

**RESOLUTION 17- 09**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SPRINGFIELD, FLORIDA, RELATING TO NUISANCE ABATEMENT WITHIN THE CITY; CONFIRMING THE INITIAL ASSESSMENT RESOLUTION; PROVIDING AUTHORITY AND DEFINITIONS; CREATING THE NUISANCE ABATEMENT ASSESSMENT AREA; AMENDING AND APPROVING THE NUISANCE ABATEMENT ASSESSMENT ROLL; PROVIDING FOR THE IMPOSITION OF THE NUISANCE ABATEMENT ASSESSMENTS; PROVIDING FOR COLLECTION OF THE ASSESSMENTS PURSUANT TO THE UNIFORM ASSESSMENT COLLECTION ACT; PROVIDING FOR THE EFFECT OF THIS RESOLUTION; PROVIDING SEVERABILITY; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.**

WHEREAS, the City Commission of the City of Springfield (the "City") has adopted Ordinance 524 (the "Assessment Ordinance") and Ordinance 525, (the "Nuisance Ordinance"), as codified in the City's Code of Ordinances and which collectively provide for the imposition of special assessments for nuisance abatement which benefit property within the Assessment Area; and

WHEREAS, on August 7, 2017, the City Commission adopted Resolution No. 17-05 (the "Initial Assessment Resolution") proposing the creation of the Nuisance Abatement Assessment Area, describing the method of assessing the Nuisance Abatement Service Cost against the real property that will be specially benefitted thereby, and directing preparation of the Nuisance Abatement Roll and the provision of the notices required by law; and

WHEREAS, pursuant to the provisions of law, the City Commission is required to confirm or repeal the Initial Assessment Resolution with such amendments as the City Commission deems appropriate after hearing comments and receiving objections of all interested parties; and

WHEREAS, the Assessment Roll has been filed with the Mayor or his designee, as required by law; and

WHEREAS, as required by law, notice of a public hearing has been published and mailed to each property owner proposed to be assessed notifying such property owner of the opportunity to be heard concerning the assessments; the proof of publication and an affidavit of mailing are attached hereto as Appendices A and B respectively; and

WHEREAS, a public hearing has been duly held on September 5, 2017, and comments and objections of all interested persons have been heard and considered as required by law.

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SPRINGFIELD, FLORIDA, AS FOLLOWS:**

**SECTION 1. AUTHORITY.** This Final Assessment Resolution is adopted pursuant to law, the Initial Assessment Resolution, as amended herein, Chapter 166, Florida Statutes, Article VIII, Section 2, Florida Constitution, and other applicable provisions of law.

**SECTION 2. DEFINITIONS.** This Resolution is the Final Assessment Resolution. All capitalized terms in this Final Assessment Resolution shall have the meanings defined in the Initial Assessment Resolution, as amended herein.

**SECTION 3. CREATION OF ASSESSMENT AREAS.**

(A) The Nuisance Abatement Assessment Area is hereby created to include all property described in Section 3.01 and Appendix A to the Initial Assessment Resolution.

(B) The Nuisance Abatement Service Area is hereby created as an Assessment Area to include all property described in Section 3.01 of the Initial Assessment Resolution.

**SECTION 4. CONFIRMATION OF INITIAL ASSESSMENT RESOLUTION.** The Initial Assessment Resolution, as amended herein, is hereby ratified and confirmed. The Nuisance Abatement Service and the Nuisance Abatement Service Cost identified in the Initial Assessment Resolution are hereby determined to be an Essential Service and a Service Cost, respectively, as defined in the Assessment Ordinance.

**SECTION 5. APPROVAL OF NUISANCE ABATEMENT SERVICE COSTS.**

(A) The Nuisance Abatement Service Costs comprising the Nuisance Abatement Assessment for each Tax Parcel are found and determined to be fairly and equally apportioned among the Tax Parcels identified on the Nuisance Abatement Assessment Roll.

(B) The following Nuisance Abatement Service Costs are hereby allocated among the following Tax Parcels for Service Costs incurred by the City to date:

PARCEL ID	PROPERTY OWNER	SERVICE COST
14983-000-000	Charlie & Doris Hill	\$3,091.98
15139-000-000	Beneficiaries of the Estate of Vernon L. Jimmerson n/k/a Vernon Louise Kittrel	\$3,091.98

**TOTAL NUISANCE ABATEMENT ASSESSMENTS \$6,183.96**

(C) The Nuisance Abatement Service Costs established in this Final Assessment Resolution shall be the actual Service Costs applied by the City to establish the Nuisance Abatement Assessment Roll for the Fiscal Year commencing October 1, 2017.

