

RESOLUTION NO. 25 - ____

A RESOLUTION OF PINELLAS COUNTY, FLORIDA, RELATING TO THE COUNTY'S SURFACE WATER SERVICE ASSESSMENTS AND SURFACE WATER FEES IMPOSED ANNUALLY IN UNINCORPORATED AREAS; PROVIDING FOR RECITALS AND AUTHORITY; PROVIDING FOR AN ASSESSMENT AND FEE RATE FOR FISCAL YEAR 2025-2026 AND A MAXIMUM ASSESSMENT AND FEE RATE FOR FISCAL YEARS SUBSEQUENT THERETO; PROVIDING FOR ESTIMATED SURFACE WATER SERVICE COSTS; PROVIDING FOR THE APPROVAL OF SURFACE WATER ROLLS FOR FISCAL YEAR 2025-2026 AND AUTHORIZING SUCH APPROVAL FOR FISCAL YEARS SUBSEQUENT THERETO; PROVIDING FOR CERTIFICATION OF THE SURFACE WATER ROLL FOR FISCAL YEAR 2025-2026 SURFACE WATER SERVICE ASSESSMENTS AND AUTHORIZING CERTIFICATION FOR FISCAL YEARS SUBSEQUENT THERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 58, Article XVII of the Pinellas County (the "County") Code authorizes the Board of County Commissioners (the "Board") to impose Surface Water Service Assessments and Surface Water Fees to offset the County's Surface Water Service Costs;

WHEREAS, the Board has collected Service Water Assessments and Surface Water Fees since Fiscal Year 2013-2014;

WHEREAS, the per Net ERU (equivalent residential unit) rate started as \$116.00 in Fiscal Year 2013-2014, then increased to \$117.74 in Fiscal Year 2015-2016, \$121.27 in Fiscal Year 2023-2024, and \$124.91 in Fiscal Year 2024-2025;

WHEREAS, the Board adopted Maximum Rate Resolution 17-63 in 2017 for such Surface Water Service Assessments and Surface Water Fees, authorizing annual 3% rate increases up to \$128.66;

WHEREAS, the County's Surface Water Service Costs have risen such that a 7% rate

increase is warranted in Fiscal Year 2025-2026, and subsequent 5% annual rate increases may be warranted through Fiscal Year 2031-2032;

WHEREAS, based on staff recommendations and reports, the Board wishes to adopt a new rate schedule for Surface Water Service Assessments and Surface Water Fees in accordance with the projections noted above, with a not-to-exceed cap of \$179.11 per Net ERU (the projected rate in Fiscal Year 2031-2032);

WHEREAS, in conjunction with the County’s budget for Fiscal Year 2025-2026, a public hearing has been duly held on September 4, 2025, as required by Section 58-701(b) (“Surface water rate resolutions generally”) of the Code and comments and objections of all interested persons have been heard and considered; and;

WHEREAS, notice of the public hearing for adoption of the Resolution has been published and mailed in accordance with Sections 58-703 (“Notice by publication”) and 58-704 (“Notice by mail”) of the Code; a proof of publication and an affidavit of mailing are attached hereto as Appendices A and B respectively;

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

SECTION 1. RECITALS

The above recitals are true and correct and are hereby incorporated by reference herein.

SECTION 2. AUTHORITY

This Resolution is adopted pursuant to the provisions of Chapter 58, Article XVII of the Code; the Pinellas County Charter; Article VIII, Section 1(g) of the Florida Constitution; Sections 125.01 and 197.3632 of the Florida Statutes; and other applicable provisions of law.

SECTION 3. DEFINITIONS

Unless otherwise defined herein, all capitalized terms in this Resolution shall have the meanings defined in Section 58-650 (“Definitions”) of the Code.

SECTION 4. LEGISLATIVE FINDINGS OF SPECIAL BENEFIT AND REASONABLE APPORTIONMENT

Sections 58-652 (“General Findings”) and 58-653 (“Legislative Determinations of Special Benefit and Reasonable Apportionment”) of the Code are incorporated by reference herein.

SECTION 5. IMPOSITION OF SURFACE WATER SERVICE ASSESSMENTS AND SURFACE WATER FEES

For Fiscal Year 2025-2026 (beginning October 1, 2025) and Fiscal Years subsequent thereto, Surface Water Service Assessments and Surface Water Fees will be imposed against Developed Property in accordance with Chapter 58, Article XVII of the Code and particularly Section 58-653 (“Legislative determinations of special benefit and reasonable apportionment”) and Section 58-671 (“Surface Water Service Charges”).

SECTION 6. SURFACE WATER SERVICE AREA

The Surface Water Service Area shall be the entire unincorporated area of the County.

