

**RESOLUTION NO. 22-09**

**A RESOLUTION OF THE CITY COMMISSION OF SPRINGFIELD, FLORIDA, RELATING TO THE DELIVERY OF NUISANCE ABATEMENT RELATED SERVICES WITHIN THE CITY; PROVIDING FOR NUISANCE ABATEMENT ASSESSMENTS WITHIN THE CITY'S MUNICIPAL BOUNDARIES; ESTIMATING THE SERVICE COST TO PROVIDE NUISANCE ABATEMENT RELATED SERVICES AND PROGRAMS; ESTABLISHING THE METHOD OF ASSESSING THE NUISANCE ABATEMENT RELATED SERVICE COST AGAINST REAL PROPERTY SPECIALLY BENEFITED; DIRECTING THE MAYOR TO PREPARE A PRELIMINARY NUISANCE ABATEMENT ASSESSMENT ROLL; ESTABLISHING A PUBLIC HEARING TO CONSIDER IMPOSITION OF THE PROPOSED NUISANCE ABATEMENT ASSESSMENTS; DIRECTING THE PROVISION OF NOTICE IN CONNECTION THEREWITH; AND PROVIDING AN 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 1, 2022, the City Commission adopted Resolution No. 22-08 (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 6, 2022, 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 |
|---------------|--------------------------------|--|--------------|
| 12718-000-000 | Samuel J. Ventura, Jr., et al. | 2528 Wakulla Avenue<br>Springfield, FL 32401 | \$6,192.50   |

**TOTAL NUISANCE ABATEMENT ASSESSMENTS** **\$6,192.50**

(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, 2022.

**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, 2022.

**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, 2022, 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, 2022.

(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.

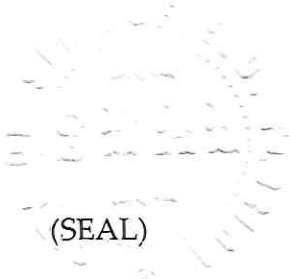
(B) Upon adoption of this Final Assessment Resolution, the Mayor or his designee shall cause the certification and delivery of the Assessment Roll to the Tax Collector by September 15, 2022, in the manner prescribed by the Uniform Assessment Collection Act. The Assessment Roll, as delivered to the Tax 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 6<sup>th</sup> day of September, 2022.



(SEAL)

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

Appendix B – Certificate