

RESOLUTION NO. 2017-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, PROVIDING FOR A SEWER MAIN TO BE EXTENDED TO SERVE CERTAIN PROPERTIES LOCATED ALONG THE EAST SIDE OF U.S. HIGHWAY 1 BETWEEN 13230 AND 14410 U.S. HIGHWAY 1, AND INCLUDING 12920 AND 12950 U.S. HIGHWAY 1 WITHIN THE UNINCORPORATED BOUNDARY OF INDIAN RIVER COUNTY; AND CERTAIN PROPERTIES ALONG THE EAST SIDE OF U.S. HIGHWAY 1 WITHIN THE MUNICIPAL BOUNDARY OF THE CITY OF SEBASTIAN BETWEEN 13100 AND 1614 U.S. HIGHWAY 1, INCLUDING CERTAIN PROPERTIES ALONG JACKSON STREET, MADISON STREET, DAVIS STREET, N. CENTRAL AVENUE (SOUTH OF JACKSON STREET) AND INCLUDING 1637 AND 1727 N. INDIAN RIVER DRIVE (NORTH SEBASTIAN SEPTIC TO SEWER [S2S] PHASE 1 PROJECT); PROVIDING THE TOTAL ESTIMATED COST, METHOD OF PAYMENT OF ASSESSMENTS, NUMBER OF ANNUAL INSTALLMENTS, AND DESCRIPTION OF THE AREA TO BE SERVED.

WHEREAS, the Board of County Commissioners of Indian River County has determined that the improvements herein described are necessary to promote the public welfare of the county and has determined to defray the cost thereof by special assessments against certain specially benefited properties to be serviced by a sewer main extension servicing certain properties located along the east side of U.S. Highway 1 between 13230 and 14410 U.S. Highway 1, and including 12920 and 12950 U.S. Highway 1 within the unincorporated boundary of Indian River County; and certain properties along the east side of U.S. Highway 1 within the municipal boundary of the City of Sebastian between 13100 and 1614 U.S. Highway 1, including certain properties along Jackson Street, Madison Street, Davis Street, N. Central Avenue (south of Jackson Street) and including 1637 and 1727 N. Indian River Drive (North Sebastian Septic to Sewer [S2S] Phase 1 project),

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, as follows:

1. The County does hereby determine that a sewer main shall be extended to benefit certain properties located along the east side of U.S. Highway 1 between 13230 and 14410 U.S. Highway 1, and including 12920 and 12950 U.S. Highway 1 within the unincorporated boundary of Indian River County; and certain properties along the east side of U.S. Highway 1 within the municipal boundary of the City of Sebastian between 13100 and 1614 U.S. Highway 1, including certain properties along Jackson Street, Madison Street, Davis Street, N. Central Avenue (south of Jackson Street) and including 1637 and 1727 N. Indian River Drive (North Sebastian Septic to Sewer [S2S] Phase 1 project), to specially benefit 112 parcels/units located therein ("Improvements"), and that the cost thereof shall be specially

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assessed in accordance with the provisions of Section 206.01 through 206.09 of The Code of Indian River County.

2. The assessment will be based on the number of existing Equivalent Residential Units (ERUs) for developed property; and for vacant property, the number of ERUs will be conservatively calculated based on existing land use designation, zoning and size.
3. The estimated cost for the Improvements is \$2,977,931.58 and the specially benefiting parcels/units will be assessed for 38.20% of the cost of the Improvements as shown on the assessment plat on file with the Department of Utility Services and the Clerk to the Board, with 21.80% being funded from a St. Johns River Water Management District Cost Share Grant, 20.00% from the Utility Assessment Fund, and 20.00% from the Optional Sales Tax Contribution. Assessments are to be levied against all lots and lands specially benefited thereby and further designated by the assessment plat with respect to the special assessments.
4. A special assessment per ERU or in the case of vacant property, calculated future ERUs, may be assessed against each of the specially benefited properties designated on the assessment plat on file with the Clerk to the Board. This special assessment may be raised or lowered by action of the Board of County Commissioners serving as the equalizing board at the public hearing, as set forth in Section 206.07 of The Code of Indian River County.
5. The special assessments shall be due and payable and may be paid in full within 90 days after the date of the as-built resolution of the Board with respect to credits against the special assessments after completion of the Improvements (the "Credit Date") without interest. If not paid in full, the special assessments may be paid in ten equal yearly installments of principal plus interest. If not paid when due, there shall be added a penalty of 1-1/2% of the principal not paid when due. The unpaid balance of the special assessments shall bear interest until paid at a rate of two percent (2%) percent per annum.
6. There is presently on file with the Department of Utility Services and the Clerk to the Board an assessment plat showing the area to be assessed, plans and specifications for the Improvements and an estimate of the cost of the proposed Improvements. All of these are open to inspection by the public at the Department of Utility Services and the Clerk to the Board.
7. A proposed preliminary assessment roll with respect to the special assessments is on file with the Department of Utility Services and the Clerk to the Board.
8. Upon the adoption of this resolution, the Department of Utility Services shall cause this resolution (along with a map showing the areas to be served) to be published at least one time in the Indian River Press Journal before the public hearing as required by Section 206.04 of The Code of Indian River County.

The resolution was moved for adoption by Commissioner _____, and the motion was seconded by Commissioner _____, and, upon being put to a vote, the vote was as follows:

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Chairman Joseph E. Flescher _____
Vice Chairman Peter D. O'Bryan _____
Commissioner Susan Adams _____
Commissioner Tim Zorc _____
Commissioner Bob Solari _____

The Chairman thereupon declared the resolution duly passed and adopted this _____ day of June, 2017.

**BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA**

Attest: Jeffrey R. Smith, Clerk of
Court and Comptroller

By: _____
Joseph E. Flescher, Chairman

By: _____
Deputy Clerk

Approved as to form and legal sufficiency:

By: _____
Dylan Reingold, County Attorney