 2021, the Board authorized the advertisement of a Public Hearing to consider the establishment of a Special Assessment District to use an alternative surface treatment on NW 180<sup>th</sup> Street, and Notice of Intent to use the uniform method for collecting non-ad valorem assessments. The hearing and notice were advertised for 4 consecutive weeks preceding that hearing, as required by Florida Statute Section 197.3632 (3)(a).

On February 23, 2021, the Board adopted Resolution 21-16 stating the Board's intent to use the Uniform Method of Collection of Non-Ad Valorem Assessments for roadway improvements to NW 180<sup>th</sup> Street. The estimated cost for the improvements was \$36,732.00. The resurfacing has been completed and the actual cost of the improvements is \$35,236.16 amortized over 10 years, not including any financing and interest costs.

On May 20, 2021, the Alachua County Public Works Department completed the improvements by resurfacing the roadway with an alternative surface treatment (chip seal).

On July 13, 2021, the Board adopted Resolution 21-74 regarding the establishment of the Special Assessment District, describing the method of assessing the roadway improvement costs, inclusion of the assessment on the assessment roll, authorizing a final public hearing and directing the provision of notice thereof.

This final Public Hearing has been advertised by publication and by written notice mailed to all affected property owners, as required by Florida Statute Section 197.3632(4) and Alachua County Code Chapter 37.

It is not anticipated that this roadway will qualify for the County's Graded Road Improvement Program in the foreseeable future. If the County establishes the Special Assessment District and improves the roadway, the County will be responsible for maintaining the improved roadway.