



Office of
**INDIAN RIVER COUNTY
ATTORNEY**

Dylan Reingold, County Attorney
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MEMORANDUM

TO: Board of County Commissioners

FROM: Dylan Reingold, County Attorney

DATE: December 5, 2022

SUBJECT: Public Hearing to Consider a Resolution Electing to Use the Uniform Method for the Levy, Collection and Enforcement of Non-Ad Valorem Assessments for Street Paving in the Oslo Park Area - LEGISLATIVE

BACKGROUND.

On October 19, 2021, the Indian River County Board of County Commissioners (Board) voted to direct the County Attorney and Public Works Director to initiate the process of creating a Municipal Service Benefit Unit (MSBU) for the Oslo Park area to raise funds for future road paving projects. The Public Works Department and the County Attorney's Office worked together to prepare the proper documents to establish the MSBU for the 500 residential properties in the Oslo Park area. The Board considered establishing the MSBU earlier this year, but due to the expected timing of the project, on June 7th, the Board deferred taking action. However, County staff would now like to move forward with initiating the assessment process under section 197.3632, Florida Statutes, which would allow for assessments to be collected on the tax bills that will go out in the fall of 2023.

As part of the process under section 197.3632, Florida Statutes, the Board will conduct two public hearings. At this first public hearing, the Board will consider adopting the attached resolution in which the Board intends to use the uniform method of collecting the non-ad valorem assessments found in Florida Statute §197.3632. Per statute, notice of the public hearing has been advertised for the past four consecutive weeks. If the resolution is approved, staff will send a first-class letter and a copy of the resolution to each property owner in the proposed MSBU, advising them of the second public hearing and providing them with a copy of the proposed ordinance establishing the MSBU.

The Board has already entered into an agreement with the Tax Collector and Property Appraiser reimbursing the Constitutional Officers for the costs incurred in implementing the MSBU.

FUNDING.

Funding for this proposed MSBU has not yet been established. Should the Board establish the MSBU, a budget amendment will be necessary. The costs will include notification for the two public hearings, including mailing notices to owners and reimbursement of costs to the Property Appraiser and Tax Collector.

RECOMMENDATION.

The County Attorney's Office recommends that after the public hearing the Board vote to approve the draft resolution and the draft agreement with the Tax Collector and Property Appraiser.

ATTACHMENT(S).

Draft Resolution