



FIRST BUDGET HEARING AGENDA
SEPTEMBER 07, 2022 5:15 PM
APOPKA CITY HALL COUNCIL CHAMBERS

APOPKA FIRST BUDGET HEARING MEETING WILL BE LIVE-STREAMED ON YOUTUBE. TO WATCH, PLEASE VISIT:

<https://www.youtube.com/CityofApopkaFL>

CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS

1. ANNOUNCE AND ADOPT TENTATIVE MILLAGE RATE OF 4.1876, WHICH IS A 12.87% INCREASE OVER THE ROLLBACK RATE OF 3.7100.
2. ADOPT TENTATIVE BUDGET AND ANY ADJUSTMENTS RESULTING FROM THE PUBLIC HEARING.
Please click on the link to see the FY 23 Tentative Budget : <https://stories.opengov.com/apopkafl/published/8A4ZgloRP>
3. ANNOUNCE FINAL MILLAGE RATE & BUDGET HEARING: September 14, 2022 at 6:00pm.
4. Resolution No. 2022-36 - Imposing the Uniform Method of Collections for Non-Ad Valorem Special Assessments levied within the West Kelly Park Street Lighting District, an incorporated area of the City of Apopka, and certifying the rate to the Orange County Property Appraiser and Tax Collector.
Presented by: Chuck Vavrek
5. Resolution No. 2022-37 - Imposing the Uniform Method of Collections for Non-Ad Valorem Special Assessments levied within the Winding Meadows Street Lighting District, an incorporated area of the City of Apopka, and certifying the rate to the Orange County Property Appraiser and Tax Collector.
Presented by: Chuck Vavrek
6. Resolution No. 2022-38 - Imposing the Uniform Method of Collections for Non-Ad Valorem Special Assessments levied within the Lovell Terrace Neighborhood Improvement District, an incorporated area of the City of Apopka, and certifying the rate to the Orange County Property Appraiser and Tax Collector.
Presented by: Chuck Vavrek
7. Resolution No. 2022-39 - Adjusting the Non-Ad Valorem Special Assessment rate for the Maine Avenue Villas Neighborhood Improvement District, an incorporated area of the City of Apopka, and certifying the rate to the Orange County Property Appraiser and Tax Collector.
Presented by: Chuck Vavrek

ADJOURNMENT

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (407) 703-1704. F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views

of such speaker. Persons in attendance at the City Council meeting are invited to stand during the opening ceremony. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.



City of Apopka

CITY COUNCIL STAFF REPORT

Type of Form: Public Hearing/Ordinances/Resolution

Meeting Date: September 7, 2022

Department: City Administrator

SUBJECT:

Resolution No. 2022-36 Imposing the Uniform Method of Collections for Non-Ad Valorem Special Assessments levied within the West Kelly Park Street Lighting District, an incorporated area of the City of Apopka, and certifying the rate to the Orange County Property Appraiser and Tax Collector.

REQUEST:

Accept for first reading of Resolution of 2022-36 and hold over for second reading.

SUMMARY:

Resolution No. 2022-26 provides for the establishment of the non-ad valorem rate on real property within the West Kelly Park Street Lighting District on an annual basis as authorized by Section 197.3632, Florida Statute, as amended.

The funds assessed as solely for the benefit of the property owners within the district, and shall be placed in a trust fund for the monthly costs of providing street lighting services therein.

NOTE: The developer has requested that the district be established to take over the street lighting services effective October 1, 2022 and be included as part of the property owners Ad Valorem Tax Bill.

FUNDING SOURCE:

Non-Ad Valorem Assessment

RECOMMENDED MOTION:

Establish the non-ad valorem special assessment rate and hold over for a second reading and adoption on September 14, 2022.

ATTACHMENTS:

- Copy of Resolution (Document)
- Map of the Special Assessment Area

RESOLUTION NO. 2022-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, ADOPTING A NON-AD VALOREM TAX ASSESSMENT ROLL FOR THE WEST KELLY PARK STREET LIGHTING DISTRICT; PROVIDING DIRECTION TO THE FINANCE DIRECTOR FOR CERTIFICATION AND TRANSMISSION OF THE ASSESSMENT ROLL TO THE ORANGE COUNTY TAX COLLECTOR; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Apopka has continued to experience growth over the last several decades which has led to multiple housing developments throughout the community;

WHEREAS, the City in an effort to combat crime and to improve public safety, encourages developers to install street lighting as a means to promote public safety within the community;

WHEREAS, the developer as a means of ensuring the cost of the lighting is recovered for the operation of the street lighting has requested that the City Council create a Municipal Service Benefit Unit (“**MSBU**”) for the continued operation of the street lighting;

WHEREAS, the City Council found it in the best interest of the City and its residents, has created the MSBU for the continued operation and annual cost associated with the operation of the MSBU;

WHEREAS, the City Council finds that each parcel of property within West Kelly Park Street Lighting District, as specified in Exhibit A attached hereto and incorporated herein, shall be specifically benefited by the street lighting in an amount equal to or greater in kind and degree than other properties within the City;

WHEREAS, the owners of each lot or parcel of land within the boundaries of the municipal service benefit unit have been provided with notice by mail on their Orange County TRIM Notice of the public hearing substantially notifying them of the special assessment charge that will be levied against their lot or parcel or land;

WHEREAS, the 2022/2023 fiscal year will be the first year of the assessment in which the property owners of West Kelly Park Street Lighting District will be assessed for the costs of the street lighting district, and the cost associated with the operation of the street lighting district shall be ongoing subject to being reviewed annually for the ongoing costs of the street lighting district;

WHEREAS, the City of Apopka has notified the Orange County Property Appraiser of the cost associated with the operation of the Street Lighting District by means of mailing the Truth in Millage (“**TRIM**”) notice on the cities levy of the non-ad valorem assessment per parcel in accordance with Section 197.3632, Florida Statutes;

WHEREAS, the uniform method of collecting non-ad valorem assessments, as authorized by Section 197.3632, Florida Statutes, provides for the collection of non-ad valorem assessments by utilizing the tax bills issued for the collection of ad valorem taxes;

WHEREAS, the City Council finds that the use of the uniform method of collection, as authorized by Section 197.3632, Florida Statutes, will result in the more effective collection of the special assessments levied within West Kelly Park Street Lighting District: and

WHEREAS, in accordance with the requirements of Section 197.3632, Florida Statutes, the City Council held a duly advertised hearing prior to the final adoption of this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, that:

SECTION I. The foregoing finding are incorporated herein by reference and made part hereof.

SECTION II. The City Council hereby adopts to utilize the uniform method of collecting non-ad valorem assessments, as provided in Section 197.3632, Florida Statutes, for collecting the non-ad valorem assessments specified herein.

SECTION III. The City Council adopts the non-ad valorem levy(s) to be set at One Hundred Seventy-Four and 05/100 (\$174.05) Dollars annually, unless otherwise changed by the City Council by means of a Public Hearing.

SECTION IV. The City Finance Director, or designee, is hereby authorized and designated to certify the non-ad valorem assessment roll and submit it to the Tax Collector or compatible electronic medium, as provided in Section 197.3632, Florida Statutes, and to take additional procedural steps as may be necessary for the collection of side non-ad valorem assessment roll by the Tax Collector.

SECTION V. This Resolution shall become effective upon final adoption by the City Council.

ATTEST:

CITY COUNCIL OF THE CITY OF
APOPKA, FLORIDA

Susan M. Bone
City Clerk

Bryan Nelson
Mayor

APPROVED as to form and legal sufficiency

Michael A. Rodríguez
City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: The Apopka Chief on August 26th and September 2, 2022.

EXHIBIT A

WEST KELLY PARK STREET LIGHTING DISTRICT

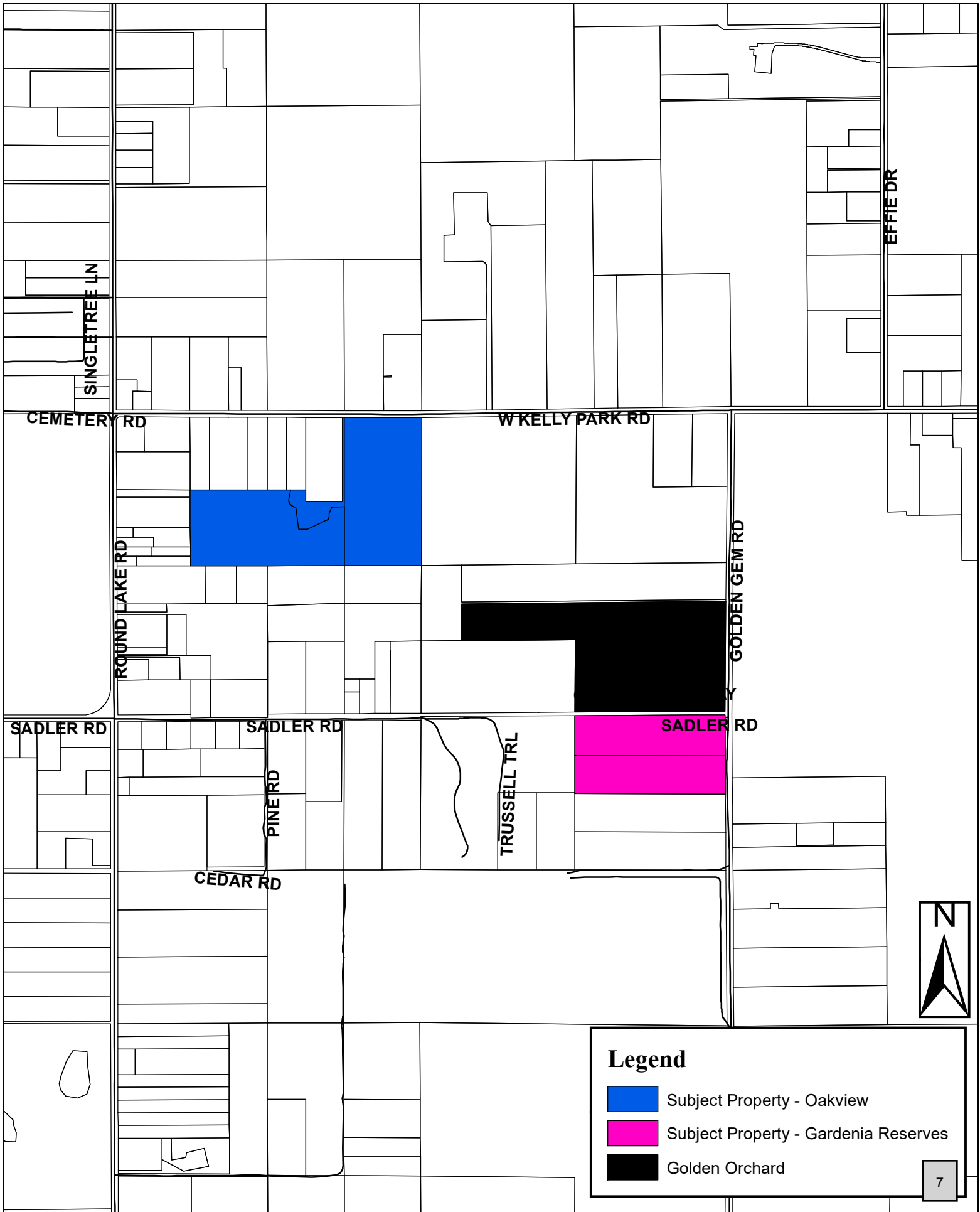
A Street Lighting District is hereby established for all land within the following described area all lying and being within the incorporated limits of the City of Apopka, Florida:

GOLDEN ORCHARD (Obtained from Property Appraiser)

SE1/4 OF NE1/4 (LESS N 335 FT) & (LESS E 30 FT & S 30 FT FOR R/W) & N1/2 OF SW1/4 OF NE1/4
(LESS N 335 FT) & (LESS W 349.50 FT) ALL IN SEC 14-20-27
1,548,840 sqft (+/-) | 35.56 acres (+/-)

Said portion of land contains 1,548,840 sqft (+/-) | 35.56 acres (+/-).

West Kelly Park Streetlighting District



GOLDEN ORHARD (PART OF WEST KELLY PARK STREETLIGHTING DISTRICT)

	Number	Fixture Information	Watts	Fixture	Maint.	Energy	Ea. Fixt.	Fee/Tax	Per Fixt.	Monthly	Annually	Per Parcel
Lighting Electrical Charges	73	LED Mini Bell 50W	50W	\$14.93	\$1.39	\$1.29	\$17.61	\$0.12	\$17.73	1294.01	\$ 15,528.06	
	4	LED Roadway-Black 150W	50W	\$14.93	\$1.39	\$1.29	\$17.61	\$0.12	\$17.73	70.90	\$ 850.85	
	73	Colonial 16' Black QSM	Pole	\$5.92	\$1.39	\$3.66	\$10.97			800.81	\$ 9,609.72	
	-		0	\$0.00	\$0.00	\$0.00	\$0.00			0.00	\$ -	
	-		0	\$0.00	\$0.00	\$0.00	\$0.00			0.00	\$ -	
	-		0	\$0.00	\$0.00	\$0.00	\$0.00			0.00	\$ -	
	-		0	\$0.00	\$0.00	\$0.00	\$0.00			0.00	\$ -	
	-		0	\$0.00	\$0.00	\$0.00	\$0.00			0.00	\$ -	
	-		0	\$0.00	\$0.00	\$0.00	\$0.00			0.00	\$ -	
TOTALS										\$2,165.72	\$ 25,988.64	
Orange County Appraiser		Administrative Fee - \$1.00 per parcel									\$ -	
Orange County Tax Collector		Discount for Early Payment Fee 4%*									\$ 1,039.55	
City of Apopka Administrative		Administrative Fee 1.5%									\$ 389.83	
Contingency Reserve											\$ 1,299.43	
		TOTAL DEVELOPMENT ASSESSMENT COSTS									\$ 28,717.44	
		TOTAL ANNUAL ASSESSMENT PER PARCEL										\$ 174.05
		ACTUAL ASSESSMENT AS ADVERTISED										\$ 174.05
										BUILDABLE LOTS	165	



City of Apopka

CITY COUNCIL STAFF REPORT

Type of Form: Public Hearing/Ordinances/Resolution

Meeting Date: September 7, 2022

Department: City Administrator

SUBJECT:

Resolution No. 2022-37 Imposing the Uniform Method of Collections for Non-Ad Valorem Special Assessments levied within the Winding Meadows Street Lighting District, an incorporated area of the City of Apopka, and certifying the rate to the Orange County Property Appraiser and Tax Collector.

REQUEST:

Accept for first reading of Resolution of 2022-37 and hold over for second reading.

SUMMARY:

Resolution No. 2022-37 provides for the establishment of the non-ad valorem rate on real property within the Winding Meadows Street Lighting District on an annual basis as authorized by Section 197.3632, Florida Statute, as amended.

The funds assessed are solely for the benefit of the property owners within the district, and shall be placed in a trust fund for the monthly costs of providing street lighting services therein.

NOTE: The developer has requested that the district be established to take over the street lighting services effective October 1, 2022 and be included as part of the property owners Ad Valorem Tax Bill.

FUNDING SOURCE:

Non-Ad Valorem Assessment

RECOMMENDED MOTION:

Establish the non-ad valorem special assessment rate and hold over for a second reading and adoption on September 14, 2022.

ATTACHMENTS:

- Copy of Resolution (Document)
- Map of the Special Assessment Area

RESOLUTION NO. 2022-37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, ADOPTING A NON-AD VALOREM TAX ASSESSMENT ROLL FOR THE WINDING MEADOWS STREET LIGHTING DISTRICT; PROVIDING DIRECTION TO THE FINANCE DIRECTOR FOR CERTIFICATION AND TRANSMISSION OF THE ASSESSMENT ROLL TO THE ORANGE COUNTY TAX COLLECTOR; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Apopka has continued to experience growth over the last several decades which has led to multiple housing developments throughout the community;

WHEREAS, the City in an effort to combat crime and to improve public safety, encourages developers to install street lighting as a means to promote public safety within the community;

WHEREAS, the developer as a means of ensuring the cost of the lighting is recovered for the operation of the street lighting has requested that the City Council create a Municipal Service Benefit Unit ("MSBU") for the continued operation of the street lighting;

WHEREAS, the City Council found it in the best interest of the City and its residents, has created the MSBU for the continued operation and annual cost associated with the operation of the MSBU;

WHEREAS, the City Council finds that each parcel of property within Winding Meadows Street Lighting District, as specified in Exhibit A attached hereto and incorporated herein, shall be specifically benefited by the street lighting in an amount equal to or greater in kind and degree than other properties within the City;

WHEREAS, the owners of each lot or parcel of land within the boundaries of the municipal service benefit unit have been provided with notice by mail on their Orange County TRIM Notice of the public hearing substantially notifying them of the special assessment charge that will be levied against their lot or parcel or land;

WHEREAS, the 2022/2023 fiscal year will be the first year of the assessment in which the property owners of Winding Meadows Street Lighting District will be assessed for the costs of the street lighting district, and the cost associated with the operation of the street lighting district shall be ongoing subject to being reviewed annually for the ongoing costs of the street lighting district;

WHEREAS, the City of Apopka has notified the Orange County Property Appraiser of the cost associated with the operation of the Street Lighting District by means of mailing the Truth in Millage ("TRIM") notice on the cities levy of the non-ad valorem assessment per parcel in accordance with Section 197.3632, Florida Statutes;

WHEREAS, the uniform method of collecting non-ad valorem assessments, as authorized by Section 197.3632, Florida Statutes, provides for the collection of non-ad valorem assessments by utilizing the tax bills issued for the collection of ad valorem taxes;

WHEREAS, the City Council finds that the use of the uniform method of collection, as authorized by Section 197.3632, Florida Statutes, will result in the more effective collection of the special assessments levied within Winding Meadows Street Lighting District: and

WHEREAS, in accordance with the requirements of Section 197.3632, Florida Statutes, the City Council held a duly advertised hearing prior to the final adoption of this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, that:

SECTION I. The foregoing finding are incorporated herein by reference and made part hereof.

SECTION II. The City Council hereby adopts to utilize the uniform method of collecting non-ad valorem assessments, as provided in Section 197.3632, Florida Statutes, for collecting the non-ad valorem assessments specified herein.

SECTION III. The City Council adopts the non-ad valorem levy(s) to be set at One Hundred Sixty-Eight and 90/100 (\$168.90) Dollars annually, unless otherwise changed by the City Council by means of a Public Hearing.

SECTION IV. The City Finance Director, or designee, is hereby authorized and designated to certify the non-ad valorem assessment roll and submit it to the Tax Collector or compatible electronic medium, as provided in Section 197.3632, Florida Statutes, and to take additional procedural steps as may be necessary for the collection of side non-ad valorem assessment roll by the Tax Collector.

SECTION V. This Resolution shall become effective upon final adoption by the City Council.

ATTEST:

CITY COUNCIL OF THE CITY OF
APOPKA, FLORIDA

Susan M. Bone
City Clerk

Bryan Nelson
Mayor

APPROVED as to form and legal sufficiency

Michael A. Rodríguez
City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: The Apopka Chief on August 26th and September 2, 2022.

EXHIBIT A

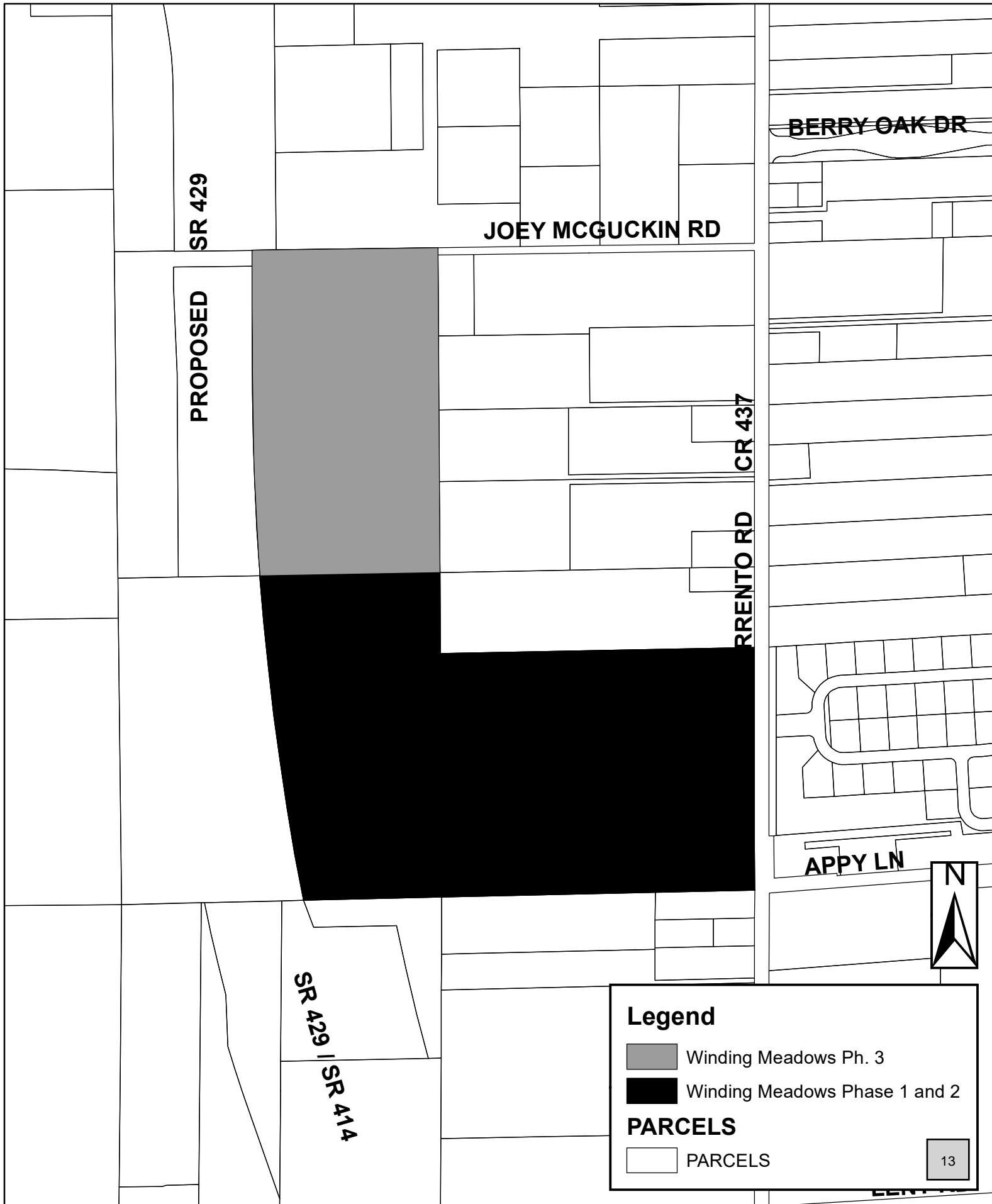
WINDING MEADOWS STREET LIGHTING DISTRICT

A Street Lighting District is hereby established for all land within the following described area all lying and being within the incorporated limits of the City of Apopka, Florida:

WINDING MEADOWS SUBDIVISION

S1/8 OF SE1/4 OF SE1/4 SEC 13-20-27, and; N1/2 OF S1/4 OF SE1/4 OF SE1/4 OF SEC 13-20-27, and; N1/2 OF S1/2 OF SE1/4 OF SE1/4 OF SEC 13-20-27 (LESS COUNTY RD) and; S1/2 OF N1/2 OF SE1/4 OF SE1/4 OF SEC 13-20-27 , and; W1/4 OF SE1/4 OF SEC 13-20-27 SEE 8841/1335 & (LESS COMM AT TH SE CORNER OF THE SE 1/4 SEC 13-20-27 TH S88-41-17W 1898.16 FT TO THE POB TH CONT SS88-41-17W 752.8 TH N00-38-22W 1350.93 FT TH N88-57-50E 587.31 FT TO A PT ON A NON-TAN CURVE CONCAVE ELY HAVING A RADIUS 11317.16 FT DELTA 06-52-14 CHORD BRG S07-38-48E AN ARC LENGTH 1357.1 FT TO THE POB

Vicinity



SR 429

PROPOSED

JOEY MCGUCKIN RD

BERRY OAK DR

CR 437

RRENTO RD

APPY LN

SR 429 | SR 414

Legend



Winding Meadows Ph. 3



Winding Meadows Phase 1 and 2

PARCELS



PARCELS

WINDING MEADOWS

	Number	Fixture Information	Watts	Fixture	Maint.	Energy	Ea. Fixt.	Fee/Tax	Per Fixt.	Monthly	Annually	Per Parcel
Lighting Electrical Charges	60	LED Monticello 50W	50W	\$17.49	\$1.39	\$1.22	\$20.10	\$0.11	\$20.21	1212.59	\$ 14,551.06	
	6	LED Roadway-Black 110W	110W	\$17.49	\$1.39	\$1.22	\$20.10	\$0.11	\$20.21	121.26	\$ 1,455.11	
	60	Colonial 16' Black QSM	Pole	\$0.00	\$0.00	\$0.00	\$12.37			742.20	\$ 8,906.40	
	-		0	\$0.00	\$0.00	\$0.00	\$0.00			0.00	\$ -	
	-		0	\$0.00	\$0.00	\$0.00	\$0.00			0.00	\$ -	
	-		0	\$0.00	\$0.00	\$0.00	\$0.00			0.00	\$ -	
	-		0	\$0.00	\$0.00	\$0.00	\$0.00			0.00	\$ -	
	-		0	\$0.00	\$0.00	\$0.00	\$0.00			0.00	\$ -	
	-		0	\$0.00	\$0.00	\$0.00	\$0.00			0.00	\$ -	
TOTALS										\$2,076.05	\$ 24,912.56	
Orange County Appraiser		OC Administrative Fee - \$1.00 per parcel									\$ -	
Orange County Tax Collector		Discount for Early Payment Fee 4%*									\$ 998.99	
City of Apopka Administrative		Administrative Fee 1.5%									\$ 373.69	
Contingency Reserve											\$ 1,245.63	
		TOTAL DEVELOPMENT ASSESSMENT COSTS									\$ 27,530.87	
		TOTAL ANNUAL ASSESSMENT PER PARCEL								BUILDABLE LOTS	163	\$ 168.90
		ACTUAL ASSESSMENT AS ADVERTISED										\$ 168.90