**SECTION 6. APPROVAL OF ASSESSMENT ROLL.** The preliminary Nuisance Abatement Assessment Roll is hereby amended to reflect the Service Costs

set forth in Section 5(B) of this Final Assessment Resolution. The Nuisance Abatement Assessment Roll, as amended in accordance with this Section to conform to the Service Costs set forth in Section 5(B), is hereby approved, confirmed and adopted as the City's Nuisance Abatement Assessment Roll for the Fiscal Year commencing October 1, 2017.

**SECTION 7. IMPOSITION OF ASSESSMENTS TO FUND NUISANCE  
ABATEMENT.**

(A) The Tax Parcels described in the Nuisance Abatement Assessment Roll are hereby found to be specifically benefitted by the provision of the Nuisance Abatement services and programs in the amount of the Nuisance Abatement Assessment set forth in the Nuisance Abatement Assessment Roll.

(B) For the Fiscal Year commencing October 1, 2017, the Nuisance Abatement Service Cost for the Nuisance Abatement Assessment Area shall be calculated and apportioned based upon the actual cost of Nuisance Abatement. The costs as set forth in the Initial Assessment Resolution, as amended by this Resolution, are hereby approved and found to be a fair and reasonable method of assessing the costs for the benefited properties.

(C) The Nuisance Abatement Assessments as set forth in the Initial Assessment Resolution, as amended by this Resolution and as set forth in the Nuisance Abatement Assessment Roll, are hereby levied and imposed on all Tax Parcels described in the Nuisance Abatement Assessment Roll for the Fiscal Year commencing October 1, 2017.

(D) Upon adoption of this Final Assessment Resolution, the Nuisance Abatement Assessments shall constitute a lien against the assessed properties equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles, and claims until paid. The lien

shall be deemed perfected upon adoption by the City Commission of this Final Assessment Resolution and shall attach to the property included on the Assessment Roll as of the prior January 1, the lien date for ad valorem taxes.

**SECTION 8. COLLECTION OF ASSESSMENTS.**

(A) The Nuisance Abatement Assessments shall be collected pursuant to the Uniform Assessment Collection Act.

(B) Upon adoption of this Final Assessment Resolution, the Mayor or his designee shall cause the certification and delivery of the Assessment Roll to the Tax Collector by September 15, 2017, in the manner prescribed by the Uniform Assessment Collection Act. The Assessment Roll, as delivered to the Tax Collector, shall be accompanied by a Certificate to Non-Ad Valorem Assessment Roll in substantially the form attached hereto as Appendix C.

**SECTION 9. EFFECT OF FINAL RESOLUTION.** The adoption of this Final Assessment Resolution shall be the final adjudication of the issues presented herein and in the Initial Assessment Resolution (including, but not limited to, the method by which the Assessments are computed, the Nuisance Abatement Assessment Roll, the terms for prepayment of the Assessments, the levy and lien of the Assessments, and the special benefit to assessed property) unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of the City Commission action on this Final Assessment Resolution.

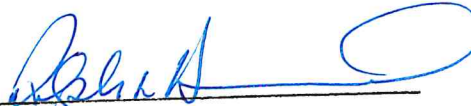
**SECTION 10. SEVERABILITY.** The provisions of this Final Assessment Resolution are severable; and if any section, subsection, sentence, clause or provision is held invalid by any court of competent jurisdiction, the remaining provisions of this Final Assessment Resolution shall not be affected thereby.

**SECTION 11. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its adoption.

PASSED, ADOPTED AND APPROVED this 5<sup>th</sup> day of September,


2017.

