

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

BLUE SHEET NO: 20031505

1. REQUESTED MOTION:

ACTION REQUESTED: Adopt and certify by resolution, an Amendment to the Residential and Commercial Solid Waste Annual Special Assessment Rolls for fiscal year 2003/2004. Authorize staff to perform all necessary administrative tasks to notify, bill, and collect assessments from customers.

WHY ACTION IS NECESSARY: To add certain residential, multi-family, and commercial properties to the Assessment Roll that were not included in the original Roll certified by the BOCC on September 9, 2003.

WHAT ACTION ACCOMPLISHES: Complies with Lee County Ordinances 00-20 and 96-09, both as amended, Florida Administrative Code and County Administrative Code, Policies and Procedures that provide for the collection of the Solid Waste Special Assessments for Fiscal Year 2003/2004 and supplements the original Roll with properties that were not included in the Roll previously certified.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #: CW

5:00 #3

3. MEETING DATE:

01-13-2004

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. REQUIREMENT/PURPOSE:

- (Specify)
- STATUTE 125.01
 - ORDINANCE 00-20, 96-09
 - ADMIN. CODE 12D-18.003-006 FAC
 - OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER:
- B. DEPARTMENT: Lee County-Public Works
- C. DIVISION/SECTION: Solid Waste Division
- BY: Lindsey Sampson, Solid Waste Director

DATE: 12/22/03

Lindsey J. Sampson

7. BACKGROUND:

The BOCC adopted by Resolution 03-07-23, the FY2003/2004 Residential and Commercial Solid Waste Collection and Disposal Rates and Annual Special Assessments and MSTU Millage on July 23, 2003. The BOCC certified the Solid Waste Annual Special Assessment Rolls to the Tax Collector on September 9, 2003.

It has recently been discovered that approximately 1400 residential, 700 multi-family, and 100 commercial units that received certificates of occupancy during fiscal year 2003 were not included in the updated Assessment Rolls prepared by the Property Appraiser and presented to the BOCC as stated above.

It is now necessary and appropriate to adopt an amendment to the Solid Waste Special Assessment Rolls such that these properties will be assessed in accordance with County Ordinances. The Solid Waste Division will issue a letter of explanation to each property owner that will be included with a County bill informing the respective property owners as to the reason for the assessment. The billings will be mailed separately and will not be on a revised tax bill this year. The County will add any unpaid assessment amounts to the 2004 Tax Bill that will be sent from the Tax Collector's office in November 2004.

MANAGEMENT RECOMMENDATIONS: Adopt and Certify by Resolution the Amendment to the Residential and Commercial Solid Waste Annual Special Assessment Rolls for fiscal year 2003/2004.

9. RECOMMENDED APPROVAL

A DEPARTMENT DIRECTOR	B PURCH. OR CONTRACTS	C HUMAN RESOURCES	D OTHER	E COUNTY ATTORNEY	F BUDGET SERVICES				G COUNTY MANAGER
					OA	OM	Risk	GC	
<i>J. J. Jumper</i> 12-23-03	N/A	N/A		<i>J. J. Jumper</i> 12/24/03	<i>P.M.</i> 12/29/03	<i>RK for</i> <i>SG 12/29</i>	<i>or</i> 12/29/03	<i>P.M.</i> 12/29/03	<i>J. J. Jumper</i> 12-23-03

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 12-23-03
Time: 5:20
Forwarded To:
12-24-03 11:00 AM

RECEIVED BY
COUNTY ADMIN: PM
12/24/03
11:05 am
COUNTY ADMIN
FORWARDED TO:
12/30/03 10:40

RESOLUTION NO. _____

CERTIFICATION OF AMENDMENT NUMBER ONE TO THE LEE COUNTY SOLID WASTE COLLECTION AND DISPOSAL ANNUAL ASSESSMENT ROLLS AND MSTU TAX ROLL FOR FISCAL YEAR 2003-2004, FOR COLLECTION BY THE LEE COUNTY SOLID WASTE DIVISION FOR FISCAL YEAR 2003-2004.

WHEREAS, pursuant to the provisions of Lee County Ordinance 86-14, as amended and restated by Lee County Ordinances 00-20 and 96-09, both as amended, the Board of County Commissioners of Lee County is required to certify the Residential and Commercial Mandatory Solid Waste Collection and Disposal Annual Special Assessment Roll, Facilities Special Assessment Roll and MSTU Tax Roll to the Lee County Tax Collector for collection of the Annual Solid Waste Collection and Disposal Assessments and MSTU Millage; and,

WHEREAS, on September 9, 2003, the Board of County Commissioners certified the Residential and Commercial Mandatory Solid Waste Collection and Disposal Annual Special Assessment Roll, Facilities Special Assessment Roll and MSTU Tax Roll to the Lee County Tax Collector for the Fiscal Year 2003-2004 (tax year 2003); and,

WHEREAS, it is the desire of the Board of County Commissioners on this date to adopt and certify Amendment Number One to the Residential and Commercial Solid Waste Collection and Disposal Annual Special Assessment Roll, Facilities Special Assessment Roll and MSTU Tax Roll to the Lee County Tax Collector for collection of the Annual Assessments and MSTU Millage for the period from October 1, 2003, through and including September 30, 2004, such additional Special Assessments to be collected by the Lee County Solid Waste Division by a separate billing process or by the Lee County Tax Collector pursuant to the Uniform Method for Collection of Non-Ad Valorem Special Assessments under Section 197.3632, Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA that:

SECTION ONE

Amendment Number One to the Residential and Commercial Mandatory Solid Waste Collection and Disposal Annual Special Assessment Roll, and Facilities Assessment Roll, consisting of Residential, Multi-Family, and Commercial properties, as developed by the Lee County Property Appraiser pursuant to Lee County Resolution No. 03-07-23 are hereby officially adopted and certified to the Lee County Tax Collector for the collection of the Annual Special Assessments and MSTU Millage, pursuant to the Uniform Method of Collection for Non-Ad Valorem Special Assessments under Section 197.3632, Florida Statutes.

SECTION TWO

The Special Assessments included in this Amendment Number One shall be billed to the respective property owners on a separate billing administered by the Lee County Solid Waste Division. Any assessment amounts not paid in their entirety by September 30, 2004, shall be included as part of the Annual Special Assessment Roll for Fiscal Year 2004-2005 (tax year 2004) and collected by the Lee County Tax Collector pursuant to the Uniform Method of Collection for Non-Ad Valorem Special Assessments under Section 197.3632, Florida Statutes.

SECTION THREE

The effective period for the collection of the Special Assessments and MSTU Millage pursuant to the certified Residential and Commercial Assessment Rolls and MSTU Tax Roll, including this Amendment Number One, shall be from October 1, 2003, through and including September 30, 2004, and which shall also include all new certified structures added to the Assessment Rolls or MSTU Tax Roll during that period.

SECTION FOUR

This Resolution shall become effective immediately upon its adoption by the Board of County Commissioners.

SECTION FIVE

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and, being put to vote, the vote was as follows:

BOB JANES	_____
DOUGLAS ST. CERNY	_____
RAY JUDAH	_____
ANDREW W. COY	_____
JOHN E. ALBION	_____

DULY PASSED AND ADOPTED THIS _____ day of _____, 2004.

ATTEST: CHARLIE GREEN
CLERK OF COURTS

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Deputy Clerk

BY: _____
Chairman

APPROVED AS TO FORM:

BY: _____
Office of the County Attorney