City of Apopka

CITY COUNCIL STAFF REPORT

Type of Form: Public Hearing/Ordinances/Resolution

Meeting Date: September 7, 2022

Department: City Administrator

SUBJECT:

Resolution No. 2022-38 Imposing the Uniform Method of Collections for Non-Ad Valorem Special Assessments levied within the Lovell Terrace Neighborhood Improvement District, an incorporated area of the City of Apopka, and certifying the rate to the Orange County Property Appraiser and Tax Collector.

REQUEST:

Accept for first reading of Resolution of 2022-38 and hold over for second reading.

SUMMARY:

Resolution No. 2022-38 provides for the establishment of the non-ad valorem rate on real property within the Lovell Terrace Neighborhood Improvement District on an annual basis as authorized by Section 197.3632. Florida Statute, as amended.

The funds assessed are solely for the benefit of the property owners within the district, and shall be placed in a trust fund for the monthly costs of providing for the general maintenance and upkeep of common properties and providing services therein.

NOTE: The homeowners within this development have allowed the Homeowners Association to fold and common properties like the retention pond and development fencing have been abandoned and are no longer being maintained accordingly.

FUNDING SOURCE:

Non-Ad Valorem Assessment

RECOMMENDED MOTION:

Establish the non-ad valorem special assessment rate and hold over for a second reading and adoption on September 14, 2022.

ATTACHMENTS:

- Copy of Resolution (Document)
- Map of the Special Assessment Area

RESOLUTION NO. 2022-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, ADOPTING A NON-AD VALOREM TAX ASSESSMENT ROLL FOR THE LOVELL TERRACE NEIGHBORHOOD IMPROVEMENT DISTRICT; PROVIDING DIRECTION TO THE FINANCE DIRECTOR FOR CERTIFICATION AND TRANSMISSION OF THE ASSESSMENT ROLL TO THE ORANGE COUNTY TAX COLLECTOR; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Lovell Terrace Subdivision was constructed in the early 1980's and the developer, in accordance with the Orange County building requirements, created the Lovell Terrace Property Owners Association, Inc. ("Association");

WHEREAS, upon buildout of the Subdivision, the Developer relinquished all rights and privileges to the Association, of which the property owners within the subdivision were members;

WHEREAS, as of September 27, 2019, the Association was administratively dissolved for failure to file an annual report by the State of Florida;

WHEREAS, the former common properties of the Association are no longer being maintained or being kept;

WHEREAS, the City in an effort to combat crime, improve public safety and maintain property values finds it in the best interest of the homeowners within the development to create a Neighborhood Improvement District as outlined in Chapter 38, Article III, Code of Ordinances for the City of Apopka, for the care and maintenance of common areas and properties previously the responsibility of the development's homeowners' association;

WHEREAS, the City Council found it in the best interest of the City and its residents, has created the MSBU for the continued care and maintenance of the common property for the annual cost associated with the operation of the MSBU;

WHEREAS, the City Council finds that each parcel of property within Lovell Terrace Neighborhood Improvement District, as specified in Exhibit A attached hereto and incorporated herein, shall be specifically benefited by the upkeep of the property in an amount equal to or greater in kind and degree than other properties within the City;

WHEREAS, the owners of each lot or parcel of land within the boundaries of the municipal service benefit unit have been provided with notice by mail on their Orange County TRIM Notice of the public hearing substantially notifying them of the special assessment charge that will be levied against their lot or parcel or land;

WHEREAS, the 2022/2023 fiscal year will be the first year of the assessment in which the property owners of Lovell Terrace Neighborhood Improvement District will be assessed for the costs of the district, and the cost associated with the operation of the district shall be ongoing subject to being reviewed annually;

WHEREAS, the City of Apopka has notified the Orange County Property Appraiser of the cost associated with the operation of the Neighborhood Improvement District by means of mailing the Truth in Millage ("TRIM") notice on the cities levy of the non-ad valorem assessment per parcel in accordance with Section 197.3632, Florida Statutes;

WHEREAS, the uniform method of collecting non-ad valorem assessments, as authorized by Section 197.3632, Florida Statutes, provides for the collection of non-ad valorem assessments by utilizing the tax bills issued for the collection of ad valorem taxes;

WHEREAS, the City Council finds that the use of the uniform method of collection, as authorized by Section 197.3632, Florida Statutes, will result in the more effective collection of the special assessments levied within Neighborhood Improvement Lighting District: and

WHEREAS, in accordance with the requirements of Section 197.3632, Florida Statutes, the City Council held a duly advertised hearing prior to the final adoption of this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, that:

SECTION I. The foregoing finding are incorporated herein by reference and made part hereof.

SECTION II. The City Council hereby adopts to utilize the uniform method of collecting non-ad valorem assessments, as provided in Section 197.3632, Florida Statutes, for collecting the non-ad valorem assessments specified herein.