CITY COMMISSION OF  
SPRINGFIELD, FLORIDA

By:   
Ralph Hammond, Mayor

(SEAL)

Attest:

By:   
D. Lee Penton, City Clerk

Attachments:      Appendix A – Proof of Publication  
                         Appendix B – Affidavit of Mailing  
                         Appendix C – Form of Certificate to Non-Ad Valorem  
                         Assessment Roll

# The News Herald

501 W. 11<sup>th</sup> Street  
 P.O. Box 1940, Panama City, FL 32401  
 Published Daily  
 Panama City, Bay County Florida

## State of Florida County of Bay

Before the undersigned authority personally appeared Angella Clagg, who on oath says that she is a Legal Advertising Representative of The News Herald, a newspaper published at Panama City in Bay County, Florida; that the attached copy of advertisement, being a Legal Advertisement #1176714 in the matter of NOTICE OF HEARING - City of Springfield in the Bay County Court, was published in said newspaper in the issue of August 15, 2017.

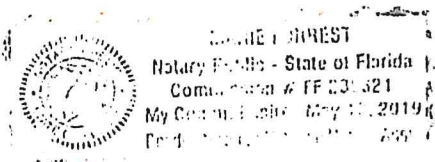
Affiant further says that the said The News Herald is a newspaper published at Panama City, in said Bay County, Florida, is a direct successor of the Panama City News and that the said newspaper, together with its direct predecessor, has heretofore been continuously published in said Bay County, Florida, each day (except that the predecessor, Panama City News, was not published on Sundays) and has been entered as periodicals matter at the post office in Panama City, in said Bay County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that (s)he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

*Angella Clagg*

State of Florida  
 County of Bay

Sworn to and subscribed before me this 14th day of August, A.D., 2017.  
 By Angella Clagg, Legal Advertising Representative of The News Herald, who is personally known to me or has produced N/A as identification.

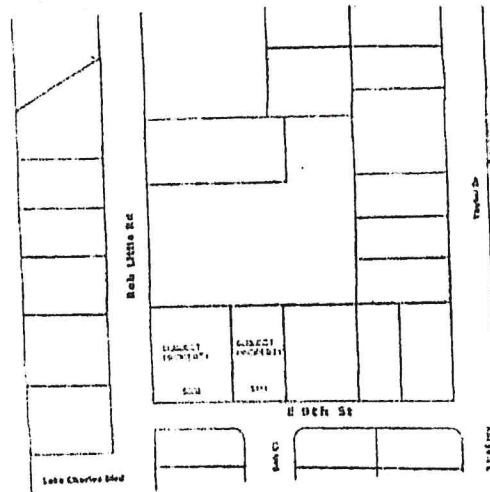
*Notary Public*  
 Notary Public, State of Florida at Large



### NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF SPECIAL ASSESSMENTS

Notice is hereby given that the City Commission of Springfield, Florida, will conduct a public hearing to consider adoption of a final assessment resolution related to the nuisance abatement imposition of special assessments to reimburse the City for services undertaken by the City of Springfield to abate a nuisance on the following properties:

PARCEL ID	PROPERTY OWNER	PROPERTY ADDRESS
14983.000-000	Charlie & Doris Hill	5009 E. 9th Street Springfield, FL 32401
15139.000-000	Beneficiaries of the Estate of Vernon E. Jamerson n/k/a Vernon Louise Kittell	5111 E. 9th Street Springfield, FL 32401



The Nuisance Abatement final assessment resolution will provide for the imposition of special assessments, sometimes characterized as non-ad valorem assessments, against property located within the boundaries of the City and collection of the assessments by the uniform billing method described in Section 3.01 of City Ordinance No. 524. The hearing will be held at 5:30 PM on September 5, 2017, at Commission Chambers of City Hall, 3529 East Third Street, Springfield, Florida 32401. All affected property owners have a right to appear at the hearing and to file written objections with the City Commission within twenty (20) days of this notice.

The assessments have been proposed to fund nuisance abatement related essential services and improvements throughout the municipal boundaries of the City. The assessment for each tax parcel within the Assessment Area will be based upon the actual costs incurred by the City attributable to the abatement of a nuisance on each tax parcel as of the date the assessments are imposed. A more specific description of the nuisance abatement related services and improvements and the method of computing the assessment for each parcel of property are set forth in the Initial Assessment Resolution adopted by the City Commission on August 7, 2017. Copies of the Initial Assessment Resolution and the preliminary Nuisance Abatement Assessment Roll together with Ordinance 524 (the Assessment Ordinance) and Ordinance 525 (the Nuisance Ordinance) are available for inspection at the office of the City Clerk, located at City Hall, 3529 East Third Street, Springfield, Florida.

