

LEGISLATIVE FACT SHEET

DATE: 01/19/18

BT or RC No: _____
(Administration & City Council Bills)

SPONSOR: Office of General Counsel
(Department/Division/Agency/Council Member)

Contact for all inquiries and presentation: Sondra Fetner

Provide Name: Sondra Fetner, Assistant General Counsel

Contact Number: 630-1714

Email Address: sfetner@coj.net

PURPOSE: White Paper (Explain Why this legislation is necessary? Provide; Who, What, When, Where, How and the Impact.) Council Research will complete this form for Council introduced legislation and the Administration is responsible for all other legislation.

(Minimum of 350 words - Maximum of 1 page.)

This Resolution relates to the Fishing Creek dredging project, pursuant to the Settlement Agreement authorized and funded by Ordinance 2014-276-E. The Settlement Agreement required the City to provide the up-front costs, not to exceed \$363,502, for the dredging of that portion of Fishing Creek that abuts the Plaintiffs' 60 properties (as indicated in Exhibit 1). Of the 60 properties that benefitted from the dredge of that portion of Fishing Creek, 22 are in Council District 9 and 38 are in Council District 14. The Settlement Agreement required the Plaintiffs to reimburse the City through a Non-Ad Valorem Special Assessment equal to 33.33% of the Project Costs (\$121,155.22).

Fla. Stat. 193.3632 requires that a resolution indicating that the non-ad valorem assessments will be collected pursuant to the Uniform Method by the Tax Collector, that is, collect the special assessment taxes at the same time that annual ad valorem taxes are collected, be adopted at a public hearing held prior to March 1, 2018. Fla. Stat. 193.3632(3) also requires the City to advertise the special assessment tax collection arrangement at least once a week for four consecutive weeks before the public hearing. Adoption of this Resolution is solely for the purpose of complying with the statutory requirements that the City publicly announce to the Florida Department of Revenue, the Property Appraiser and Tax Collector that it may levy non ad-valorem special assessments and use the uniform method of collection. If the Resolution is adopted, the City shall send a copy of same to the Property Appraiser, Tax Collector, and the Florida Department of Revenue by March 10, 2018.

PLAIN LANGUAGE OF APPROPRIATION / FINANCIAL IMPACT / OTHER:

Explain: Where are the funds coming from, going to, how will the funds be used? Does the funding require a match? Is the funding for a specific time frame? Will there be an ongoing maintenance? ... and staffing obligation? Per Chapters 122 & 106 regarding funding of anticipated post-construction operation costs.

(Minimum of 350 words - Maximum of 1 page.)

ACTION ITEMS: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

ACTION ITEMS:

	Yes	No
Emergency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Justification of Emergency: If yes, explanation must include detailed nature of emergency.

	Yes	No
Federal or State Mandate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation: If yes, explanation must include detailed nature of mandate including Statute or Provision.

Fla. Stat. 193.3632 requires that a resolution indicating that the non-ad valorem assessments will be collected pursuant to the Uniform Method by the Tax Collector be adopted at a public hearing held prior to March 1, 2018.

Fiscal Year Carryover?

Note: If yes, note must include explanation of all-year subfund carryover language.

CIP Amendment?

Attachment: If yes, attach appropriate CIP form(s). Include justification for mid-year amendment.

Contract / Agreement Approval?

Attachment & Explanation: If yes, attach the Contract / Agreement and name of Department (and contact name) that will provide oversight. Indicate if negotiations are on-going and with whom. Has OGC reviewed / drafted?

Related RC/BT?

Attachment: If yes, attach appropriate RC/BT form(s).

Waiver of Code?

Code Reference: If yes, identify code section(s) in box below and provide detailed explanation (including impacts) within white paper.

Code Exception?

Code Reference: If yes, identify code in box below and provide detailed explanation (including impacts) within white paper.

Related Enacted Ordinances?

Code Reference: If yes, identify related code section(s) and ordinance reference number in the box below and provide detailed explanation and any changes necessary within white paper.

2014-276-E authorizing the Settlement Agreement that requires the Plaintiffs to reimburse the City through a non-ad valorem special assessment.

ACTION ITEMS CONTINUED: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

ACTION ITEMS: **Yes** **No**

Continuation of Grant?

Explanation: How will the funds be used? Does the funding require a match? Is the funding for a specific time frame and/or multi-year? If multi-year, note year of grant? Are there long-term implications for the General Fund?

Surplus Property Certification?

Attachment: If yes, attach appropriate form(s).

Reporting Requirements?

Explanation: List agencies (including City Council / Auditor) to receive reports and frequency of reports, including when reports are due. Provide Department (include contact name and telephone number) responsible for generating

Division Chief: *Jason Lane*
(signature)

Date: 1/19/18

Prepared By: *Jardia GHW*
(signature)

Date: 1/19/18

ADMINISTRATIVE TRANSMITTAL

To: MBRC, c/o Roselyn Chall, Budget Office, St. James Suite 325

Thru:

(Name, Job Title, Department)

Phone: _____

E-mail: _____

From:

Initiating Department Representative (Name, Job Title, Department)

Phone: _____

E-mail: _____

Primary

Contact:

(Name, Job Title, Department)

Phone: _____

E-mail: _____

CC:

Allison Korman Shelton, Director of Intergovernmental Affairs, Office of the Mayor
904-630-1825 E-mail: akshelton@coj.net

COUNCIL MEMBER / INDEPENDENT AGENCY / CONSTITUTIONAL OFFICER TRANSMITTAL

To: Peggy Sidman, Office of General Counsel, St. James Suite 480

Phone: 904-630-4647

E-mail: psidman@coj.net

From:

Office of General Counsel

Initiating Council Member / Independent Agency / Constitutional Officer

Phone: 630-1714

E-mail: sfetner@coj.net

Primary

Contact:

Sondra Fetner, Assistant General Counsel, Regulatory & Constitutional Law Department

(Name, Job Title, Department)

Phone: 630-1714

E-mail: sfetner@coj.net

CC:

Allison Korman Shelton, Director of Intergovernmental Affairs, Office of the Mayor
904-630-1825 E-mail: akshelton@coj.net

Legislation from Independent Agencies requires a resolution from the Independent Agency Board approving the legislation.

Independent Agency Action Item:

Yes

No

Boards Action / Resolution?

Attachment: If yes, attach appropriate documentation. If no, when is board action scheduled?

FACT SHEET IS REQUIRED BEFORE LEGISLATION IS INTRODUCED