SECTION III. The City Council adopts the non-ad valorem levy(s) to be set at Three Hundred (\$300.00) Dollars annually, unless otherwise changed by the City Council by means of a Public Hearing.

SECTION IV. The City Finance Director, or designee, is hereby authorized and designated to certify the non-ad valorem assessment roll and submit it to the Tax Collector or compatible electronic medium, as provided in Section 197.3632, Florida Statutes, and to take additional procedural steps as may be necessary for the collection of side non-ad valorem assessment roll by the Tax Collector.

SECTION V. This Resolution shall become effective upon final adoption by the City Council.

ATTEST:

CITY COUNCIL OF THE CITY OF
APOPKA, FLORIDA

Susan M. Bone
City Clerk

Bryan Nelson
Mayor

APPROVED as to form and legal sufficiency

Michael A. Rodríguez
City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: The Apopka Chief on August 26th and September 2, 2022.

EXHIBIT A

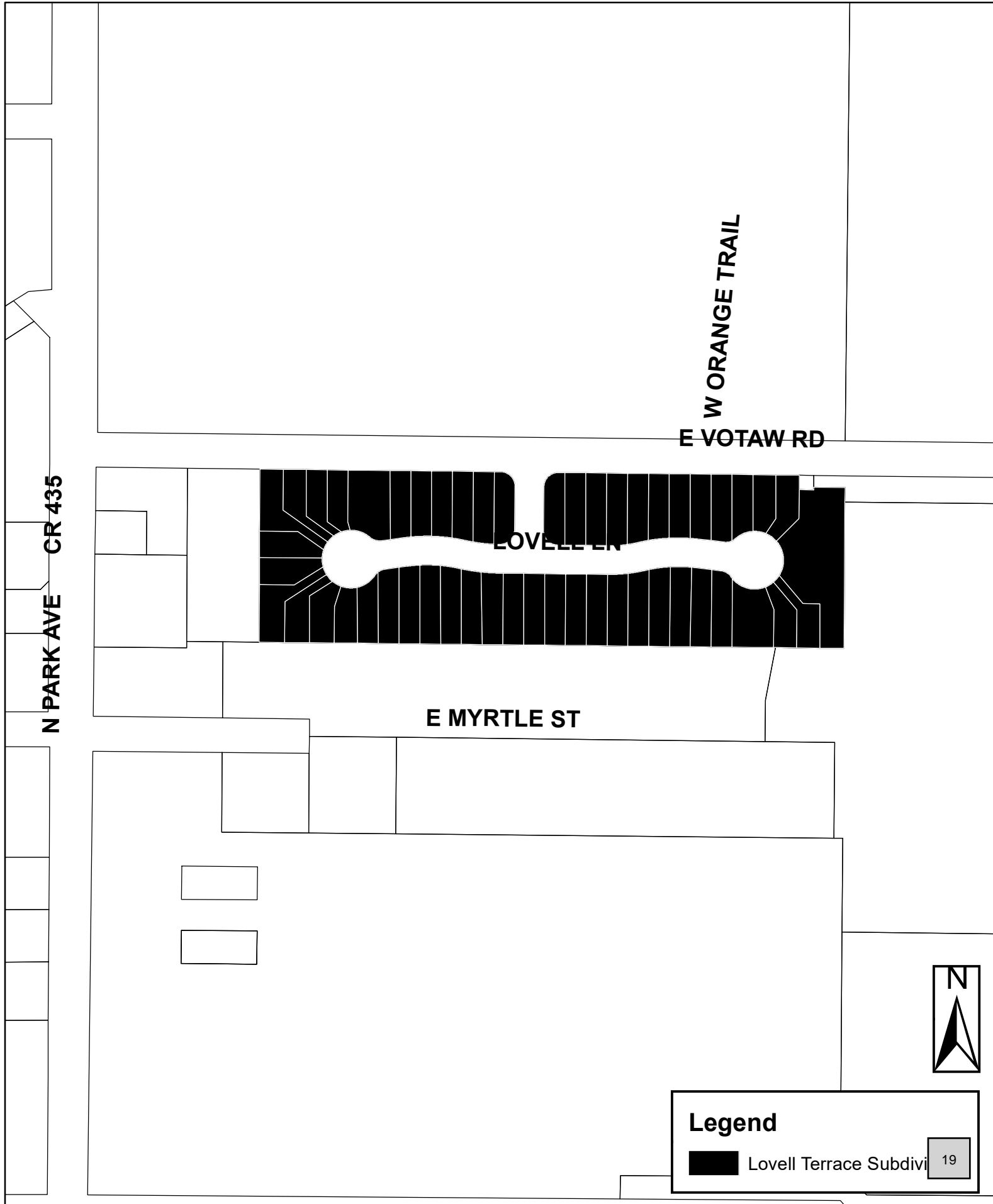
LOVELL TERRACE NEIGHBORHOOD IMPROVEMENT DISTRICT

A Neighborhood Improvement District is hereby established for all land within the following described area all lying and being within the incorporated limits of the City of Apopka, Florida:

LOVELL TERRACE

THE NORTH $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 10, TOWNSHIP 21 SOUTH, RANGE 28 EAST, LESS THE WEST 330.0 FEET AND NORTH 30.0 FEET FOR RIGHT-OF-WAY OF VOTAW ROAD, ALL LYING IN ORANGE COUNTY, FLORIDA.