If you have any questions, please contact the City Clerk's Office at (850) 872-7570.

ANY PERSON WISHING TO ENSURE THAT AN ADEQUATE RECORD OF THE PROCEEDINGS IS MAINTAINED FOR APPELLATE PURPOSES IS ADVISED TO MAKE THE NECESSARY ARRANGEMENTS FOR RECORDING AT HIS OR HER OWN EXPENSE.

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK AT LEAST 48 HOURS IN ADVANCE OF THE MEETING AT 850-872-7570.

AFFIDAVIT OF MAILING

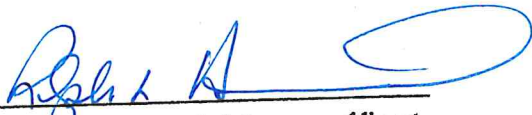
BEFORE ME, personally appeared the undersigned affiant, who after being duly sworn depose and say:

(1) I am the Mayor of the City of Springfield, Florida (the "City").

(2) On or before August 14, 2017, I facilitated and directed the mailing of notice in accordance with Section 2.05 of City Resolution No. 17-05, the Initial Assessment Resolution (the "Initial Assessment Resolution") and Section 2.06 of City Ordinance No. 524 (the "Assessment Ordinance"), to each owner of improved real property located within the Nuisance Abatement Assessment Area anticipated to be subject to the Nuisance Abatement Assessments contemplated by the Initial Assessment Resolution, as reflected on, and at the addresses then shown on, the real property assessment tax roll database maintained by the Bay County Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

(3) An exemplary form of such notice is attached hereto.

FURTHER AFFIANT SAYETH NAUGHT.

  
Ralph Hammond, Mayor, affiant

STATE OF FLORIDA  
COUNTY OF BAY

The foregoing Affidavit of Mailing was sworn to and subscribed before me this \_\_\_\_ day of August 2017, by Ralph Hammond, Mayor of the City of Springfield, Florida. He is personally known to me or has produced \_\_\_\_\_ as identification and did take an oath.

(SEAL)

Printed/Typed Name: \_\_\_\_\_  
Notary Public-State of \_\_\_\_\_  
Commission Expires: \_\_\_\_\_




**Certificate to  
Non-Ad Valorem Assessment Roll  
(Nuisance Abatement)**

I, the undersigned, hereby certify that I am the Mayor of the City of Springfield, Florida, located in Bay County, Florida; as such, I have satisfied myself that all property included or includable on the Non-Ad Valorem Assessment Roll\* for the aforesaid county is property assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

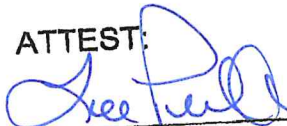
I further certify that, upon completion of this certificate and the attachment of same to the herein described Non-Ad Valorem Assessment Roll\* as a part thereof, said Non-Ad Valorem Assessment Roll will be delivered to the Tax Collector of this county.

In witness whereof, I have subscribed this certificate and caused the same to be attached to and made a part of the above described Non-Ad Valorem Assessment Roll this the 5th day of Sept, 2017.

\*FY2017-18 Springfield  
Certified Nuisance Abatement Non-Ad  
Valorem Assessment Roll  
Prepared and furnished  
to Bay County

  
\_\_\_\_\_  
Mayor Ralph Hammond  
City of Springfield, Florida  
Bay County, Florida

ATTEST:

  
\_\_\_\_\_  
D. Lee Penton, City Clerk

AFFIDAVIT OF MAILING

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(3) An exemplary form of such notice is attached hereto.

FURTHER AFFIANT SAYETH NAUGHT.

*Ralph Hammond*  
\_\_\_\_\_  
Ralph Hammond, Mayor, affiant

STATE OF FLORIDA  
COUNTY OF BAY

The foregoing Affidavit of Mailing was sworn to and subscribed before me this 5<sup>th</sup> day of August 2017, by Ralph Hammond, Mayor of the City of Springfield, Florida. He is personally known to me or has produced \_\_\_\_\_ as identification and did take an oath.



*Lee Penton*  
\_\_\_\_\_  
Printed/Typed Name: Lee Penton  
Notary Public-State of FL  
Commission Expires: 8/28/2021