



Commission Meeting
IV. Public Hearing

September 7, 2021 @ 5:30 p.m.
Item No. 6

Final Nuisance Abatement

Note: This is the final nuisance abatement assessment completing the process to add costs to the tax rolls for Parcels #23576-000-000, 24212-000-000, and 23759-010-000.

Recommendation/ Motion:

Motion to approve / disapprove the Resolution 21- 07 Final Nuisance Abatement Assessment.

RESOLUTION 21-07

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 2, 2021, the City Commission adopted Resolution No. 21-04 (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 mailed to each property owner proposed to be assessed notifying such property owner of the opportunity to be heard concerning the assessments; an affidavit of mailing is attached hereto as Appendix A; and

WHEREAS, a public hearing has been duly held on September 7, 2021, 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 | PROPERTY ADDRESS | SERVICE COST |
|---------------|--|---|--------------|
| 23576-000-000 | Felton J. Warren, Jr. and Jennifer Tetreault | 3607 E. 4 th Street Springfield, FL 32401 | \$18,475.46 |
| 24212-000-000 | Ronejbay Investment Properties, LLC and Catherine Piercy | 3400 1 st Court Springfield, FL 32401 | \$11,682.42 |
| 23759-010-000 | Nancy L. Dauch and Helen Bush | 3118 Hwy. 98 E. Springfield, FL 32401 | \$19,675.46 |

TOTAL NUISANCE ABATEMENT ASSESSMENTS **\$49,833.34**

(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, 2021.

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, 2021.

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, 2021, 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, 2021.

(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, 2021, 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.

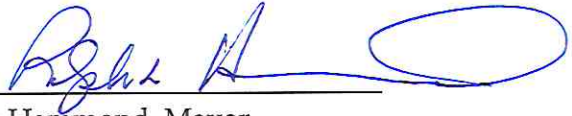
SECTION 10. SEVERABILITY. The provisions of this Final Assessment Resolution are severable; and if any section, subsection, sentence, clause or provision is held invalid by any court of competent jurisdiction, the remaining provisions of this Final Assessment Resolution shall not be affected thereby.

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


PASSED, ADOPTED AND APPROVED this 7th day of September, 2021.



**CITY COMMISSION OF
SPRINGFIELD, FLORIDA**

By: 
Ralph Hammond, Mayor

Attest:

By: 
Teresa Cox, City Clerk

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

Appendix A—Affidavit of Mailing

AFFIDAVIT OF MAILING

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

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

(2) On or before August 3, 2021, I facilitated and directed the mailing of notice in accordance with Section 2.05 of City Resolution No. 21-04, 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.

Kevin Obos, City Attorney, affiant

STATE OF FLORIDA
COUNTY OF BAY

The foregoing Affidavit of Mailing was sworn to and subscribed before me by means of physical presence or online notarization this 3rd day of September 2021, by Kevin Obos, City Attorney of the City of Springfield, Florida.

- who is personally known to me OR
- who has produced (type of identification) as identification.



Notary Public-State of Florida
Commission Expires: _____

SPRINGFIELD, FLORIDA

NOTICE OF HEARING
TO IMPOSE AND TO PROVIDE FOR COLLECTION OF
NUISANCE ABATEMENT RELATED SPECIAL ASSESSMENTS IN SPRINGFIELD

August 17, 2021

[Property Owner Name]
[Street Address]
[City, State and Zip]

Re: Tax Parcel Number [Insert Number]

Dear Property Owner:

In accordance with Section 197.3632, Florida Statutes, notice is hereby given by the City of Springfield that a non-ad valorem assessment for nuisance abatement services using the tax bill collection method, may be levied on your property for the fiscal year beginning on October 1, 2021. The purpose of this assessment is to recover costs arising from nuisance abatement services for the abatement of nuisances benefitting affected properties located within the City's municipal boundaries. The total property abatement assessment revenue to be collected is estimated to be \$49,833.34 for the fiscal year beginning October 1, 2021. The assessment of each parcel of property will be based upon the extent of work necessary to abate or correct a violation of the City's Code of Ordinances. The assessment will include the actual costs incurred by the City in performing any work necessary to abate or correct violations for unsafe structures or abatement of nuisances or both, including all labor, materials, disposal and administrative costs.

Copies of the Initial Assessment Resolution and the preliminary Nuisance Abatement assessment roll describing the assessments are available for your review at the offices of the City Clerk, located at City Hall, 408 School Avenue, Springfield, Florida. Information regarding the assessment for your specific property is included below.

The total amount of actual and administrative costs incurred by the City in performing the work necessary to abate or correct a violation of the City's Code of Ordinances on the above referenced parcel is \$[18,475.46/11,682.42/19,675.46] ("Nuisance Abatement Cost"). The Nuisance Abatement Assessment for the above parcel is \$[18,475.46/11,682.42/19,675.46] for the fiscal year beginning October 1, 2021.

The nuisance abatement service non-ad valorem assessment amount shown on this notice will be collected by the Bay County Tax Collector on the tax bill to be mailed in November 2021. Florida law requires that the City must inform you that failure to pay your assessment may result in foreclosure or the issuance of a tax sale certificate in the future. The City has the right to foreclose and collect delinquent assessments in any manner provided by law.

Until paid, the Nuisance Abatement assessment will constitute a lien against assessed property equal in rank and dignity with the liens of all state, City, district, or municipal taxes and other non-ad valorem assessments. Assessments shall become delinquent if not paid within thirty (30) days from the due date.

The City, in its sole discretion, shall determine whether to provide a program of hardship assistance, either through monetary contributions or extended payment terms, to City residents who are living below or close to the poverty level and are at risk of losing title to their homes as a result of the imposition of a Nuisance Abatement Assessment.

The City Commission will hold a public hearing at 5:30 PM on September 7, 2021, in the Commission Chambers at Springfield City Hall, 408 School Avenue, Springfield, Florida, for the purpose of receiving comments on the proposed assessments. You are invited to attend and participate in the hearing. You may also file written objections with the City Commission prior to or during the hearing. If you decide to appeal any decision made by the City Commission with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made.

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

THIS IS NOT A BILL. DO NOT SEND PAYMENT.

| SPRINGFIELD, FLORIDA

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.

Appendix B – Certificate

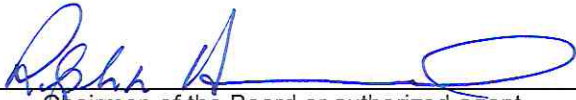


**CERTIFICATE TO
NON-AD VALOREM ASSESSMENT ROLL**

I, the undersigned, hereby certify that I am the Chairman of the Board, or authorized agent 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 properly 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 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 _____ 7th _____ day of _____ September _____, _____ 2021 _____ year.



Chairman of the Board or authorized agent
of _____ City of Springfield, Florida _____
Name of local government
_____ Bay County, Florida