Vicinity



LOVELL TERRACE

	Number	Qty	Cost Per	Annually	Per Parcel
Maintenance	1 Mowing of Retention Pond & ROW	28	140.00	\$ 3,920.00	
	2 Retention Pond Repairs (Overflow and Seeding)	1	5200.00	\$ 5,200.00	
	3 Pressure Wash Entrance Signage	1	250.00	\$ 250.00	
	4 Retention Pond Engineering Report	1	4500.00	\$ 4,500.00	

TOTALS

\$13,870.00 \$ 13,870.00

Orange County Appraiser
 Orange County Tax Collector
 City of Apopka Administrative
 Contingency Reserve

Administrative Fee - \$1.00 per parcel \$ -
 Discount for Early Payment Fee 4%* \$ 554.80
 Administrative Fee 1.5% \$ 208.05
 \$ 693.50

TOTAL DEVELOPMENT ASSESSMENT COST \$ 15,326.35

BUILDABLE LOTS 51
TOTAL ANNUAL ASSESSMENT PER PARCEL \$ 300.52

ACTUAL ASSESSMENT AS ADVERTISED \$ 300.00

NOTE: The common fence line along Votaw Road will also need some repair and upkeep in the near future. After we obtain an engineering study of the retention ponds current condition we will address the fence along the roadway.



City of Apopka

CITY COUNCIL STAFF REPORT

Type of Form: Public Hearing/Ordinances/Resolution

Meeting Date: September 7, 2022

Department: City Administrator

SUBJECT:

Resolution No. 2022-39 Adjusting the Non-Ad Valorem Special Assessment rate for the Maine Avenue Villas Neighborhood Improvement District, an incorporated area of the City of Apopka, and certifying the rate to the Orange County Property Appraiser and Tax Collector.

REQUEST:

Accept for first reading of Resolution of 2022-39 and hold over for second reading.

SUMMARY:

Resolution No. 2022-39 is a request in accordance with Section 197.3632, Florida Statute setting forth the requirement that a Public Hearing be advertised and held, informing the public that the City Council hereby intends to reduce the rate associated with the Maine Avenue Villas Neighborhood Improvement Special Assessment District. The district is responsible for the general upkeep and maintenance of the common wall for the development, the retention areas, mowing of common property, street lighting services, wall painting and maintenance and other facilities and program cost related with the sub development. The reduced rate will take effect on October 1, 2022 and appear on the property owners Ad-Valorem Tax Bill.

Rate is adjusting from \$490.00 to \$350.00 per year.

NOTE: Notice to the property owners was provided on their Orange County Truth-In-Millage (TRIM) notice and advertised in the local newspaper.

FUNDING SOURCE:

Non-Ad Valorem Assessment

RECOMMENDED MOTION:

Establish the non-ad valorem special assessment rate and hold over for a second reading and adoption on September 14, 2022.

ATTACHMENTS:

- Copy of Resolution (Document)

RESOLUTION NO. 2022-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, ADJUSTING A NON-AD VALOREM TAX ASSESSMENT ROLL FOR THE MAINE AVENUE VILLAS SUBDIVISION; PROVIDING DIRECTION TO THE FINANCE DIRECTOR FOR CERTIFICATION AND TRANSMISSION OF THE ASSESSMENT ROLL TO THE ORANGE COUNTY TAX COLLECTOR; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Apopka established the Maine Avenue Villas Neighborhood Improvement Assessment in 2014 for the upkeep and maintenance of common property within the development to wit the retention pond, development median strip(s), streetlighting, common property and common subdivision wall;

WHEREAS, the City Staff has determined that the developments Non-Ad Valorem operating account is sufficient for future operating expenses with a reduction to the Non-Ad Valorem rate, and;

WHEREAS, the City Council found it in the best interest of the City and the special district property owners, that the MSBU assessment should be adjusted accordingly from time to time for the continued operation and annual cost associated with the operation of the MSBU;

WHEREAS, the owners of each lot or parcel of land within the boundaries of the municipal service benefit unit established shall be assessed, and has been notified via the Orange County Property Appraisers Truth in Millage ("TRIM") Notification on the cities levy of the non-ad valorem assessment in accordance with Section 197.3632, Florida Statutes;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, that:

SECTION I. The foregoing finding are incorporated herein by reference and made part hereof.

SECTION II. The City Council hereby reduces the non-ad valorem assessments specified herein.

SECTION III. The City Council hereby adopts the non-ad valorem levy of \$350.00 annually unless otherwise changed by the City Council by means of a Public Hearing.

SECTION IV. The City Finance Director, or designee, is hereby authorized and designated to certify the non-ad valorem assessment roll and submit it to the Tax Collector or compatible electronic medium, as provided in Section 197.3632, Florida Statutes, and to take additional procedural steps as may be necessary for the collection of side non-ad valorem assessment roll by the Tax Collector.

SECTION V. This Resolution shall become effective upon final adoption by the City Council.

ATTEST:

CITY COUNCIL OF THE CITY OF
APOPKA, FLORIDA

Susan M. Bone
City Clerk

Bryan Nelson
Mayor

APPROVED as to form and legal sufficiency

Michael A. Rodríguez
City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: The Apopka Chief on August 26th and September 2, 2022.