

RESOLUTION NO. 24-98

RESOLUTION GRANTING PRELIMINARY APPROVAL OF DOWNTOWN PALM HARBOR STREET LIGHTING DISTRICT AND REQUESTING THE COUNTY ADMINISTRATOR TO CALL FOR A PUBLIC HEARING TO CONSIDER A PROPOSED ORDINANCE CREATING SAID DISTRICT WITHIN THE UNINCORPORATED AREA OF PINELLAS COUNTY, AND AUTHORIZING FUNDS FOR ADMINISTRATIVE EXPENSES DIRECTLY INCIDENT TO CREATING SAID DISTRICT.

WHEREAS, a petition has been presented to the Board of County Commissioners “Board”, Pinellas County, Florida, for a proposed Downtown Palm Harbor Street Lighting District “District” within the unincorporated area of Pinellas County and within the boundaries described on Exhibit A.

WHEREAS, it is the desire of local businesses, Downtown Palm Harbor Merchants Association, the Greater Palm Harbor Chamber of Commerce, and other stakeholders to activate the Downtown Palm Harbor business district with safe, well illuminated sidewalks and parking areas for customers, employees, visitors, and property owners; and

WHEREAS, said petition has been signed by sixty (60) percent of the owners of land described in said district, as required in accordance with approved Pinellas County Policies and Procedures for Street Lighting Districts; and

WHEREAS, said petition provides, and the petitioners understand and agree, that the cost for creating and maintaining the street lighting within the proposed District will be funded by levying a special assessment to be equally shared by the owners of land within the District who will be receiving a special benefit; and

WHEREAS, it has been determined that the collection and enforcement of street lighting assessments would best be accomplished through the Uniform Method pursuant to Section 197.3632, Florida Statutes; and

WHEREAS, Section 197.3632, (3)(a), Florida Statutes requires the governing body of the district (in this case, the BCC), adopt a resolution at a public hearing stating its intent

to use the Uniform Method for street lighting assessments prior to January 1 or, if the property appraiser, tax collector, and local government agree, March 1; and

WHEREAS, the Property Appraiser and Tax Collector have granted such extension.

WHEREAS, in support of the community's forestated desires, County will make a one-time capital funding contribution not to exceed four hundred thousand dollars to cover the initial cost of construction.

WHEREAS, the County Department of Public Works has reviewed the petition, together with the associated information, and estimated that the special assessment to be levied on all properties within the District appear reasonable, equitable and sufficient to pay for the maintenance, energy, and rental costs of street lighting; and

WHEREAS, there is a public purpose in complying with the notice requirements for the creation of a street lighting district and the expenditure of funds necessary to comply with notice requirements.

WHEREAS, funds needed to cover administrative costs directly related to establishing the District will be collected by the County from the District when the non-ad valorem assessment is collected by the uniform method of collecting from each owner of land within the district. If the District is created and the assessment approved for collection by the uniform method, it is intended to begin with the 2025 tax roll.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County, Florida, duly assembled this 17th day of December, 2024, that the petition proposing the creation of said District be accepted and received for filing, and the County Administrator is hereby directed to call for public hearing on the 28th day of January, 2025, at which time the Board will consider the adoption of a resolution approving the assessment for collection by the uniform method and an ordinance creating said district and amending Pinellas County Code Appendix B, and that the Clerk be authorized to advertise notice of the proposed resolution weekly for four (4) consecutive weeks preceding the public hearing in a newspaper of general circulation within the county and otherwise in

compliance with Florida Statutes §197.3632 and the proposed ordinance for said public hearing in accordance with Florida Statutes §125.66 at least ten (10) days prior to the public hearing .

BE IT FURTHER RESOLVED that Pinellas County be authorized to provide funds to pay for the administrative costs incurred to create this District, said funds to be reimbursed by the District, if created, from the non-ad valorem assessment collected by the uniform method of collection.

Commissioner Eggers offered the foregoing resolution, and moved its adoption, which was seconded by Commissioner Flowers , and upon roll call the vote was:

AYES: Peters, Scott, Eggers, Flowers, Latvala, Nowicki, and Scherer.

NAYS: None.

ABSENT OR NOT VOTING: None.

APPROVED AS TO FORM

By: Joseph A Morrissey
Office of the County Attorney

Exhibit A - Legal Description of Downtown Palm Harbor Street Light District

The District shall embrace and be comprised of the following legally described real property:

Lots 17, 18, 19, 34, and 35, COLLEGE HILL SUBDIVISION, according to the plat thereof, as recorded in Plat Book 30, Page 35, public records of Pinellas County, Florida;

Lots 8 through 14, Block 66, Lots 12 through 22, Block 67, Lots 11 through 20, Block 68, Lots 1 through 8, Block 85, Lots 1 through 22, Block 86, Lots 1 through 26, Block 87, Lots 1 through 22, Block 95, and Lots 1 through 8, Block 96, MAP OF SUTHERLAND, according to the plat thereof, filed in the public records of Pinellas County, Florida, as Hillsborough Plat Book 1, Page 1;

Lots 1 through 13, the East half of Lot 22, and Lots 23 through 26, Block 94, MAP OF SUTHERLAND, according to the plat thereof, filed in the public records of Pinellas County, Florida, as Hillsborough Plat Book 1, Page 1, less that portion conveyed to State of Florida Department of Transportation, described as Parcel 100.01, Part A and Part B, in Official Records Book 21480, Page 2101, public records of Pinellas County, Florida;

The vacated alley south of Lots 9 through 13 and north of Lots 14 through 18, Block 87, MAP OF SUTHERLAND, according to the plat thereof, filed in the public records of Pinellas County, Florida, as Hillsborough Plat Book 1, Page 1;

The North half of the vacated alley south of Lots 1 through 10 and the East half of Lot 11, and North of Lots 23 through 26, and the East half of Lot 22, Block 94, MAP OF SUTHERLAND, according to the plat thereof, filed in the public records of Pinellas County, Florida, as Hillsborough Plat Book 1, Page 1;

All of the above being located in Section 2, Township 28 South, Range 15 East.