SECTION 7. ESTIMATED SURFACE WATER SERVICE COSTS

The estimated Surface Water Service Cost for Fiscal Year 2025-2026 is \$27.1M. The Surface Water Service Cost for Fiscal Years subsequent to Fiscal Year 2025-2026 may fluctuate based upon the cost to provide Surface Water Management Services.

SECTION 8. RATES FOR SURFACE WATER SERVICE ASSESSMENTS AND SURFACE WATER FEES FOR FISCAL YEAR 2025-2026 AND FUTURE FISCAL YEARS

a. For Fiscal Year 2025-2026, the per Net ERU rate for Surface Water Service Assessments and Surface Water Fees authorized herein shall be \$133.65. However, the proposed

\$133.65 per Net ERU rate may be reduced, if necessary, to ensure that aggregate Surface Water Service Assessments and Surface Water Fees do not exceed Surface Water Service Costs.

b. For each Fiscal Year subsequent to Fiscal Year 2025-2026, the per Net ERU rate may be increased by no more than 5% of the amount of the per Net ERU rate for the immediately prior Fiscal Year. However, under no circumstances shall the per Net ERU rate for any Fiscal Year exceed \$179.11, unless the Board approves an increase to the maximum per Net ERU rate at a subsequent public hearing.

SECTION 9. APPORTIONMENT METHODOLOGY

Each Parcel's Surface Water Service Assessment or Surface Water Fee, as applicable, is calculated annually by inserting the per Net ERU rate, together with any Mitigation Credits awarded, into the Net ERU formula for that Parcel's classification, pursuant to Section 58-673, County Code ("Apportionment Methodology").

SECTION 10. APPROVAL AND CERTIFICATION OF SURFACE WATER ROLLS

a. Surface Water Rolls for Fiscal Year 2025-2026, copies of which were present or available at this public hearing and are on file with the Surface Water Utility Coordinator, have been prepared in accordance with Section 58-702 ("Surface Water Rolls") of the Code and are incorporated by reference herein and hereby approved. The Board Chair shall certify the Surface Water Roll for Fiscal Year 2025-2026 Surface Water Service Assessments by completing the Certification Form attached hereto as Appendix C and cause such roll and form to be delivered to the Tax Collector. The Surface Water Utility Coordinator is hereby directed to prepare the mailing of bills for the Surface Water Roll for Fiscal Year 2025-2026 Surface Water Fees no later than November 1, 2025; such bills shall substantially conform to the format attached hereto as Appendix D.

b. For Fiscal Years subsequent to Fiscal Year 2025-2026, the Surface Water Utility Coordinator is hereby directed to prepare Surface Water Rolls in accordance with Section 58-702 (“Surface Water Rolls”) of the Code for the Surface Water Service Assessments and Surface Water Fees authorized herein. The Board may annually approve such Surface Water Rolls for Surface Water Service Assessments for Fiscal Years subsequent to Fiscal Year 2025-2026 in accordance with the Uniform Assessment Collection Act; upon such approval and further in accordance with the Uniform Assessment Collection Act, the Board Chair shall certify such Surface Water Rolls and cause such Surface Water Rolls and Certifications to be delivered to the Tax Collector.

Concurrent with any annual approval of such Surface Water Rolls for Surface Water Service Assessments, the Board may annually approve Surface Water Rolls for Surface Water Fees for Fiscal Years subsequent to Fiscal Year 2025-2026; upon such approval, the Surface Water Utility Coordinator shall prepare the mailing of bills for such fees in accordance with this Resolution.

c. Nothing in this Resolution shall be construed to require that the Surface Water Rolls be in printed form if the amount of the Surface Water Service Assessment or Surface Water Fee for each Parcel is available on compatible electronic medium and can be determined by use of an available computer terminal.

SECTION 11. METHOD OF COLLECTION

Surface Water Service Assessments authorized herein shall be collected pursuant to the Uniform Assessment Collection Act as authorized by Section 58-741 (“Method of Collection of Surface Water Assessments”) of the Code. Surface Water Fees authorized herein shall be collected pursuant to Section 58-744 (“Collection of Surface Water Fees”) of the Code.

SECTION 12. EFFECT OF ADOPTION OF RESOLUTION

In accordance with Section 58-705 of the Code (“Effect of Adoption of Surface Water Rate Resolutions”), the adoption of this Resolution shall be the final adjudication of the issues presented herein unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of adoption of this Resolution.

SECTION 13. EFFECTIVE DATE

This Resolution is effective immediately upon its adoption.

Commissioner _____ offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner _____, and upon roll call the vote was:

AYES:

NAYS:

Absent and not voting: